



# **County Council**

**11 December 2018**

## **Agenda**

## 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.**

To: **Members of the County Council**

## ***Notice of a Meeting of the County Council***

**Tuesday, 11 December 2018 at 10.30 am**

**Council Chamber - County Hall, New Road, Oxford OX1 1ND**



Yvonne Rees  
Chief Executive

November 2018

Committee Officer: **Deborah Miller**  
Tel: 07920 084239; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

In order to comply with the Data Protection Act 1998, notice is given that Items 3, 8 and 9 will be recorded. The purpose of recording proceedings is to provide an *aide-memoire* to assist the clerk of the meeting in the drafting of minutes.

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***Members are asked to sign the attendance book which will be available in the corridor outside the Council Chamber. A list of members present at the meeting will be compiled from this book.***

***A buffet luncheon will be provided***

## **AGENDA**

### **1. Minutes (Pages 1 - 38)**

To approve the minutes of the meeting held on 6 November 2018 (**CC1**) and to receive information arising from them.

### **2. Apologies for Absence**

### **3. Declarations of Interest - see guidance note**

Members are reminded that they must declare their interests orally at the meeting and specify (a) the nature of the interest and (b) which items on the agenda are the relevant items. This applies also to items where members have interests by virtue of their membership of a district council in Oxfordshire.

### **4. Official Communications**

### **5. Appointments**

To make any changes to the membership of the Cabinet, scrutiny and other committees on the nomination of political groups.

### **6. Petitions and Public Address**

### **7. Questions with Notice from Members of the Public**

### **8. Questions with Notice from Members of the Council**

### **9. Report of the Cabinet (Pages 39 - 42)**

Report of the Cabinet Meetings held on 18 September 2018 and 20 November 2018 (CC9).

### **10. Treasury Management Mid-Term Review (2018/19) (Pages 43 - 60)**

Report by Director of Finance (CC10).

The report sets out the Treasury Management activity undertaken in the first half of the financial year 2018/19 in compliance with the CIPFA Code of Practice. The report includes Debt and Investment activity, Prudential Indicator monitoring and forecast interest receivable and payable for the financial year.

***Council is RECOMMENDED to note the report and the Council's Mid-Term Treasury Management Review 2018/19.***

### **11. Constitution Review (Pages 61 - 68)**

Report by Director of Law & Governance (CC11).

This report seeks Full Council's agreement to incorporate several changes into changes to the Council's Constitution. The changes fall under two headings and are sought to bring greater clarity and to reflect decisions already taken by the Council.

The Monitoring Officer has delegated authority to make changes to the Constitution to reflect the decisions of the Council, Cabinet and Committees and where changes are needed to bring clarity or to reflect legislation. Other changes require the approval of Full Council. In this case, the proposed changes are being brought to Full Council for approval. The background papers incorporating the governance documents to be included, are available to councillors in the Members' Resource Centre..

The first change proposed is to the Council's Officer Employment Procedure Rules, effectively to bring greater clarity to the arrangements for appointing the Council's senior managers. The proposed change brings the Council's terminology for its senior manager positions into line with the wording in the relevant Regulations and to be clear as to the relevant body or person responsible for making the appointment in each case. This will enhance accountability and avoid confusion that has arisen as to the definition of 'Chief Officers' and 'Deputy Chief Officers'.

For example, currently, the terms of reference of the Remuneration Committee are that it has a role in appointing Directors with no distinction made between 'Strategic Directors' and any other 'Directors'. This report proposes a distribution of responsibility that provides greater clarity. The choice of which posts should be appointed by the Remuneration Committee lies with the County Council itself and is not determined by regulations.

This matter is entirely separate from the arrangements agreed by Council for handling any joint management appointments arising from the Oxfordshire-Cherwell Partnership. The scenarios in this report are solely those that the Council is required to have in place for its own appointments where these occur outside of that context. It is proposed to insert Annex 1 as an appendix to the Council's Officer Employment Procedure Rules.

The second change is an administrative one. This is to insert new provisions into the Council's Constitution to give effect to the decisions already taken by the Council regarding the partnership between this Council and Cherwell District Council. The changes proposed are the insertion of an 'Ethical Walls arrangement' and the terms of reference of the two new committees - namely the Joint Shared Service and Personnel Committee and the Joint Appeals Committee.

The third change is to adopt into the Constitution the 'Chief Executive Protocol' endorsed by the Audit and Governance Committee, which sets out how the Joint Chief Executive will work effectively on behalf of both authorities.

***Council is RECOMMENDED to:***

- (a) agree that the proposed senior officer appointment arrangements set out at Annex 1 be incorporated into the Council's Constitution;***
- (b) agree that the following be incorporated into the Council's Constitution:***
  - (i) terms of reference of the Partnership Working Group, Joint Shared Service and Personnel Committee and the Joint Appeals Committee;***
  - (ii) the protocol on the 'Roles of Members and Officers in Dealing with Conflicts of Interest';***
  - (iii) the Chief Executive Protocol.***

- (c) Ask the Monitoring Officer to make the changes accordingly to the Constitution and the Council's Pay Policy Statement.**

## **12. East West Rail Link (Pages 69 - 90)**

Report by Director for Planning and Place (**CC12**).

East West Rail, linking Oxford to Cambridge and beyond, has been supported by Oxfordshire over the course of its development since 1995. The Council is a Stakeholder and agreed financial contributor to the project. Strategically, the case and need for East West Rail has never been more important, as it is an essential infrastructure element of the Oxford-Milton Keynes-Cambridge corridor as well as supporting the wider growth and connectivity agenda in Oxfordshire and across England's Economic Heartland.

A Transport and Works Act Order has now been submitted for phase 2 of the Western section, between Oxford and Bedford, which requires the approval of the Secretary of State. A Public Inquiry into the scheme due to be held in February/March 2019.

Whilst the County Council is a strategic supporter of the project and the benefits it would bring, there are significant concerns about some aspects of the proposals as set out in the Transport & Works Act, and it is proposed that the Council objects to these aspects of the scheme at the Public Inquiry. Objection at a Transport & Works Act Inquiry by the Council, as a Statutory Body, requires approval by Full Council under the terms of the Transport & Works Act regulations. The purpose of this report is to seek that approval.

**COUNCIL is RECOMMENDED to:**

- (a) confirm its position as objecting to the Transport and Works Act Order on Highways / Transport and Ecology Grounds, on the basis of the points set out in Annex 2 to this report; and**
- (b) with agreement from the Cabinet Member for the Environment, authorise officers to withdraw either or both areas of objection on the basis of satisfactory further information or updated proposals submitted by the East West Rail Alliance in response to these objections and to conclude such legal agreement(s) with Network Rail as they consider necessary to protect the County Council's interests.**

## **MOTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

**WOULD MEMBERS PLEASE NOTE THAT ANY AMENDMENTS TO MOTIONS WITH NOTICE MUST BE PRESENTED TO THE PROPER OFFICER IN WRITING BY 9.00 AM ON THE MONDAY BEFORE THE MEETING**

### **13. Motion by Councillor Laura Price**

"The greatest strength of local government is its ability to embrace openness and transparency, working with and for the people we represent to strive for the very best services and the most effective use of public money.

To ensure that Council is committed to this fundamental principle we propose the Monitoring Officer conduct a review of:

1. Any meetings including Members relating to Council functions and informing decision-making which are held in private
2. Timings of meetings

The review will be reported back to Audit & Governance Committee to form an action plan ensuring the maximum amount of business is held in public and that meetings are scheduled at times which enable the widest possible access to elected Councillors."

### **14. Motion by Councillor Mike Fox-Davies**

"The high growth in housing and commerce is driving many construction projects across most areas of Oxfordshire and this has major consequences to the surrounding community. One of these consequences is the damage by the construction traffic to minor roads and allied infrastructure which are not designed for that weight or volume of traffic.

This Council therefore seeks to ask the Strategic Director for Communities to instruct officers to put the necessary mechanisms in place which will require Developers to mitigate any damage to such roads and infrastructure and return them back to pre-construction condition."

### **15. Motion by Councillor Emma Turnbull**

"There is inadequate youth service provision for young people (aged 11-19) across Oxfordshire in their local neighbourhoods.

In recent years, Oxfordshire County Council has lost 136 youth worker posts, which provided open-access sessions in youth and community centres, with activities such as music and sports, alongside detached and outreach work on the streets.

Young people need safe places to meet outside of formal educational settings. Currently there is no direct provision for young people in Oxfordshire. Without the support of youth workers, many young people are failing to achieve their potential during their vital teenage years, and lack self-esteem and confidence. Without somewhere to go and somebody to talk to, these young people have an increased risk of unhealthy relationships and behaviours, substance misuse, exploitation and mental health issues.

There is a huge need for a statutory youth service delivered in dedicated youth settings, providing opportunities and support for young people to develop in a positive way.

Council calls on the Cabinet to:

Consider the needs of young people in Oxfordshire with a view to funding a sustainable youth service;  
Write to the Secretary of State for Education to enable provision of a statutory youth service.”

## **16. Motion by Councillor Jamila Azad**

“In Oxfordshire we have a proud record of excellent support for children in our care, however a 2016 report by The Children’s Society found that when care leavers move into independent accommodation and begin to manage their own budget fully for the first time it can be extremely challenging. With no family to support them and insufficient financial education, some are falling into debt and financial difficulty.

Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care.

The Children and Social Work Act 2017 places corporate parenting responsibilities on district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions. This provides us with a fantastic opportunity to work together with our District and City colleagues for the benefit of approximately 800 young care leavers in the 16-25 year old age bracket.

Council therefore resolves to ask the Leader of the Council to use our convening powers and expertise in corporate parenting to work with all council tax collecting authorities to look at the implications of exempting young care leavers, with a view to agreeing a workable proposal to be published across Districts in Sept 2019.”

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### **Pre-Meeting Briefing**

There will be a pre-meeting briefing at County Hall on **Monday 10 December 2018 at 10.15 am** for the Chairman, Vice-Chairman, Group Leaders and Deputy Group Leaders



## OXFORDSHIRE COUNTY COUNCIL

**MINUTES** of the meeting held on Tuesday, 6 November 2018 commencing at 10.30 am and finishing at 4.15 pm.

**Present:**

Councillor Gill Sanders – in the Chair

Councillors:

Sobia Afridi	Stefan Gawrysiak	Glynis Phillips
Lynda Atkins	Mark Gray	Susanna Pressel
Jamila Begum Azad	Carmen Griffiths	Laura Price
Hannah Banfield	Jenny Hannaby	Eddie Reeves
David Bartholomew	Neville F. Harris	G.A. Reynolds
Dr Suzanne Bartington	Steve Harrod	Judy Roberts
Liz Brighouse OBE	Damian Haywood	Alison Rooke
Paul Buckley	Mrs Judith Heathcoat	Dan Sames
Kevin Bulmer	Hilary Hibbert-Biles	John Sanders
Nick Carter	John Howson	Les Sibley
Mark Cherry	Ian Hudspeth	Emily Smith
Dr Simon Clarke	Tony Illott	Roz Smith
Yvonne Constance OBE	Bob Johnston	Lawrie Stratford
Ian Corkin	Liz Leffman	Alan Thompson
Arash Fatemian	Lorraine Lindsay-Gale	Emma Turnbull
Neil Fawcett	Mark Lygo	Michael Waive
Ted Fenton	D. McIlveen	Liam Walker
Nicholas Field-Johnson	Kieron Mallon	Richard Webber
Mrs Anda Fitzgerald-O'Connor	Jeannette Matelot	
Mike Fox-Davies	Charles Mathew	

*The Council considered the matters, reports and recommendations contained or referred to in the agenda and schedule of business for 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 of Business, copies of which are attached to the signed Minutes.*

### **18/18 MINUTES**

(Agenda Item 1)

The Minutes of the Meeting held 11 September 2018 were approved and signed as an accurate record.

In relation to Minute 9/18 the Cabinet Member for Environment undertook to provide Councillor Howson with an answer to his substantive question as soon as possible.

In relation to Minute 13/18 Councillor Field Johnson indicated that he was dissatisfied with the response that he had received from the Environment Agency on his Motion and urged the Leader of the Council to refute the letter.

**19/18 APOLOGIES FOR ABSENCE**

(Agenda Item 2)

Apologies for absence were received from Councillor Maurice Billington and Councillor Pete Handley.

**20/18 OFFICIAL COMMUNICATIONS**

(Agenda Item 4)

The Chairman reminded members that her Charity Dinner would be held on 23 November 2108 and that tickets were available from her personal assistant, Sara Lenihan.

**21/18 APPOINTMENTS**

(Agenda Item 5)

**RESOLVED:** Council noted the following appointments:

**Education Scrutiny Committee**

Councillor Ted Fenton in place of Councillor Suzanne Bartington

**Audit & Governance Committee**

Councillor Jeannette Matelot in place of Councillor Ian Corkin

**Joint Consultative Committee for Uniformed Members of the Fire Service**

Councillor Jenny Hannaby in place of Councillor Zoe Patrick.

**County Returning Officer Report**

Council received the following report from the County Returning Officer on the outcome of the by-elections for Iffley Fields & St Mary's held on 18 October 2018:

Voting was as follows:

Name of Candidate	Description	Number of Votes
HAYWOOD Damian Joel - Elected	Labour Party	1162

PROCTER Josie	Liberal Democrat	43
SIMS Paul John	The Conservative Party Candidate	100
WILLIAMS Arthur David	Green Party	1087

Damian Haywood was accordingly elected County Councillor for the Iffley Fields & St Mary's Division.

The Chairman welcomed Councillor Damion Hayward onto the Council.

## **22/18 PETITIONS AND PUBLIC ADDRESS**

(Agenda Item 6)

Council received the following public address:

Mr Scott Urban, Director of Oxfordshire Liveable Streets spoke in support of Agenda Item 18 (Motion by Councillor Suzanne Bartington) He urged the Council to build totally segregated infrastructure for cycles and human-friendly junctions for pedestrians.

Currently, the UK in general had implemented the merging and urging lanes, while the Netherlands had taken the approach 'build it and they will come'. The differences were remarkable. Oxfordshire Liveable Streets was created to help the county council, continue in the journey toward the latter approach. They planned to give the support needed in the districts for the hard steps that are required to create space for active travel. He invited councillors, to join him on a visit to Waltham Forest in London, where they could see first-hand how the highway authority there had implemented a remarkable scheme to replicate what happens in the Netherlands. We will be writing to cabinet members shortly with some suggested dates.

Mr Robin Tucker, Chair of Oxfordshire Cycling Network in support of Agenda Item 18 (Motion by Councillor Suzanne Bartington) on the basis that it was very important to include health planning in all future infrastructure and planning projects as activity greatly reduced sickness in people. He expressed the importance of onward leadership and support and indicated that Oxfordshire Cycling Network would like to support officers in developing future proposals.

Mr Simon Hunt, Chair of Cyclox spoke in support of Agenda Item 18 (Motion by Councillor Suzanne Bartington) on the basis that if people choose cycling to make their everyday trips, it benefited everyone in Oxfordshire who lives, works or visits here, not just those on their bikes, it reduces traffic congestion and its economic effects. Andrew Gilligan's Report, which he profoundly hoped Council would endorse later today as proposed by Cllr Buckley, was aptly titled "Running out of Road". Jams result when a section of road or a junction has to carry more than its maximum capacity. If the traffic volume could be kept to 90% instead of 110% of capacity, then the jams disappear.

Relatively few people in cars or vans would need to switch to using bikes instead. The pollutions - carbon dioxide; nitrogen oxides; particulates - caused by motor vehicles were at unacceptably, often illegally, high levels. Two years ago, Council endorsed Local Transport Plan 4, LTP4, and also the Oxfordshire Cycling Design Standards. These key documents set out good high-level principles. Since then, some new-build for cycling has been very good, but too many projects still ended up with low-standards. He urged the Council to ensure better quality control in future projects to reduce traffic jams, pollution and poor-quality projects.

Mr Adrian Townsend, spoke in relation to Agenda Item 12 (Growth Board). He urged the council to take back it duties and responsibilities of the Growth Board as he believed the Growth Board was now outdated and environmentally disastrous. He queried the high number of new houses needed in Oxfordshire to 2021, believing that only 23,000 was needed to sustain economic growth. He further urged the council to stand up to Central Government and challenge the need for an Oxford to Cambridge expressway.

Mr Singh, 001 Taxis spoke in relation to Agenda Item 13 (Motion from Councillor Eddie Reeves) against ride sharing apps on the basis that 001 believed the negatives of sharing apps would far outweigh the positives, including a rise in fares; a lack of local accountability; and app bookings that would limit services to people who currently booked via telephone or the web or other methods. He further believed the apps could pose a safeguarding issue to the public as private hires drivers from across the UK would come to Oxford. He further believed that the sharing apps would negate Oxford City becoming zero emissions by 2020.

Mr Mohammad, Royal Cars spoke in relation to Agenda Item 13 (Motion from Councillor Eddie Reeves) against ride sharing apps on the basis that the 2 main taxi companies that provided transport in Oxfordshire did so to a very high standard with over 50% of cars now being hybrid; access for the disabled, with 20 wheelchair accessible cars and excellent coverage to all parts of the County. He expressed concern about the safety to clients if app sharing was introduced.

## **23/18 QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

(Agenda Item 8)

19 questions with Notice were asked. Details of the questions and answers and supplementary questions and answers will be set out in the annex to the minutes.

In relation to question 1 (Question from Councillor Leffman to Councillor Constance) Councillor Constance undertook to provide Councillor Leffman with a written answer detailing how many outstanding applications there were; how many staff were dealing with the issue and how many staff would be needed to deal with it in the future?

In relation to question 2 (Question from Councillor Leffman to Councillor Lindsay-Gale) Councillor Lindsay-Gale undertook to investigate the cost implications of continuing to send letters regarding library reservations to those that could not access technology and let Councillor Leffman know the outcome.

In relation to question 10 (Question from Councillor Howson to Councillor Lindsay-Gale) Councillor Lindsay-Gale undertook to get the issue of lowering Oxfordshire's Absent Rates to below the National average on the Head Teacher Association's Agenda.

In relation to question 19 (Question from Councillor Pressel to Councillor Constance) Councillor Constance agreed to look again to see if there was anything she could do to support car clubs.

## **24/18 REPORT OF THE CABINET**

(Agenda Item 9)

The Council received the report of the Cabinet.

In relation to paragraph 7 of the report (Update Financial & Resource Contribution towards the Free Swan School Project in Oxford) (Question from Councillor Howson to Councillor Lindsay-Gale) Councillor Lindsay-Gale gave an assurance that if there were any additional transport costs due to the location of the Swan School being over the 3-mile limit, that these would be taken account of as part of the Agenda setting process.

In relation to paragraph 12 of the report (Financial Monitoring and Medium Term Financial Plan Delivery Report – August 2018) (Question from Councillor Phillips to Councillor Bartholomew) Councillor Bartholomew undertook to provide Councillor Phillips with a written answer outlining what percentage of the revenue stream was used for the servicing of debts.

## **25/18 TREASURY MANAGEMENT 2017/18 OUTTURN**

(Agenda Item 10)

The Council had before them a report by the Director of Finance (CC10) which set out the Treasury Management activity undertaken in the financial year 2017/18 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator Outturn, Investment Strategy, and interest receivable and payable for the financial year.

Councillor Bartholomew moved and Councillor Carter seconded the recommendations set out in the report and on the face of the agenda.

Following debate, the motion was put to the vote and was carried nem con.

**RESOLVED:** (nem con) to note the Council's Treasury Management Activity in 2017/18.

## **26/18 DIRECTOR OF PUBLIC HEALTH ANNUAL REPORT XI**

(Agenda Item 11)

The Council had before them the 11<sup>th</sup> Annual Report by the Director of Public Health which summarised key issues associated with the Public Health of the County. It included details of progress over the past year as well as information on future work. It was an independent report about the health and wellbeing of Oxfordshire residents in the broadest terms.

The report had also been considered at the Oxfordshire Health Overview & Scrutiny Committee in September and the Oxfordshire County Council's Cabinet in November 2018.

Councillor Stratford moved and Councillor Hudspeth seconded that Council receive the report.

Council paid tribute to the Strategic Director for People for his work, particularly in relation to public health.

**RESOLVED:** (on a motion by Councillor Stratford, seconded by Councillor Hudspeth and carried nem con) to receive the report.

## **27/18 ANNUAL PARTNERSHIPS UPDATE**

(Agenda Item 12)

The Council had before it a report which provided an update on Oxfordshire-wide partnerships that the County Council is engaged with and their activities over the past year.

Each partnership report includes the following information: Current focus for the Partnership; Personnel including Chairman and supporting staff of the Partnership; Governance arrangements; Key achievements over the past year; Aims of the partnership for the forthcoming year; Key challenges for the Partnership and how these will be addressed.

The Annual Partnerships report had been reviewed by the Oxfordshire Partnership at their meeting on 15 October 2018.

With the consent of Council, Councillor Hudspeth moved and Councillor Brighthouse seconded that the Council note the report and refer the item to the relevant scrutiny committees for consideration.

The motion was put to vote and was carried by 55 votes to 0, with 4 abstentions.

**RESOLVED:** (55 votes to 0, 4 abstentions) to note the report and refer the item to the relevant scrutiny committees for consideration.

**28/18 MOTION BY COUNCILLOR EDDIE REEVES**

(Agenda Item 13)

With the consent of Council, Councillor Reeves moved and Councillor Price seconded an alteration to his motion at the suggestion of Councillor Price as shown in bold italics and strikethrough below:

“This Council believes that residents in Oxfordshire should have the greatest possible choice of transport available to them.

~~This Council notes Oxford City Council's refusal to grant licenses to new entrants in the private-hire market including peer-to-peer ridesharing apps. As these services need a critical mass to be successful, the decision by the City Council is having a detrimental effect on the other areas of the County, including all the district areas, and thus contributing to rural isolation by depriving people of services and choice.~~

This Council calls on the Leader of the Council to write to:

- (a) The Leaders of Oxford City Council and all district councils with a view to ensuring that *residents* consumers enjoy ~~have~~ ***have a diverse range of accessible transport options, which could include the licensing of private hire vehicles for new entrants into the market, to meet their varied needs and support*** ~~greater choice of private-hire services by extending licenses for new entrants to that market and by assisting this Council's efforts in extending the provision of bus services in the light of new legislation that has already enabled successful innovative services in the County.~~
- (b) The County's commercial and community bus operators with a view to widening the availability of bus services in the County, including hop-on-hop-off services, and to relevant partners as above, including also parishes and prospective community groups, so as to encourage the provision of new services. This has already shown to be a great success with the initiatives such as the Pick Me Up Service and this should be extended to other areas of the County.”

Following debate, the motion as amended was put to the vote and was carried by 53 to 0, with 3 abstentions.

**RESOLVED:** (53 to 0, with 3 abstentions)

“This Council believes that residents in Oxfordshire should have the greatest possible choice of transport available to them.

This Council calls on the Leader of the Council to write to:

- (a) The Leaders of Oxford City Council and all district councils with a view to ensuring that residents have a diverse range of accessible transport options, which could include the licensing of private hire vehicles for

new entrants into the market, to meet their varied needs and support this Council's efforts in extending the provision of bus services in the light of new legislation that has already enabled successful innovative services in the County.

- (b) The County's commercial and community bus operators with a view to widening the availability of bus services in the County, including hop-on-hop-off services, and to relevant partners as above, including also parishes and prospective community groups, so as to encourage the provision of new services. This has already shown to be a great success with the initiatives such as the Pick Me Up Service and this should be extended to other areas of the County."

## **29/18 MOTION BY COUNCILLOR LIZ BRIGHOUSE**

(Agenda Item 14)

Councillor Brighouse moved and Councillor Turnbull seconded the following motion:

"This Council notes that many council budgets are at breaking point. Austerity has caused huge damage to communities up and down the UK, with devastating effects on key public services that protect the most defenceless in society – children at risk, disabled adults and vulnerable older people- and the services we all rely on like roads, libraries, children's centres, waste management:

- Central Government cuts mean councils have lost 60p out of every £1 that the last Labour Government was spending on local government in 2010
- Councils now face a further funding gap of £7.8 billion by 2025 just to keep services "standing still" and meeting additional demand. Even Lord Gary Porter, the Conservative Chair of the LGA, has said "Councils can no longer be expected to run our vital services on a shoestring".

This Council resolves to ask the Leader of the Council to write to the Chancellor of the Exchequer, the Prime Minister, and the Secretary of State for Housing, Communities and Local Government setting out the funding pressures faced by Oxfordshire and calling on the Government to truly end austerity in local government."

During debate, Councillor Laura Price moved and Councillor Lynda Atkins seconded 'that the question be now put'. The motion was put to the vote (those having spoken not voting) and was carried by 27 votes 15, with 1 abstention.

Following summing up, the substantive motion was put to the vote and was lost by 30 votes to 27.



**RESOLVED:** accordingly.

**30/18 MOTION FROM COUNCILLOR PAUL BUCKLEY**

(Agenda Item 15)

With the Consent of Council, Councillor Paul Buckley sought to withdraw his motion on the basis that Councillor Suzanne Bartington had agreed to amend her motion to take on points from his motion.

**RESOLVED:** (nem con) to withdraw the motion.

**ORDER OF BUSINESS**

With the consent of Council, The Chairman moved and Councillor Hudspeth seconded that the order of business be changed to allow Agenda Item 18 (Motion by Councillor Suzanne Bartington) to be moved in place of Agenda Item 15 (Withdrawn Motion by Councillor Paul Buckley).

The motion was put to the vote and it was:

**RESOLVED:** (nem con) to move Agenda Item 18 in place of Agenda Item 15.

**31/18 MOTION BY COUNCILLOR SUZANNE BARTINGTON**

(Agenda Item 18)

With the consent of Council, Councillor Bartington and Councillor Buckley seconded her motion, amended at the suggestion of Councillor Paul Buckley as follows:

“This Council recognizes our ambition to achieve economic growth whilst improving the health and wellbeing of communities in Oxfordshire. Active travel provides an effective mechanism to achieve such goals, with potential to co-deliver multiple social, environmental and economic benefits. This council ~~has recognised~~ **recognises** in LTP4 the importance of investment in sustainable transport and shares the Government’s Cycling and Walking Investment Strategy ambition to double cycling by 2025. **Accepting Cognizant** of Andrew Gilligan’s recent recommendations to the National Infrastructure Commission **into and within Oxford**, it now wishes to accelerate progress towards this goal. This Council therefore calls upon the Cabinet Member for Environment to:

- i. Apply Local Cycling and Walking Infrastructure Plans (LCWIPs) to agree a prioritised and costed Strategic Active Travel Network (SATN), building on work of the Oxfordshire Cycle Network.
- ii. Actively seek capital and revenue funding for SATN delivery through local and national sources.

- iii. Assess what co-benefits could be gained by allocating a fraction of local transport funds to active travel infrastructure (e.g. 5 or 10%) following best practice examples.
- iv. influence the Planning authorities use of planning powers more proactively and effectively to achieve beneficial active travel outcomes.
- v. Establish a framework to oversee quality control of all active travel infrastructure projects in accordance with the Oxfordshire Cycling Design Standards, from inception through planning to implementation, ensuring all proposals are audited for safety and encouragement of active travel.
- vi. Use innovative data sources and technologies to identify active travel patterns and latent demand, and to monitor and increase effectiveness of interventions.”

Following debate, the Motion as amended was put to the vote and was carried unanimously (49 votes to 0).

**RESOLVED:** (49 votes to 0)

“This Council recognizes our ambition to achieve economic growth whilst improving the health and wellbeing of communities in Oxfordshire. Active travel provides an effective mechanism to achieve such goals, with potential to co-deliver multiple social, environmental and economic benefits. This council recognises in LTP4 the importance of investment in sustainable transport and shares the Government’s Cycling and Walking Investment Strategy ambition to double cycling by 2025. Accepting Andrew Gilligan’s recent recommendations to the National Infrastructure Commission into and within Oxford, it now wishes to accelerate progress towards this goal. This Council therefore calls upon the Cabinet Member for Environment to:

- i. Apply Local Cycling and Walking Infrastructure Plans (LCWIPs) to agree a prioritised and costed Strategic Active Travel Network (SATN), building on work of the Oxfordshire Cycle Network.
- ii. Actively seek capital and revenue funding for SATN delivery through local and national sources.
- iii. Assess what co-benefits could be gained by allocating a fraction of local transport funds to active travel infrastructure (e.g. 5 or 10%) following best practice examples.
- iv. influence the Planning authorities use of planning powers more proactively and effectively to achieve beneficial active travel outcomes.
- v. Establish a framework to oversee quality control of all active travel infrastructure projects in accordance with the Oxfordshire Cycling Design Standards, from inception through planning to implementation,

ensuring all proposals are audited for safety and encouragement of active travel.

- vi. Use innovative data sources and technologies to identify active travel patterns and latent demand, and to monitor and increase effectiveness of interventions.”

**32/18 MOTIONS BY COUNCILLOR PRICE, FOX-DAVIES, AZAD AND HOWSON**

(Agenda Item 16)

The time being 4.15, these motions were considered dropped in accordance with Council Procedure Rule 13.5.8.

..... in the Chair

Date of signing .....

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**QUESTIONS WITH NOTICE FROM MEMBERS OF THE COUNCIL**

Questions	Answers
<p><b>1. COUNCILLOR LIZ LEFFMAN</b></p> <p>Councillor Constance will be aware of the looming deadline in 2026 for the registration of rights of way on the Definitive Map. Definitive Map Modification Orders are complicated and can take a long time to process. What measures are the County Council taking to ensure that parish councils and private individuals can register footpaths in their area that are not currently on the Definitive Map, to ensure that we do not lose rights of way because they are not registered in time?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>There are two kinds of Definitive Map Modification Order (DMMO): those based on historical evidence, and those based on user evidence. The 2026 deadline only applies to the former and is only the cut-off date for <u>receiving</u> the application – not for completing the process.</p> <p>It is now an opportune time for us to proactively ensure Parish Councils are aware of the deadline and we will be taking this forward in 2019.</p> <p>New legislation in this area (Deregulation Act 2015, not yet enacted and held up behind Brexit) will for the first time give us opportunity to negotiate with Landowners affected by a DMMO which will in some cases allow us to reach an agreement and shortcut the full process.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Could you tell me how many outstanding applications there were; how many staff were dealing with the issue and how many staff would be needed to deal with it in the future?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>There are currently 108 outstanding applications. We aim to conclude 10 per year with current staffing levels. However, 31 closely related applications are currently being dealt with as a batch and therefore expect to see a sharp decline in the number early next year. Furthermore, we continue to seek process efficiency improvements, and have added considerable extra experience to the team recently.</p> <p>DMMO cases vary greatly in complexity and duration, so predicting how long it will take to get through them all can only be done statistically. Also, the time it will take to process the current cases depends on what new cases come in – we don't always take them in chronological order which helps overall efficiency. The graph below shows some of our modelling, and also the impact of the recent changes we have made.</p>

Questions	Answers
<p><b>2. COUNCILLOR LIZ LEFFMAN</b></p> <p>Recently a resident in my ward was told by her local library that when she reserves a book in future, she will no longer be notified of its arrival by post, and can only be notified online. As this resident does not have a computer, she is concerned that her access to library services will be diminished. Can Councillor Lindsay-Gale reassure members that the library service has plans in place to ensure that no user is disadvantaged by the decision to withdraw notification by letter?</p>	<p><b>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR EDUCATION &amp; CULTURAL SERVICES</b></p> <p>The Library Service currently offers customers the choice of receiving notices by post or by email. These notices include reminders about items on loan that are due for return/renewal, and also notifications that reserved items are available for collection. These notices are a discretionary service, provided to help customers using library services.</p> <p>Over the past 10 years we have seen a vast change with the majority of customers preferring to receive these notices by email. Between 2012 and 2017 the Service reported a 79% reduction in printed notices being sent which represents better value to the public in terms of the printing and postage costs and staff time required to process these notices. Consequently, the cost to deliver this service can no longer be justified and so the decision was taken in early 2018 to discontinue printed notices with effect from 1 April 2019. A Service and Community Impact Assessment (SCIA) was completed, as a result of which it was agreed to give 1 year's notice to all customers of this change, giving plenty of opportunity for those who wish to continue to receive the discretionary notices to set up an email account, and for them to be supported in doing so. Libraries are exceptionally well placed to support people in doing this as part of the digital agenda, with free public computers, free public wifi, and digital helper volunteers offering free help to customers in use of digital and online services.</p> <p>Other mitigations include:</p> <ul style="list-style-type: none"> <li>• Customers can choose to nominate another person (e.g. friend, relative, neighbour or carer) to receive email notices on their behalf.</li> <li>• Customers can be notified of any available reservations when visiting the library and asking staff at the counter.</li> <li>• Customers who choose not to use email but who can access their library</li> </ul>

Questions	Answers
	<p>account online (either at home or at a free public computer in a library) can check on the status of their reserved items, or any overdue items. This can also be done via the user-friendly library app, which is suitable for any smartphone or tablet.</p> <ul style="list-style-type: none"> <li>• Reserved items, when available for collection at the branch of the customer's choosing, are held for 2 weeks before being returned to the item's home branch or passed on to the next person waiting for it.</li> <li>• Customers are only charged for the reservation (£1.20) when they collect the item.</li> <li>• Some customers are exempt from reservation charges and can reserve/request books for free – these include under 18s, adults with a reading impairment, and Home Library Service customers.</li> </ul> <p>In response to the question, I am happy to reassure Members that careful consideration was given to the impact of discontinuing printed notices, and that some mitigation is in place to minimise the impact on customers who choose not to use email. This decision to change this discretionary service was not taken lightly, but will return significant and necessary savings in terms of budget and staff time, while also meeting the Council's agenda of services being digital by design.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Would it be possible to continue to send letters regarding library reservations to those that could not access technology and let Councillor Leffman know the outcome?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>The withdrawal of printed notices is built into the Library Service budget from 2019/20 and will save around £20k from the revenue budget, plus other benefits and savings as broken down below:</p> <ul style="list-style-type: none"> <li>• Estimate of 45mins/day of staff time in terms of not having to process, print, sort, stuff and frank the 120+ notices per day.</li> <li>• Another small saving of support time for staff in maintaining the franking and stuffing machines, ordering sundry items, dealing with faults, and liaising with providers (including processing quarterly invoices).</li> <li>• Space and power usage will also be saved by removal of the stuffing</li> </ul>

Questions	Answers
	<p>and franking machines from Holton</p> <ul style="list-style-type: none"> <li>• C.£20,000 cashable saving, broken down as follows: <ul style="list-style-type: none"> <li>○ Franking machine rental - £1,864</li> <li>○ Envelope stuffer rental - £ 2,148</li> <li>○ Royal Mail daily collection - £800</li> <li>○ Sundry items Inc. brushes, cloths, sealing fluid and franking ink - £632</li> <li>○ Paper and envelopes - £600</li> <li>○ Postage (2016 actual) - £14,245.28</li> <li>○ TOTAL – £20,289.28</li> </ul> </li> </ul> <p>“Item Available” notices account for around half the notices (the other half being overdue notices). As such the cost implications of continuing to offer printed notices just for Item Available letters (but to discontinue overdue notices), would be around half the postage, sundries and paper costs, but all of the other fixed costs, so around £12,300. The other non-cashable savings would also not be achieved.</p>
<p><b>3. COUNCILLOR SUSANNA PRESSEL</b></p> <p>Why are there still signs on the highway directing us to “Peers School”, although the school changed its name 10 years ago?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>Thank you for bringing this to our attention, these signs had been overlooked. Arrangements will be made to remove/replace the three ‘Peers School’ destination signs from the network, in the interim we have arranged for the existing signs to be blanked over which should be done by 9 November 2018.</p>
<p><b>4. COUNCILLOR SUSANNA PRESSEL</b></p> <p>In her conference speech, Theresa May said that “austerity in over”. Please can you tell us what this means for OCC?</p>	<p><b>COUCILLOR IAN HUDSPETH, LEADER OF THE COUNCIL</b></p> <p>I think it’s important to remind council of why the Conservatives supported by the Liberal Democrats had to introduce fiscal measures to reduce the deficit.</p> <p>At the turn of the century this country was running a budget surplus; any prudent Chancellor of the Exchequer would have been using the surplus to</p>



Questions	Answers
	<p>build up our reserves in case he failed on eliminating the boom and bust cycle of the economy.</p> <p>Instead the then Labour Chancellor of the Exchequer, Gordon Brown, went on a spending spree not only with hard working taxpayer's money but racking up debt for our children and grandchildren.</p> <p>When the global economy crashed it meant that as opposed to using our reserves we had to borrow even more money to support our economy. This led to the UK deficit at 2010 being a massive £147.5 billion or 9.3% of GDP, an unsustainable level.</p> <p>Through the hard work of the Conservative Government supported by the Liberal Democrats until 2015; the deficit has been reduced by 2017 to £36.2 billion or 1.8% of GDP which is good however not as good as local government that sets a balanced budget each year.</p> <p>Oxfordshire County Council has played its part in reducing the deficit by taking significant cuts in funding from central government and making tough decisions sometimes with cross party support to enable the council still to deliver vital services especially to the vulnerable.</p> <p>In Oxfordshire we may have pre-empted the Prime Ministers announcement as building on our sound 4-year MTFP we have taken the decision to invest up to £120 million in our infrastructure focusing on highways maintenance. There is another £150 million for infrastructure, £60 million for affordable homes and £5 million capacity funding from the Growth Deal which the Chancellor said was a down payment.</p> <p>We have Housing infrastructure bids in for Didcot of £171 million and the A40 corridor for £135 million.</p> <p>This totals almost £500 million of investment in Oxfordshire which proves that</p>

Questions	Answers
	<p>delivering a sound financial plan delivers investment.</p> <p>Since 2010 the Conservatives have:  Deficit cut by four-fifths  Our economy has grown for 8 consecutive years  When Labour left office in 2010 there were 3 million people unemployed, since then on average over 1,000 jobs a day have been created</p> <p>Our balanced approach to the economy is building a country where everyone can get on and resulted in last week's budget that delivered:</p> <ul style="list-style-type: none"> <li>• £650m in 2019-20 for social care, additional funding for disabled facilities grant</li> <li>• £420m to tackle potholes, bridges, etc</li> <li>• £20m for work on central section of East-West Rail</li> <li>• Mental Health crisis service as part of NHS funding increase</li> <li>• £675m "future high streets fund", and business rates relief</li> <li>• Simplified system of developer contributions, capturing a greater proportion of land value uplift for infrastructure, and ending restrictions on s106 pooling</li> <li>• Further £500m for Housing Infrastructure Fund</li> <li>• PFI and PF2 abolished for future projects</li> <li>• £200m from the NPIF to pilot innovative approaches to full fibre internet in rural locations, starting with primary schools</li> <li>• £400m in-year 'bonus' to schools</li> <li>• Living Wage up to £8.21 from April 2019</li> <li>• Personal allowance will be raised to manifesto commitment levels by April 2019, rather than April 2020 as planned (£12,500 and £50,000) prior to indexing them to inflation thereafter</li> </ul> <p>I'm sure that Cllr Pressel would agree with the Shadow Chancellor in welcoming the personal tax allowances that will benefit the low paid.</p>

Questions	Answers
<p><b>5. COUNCILLOR SUZANNE BARTINGTON</b></p> <p>Air pollution is response for approximately 1 in 20 premature deaths in Oxfordshire, predominantly due to Particulate Matter and Nitrogen Dioxide exposure. In November 2017 this Council resolved to <i>“establish a councillor-led inter-council Air Pollution Action Group to produce plans for zero-emission or low-emission zones in AQMAs and to restrict the access of polluting traffic in such areas”</i>. Furthermore, this Government’s draft Government’s Clean Air Strategy recognises the importance of strong collaborative partnerships across geographical, structural and departmental boundaries to drive stronger, effective air quality action. Please could the Cabinet Member for Environment therefore provide members with an update regarding the establishment and planned activities of the inter-council group?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>The councillor Inter Council Air Quality Action Group has not yet been set up, although discussions are continuing. To date no consensus has been achieved from the districts to take such a group forward. Until agreement is reached, County Council officers are continuing to work with district officers on AQMAs as well as a wide range of measures aimed at tackling air pollution. For example, we are working successfully with the City Council via a joint Member Steering Group to progress the proposed Zero Emission Zone and Traffic Demand Management in Oxford and other complementary measures. Similar partnerships could be set up with other District Members, but this would require additional Council resource commitment.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>When is it expected that the Inter Council Air Quality Action Group with District/City councils will be set up?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>There is no clear support from our district council colleagues to set up an inter-council air quality action group, and no resources allocated for this. Oxfordshire County Council will continue to work closely with districts on air quality, and still hope to be able to find a solution that delivers this resolution.</p>

Questions	Answers
<p><b>6. COUNCILLOR CHARLES MATHEW</b></p> <p>Can the Cabinet Member for Environment and the Deputy Leader receive congratulations for the work being done by Trading Standards on enforcing the maximum gross weight limit at Newbridge (Grade I 12<sup>th</sup>.C. historic monument) by CCTV monitoring and will they inform the Council how many warning letters have been sent out and how many prosecutions have or are being pursued since the new camera resumed its work at this Thames river crossing a year ago?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>Automatic Number Plate Recognition (ANPR) cameras were installed on Newbridge in August 2017. The purpose of the cameras is to monitor this bridge for contraventions of the weight restriction order that applies to this stretch of the A415. Since these cameras became operational in September 2017 a total of 628 vehicles have been recorded by the cameras as potentially in contravention of the weight restriction order. Of these, 90 were recorded in September 2017 whereas only 28 were recorded in September 2018. This shows the overall trend is a continuing reduction in the number of Heavy Goods Vehicles using this bridge since the cameras were installed.</p> <p>In relation to enforcement action that resulted from the camera based monitoring at the bridge 515 warning letters have been sent to vehicle operators or drivers and 6 prosecutions have been concluded (resulting in a total of £2,473 in fines &amp; costs). A further 25 prosecutions have been instigated and are awaiting a Court hearing. There are currently 53 suspected contraventions under active investigation.</p>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Do you envisage using this method of enforcement at other sites and enforce routing agreements?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>This will be assessed on a case by case basis.</p>
<p><b>7. COUNCILLOR CHARLES MATHEW</b></p> <p>Would the Cabinet Member for Environment confirm that calculations for total gravel and soft sand requirement for the period to 2031 included in the Core Strategy Minerals and Waste</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>Policy M3 of the Oxfordshire Minerals and Waste Local Plan: Part 1 – Core Strategy states: “Sites allocated for sharp sand and gravel working (including both new quarry sites and extensions to existing quarries, including any extensions outside the strategic resource areas), to meet the requirement in</p>

Questions	Answers
<p>amounts to 9 per cent North of the Thames (Cherwell, West Oxfordshire and Oxford North of the Thames) and 91 per cent South of the Thames to achieve the agreed policy of 50 per cent for each area of the gravel to be excavated in Oxfordshire by the end of 2031?</p>	<p>policy M2 will be located such that approximately 25% of the additional tonnage requirement is in northern Oxfordshire and approximately 75% of the additional tonnage requirement is in southern Oxfordshire, to achieve an approximately equal split of production capacity for sharp sand and gravel between northern and southern Oxfordshire by 2031.”</p> <p>Taking into account existing planning permissions, the remaining requirement for sharp sand and gravel to be provided for by the allocation of sites in Part 2 of the Minerals and Waste Local Plan – the Site Allocations Plan – currently totals 5.354 million tonnes. A 25%:75% split of this, in accordance with policy M3, gives the following requirements for provision in northern and southern Oxfordshire:</p> <ul style="list-style-type: none"> <li>• Northern Oxfordshire – 1.338 million tonnes (25%);</li> <li>• Southern Oxfordshire – 4.016 million tonnes (75%).</li> </ul> <p>An alternative method of splitting the requirement between northern and southern Oxfordshire, in order to achieve an approximately equal split of production capacity by 2031, is to subdivide the total requirement at the start of the plan period (2014) 50:50 between the two parts of the county before beginning the calculation of the remaining requirement. This currently produces the following split of the total remaining requirement of 5.354 million tonnes:</p> <ul style="list-style-type: none"> <li>• Northern Oxfordshire – 0.505 million tonnes (9%);</li> <li>• Southern Oxfordshire – 4.849 million tonnes (91%).</li> </ul> <p>There was initial discussion of this at the Minerals and Waste Cabinet Advisory Group meeting on 15 October 2018 but no conclusions were reached. Further technical work needs to be done on the different methods for splitting the sharp sand and gravel provision requirement between northern and southern Oxfordshire, to establish which is the most appropriate to use as a basis for the allocation of sites for sand and gravel working in Part 2 of the Minerals and Waste Local Plan - the Site Allocations Plan. This work will be presented at a future meeting of the Minerals and Waste Cabinet Advisory</p>

Questions	Answers
	Group for discussion prior to a report on a draft of the Site Allocations Plan being put to Cabinet in 2019.
<p><b>8. COUNCILLOR JOHN HOWSON</b></p> <p>I was delighted to read in the October briefing to Members that ‘the county council continues to work with the city council to address the concerns regarding a cycle path that had led to the planning application for the Swan School originally being refused by city councillors in September.’</p> <p>Can the Cabinet Member explain what form this work is taking?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>The East Area Planning Committee resolved to refuse planning permission for Swan School on 5 September. This was on the grounds of harm to the Green Belt and lack of priority for cyclists on the cycle lane.</p> <p>The planning application was called into the Planning Review Committee on 12 October. Prior to this committee date, county council officers worked with the applicant and the city council to address the refusal reasons particularly the second reason for refusal.</p> <p>This work included revisiting the proposal and design of the proposed junction to understand if it could be improved further. However, the county council considered the proposed design to be acceptable.</p> <p>The applicant revised the proposal to reduce the level of car parking on site from 66 spaces to 55 spaces which would reduce the traffic generation and thereby the number of vehicles using the access. The applicant also revised the Travel Plan to present more ambitious targets for reducing car use amongst staff. Both amendments were welcomed by the county council.</p> <p>The Planning Review Committee considered these changes to the proposal and resolved to grant planning permission on 12 October. Several planning conditions will be attached to the permission which require the county council’s approval for discharge including the implementation of the Travel Plan, possible reduction of speed limit on Marston Ferry Road, cycle parking, car park and access management plans and site visits to review the proposed operation of the access. The full committee report can be viewed on the city council’s website</p>

Questions	Answers																								
	<a href="http://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=147&amp;MId=4507&amp;Ver=4">http://mycouncil.oxford.gov.uk/ieListDocuments.aspx?CId=147&amp;MId=4507&amp;Ver=4</a>																								
<p><b>9. COUNCILLOR JOHN HOWSON</b></p> <p>Since May 2013, how many officers, and from what service areas of the Council, have been paid redundancy or other leaving payments in excess of £50,000 by the County Council that were not associated with contributions to their pension?</p>	<p><b>COUCILLOR DAVID BARTHOLOMEW, CABINET MEMBER FOR FINANCE</b></p> <table border="1" data-bbox="965 464 2011 1078"> <thead> <tr> <th data-bbox="965 464 1200 651">Year</th> <th data-bbox="1200 464 1559 651">Number of staff receiving redundancy or other leaving payment in excess of £50,000</th> <th data-bbox="1559 464 2011 651">Directorate</th> </tr> </thead> <tbody> <tr> <td data-bbox="965 651 1200 687">2013</td> <td data-bbox="1200 651 1559 687">1</td> <td data-bbox="1559 651 2011 687">Children's Services</td> </tr> <tr> <td data-bbox="965 687 1200 724">2014</td> <td data-bbox="1200 687 1559 724">1</td> <td data-bbox="1559 687 2011 724">Adult Services</td> </tr> <tr> <td data-bbox="965 724 1200 807">2015</td> <td data-bbox="1200 724 1559 807">4</td> <td data-bbox="1559 724 2011 807">X2 Resources, x2 Communities</td> </tr> <tr> <td data-bbox="965 807 1200 879">2016</td> <td data-bbox="1200 807 1559 879">3</td> <td data-bbox="1559 807 2011 879">X2 Children's Services, x1 Communities</td> </tr> <tr> <td data-bbox="965 879 1200 962">2017</td> <td data-bbox="1200 879 1559 962">3</td> <td data-bbox="1559 879 2011 962">X2 Resources, x1 Children's Services</td> </tr> <tr> <td data-bbox="965 962 1200 1034">2018 (to Oct)</td> <td data-bbox="1200 962 1559 1034">3</td> <td data-bbox="1559 962 2011 1034">X2 Resources, x1 Communities</td> </tr> <tr> <td data-bbox="965 1034 1200 1078"><b>Total</b></td> <td data-bbox="1200 1034 1559 1078">15</td> <td data-bbox="1559 1034 2011 1078"></td> </tr> </tbody> </table>	Year	Number of staff receiving redundancy or other leaving payment in excess of £50,000	Directorate	2013	1	Children's Services	2014	1	Adult Services	2015	4	X2 Resources, x2 Communities	2016	3	X2 Children's Services, x1 Communities	2017	3	X2 Resources, x1 Children's Services	2018 (to Oct)	3	X2 Resources, x1 Communities	<b>Total</b>	15	
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<p><b>10. COUNCILLOR JOHN HOWSON</b></p> <p>The 14-18 schools in Oxfordshire appear to have very poor attendance records. How did they compare during terms 1&amp;2 of the 2017/18 school year for the levels of attendance of Years 10 and 11 pupils when measured against the other</p>	<p><b>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR EDUCATION &amp; CULTURAL SERVICES</b></p> <p>In response, please find the latest ratified data from Autumn-Spring 2017-18 statistical release (Table attached at Annex). Studio Schools and University Technical Colleges (UTCs) in the county do report higher absence and persistent absence rates than other state funded secondary schools. However, as Studio Schools and UTCs offer education for pupils from Year</p>																								

Questions	Answers
state funded secondary schools in the county?	<p>10 upwards only, schools attendance averages from Years 7-11 do not offer a like for like comparison. Pupil attendance at Key Stage 4 (Years 10 &amp; 11) drop locally and nationally. This is reflected in the Studio Schools and UTCs data without the positive impact of Key Stage 3 (Years 7-9) attendance averages as a balance. Therefore, a comparison with local and national secondary schools is expected to be less favourable. When Key Stage 4 attendance data is extrapolated across the county, the attendance gap with Studio Schools and UTCs is less marked, demonstrating a 2.9% closure of the gap.</p> <p>Nevertheless, it is correct that Studio Schools and UTCs attendance is still below that of comparable year groups in secondary schools. This has been a picture reflected nationally. Two primary reasons are offered for this discrepancy.</p> <p>Pupils with a particular interest in the specialism offered by Studio Schools or UTCs have further to travel than to schools offering the standard national curriculum available in their local communities.</p> <p>iii. Anecdotally, a minority of pupils who have transferred from their local school to a Studio School or UTC at the end of Year 9 have done so due to disengagement or dissatisfaction with their previous educational experience. Nationally, some Studio Schools and UTCs have reported receiving pupils at Year 10 with disproportionate motivation and behavioural challenges.</p> <p>iv. (Table attached at Annex)</p> <p>The County Attendance Team will ensure that their offer of scrutiny and support to Oxfordshire's Studio Schools and UTCs will be revised and refreshed to seek to close the gap moving forward.</p>



<b>Questions</b>	<b>Answers</b>
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Would you agree to getting the issue of lowering Oxfordshire's Absent Rates to below the National average on the Head Teacher Association's Agenda.</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>I have asked the person who organises the Head Teachers Association to add this item to their agenda. They will be sending further details of when it will be on the Agenda and I shall update Councillor Howson accordingly Thanks</p>
<p><b>11. COUNCILLOR PAUL BUCKLEY</b></p> <p>On 26 July 2018, the Minister of State for Housing, Kit Malthouse MP, wrote to the Leader with a preposterous request. The Council was asked to 'bring forward ambitious proposals for transformational housing growth' for the period up to 2050, and to do so within seven weeks, at a time of year when many members and officers will inevitably be on holiday. Would the Leader please share with members how he responded to the Minister on our behalf.</p>	<p><b>COUCILLOR IAN HUDSPETH, LEADER OF THE COUNCIL</b></p> <p>As I am sure Councillor Buckley is aware, Oxfordshire County Council is not either the housing or planning authority, therefore the response for allocating housing delivery has to come from the District and City councils who are housing and planning authorities.</p>
<p><b>12. COUNCILLOR PAUL BUCKLEY</b></p> <p>There have been recent press reports of councils ceasing to accept plastics for recycling, because they find it no longer economically viable, following China's decision to stop accepting plastics waste and the resulting worldwide glut of plastics waste needing recycling. Can Councillor Constance (a) assure Council that all of Oxfordshire's recyclable plastics waste collected</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>Arrangements for kerbside collection and processing of materials for recycling are managed by the City and District Councils. We work closely with them and we are not aware of any instances where appropriate materials collected for recycling have not been recycled. There are no current plans to materially reduce recycling services in Oxfordshire.</p> <p>Oxfordshire County Council are very proud of our recycling and composting rate which is one of the best in the Country, and we are committed to</p>

Questions	Answers
<p>is, and will continue to be, recycled, and (b) guarantee that all this recycling is, and will remain, carried out only within the UK?</p>	<p>improving that.</p> <p>We continue to monitor national and international best practice and like many others are awaiting the national Resources and Waste Strategy which is due to be published later this year and will seek to maximise the benefits that the new policy, and emerging UK infrastructure and technology, to further enhance our performance including plastics.</p> <p>We recycle around 58% of our household waste and plastics contribute around 3% of this. At present our plastic waste is sorted and processed in the UK where there is a demand and appropriate business case but some waste is processed and recycled abroad. We are unable to make any guarantees as arrangements for collecting and processing materials for recycling are managed by the City and District Councils.</p> <p>We comply with all legislation and EA guidance to ensure our waste is appropriately processed both in the UK and abroad and continue to work alongside our contractors, government bodies and industry experts to develop best practice in this area.</p>
<p><b>13. COUNCILLOR EMMA TURNBULL</b></p> <p>The County Council's library services are undergoing significant change in terms of staffing levels; what assessment has the Cabinet Member made of the impact of staff reductions on the level of assistance that is available to residents in our public libraries?</p>	<p><b>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR PROPERTY &amp; CULTURAL SERVICES</b></p> <p>The Library Service staffing has decreased from 198FTE in 2014 to 154FTE in 2018. In the main these reductions were made possible through the implementation of self-service kiosks in all 43 Libraries which enable to same level of service to be offered.</p> <p>In April 2017 the Service implemented a restructure with reductions made to Management, qualified librarians and support staff but no reduction in branch staff.</p> <p>Since 2013 the Library Service has worked hard with communities to</p>

Questions	Answers
	<p>establish a network of volunteers in our 21 community supported libraries to maintain levels of service to customers. The Service currently has over 1000 volunteers across the Library network.</p> <p>Communities' expectation and demands of Libraries is evolving, not just in Oxfordshire. Libraries hold an important place in their community and the County Council has an aspiration to use these spaces to offer more to residents through our Library network.</p>
<p><b>14. COUNCILLOR EMMA TURNBULL</b></p> <p>What progress, if any, has been made on the high-needs block review and the SEND review, when will these reviews be completed, and will the Cabinet Member ensure that members are given regular progress reports?</p>	<p><b>COUCILLOR LORRAINE LINDSAY- GALE, CABINET MEMBER FOR PROPERTY &amp; CULTURAL SERVICES</b></p> <p>In being able to answer this question it is important to clarify the situation in relation to a High Needs Block Review and SEND review.</p> <p>The High Needs Block (HNB) review was a process that Local Authorities with funding from Central Government carried out to review the spend of the HNB. This was conducted by an external consultant, Linda Calverley and was completed August 2018. The review coincided with the outcome of the Joint Local Area SEND Inspection and production of the subsequent Written Statement of Action (WSOA) that focussed on the 5 inspection recommendations for improvement.</p> <p>The HNB review set out a series of recommendations under 4 headings: -</p> <ul style="list-style-type: none"> <li>- Project: Financial process <ul style="list-style-type: none"> <li>• Work-package 1: Top-up banding</li> <li>• Work-package 2: Additional Payments process</li> </ul> </li> <li>- Project: Strengthening our commissioning intentions <ul style="list-style-type: none"> <li>• Work-package 3: Resource Base Commissioning</li> <li>• Work-package 5: Commissioning Out of Area</li> <li>• Work-package 7: Sufficiency Strategy for provision</li> <li>• Alternative Provision</li> </ul> </li> <li>- Project: Service Redesign</li> </ul>

Questions	Answers
	<ul style="list-style-type: none"> <li>• Work-package 4: SENSS service redesign efficiencies</li> <li>• Work-package 6: Recording/ gatekeeping for pre-assessment</li> </ul> <p>– Project: System Governance</p> <ul style="list-style-type: none"> <li>• Work-package 8: Redefined governance and performance framework</li> </ul> <p>The HNB review has been overseen by DLT; CLT and Schools Forum. It has also reported to the Education Scrutiny committee.</p> <p>In conjunction with this work was the Action Plan for the WSoA as a result of the Joint Local Area Inspection. Whilst the HNB review was aware of and incorporated aspects of the WSoA this aspect of SEND was overseen by a different group called the SEND Programme Board that meets once a month to focus on the progress being made by the Local Area against the Action Plan and this is further monitored by the DfE and NHS with quarterly visits. This Board reports to DLT; CLT and Cabinet along with Education Scrutiny.</p> <p>A further area of work being conducted is in relation to a review of the sufficiency of places for children and young people requiring provision for their special educational needs, in particular those with an Education, Health and Care Plan (EHCP). Recently, there has been an increase in demand for places particularly for Social and Emotional Mental Health (SEMH) and Autism which has meant that there has been an increase in the use of Independent Non-Maintained Special Schools (INMSS) to place children with SEND creating a significant pressure on the HNB. The Sufficiency of Places has also coincided with the difficulties faced by Northfields schools and this has brought the overall picture into sharper focus. The Sufficiency of Places Strategy is being finalised and will be presented to DLT; CLT and Cabinet in November and December and the background need has been reported to CLT; Schools Forum and Education Scrutiny.</p> <p>These three key areas of work as a result are all very much interrelated and at recent meetings with Education Scrutiny and Schools Forum have shared</p>

Questions	Answers
	<p>how with the appointment of our new Head of Service for SEND, Jayne Howarth, we are in a strong position to bring these three areas into a more aligned strategy.</p> <p>The key objectives are: -</p> <ul style="list-style-type: none"> <li>• Address the increasing overspend across the HNB</li> <li>• Ensure sufficient supply of SEND provision</li> <li>• Reduce demand for special school and independent and non-maintained specialist placements.</li> <li>• Improve the internal process and systems supporting the statutory assessment process, which determine the majority of High Needs Block spend.</li> <li>• Deliver the recommendations in the Written Statement of Action</li> </ul> <p>The SEND service is well underway in aligning these areas of work and will be in the Spring term bringing to DLT, CLT and Cabinet the overall strategy for SEND and will also be reporting in February to Education Scrutiny. The intention is that the SEND programme board will, in the Spring term, become the SEND Performance Board not just specifically focussing on the WSoA progress but holding to account progress made within SEND as a whole. This Board will be chaired by the Lead Member for Education and reports will be given to Members, along with the appropriate Governance mechanism, on a regular basis following each Board.</p>
<p><b>15. COUNCILLOR EMMA TURNBULL</b></p> <p>We have a new CAMHS model, and yet almost 1,000 children are waiting for a first appointment; what is the Cabinet member doing to assess the impact of new model on waiting times, and when does he anticipate that the CAMHS will reach its waiting time targets?</p>	<p><b>COUNCILLOR LAWRIE STRATFORD, CABINET MEMBER FOR ADULT SOCIAL CARE AND PUBLIC HEALTH</b></p> <p>The new CAMHS model continues to be rolled out. This is monitored by OCCG via a monthly contract mobilisation meeting and is reported to OCCG Board (in Public). There is a risk management process in place for all children waiting over 16 weeks (long waiters) where a senior clinician phones and speaks to the family and can reprioritise the referral if necessary. The Head of Children’s Commissioning receives a report on long waiters monthly.</p>

Questions	Answers
	<p>More children are being seen by CAMHS month on month but capacity in the CAMHS Teams needs increasing to keep up with demand. Waiting times for Autism diagnosis will decrease from November when the new pathway is launched. The plan is to reduce waiting times to 12 weeks by April 2019 and while this remains a challenge OCCG is waiting for the outcome of a Green Paper bid to NHS England which will provide new investment into both schools and waiting times.</p>
<p><b>16. COUNCILLOR PETE HANDLEY</b></p> <p>Could I ask the Cabinet Member for Environment what checks being done on repairs and resurfacing?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>Checks on the quality of work are covered in three main ways. For planned works through on-site supervision during the works, for small quick works such as repairing potholes, a random sample, of about 10 per cent, is checked. We also investigate any quality concerns raised through FixMyStreet.</p> <p>Any poor-quality workmanship or failure to adhere to specifications is repaired or rectified free of charge to the authority. There have been pockets of quality issues in the last year which we have worked with Skanska to improve, I am also arranging to speak to Skanska's main sub-contractors to highlight the importance of quality workmanship.</p> <p>I can report that the majority of work has been completed without fault, and the teams have done an amazing job repairing significantly more potholes and carrying out more patching and resurfacing than in recent previous years. An amazing <b>35,127</b> defects have been fixed this year so far.</p> <p>Since the start of the year we have repaired 29,670 potholes – an average of 3,297 per month over the nine months. Due to severe weather, pothole fixing peaked between February and May with nearly 18,000 being repaired.</p>

Questions	Answers
<p><b>17. COUNCILLOR EMILY SMITH</b></p> <p>What is the current amount in cash terms likely to be handed back to The Treasury at the end of the current financial year in unspent Apprenticeship Levy collected during the 2016-17 financial year and what percentage of that total was collected from schools in Oxfordshire?</p>	<p><b>COUCILLOR DAVID BARTHOLOMEW, CABINET MEMBER FOR FINANCE</b></p> <p>The way that Levy accrues, is spent, and expires is quite complex. The following information illustrates the financial position both for the whole Council, and for schools:</p> <ul style="list-style-type: none"> <li>• Over the 2-year period 17/18 - 18/19, we estimate that OCC as a whole will have paid £2m into the Levy account, of which £885,000 (44%) is from Schools</li> <li>• As of 31<sup>st</sup> Oct 2018, the Council has used £101,000 of our Levy funds</li> <li>• The Council currently contributes c.£87,000 per month into the Levy account. This number fluctuates depending on payroll costs.</li> <li>• Our current monthly Levy “utilisation payments” (i.e. funds sent to training providers for apprentice training) have a value of £20,500 per month. This number fluctuates depending on how many apprentices we have in training, and the value of the qualifications being pursued by the current cohort, which range from £1,500 to £27,000 per apprenticeship. Payments for apprenticeships are spread out over the duration of the apprenticeship period, which is usually between 12-18 months.</li> <li>• We have 25 apprentices due to start in November 2018, which will increase the Council’s monthly Levy utilisation payments to £28,000 per month.</li> <li>• Based on the numbers above, we estimate that by the end of the 18/19 financial year, we will have used c.£241,000 of our Levy, equivalent to 3 months’ worth of Levy contributions. We estimate therefore that this will leave £1,759,000 unspent.</li> <li>• Funds that employers don’t use expire 24 months after they enter our account. Payments from our account to our training provider always use the oldest funds first. Therefore, we anticipate that unspent funds will begin to expire in July 2019, and will be in the region of £59,000 per month.</li> <li>• To 31<sup>st</sup> October, Schools have used £18,941 Levy funding for</li> </ul>

Questions	Answers
	<p>apprenticeship training. Currently, Schools apprenticeship training has a value of £8,928 per month, so we estimate the total amount of Levy Schools will use at £63,581 by the end of the financial year (26% of total spend). Monthly spend has recently increased significantly due to 12 senior leaders from Oxfordshire Schools commencing a Masters Level Apprenticeship programme, at an overall value of £216,000 over two years.</p>
<p><b>18. COUNCILLOR JEANNETTE MATELOT</b></p> <p>Does the Leader have a preferred corridor for the Expressway?</p>	<p><b>COUCILLOR IAN HUDSPETH, LEADER OF THE COUNCIL</b></p> <p>I have been consistent that the road that causes the most traffic issues for Oxfordshire is the A34 as it's a mixture of local and national traffic. If the 2 parts could be separated to allow the ring road to function as a local road then there would be an improvement for the majority of Oxfordshire's residents. The A34 impacts on all 5 Districts and all 6 constituencies so there are few residents not affected. We only have to remember the traffic chaos caused on Oxfordshire's roads due to an accident on the A34 on Thursday 6th September, action needs to be taken.</p> <p><b><i>On page 17 of the strategic stage 3 study</i></b> ( <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/571353/oxford-to-cambridge-expressway-strategic-study-stage-3-report.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/571353/oxford-to-cambridge-expressway-strategic-study-stage-3-report.pdf</a> ) paragraphs 3.4.5 &amp; 3.4.6, it is clear that this proposal will provide a local solution.</p> <p>Whatever corridor and, ultimately, route chosen there will be local impact with local opposition however we have to consider the bigger picture to improve the A34, which is why I support the overall road proposal.</p> <p>I welcome the decision to exclude Otmoor from the scoping however it's disappointing that there are still 2 corridor options around Oxford as that will create uncertainty for those communities involved. Highways England have</p>



Questions	Answers
	<p>determined that they need to do more work on the environmental impact which should be concluded by the autumn of 2019.</p> <p>I am not suggesting a preferred corridor as I want to wait to see the evidence that Highways England will provide.</p> <p>Once the final route is chosen by Highways England I will work with affected communities to reduce the impact on them.</p>
<p><b>19. COUNCILLOR SUSANNA PRESSEL</b></p> <p>It is widely claimed that each car club car takes about 5 or more private cars off the road. Please can you tell me what we are doing to encourage more car club cars to be set up in congested parts of the county?</p>	<p><b>COUNCILLOR YVONNE CONSTANCE, CABINET MEMBER FOR ENVIRONMENT</b></p> <p>The Travel Plans Team recently carried out some research in to looking at setting up of car clubs outside of the city area in new residential developments. Companies were not interested setting them up as they would not be commercially viable in the short or longer term. Other areas have looked at using Section 106 funding to start the clubs but these have folded once the funding ran out, a similar problem we have had with bus services in the past.</p> <p>A car club was proposed in Bicester as part of the Eco-Bicester project, but again no companies came forward to take them up, Cherwell District Council are leading on this - <a href="http://www.ecobicester.org.uk/cms/content/car-club-bicester#.W9by0ORLEtw">http://www.ecobicester.org.uk/cms/content/car-club-bicester#.W9by0ORLEtw</a></p> <p>A slightly different approach we are currently investigating is demand management transport (similar to pick me up in Oxford), there are some very interesting results coming out of Sittingborne, linking a new edge of town residential development, the station and a new industrial estate and has replaced the town service bus, this would need to change how we use any S106 contributions for our bus services.</p> <p>For information Go Ultra Low Project and Cities 4 People project are</p>

Questions	Answers
	promoting working with car clubs.
<p><b>SUPPLEMENTARY QUESTION</b></p> <p>Would you look again to see if there is anything you could do to support car clubs?</p>	<p><b>SUPPLEMENTARY ANSWER</b></p> <p>Car Clubs are part of the emerging MaaS (Mobility as a Service) offering which the County Council are supporting. The County Council have supported car clubs as shown by EV points for new EV cars as part of GULO (Go Ultra Low). <a href="#">Co-wheels car club</a> will be introducing 10 new electric cars in Oxford using our new charging points to run them from GULO funding.</p> <p>The following is taken from the criteria for the setting up of a car club that was developed by Surrey County Council as guidance for developers when assessing the potential for a car club to become a viable concern in the longer term.</p> <p>Criteria for a successful car club There are various factors that influence the potential success of a car club in a development. These include housing density, parking policy, the accessibility and visibility of the car club bays and how the car club is marketed and promoted.</p> <p>The following check list shows factors which are likely to influence uptake of the car club. The more of these which are present in a location the greater the chances of the car club being successful in a new development and the less time it will take for the car club to become financially self-sustaining.</p> <p>1 In an urban area, with high population density (above 25 persons per hectare) and easy access to local amenities by walking and cycling. 2 High density residential development (50 dwellings or more per hectare), with a high proportion of one and two-bedroom dwellings. 3 Car club to be easily accessed by, and visible to, occupants of the development and the surrounding neighbourhood.</p>

Questions	Answers
	<p>4 Identified potential day-time business use, to complement evening / weekend residential use.</p> <p>5 Good accessibility to public transport: Within 800m walking distance of a train station with a minimum two services per hour in peak time and / or within 400m of a bus stop with a minimum service of one bus every 30 minutes.</p> <p>6 Parking constraint within the development and within surrounding streets: For residential developments a parking ratio of no more than 1 space per unit. For business premises with a minimum threshold of 2500m<sup>2</sup> a maximum of 1 car space per 100m<sup>2</sup>. Within an area in which on-street parking is controlled, or other evidence of local parking pressure.</p> <p>7 Car-free developments (developments in which there are no parking spaces provided within the curtilage of the site).</p> <p>8 Favourable socio-economic and demographic characteristics: In upper quartile of Surrey wards ranked for car club potential considering levels of private car ownership, number of people working and MOSAIC profile.</p> <p>9 Will be part of an existing car club network in the wider area and occupants of the development will have access to that network.</p> <p>10 To be delivered as part of a coherent package of sustainable transport measures, normally as part of a Residential Travel Plan for a large-scale development (ideally promoted at point of sale) or a Business</p> <p>Based on this and feedback for discussions with car club providers with a view to setting up car clubs in the market towns it is only the city area that a car club has the potential to become viable. The car club companies do not feel that a car club outside of the city area would be viable without support funding from other sources.</p> <p>When a development is proposed in the city planning area the travel plans team expect to see the provision of space for a car club car, along with Electric vehicle charging provided as part of the travel plan actions to help the development of reducing the dependence on private car ownership and where need a car club car provided. We would also expect to see membership of</p>

<b>Questions</b>	<b>Answers</b>
	<p>the club provide as part of the travel plan actions.</p> <p>Currently there are 4 car club providers operating in the Oxford city area Enterprise Car Club – <a href="http://www.enterpriseclub.co.uk">www.enterpriseclub.co.uk</a> Co-wheels – <a href="http://www.co-wheels.org.uk">www.co-wheels.org.uk</a> E-Car Club – <a href="http://www.ecarclub.co.uk/locations/oxfordshire">www.ecarclub.co.uk/locations/oxfordshire</a> Zip Cars – <a href="http://www.zipcar.co.uk/car-hire-oxford">www.zipcar.co.uk/car-hire-oxford</a></p>

TABLE FROM QUESTION 10

i. DfE	School	Yr. 7-11*			Year 10-11 only**			
		Overall absence	Persistent absence		No pupils	Overall absence	Persistent absence	
			Number	%			Number	%
	<b>Oxfordshire</b>	<b>5.9</b>	<b>4801</b>	<b>14.5</b>	<b>11173</b>	<b>7.0</b>	<b>1941</b>	<b>17.4</b>
	<b>England</b>	<b>5.4</b>		<b>13.6</b>				
4006	Space Studio	7.3	11	19.6	56	7.3	11	19.6
4008	UTC Oxfordshire	7.4	45	21.7	207	7.4	45	21.7
4012	Bicester Technology Studio	9.0	23	26.7	86	9.0	23	26.7

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Division(s): N/A

## COUNTY COUNCIL – 11 DECEMBER 2018

### REPORT OF THE CABINET

#### ***Cabinet Member: Deputy Leader***

#### **1. Staffing Report – Quarter 2**

*(Cabinet, 18 September 2018)*

Cabinet noted a report giving an update on staffing numbers and related activity during the period 1 July 2018 to 30 September 2018. It gave details of the actual staffing numbers at 30 September 2018 in terms of Full Time Equivalents. In addition, the report provided information on the cost of posts being covered by agency staff and an Agency Trend analysis.

#### ***Cabinet Member: Adult Social Care & Public Health***

#### **2. Oxfordshire Safeguarding Adults Board (OSAB) Annual Report 2017-18**

*(Cabinet, 20 November 2018)*

Cabinet considered the annual report of the OSAB on the work of the Board and of its partners, assessing the position of the partnerships in relation to safeguarding adults at risk within Oxfordshire.

Cabinet noted that the adult safeguarding partnership was working across Oxfordshire and that work undertaken by the Board and its partners had resulted in a 9% decrease in safeguarding concerns being referred into the Local Authority, reversing a six-year trend of an annual 30% increase in concerns year-on-year. Cabinet also noted the priorities around service user and community engagement, improving multi-agency working, monitoring key issues and early help strategies & initiatives for 2018-19.

#### **3. Innovation Fund for Daytime Support Grant Awards**

*(Cabinet, 20 November 2018)*

The Innovation Fund for Daytime support 2018-19 was open to applications from all community and voluntary organisations to deliver new innovative projects for daytime support in Oxfordshire. The aim of the funding is to provide one-off funding to support the development of self-sustaining projects, delivering new opportunities for adults in Oxfordshire.

The cross-party panel reviewed the applications and assessed them against grant criteria and recommendations for award were coproduced with people who use services and supported by officer recommendations. Cabinet had before them a report setting out the recommendations of the cross-party panel.

Cabinet congratulated the voluntary sector for its continued commitment and dedication to innovation and provision of new opportunities to people using services in Oxfordshire.

Cabinet approved the recommendations as set out below and approved use of the remaining amount for a third round of applications to the Innovation Fund 2018-19.

- (1) Farmability
- (2) Witney Day Centre
- (3) Cholsey Parish Council
- (4) The Cedar Community Club

To approve the requested funding for the following bid subject to conditions (these are specified in the cross-party recommendations- Annex 2):

- (1) Paintbuzz
- (2) Farcycles
- (3) The Guideposts Trust

To refuse the requested funding for the following bids:

- (1) The Royal Voluntary Service
- (2) Fish Volunteer Centre

### ***Cabinet Member: Children & Family Services***

#### **4. The Oxfordshire Safeguarding Children's Board (OSCB) Annual Report/The Performance Audit & Quality Assurance Annual Report and The Case Review & Governance Annual Report** *(Cabinet, 20 November 2018)*

The OSCB's remit is to co-ordinate and ensure the effectiveness of what is done by each agency on the Board for the purposes of safeguarding and promoting the welfare of children in Oxfordshire. Cabinet welcomed the annual report summarising the key achievements in the last year and providing an analysis of safeguarding arrangements.

Cabinet also noted two further supporting annual reports: the Performance, Audit & Quality Assurance Annual Report and the Case Review & Governance Annual Report.

### ***Cabinet Member: Environment***

#### **5. Oxfordshire Local Aggregate Assessment (LAA) 2018** *(Cabinet, 20 November 2018)*

Cabinet had before them a report that set out updated information on sales and reserves of aggregates in Oxfordshire, for 2017 and making recommendations for a revised LAA 2018, considering this more up to date information.



Cabinet approved the inclusion of the provision level figures in the Oxfordshire Local Aggregate Assessment 2018 for use as the basis for provision for mineral working in the Oxfordshire Minerals and Waste Local Plan and for calculating the Oxfordshire landbank. Cabinet approved the finalisation of the LAA 2018 and to its publication on the Council website.

## **6. Thames Water Revised Draft Water Resource Management Plan (WRMP)**

*(Cabinet, 20 November 2018)*

Thames Water are currently consulting on their Revised Draft Water Resources Management Plan (WRMP) 2019 which looks ahead to 2100.

Cabinet considered a paper recommending a consultation response to the latest consultation documents that outlined the changes to the original Draft WRMP and include the preferred demand management and water supply options for Thames Water and the wider South East region.

Cabinet considered the issues and agreed the draft response subject to the response being strengthened in line with Cabinet comments about increasing the rate of reduction of leakages and strengthened demands for a regional plan. Cabinet also agreed an additional recommendation calling for a public enquiry.

### ***Cabinet Member: Finance***

## **7. Treasury Management Mid Term Review 2018/19**

*(Cabinet 20 November 2018)*

Cabinet considered a report which set out the Treasury Management activity undertaken in the first half of the financial year 2018/19 in compliance with the CIPFA Code of Practice. The report included Debt and Investment activity, Prudential Indicator monitoring and forecast interest receivable and payable for the financial year. Cabinet **RECOMMENDED** Council to note the Council's Mid-Term Treasury Management Review 2018/19.

N.B. The report is included elsewhere on the Council agenda for consideration by full Council.

**IAN HUDSPETH**  
Leader of the Council

November 2018

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Division(s): N/A

## CABINET – 20 NOVEMBER 2018

### TREASURY MANAGEMENT MID-TERM REVIEW 2018/19

#### Report by Director of Finance

##### Introduction

1. The Chartered Institute of Public Finance and Accountancy's (CIPFA's) Code of Practice on Treasury Management (Revised) 2011 recommends that members are informed of Treasury Management activities at least twice a year. This report ensures this authority is embracing Best Practice in accordance with CIPFA's recommendations.
2. The following annexes are attached
  - Annex 1 Debt Financing 2018/19
  - Annex 2 PWLB Debt Maturing
  - Annex 3 Prudential Indicator Monitoring
  - Annex 4 Arlingclose Quarter 2 Benchmarking
  - Annex 5 Specified & Non Specified Investments 2018/19

##### Strategy 2018/19

3. The approved Treasury Management Strategy for 2018/19 was based on an average base rate forecast of 0.63% (0.50% from April to September, then 0.75% from October to March).
4. The Strategy for borrowing provided an option to fund new or replacement borrowing up to £50m through internal borrowing.
5. The Strategy included the continued use of pooled fund vehicles with variable net asset value.

##### External Context – Provided by Arlingclose

6. **Economic backdrop:** Oil prices rose by 23% over the six months to around \$82/barrel. UK Consumer Price Inflation (CPI) for August rose to 2.70% year/year, above the consensus forecast and that of the Bank of England's in its August *Inflation Report*, as the effects of sterling's large depreciation in 2016 began to fade. The most recent labour market data for July 2018 showed the unemployment rate at 4%, its lowest since 1975. The 3-month average annual growth rate for regular pay, i.e. excluding bonuses, was 2.90% providing some evidence that a shortage of workers is providing support to wages. However real wages (i.e. adjusted for inflation) grew only by 0.20%, a marginal increase unlikely to have had much effect on households.
7. The rebound in quarterly GDP growth in Q2 to 0.40% appeared to overturn the weakness in Q1 which was largely due to weather-related factors. However, the detail showed much of Q2 GDP growth was attributed to an increase in inventories. Year/year GDP growth at 1.20% also remains below trend. The Bank of England made no change to monetary policy

at its meetings in May and June, however hawkish minutes and a 6-3 vote to maintain rates was followed by a unanimous decision for a rate rise of 0.25% in August, taking Bank Rate to 0.75%.

8. Having raised rates in March, the US Federal Reserve again increased its target range of official interest rates in each of June and September by 0.25% to the current 2%-2.25%. Markets now expect one further rise in 2018.
9. The escalating trade war between the US and China as tariffs announced by the Trump administration appeared to become an entrenched dispute, damaging not just to China but also other Asian economies in the supply chain. The fallout, combined with tighter monetary policy, risks contributing to a slowdown in global economic activity and growth in 2019.
10. The EU Withdrawal Bill, which repeals the European Communities Act 1972 that took the UK into the EU and enables EU law to be transferred into UK law, narrowly made it through Parliament. With just six months to go when Article 50 expires on 29<sup>th</sup> March 2019, neither the Withdrawal Agreement between the UK and the EU which will be legally binding on separation issues and the financial settlement, nor its annex which will outline the shape of their future relationship, have been finalised, extending the period of economic uncertainty.
11. **Financial markets:** Gilt yields displayed marked volatility during the period, particularly following Italy's political crisis in late May when government bond yields saw sharp moves akin to those at the height of the European financial crisis with falls in yield in safe-haven UK, German and US government bonds. Over the period, despite the volatility, the net change in gilt yields was small. The 5-year benchmark gilt only rose marginally from 1.13% to 1.16%. There was a larger increase in 10-year gilt yields from 1.37% to 1.57% and in the 20-year gilt yield from 1.74% to 1.89%. The increase in Bank Rate resulted in higher money market rates. 1-month, 3-month and 12-month LIBID rates averaged 0.56%, 0.70% and 0.95% respectively over the period.
12. **Credit background:** Reflecting its perceived higher risk, the Credit Default Swap (CDS) spread for non-ringfenced bank NatWest Markets plc rose relatively sharply over the period to around 96bps. The CDS for the ringfenced entity, National Westminster Bank plc, has held steady below 40bps. Although the CDS of other UK banks rose marginally over the period, they continue to remain low compared to historic averages.
13. The ringfencing of the big four UK banks - Barclays, Bank of Scotland/Lloyds, HSBC and RBS/Natwest Bank plc – is complete, the transfer of their business lines into retail (ringfenced) and investment banking (non-ringfenced) is progressing and will need to be completed by the end of 2018.
14. There were a few credit rating changes during the period. Moody's downgraded Barclays Bank plc's long-term rating to A2 from A1 and NatWest Markets plc to Baa2 from A3 on its view of the credit metrics of the entities post ringfencing. Upgrades to long-term ratings included those for Royal Bank of Scotland plc, NatWest Bank and Ulster Bank to A2 from A3 by Moody's and to A- from BBB+ by both Fitch and Standard & Poor's (S&P). Lloyds Bank plc and Bank of Scotland plc were upgraded to A+ from A by S&P and to Aa3 from A1 by Moody's.
15. Our treasury advisor Arlingclose will henceforth provide ratings which are specific to wholesale deposits including certificates of deposit, rather than provide general issuer credit

ratings. Non-preferred senior unsecured debt and senior bonds are at higher risk of bail-in than deposit products, either through contractual terms, national law, or resolution authorities' flexibility during bail-in. Arlingclose's creditworthiness advice will continue to include unsecured bank deposits and CDs but not senior unsecured bonds issued by commercial banks.

## Treasury Management Activity

### Debt Financing

16. The Council's cumulative total external debt has decreased from £367.38m on 1 April 2018 to £346.38m by 30 September 2018, a net decrease of £21m. No new debt financing has been arranged during the year. The total forecast external debt as at 31 March 2019, after repayment of loans maturing during the year, is £343.38m. The forecast debt financing position for 31 March 2019 is shown in Annex 1.
17. At 30 September 2018, the authority had 60 PWLB<sup>1</sup> loans totalling £296.38m, 9 LOBO<sup>2</sup> loans totalling £45m and 1 long-term fixed Money Market loan totalling £5m<sup>3</sup>. The combined weighted average interest rate for external debt as at 30 September 2018 was 4.44%.

### Maturing Debt

18. The Council repaid £21m of maturing PWLB loans during the first half of the year. The details are set out in Annex 2.

### Debt Restructuring

19. The premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Authority's portfolio and therefore unattractive for debt restructuring activity. No PWLB debt restructuring activity was undertaken during the first half of the year. Opportunities to restructure debt remain under regular review.

### LOBOs

20. At the beginning of the financial year the Authority held £45m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Authority has the option to either accept the new rate or to repay the loan at no additional cost. £20m of these LOBOs had options during 2018/19, to the 30 September 2018 none had been exercised by the lender. The Authority acknowledges there is an element of refinancing risk associated with LOBOs

<sup>1</sup> PWLB (Public Works Loans Board) is a Government agency operating within the United Kingdom Debt Management Office and is responsible for lending money to Local Authorities.

<sup>2</sup> LOBO (Lender's Option/Borrower's Option) Loans are long-term loans which include a re-pricing option for the bank at predetermined intervals.

<sup>3</sup> In June 2016, the Council's LOBO with Barclays PLC was converted to a fixed rate loan at its current interest rate of 3.95% to mature on the 29th May 2065 with Barclays waiving their right to change the interest rate on the loan in the future.

although in the current interest rate environment lenders are unlikely to exercise their options.

## **Investment Strategy**

21. The Authority holds deposits and invested funds representing income received in advance of expenditure plus balances and reserves. The guidance on Local Government Investments in England gives priority to security and liquidity and the Authority's aim is to achieve a yield commensurate with these principles. The Council continued to adopt a cautious approach to lending to financial institutions and continuously monitored credit quality information relating to counterparties.
22. During the first half of the financial year short term fixed deposits of up to 12 months have been placed with banks and building societies on the approved lending list and Money Market Funds have been utilised for short-term liquidity. Opportunities to place longer-term deposits have been limited, however four longer term loans have been entered into with other Local Authorities where the return has been attractive.
23. The Treasury Management Strategy Statement and Annual Investment Strategy for 2018/19 included the use of external fund managers and pooled funds to diversify the investment portfolio through the use of different investment instruments, investment in different markets, and exposure to a range of counterparties. It is expected that these funds should outperform the Council's in-house investment performance over a rolling three year period. The strategy permitted up to 50% of the total portfolio to be invested with external fund managers and pooled funds (excluding Money Market Funds). The performance of the pooled funds will continue to be monitored by the Treasury Management Strategy Team (TMST) throughout the year against respective benchmarks and the in-house portfolio.

## **The Council's Lending List**

24. The Council's in-house cash balances were deposited with institutions that meet the Council's approved credit rating criteria. The approved Lending List is updated to reflect changes in counterparty credit quality with changes reported to Cabinet on a bi-monthly basis. There were no changes to the lending list in the first half of 2018/19.
25. In the six months to 30 September 2018 there were no instances of breaches in policy in relation to the Council's Lending List. Any breaches in policy will be reported to Cabinet as part of the bi-monthly Business Strategy and Financial Monitoring report.

## **Investment Performance**

26. Security of capital has remained the Authority's main investment objective. This has been maintained by following the Authority's counterparty policy as set out in its Treasury Management Strategy Statement and Annual Investment Strategy for 2018/19.
27. The average daily balance of temporary surplus cash invested in-house in the six months to 30 September was £338m. The Council achieved an average in-house return for that period

of 0.81%, above the budgeted rate of 0.75% set in the strategy. This has produced gross interest receivable of £1.38m for the period to 30 September compared to budget of £1.20m.

28. Temporary surplus cash includes; developer contributions; council reserves and balances; trust fund balances; and various other funds to which the Council pays interest at each financial year end, based on the average three month London Interbank Bid (LIBID) rate.
29. The Council uses the three month inter-bank sterling bid rate as its benchmark to measure its own in-house investment performance. During the first half of 2018/19 the average three month inter-bank sterling rate was 0.61%. The Council's average in-house return of 0.81% exceeded the benchmark by 0.20%. The Council operates a number of call accounts and instant access Money Market Funds to deposit short-term cash surpluses. The average balance held on overnight deposit in money market funds or call accounts in the 6 months to 30 September was £51.40m.
30. The UK Bank Rate increased from 0.50% to 0.75% in August 2018, two months before the Strategy Team forecast increase in October 2018. Arlingclose currently forecast the bank rate to remain at 0.75% until rising to 1.00% in March 2019, but with near term downside risk. The TMST view is that there will not be another increase in base rate this financial year.

### **External Fund Managers and Pooled Funds**

31. The Council continued to use pooled funds with variable net asset value. Weighted by value pooled fund investments produced an overall annualised return of 2.70% for the period. These investments are held with a long-term view and performance is assessed accordingly.
32. Gross distributions from pooled funds have totalled £0.52m in the first six months of the year. This brings total income, including gross interest receivable on in-house deposits to £1.91m for the period.

### **Prudential Indicators for Treasury Management**

33. The Authority confirms compliance with its Prudential Indicators for 2018/19, which were set as part of the Authority's Treasury Management Strategy Statement. The position as at 30 September 2018 for the Prudential Indicators is shown in Annex 3.

### **External Performance Indicators and Statistics**

34. The County Council is a member of the CIPFA Treasury and Debt Management benchmarking club and receives annual reports comparing returns and interest payable against other authorities. The benchmarking results for 2017/18 showed that Oxfordshire County Council had achieved an average total investment return of 0.83% compared with an average of 0.81% for the all member group.
35. The average interest rate paid for all debt during 2017/18 was 4.50%, with an average of 3.80% for the comparative all member group. It should be noted that all of Oxfordshire County Council's debt is long-term, whereas the averages for the comparators include short-term debt which has a lower interest rate and so reduces the averages. Oxfordshire County

Council had a higher than average proportion of its debt portfolio in PWLB loans at 84% compared to 67% for the all member group. Oxfordshire County Council had 12% of its debt in LOBO loans as at 31 March 2018 compared with an average of 14% for the comparative group.

36. Arlingclose also benchmark the Council's investment performance against its other clients on a quarterly basis. The results of the quarter 2 benchmarking to 30 September 2018 are shown in Annex 4.
37. The benchmarking results show that the Council was achieving higher than average interest on deposits at 30 September 2018, when compared with a group of 138 other local authorities. This has been achieved by placing deposits over a longer than average duration with institutions that are of higher than average credit quality.
38. Oxfordshire had a higher than average allocation to fixed and local authority deposits when compared with other local authorities in the benchmarking exercise. Oxfordshire also had a notably lower than average exposure to money market funds and call accounts.

## Training

39. Individuals within the Treasury Management Team continue to keep up to date with the latest developments and attend external workshops and conferences where relevant.

## Financial and Legal Implications

40. Interest payable and receivable in relation to Treasury Management activities are included within the overall Strategic Measures budget. In house interest receivable for 2018/19 is currently forecast as £2.70m, exceeding the budgeted figure of £2.40m by £0.30m. Of the forecast £2.70m interest receivable, £1.38m had been realised as at the 30 September 2018. The increased interest received is due to the achievement of higher than forecast average interest rates.
41. Dividends payable from external funds in 2018/19 are forecast as £1.05m, £0.20m above the 2018/19 budget of £0.800m. This increase is due to higher than anticipated performance by the CCLA Property Fund.
42. Interest payable is currently forecast to be in line with the budgeted figure of £15.60m.

## RECOMMENDATION

Cabinet is **RECOMMENDED** to:-

- (a) note the report.
- (b) **RECOMMEND** to Council to note the report and the Council's Mid-Term Treasury Management Review 2018/19.

LORNA BAXTER  
Director of Finance



Contact officer: Tim Chapple – Financial Manager – Treasury  
Contact number: 07586 478653  
November 2018

## OXFORDSHIRE COUNTY COUNCIL DEBT FINANCING 2018/19

<u>Debt Profile</u>		£m
1. PWLB	84%	317.38
2. Other Long Term Loans	13%	50.00
3. Sub-total External Debt		367.38
4. Internal Balances		9.35
<b>5. Actual Debt at 31 March 2018</b>	<b>100%</b>	<b>376.73</b>
6. Government Supported Borrowing		0.00
7. Unsupported Borrowing		9.35
8. Borrowing in Advance		0.00
9. Minimum Revenue Provision		-9.35
<b>10. Forecast Debt at 31 March 2019</b>		<b>376.73</b>
<u>Maturing Debt</u>		
11. PWLB loans maturing during the year		24.00
12. PWLB loans repaid prematurely in the course of debt restructuring		0.00
<b>13. Total Maturing Debt</b>		<b>-24.00</b>
<u>New External Borrowing</u>		
14. PWLB Normal		0.00
15. PWLB loans raised in the course of debt restructuring		0.00
16. Money Market LOBO loans		0.00
<b>17. Total New External Borrowing</b>		<b>0.00</b>
<u>Debt Profile Year End</u>		
18. PWLB	78%	293.38
19. Money Market loans (incl £45m LOBOs)	13%	50.00
20. Forecast Sub-total External Debt		343.38
21. Forecast Internal Balances		33.35
<b>22. Forecast Debt at 31 March 2019</b>	<b>100%</b>	<b>376.73</b>

**Line**

- 1 – 5 This is a breakdown of the Council's debt at the beginning of the financial year (1 April 2018). The PWLB is a government agency operating within the Debt Management Office. LOBO (Lender's Option/ Borrower's Option) loans are long-term loans, with a maturity of up to 60 years, which includes a re-pricing option for the bank at predetermined time intervals. Internal balances include provisions, reserves, revenue balances, capital receipts unapplied, and excess of creditors over debtors.
- 6 'Government Supported Borrowing' is the amount that the Council can borrow in any one year to finance the capital programme. This is determined by Central Government, and in theory supported through the Revenue Support Grant (RSG) system.
- 7 'Unsupported Borrowing' reflects Prudential Borrowing taken by the authority whereby the associated borrowing costs are met by savings in the revenue budget.
- 8 'Borrowing in Advance' is the amount the Council borrowed in advance to fund future capital finance costs.
- 9 The amount of debt to be repaid from revenue. The sum to be repaid annually is laid down in the Local Government and Housing Act 1989, which stipulates that the repayments must equate to at least 4% of the debt outstanding at 1 April each year.
- 10 The Council's forecast total debt by the end of the financial year, after taking into account new borrowing, debt repayment and movement in funding by internal balances.
- 11 The Council's normal maturing PWLB debt.
- 12 PWLB debt repaid early during the year.
- 13 Total debt repayable during the year.
- 14 The normal PWLB borrowing undertaken by the Council during 2018/19.
- 15 New PWLB loans to replace debt repaid early.
- 16 The Money Market borrowing undertaken by the Council during 2018/19
- 17 The total external borrowing undertaken.
- 18-22 The Council's forecast debt profile at the end of the year.

**Long-Term Debt Maturing 2018/19****Public Works Loan Board: Loans Matured during first half of 2018/19**

<b>Date</b>	<b>Amount £m</b>	<b>Rate %</b>
13/07/2018	0.500	2.35%
31/07/2018	0.500	2.35%
14/06/2018	10.000	3.93%
31/08/2018	10.000	3.86%
<b>Total</b>	<b>21.000</b>	

**Public Works Loan Board: Loans Due to Mature during second half of 2018/19**

<b>Date</b>	<b>Amount £m</b>	<b>Rate %</b>
22/11/2018	1.000	7.00%
22/11/2018	1.000	7.00%
13/01/2019	0.500	2.35%
31/01/2019	0.500	2.35%
<b>Total</b>	<b>12.000</b>	

### **Prudential Indicators Monitoring at 30 September 2018**

The Local Government Act 2003 requires the Authority to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the Prudential Code) when determining how much money it can afford to borrow. To demonstrate that the Authority has fulfilled the requirements of the Prudential Code the following indicators must be set and monitored each year.

#### **Authorised and Operational Limit for External Debt**

Actual debt levels are monitored against the Operational Boundary and Authorised Limit for External Debt below. The Operational Boundary is based on the Authority's estimate of most likely, i.e. prudent, but not worst case scenario for external debt. The council confirms that the Operational Boundary has not been breached during 2018/19.

The Authorised Limit is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum debt that the Authority can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements. The Authority confirms that the Authorised limit was not breached in the first half of 2018/19.

Authorised limit for External Debt	£455,000,000
Operational Limit for External Debt	£435,000,000
Capital Financing Requirement for year	£409,372,000

	<b>Actual</b>	<b>Forecast</b>
	<b>30/09/2018</b>	<b>31/03/2019</b>
Borrowing	£346,382,618	£343,382,618
Other Long-Term Liabilities	£ 24,000,000	£ 24,000,000
<b>Total</b>	<b>£370,382,618</b>	<b>£367,382,618</b>

#### **Interest Rate Exposures**

These indicators are set to control the Authority's exposure to interest rate risk. The upper limits on fixed and variable rate interest exposures. Fixed rate investments are borrowings are those where the rate of interest is fixed for the whole financial year. Instruments that mature during the financial year are classed as variable rate.

#### **Fixed Interest Rate Exposure**

Fixed Interest Net Borrowing limit	£350,000,000
Actual at 30 September 2018	£27,382,618

#### **Variable Interest Rate Exposure**

Variable Interest Net Borrowing limit	£0
Actual at 30 September 2018	-£9,133,701

#### **Principal Sums Invested over 365 days**

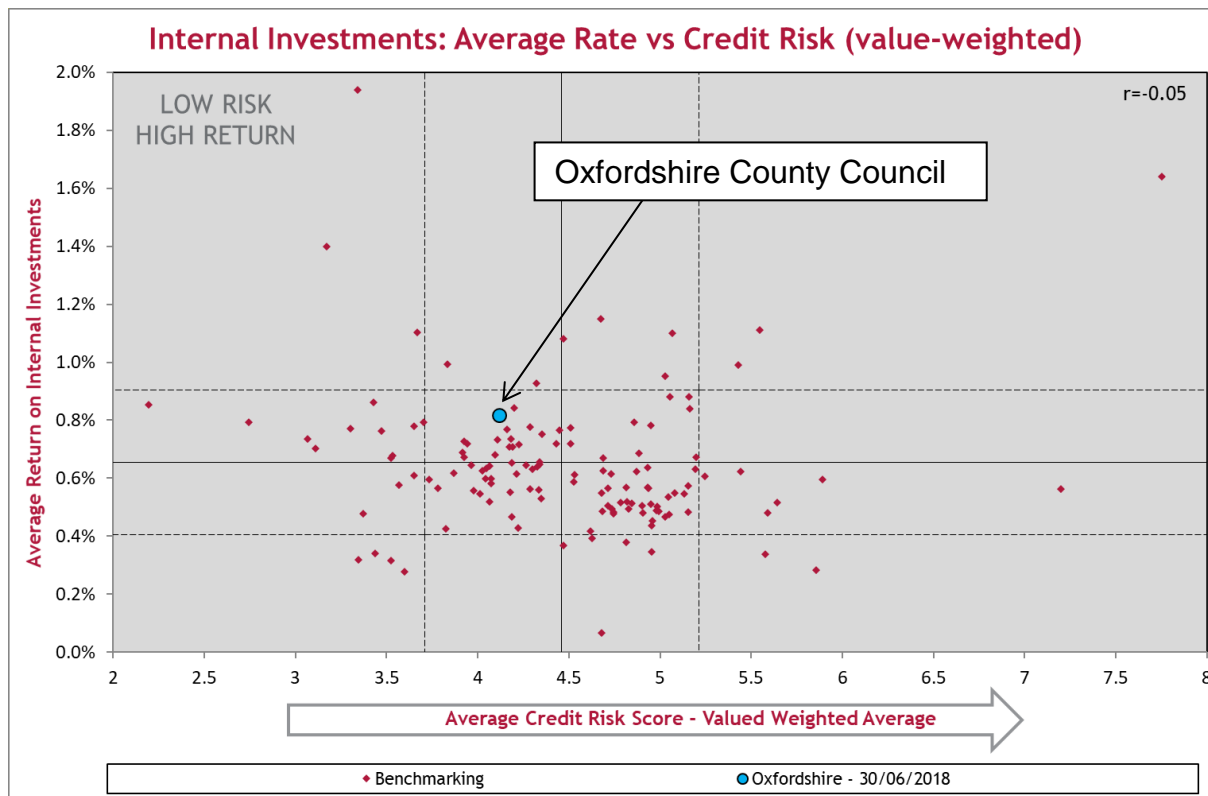
Total sums invested for more than 364 days limit	£150,000,000
Actual sums invested for more than 364 days	£ 69,000,000

### Maturity Structure of Borrowing

This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing and the actual structure at 30 September 2018, are shown below. Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

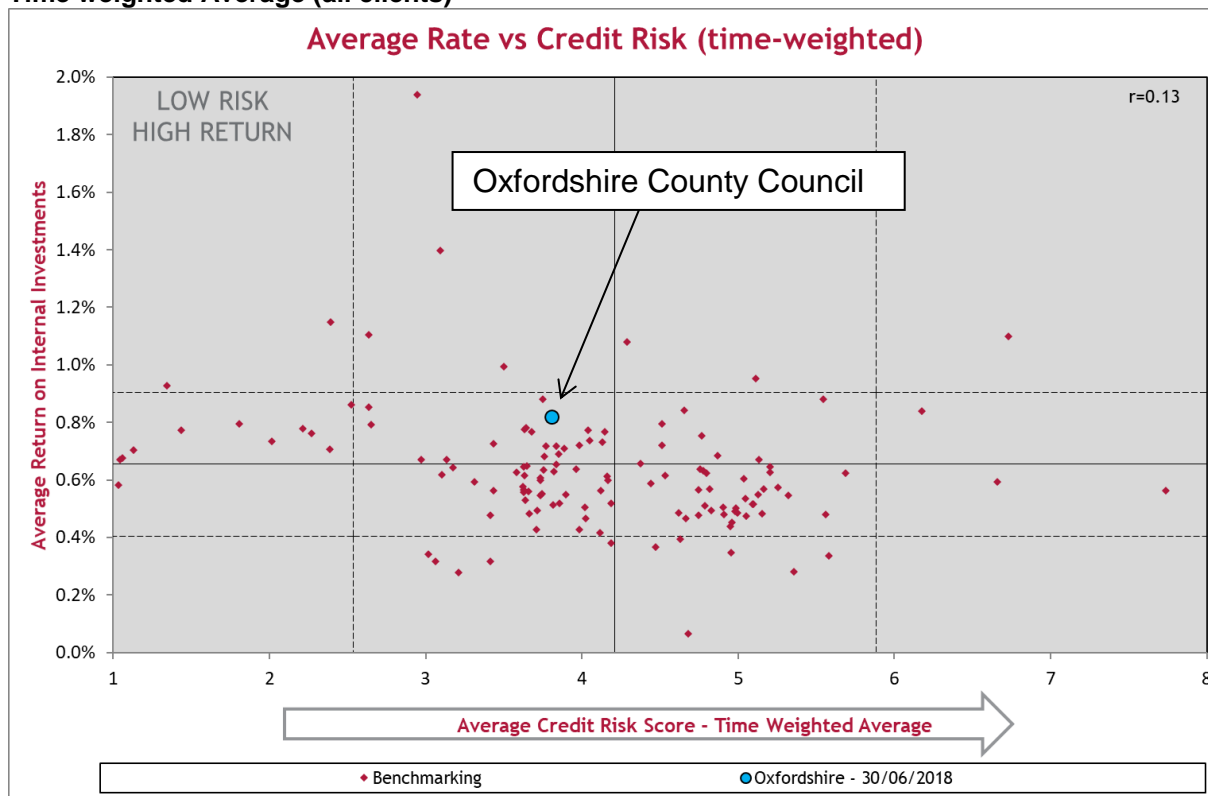
	<b>Limit %</b>	<b>Actual %</b>
Under 12 months	0 - 20	11.97
12 – 24 months	0 - 25	1.91
24 months – 5 years	0 - 35	14.97
5 years to 10 years	5 - 40	19.60
10 years +	50 - 95	51.55

Value weighted average (all clients)



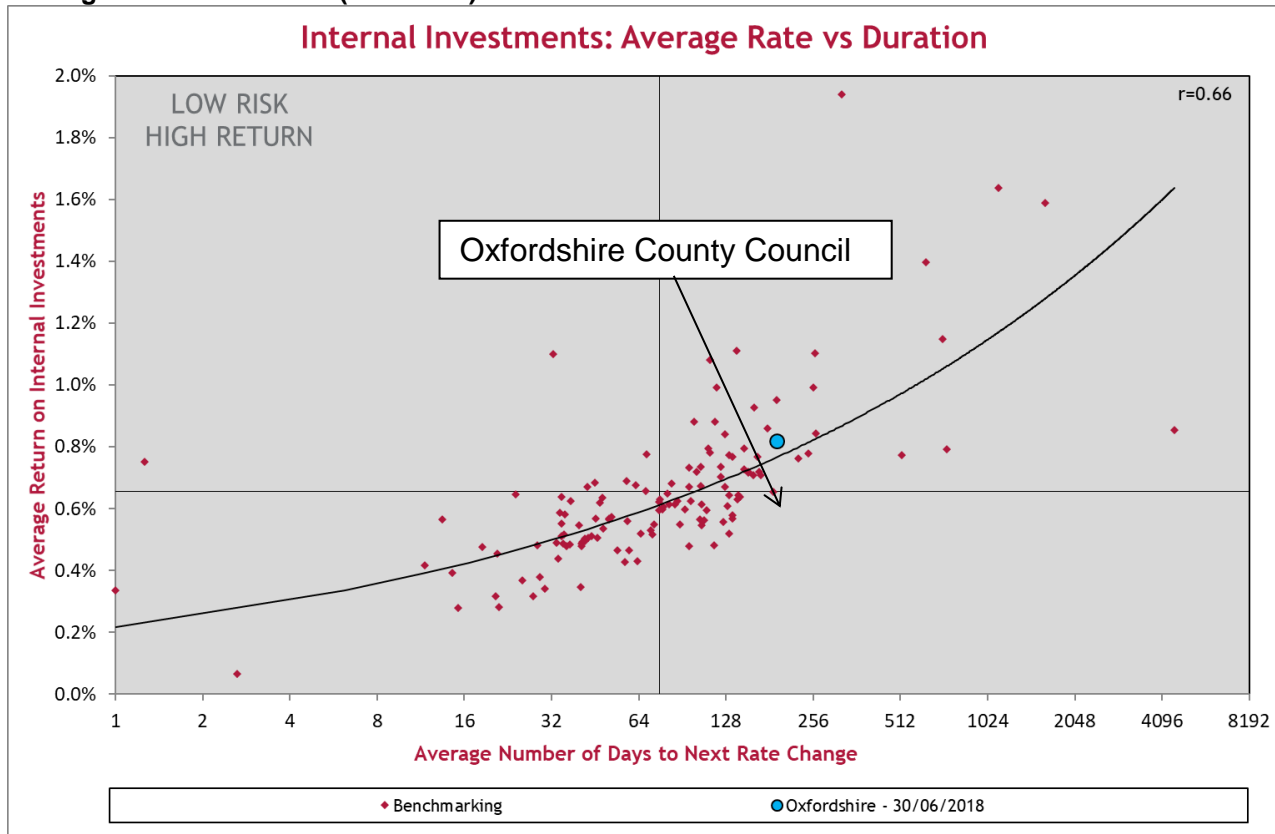
This graph shows that, at 30 September 2018, Oxfordshire achieved a higher than average return for lower than average credit risk, weighted by deposit size.

Time weighted Average (all clients)



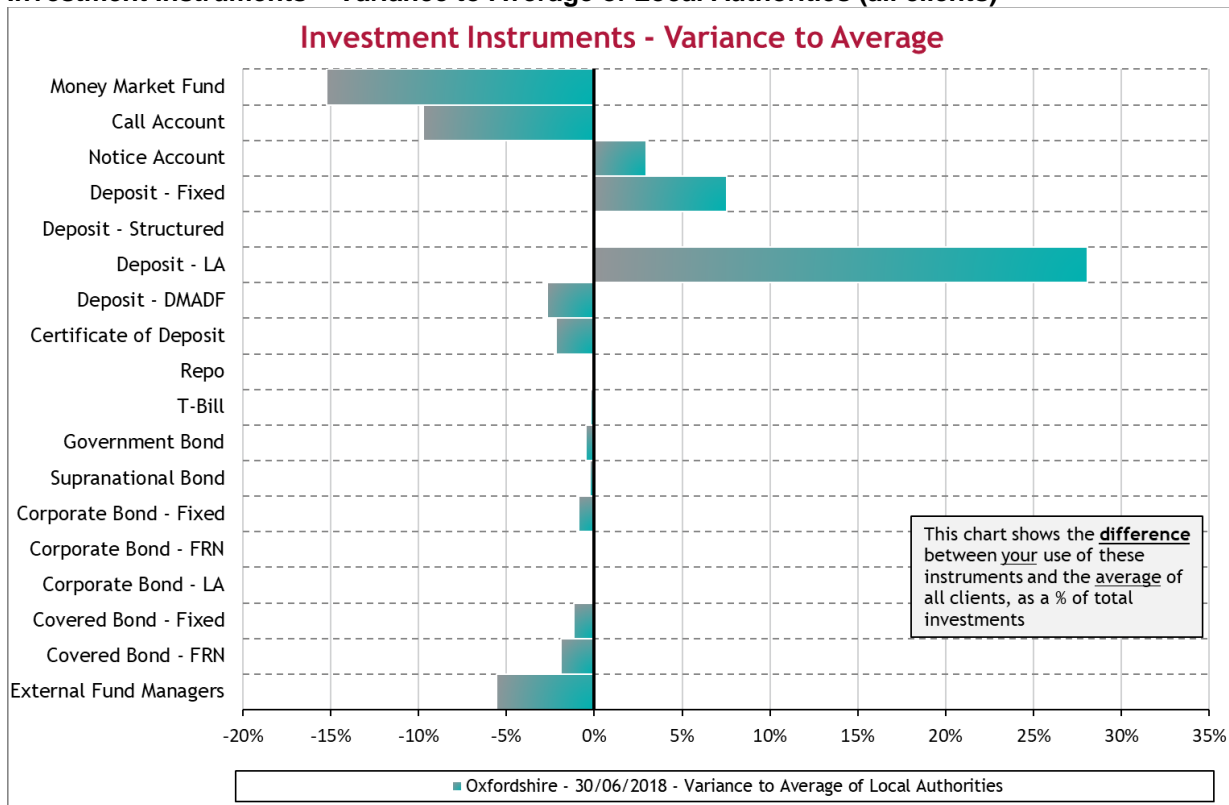
This graph shows that, at 30 September 2018, Oxfordshire achieved higher than average return for lower than average credit risk, weighted by duration.

Average Rate vs Duration (all clients)



This graph shows that, at 30 September 2018, Oxfordshire achieved a higher than average return by placing deposits for longer than average duration.

Investment Instruments – Variance to Average of Local Authorities (all clients)



This graph shows that, at September 2018, Oxfordshire had notably higher than average local authority deposits when compared with other local authorities. Oxfordshire also had notably lower exposures to money market funds and call accounts.



## Specified and Non Specified Investments 2018/19

**Specified Investments**

<b>Investment Instrument</b>	<b>Minimum Credit Criteria</b>	<b>Use</b>
Debt Management Agency Deposit Facility	N/A	In-house and Fund Managers
Term Deposits – UK Government	N/A	In-house
Term Deposits – other Local Authorities	N/A	In-house
Term Deposits – Banks and Building Societies	Short-term F1, Long-term BBB+, Minimum Sovereign Rating AA+	In-house and Fund Managers
Certificates of Deposit issued by Banks and Building Societies	A1 or P1	In-house on a buy and hold basis and Fund Managers
Money Market Funds	AAA	In-house and Fund Managers
Other Money Market Funds and Collective Investment Schemes <sup>4</sup>	Minimum equivalent credit rating of A+. These funds do not have short-term or support ratings.	In-house and Fund Managers
UK Government Gilts	N/A	In-house on a buy and hold basis and Fund Managers
Treasury Bills	N/A	In-house and Fund Managers
Reverse Repurchase Agreements - maturity under 1 year from arrangement and counterparty is of high credit quality (not collateral)	Long Term Counterparty Rating A-	In-house and Fund Managers
Covered Bonds – maturity under 1 year from arrangement	Minimum issue rating of A-	In-house and Fund Managers

**Non-Specified Investments**

<sup>4</sup> I.e., credit rated funds which meet the definition of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573.

<b>Investment Instrument</b>	<b>Minimum Credit Criteria</b>	<b>Use</b>	<b>Max % of total Investments</b>	<b>Max Maturity Period</b>
Term Deposits – other Local Authorities (maturities in excess of 1 year)	N/A	In-house	50%	3 years
Term Deposits – Banks and Building Societies (maturities in excess of 1 year)	Short-term F1+, Long-term AA-	In-house and Fund Managers	50% in-house; 100% External Funds	3 years
Structured Products (e.g. Callable deposits, range accruals, snowballs, escalators etc.)	Short-term F1+, Long-term AA-	In-house and Fund Managers	50% in-house; 100% External Funds	3 years
UK Government Gilts with maturities in excess of 1 year	N/A	In-house and Fund Managers	50% in-house; 100% External Funds	5 years in-house, 10 years fund managers
Bonds issued by Multilateral Development Banks	AAA	In-house and Fund Managers	50% in-house; 100% External Fund	25 years
Bonds issued by a financial institution which is guaranteed by the UK Government	AA	In-house and Fund Managers	50% in-house; 100% External Fund	5 years in-house
Collective Investment Schemes <sup>5</sup> but which are not credit rated	N/A	In-house and Fund Managers	50% In-house; 100% External Funds	Pooled Funds do not have a defined maturity date

<sup>5</sup> Pooled funds which meet the definition of a collective investment scheme as defined in SI 2004 No 534 and SI 2007 No 573.

<b>Investment Instrument</b>	<b>Minimum Credit Criteria</b>	<b>Use</b>	<b>Max % of total Investments</b>	<b>Max Maturity Period</b>
Sovereign Bond Issues	AAA	In-house on a buy and hold basis. Fund Managers	50% in-house; 100% External Funds	5 year in-house, 30 years fund managers
Reverse Repurchase Agreements - maturity in excess of 1 year, or/and counterparty not of high credit quality.	Minimum long term rating of A-	In-house and Fund Managers	50% in-house; 100% External Funds	3 years
Covered Bonds	AAA	In-house and Fund Managers	50% in-house; 100% External Funds	20 years
Registered Providers	As agreed by TMST in consultation with the Leader and the Cabinet Member for Finance	In-house	50% In-house	5 years

The maximum limits for in-house investments apply at the time of arrangement.

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Division(s): N/A

## FULL COUNCIL – 11 DECEMBER 2018

### CONSTITUTION CHANGES

Report by Director of Law & Governance

#### Introduction

1. This report seeks Full Council's agreement to incorporate several changes into changes to the Council's Constitution. The changes fall under two headings and are sought to bring greater clarity and to reflect decisions already taken by the Council. The Monitoring Officer has delegated authority to make changes to the Constitution to reflect the decisions of the Council, Cabinet and Committees and where changes are needed to bring clarity or to reflect legislation. Other changes require the approval of Full Council. In this case, the proposed changes are being brought to Full Council for approval. The background papers incorporating the governance documents to be included, are available to councillors in the Members' Resource Centre.
2. The **first change** proposed is to the Council's Officer Employment Procedure Rules, effectively to bring greater clarity to the arrangements for appointing the Council's senior managers. The proposed change brings the Council's terminology for its senior manager positions into line with the wording in the relevant Regulations and to be clear as to the relevant body or person responsible for making the appointment in each case. This will enhance accountability and avoid confusion that has arisen as to the definition of 'Chief Officers' and 'Deputy Chief Officers'.
3. For example, currently, the terms or reference of the Remuneration Committee are that it has a role in appointing Directors with no distinction made between 'Strategic Directors' and any other 'Directors'. This report proposes a distribution of responsibility that provides greater clarity. The choice of which posts should be appointed by the Remuneration Committee lies with the County Council itself and is not determined by regulations.
4. This matter is entirely separate from the arrangements agreed by Council for handling any joint management appointments arising from the Oxfordshire-Cherwell Partnership. The scenarios in this report are solely those that the Council is required to have in place for its own appointments where these occur outside of that context. It is proposed to insert **Annex 1** as an appendix to the Council's Officer Employment Procedure Rules.
5. The **second change** is an administrative one. This is to insert new provisions into the Council's Constitution to give effect to the decisions already taken by the Council regarding the partnership between this Council and Cherwell District Council. The changes proposed are the insertion of a protocol called the

'Roles of Members and Officers in Dealing with Conflicts of Interest' (which also comprises an Ethical Walls Procedure); and arrangement' and the terms of reference of the two new committees - namely the Joint Shared Service and Personnel Committee and the Joint Appeals Committee. The Audit and Governance Committee has already endorsed these at its meetings on 12 September 2018 (Item 8) and 14 November 2018 (item 10) respectively: these have been included as background papers and have been deposited in the Members' Resource Centre.

6. The **third change** is to adopt into the Constitution the 'Chief Executive Protocol' which sets out how the Joint Chief Executive will work effectively on behalf of both authorities. This governance protocol was endorsed by the Audit and Governance Committee at its meeting on 12 September 2018 (Item 8).

## **Background**

### **A. Senior officer appointments**

7. Prior to the Senior Management Review in December 2016 the Senior Management Team was made up of Directors. These Directors held both statutory and non-statutory roles and were considered Chief Officers for the purposes of the relevant Regulations.
8. Following the Senior Management Review, a new role of 'Strategic Director' was introduced and since that time it has been a little unclear as to whether the Strategic Director is a 'Chief Officer', with regard to regulations, and whether the Directors are 'Deputy Chief Officers'. It is timely for the Council to express more clearly the 'appointor' for such senior officer posts and how these align to the relevant Regulations.

### **Statutory Rules**

9. The Local Authorities (Standing Orders) (England) Regulations 2001 say that, normally, appointments and dismissals and disciplinary processes are for the Head of Paid Service to determine. The posts excepted from this and subject to a 'cabinet consultation' procedure (see paragraph 10) are:

(a) the officer designated as the head of the authority's paid service;

(b) a statutory chief officer - which under the Local Government and Housing Act 1989 means:

- Director of children's services
- Director of adult social services
- Director of public health
- Section 151 Officer
- Monitoring Officer

(c) a non-statutory chief officer within the meaning of section 2(7) of the 1989 Act;

- Direct reports of the head of paid service (HOPS)
- A person for whom the HOPS is directly responsible
- A person who as respects all or most of their duties is *required to report directly or is directly accountable to the HOPS*
- A person who as respects all or most of their duties is *required to report directly or is directly accountable to Full Council or a committee or sub-committee*

(d) a deputy chief officer within the meaning of section 2(8) of the 1989 Act; or

- A person who as respects all or most of their duties is required to report directly or is directly accountable to one of more of the...
  - Statutory chief officers
  - Non-statutory chief officers

10. For the purposes of Oxfordshire County Council posts these are:

- Head of Paid Service
- *Statutory chief officers*
  - Director for Children’s Service
  - Director for Adult Services
  - Director of Public Health
  - Director of Finance
  - Monitoring Officer
- *Non- statutory chief officer*
  - Strategic Director of Communities (reports to HOPs)
  - Strategic Director of Resources (ditto)
  - Director of Digital and ICT (ditto)
  - Director of Human Resources (ditto)
  - Assistant Chief Executive (ditto)
- *Deputy Chief Officer*
  - The direct reports of the above (who as respects all or most of their duties is required to report directly or is directly accountable to them; **unless** such posts are clerical or are otherwise support services). Includes...
  - Chief Fire Officer (by virtue of reporting to Strategic Director for Communities)

11. Under the Council’s Constitution there is a regulatory process whereby Cabinet members are consulted in relation to both the appointment of Chief Officers and Deputy Chief Officers. This is to identify whether they have any objection or concerns which must be reported back to the Officer or Body that is making the final appointing decision.

### **The proposal**

12. **Annex 1** sets out the proposed relationship between our senior management structure and the statutory definitions of 'Chief Officer' and 'Deputy Chief Officer' as well as the proposed appointing body/person going forward.
13. The proposal is that the Remuneration Committee would be the appointing body for 'Strategic Directors' and 'Statutory Chief Officers' only (apart from the Monitoring Officer, which would remain with Full Council).
14. For non-statutory chief officers and directors who come under the definition of Deputy Chief Officer, the appointor would be the Head of Paid Service. It remains that the Cabinet consultation procedure would be utilised as required by regulations for all posts covered by paragraph 6 (a)-(d) above.
15. Under the Council's pay policy statement there is still a requirement that salaries and packages for new posts which attract an annual payment of £100k or over must be approved by Full Council. That arrangement stems from Government guidance.
16. A separate statutory process exists for the appointment of the Director of Public Health, whereby the local authority must make an appointment jointly with the Secretary of State for Health. The 'cabinet consultation' process would still occur before an appointment is made.

### **B. Changes in relation to the Cherwell-Oxfordshire Partnership**

17. **Three** amendments to the Constitution are envisaged under this heading:
  - Inserting terms of reference of the agreed Joint Committees and Partnership Working Group
  - Adoption of the protocol on the Roles of Members and Officers in Dealing with Conflicts of Interest
  - Adoption of a Chief Executive Protocol
18. In Summer 2018, the Council entered into a joint working arrangement with Cherwell District Council. This arrangement is governed by a formal "s113 Agreement" agreed by both councils.
19. The Section 113 Agreement envisaged the setting up of a Partnership Working Group, Joint Committees and a process for managing potential conflicts of interest between staff of both authorities who may work on joint projects or services. A Joint Chief Executive has been appointed and a protocol has been proposed to set out the expected means of working to the benefit of both authorities.

### **Joint Committees**

20. On 11 September this year, Full Council agreed to the setting up of two formal joint committees – a Joint Shared Services and Personnel Committee and a Joint Appeals Committee. The functions being:



**Joint Shared Service and Personnel Committee** – to take decisions on certain staffing matters arising from and necessary for implementing, the shared service approach;

**Joint Appeals Committee** – to hear and determine staffing appeals arising from the shared service proposals.

21. Council delegated to the Audit and Governance Committee the determination of the terms of reference of both bodies and these were agreed at the meeting of the Committee on 14 November 2018 (Item 10). The Committee also endorsed the terms of reference of the agreed Partnership Working Group on 12 September 2018 (Item 8).

**'Roles of Members and Officers in Dealing with Conflicts of Interest'**

22. Under the joint working arrangements, a Joint Chief Executive oversees the staffing of both authorities. Whilst the officers will be managed under one Joint Chief Executive, the two Councils will remain two distinct local authorities with different membership and political priorities. It is perhaps inevitable that conflicts between the two Councils may arise, whether that be a conflict in an operational issue (e.g. a fire safety concern about a Cherwell District Council property or an environmental health issue for a maintained school); or in the strategic approach to an issue (such as a differing view about any proposed corridor to the Oxford to Cambridge expressway).
23. It is anticipated that there will be rare occasions where it is not possible to reconcile the interests of two organisations with their respective legal responsibilities. The Ethical Walls arrangements set out a framework within which such a conflict would be managed. In short form, in any given circumstance, it would involve the Monitoring Officer alerting all the relevant officers and ring fencing them, establishing clearly to which local authority they will report over that issue. Those officers would then be instructed to liaise with any other officers, of either council, as if they were working with a third party, with all the consequences of protecting information and maintaining confidentiality.
24. The arrangements will be overseen by the Monitoring Officer and ultimately the Chief Executive who will seek to address any issues that might arise from the conflict. Officers will only be advising members and officers on their side of the Wall. Similarly, reports to formal meetings of either Council will reflect those arrangements.
25. In order to give some transparency and structure to this important area of governance, a protocol on "The Roles of Members and Officers in Dealing with Conflicts of Interest" that may arise in the operation of the partnership. This also comprises an Ethical Walls Procedure setting out how officer conflicts will be managed. The Audit and Governance Committee has endorsed the sufficiency of the protocol and procedure at its meeting on 12 September 2018 (Item 8)

and the suggestion is that this is formally adopted into the Council's Constitution.

### **Chief Executive Protocol**

26. The 'Chief Executive Protocol' sets out the status of the Joint Chief Executive, how the Joint Chief Executive will work effectively on behalf of both authorities and includes provisions as to the appraisal process. It sets out which responsibilities remain with Cherwell District Council (as employer) and which will be undertaken jointly. The Protocol was been approved by the Audit and Governance Committee on 12 September 2018 (Item 8).

### **The proposal**

27. It is proposed that the following be incorporated into the Council's Constitution:
- a. the terms of reference of the Joint Committees
  - b. the protocol on Roles of Members and Officers in Dealing with Conflicts of Interest (and the Ethical Walls Procedure appendix)
  - c. the Chief Executive's Protocol

### **To note – Sub-Committee of the Audit & Governance and Performance Scrutiny Committees**

28. Council should note that the Audit and Governance and Performance Scrutiny Committees have decided to form a joint committee through which they can carry out their respective functions with regard to the progress of the Cherwell-Oxfordshire partnership. The Monitoring Officer will be making a change to the Constitution to reflect this. No decision is required from Council in relation to this.

### **Legal and Financial Implications**

29. Councils are required to have a Constitution and it is important that this is kept up to date and that it reflects both the decisions and the decision-making processes of the authority. This is to the benefit of the public, councillors and staff. There are no financial implications arising from the subject of this report.

### **RECOMMENDATIONS**

30. Council is **RECOMMENDED** to:
- (a) agree that the proposed senior officer appointment arrangements set out at Annex 1 be incorporated into the Council's Constitution;
  - (b) agree that the following be incorporated into the Council's Constitution:
    - (i) terms of reference of the Partnership Working Group, Joint Shared Service and Personnel Committee and the Joint Appeals Committee;

- (ii) the protocol on the 'Roles of Members and Officers in Dealing with Conflicts of Interest';
  - (iii) the Chief Executive Protocol.
- (c) Ask the Monitoring Officer to make the changes accordingly to the Constitution and the Council's Pay Policy Statement.

**NICK GRAHAM**

Director of Law & Governance

Contact officer: Glenn Watson, Principal Governance Officer, 07776 997946.

Background paper: The 'Section 113 Agreement' established between Oxfordshire County Council and Cherwell District Council.

December 2018

### Senior posts and proposed appointor

The appointor in each case must advise the Proper Officer of the person it is intended to appoint so that he/she can consult Cabinet members for any comment. No appointment can be made until any comments from the Cabinet members have been considered by the appointor.

NB The Regulatory description reflects current position based on existing roles and reporting lines

Post	Regulatory Description	Appointor under Constitution
Head of Paid Service	Head of Paid Service	Full Council
Director for Children's Service	Statutory Chief Officer	Remuneration Committee
Director for Adult Services	Statutory Chief Officer	Remuneration Committee
Director of Public Health	Statutory Chief Officer	Advisory Appointments Committee*
Director of Finance	Statutory Chief Officer	Remuneration Committee
Monitoring Officer	Statutory Chief Officer	Full Council
Strategic Director of Communities	Non-statutory Chief Officer	Remuneration Committee
Strategic Director of Resources	Non-statutory Chief Officer	Remuneration Committee
Strategic Director for People	Non-statutory Chief Officer **	Remuneration Committee
Assistant Chief Executive	Non-statutory Chief Officer	Head of Paid Service
Director of Law and Governance	Non-statutory Chief Officer	Head of Paid Service
Various posts – i.e. those reporting to the HOPS, Statutory and Non-Statutory Chief Officers	Deputy Chief Officers (includes Chief Fire Officer)	Relevant chief officer e.g. HOPS, Strategic Director or Director

\* The Health and Social Care Act 2012 requires that each local authority must, acting jointly with the Secretary of State for Health, appoint an individual to have responsibility for its new public health functions, known as the director of public health. An "Advisory Appointments Committee" must be set up in line with Faculty of Public Health guidance, with County Council, Public Health England and Faculty of Public Health representation.

\*\*Although the post of Strategic Director for People is currently filled by the Director of Public Health, the *position* of Strategic Director for People is a non-statutory chief officer position, reporting to the Head of Paid Service.

Division(s): All

## **COUNCIL – 11 DECEMBER 2018**

### **EAST WEST RAIL – WESTERN SECTION PHASE 2**

#### **Report by Director for Planning and Place**

#### **Introduction**

1. East West Rail, linking Oxford to Cambridge and beyond, has been supported by Oxfordshire over the course of its development since 1995. The Council is a Stakeholder and agreed financial contributor to the project.
2. Strategically, the case and need for East West Rail has never been more important, as it is an essential infrastructure element of the Oxford-Milton Keynes-Cambridge corridor as well as supporting the wider growth and connectivity agenda in Oxfordshire and across England's Economic Heartland.
3. The prospect of East West Rail services operating over phase 2 of the Western section, between Oxford and Bedford/Milton Keynes, by 2023 is within reach – services have already been operating between Oxford and Bicester (phase 1) since 2016. However, this requires approval of the Transport & Works Act Order for phase 2 by the Secretary of State, following a Public Inquiry into the scheme due to be held in February/March 2019.
4. Whilst the County Council is a strategic supporter of the project and the benefits it would bring, there are significant concerns about some aspects of the proposals as set out in the Transport & Works Act submission, and it is proposed that the Council objects to these aspects of the scheme at the Public Inquiry. Objection at a Transport & Works Act Inquiry by the Council, as a Statutory Body, requires approval by Full Council under the terms of Section 239 of the Local Government Act 1972. The purpose of this report is to seek that approval.

#### **Current Situation**

5. The Transport and Works Act 1992: Application for the Proposed Network Rail (East West Rail Bicester to Bedford Improvements) Order was published in July 2018, following a significant period of development and three rounds of public and stakeholder consultation. It provides for reinstatement / upgrade of the railway between Bicester and Bedford, with a link down to Aylesbury, with connections into the existing network to allow services to operate to/from Oxford, Milton Keynes and Bedford, with an initial two trains per hour operating to / from Oxford in each direction.
6. Whilst not included in this Order, proposals are also being developed for the central section between Bedford and Cambridge, with route options due to be

consulted upon in early 2019 and an aspiration for services to operate in 2027.

7. Following the publication of the Order, which had a six-week consultation response period, a joint letter of strategic support for the project was submitted by Oxfordshire and Cherwell District Council, which is also a Shareholder in the project. This is attached as Annex 1. Whilst detaining the support, the letter also referenced *“...a number of comments and concerns, some of which remain unresolved. These cover a variety of areas including Highways & Transport, Ecology and Cultural Heritage, with the specific points documented in the attached annex to this letter. These are to be considered as part of our formal response to the publication of the Transport & Works Act Order, and we need to be clear that our strategic support for East West Rail as set out in this letter is dependent on the detailed issues raised being resolved”*.
8. At the same time therefore, the County Council submitted a detailed response to the Order, as referenced in the support letter, setting out its specific concerns. This is attached as Annex 2. As the extract from page 1 of this submission (below) shows, there are two areas where the Council referenced that it would potentially be objecting to the project:
  - (i) ***Highways & Transport, including Public Rights of Way***

*There are a number of concerns which must be addressed prior to TWAO approval, mainly in relation to the Framework Construction Management Plan (particularly construction routes, the levels of HGVs expected in relation to the duration of the works and the proposed use of some unsuitable roads). Within the submitted documents there are also locations where the scheme will significantly impact on public rights of way and the proposed mitigation needs further consideration. Because of the extent of our concerns in this area, we have provided detailed comments in Table 1 below. **On this basis, OCC must respond with a holding objection unless these matters can be resolved prior to approval***
  - (ii) ***Ecology***

*The submitted documentation does not contain any references towards achieving a net gain for biodiversity that we would expect from a development of this scale, and which has been promoted by EWR since the project's inception. More detailed comments on this area are provided in Table 2 below. **On this basis, and in the context of strengthened NPPF requirements in this area, OCC objects to the scheme as we believe this is an important environmental benefit.***
9. Despite working closely with the East West Rail Alliance, led by Network Rail which is promoting the scheme and the Order, it has not yet been possible to demonstrate that these concerns can be overcome, and it is therefore proposed that the Council's 'holding objection' becomes a formal objection on both Highways/Transport and Ecology grounds.

10. The East West Rail Alliance is working to overcome objections to the project before the Public Inquiry takes place and discussions are continuing, on both areas of proposed objection. Further information is being provided by the Alliance, which may result in objections in either or both areas being able to be withdrawn.
11. In particular, on the transport side, officers are exploring with Network Rail what commitments and undertakings they are prepared to give on each area, in order to provide sufficient confidence that concerns will be addressed, allowing proposed objections to be withdrawn. Council will be advised of any further developments accordingly.

### **Financial and Staff Implications**

12. There are no direct financial implications arising from the report. There would be potentially significant staffing implications from having to sustain objections through the Inquiry process, including the requirement to submit detailed proofs of evidence and appearing at the Inquiry, which would have to be met largely from existing resources.

### **RECOMMENDATIONS**

13. **COUNCIL is RECOMMENDED to:**
  - (a) **confirm its position as objecting to the Transport and Works Act Order on Highways / Transport and Ecology Grounds, on the basis of the points set out in Annex 2 to this report; and**
  - (b) **with agreement from the Cabinet Member for the Environment, authorise officers to withdraw either or both areas of objection on the basis of satisfactory further information or updated proposals submitted by the East West Rail Alliance in response to these objections and to conclude such legal agreement(s) with Network Rail as they consider necessary to protect the County Council's interests.**

**SUSAN HALLIWELL**

Director for Planning and Place

Background papers: None

Contact Officer: John Disley, 07767 006742

November 2018

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7<sup>th</sup> September 2018

Secretary of State for Transport  
c/o Transport and Works Act Orders Unit,  
General Counsel's Office,  
Department for Transport,  
Zone 1/18, Great Minster House,  
33 Horseferry Road,  
London SW1P 4DR

Dear Mr Grayling

**East West Rail Transport and Works Act Order Application –  
Response from Oxfordshire County Council and Cherwell District Council**

As established Members of the East West Rail Consortium (which represents all local authorities along the East West corridor), Oxfordshire County Council and Cherwell District Council wish to record their support and commitment to the successful delivery of Phase 2 of this important, national strategic project.

East West Rail has already been identified by the National Infrastructure Commission as a key element of the 'multi-modal spine' across the Oxford – Milton Keynes – Cambridge corridor. The Government has accepted the strategic need for the scheme in its initial response to the NIC's report: in addition, the England's Economic Heartland Strategic Transport Forum – the emerging Sub-National Transport Body for the corridor which both Councils are engaged with – has also identified East West Rail as being of strategic importance. We echo this view.

As the Highway and Planning authorities for the East West Rail route in Oxfordshire, both Oxfordshire County and Cherwell District Councils are strongly supportive of the overall strategic case underpinning East West Rail Phase 2 and the principle of the proposal submitted under the Transport and Works Act Order. In this context, it is important to recognise that both Councils view the delivery of the complete and agreed Phase 2 project being crucial. This support is therefore conditional upon achieving the full scope of the infrastructure proposed in the Order, as this is what is required to ensure the aims and outcomes of the project can be achieved. Any changes to the project which reduce its scope such that these outcomes and benefits would not be achieved would not be acceptable.

We additionally support the plans for re-opening the central section through to Cambridge and promoting greater rail connectivity across the corridor to Cambridge, Norwich and Ipswich. This all demonstrates the value of East West Rail as being greater than the sum of its parts.

In addition, both Councils are committed to ensuring that East West Rail Phase 2 services do not see Oxford as a terminus or end point, but continue to operate continuing through Oxford Station and onto Didcot Parkway – this is important for enhancing the strategic connectivity of the scheme (by linking main rail lines and major centres of growth) as well as maximising the opportunities for rail travel along the core Bicester–Oxford–Didcot “Knowledge Spine” growth corridor within Oxfordshire. This is a need and requirement we are promoting through the Oxfordshire Growth Board and its involvement in steering the Oxfordshire Rail Connectivity Study. Through this study and further development of East West Rail we will also be exploring options for potential extension of services west to Swindon and Bristol.

We are delighted that Phase 1 of East West Rail was launched in Oxfordshire for train services in 2015, with the opening of the new Oxford Parkway station and the significantly enhanced station at Bicester Village. East West Rail is already enjoying considerable success with patronage of the train services exceeding the numbers that were originally forecast, helping to reducing pressure on the strategic highway network including the A34 through Oxfordshire. We see this as a blueprint for what successful rail investment looks like and it is already starting to support the delivery of planned Local Plan growth and influence where can best be located.

We now look forward to the opening of Phase 2, which would support the very significant planned growth in new jobs and housing across the corridor - this is a real opportunity to demonstrate how rail infrastructure investment can drive sustainable growth, which will also be an important consideration in the development of the Oxfordshire Joint Spatial Plan which both are Councils are engaged in through the Oxfordshire Growth Board. It is worth noting that our strong support for the project overall has been the case throughout its development, illustrated by the considerable resource and Work in Kind commitments that both our organisations have put into the project to help it progress and reduce risks.

Throughout this process, we have worked with the East West Rail Alliance and other partners on the details of the proposals, raising a number of comments and concerns, some of which remain unresolved. These cover a variety of areas including Highways & Transport, Ecology and Cultural Heritage, with the specific points documented in the attached annex to this letter. These are to be considered as part of our formal response to the publication of the Transport & Works Act Order, and we need to be clear that our strategic support for East West Rail as set out in this letter is dependent on the detailed issues raised being resolved.

Finally, it is recognised that London Road Level Crossing in Bicester is not part of the scope of this Transport and Works Act Order. However, the highway impacts of additional rail services on the crossing (which will mean the barriers being down for a significantly longer period every hour) must be fully taken into consideration, a point we have identified in our detailed response on the transport chapter.

It is acknowledged that future phases of East West Rail (extension of the scheme to Cambridge/the east when the Central and Eastern Sections come on stream, together with an enhanced service pattern with additional passenger and freight services) will place significant additional pressure on the crossing, further extending the barrier down time and road user delay period. In responding to the second round of consultation of East West Rail, the County Council resolved that any further service upgrade for East West Rail over and above the core service specification proposed for Phase 2 is contingent upon a solution for the London Road Level Crossing being approved and funded, and this position is maintained.

We look forward to a swift resolution of these points and the conclusion to the Transport and Works Act Order application that will enable delivery of East West Rail Phase 2 at the very earliest opportunity.

Yours faithfully

*Ian Hudspeth*



Cllr Ian Hudspeth  
Leader, Oxfordshire County Council

Cllr Barry Wood  
Leader, Cherwell District Council

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**Transport and Works Act Application for East West Rail – Western Section**  
**Phase 2. Oxfordshire County Council Statutory Response**

Summary

Oxfordshire County Council has concerns and comments on three main areas of the Environmental Statement, as outlined below:

**Highways & Transport, including Public Rights of Way**

There are a number of concerns which must be addressed prior to TWAO approval, mainly in relation to the Framework Construction Management Plan (particularly construction routes, the levels of HGVs expected in relation to the duration of the works and the proposed use of some unsuitable roads). Within the submitted documents there are also locations where the scheme will significantly impact on public rights of way and the proposed mitigation needs further consideration. Because of the extent of our concerns in this area, we have provided detailed comments in Table 1 below. **On this basis, OCC must respond with a holding objection unless these matters can be resolved prior to approval**

**Ecology**

The submitted documentation does not contain any references towards achieving a net gain for biodiversity that we would expect from a development of this scale, and which has been promoted by EWR since the project's inception. More detailed comments on this area are provided in Table 2 below. **On this basis, and in the context of strengthened NPPF requirements in this area, OCC objects to the scheme as we believe this is an important environmental benefit.**

**Cultural Heritage and Archaeology**

Detailed comments on this area are set out in Table 3 below. We have recommended that one temporary land take is removed from the scheme to protect well preserved earthworks of a medieval windmill between Launton and Bicester. We have also recommended conditions for a programme of archaeological work along the rest of the scheme.

Table 1 - Highways &amp; Transport, including Public Rights of Way

Document Reviewed	Environmental Statement
Section Reviewed	<i>See below</i>
<b>Comments</b>	
<p>ES Vol 2 Ch 14 Fig 2.1</p> <p>ES Vol 3 Appendix 2.2 (Draft Framework CTMP)</p>	<p>We note that, although the route through Stratton Audley Village between the A4421 and the Launton compound is no longer proposed to be used for HGVs, it is still proposed to be used for LGVs, which includes vehicles up to 7.5 tonnes, although the draft framework CTMP says that they will be predominantly 3.5 tonne and 5 tonne pick-ups and minibuses. This traffic will create a noticeable impact for residents in the village and there does not appear to be a justification as to why this traffic cannot also use the haul route adjacent the railway between the main Bicester compound and the Launton compound. LGVs are wider than cars, and along much of this route, there is insufficient width for them to pass without overrunning verges.</p> <p>OCC request that this route is reconsidered, but if it must be used for LGVs, passing bays should be considered as necessary mitigation on the LGV route, given the expected volume of traffic and the restricted width of the road, to avoid unacceptable damage to the edge of the carriageway and verge and mud on the road.</p>
<p>ES Vol 2 Ch 14 Appendix 14.3</p>	<p>The link assessment's conclusions are based on the temporary status of the impact on each link, and state that the peak is for only one month, whereas the profiles in this appendix show that traffic volumes remain at much higher than normal for several months after the peak. OCC consider that this is misleading and greater consideration should have been given to the overall profile of the increased traffic levels over the period during which each link is affected.</p> <p>Also, the absence of local facilities in an area is given as a reason for a low impact on pedestrians. In Launton village this is not considered appropriate due to the presence of a school, pub, shop, and bus stops. It also fails to take account of the fact that people walk to visit other local residents and for recreation.</p> <p>It is further suggested that the impact on pedestrians is reduced because there would be less HGV movement in the evenings and at weekends. This discriminates against groups of pedestrians who would be using the highway during the daytime (which includes the period after the end of the school day) Monday to Friday.</p>

ES Vol 2 Ch 14, 14.1.65 onwards	The ES includes a comprehensive assessment and assessment criteria for public rights of way from 14.1.65. This is very much welcomed. However, the assessment seems to place greater weight on signing and other minor infrastructure improvements compared with the effect of lengthening walking journeys, reducing the directness of public rights of way, and reducing the accessibility of rights of way by replacing at-grade level crossings with stepped overbridges. An important possible inadequacy of the PRow assessment is its reliance on desk study only.
ES Vol 2 Ch 14 Table 14.5	The sensitivity criteria uses the presence of alternatives to determine sensitivity, type of use (leisure/utility) plus vulnerable user types. But this is based on desk study only. There is also no differentiation for equestrians which is an important omission given their sensitivities to traffic.
ES Vol 2 Ch 14 Table 14.6	Table 14.6 receptor sensitivity assessment framework uses proximity to school and urban areas. It places no value on whether a route is a promoted route or if it gives access to a place of amenity interest, i.e. its recreation value. This could mean that the assessment is perceived to be biased against the recreational nature of the PRow network.
ES Vol 2 Ch 14 Table 14.7	Magnitude of impact - this differentiates between user types but groups cyclists and equestrian users together. This could be deemed unacceptable as wheel channels make steps accessible to cyclists but not to equestrian users and there is a risk that equestrian needs are perceived as being overlooked if the grouping means that cycle mitigation is enough to seemingly reduce the impact. This is especially important when changes of less than 60%-75% are classed as negligible/low.
ES Vol 2 Ch 14, 14.4.17-21	In the description of the road network in the vicinity of the project, two A roads near Bicester are not mentioned: the A4421 and A4095, parts of which are HGV construction routes.
ES Vol 2 Ch 14, 14.5 17	This paragraph acknowledges that parking provision at most stations is close to capacity and states that ' <i>without an increase in car parking the additional passengers would need to use more sustainable modes of travel to the stations</i> '. This fails to acknowledge the risk that drivers would simply leave their cars in nearby residential streets.
ES Vol 2 Ch 14 – Table 14.9 Scheme Drawings Sheet 3	OCC is concerned at the impact of lengthy, albeit temporary closure of footpaths without provision of diversions. We had requested some form of temporary provision at the Grange Farm (Launton) crossing and are disappointed to see that nothing is proposed. We request

	<p>that the project continues to look for opportunities to keep footpaths open for as long as possible within the project. We had also requested that a footpath be created over the Grange Farm overbridge, to link into footpath 272/9 and provide a good route for pedestrians from Launton across the railway without having to cross a stepped overbridge, and are disappointed to see that this is not being proposed.</p>
<p>ES Vol 3 Appendix 14.1 – Transport Assessment. Section 13.4</p>	<p>Peak hour junction capacity assessment: using the agreed methodology, only a few junctions in Oxfordshire were required to be modelled in detail. Of those, the junction of the A4421 Buckingham Road and the A4421 Skimmingdish Lane in Bicester, and the junction of the A43 and B4100 at Baynards Green, are predicted to have significant increases in queuing, on top of the impact of HS2 construction traffic. However, no physical mitigation is proposed in the form of works to provide additional capacity at the junctions. The principle of the justification for not providing physical mitigation, in terms of the additional disruption caused by the roadworks themselves compared with what is only a temporary traffic impact, is accepted. However, the justification is based on the short duration of the peak, whereas traffic volumes remain at much higher than normal for several months after the peak. We consider that this is misleading and greater consideration should be given to the overall profile of the increased traffic levels over the period during which each junction is affected.</p>
<p>ES Vol 3 Appendix 14.1 – Transport Assessment. 14.5.2</p>	<p>This paragraph says that section 14.5 (Level Crossing Assessment) includes an assessment of the Bicester London Road Level Crossing, but in fact section 14.5 makes no mention of it, and provides no reference to Appendix 14.6, where this assessment is located.</p>
<p>ES Vol 3 Appendix 14.6</p>	<p>Bicester London Road Level Crossing assessment: We consider that the impact on queueing could be underestimated due to the use of TEMPRO rather than Bicester Transport Model factors to growth the background traffic. Bicester Transport Model growth factors are in excess of TEMPRO and are considered to more accurately reflect the growth in traffic on Bicester’s network.</p> <p>Also, the assessment focuses on the delay to northbound traffic, while the impact on southbound traffic is not discussed. In fact, the queues are showing to extend beyond Station Approach and Priory Road, but without mitigation, could extend as far at Launton Road.</p> <p>The assessment suggests that a high proportion of traffic would seek an alternative route, via the Oxford Road and A41, but these routes are heavily congested. The increase</p>



	<p>in crossing downtime will also have an impact of bus, walking and cycling journey times and, as a result, the attractiveness of these modes.</p> <p>It is further noted that the assessment assumes that mitigation will be in place in the form off additional rail signals. Without this, the situation would be much worse.</p>
<p>ES Vol 3 Appendix 14.1 – Transport Assessment. 15.2.23</p>	<p>The junctions listed as experiencing congestion, appear to be incorrect. Junction 15 is not included, whereas it should be, and junction 13 is included, whereas the modelling is showing that this junction would operate within capacity.</p>
<p>ES Vol 3 Appendix 14.1 – Transport Assessment. 15.2.25-27</p>	<p>This section describes proposed mitigation for temporary junction congestion in the form of the Alliance monitoring traffic and reporting it to the public and highway authority. If necessary, temporary measures, including signage and temporary traffic signals, could be installed with the agreement of the highway authority. Further discussions are required to establish the detail of this process, to ensure that the Alliance takes a proactive role, rather than sending the highway authority reports to check and waiting for our feedback before mobilising the temporary measures</p>
<p>ES Vol 3 Appendix 2.2 (Draft Framework CTMP)</p>	<p>It is suggested that detailed CTMPs will be drawn up for individual construction compounds on the basis of the Framework CTMP. The Framework CTMP is lacking in detail in several respects. There needs to be a stronger commitment to suction sweep mud from the highway if it is transferred from the site in spite of the measures installed to prevent this. There should also be an explicit commitment for vehicles to travel away from the work sites via the construction routes only. This is not an exhaustive review, and further work will be required with local highway authorities to revise the framework CTMP on which the compound CTMPs can then be based.</p> <p>The appendix says that ‘Section Traffic Management Plans’ may be drawn up. We consider that these will definitely be necessary to ensure a coordinated approach to some aspects, managed by the Alliance rather than individual contractors, for example monitoring of routes that are access routes for more than one compound, and routes that are shared construction routes with HS2.</p>
<p>ES Vol 3 Appendix 14.1 H</p>	<p>Position of passing bays and widening: We are concerned that these have been based on OS only, rather than topographical data. Consideration of vertical alignment and site-specific constraints will be necessary to establish whether the passing bays have sufficient intervisibility. Some of these works will require land outside the highway boundary, and if the land is not correctly identified at this</p>

	<p>stage, it may not be possible to acquire it later. The consequences of having inadequate passing bays would be damage to the highway and potential safety issues arising from vehicles needing to reverse or drive on the verge to avoid one another. This would also bring mud onto the highway which would present a safety risk of skidding.</p> <p>It is understood that detailed design is currently being undertaken using topographical data. This must be agreed with OCC as soon as possible.</p>
<p>Scheme drawings</p>	<p>It is noted that the wing walls of the Charbridge Lane overbridge will be built to accommodate future extension of the bridge deck to accommodate a dual carriageway.</p>
<p>Draft Order</p>	<p>We welcome Clause 17, Agreements with Street Authorities. In the same way that a Supplemental Agreement was agreed in respect of Phase1 of East West Rail, OCC would seek to enter into such an agreement to cover such items as condition surveys and repair of damage, early engagement on the design of highway works and structures, traffic monitoring, notice periods for streetworks, agreement of construction traffic management plans, maintenance periods and the adoption of bridges (this is not an exhaustive list).</p>

Table 2 - Ecology

<b>Document Reviewed</b>	Environmental Statement
<b>Sections Reviewed</b>	Volume 2i – Project-wide - Chapter 9 – Ecology Volume 2ii – Route Section Assessment, Route Section 2A – Chapter 9 – Ecology Volume 3 - Appendices
<b>Comments</b>	
<b>Overview</b>	<p><u>Species and Habitat Surveys (Further Information Request)</u></p> <p>Overall the Ecology Chapter of the Environmental Statement is currently lacking sufficient information to assess the full implications of the proposals on biodiversity. Gaps in survey data for most ecological receptors has led largely to a presumption of presence of the majority of protected species. In the absence of field survey, mitigation measures outlined within the ES have been based on this precautionary approach, which has the potential to lead to under or over-mitigation, or inappropriate mitigation provision.</p> <p>It is however understood that numerous protected species and habitat surveys have been undertaken in 2018, with several still ongoing at the time of writing. Such surveys will be required to guide a more detailed mitigation design, appropriate to the species and habitats identified. An updated assessment of residual and in-combination impacts will be required following completion of all surveys to ensure mitigation sufficiently addresses the protection and management of multiple receptors. The impacts of the scheme as a whole on populations of protected species needs to be fully taken into account.</p> <p>Discussion and comments on each species or habitat of concern are considered in turn in the sections below.</p> <p><u>Net Gain (Objection)</u></p> <p>We accept that a wide range of habitats will be created as a result of the scheme. However, overall, we remain concerned that a net gain in biodiversity will not be achieved. Under the new National Planning Policy Framework (2018), the requirement to achieve measurable net gains has been strengthened and while we appreciate that standard biodiversity metrics may not be appropriate on a major linear scheme of this nature, further detail is required to ensure this is achieved.</p>

	<p>It is acknowledged that compulsory purchase of land may not be undertaken for the purpose of biodiversity mitigation, however we are concerned that there is the potential for the progressive watering down of mitigation measures and the commitment to achieving measurable biodiversity net gain.</p> <p>While further detailed species and habitat surveys will guide mitigation in each ECS, assurances must be provided that the overall availability of mitigation sites will not be reduced. At present, insufficient clarity and assurances over how this will be achieved in practice are provided. A long-term commitment to management of the ECS network is required to improve connectivity between the wider ecological network and to include species monitoring and habitat management, beyond those required in accordance with European Protected Species Mitigation licences.</p>
<p><b>Watercourses and Standing Water</b></p>	<p>It is acknowledged in section 2.3.1 of Appendix 9.2 that collection of background desk study data on watercourse and standing waterbodies rarely aligns with ground-based assessments. Therefore, the need to undertake field surveys is important in order to understand the quality of the waterbody, however insufficient survey coverage has to date been provided within the ES.</p> <p>Further information on aquatic habitats is therefore required, including provision of PSYM surveys, the methodology for which has been discussed, but not carried out. It is understood that aquatic habitat surveys are being carried out in 2018, therefore the results of these are required. Until these assessments are undertaken it cannot be stated with any certainty that these riparian habitats and the species located within them are of limited sensitivity.</p> <p>It is encouraging that several ponds have already been created prior to May 2018, however further detailed understanding of translocation of species which may not naturally colonise in the new waterbodies is required. Further evaluation needs to be guided by updated field survey.</p>
<p><b>White-clawed Crayfish</b></p>	<p>To date, no details of specific surveys for WCC within any aquatic features screened in for further assessment have been provided within the ES, therefore overall the assessment at present is insufficient.</p> <p>It is acknowledged that surveys of watercourses found to offer potential to support the species will be undertaken in 2018.</p>

	<p>While overall it is accepted that the likely impact on WCC is low, details of further surveys are required in order to ensure appropriate mitigation is provided. Safeguards presented, in the event that WCC are found during construction following a nil result from field survey, are considered appropriate however methods will need to be updated in the event that surveys confirm presence in any watercourse.</p>
<b>Otter</b>	<p>To date, insufficient survey information has been presented in respect of otter, with only 10% coverage of watercourses and standing water screened in for further assessment being subject to further survey. A presumption of presence has been made however in the absence of field survey limited understanding can be developed of otter use throughout the whole scheme.</p> <p>Mitigation measures outlined, including mammal ledges, are welcome and will provide opportunities for a number of other mammal species, however further refinement may be required following surveys in 2018.</p>
<b>Water Vole</b>	<p>As detailed above in respect of Otter, insufficient surveys have been undertaken in respect of water vole, with only low coverage to date of watercourses and standing water screened in for further assessment.</p> <p>While it is acknowledged that the risk of the scheme to water vole is relatively low, detailed mitigation measures will need to be refined following the results of 2018 field surveys.</p>
<b>Badger</b>	<p>Coverage of the railway corridor is largely acceptable, however further survey of the wider area is lacking within the ES. Overall a high level of activity is recorded and further detailed assessment is required based on 2018 surveys.</p> <p>A full assessment of the current impacts on badger is required, however it is acknowledged that badger surveys soon become out of date. Given the high level of activity present, assurances are required that the level of mitigation required, including sites for new setts and suitable, well-connected foraging habitat, can be achieved either within the scheme boundary or permitted off-site.</p> <p>Details of clan territories will be required to establish boundaries of badger groups, with consideration provided within the mitigation strategy for the species across the whole scheme.</p>
<b>Bats</b>	<p>The scheme is considered likely to significantly directly and</p>

	<p>indirectly impact upon bats during construction and operational phases. However, a concerning lack of survey detail presented within the ES means that a thorough assessment of these impacts cannot yet be made. A presumption of presence cannot be considered a substitute for field assessment given the potential harm and disturbance caused to individual bats, roosts and foraging / commuting habitat.</p> <p>No activity or crossing point surveys have been presented within the ES. Static surveys have been carried out, however these surveys are considered too old for the purpose of making this assessment, having been undertaken in 2015. Insufficient roost assessments have been provided to date.</p> <p>It is understood that a range of surveys have and will continue to be undertaken in 2018, including radio tracking, crossing point surveys, roost assessments and aerial surveys. The results of these surveys will need to be presented, along with a detailed evaluation of impacts, particularly where species such as Barbastelle and Bechstein’s have been found.</p> <p>An up to date and detailed assessment of impacts during construction and operational phases is required, along with a robust assessment of residual and in-combination impacts on bat species. The advance planting of hedgerows to maintain commuting lines is a positive step in addressing habitat loss.</p>
<p><b>Hazel Dormouse</b></p>	<p>No survey data have been provided with the ES, therefore an assessment of likely impacts on the species cannot be made based on desk study data alone. Habitat loss and fragmentation has the potential to negatively impact upon the species, with a long-term loss of suitable habitat.</p> <p>While it is acknowledged that the risk of the scheme to dormouse is relatively low, detailed mitigation measures will need to be refined following the results of 2018 field surveys.</p>

<p><b>Great Crested Newt</b></p>	<p>Limited data have been presented within the ES in respect of GCN, due to access and seasonal restrictions. Overall an assumption of presence has been made within all waterbodies that have not be subject to detailed assessment, however information presented to date is inadequate.</p> <p>It is understood that presence/likely absence surveys have been undertaken in 2018. The results of these surveys will need to be presented, providing an assessment of population level impacts and landscape scale mitigation measures across the whole scheme.</p> <p>Compensation measures have been presented within the ES which are based on a worst-case scenario, with assumed presence in every suitable waterbody that cannot be accessed. It is accepted that the likely ratio of habitat loss to creation in respect of GCN will change in light of updated field surveys, however assurances must be provided that compensation sites will not be lost, rather specific habitat creation changed for best use. Overall a net gain must be demonstrated.</p>
<p><b>Reptiles</b></p>	<p>Although survey coverage is adequate, the presence/likely absence surveys were undertaken in 2015 and are now considered out of date. A thorough field assessment of adder has not yet been presented.</p> <p>It is understood that presence/likely absence surveys have been undertaken in 2018, including adder surveys. The results of these surveys will need to be presented, providing an assessment of population level and residual impacts. An assessment of in-combination effects with other species is required, especially where translocation of reptile species is to be undertaken.</p>
<p><b>Breeding and Wintering Birds</b></p>	<p>An inadequate assessment of likely impacts on breeding and wintering birds has been presented within the ES. An evaluation of likely impacts cannot be made on available desk study data and reasonable likelihood of species presence. Given the known presence of county and nationally rare species such as Turtle Dove within the scheme area, further detailed assessment is required.</p> <p>It is understood that breeding and wintering bird surveys have been undertaken in 2018. The results of these surveys will need to be presented, providing an assessment of population level impacts in the short and long term.</p>

<b>Barn Owl</b>	<p>Survey coverage for this species is low across screened-in sites within the ES. The impact assessment provided to date for Barn Owl is based on limited data and the scheme has the potential to reduce the short and longer-term breeding success of the species in the area, with collision events for adult and juvenile birds.</p> <p>It is understood that Barn Owl surveys have been undertaken in 2018. The results of these surveys will need to be presented, providing an assessment of impacts in the short and longer term.</p> <p>It is acknowledged that mitigation for Barn Owl on schemes of this nature are complicated and a balance must be sought between overall habitat creation and risks to individual Barn Owl. The exact locations of boxes are not expected at this stage, rather an overview of mitigation and residual impacts. Consultation with the Bucks Owl and Raptor Group is encouraging.</p>
<b>Invertebrates</b>	<p>An incomplete assessment in respect of terrestrial and aquatic invertebrates has been presented within the ES.</p> <p>It is understood that invertebrate surveys have been undertaken in 2018, including detailed mapping of Glow Worm. The results of these surveys will need to be presented, providing an assessment of impacts in the short and longer term.</p> <p>The results of these surveys shall guide the detailed design of new habitat provision, including foodplants of known benefit to identified invertebrate groups.</p>
<b>LWS/BNS</b>	<p>Detailed assessment of Local Wildlife Sites and Biological Notification Sites has not been sufficiently provided within the ES.</p> <p>It is understood that further assessment of these have been undertaken in 2018, including detailed botanical assessments and protected species surveys. The results of these surveys will need to be presented, providing an assessment of impacts in the short and longer term. Measures to safeguard the long term functionality of the sites will need to be refined in light of these assessments.</p>



Table 3 – Cultural Heritage &amp; Archaeology

Document Reviewed	Environmental Statement
Section Reviewed	<i>See below</i>
<p><b>Comments</b></p> <p>The archaeological background for the scheme has been set out in a desk based archaeological assessment submitted as annex 7.1. The assessment highlights that the area of the proposed scheme has the potential to contain archaeological sites and features from a range of periods. In addition, a series of route section archaeological assessments have been produced (Volume 2ii).</p> <p>The desk based assessment however omits any examination of the aerial photographic collection held by Historic England and states that it consulted online aerial photographs only. The desk based assessment also does not include any assessment of the Lidar data held by the Environmental Agency.</p> <p>As a result of these omissions the assessment has failed to take into account the potential of these resources to identify previously unrecorded archaeological deposits and earthworks along the line of the route. The consultation of both these sources is essential if the DBA is to present an accurate assessment of the archaeological potential.</p> <p>There are a number of discrepancies in the assessment of the archaeological potential between the project wide desk based assessment and the route specific assessment 2A. In particular the desk based assessment underplays the potential for Mesolithic and Neolithic sites to be present along the route. The desk based assessment also incorrectly indicates that any in situ Mesolithic occupation evidence would be of medium significance. Occupation deposits from this period are extremely rare and would certainly be considered as being of high significance.</p> <p>We highlighted this following a consultation on the draft stage of the assessment and the route section archaeological assessment 2A has addressed these issues. The desk based assessment however has not been revised to correct these errors. Consequently, the archaeological potential assessment in 6.2.3 fails to both identify the potential for archaeological deposits of those periods being encountered and for the assessment of their significance. The potential impact of his scheme has therefore not been appropriately considered within the assessment.</p> <p>The Route 2A route section assessment highlights that a windmill mound or tump (MOX 5020) will be impacted by the use of the site as a temporary worksite and access for construction area (7.6.6). There are however no detailed plans submitted to show what this impact will consist of. Although the construction works will only involve temporary land take the impact on this feature will be permanent.</p> <p>The windmill mound (MOX 5020) is referred to as a possible windmill mound and is assessed as having a low heritage value. This is incorrect and misleading. The feature can be clearly identified on Lidar images from the Environment Agency and on aerial photographs held by Historic England. The mound survives as a well-preserved earthwork although the north-eastern edge has been disturbed by the development of</p>	

the ring road. A second windmill is visible on the Lidar. These sources were not consulted by the desk based assessment and therefore the well-preserved nature of the earthworks was not considered when the assessment concluded that it was of low heritage value. These remains are currently undated but documentary evidence does suggest that they may be medieval in date. Historical evidence records that Launton had a demesne windmill in 1279AD but the site was farmed after 1292AD. If these remains do relate to this windmill then it would be a particularly early example for the area and of considerable local importance.

We would recommend that the area of the earthworks related to these two windmill mounds be removed from the temporary land take in order to preserve the earthworks in situ. The area of the earthworks should then be fenced off to prevent accidental disturbance of the earthworks during construction. A staged programme of evaluation and mitigation will be required for the remainder of the scheme where ground disturbance is proposed.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition along the lines of:

- 1 No development shall take place until fencing has been erected around the area of earthworks related to the windmill mound at Launton (MOX 5020) to protect the earthworks and no operations shall take place within the area inside that fencing.

Reason: To protect the surviving earthworks of the windmill mound.

- 2 Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an overarching Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2018).

- 3 Following the approval of the Written Scheme of Investigation referred to in condition 2, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2018).