

DELEGATED DECISIONS BY CABINET MEMBER FOR ENVIRONMENT (INCLUDING TRANSPORT)

MINUTES of the meeting held on Thursday, 13 November 2014 commencing at 10.35 am and finishing at 12.17 pm

Present:

Voting Members: Councillor David Nimmo Smith – in the Chair

Other Members in Attendance: Councillors Jean Fooks (for Agenda Items 2 and 3)
Councillor John Howson (for Agenda Item 3)
Councillor Glynis Phillips (for Agenda Item 4)
Councillor Les Sibley (for Agenda Item 7)
Councillor John Sanders (Opposition Spokesperson for Environment)

Officers:

Whole of meeting G. Warrington (Law & Culture); J. Daughton (Environment & Economy)

Part of meeting

Agenda Item	Officer Attending
4,5,6,7 & 8	D. Tole (Environment & Economy)
9 & 10	R. Smales (Environment & Economy)
11	L. Currie (Environment & Economy)

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

62/14 QUESTIONS FROM COUNTY COUNCILLORS

(Agenda No. 2)

Councillor Jean Fooks

“The Cutteslowe/North Oxford CPZ is now in place. Enforcement started on November 1st. Residents had been told that permits would be required from some time in August so many people bought their permits then or soon after. They have thus paid for up to two months’ enforcement which was not being provided. The fairest way to recompense these residents would be for the renewal date for all permits to be November 30th 2015, giving everyone at least an extra month to compensate for the long delays in implementing the scheme. Would you confirm that this will be the course that will be followed?”

Reply from Cabinet Member for Environment

“I regret that there has been a gap between the issuing of permits and the start of enforcement and agree that residents should be compensated for this.

The suggestion to change the renewal date isn’t really practical for several reasons; firstly the permits have an August expiry date on them which will be confusing for residents and enforcement staff alike if that is to be officially ignored in Cutteslowe but not in other areas; secondly, if we change the renewal date to November then that will lead to congestion in the Parking Shop as residents of other large zones will be renewing at the same time, leading to long queues and frustration

I’m still discussing with officers how we will compensate permit holders, but please be assured that this will happen and we will be communicating with residents once the details have been agreed.”

Supplementary from Councillor Fooks

As these had been bought early in good faith perhaps an extension to the end of October could be considered which might help solve some of the problems referred to above.”

Reply from the Cabinet Member for Environment

“I am still discussing with officers the best way to achieve this economically, efficiently and equitably for this area and other areas.”

63/14 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

Petitions

A petition containing 618 signatures was presented by Chris Price and Tony Gray, Cherwell School in the following terms:

“We the undersigned petition Oxfordshire County Council to paint a single white dividing line down the middle of the cycle track along the Marston Ferry Road, Marston, Oxford to encourage responsible cycling and feel strongly that this includes not hogging the entire width of the track for one-way traffic. We believe that given the high volume in usage this is an essential safety measure.

The cycle tracks in Marston are vital in connecting the neighbourhood to North Oxford and connecting Summertown to the JR Hospital and easing congestion. The busy Marston Ferry Road cycle track provides a fast and safe route.

Over 73% of nearly 1,800 secondary school students at The Cherwell School travel to school by bike or on foot. Many of these students use the Marston Ferry Road track each day to travel to school independently and sustainably.

This route is also used substantially by commuters and could be used even further to alleviate car congestion on the Marston Ferry road if it was made safer.

The cycle track is also used for leisure purposes including Headington Road runners, Roller-skiing and various cycling clubs.”

Mr Price informed the meeting that Cherwell School was the most cycled-to school in the country. That had a huge impact on the health of pupils and traffic levels locally and should be supported. He accepted that much of that was the responsibility of the school, who were doing a lot with regard to training and safety via poster campaigns, use of safety equipment and involvement of staff. However, the school were now looking to the Council to support this by providing improved line marking down the middle of the cycle track along the Marston Ferry Road to encourage responsible cycling and enable staff to reinforce rules and sanctions if that was not happening.

Councillor Howson applauded the efforts of the school and urged the County Council to support and promote this initiative, which would also benefit many other users of this route.

Councillor Fooks a Governor of the school endorsed all that had been said.

Councillor Sanders added his support for safer cycling.

The Cabinet Member for Environment received the petition and referred it to the Director for Environment & Economy to consider and respond appropriately.

A second petition was presented by John Donald on behalf of residents of Fairlawn End, Oxford in the following terms:

“We, the undersigned, are writing to you to request your help in resolving a serious Parking problem in Fairlawn End.

For some months now the road has been increasingly used for commuter parking. As a result the road is entirely filled with cars and vans by 7.30 in the morning, leading to congestion that has become intolerable for the residents, and indeed dangerous in that access for Emergency Services would be difficult, if not impossible.

We would ask you to look at the situation, and consider imposing some form of Restricted Parking.”

Mr Donald referred to a marked increase in commuter parking which frequently resulted in residents being unable to access their properties. The entrance to Fairlawn End was a narrow S bend with a turning head at the other end both of which were used for parking creating potential problems for access by emergency services. He asked that consideration be given to some form of restriction.

Councillor Fooks endorsed those comments. A lot of the problems resulted from overspill at the park & ride which also caused problems for bus services. The situation in Mere Road was particularly serious and needed to be considered as a matter of urgency.

The Cabinet Member for Environment received the petition and referred it to the Director for Environment & Economy to consider and respond appropriately.

Public Address

Item 4 – Oxford Northern Bypass – Barton Park Development

Mr F Chesman

P Comerford

Jane Cox

County Councillor Glynis Phillips

Item 7 – Coach House Mews, Bicester

County Councillor Les Sibley

Item 8 – Oxford Road service Roads, Kidlington

Mr Makepeace

John Walsh

Item 11 – Draft Position Statement – Ground-Mounted Solar PV Arrays

Michael Tyce

64/14 A40 OXFORD NORTHERN BYPASS - BARTON PARK DEVELOPMENT - PROPOSED 50MPH SPEED LIMIT AND TRAFFIC RESTRICTIONS (INCLUDING BUS LANE) AT PROPOSED JUNCTION WITH A40 AND ACCESS ROAD TO FOXWELL DRIVE

(Agenda No. 4)

The Cabinet Member for Environment considered (CMDE4) objections and other comments received during the course of a statutory consultation on two separate proposals: (i) for a 50mph speed limit on the A40 Oxford Northern Bypass between the A40 Headington roundabout north westwards to include the proposed new junction with the Barton Park development and (ii) for traffic restrictions at the latter junction and proposed link road from this junction to Foxwell Drive.

Mr Chesman referred to improvements made to the A40 from a 3 lane to a dualled road to improve traffic flow at considerable cost. He considered the current 70 speed limit was suitable and having closed a number of junctions on this stretch of the A40 for safety reasons due to a number of accidents he couldn't understand why a new junction was now being proposed. It would result in more queues in the rush hour, encourage rat running and only be 500 meters from the flyover and deceleration lane making it unsafe and difficult to enforce and in any event a decision should be deferred until the outcome of the application for the Town/Village Green on Foxwell Drive was known.

Mr Comerford referred to the commitment to provide houses. There had been excellent collaboration with the County Council on this scheme which would provide integrated movement and was a critical element in the delivery of houses and other facilities associated with the Barton Park development.

Jane Cox stated that by providing a route to Headington and the City the link road would turn Northway into a roundabout. Over the years the area had changed considerably with few open spaces left and that would be further depleted by cutting through the existing children's playground subjecting residents to higher traffic levels, more pollution and noise all within a less safe environment. She urged the County Council not to support provision of the link road.

Councillor Phillips supported the reduced speed limit but stressed the importance of providing camera enforcement to help meet local concerns regarding non-compliance with current limits. Inevitably the village green application hung over this aspect of the scheme and she asked if that application was successful how it would affect bus routes.

Mr Tole confirmed that if the town & village green application was successful then the link road element could not proceed. He advised that the decision of the Inspector into that application was imminent and he understood the expectation was that it would be considered by the County Council's Planning & Regulation Committee on 12 January 2015. There could also be a further potential delay of 3 months from that date to allow for judicial review of any decision taken. If that happened it could be expected that there would be further considerable delay, which was why officers had taken the opportunity to put this to the Cabinet Member now. If an application for registration of a village green was successful then a T junction would be provided with a pedestrian link. He confirmed that the link road through to Foxwell Drive including aspects relating to noise, pollution etc. had been dealt with in full by the Inspector at the village green inquiry.

He acknowledged that there had been accidents at other junctions such as Cutteslowe and, although not technically closed, the Friar Bacon pub junction. However, neither of those junctions had been signal controlled whereas this proposed junction would.

He accepted there would be some congestion, which would never be removed at either Green Road or Wolvercote roundabouts but slowing traffic down would remove throughput. It was expected that bus services would grow as the development grew but it was unlikely ever to be a major route.

He confirmed the link road would be camera enforced and enforced vigorously.

The Cabinet Member stressed that although many people wished to preserve the status quo with regard to the A40 that would not be possible now because there would have to be a junction provided to meet the terms of the planning permission granted for the Barton development. He had driven along there recently and it had seemed to him that 50 mph seemed to reflect the general speed of traffic. He understood opposition to the link road was minded to approve the detail of the scheme subject to the outcome of the village green application.

Having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Environment confirmed his decision as follows:

- (a) approve the introduction of a 50 mph speed limit on A40 as advertised;
- (b) approve the introduction of traffic restrictions at the proposed junction on A40 as advertised;
- (c) subject to the outcome of the town and village application relating to land at Foxwell Drive to approve the introduction of traffic restrictions on the proposed link road from Foxwell Drive to A40 should that road be constructed.

.....
Cabinet Member for Environment

Dated.....

65/14 PROPOSED PARKING RESTRICTIONS - VARIOUS LOCATIONS, OXFORD

(Agenda No. 5)

The Cabinet Member for Environment considered (CMDE5) objections received to a formal consultation on proposals to introduce parking restrictions in Reliance way (off Cowley Road).

The Cabinet Member confirmed that a recent visit to the site had corroborated the need for the restriction to help deal with problems of danger and congestion and, therefore, having regard to the arguments and options set out in the documentation before him he confirmed his decision as follows:

to approve the proposed parking restrictions for Reliance Way, Oxford as advertised.

.....
Cabinet Member for Environment

Date.....

66/14 HEADINGTON: LONDON ROAD SHARED USE FACILITY - WHARTON ROAD TO STILE ROAD

(Agenda No. 6)

The Cabinet Member for Environment considered (CMDE6) results of a public consultation on a proposal to implement cycle facilities on London Road, Headington, between Wharton Road Stile Road.

He acknowledged receipt of emails from local County Councillor Roz Smith, the Head teacher and Chair of Governors at St Andrew’s school all of which had supported calls for the scheme to be deferred pending further information specifically citing concerns relating to the need for a safety audit; lack of information regarding pedestrian flows and current cycle numbers; volume of traffic on London Road

through Headington and dangers presented by a dropped kerb and the main vehicle entrance to St Andrews School.

Mr Tole accepted there remained a great deal of concern regarding levels of interaction outside the school between cyclists and children. That had led to a revised proposal as set out in Annex 1 to the report but the local councillor and the school were still concerned regarding these issues. Those problems obviously existed at the beginning and end of each school day and needed to be balanced against the desire to improve provision for cyclists on an extremely busy section of road. The proposal was to provide a narrower cycle lane with a wider pedestrian area to offer preference to the latter. The Cabinet Member was being asked to consider the principle of the scheme but officers would be happy to discuss matters of detail with the parties concerned. Confirming there was not enough space to provide a segregated facility along the whole length he felt the scheme would be beneficial but that if it didn't proceed then cyclists could be exposed to conflict with buses.

Responding to Councillor Sanders he confirmed there would be further consideration regarding detailed design, which could include possible provision of a 'cyclists dismount' sign to encourage cyclists to stop further east.

The Cabinet Member for Environment accepted there was a balance to be struck between the safety for cyclists and children but was not yet convinced that this scheme met all the concerns which had been expressed. Therefore, having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above confirmed his decision as follows:

to defer consideration of the proposal for conversion of two Pelican crossings to toucan crossings at Barton Road and outside St. Andrews School and conversion of the length of footway to shared use facility as shown in Annex 1 to the report CMDE6 (drawing number: S-000942/CON/000/001/REV1).

.....
Cabinet Member for Environment

Date.....

67/14 PROPOSED PARKING RESTRICTIONS - COACH HOUSE MEWS, BICESTER
(Agenda No. 7)

The Cabinet Member for Environment considered (CMDE7) objections received to a formal consultation on proposals to introduce parking restrictions in parts of Coach Mews, Bicester.

Councillor Sibley confirmed that problems had existed in this area for a number of years and were now being exacerbated by displaced parking which had resulted from restrictions introduced in Mallard Way and the Talisman Business Park. Further

development planned for this area made it important to introduce these restrictions. He welcomed the report and asked if consideration could be given to the introduction of a residents' parking scheme.

Mr Tole confirmed that unless civil parking enforcement was promoted it would not be possible to introduce residents parking. He accepted there were problems with commuter parking which were likely to worsen but confirmed that that would be reviewed. Some relaxation of restrictions could be considered to help residents to park in the evenings and at weekends.

The Cabinet Member recognised the need to achieve a balance in this area and felt that that could be best achieved by the introduction of these restrictions. He noted that the emergency services supported the proposal and the need to maintain 24 hour access to the care home. Therefore having regard to the arguments and options set out in the documentation before him and the representations made to him he confirmed his decision as follows:

to approve the proposed parking restrictions for Coach House Mews as advertised and amended as described in the report CMDE7.

.....
Cabinet Member for Environment

Date.....

68/14 PROPOSED PARKING RESTRICTIONS - OXFORD ROAD SERVICE ROADS, KIDLINGTON

(Agenda No. 8)

The Cabinet Member for Environment considered (CMDE8) objections received to a formal consultation on proposals to introduce parking restrictions in several streets in the southern part of Kidlington, particularly along the service roads either side of A4260 Oxford Road.

Mr Makepeace expressed particular concern regarding the provision of diagonal parking on Broadway, which he felt would cause problems especially from longer vehicles projecting into the road all to create one extra parking space. Also large delivery vehicles blocked the road completely. There was no parking on the north side of Broadway and he felt that should be the case on both sides and asked that the proposal be reconsidered.

Mr Walsh spoke on behalf of residents adjacent to Thames Valley Police HQ. Insufficient parking led to displaced parking from that site on to the service road, which was then viewed as a convenient alternative and led to driveways being obstructed and properties devaluing. He felt a lot of residents would welcome the opportunity to comment and he asked that the matter be deferred and a public meeting convened.

The Cabinet Member noted the support of the local member and Kidlington Parish Council but acknowledged that Gosford and Water Eaton Parish Council had yet to respond.

Mr Tole stated that diagonal parking did not create much extra space but the flats above this stretch of highway had no off street parking so therefore no restriction in place to help them. The echelon parking at 6 metres would be long enough to accommodate large vehicles and he was confident the network would be able to cope with the demands posed. Resident parking was not an option without civil parking enforcement arrangements in place and in any event funding was not available. He advised that a letter from the owner of properties on the eastern side (Fairfax) had requested deferral. However, as that request did not appear to reflect the views of all the residents on Fairfax it would be unfair to seek to make significant changes without consulting the other businesses there. He confirmed that the situation would be kept under review because of the proposed station development but that in the meantime this represented the best solution.

The Cabinet Member acknowledged that the station development would change things dramatically and that these issues would need to be reviewed as a result of that development but at the moment doing nothing was not an option. He had visited the site and having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Environment confirmed his decision as follows:

to approve the proposed parking restrictions for the Oxford Road service roads and adjacent streets in Kidlington, as advertised and amended as described in the report CMDE8.

.....
Cabinet Member for Environment

Date

69/14 HOUSEHOLD WASTE RECYCLING CENTRES - OPERATING ACCESS AND WASTE ACCEPTANCE POLICY SECOND REVIEW

(Agenda No. 9)

The Cabinet Member for Environment considered (CMDE9) amendments to the policy which was agreed in October 2010 to reflect changes to the policy as a result of the establishment of an energy recovery facility within Oxfordshire enabling the diversion of the majority of residual waste from landfill; the development and introduction of the van and trailer e-permit scheme and some other minor amendments and revisions.

Having regard to the arguments and options set out in the documentation before him the Cabinet Member for Environment confirmed his decision as follows:

- (a) approve the amendments to the Household Waste Recycling Centres – Operating, Access and Waste Acceptance Policy;
- (b) continue to authorise the Deputy Director for Environment & Economy (Commercial) in consultation with the Cabinet Member for Environment to make minor textual changes and amendments to the Household Waste Recycling Centre – Operating, Access and Waste Acceptance Policy from time to time for the purposes of clarification or, as the case may be, where necessary to comply with changes to applicable legislation, guidance or policy.

Signed.....
Cabinet Member for Environment

Date

70/14 VAN TRAILER PERMIT SCHEME THIRD REVIEW (VAN AND TRAILER E-PERMIT SCHEME

(Agenda No. 10)

The Cabinet Member for Environment considered (CMDE10) a third review of the van and trailer e-permit scheme which had been approved and implemented in 2010. Previous reviews in 2011 and 2012 had recommended a move towards a paperless system and the policy and terms had been updated to reflect that. The review also enabled a further opportunity to incorporate feedback on the scheme to ensure the scheme met the needs of all stakeholders in particular users and operators.

Mr Smales explained how the system would work and as members of the Transport Advisory Panel had asked similar questions earlier in the day he undertook to let them have that information separately.

Having regard to the arguments and options set out in the documentation before him and the further considerations set out above the Cabinet Member for Environment confirmed his decision as follows:

- (a) approve the Van and Trailer e-Permit scheme as a continuing and effective method for policing the Household Waste Recycling Centres in order to prevent trade waste from entering;
- (b) approve the amendments to the Van and Trailer e-Permit Scheme as set out in Annex 2 to the report CMDE10;
- (c) approve the updated terms and conditions in Annex 3 to the report CMDE10;
- (d) allow the Deputy Director for Environment & Economy (Commercial) in consultation with the Cabinet Member for Environment to make minor textual changes and amendments to the Van and Trailer e-Permit scheme from time to time for the purposes of clarification or, as the case may be, where necessary to comply with changes to applicable legislation, guidance or policy

- (e) to conduct a further review of the scheme within 3 years from the date of this report.

.....
Cabinet Member for Environment

Date

71/14 DRAFT POSITION STATEMENT: MAJOR DEVELOPMENT PROPOSALS FOR GROUND-MOUNTED SOLAR PV ARRAYS

(Agenda No. 11)

The report (CMDE11) sought endorsement from the Cabinet Member for Environment of a draft position statement on major development proposals for ground-mounted solar PV arrays. A decision on an earlier draft of the Position Statement had been deferred in July and the current draft had subsequently taken into consideration feedback from a focussed consultation with relevant stakeholders and further development of government policy.

Michael Tyce (CPRE) welcomed the general terms of the policy but stressed that those elements seeking to protect the countryside needed to be enhanced. He recognised the importance of solar panels in reducing carbon emissions but it represented a very greedy land use and was always harmful to the landscape. It affected food production and however much mitigated tackling our declining food security was a more important land use than solar panels. Despite the claims of the industry, use of land for solar arrays prevented any meaningful agricultural use. CPRE opposed solar development in open countryside and happily the Government agreed with that view stating that far more than enough solar energy could be supplied from roofs and existing brownfield sites so that open land need not and should not be used. However, as with any development, developers would target easier green fields if they could. For those reasons CPRE were asking for two key additions to the Statement. Firstly that Government Guidance required that use of agricultural land of any quality must be shown to be necessary, and that solar energy should be focussed on roofs and brownfield sites. Developers would therefore need to demonstrate that roof space and brownfield sites were inadequate to meet quantitative targets, before green fields could be considered at all. Secondly although the NPPF required that (if development was necessary) poorer quality land should be used, in the case of solar energy this had been overtaken by a recent DEFRA statement in which the Environment Minister said that ANY grade of land was better used for agriculture than solar energy. A County wide solar policy should also include sequential testing and the Environment Minister's advice and should not support ground mounted solar except on brownfield sites.

He had also suggested some further more minor improvements in an email to officers, particularly with regard to maintaining the amenity of footpath users.

..... Mrs Currie confirmed that an amendment was being suggested to the paragraph entitled Agricultural Land which she hoped would go some way to meet CPRE's concerns and address the issue of sequential testing. However, with regard to NPPF guidance there was little that the County Council could do to control what developers sought to invest their money in.

The Cabinet Member fully understood the desire to use brownfield sites and buildings but Oxfordshire as a predominantly rural county needed the statement to specifically cover agricultural land. Therefore, having regard to the arguments and options set out in the documentation before him, the representations made to him and the further considerations set out above the Cabinet Member for Environment confirmed his decision as follows:

to endorse the draft Position Statement: Major Development Proposals for Ground-mounted Solar PV Arrays subject to the following amendment in bold italics to the paragraph titled Agricultural Land on page 5 of the Statement

"Agricultural Land

"Where large scale solar PV farms are proposed on greenfield land, the developer should show that the use of agricultural land is necessary. Poor quality land....."

.....
Cabinet Member for Environment

Date

.....