



To: Members of the Cabinet

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

**Tuesday, 17 September 2019 at 2.00 pm**

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

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

Yvonne Rees  
Chief Executive

September 2019

Committee Officer: **Sue Whitehead**

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

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### **Membership**

#### *Councillors*

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

*The Agenda is attached. Decisions taken at the meeting will become effective at the end of the working day on Wednesday 25 September 2019 unless called in by that date for review by the appropriate Scrutiny Committee.*

*Copies of this Notice, Agenda and supporting papers are circulated to all Members of the County Council.*

*Date of next meeting: 15 October 2019*

County Hall, New Road, Oxford, OX1 1ND

[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk) Fax: 01865 783195 Media Enquiries 01865 323870

## Declarations of Interest

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

Under the Localism Act 2011 it is a criminal offence to

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

### Whose Interests must be included?

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

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

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

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

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

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

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

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

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

### List of Disclosable Pecuniary Interests:

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

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

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

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

# AGENDA

## 1. Apologies for Absence

## 2. Declarations of Interest

- guidance note opposite

## 3. Minutes

To approve the minutes of the meeting held on 16 July 2019 (**CA3 (to be circulated separately)**) and to receive information arising from them.

## 4. Questions from County Councillors

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

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

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

## 5. Petitions and Public Address

## 6. Implementation of a Street Works Permit Scheme for Oxfordshire (Pages 1 - 110)

*Cabinet Member: Environment*

*Forward Plan Ref: 2019/106*

*Contact: Rikke Hansen, Head of Integration & Improvement Tel: 07554 103536*

Report by Director for Community Operations (**CA6**).

Oxfordshire County Council have been requested by the Department for Transport to

implement a street works permit scheme. Officers have reviewed the feasibility of implementing a scheme and completed a cost benefit analysis to determine whether a scheme is suitable for Oxfordshire. Both have found it favourable to implement a scheme.

Officers have developed and consulted on a permit scheme document which sets out the terms and conditions of a scheme. Officers are requesting approval from Cabinet to continue to implement a permit scheme for Oxfordshire

***Cabinet is RECOMMENDED to:***

- (a) Approve in principle for a Street works permit scheme for Oxfordshire to be implemented.***
- (b) Approve the contents of the Street works permit scheme document at Annex 1 which has considered feedback from public consultation.***

## **7. Service & Resource Planning Report - 2020/21 (Pages 111 - 136)**

*Cabinet Member:* Finance

*Forward Plan Ref:* 2019/059

*Contact:* Katy Jurczynszyn, Strategic Finance Manager (Finance, Strategy & Monitoring)

*Tel:* 07584 909518

Report by Director of Finance (**CA7**).

To provide background and context to the service and resource planning process for 2020/21.

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

- (a) Note the report;***
- (b) Approve the Service and Resource Planning process for 2020/21; and***
- (c) Approve a four-year period for the Medium Term Financial Plan to 2023/24 and ten-year period for the Capital Programme to 2029/30.***

## **8. Business Management & Monitoring Report - July 2019 (Pages 137 - 180)**

*Cabinet Member:* Deputy Leader of the Council and Cabinet Member for Finance

*Forward Plan Ref:* 2019/025

*Contact:* Steven Fairhurst Jones, Corporate Performance & Risk Manager Tel: 07932 318890/Katy Jurczynszyn, Finance Manager (Finance, Strategy and Monitoring) Tel: 07584 909518

Report by Corporate Director: Customer & Organisational Development and Director of Finance (**CA8**).

This report sets out Oxfordshire County Council's (OCC's) progress towards Corporate Plan priorities and provides an update on the delivery of the Medium Term Financial

Plan from 1 June to 31 July. Cabinet does not formally meet in August so information from June and July is covered in this report. As Cabinet do not meet in August, this report presents a summary of performance for June and July. A summary of overall performance and description of change is contained within the report. Each month the business management report will address:

- a) Corporate performance (measured against the Thriving Oxfordshire Outcomes Framework)
- b) Risk (summary of strategic risk and other significant matters)
- c) Human Resources (summary of key data)
- d) Finance (summary including forecast outturn variance)

***The Committee is RECOMMENDED to note the report and consider any matters for future attention by the Committee.***

**9. The Oxfordshire Safeguarding Children's Board Annual Report/The Performance Audit & Quality Assurance Annual Report and The Case Review & Governance Annual Report - 2019 (Pages 181 - 224)**

*Cabinet Member:* Children & Family Services

*Forward Plan Ref:* 2019/076

*Contact:* Tan Lea, Strategic Safeguarding Partnerships Manager Tel: 07867 923287

Report by Deputy Director - Safeguarding (**CA9**).

This paper presents three annual reports: the Oxfordshire Safeguarding Children Board Annual (OSCB) Report; Performance, Audit and Quality Assurance Annual Report and the Case Review and Governance Annual Report.

***Cabinet is asked to review and note the reports.***

**10. Oxfordshire Safeguarding Adults Board Annual Report (Pages 225 - 250)**

*Cabinet Member:* Adult Social Care & Public Health

*Forward Plan Ref:* 2019/098

*Contact:* Steven Turner, OSAB Business Manager Tel: (01865) 328993

Report by Deputy Director – Adult Social Care (**CA10**).

The OSAB is required to report annually on the work of the Board and of its partners, assessing the position of the partnerships in relation to the safeguarding adults at risk within Oxfordshire.

***Cabinet is RECOMMENDED to***

- (a) ***note that the adult safeguarding partnership is working across Oxfordshire and that work undertaken by the Board and its partners has resulted in a significant decrease in safeguarding concerns being referred into the Local***

***Authority, building on the reduction on concerns started last year; and***

***(b) note the priorities for 2019/20.***

**11. Report by the Local Government and Social Care Ombudsman - Investigation into a Complaint Against Oxfordshire County Council (Ref: 18 009 005) (Pages 251 - 256)**

*Cabinet Member: Education & Cultural Services*

*Forward Plan Ref: 2019/114*

*Contact: Lucy Butler, Corporate Director for Children's Services Tel: (01865) 815122*

Report by Corporate Director for Children's Services (**CA11**).

The Local Government and Social Care Ombudsman (LGO) has issued a report following its investigation of a complaint against Oxfordshire County Council. The complaint was about Education & Children's Services matter. The LGO found that there had been fault on the part of the Council, and this had caused injustice to the complainants.

The council has agreed to take action which the LGO regards as providing a satisfactory remedy for the complaint. The LGO welcomes the work the council has already carried out, and has planned, to address the fault identified in this and our previous investigation. This is satisfactory to address the service failures identified.

The council is undertaking recommendations to address the injustice caused to Mr and Mrs X and Child D and to address the injustice that may have been caused to others as set out in the report.

A full apology has been issued to Mr and Mrs X and Child D and the outcomes of recommendations to address any injustice that may have been caused to others will be reported to the council's Education Scrutiny Committee on 20th November.

***The Cabinet is RECOMMENDED to note the contents of the report by the Local Government and Social Care Ombudsman (LGO) and to endorse the actions undertaken in response by this council.***

**12. Forward Plan and Future Business (Pages 257 - 260)**

*Cabinet Member: All*

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

The Cabinet Procedure Rules provide that the business of each meeting at the Cabinet is to include "updating of the Forward Plan and proposals for business to be conducted at the following meeting". Items from the Forward Plan for the immediately forthcoming meetings of the Cabinet appear in the Schedule at **CA12**. This includes any updated information relating to the business for those meetings that has already been identified for inclusion in the next Forward Plan update.

The Schedule is for noting, but Cabinet Members may also wish to take this opportunity

to identify any further changes they would wish to be incorporated in the next Forward Plan update.

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

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Division(s): ALL
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## **CABINET– 17 SEPTEMBER 2019**

### **IMPLEMENTATION OF A STREET WORKS PERMIT SCHEME FOR OXFORDSHIRE**

**Report by Director of Community Operations**

#### **RECOMMENDATION**

1. **Cabinet is RECOMMENDED to:**
  - (a) **Approve in principle for a Street works permit scheme for Oxfordshire to be implemented.**
  - (b) **Approve the contents of the Street works permit scheme document at Annex 1 which has considered feedback from public consultation.**

#### **Executive Summary**

2. Oxfordshire County Council was advised by the Department for Transport on 18/07/2018 to implement a street works 'permit' scheme to replace the existing 'noticing' scheme currently in operation. See letter at Annex 1.
3. In response to this, there has been preparation to move to a Street works permit scheme. A scheme document stating the terms and conditions of a scheme has been developed supported by an external consultancy, "Geoplace".
4. This scheme document has been publicly consulted upon. Overall the proposal has been well received. The comments received have been considered and were appropriate the draft has been amended with the proposed final scheme document as at Annex 2.

#### **Introduction**

5. This report presents responses received to the formal consultation on the contents of the permit scheme document and the proposed final scheme document for consideration to ensure it is both suitable for Oxfordshire and manageable for those who operate the scheme.

#### **Background**

6. A feasibility study and cost benefit analysis were completed which confirmed a scheme would be beneficial to Oxfordshire. A 'scheme document' detailing proposals has been developed and its contents have been consulted upon both informally and formally with works promoters and wider stakeholders.

See Annex 2 for a copy of the proposed scheme document.

7. A permit scheme will assist the County Council in achieving tighter management of roadworks on the highway, including reduction of durations which will enable more works to be completed, supporting the delivery of developments and increased infrastructure programmes.
8. As part of developing the scheme, Officers have completed a series of benchmarking exercises with other authorities including Cambridgeshire, West Sussex, Warwickshire and have worked closely with external consultants to ensure best practice was proposed as part of the scheme for Oxfordshire. The outcome of this is a scheme document which operates in line with the majority of schemes in England.
9. The scheme is expected to show a Benefit Cost ratio of 2.05:1 which exceeds the Department for Transport's value for money expectation of 2:1 for a scheme and also represents a positive return to both the residents and businesses of Oxfordshire.

## **Consultation**

10. Following a period of informal consultation with works promoters reviewing the terms of the scheme, a public formal consultation took place between 19 July and 23 August 2019.
11. The consultation was sent to a broad range of key stakeholders. Consultees included emergency services, passenger transport providers, surrounding local authorities, town and parish councils, County Councillors, utility companies, major local employers and other interest groups.
12. 41 responses were received. 28 responses with no objections / support for the scheme document, 6 responses proposing amendments to a scheme, 2 responses which were neutral towards a scheme and 1 response which was unrelated to a street works permit scheme. Responses have been broken down by individual point with officer comment and can be found at annex 3.
13. County Councillors, town and parish councils, and neighbouring local authorities are broadly supportive of the proposed scheme.
14. Responses were also received from the emergency services and public transport providers who were supportive of the implementation of a scheme.
15. The Utility Companies and work promoters submitted specific requests for changes and where considered appropriate amendments have been made.
16. Copies of the full responses are available for inspection by County Councillors and have been shared with consultees.

## **Responses to objections and other comments.**

17. Proposed changes were received from 5 works promoters/ utilities. The basis for the proposed changes were surrounding referral to and updating of legislation stated within the document and technical amendments to the scheme document including references to future software solutions and clarification of points raised within the scheme document.
18. In response to the changes proposed, all requests were reviewed by our external consultant, Geoplace alongside Council Officers, to determine whether they would be suitable for Oxfordshire. Where accepted changes have been made to the permit scheme document reflecting these proposals.

## **Key risks and benefits**

19. If a permit scheme is not progressed, using our own developed terms for local needs, then there is a risk that a national scheme will be imposed.
20. The benefits that the scheme is expected to achieve include:
  - Reduction in roadwork duration - removal of 8,934 days of works from counties roads annually. (c. 10% reduction).
  - Improved quality of works completed and enforcement of failed works.
  - Improved coordination and management of works.
  - Reduction in the 'hassle factor' (such as additional journey planning) and inconvenience works put on the travelling public.

## **Financial and Staff Implications**

21. Anticipated income and expenditure associated to the scheme have been calculated using tools provided to us by the Department for Transport and have been benchmarked against comparable authorities (Cambridgeshire & West Sussex) to ensure suitability and robustness.
22. The forecasted income realisable through the charges agreed with the DfT and based on known works from 2019/20, is estimated to range from between £1.1m - £1.2m per annum. This income will recover the full cost of administering the scheme and includes direct administration costs, service management indirect costs as well as corporate overheads.
23. The current year net upfront costs of the scheme are estimated to be £90k and this pressure will be managed within current revenue budgets.

OWEN JENKINS

Director for Community Operations

Background papers: NONE

Contact Officer: Keith Stenning, 07584581214

September 2019

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Department  
for Transport

Peter Clark  
Oxfordshire County Council

From the Secretary of State  
The Rt. Hon. Chris Grayling

Great Minster House  
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London  
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Web site: [www.gov.uk/dft](http://www.gov.uk/dft)

18 July 2018

Dear Peter,

### **Introduction of a street works permit scheme (2004 Traffic Management Act)**

The Government believes that operating a street works permit scheme is a far more effective way of proactively managing street and road works on the local road networks than operating under the older, more passive street works noticing system. Permit schemes also provide an effective way to deliver the network management duty. I am pleased that over 100 local highway authorities in England have permit schemes in place.

On 18 June 2018, we published independent research evaluating the effectiveness of permit schemes. This research demonstrates that permit schemes can drive down the duration of works, and there is evidence to show they provide the best outcomes for all road users. The research report can be found at: <https://www.gov.uk/government/publications/street-works-permit-schemes-evaluation-of-effectiveness>. Its main recommendation is that authorities who do not currently have a permit scheme should consider introducing one as soon as possible. I agree with this recommendation

In addition to the benefits described above, I am convinced that permit schemes are the best way of reducing the congestion caused by street and road works. Furthermore, they will also help to enhance the benefits of the new street manager digital service which will transform the planning, management and communication of works.

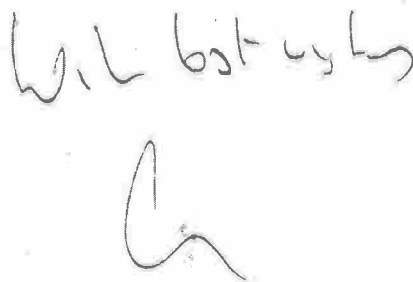
I am therefore asking your authority to consider introducing a permit scheme by **31 March 2019**.

I hope that the case for introducing a permit scheme is sufficiently strong for your authority to take this decision. I would much prefer this to be a change that is made willingly and done in a way that best suits your local area.

I do have powers under section 3(2) of the 2004 Traffic Management Act to direct an authority to introduce such a scheme. I hope that it will not be necessary to use these powers. I will, however, be minded to consider this approach if your local authority continues with what I believe are out-dated and ineffective noticing arrangements.

I am aware that there may be a number of misconceptions around the development and practical introduction of a permit scheme. In order to address these, I have asked officials, working with the Joint Authorities Group, to run a workshop for the South West Authorities, and one for authorities in northern England. These workshops will also provide advice about the minimum requirements needed to introduce a scheme. My officials will let your traffic managers know the dates of these events shortly.

I look forward to hearing about your plans.

A handwritten signature in dark ink, appearing to read 'Chris Grayling', with a stylized flourish below it.

**Rt Hon Chris Grayling MP**

**SECRETARY OF STATE FOR TRANSPORT**

Oxfordshire County Council



# **The Oxfordshire Permit Scheme**

**September 2019**

## Document Control Sheet

### Record of Issue

Title:	Oxfordshire Permit Scheme Document
Status:	Draft

Issue	Status	Author	Date	Check	Date	Authorised	Date
1	Draft	D Capon	26 <sup>th</sup> April 2019				
2	Draft Consultation	D Capon	13th May 2019				
3	Draft including consultation comments	D Capon	28 <sup>th</sup> June 2019				
4	Draft Final Document	D. Capon	27 <sup>th</sup> August 2019				
5	Draft Final  Document following meeting with Phil Whitfield	D.Capon	28 <sup>th</sup> August 2019				
6	Draft final  Document following review by Keith Stenning	P Whitfield	29 <sup>th</sup> August 2019				



## Permit Scheme Content

### Sections

- 1 Background
- 2 Objectives and Benefits of the Permit Scheme
- 3 Permit Scheme Principles for Co-ordination
- 4 Key Performance Indicators and Evaluation of Scheme Success
- 5 Common Elements with NRSWA
- 6 Permit Scope
- 7 Types of Permit
- 8 Permit Applications
- 9 How to Make a Permit Application
- 10 Content of Permit Applications
- 11 Timings of Permit Applications
- 12 Decisions with Regards to Permit Applications
- 13 Permit Variations
- 14 Revocation
- 15 Fees
- 16 Permit Conditions
- 17 Inspections
- 18 Sanctions
- 19 Dispute Resolution
- 20 Related Matters and Procedures
- 21 Changes and Ceasing to Operate
- 22 Street Works Registers and National Street Gazetteer NSG
- 23 Transitional Arrangements
- 24 Payment of Permit Fees

### Appendices

- |            |  |
|------------|--|
| Appendix A | Glossary                                   |
| Appendix B | Dis-applied Sections from the NRSWA (1991) |
| Appendix C | Modifications to NRSWA (1991)              |
| Appendix D | Application & Responses Times              |
| Appendix E | Disruption Effect Score                    |
| Appendix F | Permit Fees                                |

## 1. Background

- 1.1. Permit Schemes provide a way to manage activities on the public highway and were introduced by Part 3 of the Traffic Management Act 2004 (TMA) to improve authorities' ability to minimise disruption and inconvenience from street and road works.
- 1.2. This Permit Scheme is known as the 'Oxfordshire Permit Scheme for Road Works and Street Works' or within this document as 'the Permit Scheme'.
- 1.3 The Permit scheme is constructed in accordance with the following legislative framework. Highway Authority Permit Schemes were introduced by Part 3 (sections 32 to 39) of the Traffic Management Act 2004 (TMA) and are regulated in England by the Traffic Management Permit Scheme (England) Regulations 2007 (the 2007 regulations). The Deregulation Act 2015 removed in England the requirement for permit schemes to be approved by the Secretary of State. It amended the TMA enabling highway authorities in England to make their own schemes and to vary or revoke existing schemes. Amendments made by the Deregulation Act 2015 and the Infrastructure Act 2015 also enable Highways England to make permit schemes in relation to highways for which it is responsible. The 2007 Regulations have been amended by the Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 (S.I. 2015/958) (available at: <http://www.legislation.gov.uk/uksi/2015/958/contents/made>) to reflect changes made by the Deregulation Act 2015 and other changes to the operation of permit schemes. The amended regulations applied to all new schemes from 30 June 2015 and will apply to all existing schemes from 1 October 2015. Under section 33(5) of the TMA highway Authorities preparing a permit scheme are also required to have regard to Statutory Guidance issued by the Secretary of State. In this Statutory Guidance "must" has been used to refer to a statutory requirement. "Should" is used where the Department for Transport strongly recommends specific action is taken. Where "may" is used it refers to those things a highway authority will want to consider in the development of a scheme and as part of its own approval process. In developing and operating a permit scheme authorities must comply with the TMA and the 2007 Regulations, and must have regard to this guidance, which this scheme does.
- 1.4. **Chosen design for Oxfordshire's Permit Scheme.**
  - 1.4.1. The Oxfordshire Permit Scheme is based on the feasibility study undertaken by Oxfordshire County Council, which reviewed current Permit Schemes and options utilised across England since 2010. The chosen method was to base our scheme on the West Sussex & Cambridgeshire County Permit Schemes structures with minor developments to best fit the County of Oxfordshire.
  - 1.4.2. Options were put before Oxfordshire County Council Member for Environment in April 2019, who supported a recommendation of developing a full permit scheme and applying permits to 100% of the network. It was considered that this would be best to meet the Council's objectives in support of its network management duty.
  - 1.4.3. Key stakeholders will be part of the continuous improvement process within the scheme and be an integral part of developing innovation and evaluation

1.4.4. The Permit scheme is being developed around the notion of behaviour change and the need to manage all activities within a consistent, transparent and collaborative framework. Part of the schemes overall aim is to drive change through innovation and the Council is keen to explore the role of incentives within the scheme to try and move the innovation agenda forward. The council is keen to work with stakeholders to try and develop an innovation model which can provide real change. Incentivised innovation will be viewed on a 12 monthly basis and discounts will be applied where sustainable innovation can be demonstrated. Each year the council will look to support innovation through this process and incentives will be given where ideas can benefit the industry in terms of materials, techniques, technology or process. The Council is keen to work with stakeholders in the first months of the scheme to develop an innovation protocol. It is accepted that this will not form part of the scheme in the first year but by the end of year one and to coincide with the annual review process the council will announce incentives through discounting on innovation for the year two activities. This will then become an annual process.

## 1.5. **General Principles**

1.5.1. The Permit Scheme (as a scheme defined within the TMA), is designed to control the carrying out of relevant activities on the public highway. It replaces the “notice system” under the New Roads and Street Works Act 1991 “NRSWA” whereby Statutory Undertaker companies inform highway authorities of their intentions to carry out works in their areas. It uses similar concepts to the notice system in several key areas, such as road categories and works categories. This is to ensure consistency and to facilitate better co-ordination.

1.5.2. Oxfordshire County Council whilst preparing the Permit Scheme has taken into consideration the requirements of the Equality Act 2010.

1.5.3. The Permit Scheme is operated by Oxfordshire County Council as the Highway Authority for Oxfordshire, hereinafter referred to as ‘the Permit Authority’. The scheme will apply to the whole of the area encompassed by the authority’s boundaries except for the Highway England’s Motorway & Trunk Roads.

1.5.4. The Permit Scheme applies to the road categories as set out in paragraph S1.3.1 of the Specification for the Reinstatement of Openings in Highways (Third Edition) and as set out in the National Street Gazetteer, The Permit Scheme shall not apply to roads not maintained at public expense. Within the Permit Authority’s area permits will be required on all road categories.

1.5.5. The Permit Scheme will apply to any person or organisation responsible for commissioning activities [works] in streets covered by the Permit Scheme. In the Permit Scheme, these persons or organisations will be referred to as a “Promoter”, who will be either a Statutory Undertaker or Oxfordshire County Council as a highway or traffic authority.

1.5.6. Oxfordshire County Council Works Promoters must apply for permits in the same manner as a Statutory Undertaker. All fees and charges for highway authorities will not apply in the application

of the Permit Scheme, but shadow fees and charges should be collated and monitored in demonstration of “Parity”.

- 1.5.7. All works comprising and categorised as “specified works” in the Permit Regulations will require a permit. NRSWA prescribes the “registerable activities” which qualify as “specified works” and which activities will require a permit. Registerable activities for the Permit Scheme are set out in section 6.2 of this document.
- 1.5.8. Permits will be required for all registerable activities and works for road purposes except activities licensed under section 50 of the New Roads and Street Works Act 1991. All applications must be made by licensed undertakers or highway authorities. Each application will be treated in a non-discriminatory way as required in Regulation 40 of the Permit Scheme Regulations.
- 1.5.9 All Highway Works (including Developer activities under Section 278 of the Highways Act 1980) will require a permit however permit fees will not be applied.

## **2. Objectives and Benefits of the Permit Scheme**

- 2.1. Any activity undertaken in a street has the potential to cause disruption. Activities can reduce the width of the street available to traffic, pedestrians and other users, and can also inconvenience businesses and residents.
- 2.2. The scale of disruption caused is relative to the type of activities being undertaken, the capacity of the street, the duration and timing of the works and the methods employed to carry them out. Works on those streets where the traffic flow is close to, or exceeds, the physical capacity of the street will have greatest potential to cause congestion, disruption and delays.
- 2.3. The objective of the TMA and therefore this permit scheme is to enable the management of the traffic network to ensure expeditious movement of traffic (including pedestrians, cyclists and other vulnerable road users) as required under the TMA Network Management Duty.
- 2.4. The Permit Scheme is intended to enable more effective co-ordination and to empower the Local Highway Authority (Permit Authority) to minimise disruption from both street and highway works.

### **2.5. The Permit Scheme Objectives**

- 2.5.1. The strategic objective for the Permit Scheme is to provide a capability to manage and maintain the local highway network for the safe and efficient use of road space, whilst allowing Promoters access to maintain their services and assets, including installing new connections.
- 2.5.2. The principle of the Permit Scheme is to improve the planning, scheduling and management of activities so that they do not cause unnecessary traffic disruption to any road user. It will help Oxfordshire County Council meet their network management duty under the TMA. Co-ordination of activities through the Permit Scheme will enable differences between those competing for space or time in the street, including traffic, to be resolved in a positive and constructive way.

### 2.5.3. The sub-objectives of the Oxfordshire Permit Scheme are: -

- To manage proactively the local highway network to maximise the safe and efficient use of road space.
- To improve the quality and timeliness of information and compliance with highway legislation from all Activity Promoters.
- To improve the information available to the public to help provide and inform reliable journey times.
- To manage road works and street works to support public transport (including buses) reliability and punctuality.
- To ensure the safety of those using the street and those working on activities that fall under the scheme.
- To protect the structure of the street and the integrity of the apparatus in it.
- To ensure parity of treatment for all Activity Promoters particularly between Statutory Undertakers and Highway Authority Promoters works and activities.

## 2.6. **Aligned Objectives**

### 2.6.1. The Permit Scheme objectives align with the strategies and themes of the latest Oxfordshire Local Transport Plan which include:

- **Supporting growth and economic vitality**  
Oxfordshire suffers from congestion and several roads are already approaching capacity during peak hours. If Oxfordshire is to secure its place as a world-class economy, that attracts international investment, the County's transport links need to be managed as efficiently as possible, in order to prove that Oxfordshire is connected to Britain's wider economy.
- **Reducing emissions**  
The County Council is committed to achieving its Air Quality targets, however these cannot be realised if traffic is not managed.
- **Improving quality of life**  
Through this scheme, the County Council can influence when and for how long works are undertaken and this will minimise disruption and inconvenience which will help to improve the quality of life for the people of Oxfordshire.

## 2.7. Benefits

2.7.1. The benefits to be derived from the operation of the Permit Scheme have been identified as:

- Improvements to overall network management
- Reduced congestion on the road network
- Improved journey time reliability, in particular for public transport
- A reduction in duration of works
- A reduction in cost pressures to businesses caused by delays
- Promotion of sustainable communities and businesses
- Promotion of a safer environment
- Reduced carbon emissions

2.7.2. This could include the consideration of the environmental impact of activities, for example where works involve excavating activities under the canopy of a tree, emphasis will be applied to the Promoter to adhere to the appropriate Code of Practice requirements when excavating.

2.7.3. Another example could be the minimising of any impact where permission for the storage of materials or plant is required, outside of the main activity. The locations of these storage areas can create difficulties for traffic flows, businesses and deliveries.

2.7.4. The Permit Scheme has been prepared to accommodate the undertaking of street and road works while delivering the statutory duties of all stakeholders.

2.7.5. Works will always need to be carried out by Promoters, but people will be more understanding if they perceive that the activities are being authorised and monitored by the Permit Authority and Promoters in ways that minimise impact. These quality of life factors are of relevance on the minor, more residential roads.

## 3.0 Co-ordination and Co-operation

### 3.1 Introduction

Effective co-ordination is essential to minimise traffic disruption in the Permit Authority area whilst allowing activity promoters the necessary time and space to complete the activity.

The Permit Authority and activity promoters should commit appropriate skilled and sufficient, experienced human resource(s) to be used in the co-ordination process, to deal with matters and issues as they arise.

### 3.3 Principles of Co-ordination and Co-operation

To meet the objectives outlined in Section 1 and The Traffic Management Act (TMA) objective of expediting the movement of traffic, activity promoters and the Permit Authority should adhere to four key principles:

- The need to balance the potentially conflicting interests of road users and activity promoters and their customers;

- The importance of close co-operation and liaison between the Permit Authority and activity promoters;
- An acknowledgement that activity programmes and practices may have to be adjusted to ensure that the statutory objectives of the co-ordination provisions are achieved;
- The provision of timely, clear, accurate and complete information between promoters and the Permit Authority's-ordinating and Managing Permit Activities

### **3.3.1 Planning and Executing Activities**

Although the Permit Scheme provides greater influence over how and when activities are carried out, the prime responsibility for planning, supervising and carrying out individual activities falls on the promoters. Promoters must consider the needs of all road users, including those with disabilities; whether they are pedestrians, equestrians, cyclists or motorists throughout the planning and execution of activities.

This principle has implications for:

- The timing of activities;
- The way in which they are carried out; and,
- The programming of activities.

### **3.3.2 The Process**

The co-ordination process has four phases:

1. Information – The authority requires accurate and timely information on what is proposed and when it is happening;
2. Analysis – The authority needs a means of assimilating and analysing this information;
3. Consideration – The authority must consider whether any changes are required to minimise disruption before it agrees to the proposals;
4. Co-operation – All parties must co-operate with the authority to achieve the minimum disruption.

Underpinning all this process are common aspirations under which all parties agree that the measures are to the benefit of the Permit Authority, activity promoters and road users.

### **3.3.3 Considerations for Co-ordination**

#### **3.3.3.1 Timing**

As a general principle all activity promoters should accept that the greater the disruption an activity is likely to cause, the sooner the permit application should be made. Promoters should recognise that the statutory application periods are a minimum and whenever possible longer periods should be given. This co-operation benefits both the Permit Authority and the promoter. If modifications are required, the earlier the Permit Authority informs the promoter, the easier it will be for them to comply. If there are no objections to a promoter proceeding before the end of the full prescribed application period consent should be given if an early start is requested by the promoter.

#### **3.3.3.2 Working Space**

Promoters should consider the space needed for both the works, access for plant and vehicles and the storage of plant and/or materials when assessing the likely disruption an activity might cause.

### 3.3.3.3 Other

Activity promoters must discuss their proposals with other interested parties, including frontages, and modify them, as requested, where it is appropriate and practicable.

## 3.4 Co-ordination Machinery

### 3.4.1 Principles of Co-ordination

In some cases, the Permit Authority and activity promoters will be able to co-ordinate effectively on a one-to-one basis. However, for the most part, regular meetings of dedicated groups will be needed. The Permit Authority co-ordination meetings provide the principle means of doing this. All promoters requiring permits for activities on the roads in the Permit Authority area are required to actively and constructively participate in the relevant co-ordination meetings.

The key principles to follow if co-ordination machinery is to work effectively are:

- The sharing of information and consultation between interested parties at the earliest opportunity;
- Making information available in a common format;
- Regular input and attendance of relevant people (those empowered to take decisions) at co-ordination meetings;
- Activity promoters and authorities sharing business development plans and replacement programmes for apparatus and highway assets with the Permit Authority;
- Communication of decisions at the earliest opportunity so that promoters' plans can be adapted, if necessary;
- Cross boundary co-ordination between neighbouring authorities, utilities, and others, especially for all planned works and planned maintenance on strategic routes.

### 3.4.3 Co-ordination Meetings

The Permit Authority co-ordination meetings will be chaired by the Traffic Manager (or a nominated deputy). The meetings will be concerned primarily with direct co-ordination of activity promoters' advance programmes and dissemination of information. Co-ordination will cover all activities including those covered by both the Permit Scheme and those being dealt with under the NRSWA notification regime.

Co-ordination meetings will occur quarterly, or more frequently if the need arises, but a discussion should always take place whenever proposed major activities are likely to conflict with other activities, especially in a street or streets known to be prone to congestion. Local co-ordination meetings will cover:

- Medium-term and annual programmes for all activity promoters; these must be submitted at least 21 days before the meeting and show a six-month rolling programme of work. This information will allow the Permit Authority to compile a co-ordinated schedule of activities;
- Planned road closures for the next quarter and rolling year ahead, to allow all activities to be planned within such closures as far as possible;
- Other significant events.



The following topics may also be covered, as appropriate:

- Local policies and strategies affecting street works, traffic management proposals (including the effect of diversionary routes), and the potential for reducing disruption from activities through common schemes/trench sharing etc;
- Proposed designations of streets subject to special controls and other constraints;
- Reviews of performance at local level, including damage prevention;
- Feedback from HAUC(UK) and YHAUC;
- Street works licences;
- Any joint forward advertisement of activities where major traffic disruption is likely.

Representatives from all major interests will be invited and must attend each meeting. This includes all promoters and Highways England. The representatives must be well enough informed to discuss major projects, individual proposals and medium-term and annual programmes that are relevant to them and have delegated responsibility to take decisions.

The medium-term and annual programmes for all activity promoters are typically too large to carry out detailed individual scheme discussion at the meeting. These detailed discussions will take place with individual work promoters at separate scheme specific meetings. Relevant interested parties will be invited to these meetings such as other activity promoters, emergency services or transport authorities. Information from the meetings will be distributed to any other interested parties.

The Permit Authority will also arrange regular performance meetings to be held quarterly with the most active work promoters in the Permit Authority area. These meetings will review the work promoter's performance in relation to levels of compliance with all aspects of the permit scheme.

#### **3.4.4 Liaison with Other Bodies**

The Permit Authority will liaise with adjacent authorities if activities are likely to affect traffic flows across boundaries and/or on trunk roads. The Permit Authority will also provide information to other bodies likely to have an interest in the Permit Authority area, such as:

- The police, fire, ambulance and other emergency services;
- Public transport operators and public transport authorities;
- Other appropriate representative bodies, e.g. organisations representing disabled people, pedestrians, motorists, and cyclists;
- The appropriate planning and environmental health officers.

#### **3.4.5 Technology**

The day-to-day co-ordination of most proposals can be achieved only using technology, especially given the relatively short lead times for minor and standard works. This is particularly so for permit and notice management systems that use a geographic information system (GIS).

Permit applications will include locations by means of National Grid References (NGRs). This together with the use of the nationally consistent street gazetteer means that the Permit Authority will be able to visualise the impact of different activities on their networks and the interaction between these activities.

To increase the benefit of this technology, the Permit Authority will work toward the inclusion of NGRs on other relevant documents, such as applications for skips or scaffolding on the highway.

### 3.5 Considerations for Permit Applications

In coming to decisions on permit applications, the Permit Authority will consider all aspects of the proposed activities and other influences that may affect traffic. These include:

- The road network capacity;
- The scope for collaborative working arrangements, including trench and duct sharing between promoters;
- The optimum timing of activities from all aspects;
- The effect on traffic, in particular the need for temporary traffic restrictions or prohibitions;
- Appropriate techniques and arrangements, particularly at difficult road junctions and pinch points;

### 3.6 Forward Planning of Activities

#### 3.6.1 Forward Planning Information

Forward planning information on long-term programmes from all activity promoters will help the Permit Authority to co-ordinate activities. Forward planning will also help promoters to identify opportunities for joint working and to co-ordinate the timing of resurfacing. This might include mains replacement programmes or the reconstruction of main roads, which will usually be planned several years ahead.

Activity promoters should give forward planning information about road or street works in their long-term programme, which may include those works in their annual operating programme, or three or five-year rolling programmes. This forward planning information could also include works identified through asset condition surveys. It could be provided at any time before an application for a Provisional Advance Authorisation is required.

It is much easier to adjust the timing of medium and long-term programmes to coordinate with the plans of other activity promoters than short-term programmes with detailed plans when contractual commitments may have been made. The early sharing of information will therefore benefit promoters as well as the Permit Authority. While accurate information is important, the Permit Authority accepts that the longer the lead time the greater the uncertainty about timing.

#### 3.6.2 Recording Information

It is essential that information on large-scale or potentially very disruptive activities is included in the permits register at the earliest opportunity. This will enable activity promoters to:

- Take part in early co-ordination;
- Consider joint working;
- Consider trench sharing;
- Highlight other activities which need to be co-ordinated with these activities;
- Produce reports for the permit team co-ordinators.

The entry should give as much detail as possible. The minimum information needed is the street involved, the nature of the activity and the proposed dates. This information should be reviewed and updated regularly to include details as they are finalised. Forward planning information does not remove the need to apply for a Provisional Advance Authorisation or a permit at the appropriate time.

### **3.7 Collaborative Working**

- 3.7.1. Collaborative working within the Permit Scheme provides an opportunity for co-operation and co-ordination between Promoters with respect to concurrent activities on a single street. The primary objective of collaborative working is to coordinate activities so that they take place within the same set of traffic management or tailored traffic management to incorporate different works within the same street.
- 3.7.2 No permit fee will be charged for any permit where the works are carried out with collaborative working involving more than one other Promoter and/or trench sharing. This is conditional on the correct collaboration type being notified in accordance with the latest version of the electronic system being used.

### **4. Key Performance Indicators (KPI) and Evaluation of Scheme Success**

- 4.1. Every authority wishing to implement a permit scheme is required to indicate how they intend to demonstrate parity of treatment for Promoters in its application.
- 4.2. The DfT's Statutory Guidance for Highway Authority Permit Schemes contains seven KPIs, which may be used for this purpose. These KPIs may be amended, removed or replaced by future amendments to Permit Regulations. The scheme will always follow the latest KPI requirements.
- 4.3. These KPI's apply to both Road Works and Street Works. KPI results will be produced on a monthly basis. Such KPIs may be redeveloped by the DfT and/or HAUC (England) and Statutory Guidance may be subject to change from time to time.
- 4.4. The Permit Authority will remain committed to submitting the performance scorecard data to the DfT quarterly.
- 4.5. **Scheme Monitoring**

The Permit Scheme will be evaluated after each of the first 3 years, then 3-yearly after that. Evaluations these will be made available within 3 months of the yearly date on which the Permit Scheme came into effect. The evaluation shall include consideration of:

- i. whether the fee structure needs to be changed considering any surplus or deficit;
  - ii. the costs and benefits (whether financial) of operating the scheme; and
  - iii. whether the Permit Scheme is meeting key performance indicators where these are set out in the document
  - iv. The outcome of each evaluation shall be made available to the persons referred to in regulation 3(1) within three months of the relevant anniversary.
- 4.6. Evaluation Reports shall include measurement of success against the key objectives of this Permit Scheme and will follow the latest published in line with the Statutory Guidance for Highway

Authority Permit Schemes. Such guidance and templates may change from time to time. Such a report may include the use of the following:

- a) KPIs as described in Section 4 of this document.
- b) HAUC TPI (The Permit Indicators) Measures as defined and agreed by the National Permit Forum which may be subject to change from time to time.
- c) Authority Measures which will include further data collated by the Permit Authority to support the objectives of this scheme. Such measures will be defined and agreed by the National Permit Forum and as above, may be subject to change from time to time and subject to the capabilities and needs of the current electronic system.

## **5. Common Elements with NRSWA**

- 5.1. To facilitate working across highway authority boundaries, the Permit Scheme uses the same or similar definitions or requirements as used in the NRSWA approved notice system for:
  - a) Registerable activities/works;
  - b) Categories of activities/works (Major, Standard, Minor and Immediate);
  - c) Street gazetteers, including street referencing by means of Unique Street Reference Number (USRN) and Additional Street Data (ASD);
  - d) Street reinstatement categories as defined in the Specification for the Reinstatement of Openings in Highways;
  - e) The distinction between main roads and minor roads, where such distinctions are relevant; and
  - f) Streets designated as protected, having special engineering difficulty or traffic sensitivity.
- 5.2. The Permit Authority will be set up to receive applications, issue and receive notices and otherwise communicate electronically. All such communications relating to works on the highway will be made using the current electronic system wherever possible.
- 5.3. All streets maintained by or on behalf of Oxfordshire County Council are included within the Permit Scheme; these are the “specified streets” as set out in the Regulations. Trunk roads and motorways for which the Highways England is the highway authority are not included in the Permit Scheme.
- 5.4. Privately maintained streets are not included in the Permit Scheme but will be added if they are subsequently adopted by the Permit Authority and shown as maintainable within the street gazetteer.

## 5.5. **Street Gazetteer**

- 5.5.1. The Permit Authority will also operate and maintain a Street Gazetteer including a list of Unique Street Reference Numbers (USRN) and Additional Street Data (ASD).
- 5.5.2. Every highway authority has a Street Gazetteer which forms part of the National Street Gazetteer ("NSG"). This is held centrally on behalf of all local highway authorities by a custodian.
- 5.5.3. In relation to permits, the term "street" refers to an individual USRN. Details about the Street Gazetteer, and the ASD associated with each street on the Street Gazetteer are maintained on the street works register.

## 5.6. **Streets with Special Designations and Controls**

- 5.6.1. Streets designated under NRSWA with special controls, protected streets, streets with special engineering difficulty and traffic-sensitive streets, will have the same designations under the Permit Scheme.

## 5.7. **Reinstatement Categories**

- 5.7.1. The reinstatement category, as given in the ASD will be treated as definitive. If Oxfordshire County Council has not entered reinstatement categories for streets on the NSG, the streets will all be treated as category 4 for the purposes of the Permit Scheme and for overrun charges and other elements of NRSWA.

## 6. **Permit Scope**

- 6.1. The Permit Scheme applies to all registerable activities as defined in NRSWA undertaken on any publicly maintainable highways, which are the responsibility of Oxfordshire County Council. The Permit Scheme does not apply to activities licensed under Section 50 of the NRSWA.
- 6.2. The term "registerable activities" corresponds to what are "specified works" under Regulations. The following activities defined in the Permit Regulations as specified works are registerable for all Promoters and information related to them must be recorded on the register:
  - a) All activities that involve the breaking up or resurfacing of any street;
  - b) All activities that involve the opening of the carriageway or cycleway of traffic sensitive streets at traffic-sensitive times;
  - c) All activities that require the use of any form of temporary traffic control as defined in the Code of Practice for Safety at Street Works and Road Works;
  - d) All activities that reduce the number of lanes available on a carriageway of three or more lanes;

e) All activities that require a Temporary Traffic Regulation Order or Notice, or the suspension of pedestrian crossing facilities;

f) All activities that require a reduction in width of the existing carriageway of a traffic-sensitive street at a traffic-sensitive time;

### **6.3. Non-Registerable Activities**

6.3.1 Non-registerable activities are activities which do not fall under criteria set out in section 6.2 above and can take place without requiring a permit. If the circumstances change so that the work then becomes a “registerable activity”, the work should cease and the highway fully restored for use by all traffic, until the correct permit is obtained.

The following activities are non-registerable:

#### **1) Traffic Census Surveys**

This permit scheme does not include traffic census surveys as disclosure of this information prior to a census taking place is likely to encourage a change to the normal pattern of traffic flows.

#### **2) Pole testing**

Only pole testing which involves excavation needs a permit; as would be the case with other excavations, when one or more of rules a to f above apply. However, in all circumstances the work must be registered using Section 70 (3) of NRSWA, for the purpose of reinstatement inspections within 10 days of completion.

#### **3) Fire service vehicles**

The Permit Authority recognises that fire service vehicles occasionally need to be parked adjacent to hydrants which are being tested. These operations are exempt from the permit scheme, provided the work is undertaken outside traffic-sensitive periods.

### **6.4 Bar Holes**

6.4.1 Bar holes are used to detect and monitor gas leaks. When bar holes are carried out and it is known that no further activity in the street is required (such as when a gas leak is reported but none detected), a registration under Section 70 of NRSWA should be sent within 10 days, once final monitoring checks have been established. The bar holes will count as a single excavation and reinstatement for registration purposes.

6.4.2 An application for a permit should be made within two hours of the commencement of any other registerable activity (i.e. excavation, or any other activity defined above) associated with the bar holes. In this latter case, the registration of any reinstated bar holes not covered by the further excavations and reinstatements will be incorporated as an additional site within the registration of the permitted activity. Permit Scheme.

## **6.5 Street Lighting**

- 6.5.1** The definition of works for road purposes may include some works carried out by undertakers, such as street lighting. It is for activity promoters to ensure that permit applications for such activities are made and that the activity is registered as appropriate. Fault repairs and works carried out for any other authority, such as District or Parish Councils, are not works for road purposes.

## **6.6 Permit start and end dates**

- 6.6.1** A permit will allow an activity to be carried out for a specific duration (in calendar days) between the start and end date on the permit. A promoter working outside those dates would not have a valid permit and potentially would be committing an offence. It should be noted that if the work should start on a Monday and finish on a Friday, the subsequent weekend cannot be used as additional days without the express approval of the Permit Authority through a permit variation.
- 6.6.2** For all permit applications the duration of the activity will exactly match the time from the start date to the end date. For example: start date Wednesday 1st June, end date Friday 10th June, duration eight (working) days. The permit start date will be the proposed start date of the activity. If the activity cannot begin on the permit start date, the promoter should inform the Permit Authority on the previous working day by email. There is no automatic extension of the permit in these circumstances.
- 6.6.3** If the promoter thinks that they could still complete the work before the permit end date, then they could begin the activity on a subsequent day, submitting a start of works notice under section 74. If the promoter could not complete the activity before the permit end date, they must apply for a permit variation. This variation would be required even if the extra days were at a weekend (in the above case the permit expires at midnight on Friday night). The Permit Authority may or may not agree to an extension, depending on the circumstances, and the promoter may be subject to over-run charges
- 6.7** All registerable activities for which a permit is required but has not been granted cannot be carried out without committing an offence. Works for immediate purposes can commence with subsequent permit application, as defined within the Permit Scheme any immediate permit application must be received within two hours of starting works.

## **7. Types of Permit**

- 7.1.** The Permit Scheme has been designed so that:

a) In relation to category 0, 1, 2, and traffic sensitive streets, the planned commencement date and finishing date for the activity are the start date and end date respectively on the permit. The permit is not valid before the start date on the permit and ceases to be valid once the end date has passed.

b) On category 3 and 4 streets that are not traffic sensitive, permit start and end dates allow for flexibility in the start of the activity, but once the activity is started it should be completed within the activity duration period specified in the permit. The starting window is five working days for major and standard activities and two working days for minor activities.

## **7.2. Provisional Advance Authorisation (PAA)**

- 7.2.1. A Provisional Advance Authorisation should be obtained as part of the application process for certain classes of permits. PAA's are a means of enabling significant activities to be identified, coordinated and programmed in advance, by allowing activities to be provisionally "booked in" by the Permit Authority pending the subsequent decision on whether, and with what conditions, to issue a permit for the activities.
- 7.2.2. The Permit Scheme incorporates a requirement for PAA's in relation to major works, but not in relation to other work. The PAA application should be submitted not less than three months in advance of those activities or as agreed with the Permit Authority. The information required in support of an application for a PAA is equivalent to that required in support of an application for a permit although very detailed information may not be known at this early stage.
- 7.2.3. In circumstances where a PAA has been granted, but a full permit has not yet been issued and proposals change, the Promoter should inform the Permit Authority of the proposed changes and the Permit Authority will indicate whether a new application for PAA or permit should be made by the Promoter. This reflects the importance of ensuring that PAA's can be properly considered and issued in the expectation that a permit will ultimately be issued for the activities. The purpose of the PAA is to allow the Promoter to advise that they have work to undertake and would like to provisionally reserve workspace on the highway, although it should be made clear [Regulation 11(5)] that the issue of a PAA does not guarantee that a permit will subsequently be issued. In keeping with this purpose, the Permit Scheme requires an application for a PAA to specify proposed start and end dates for the relevant activities, although there is enough flexibility to enable the dates to be reasonably adjusted when a permit is ultimately issued.

## **8. Permit Applications**

- 8.1. The information which shall accompany a permit application is set out Section 10 of this document. Such information requirements may alter with future changes to Permit Regulations. The Scheme will abide by such changes. This information should, wherever possible, be supplied electronically using current data systems and should be within the timescales as set out in Appendix D of this document.
- 8.2. Applicants should also note that in line with Regulation, the Permit Scheme requires Promoters applying for permits or PAA's to copy their applications to any authority, Statutory Undertaker or other relevant body that has requested to see notices or permit applications on certain streets.
- 8.3. Where an activity crosses the boundary between Oxfordshire County Council and its neighbouring authorities, the Promoter should apply for a permit from each authority in accordance with its relevant scheme. Where an activity crosses the boundary between a Permit Scheme and an area where noticing under NRSWA is used, both regimes will need to be followed.
- 8.4. The minimum times within which applications should be made are set out in Section 11 and Appendix D of this document. Promoters are however encouraged to contact the Permit Authority



early so conditions can be discussed and, if possible, an agreement can be reached so that the application is approved quickly. Early applications will improve the co-ordination process and enable the Permit Authority to better control activities that take place on the highway.

## **8.5. Activity Categories**

8.5.1. Applications from Promoter to carry out specified works through the Permit Scheme should use the following activity categories: Major, Standard, Minor and Immediate (defined below).

8.5.2. Major Activities are defined in current regulation as those activities which:

a) Have been identified in a Promoter's annual operating programme or are normally planned or known about at least six months in advance of the proposed start date for the activity; or

b) Require a Temporary Traffic Regulation Order (i.e. not a temporary traffic notice) under the Road Traffic Regulation Act 1984 for any other activities other than immediate activities; or

c) Have a duration of 11 working days or more, other than immediate activities.

8.5.3. Standard Activities are defined as those activities, other than immediate or major activities, that have a planned duration of between four and ten working days inclusive.

8.5.4. Minor Activities are those activities, other than immediate or major activities, where the planned duration is three working days or less.

8.6. Immediate Activities are either:

a) Emergency works, which are defined in section 52 of NRSWA, are works required to end, or prevent, circumstances, either existing or imminent, that might cause damage to people or property. This applies to both street works and works for road purposes which fall within the definition of activities. The term also includes activities not falling within that definition, but which cannot be severed from those that do - such as activities away from the emergency site that are necessary to shut off or divert a supply; or,

b) Remedial works for dangerous defects which are classed as emergency works (but there will be a need to cross reference these to the parent activity); or,

c) Urgent activities which are defined in the 2007 Regulations as activities:

i. (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required):

ii. to prevent or put an end to an unplanned interruption of any supply or service provided by the Promoter;

- iii. to avoid substantial loss to the Promoter in relation to an existing service; or
- iv. to reconnect supplies or services where the Promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and,
- v. includes works that cannot reasonably be severed from such works.

## 9. **How to Make a Permit Application**

- 9.1. Any Promoter, as prescribed in the 2007 Regulations, who wishes to perform or carry out an activity on a street within an area covered by the Permit Scheme should first obtain a permit from the Permit Authority. This permits the Promoter to carry out the specified activity, at the specified location, between the dates shown and agrees the conditions which are attached.
- 9.2. The timings of applications will vary according to the proposed activity. Early applications will allow the Permit Authority to give better advice to the Promoter in relation to the use of conditions and requirements, to deliver more effective co-ordination especially in the cases of major works.
- 9.3. Permit, PAA applications and variation applications should be made by electronic means.
- 9.4. The definitive format and content of electronic permit applications should conform to the current rules for electronic transfer of data. This could be subject to amendment from time to time, and all applications should comply with the current requirements.
- 9.5. The description of activities should be in plain English without any industry specific jargon. A standard description used consistently, with added text for exceptions, will allow quicker analysis resulting in clearer information to assist the Permit Authority to coordinate activities. Both the Statutory undertaker and Council Works Promoters are encouraged to agree standard descriptions and durations locally that can be used.
- 9.6. **The Application Process**
  - 9.6.1. A permit application process starts when the Permit Authority receives the application not when it is sent. In most cases when using electronic systems this process should be almost instantaneous and the precise time that the application is received is defined by the time of the electronic acknowledgement.
  - 9.6.2. Where a permit application has failed three times by electronic means and the notice or application cannot be sent for reasons such as server failure, notification can be given by telephone for immediate activities with a formal electronic application sent as soon as reasonably practical. Where the activity falls into Major, Standard or Minor an application can be made by other electronic means such as email as agreed between the Authority and Promoter when an issue has been identified.

## 10. **Content of Permit Applications**

10.1. All permit applications received by the Permit Authority should contain the required level of information in line with the current regulations for the Permit Authority to properly assess the application. Details such as duration, location, timings, method and traffic management provisions should be indicated on applications as follows; -

a) The Street - An application shall relate to proposed activities in one street only. A street for these purposes should correspond to a USRN.

b) Detailed Description of Activity and Collaborative Promoters - For all works a detailed description of the activity, clearly setting out what the works are and their purpose should be provided to allow the Permit Authority to assess its likely impact. Where collaborative working is proposed the Promoter should provide a detailed description of the collaborative scheme of works.

c) Contact Details - each application should provide contact details of the Promoter's appointed representative who can deal with any problems occurring during the activity. This should include out-of-hours contact details for the Promoter. Where collaborative works are to be performed, the identity of the lead Promoter should also be provided.

d) Location - Promoters should give an accurate location using a spatial feature (point, line or polygon) covering the extent of the works area based on National Grid References (NGR's). Provision of more detailed information will enable better understanding of the implications of the works and lead to fewer rejected applications.

e) Duration - The permit start and end dates will be in calendar days. This will prevent ambiguity as to whether the permit is valid, even at weekends or on Bank Holidays.

The duration is the number of working days on which the activity can take place

If the permit allows working at weekends or on Bank Holidays, then the permit start and end dates will accommodate this, even though those days will not count towards the activity duration. Each permit application should include proposed start and end dates of the works (the date from which the Promoter requires the road space until the road space is no longer required).

f) Illustration - Promoters should provide an illustration of the activity with their permit application, where they consider there is potential for disruption due to the position and size of the activity. Illustrations provided should be based on an extract of the plan held by the Promoter showing the location of its apparatus at the site in question. Promoters are encouraged to provide illustrations in appropriate cases. Where the Permit Authority requires an illustration, which is not submitted as part of the application, the application may be refused with a request for the illustration to be provided.

The illustration should include details of the activity and whether it is likely to affect more than one lane of the street. The Technical Specification of the current electronic system will provide

appropriate details as to the form of such illustrations, but plans, digital photographs and similar would normally be required. Activities on those streets or parts of a street subject to a Special Engineering Difficulty designation, will in all cases require a plan and section as indicated in NRSWA Schedule 4 (Part 2).

For certain activities and/or locations, the Permit Authority may request additional information in relation to contingency plans for expedient removal of site occupation, as part of the application.

Where it is not possible for a Promoter to submit an illustration to the Permit Authority using electronic means, the Promoter should contact the Permit Authority in the first instance to discuss and agree an alternative method.

g) Method - Details of the proposed techniques, such as open cut, trench share, minimum dig technique or no dig should be provided.

h) Traffic Management, Parking and Traffic Regulation Orders/Notices - Where traffic management proposals will be required because of the proposed works, then a description of the proposals and when they will be instituted as part of the works should be provided in the application.

Any requirement for action on the part of the Permit Authority, including those listed below, should be included within the application:

(i) The need to make Temporary Traffic Regulation Orders (TTRO's);

(ii) The approval for all temporary traffic signals. Applications should be made using the latest notice in accordance with the current electronic system. Applications to use portable traffic signals on "immediate" activities should also be supported by the Promoter in accordance with the "Safety at Street Works and Road Works", a code of practice, which may vary from time to time.

(iii) The approval for the storage of materials or plant on the highway;

(iv) The approval for the deactivation of permanent traffic signals; and

(v) The approval for the suspension of controlled pedestrian crossings.

In these instances, an associated traffic management plan should be provided within the application where the work affects a traffic sensitive street. Justification for use of 24-hour portable traffic signals should also be provided. The processing costs associated with the above orders or approvals are not within the scope of the permit fees and will be separately applied.

i) Inspection Units - To ensure consistency the Permit Authority require permit applications to include the provisional number of estimated inspection units appropriate to the activity, in accordance with the rules laid down in the latest NRSWA Inspections Code of Practice and The Street Works (Inspection Fees) (England) (Amendment) Regulations 2004 (or any overriding future legislation or guidance).

j) Site Depth - A Permit application requires a Promoter to provide their best estimate of the excavation depth as part of the application. This estimate may be expressed as a range but should nonetheless provide a meaningful indication of the nature and extent of activity involved.

k) Reinstatement Type - The application should, wherever possible, indicate whether the activity is intended to be completed with interim or permanent reinstatement or a mixture of both.

l) Proposed Conditions - Promoters are encouraged to support their applications with suitable conditions should they find that the location, type of work to be undertaken, road category or any other site-based circumstance require consideration.

The approach adopted by the current electronic system, is based on the Promoters including conditions in their permit application.

If the Permit Authority does not agree with the condition(s) applied or requires additional conditions, then it can either:

1. Refuse the request with an inclusion of a comment to reflect the change required. This will require a new or modified permit application to be submitted by the Promoter; or
2. Respond to the request using a Permit Modification Request. This will also require a new or modified permit application to be submitted by the Promoter, or for Immediate works a works data variation.

The above will be subject to any changes made by the proposed introduction of Street Manager.

The Permit Authority will consider all permit applications on an equal basis.

## **10.2. Form of the Issued Permit**

10.2.1. A permit will be granted in accordance with the current electronic system. A permit application will be generated by the Promoter and granted by the Permit Authority, unless the application is deemed to have been granted where no grant or refusal has been issued within the period outlined in Appendix D. The permit will contain all relevant conditions so that there is no ambiguity about the validity and terms of the permit.

10.2.2. In accordance with the current electronic system parameters, each permit will have a unique reference number. A permit is issued to the Promoter for every permit that is granted via electronic means.

10.2.3. For all permits it is a requirement that where there are any other linked permits, references to those other linked permits should also be included with the permit.

- 10.2.4. Where remedial works or works to make an interim reinstatement, permanent are to be carried out, following completion of permitted works, a separate permit is required. This new permit should cross-reference the original activity, by raising the remedial works permit application using the same works reference as the original works.
- 10.2.5. Where a Promoter makes a permit application or variation to a permit application as a result of the Permit Authority's action, e.g. where the Permit Authority has imposed a variation, it is recommended a comment is included to this effect within the application. If applicable, reference to another relevant permit application can also be included.
- 10.2.6. The Permit Scheme requires all granted permits to be placed on the Permit Register and copied to any undertaker, authority or other relevant body that has asked to be informed about activities on a street.

## **11. Timings of Permit Applications**

- 11.1. For effective planning and co-ordination, information needs to be provided to the Permit Authority in a timely manner. In accordance with the advice contained in the Statutory Guidance, the Permit Scheme provides for the minimum time periods before the proposed start date of an activity by which time the relevant permit application should be made by the Promoter and a subsequent response made by the Permit Authority.
- 11.2. The Permit Authority is aware of the need to be proactive in running a scheme. Time limits have been set out in Appendix D of the Permit Scheme committing the Permit Authority to respond to applications within set periods.
- 11.3. A "response" for these purposes means a decision to grant, refuse or issue a permit modification request. Where there are reasons why the permit could not or should not be granted in the terms applied for, (e.g. because of insufficient or obviously incorrect information or because of a clash with other activities), the response indicating that a permit will not be granted in those terms will explain the reasons. This will enable the Promoter to make a revised and compliant application.

### **11.4. Timing of Applications and Responses**

- 11.4.1. The time period for a response to an application starts at the time of receipt of the application by the Permit Authority. The current electronic system will provide an auditable record of the actual date and time of the receipt of the application, however, the calculation of the application and response time for a permit application received after 16:30 will use the next working day as the effective receipt date.

### **11.5. Minimum Application Times – Major Activities**

- 11.5.1. Under the Permit Scheme, for a major activity, Promoters are required to apply for a PAA at least three months in advance of a proposed activity and a permit ten working days before the activity is due to start.

11.5.2. Where a major activity does not involve asset activity, a PAA cannot be generated and therefore in such circumstances a permit application will be made in the first instance.

#### **11.6. Minimum Application Times - Standard Activities**

11.6.1. A permit application for standard activities is required ten working days before the proposed start date.

#### **11.7. Minimum Application Times - Minor Activities**

11.7.1. A permit application for minor activities is required three working days before the proposed start date.

#### **11.8. Minimum Application Times - Immediate Activities**

11.8.1. In order not to prevent activities that are necessary for emergency or urgent reasons, the Permit Scheme provides that these works may proceed without a permit given their nature. Promoters should apply for a permit within two hours of the immediate activity commencing or, in the case of the works commencing out of normal working hours as defined by NRSWA, within two hours of the start of the next working day. As a reminder Immediate activities are those which:

- a) Are emergency activities as defined in section 52 of NRSWA;
- b) Activities (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required):
  - i. To prevent or put an end to an unplanned interruption of any supply or service provided by the customer;
  - ii. To avoid substantial loss to the promoter in relation to an existing service;
  - iii. To reconnect supplies or services where the activity promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate permit period;

11.8.2. In instances on Strategic Street, of an Immediate Activity, the Promoter should telephone the Permit Authority prior to, or immediately after works commence on such Strategic streets where such a requirement is designated by the Permit Authority, (as indicated in the ASD for that Permit Authority with contact telephone number also supplied within the ASD).

#### **11.9. Non-Compliance with the Minimum Application Times**

##### **11.9.1 Early Starts**

11.9.2 Where it is not possible for a Promoter to adhere to the minimum permit application periods, the Permit Authority may consider applications where mitigating circumstances justify this failure. Permission to allow a Promoter to submit such an application is solely at the discretion of the Permit

Authority and will only be given exceptionally. Permission to allow an Application to be made with an 'early start' does not necessarily mean the permit will be granted. The Authority will still be required to carry out all required checks in terms of data quality, conditions and co-ordination related matters.

11.9.3 Where a permit application is granted, thereby providing such permission, it will be recorded by the Permit Authority. Where permission is not granted the permit application will be refused. It is recognised that some early starts will be required to achieve a positive outcome to potential collaborative working arrangements, however, a Works Promoter proceeding with the planned work following a refusal would be working without a permit.

#### **11.10. Agreement Process**

11.10.1 In situations where a Promoter cannot comply with the minimum permit application times, it should initially contact the Permit Authority to discuss the application and the associated justification. At such time the Permit Authority may agree for the permit application to be submitted.

11.10.2 In circumstances where the Permit Authority will accept such a permit application, the Promoter should then submit a relevant application to the Permit Authority - providing the detail and justification within the application - in order to obtain a formal grant for the early start, variation or extension to the permit.

#### **11.11. Maximum Response Times**

11.11.1 Appendix D of the Permit Scheme sets out the time limits within which the Permit Authority will respond to permit applications. It is essential that the Permit Authority replies to permit applications within the given response times. If it fails to do so, the permit is deemed to be granted in the terms of the application.

11.11.2 A "response" for the purposes of the Permit Scheme means a decision to grant, refuse or issue a permit modification request, in accordance with the "Statutory Guidance". Where there are reasons why the permit cannot or should not be granted in the terms applied for, (e.g. because of insufficient or obviously incorrect information or because of a clash with other activities), the response indicating that a permit will not be granted in those terms will explain the reasoning. This will enable Promoters to make a revised and compliant application. The Authority will utilise any HAUC (England) agreed codes and reasons for refusal text where possible when a Permit is refused.

11.11.3 Temporary Traffic Signal Applications should be made in accordance with the latest electronic system and the authority's own timeframe for dealing with such applications. Providing that a complete application has been received a response granting the approval will be given by the Permit within the stated periods and should be cross referenced to any permit application.



### **11.12. Phasing of Activity**

11.12.1 One permit can only relate to one phase of an activity. A phase of an activity is a period of continuous occupation of the street, (whether work is taking place for the whole time), between the start and completion of the works. For example, a separate permit would be required for interim, permanent and remedial reinstatements.

11.12.2 The dates given in a permit application and in the issued permit will denote the dates for that phase. A phase can end only when all the plant, equipment and materials, including any signing, lighting and guarding, have been removed from the site and the highway is returned to full use.

11.12.3 A Promoter should clarify when an activity is to be carried out in phases on the application. Each phase will require a separate permit and, if a major activity involving asset activity, also a PAA, which will be cross referenced to the other permits.

11.12.4 Phased activities should relate to the same works, with applications submitted using the same works reference.

### **11.13. New customer connections**

11.13.1 A new main or cable run, which includes new customer connections, can be classed as one phase if all the work is completed in a single occupation of the street. Otherwise a new permit should be obtained for the customer connections stage.

## **12. Decisions with Regards to Permit Applications**

12.1. The Permit Authority on reaching a decision for a permit application should act reasonably and, should consider whether issuing the permit will accord with the statutory duties to co-ordinate and to manage the network and the objectives of the Permit Scheme. Where an application for a permit meets the relevant requirements of the Permit Scheme, the Permit Authority shall grant the permit

12.2. When reaching decisions on permit applications, the Permit Authority will consider all aspects of the proposed activity and other influences that may affect traffic. These include, but may not be limited to:

a) The road network capacity;

b) Safety (major impacts e.g. on traffic signal operation);

c) The scope for collaborative working arrangements, including trench and duct sharing between Promoters;

d) The overall effect upon the local and regional highway network;

- e) The optimum timing of activities from all aspects, including the legislative requirement for the works taking place, e.g. new customer connections, duty to maintain under the Highways Act;
- f) The effect on traffic, the need for temporary traffic restrictions or prohibitions;
- g) Appropriate techniques and arrangements particularly at difficult road junctions and pinch points;
- h) The working arrangements required in protected streets, traffic-sensitive streets, and streets with special engineering difficulties;
- i) The effect of skip, scaffold, storage and hoarding licences, pavement licences, any known special events and other licences or consents issued in respect of affected streets under the Highways Act 1980;
- j) The environmental impact of the proposed works;
- k) Developments for which planning permission has been granted on streets affected by the works;
- l) The benefits to be achieved from extended working hours;
- m) Effect of a planned activity to public transport routes;
- n) Contingency plans for expedient removal of site occupation.

### **12.3. Permit Issue and Deemed Permit**

- 12.3.1. Where the Permit Authority is satisfied with the permit application, having considered all relevant matters set out in the application and all other material considerations, including ensuring the statutory duties to coordinate and to manage the network and that the Permit Scheme objectives are met, it will issue a permit to the Promoter within the response time.
- 12.3.2. The permit will cross reference the details provided in the application, including any associated documentation such as drawings, and any conditions imposed by the Permit Authority. Section 10 of this document specifies details and requirements of permit contents
- 12.3.3. Where the Permit Authority fails to meet the response times defined in Appendix D, the permit is deemed to be granted and, in such terms, only as reflected in the application. In such circumstances there will be no fee charged.

### **12.4. Refusal of Permit Applications**

- 12.4.1. Whilst the Permit Authority cannot refuse legitimate activities, it can refuse a permit application, (and a Provisional Advanced Authorisation), if elements of the proposed activity, such as timing, location or conditions are not acceptable when measured in accordance with the relevant factors as referred to in Sections 9 and 10 of this document. In such cases the Permit Authority will respond to

the Promoter as soon as possible and within the response period specified in Appendix D of this document, to explain precisely why the application is not satisfactory and which aspects need modification.

- 12.4.2. A Promoter may cancel an application by an electronic works notice at any point prior to the Permit Authority granting, or refusing, the permit application.

## 12.5. **Grounds for Refusal**

- 12.5.1. If, after careful consideration, the Permit Authority decides to refuse the PAA or Permit application, the refusal will be issued electronically, and an explanation of the refusal will be given and discussions with the Promoter may be held regarding amendment to the application.
- 12.5.2 Grounds for refusal of a scheme compliant permit application will always relate to the Permit Authority's responsibility to discharge its Network Management Duty. In an exceptional circumstance, where a specific situation affects, or will affect the Highway Network, the Permit Authority may invoke other grounds for refusal.

## 13. **Permit Variations**

- 13.1. The Permit Scheme allows for the variation of permits and for conditions to be attached to permits. This allows the Permit Authority actively to manage other activities on the network in the light of changing circumstances. Variations can take place at any time after the permit has been issued and before the activity has commenced or during the activity itself. However, if a variation to a permit is required by the Promoter, the application to vary the permit should be made before the permit end date is passed and in accordance with the requirements of the current electronic system.
- 13.2. PAA's cannot be varied. In circumstances where a PAA has been given but a full permit has not been issued and proposals change, the Promoter should advise the proposed changes to the Permit Authority who will indicate whether a new application for a PAA is required.
- 13.3. Data changes are notified as new applications (prior to approval) or variations (post approval). Error corrections for registration notices and works status corrections are still relevant however and should be made in accordance with the relevant Code of Practice or successor document.
- 13.4. Application by the Promoter to vary a permit or to vary permit conditions should be made in the following way:
  - a) Where the existing permit has more than 20% of its duration or more than two working days to run, whichever is the longer, the Promoter shall apply for a variation; or
  - b). In any other case the Promoter shall first contact the Permit Authority to ascertain whether the authority is prepared to grant a variation and only apply if the authority is so prepared.

Where the Promoter fails to apply for a permit variation or extension within the relevant time limits, the Permit Authority may consider applications to vary or extend permits where the Promoter is able to provide mitigating circumstances justifying the failure to adhere to the relevant timings. The Permit Authority is aware of the need to be proactive in running a scheme. Time limits have been set out in Appendix D of the Permit Scheme committing the Permit Authority to respond to applications within set periods.

- 13.5. Activities can be particularly subject to change where a Promoter has to make several excavations or registerable openings of the street in order to locate a fault. While the Permit Scheme seeks to avoid too many permit variations, the Permit Authority should be advised of the site situation to enable co-ordination and management of these and other works in the area.

- 13.6. For planned activities the first application will contain the location of the initial proposed excavation or opening. If any further excavations are required, variation of the permit will also be required.

Promoters applying for permits for immediate activities should do so within two hours of starting work. Where they find that the location in which they have started digging is not where the leak (or another emergency) actually is, a permit is still required. The Promoter will have to apply for a permit variation for:

the first excavation in each further 50 metre band away from the original hole in the same street, i.e. 50-100 metres, 100-150 metres etc. Separate variations would be required for bands going in opposite directions.

If the search carries into a different street, or a new USRN (including if the street changes to a different authority), then a separate permit application is needed.

**13.7. Variation at Permit Authority's Initiative**

- 13.7.1. The Permit Authority may impose variations upon permits already granted or deemed. This may be required where it is considered that upon commencement of a granted or deemed permit, further conditions or requirements are needed to reduce the impact of the activities on the Public Highway.

Such imposition should only take place when circumstances could not have been reasonably predicted.

- 13.7.2. Once a permit is issued it will provide the Promoter with reasonable confidence that the road space will be available for them. Nevertheless, even where a permit has been issued by the Permit Authority, circumstances beyond the Permit authority's control may require a review of the permit and may lead them to conclude that the permit or its conditions require changing.

- 13.7.3. Such changes will be the exception and will only happen when the new circumstances could not have been reasonably foreseen or where the impact is significant

- 13.7.4. If the consequent disruption cannot be suitably mitigated, it may then be necessary to vary the permit for the activity e.g. by changing the time or manner of working. In such circumstances the Permit Authority will contact the Promoter to discuss the best way of dealing with the situation whilst meeting the co-ordination duties and other statutory requirements of those involved. The aim of these discussions is to try to reach an agreement and see if a variation is a feasible option
- 13.7.5. If agreement is reached, the Permit Authority will issue an Authority Imposed Variation to the Promoter. The Promoter may then either cancel the existing permit and apply for a new permit in those terms, or they may apply for a permit variation. The latter will be more appropriate if the Promoter needs to reconsider elements of its plans within the parameters agreed with the authority.
- 13.7.6. If agreement cannot be reached, the Permit Authority will revoke the permit. The Promoter would have the option of invoking the dispute resolution procedure where it disagrees, set out in Section 19 of this document.
- 13.7.7. No fee is payable for either the permit variation, or a new permit for the original planned activity if appropriate, as a result of a variation initiated by the Permit Authority. If at the same time the Promoter seeks a variation which is not the result of the circumstances causing the Permit Authority's action, a variation fee would be payable, subject to the exemptions in Section 15 of this document.

#### **14. Revocation**

- 14.1. There is no mechanism in the Permit Scheme to formally suspend or postpone a permit, only to vary or revoke one. If the Permit Authority needs to suspend or postpone an activity for which it has already given the Permit Authority will contact the Promoter and agree that a variation is submitted by the Promoter. There will be no fee for this permit variation.
- 14.2. A Promoter who wishes to cancel a permit, for which they have no further use, should use a cancellation notice via the current electronic system. There is no fee for a cancellation notice, but no refund of the fee paid for issuing the permit will be made.
- 14.3. The Permit Authority can revoke a permit at its own initiative where there has been a breach of a condition, (which is also a criminal offence). In such circumstances the Permit Authority may use the provisions replacing Section 66 NRSWA to clear the street, if required.
- 14.4. Where a permit is granted but subsequently revoked by the Permit Authority before commencement of the specified works, the Permit Authority shall refund in full any fee charged in accordance with the regulations, provided the revocation is not the fault of the permit holder.
- 14.5. Where the Promoter disagrees with the Permit Authority's decision in any of the above respects, then the Promoter may invoke the dispute resolution procedure detailed in Section 19 of this document.

## 15. Fees

15.1. In accordance with the provisions set out in Section 37 of the TMA and Regulation 30 of the 2007 Regulations, the Permit Authority may charge a fee for each of the following:

a) the issue of a permit;

b) an application for a permit, where the Permit Scheme requires a Provisional Advance Authorisation to be obtained as part of that application;

c) the granting of a Provisional Advanced Authorisation

d) each occasion on which there is a variation of a permit or the conditions attached to a permit after it has been granted.

15.2. The Permit Authority will charge Fees in accordance with the Permit Regulations. Fees are contained within Appendix F.

15.3. Permit fees do not include costs charged or recoverable by highway authorities in relation to consents or other requirements such as for Temporary Traffic Orders, Notices or parking suspensions related to other works being carried out.

15.4. It is not the purpose of fee charging under the Permit Scheme to generate revenue for Oxfordshire County Council although subject to the constraints set out Oxfordshire County Council may cover its costs.

15.4.1. Fees are payable by Statutory Undertakers, but highway authorities are not charged. This is due simply to the fact that the money charged would only circulate around a highway authority.

### 15.5. Level of Fees

15.5.1. The Permit Regulations and Statutory Guidance set maximum fees the Permit Authority may not exceed.

15.5.2. The Permit Regulations and Statutory Guidance set a maximum flat fee for permit variations initiated by the Promoter with a lower fee for category 3 and 4 non-traffic-sensitive streets and a higher fee for category 0, 1 and 2 and traffic-sensitive streets.

15.5.3. If a permit variation moves an activity into a higher fee category, the Promoter will be required to pay the difference in permit fee as well as the permit variation fee.

15.5.4. All the Permit Scheme fee levels are at or within the current Regulations and Statutory Guidance maxima.

15.5.5. The permit fees for the Oxfordshire Permit Scheme are shown in Appendix F of this document. These fee levels will also be published on Oxfordshire County Council's website.

15.5.6. It is possible for both charging categories to be relevant to a single USRN. To ensure the correct permit fee is always applied, spatial data is required in accordance with 10.1 d) of the Permit Scheme.

#### 15.6. **Circumstances where no Fee will be charged**

15.6.1. No fee will be charged in the circumstances described below:

a) Cancellation of a permit - prior to the Permit Authority's determination, a Promoter cancels a permit application;

b) Refusal of Permit or Variation - when an application for a permit or variation is refused;

c) Revocation of Permit - where a permit is revoked on the Permit Authority's initiative and the Promoter had to apply for a new permit, there would be no fee for the new permit, except where the original permit is revoked because of any action or omission on the part of the Promoter.

d) Variation of Permit at the Permit Authority's initiative - for permit variations initiated by the Permit Authority, unless at the same time the Promoter seeks variations which are not the result of the circumstances causing the Permit Authority's action - in that case a variation fee would be payable.

In addition, if the Promoter decides to cancel the existing permit as a result of the Permit Authority imposed variation, any new permit for the originally planned activity would not be subject to a fee.

e) Deemed Permits - where the Permit Authority fails to serve a response to an application for a permit or variation within the relevant response time and the permit is subsequently deemed to be granted.

f) Coring Activity - any coring activity where the scope of the specified works is limited to the breaking up of any street. Where a coring activity scope of work covers additional criteria - as defined within Section 6.2(b) to (f) (inclusive) of the Permit Scheme - the permit for this activity would be subject to a fee.

g) Permits for Collaborative Works - where at least two or more Promoters intend to collaborate their works within the same site over the same period they should submit applications in accordance with the Technical Specification for the current electronic system & ensure that the appropriate 'collaboration type' is defined.

If work cannot be arranged for the same period that results in one of the works only being partially completed during the collaborative period, then a reduction in permit fee will be calculated on a

pro-rata basis using the number of working days where collaborative working took place to the number of days it did not.

h) Highway Authority Works - permits required by the Highway Authority.

i) Phasing of Works to Lessen Risk and Inconvenience to Highway Users - where temporary reinstatement is required by the Permit Authority e.g. to minimise risk to the public and allow safe passage and the Permit Authority request the Promoter submits a new permit application for the remaining works, no fee will apply for the permit application.

15.6.2. Where a Promoter expects a permit or variation would not be subject to a fee, it is recommended that they include a comment to this effect within their application.

#### **15.7 Circumstances where Fees may be reduced**

15.7.1 Where an Application has been made, (and is subsequently granted), stating clearly that activities will not take place, (at any time or any day), within the Traffic Sensitive periods as indicated on the ASD supplied within the Authority National Street Gazetteer submission, so long as such time constraints are met during activities throughout the full duration of the permit.

Such Permit Applications, (and Provisional Advanced Authorisations), may be required to contain specific time related conditions.

15.7.2 The variation process may be used to alter such timings and conditions; however, such application may be reasonably refused. Any reductions to permit fees may be removed by the Authority in this instance.

Where, upon evidence gained the indications of Traffic Sensitivity impact are not being followed throughout the activities, the fee reduction may be removed by the Authority. If related Timing Conditions are also being breached, Offence or Offences may have occurred.

#### **15.8 Fee Review**

15.8.1 The Permit Authority may need to review fee levels particularly closely in the first years of the Permit Scheme.

15.8.2 Oxfordshire County Council will review fees at the end of year three to ensure that overall fee income does not exceed allowable costs. In the event of any surplus in a given year, the fee income will be applied towards the cost of the Permit Scheme in the next year and the fee levels adjusted accordingly.

15.8.3 A sustained surplus would indicate that the income was regularly exceeding the prescribed costs and that the fee levels should be adjusted. In such circumstances Oxfordshire County Council will adhere to relevant regulations to affect any amendments to the Permit Scheme.



15.8.4 The outcome of annual fee reviews will be published and open to scrutiny.

## **16. Permit Conditions**

### **16.1. Principles for Conditions**

16.1.1. The Permit Scheme includes for the attaching of national conditions to permits and specifies the types of conditions that may be applied. Any permit issued will specify in detail the activity it allows, and the conditions attached.

16.1.2. Any permit issued should set out in detail the activity it allows as set out in Section 10 of this document and the conditions attached.

16.1.3. In applying conditions, the Permit Authority will consider the proposed activity's potential to cause disruption. Where possible, conditions attached to a permit will provide flexibility for the Promoter by requiring an outcome rather than stipulating the method by which the work should be carried out. When setting any condition, the Permit Authority should act reasonably and take account of how feasible it is for the Promoter to comply not only with the condition being imposed but also on their ability to meet their statutory obligations. Conditions cannot be imposed which causes a Promoter to breach current statute.

16.1.4. Where Oxfordshire County Council considers a condition attached to a permit has been breached, it may impose sanctions as specified in Section 18 of this document.

16.1.5. Oxfordshire County Council may also revoke the permit. The policy that will be applied is set out in Section 14 of this document.

16.1.6. Oxfordshire County Council may vary the conditions of a permit issued, as an Authority Imposed Variation - set out in Section 13 of this document. This will also be done in accordance with the requirements of the current electronic system.

### **16.2. Condition Types**

16.2.1. The conditions Oxfordshire County Council can apply to permits will be in accordance with the national condition and will be around:

(a) days on which permit works may not be carried out;

(b) times of day during which permit works may not be carried out;

(c) the area (including areas not forming part of the street) which may be occupied in connection with the permit works;

(d) the prohibition or restriction of traffic pursuant to orders or notices under Section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads)

(e) traffic management arrangements to be made in connection with the permit works (including arrangements for the particular benefit of persons with a disability);

(f) the way the specified works are to be carried out;

(g) consultation and publicity in relation to the specified works, including the display of information at the location of those works; and

Of these, certain conditions apply to all permits. The attaching of conditions and the process for applying will comply with the current electronic data rules.

The Permit Authority may take reasonable actions if any of these conditions are breached.

All the standard conditions 'NCT' will be detailed on the Oxfordshire County Council website. These conditions may change in line with any amended Statutory Guidance for Highway Authority Permit Schemes produced by the DfT

16.2.2. Conditions applied to a permit by the Permit Authority will be pertinent to the objectives of the Permit Scheme, including the reduction of congestion and disruption, recognising the needs of other users of the highway and the integrity of the highway itself.

### 16.3. **Applying a Condition to a Permit**

16.3.1. Where the Permit Authority considers it necessary and appropriate to impose standardised conditions that differ from the proposals in the permit application or PAA, the Permit Authority will state the reasons for this action on their response to the permit or PAA. The Promoter can then choose whether to make a modified permit application, cancel the activity or dispute the matter.

16.3.2. If the Permit Authority does not agree with the condition(s) applied or requires additional conditions the application may be either:

a) Refused with the inclusion of a comment to reflect the changes required.

b) Responded to with the issuing of a Permit Modification Request which is also a form of Refusal.

If a permit is still required, the Promoter should submit a subsequent, modified permit application with any agreed changes. It is the responsibility of the Promoter to ensure the application meets the permit conditions specified by the Permit Authority.

16.3.3. Promoters are encouraged to consider the inclusion of conditions on their permit during the initial application. By doing so, the likelihood of the Permit Authority refusing a permit with a subsequent re-application, could be minimised.

### 16.4. **Conditions upon Immediate Activities before Permit Issued**

- 16.4.1. Activities that are necessary for emergency or urgent reasons, (i.e. immediate activities), can commence and continue for an initial stage without requiring a permit to be obtained first. Where an application has been initially granted and further practical conditions, reasonably unforeseen at the time of granting are required to lessen the impact of the activities upon the highway, further conditions may be imposed through an Authority Imposed Variation.
- 16.4.2. Until a permit is issued following an application for an immediate activity, a Promoter will be required to work within the terms of their application. For example, if the application refers to specific working hours then the Promoter should work within those hours.
- 16.4.3. Promoters of immediate activities should contact the Permit Authority immediately where the specified strategic street is susceptible to unplanned disruption as indicated in the ASD for Oxfordshire County Council.
- 16.4.4. Promoters should make an application to the Permit Authority for any Temporary Traffic Regulation Order or Notice for immediate works by the end of the next working day, even if work on site has been completed.

**16.5. Conditions Available on Site**

- 16.5.1. The Permit Authority recognises the importance for the Promoter workforce to have access to the permit detail, including conditions when carrying out the planned activity. It is recommended the Promoter ensures this information is available on site.
- 16.5.2. Work undertaken in breach of a condition, or without a valid permit, because of lack of knowledge from the Promoter work-force will not be accepted by the Permit Authority as any form of mitigation for such failure.

**16.6. Conditions for Timing and Duration of Activity**

- 16.6.1 Every permit will contain a condition relating to timing and duration of the activity. Conditions may include:
- Any date(s) between the start and completion dates on which works should not take place, which may also include periods when, not only should no work take place, but that the site should also be cleared of all plant, materials and equipment, including all traffic management measures and signing, lighting and guarding;
  - The times of day at which works can and cannot be carried out;
  - Whether or not the duration of the works includes, allows for, or requires weekend or Bank Holiday working.

If the activity cannot be completed within the timeframe specified in a permit condition, the promoter will need to apply for a variation.

**16.7. Reasonable Period for Section 74 NRSWA purposes**

16.7.1. For all works the “reasonable period” for NRSWA Section 74 purposes will be the same as the duration of the activity set out in the original permit. Variations may be granted to extend the duration of the permit; however, Section 74 durations may still be challenged after a variation to the duration has been granted.

Where works are in progress and a promoter applies for a Duration Variation Application (DVA) there are three possible outcomes set out below;

- i. Where the permit authority agrees with the proposed new duration it should grant the permit DVA. In this instance the permit period and the reasonable period will correspond.
- ii. Where the permit authority disagrees with the proposed new duration again it should grant the DVA and then use the S74 duration challenge to set the reasonable period, after which S74 charges may apply
- iii. Where there is a conflict with other works or events, the permit authority will refuse the DVA and work with the promoter to ensure that the site is cleared as soon as possible

16.7.2. The start and end dates will be in calendar days, even though many aspects of Permit Schemes will operate on working days. Where a permit allows working at weekends or on Bank Holidays, the permit start and end dates will also accommodate that, even though those days do not count towards the reasonable period under NRSWA Section 74.

## **16.8. Conditions for Road Space**

16.8.1. Conditions for road space will apply are those held within Statutory Guidance for Highway Authority Permit Schemes – Permit Scheme Conditions March 2015 take into consideration the amount of space taken by the activity in the highway and the impact of congestion and disruption. Where the area required to carry out the actual work is relatively small the activity may have little effect on traffic. Where associated plant and excavated material take up a greater area, possibly resulting in lane restrictions and/or temporary traffic control measures, the impact could be magnified considerably, especially when works are complete, but such associated items remain in the highway.

16.8.2. When applying conditions related to road space, the Permit Authority recognises conditions should be realistic and allow works to be carried out in compliance with Statutory Guidance and codes of practice.

16.8.3. If a Promoter is concerned about the safety at work in complying with a condition, they should contact the Permit Authority to discuss this and reach agreement on the permit.

16.8.4. The Permit Authority recognises the impact to users of the highway resulting from visible route signage for a diversion no longer in effect. It is therefore a requirement of the Permit Scheme that signage relating to temporary traffic orders is only visible to the highways user when the restriction is in operation.

- 16.8.5. Where it is considered necessary to limit the impact of the works to the road space, either through the space occupied for works or to ensure that a certain width of road space is to be available to traffic, (vehicles and/or pedestrians), a condition may be applied.
- 16.8.6. The current Code of Practice for Safety at Street and Road Works indicates that one metre absolute minimum width of footway should be available for pedestrians where footways are affected by works.
- 16.8.7. Where permission for the storage of materials or plant is required, outside of the main activity, the location of these storage areas can create difficulty to traffic flows and result in public complaints by their impact on residents and other frontages. In such circumstances, Promoters will be required to discuss the arrangements in advance with the Permit Authority.

#### **16.9. Traffic Management Provisions**

- 16.9.1 As set out in Section 10 of the Permit scheme, Promoters should submit details of traffic management proposals with their permit applications. Traffic Management during the activity can have a major influence on congestion and disruption, e.g. Promoters may propose closing a road which may be necessary for some activities but for others it may be possible and less disruptive to keep at least part of the road open. With smaller scale activities, portable light signals may be enough.
- 16.9.2 In such circumstances the Permit Authority may apply conditions for traffic management provisions, for instance:
- the road, or relevant section of the road is closed to traffic during the works;
  - that shuttle working and/or portable lights are to be used.
- 16.9.3 Where advance approval for any traffic management restriction, (either by traffic order or notice), is required this should be noted within the permit application. A permit may be granted prior to any necessary traffic management order or approval being created; however, it is a requirement of the Permit Scheme that no activity, or part of the activity, commences prior to the traffic management order being operational.
- 16.9.4 It is possible that traffic management arrangements may change during an activity. These changes can be included in the conditions where it is known that such changes will be needed. In all cases when traffic management arrangements change, the Promoter should inform the Permit Authority before any changes take place.
- 16.9.5 Permit applications should state the most severe type of traffic control required for the works even when that type of control is not required for the whole duration of the works. This can make the co-ordination and selection of appropriate conditions difficult to determine.

16.9.5.1 It is a requirement of the Permit Scheme that Promoters at both the application stage and during the course of the works to inform the Permit Authority when significant changes to traffic management measures are likely to be needed or are about to take place, during permitted works. This will allow road users to be advised and complementary traffic management measures implemented to minimise disruption.

16.9.5.2 It is recommended that where this type of traffic control is planned that the permit application is accompanied with a traffic management plan detailing the dates of the differing traffic management arrangements in order to minimise the amount of rejected applications.

16.9.6 Where there are either deliveries to a site, or where spoil or other materials are to be removed from a site it is the Promoter's responsibility to ensure the movement of traffic at that location is not significantly delayed or interrupted by that operation in line with Safety at Street Works and Road Works Code of Practice.

#### **16.10. Conditions for Methodology for Carrying Out Activities**

16.10.1 The method the Promoter proposes to employ to carry out an activity can have a significant effect on the level of disruption. A Permit Authority may therefore attach conditions relating to the methodology for carrying out activities.

16.10.2 While it would not be appropriate for the Permit Authority to make an engineering judgement on a Promoter's proposed methodology of work, the Permit Authority should be satisfied that minimum dig technology can be employed wherever practical to minimise inconvenience to the public and reduce congestion. It is therefore a requirement that a Promoter details in their application the methodology they propose to use.

16.10.3 The Permit Authority acknowledges that site conditions may be different from those planned in the permit application and the Promoter may need to revert to other dig methods. In such cases an application for a permit variation would be required unless the Permit Authority decides that it is not necessary in the individual circumstances.

#### **16.11. Conditions for Consultation and Publicity**

16.11.1 To achieve many of the objectives of the Permit Scheme the advanced publicity and consultation of planned works will be the key for success. The availability of on-site information for the highway user on works in progress will provide information to assist journey planning and management of any disruption.

##### **16.11.2 Advance Publicity**

16.11.2.1 Where activities have the potential to be especially disruptive to local residents, businesses and/or

road users, the Permit Authority may attach a condition requiring the Promoter to provide advanced notice to nearby householders or businesses, or to traffic or pedestrians using the road.

16.11.2.2 In order to be beneficial such an exercise has to be carried out well before the activity commences. The need for such an exercise will be identified at either the permit or PAA application stage in order to ensure that the Promoter has sufficient time to carry out any related exercise. In respect of permit applications for major works where advance publicity is required, the permit application may have to provide evidence that the exercise has been carried out.

16.11.2.3 The effect of planned activities to a Public Transport provider, such as bus company, must be taken into consideration when the Permit Authority considers the permit application. These providers require consultation on the planned works to provide alternative services in order to minimise the impact of works.

16.11.2.4 Where the Promoter seeks a variation or extension to a permit, the permit authority may apply a further condition for consultation and publicity (if the circumstances justify it). In these circumstances, the Permit Authority should act reasonably, and such conditions will be local to the site and the activity.

#### **16.11.3 Display of Permit Numbers and Other Related Signage.**

16.11.3.1 For all planned works a Permit Reference Number should always be prominently displayed on site for each phase of the works. This reference number will comprise the content of the Works Reference number. Displaying this information will assist in identification of the site for the Permit Authority and members of the Public. It is a standard condition of this Permit Scheme that works shall not commence until a site information board has been erected on site in a prominent place so that it may be read easily by the Public, clearly displaying the correct Permit Reference Number. The sign will remain in place for the duration of works.

16.11.3.2 Where immediate works have started, it is accepted that the permit reference number may be unavailable and therefore cannot be immediately displayed on site. However, Promoters will still be required to ensure that an information board is displayed.

Specific requirements with regard to conditions relating to the display of Permit and works reference numbers for Immediate Activities will be utilised based upon Statutory Guidance for Highway Authority Permit Schemes which may change from time to time.

16.11.3.3 Conditions related to the display of the Permit Reference Number are to assist inspections, particularly in relation to the checking of conditions with which Promoters are required to apply and to help identify the site for members of the public who may report queries to Oxfordshire County Council or Promoters.

16.11.3.4 In certain circumstances the location of planned works may have an impact to local business,

especially within the footprint of the activity. In these circumstances a condition related to specific signage may be applied.

#### **16.12. Condition for Environmental Factors**

16.12.1 The Permit Authority may apply a condition for an environmental factor when considering the impact of the proposed activity to the local environment, including residents and the highway infrastructure.

16.12.2 Promoters may be required to contact the Environmental Health Officer (EHO) of the local authority in whose area the works are to be carried out, when drawing up proposals that involve carrying out works during environmentally sensitive hours. That is, hours outside of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on a Saturday (see Section 60, Control of Pollution Act 1974). This should ensure that wherever possible, and at reasonable cost, the requirements of the EHO's can be met. However, this will not be a Condition attached to a permit.

16.12.3 The Permit Authority may need to impose environmental conditions to protect residents or people working, as well as schools, close to the proposed activities from disturbance particularly as a result of noise. This can be done by imposing conditions limiting the times of day when the permitted activities can take place.

16.12.4 The Permit Authority may also need to impose environmental based conditions where there is concern about maintaining the site in a clean and tidy condition, including removal of any spillage of materials on the public highway, during and on completion of the works. In such circumstances a condition requiring action at the end of any working period to ensure that waste, whatever the source, should not be left on site, may be applied.

#### **16.13. Imposing Conditions upon Highway Authority Works Permits**

16.13.1 Conditions will be imposed upon all permits regardless of Promoter. In addition, the Permit Authority will impose conditions upon a permit in respect of works to be carried out by or on behalf of a highway authority in the same form and for the same reasons for any Promoter.

16.13.2 In addition, in accordance with Permit Regulations, conditions on such permits may also require the Highway Authority to consult with any person who has apparatus likely to be affected by the works and require the Highway Authority to take all reasonably practicable steps to comply with any requirement made by that person which is reasonably necessary for the protection of the apparatus or for securing access to it.

### **17. Inspections**

17.1. The procedures for dealing with all aspects of inspections under the Permit Scheme, apart from those related to overrun charges under Section 74 NRSWA and permit condition checks, will reflect the procedures set out in the current Code of Practice for Inspections, which may change from time to time.



## **17.2. Section 74 Inspections**

- 17.2.1. These inspections are related to works that should have been completed by a due date or have been notified as having done so.
- 17.2.2. The Permit Authority will run the overrun charging scheme alongside the Permit Scheme under Section 74 of NRSWA as set out in Section 20.

## **17.3. Permit Conditions Inspections**

- 17.3.1. Ad hoc inspections may be used to assess compliance with permit conditions specified in individual permits.

## **18. Sanctions**

- 18.1. The Permit Authority may use the sanctions provided by the Permit Regulations to achieve compliance with the Permit Scheme.
- 18.2. Where there is proof that a Statutory Undertaker has committed a criminal offence and it is both practicable and appropriate, the Permit Authority may contact the Statutory Undertaker before acting and seek to discuss the matter in order to establish whether such action is required.
- 18.3. The Permit Authority may act for unauthorised works, where a Promoter:
  - a) Undertakes, without a permit, works for which a permit is required to have been obtained; or
  - b) Breaches a permit condition.
- 18.4. Any Statutory Undertaker not working within the content of an issued permit (either granted or deemed) may be undertaking works, without a permit, for which a permit is required to have been obtained. It is the responsibility of the Statutory Undertaker and all other Works promoters to ensure the content of the permit accurately reflects the proposed activity.
- 18.5. **Criminal Offences**
  - 18.5.1. It is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works without a permit. The offence carries a maximum fine of level 5 on the standard scale. Apart from immediate activities where a retrospective permit can be raised.
  - 18.5.2. Permit offences only apply to Statutory Undertakers, not to highway authorities, however Oxfordshire County Council is required to monitor the performance of Highway Authority Promoters to ensure a consistent approach is taken. It will therefore be a matter of public record if a highway

authority acts in such a way that would amount to the commission of an offence under Permit Regulations 19 and 20.

- 18.5.3. Regulation 20 provides that it is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works in breach of a condition.

#### **18.6. Fixed Penalty Notices (FPN)**

- 18.6.1. The Traffic Management Act Permit Regulations authorise Oxfordshire County Council to issue Fixed Penalty Notices (FPN's) in respect of the criminal offences. Fixed Penalty Notices offer the offender an opportunity to discharge liability for an offence by paying a penalty amount.

- 18.6.2. FPN's shall be in the form as set out in the TMA and Code of Practice for Co-ordination of Streetworks and Works for Road Purposes (or successor documents) for Permits and where issued via electronic systems, shall conform with the technical specification of that system.

- 18.6.3. Section 98 (2) NRSWA provides that a notice given after 16:30 on a working day is deemed to have been given on the next working day.

- 18.6.4. Where the Permit Authority considers that a FPN has been incorrectly issued a further notice will be issued to the recipient withdrawing the FPN via an FPN Withdrawal Notice supported by FPN Comments where required as defined by the electronic systems technical specification.

#### **18.7. Other Offences under NRSWA**

- 18.7.1. Any offences relating to sections of NRSWA which run in parallel to Permit Schemes will continue to apply. These include offences relating to reinstatements, overrunning works and failure to send appropriate notices.

#### **18.10. Revocation of Permit**

- 18.10.1 Whilst it is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works in breach of a condition, as a further alternative to taking criminal action in such circumstances against the Statutory Undertaker the Permit Authority may revoke the permit.

#### **19. Dispute Resolution**

- 19.1. The TMA provides wide powers to devise a suitable dispute resolution procedure and to identify the stages of the permit application process at which it can be invoked. There are no prescribed statutory dispute resolution procedures yet and the approach taken therefore, is to build on arrangements which already exist through the Highways Authorities and Utilities Committee (HAUC UK) at local and national level for resolving disputes.

- 19.2. The Permit Authority and Promoter are expected to use their best endeavours to resolve disputes

without having to refer them to a formal appeals procedure. This might, for instance, be achieved by referring the issue to management for settlement.

### **19.3. Appeals Procedure**

19.3.1 The dispute resolution procedure for appeals under the Permit Scheme may be by dispute review, adjudication or arbitration.

### **19.4. Dispute Review**

19.4.1. If agreement cannot be reached locally on a matter arising under any part of the Permit Scheme the dispute will be referred for review on the following basis:

a) Straightforward issues - Where the two parties consider the issues involved in the dispute are relatively straightforward, the matter will be referred to impartial members of a regional HAUC, (that is those not representing parties directly involved in the dispute) for review. That review should take place within five working days from the date of referral. Both parties are recommended to accept the result as binding.

b) Complex issues - If the parties to the dispute think the issues are particularly complex, they should/will ask HAUC (UK) to set up a review panel of four members - two Statutory Undertaker and two Permit Authority representatives. One of the four persons will be appointed as Chair of the panel by the HAUC (UK) joint chairs.

19.4.2. Each party should make all relevant financial, technical and other information available to the review panel. The review would normally take place within ten working days from the date on which the issue is referred to HAUC (UK). It is recommended that both parties accept the advice given by the review panel as binding.

## **20. Related Matters and Procedures**

### **20.1. Oxfordshire County Council & the Permit Authority Contact Details**

20.1.1 Oxfordshire County Council & the Permit Authority will publish their contact details, including out-of-working-hours, on their website.

### **20.2. Traffic Restrictions and Road Closures**

20.2.1. Provisions governing temporary road closures and traffic restrictions for works or other activities in the street are found in Sections 14–16 of the Road Traffic Regulation Act 1984, (“RTRA 1984”), as amended by the Road Traffic (Temporary Restrictions) Act 1991 and Regulations made under RTRA 1984.

20.2.2. There are two procedures:

- a) Where urgent action is needed the relevant Permit Authority may issue a 'temporary notice' imposing a short-term closure or restriction. Prior notice is not necessary. The notice is limited to 21 calendar days if there is a danger to the public or risk of serious damage to the road, independent of street works - a leaking gas main, for example. It can be extended by one further notice. The notice is limited to 5 calendar days if there is no risk of danger or damage.
- b) For planned works and in less urgent cases the Permit Authority may make a 'temporary traffic order'. A Temporary Traffic Order may remain in force for a maximum period of up to 18 months. This is limited to six months for footpaths, bridleways, cycle tracks and byways open to all traffic.

20.2.3. A temporary notice and a temporary order may provide that restrictions have effect only during the operational period of the order and when traffic signs are lawfully in place. This will assist to limit traffic disruption where activities progress along a length of road.

20.2.4. In extraordinary circumstances, the RTRA (1984), allows the police to suspend designated street parking places temporarily to prevent or mitigate traffic disruption, or danger to traffic, which may assist Promoters carrying out emergency works.

### 20.3. **Temporary Notices**

20.3.1. This procedure will normally only apply to immediate activities. The Promoter will inform the Permit Authority as soon as practicable if a closure or traffic restriction is needed. The Permit Authority will consult with the police and all relevant parties, and confirm, as soon as possible, whether a notice will be made.

20.3.2. The Permit Authority should state in the notice:

- a) the reason for issue;
- b) its effect;
- c) alternative routes (where applicable); and
- d) the date and duration of the notice.

20.3.3. The Permit Authority should also notify the emergency services statutory consultees and any other Permit Authority with roads that may be affected. This should be done on, or before, the day the notice is issued.

### 20.4. **Temporary Orders**

20.4.1. A temporary traffic order is generally required for planned activities in a street (and may be created where operations under a temporary notice have established the need for the closure to remain in

place beyond the legal period for a temporary notice). If a Temporary Order is required, the Promoter should notify the Permit Authority at least three months in advance. This will allow the authority time to consult, and to obtain approvals and advertise the order.

20.4.2. Activities that require a temporary traffic order are automatically classed as major works and require at least three months' notice for applying for a PAA, initially, and the temporary traffic order.

20.4.3. The Promoter should submit all the information needed to justify a road closure with the application for a temporary traffic order.

## 20.5. **Maintenance of Statutory Undertakers' Apparatus**

20.5.1. Statutory Undertakers have a duty, under Section 81 NRSWA, to maintain apparatus in the street to the reasonable satisfaction of the street authority, having regard for the safety and convenience of traffic, the structure of the street, and integrity of apparatus in it. Bridge, sewer and transport authorities also have an interest, so far as any land, structure or apparatus they own is concerned.

## 20.6. **Practical NRSWA Considerations**

20.6.1. Although NRSWA gives Street Authorities certain default powers to inspect and carry out emergency works, neither street authorities nor Statutory Undertakers expect the need to arise. However, should it happen, (without impeding any immediate emergency action), then the matter will be referred to the agreed dispute resolution procedure.

20.6.2. The Street Authority will notify the Statutory Undertaker if surface apparatus is found to be defective or the cause of significant surface irregularity, or where an unexplained subsidence or other disturbance of the road surface occurs.

20.6.3. If the fault identified by the Permit Authority is for or as a result of previously un-attributable activities by Statutory Undertakers, and a Statutory Undertaker subsequently accepts responsibility for that activity, the Statutory Undertaker should retrospectively submit all the required notifications for the original works, before submitting a permit application for remedial works.

20.6.4. If the problem is agreed to be the Statutory Undertaker's responsibility, they should take immediate action to investigate and initiate any necessary remedial works, in accordance with the following principles:

a) Dangerous defects - requires an immediate response;

b) Non-Dangerous - requires a response within the timescales agreed with the authority.

## 20.7. **Dangerous Occurrence or Defects**

20.7.1. Apparatus that requires an immediate response or remedial works to avoid injury or damage to persons or property shall be considered dangerously defective.

20.7.2. Oxfordshire County Council may execute any emergency action required to safeguard the public and recover the costs of taking such action.

20.7.3. Non-Dangerous defect or occurrence requires a response within the timescales agreed with the street authority. Non-Dangerous defective apparatus is apparatus which requires attention to comply with specifications or remove nuisance or has the potential to escalate to “Dangerous” soon.

20.7.4. The decision on whether an occurrence is Dangerous or Non-Dangerous will, by necessity, be made on site. The relevant street authority will make the decision objectively

20.7.5. A Statutory Undertaker may reduce the time for response, to meet operational needs for example, but should not exceed the agreed timescales. It is important that only the responsible Statutory Undertaker, or a specialist contractor working on its behalf, investigates suspected damaged or defective apparatus.

20.7.6. Oxfordshire County Council will carry out investigations or remedial works (using appropriately trained and experienced persons) only in an emergency, or where the Statutory Undertaker is unable or unwilling to use their own operatives or specialist contractor.

20.7.7. Permit applications for any necessary remedial work that is a registerable activity should be made following the rules set out in this Permit Scheme and using the protocols set out in the technical specification for the current electronic system.

20.7.8. If Oxfordshire County Council has opened the street or exposed a Statutory Undertaker’s apparatus in an emergency, or in the circumstances described above, the Statutory Undertaker will assist the authority by jointly inspecting the problem, within a reasonable time agreed between them, to agree a remedial plan and timescale. The reasonable costs incurred by the Oxfordshire County Council may be charged to the Statutory Undertaker.

## **20.8. Working near Rail Tracks**

20.8.1 Particular attention should be given to the possible effects of activities taking place at or in the vicinity of level crossings. Promoters planning works in such locations should refer to the advice contained within the Code of Practice for co-ordination of street works and Works for Road Purposes and Related Matters, or subsequent amendments, which sets out Network Rail’s requirements.

## **20.9. Storage of Materials**

20.9.1 Promoters should ensure materials are not placed where they would cause an obstruction to road users. The location of any storage outside the designated working space should be with advance agreement of the Permit Authority. This is especially important if materials are stored away from the working space but are still deposited on the highway. Prior consultation with the Authority is recommended as the Promoter may require a separate licence for depositing materials on the highway.

## **20.10. Apparatus Belonging to Others**

20.10.1 There may be other apparatus where activities are planned. Section 69 NRSWA requires those carrying out activities should ensure that the owners of any other apparatus can monitor the activity and measures to reasonably protect the other apparatus are followed. Failure to do so is a criminal offence.

## **20.11. Assessing the Impact of Activities**

20.11.1 All activities in the highway have a disruptive effect on traffic. An assessment of any effects is undertaken by Oxfordshire County Council as part of the process of the permit application process where deemed necessary.

## **20.12. Environmental Issues**

20.12.1 Where works are planned near any conservation areas, culverts, water courses, trees with preservation orders, basements, bridges, monuments or any other location where environmental factors may be of concern, Promoters are strongly advised to liaise with the authority's relevant departments to ensure that environmental officials along with any necessary authority officers are notified when drawing up their proposals. This should ensure that wherever possible, and at reasonable cost, their requirements can be met.

## **20.13. Overrun Charging Scheme – Section 74 NRSWA**

20.13.1 Oxfordshire County Council will operate a scheme for overrun charging under Section 74 NRSWA alongside the Permit Scheme.

20.13.2 "Section 74 Regulations" are currently applied by the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations. Any enactment which amends, applies, consolidates or re-enacts the provisions of these Regulations shall be constructed as a reference to the Regulations by virtue of that subsequent enactment. The operation of the overstaying regime however is modified under the Permit Scheme to incorporate the process of setting and modifying the duration of the activity (or "works" in Section 74 terms) through the permit application, approval and variation processes.

20.13.3 Activities carried out by a Promoter on behalf of a highway authority or by the highway authority themselves are not subject to Section 74 overrun charges. However, under the Permit Scheme, Promoters of such activities will be required to follow the same procedures as Promoters who are Statutory Undertakers.

## **20.14. Exempt Activities**

20.14.1 The following types of activities are exempt from NRSWA Section 74 charging:

- Activities in non-traffic sensitive streets that require opening the highway, but not breaking it up;

- Replacing manhole or chamber covers - that do not involve breaking up the street;
- Replacing poles, lamps, columns or signs in the same location where that does not involve breaking up the street;
- Pole testing that does not involve breaking up the street;
- Bar holes.

If one of the exemptions applies, the promoter must record the appropriate charge exemption in the permit or permit variation application or Works Stop notice - see the current specification for electronic data transfer.

## **20.15. Prescribed Period**

20.15.1 The “Prescribed Period” is the period during which no overrun charges can be levied. It is determined by the Secretary of State in the Section 74 Regulations.

## **20.16. Section 58 & 58a NRSWA Restrictions**

20.16.1 Details of Section 58 and 58A NRSWA restrictions will be provided as required under the NRSWA Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters which may change from time to time.

20.16.2 Similar procedures will be followed for highway activities in relation to Section 58 and 58a restrictions, in order to facilitate the operation of the Permit Scheme and, as far as possible, parity of treatment for all Promoters.

## **21. Changes and Ceasing to Operate**

21.1. It may be necessary to change the Permit Scheme from time to time.

21.2. Oxfordshire County Council may vary or revoke the Permit Scheme. Prior to this application Oxfordshire County Council should consult with those consultees originally consulted on implementation of the scheme including the Department for Transport and any other parties referred to in the Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 regulation 3(1).

21.3. Any variation to the Permit Scheme should contain the relevant explanation and justification for the change(s).

21.4. Where revision to Permit Regulations by the Secretary of State necessitates changes in existing schemes, new Regulations and Statutory Guidance will make provision for such changes.



## **21.5. Ceasing to Run the Permit Scheme**

- 21.5.1. Should Oxfordshire County Council wish to cease to run the Permit Scheme, they will first consult all interested parties.

## **22. Street Works Registers and National Street Gazetteer NSG**

- 22.1. In accordance with Part 7 of the 2007 Regulations the Permit Authority will maintain a register in connection with its Permit Scheme. Each Permit Authority will maintain its own local register for its geographic area. The Register will include information on all streets other than those streets that are the responsibility of another authority

- 22.2. The Permit Authority will also maintain a street works register required under Section 53 of NRSWA for any private streets and for historic information.

- 22.3. Details in respect of registers are also shown in Chapter 3 of the Code of Practice and requirements for NRSWA registers are contained in the Code of Practice for Co-ordination of Street Works and Works for Road Purposes and Related Matters.

- 22.4. The statutory requirements for maintaining the two registers will be met in such a way that the information can be combined easily to aid the co-ordination of activities and to provide information to road users.

### **22.5. Form of Registers**

- 22.5.1. The registers will be kept on an electronic system. In accordance with The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 requirement, the Permit Registers will use Geographic information System (GIS). Permit Registers will follow this requirement to ensure consistency between all holdings of street related data. Each register will be maintained against the same digital map base to ensure consistency between all holdings of street-related data. This common geographical dataset will be vector based, nationally consistent, maintained and seamless, with changes published on a regular update cycle.

- 22.5.2. The Permit Authority will ensure that all information held in the Permit Register is referenced to the Unique Street Reference Number (USRN). The Permit Authority will follow the requirements in the technical specification for the electronic system which maintains the street works register.

- 22.5.3. The permit register will include:

a) vector objects, (polygons, lines and points), representing real-world geographical features and boundaries, each with well-defined lifecycles and royalty-free unique identifiers suitable for referencing; and

b) road centreline geometry objects, each with royalty-free unique identifiers, which reference the road surface and form a complete and fully consistent topological network with no breaks or misalignments at administrative boundaries.

22.5.4. The minimum specification of the common map base is as follows:

- a) Scale Urban areas: 1:1250;
- b) Rural areas: 1:2500;
- c) Remote areas: 1:10000;
- d) Accuracy Urban areas:  $\pm 1.0\text{m}$ ;
- e) Rural areas:  $\pm 2.0\text{m}$ ;
- f) Remote areas:  $\pm 4.0\text{m}$ ;
- g) Coverage: National and seamless, exhausting space over all land areas;
- h) Geometry Types: Point, Line and Polygon;
- i) Classification: Objects classified by physical form; and
- j) Update Cycle: every 6 months

## 22.6. **Content of Registers**

22.6.1. The Oxfordshire Permit Scheme register will record:

- a) copies of all PAA's, permit and permit variation applications submitted to the Permit Authority relating to registerable activities in any street;
- b) copies of all permits and PAA's given by the authority, including conditions attached as well as all variations to permits and conditions, including any permits "deemed" to be granted;
- c) copies of all revoked permits, refused PAA's and refused permits, together with the reasons for such refusals;
- d) copies of all notices, consents and directions served by a street authority under Sections 58 or 58A of NRSWA;
- e) copies of all notifications served by a Promoter / Statutory Undertaker under Sections 58 and 58A of NRSWA;

- f) copies of all notices given under Section 74 of NRSWA;
- g) description and location of activities for which plans and sections have been submitted under Schedule 4 of NRSWA (streets with special engineering difficulties);
- h) particulars of notices given by any relevant authority under Schedule 4 NRSWA;
- i) particulars of street work licences under Section 50 of NRSWA, including details of conditions and changes of ownership and of any NRSWA notices or directions associated with those licenses;
- j) information under Section 70 (3) and (4A) of NRSWA as to completion of reinstatements;
- k) particulars of apparatus notified to the street authority under Section 80(2) of NRSWA;
- l) every notice of works pursuant to Section 85 (2) of NRSWA;
- m) details of every street for which the highway authority are the street authority;
- n) details of every street which is a prospectively maintainable highway over which the Permit Scheme would operate;
- o) details of every street over which the Permit Scheme would operate, and which is a highway but not maintainable by the highway authority; and
- p) details of every street which is a:
  - i. protected street;
  - ii. street with special engineering difficulties; or
  - iii. traffic-sensitive street.
  - iv. private street

22.6.2. Oxfordshire County Council will ensure that their register includes the road category of each street.

## 22.7. **Access to Registered Information**

- 22.7.1. Everyone has a right to inspect Oxfordshire County Council's register, free of charge, at all reasonable times, except as noted below where there are restrictions. "All reasonable times" means normal office hours (e.g. 08:00 to 16:30, Monday to Friday except Bank Holidays).
- 22.7.2. Oxfordshire County Council will publish a limited content version of their register on their public website or version of their register. This will be available 24 hours a day, seven days a week, except for those occasional times when it will be unavailable due to upgrade and maintenance. This work will, wherever possible, be done outside normal office hours.

22.7.3. Much of the detailed information in the register is unlikely to be of interest to the Public and it is the responsibility of Oxfordshire County Council to decide how much information to make available in this way. Permit applications and notices contain information such as names and telephone numbers of contacts in organisations. Whilst Oxfordshire County Council will restrict such contact information being published, the Promoter should take responsibility to ensure information contained in free-text fields does not contain information that they do not want to be published. Oxfordshire County Council will make it clear that they are not responsible for the accuracy of information concerning those activities for which they are not the Promoter.

22.7.4. The websites will allow records to be searched by the USRN or the "street descriptor" (the street name, description or street number) as given in the NSG. The Highways Agency has its own methods of disseminating such information on trunk roads and motorways. Public access to websites will be read-only to prevent unauthorised amendment to records.

## 22.8. **Restricted Information**

22.8.1. Restricted information is anything certified by the Government as a matter of national security, or information which could jeopardise the Promoter's commercial interests such as details of a contract under negotiation. The Promoter should indicate restricted information on the application.

22.8.2. The right of access to restricted information is limited to:

- a) persons authorised to execute any type of activity in the street; or
- b) persons "otherwise appearing to the authority to have a sufficient interest".

22.8.3. Any person wishing to see restricted information should satisfy the Permit Authority, as a minimum, that his interest is greater than the general interest of the ordinary member of the public.

## 22.9. **Street Gazetteer**

22.9.1. The Permit Scheme recognises that a key element of controlling or managing an activity is knowing accurately where the activity will take place, in which street and where in the street.

22.9.2. There is already a nationally consistent street gazetteer system for identifying streets that is used under NRSWA whereby every highway authority produces a Local Street Gazetteer (LSG) and a copy is held centrally by the NSG Custodian. Each of these local gazetteers shall contain the information, required by and defined in the NSG Custodian documentation, about the streets in Oxfordshire County Council's area.

22.9.3. Oxfordshire County Council and Promoters should obtain full copies and updates of the street data from the NSG Custodian's website.

22.9.4. Under this system each street has a Unique Street Reference Number (USRN). The Permit Scheme provides for the same system to be used, along with the Additional Street Data linked to those streets.

- 22.9.5. USRN's can refer to a whole street (as identified on the ground) or, if the street is long, to part of a street between significant junctions. Under the Permit Scheme a "street" refers to that length of road associated with a single USRN, i.e. to part of a whole street where a street is subdivided.
- 22.9.6. It is the responsibility of the highway authority (which in the case of the Oxfordshire Permit Scheme is the Permit Authority), either individually or jointly with others, to create, maintain and publish street gazetteer data for all streets within their geographical area, whether they are the street authority for any particular street.
- 22.9.7. The specification for street gazetteers is set out in British Standard BS 7666. This standard may be amended or superseded from time to time. The Standard specifies three levels of detail; the highest, level 3, includes the geospatial representation of the centre-line of the street as well as the end points. With the degree of attention which will be exercised by the Permit Authority, accurate locations will often need the centre-line information if the impact of activities is to be properly assessed.
- 22.10. **Additional Street Data (ASD)**
- 22.10.1 Additional Street Data (ASD) refers to other information about streets held on the NSG Custodian's website alongside the NSG data. Highway authorities, Promoters and other interested and approved parties may obtain copies and updates to this data from the Custodian.
- 22.10.2 Oxfordshire County Council will provide the following information for the ASD alongside NSG data:
- a) the Primary Notice Authority for each street;
  - b) whether the street is publicly maintainable, prospectively publicly maintainable, or private;
  - c) whether the street, or part of the street, is covered by the Permit Scheme or NRSWA notification regime, which the Permit Authority is or street authority is and details of shared streets if this applies.
  - d) any other authorities and Promoters with an interest in the street;
  - e) the street reinstatement category;
  - f) designations of protected streets;
  - g) designations of streets with special engineering difficulty; and
  - h) designations of traffic-sensitive streets.
- 22.10.3 Oxfordshire County Council may also provide the following information for the ASD which is optional:

a) whether the street is subject to early notification of immediate activities;

b) where possible, streets on which it might be expected that conditions relating to the non-use of that street for new apparatus, but not the maintenance of existing apparatus, may be used; and

c) other features of the street, such as structures, environmental areas, parking restrictions, priority lanes, special surfaces, standard surface and special construction needs etc.

22.10.4 Designations may cover only part of a street or vary along a street. The relevant detail should/will be recorded in the ASD.

#### **22.11. Responsibility for Creating and Updating ASD**

22.11.1 Where the street authority is also the highway authority, it creates the ASD together with the NSG.

22.11.2 Where the street authority is not the highway authority, it may create and submit its own ASD to the NSG Custodian. This will be referenced to the highway authorities' gazetteers. Organisations that may fall into this category are:

a) The Highways Agency (which manages the motorway and trunk road network in England)  
However the Highways Agency currently provides its own gazetteer as well as ASD referenced to it

b) Network Rail (which is the street authority for level crossings between the barriers and some bridges).

22.11.3 Any other authority, Promoter or interested party should send their records to the NSG Custodian to ensure that their interest in a street is logged. The interest records should/will be entered into the ASD maintained by the highway authority.

22.11.4 This is particularly appropriate to neighbouring authorities in the exercise of their network management duty. The NSG Custodian will administer this process.

#### **22.12. Use of ASD and Level 3, Street Gazetteer**

22.12.1 All Promoters are advised to use the level 3 gazetteer and this ASD information when making their permit applications.

22.12.2 Promoters should ensure that they make their permit application to the Permit Authority.

22.13. Whilst not all activities require a permit, Promoters are strongly recommended to check Oxfordshire County Council's street works register to ensure that all opportunities to work in a collaborative way with other Promoters are taken & to avoid directly conflicting with other planned works.

22.14. Permits for all qualifying street works and works for road purposes, and all applications, (which can only be made by licensed undertakers or highway authorities), will be treated in a non-discriminatory way, as required in Regulation 40 of the 2007 Regulations. In effect the highway authority's activities and their applications will be treated in exactly the same way as those of licensed undertakers with regard to co-ordination and the setting of conditions.

22.15. In order to show that Oxfordshire County Council is operating the Permit Scheme in a fair and equitable way each Officer responsible for making any decision related to a permit application will be separated from the highway activities of the authority.

#### **24. Payment of Permit Fees**

24.1. All Promoters, except on behalf of highway authority works, will be required to pay the appropriate fee for a permit to Oxfordshire County Council under the Permit Scheme

24.2. In most cases the Statutory Undertaker will already have arrangements in place for payments to Oxfordshire County Council in relation to NRSWA, e.g. for inspection or for section 74 overrun charges. These arrangements can be used for permit fee payments provided there is transparency over precisely which permit a payment is for. In any event, Oxfordshire County Council will provide flexibility over how payments are made, although electronic payments are the preferred option.

#### **24.3. Payment Options for Permit Fees**

24.3.1 The range of payment options available are:

a) by electronic payment using the Bankers Automated Clearing Services ("BACS"). The Statutory Undertaker should contact Oxfordshire County Council, Finance Department;

b) by post to Oxfordshire County Council Finance Department at the relevant address.

24.3.2. For BACS payment, the Statutory Undertaker should support payment with details of the relevant invoice reference.

24.3.3. When paying by post, the payment should be accompanied with the relevant invoice reference.

24.3.4. While the use of electronic payment methods is strongly encouraged, in the event of a systems failure a Statutory Undertaker may use any of the other options available.

24.3.5. The Statutory Undertaker should set up payment facilities, provide contact details and agree methods of payment with the Oxfordshire County Council's Finance Department.

#### **24.4. Permit Fee Payment and Reconciliation**

24.4.1 There is no specific legislation regarding the reconciliation and invoicing arrangements for permit fees, however, it is recognised the internal financial arrangements of Oxfordshire County Council and Statutory Undertaker do differ and some flexibility should be provided for this process.

- 24.4.2. As a standard process for permit fee payment and reconciliation it is expected that an account for a specified period will be produced, containing the permit fees to be charged for that period. Each account will have a number which can be used as the reference for any payment, instead of the individual permit numbers.
- 24.4.3. Oxfordshire County Council will submit this account to the relevant Statutory Undertaker to provide an opportunity for them to reconcile the charges to be invoiced for the specified period, prior to the generation of an invoice for payment.
- 24.4.4. Oxfordshire County Council will confirm with each Statutory Undertaker the invoicing arrangements together with the frequency of the account reconciliation and/or invoicing. This section contains a standard payment and reconciliation model, including (a) the information to be provided within the account issued to the Statutory Undertaker; and (b) the reconciliation and invoicing process.
- 24.4.5. The following standard procedure for the reconciliation and payment of permit fees is recommended:
- a) A draft account of the permit fees to be charged for during the specified period will be produced by the Permit Authority and submitted to the Promoter to review for reconciliation. This will be sent via email and a month in arrears.
  - b) There will be a period of 10 working days after receipt of the draft account to confirm fees and charges for the entire period.
  - c) During the reconciliation period it is the Promoter's responsibility to liaise with Oxfordshire County Council if they have any comments or queries on the content of the account.
  - d) Once the reconciliation period is complete, a full invoice for the full period will be issued.
- 24.4.6. If during the reconciliation Oxfordshire County Council and Promoter cannot reach agreement on a permit fee and any details are still under discussion, these fees will be omitted from the final account for the period and subsequent invoice. Fees under discussion can be included or not included as a result of discussions, in a later invoice.
- 24.4.7. The account produced by Oxfordshire County Council will contain the following information related to the specified period:
- i. Account Reference - The reference for the account, or list of permit fees to be charged for;
  - ii. Date Issued - Date the account was issued to the Statutory Undertaker (DD/MM/YYYY format);
  - iii. Account Period – start and end date for the period the account relates to;
  - iv. District - the Statutory Undertaker Operational District (OD Number)



Held over charges from a previous period may be included in such a statement. For example, these may include charges that were previously queried or PAA charges held back from a previous period which were awaiting the granting of permit for the activities.

24.4.8. In addition to the information listed above, the account will also include details of the permit being charged for. These details will include:

- i. Application Type - PAA, permit or permit variation;
- ii. Permit Number - the Works Reference number, including the application reference, for each PAA, permit or permit variation;
- iii. Date Granted - the date (DD/MM/YYYY) when the PAA, permit or variation was granted by the Permit Authority;
- iv. Works Category - the type of works for which the permit has been issued;
- v. Reinstatement Category - the reinstatement category of the street for the permit activity;
- vi. Permit Fee and Discount - the permit fee being charged, and any related discount applied.

24.4.9. The account period and subsequent invoicing frequency may vary but only with prior agreement being obtained from the relevant Statutory Undertaker.

## Appendices

### Appendix A – Glossary

Term	Explanation
Above Ground	Any works which do not involve the breaking up or opening of the street or tunnelling or boring under it.
Activity	Means street works as defined within part 3 NRSWA except for works under licence such as Section 50 NRSWA and works for road purposes as set out in Section 86 NRSWA.
Apparatus	Has the same meaning as in Section 105 NRSWA ("apparatus includes any structure for the lodging therein of apparatus or for the gaining access to apparatus").
Appeals	Where disagreement remains unresolved between the Promoter and the Permit Authority about a Permit Authority's decision or actions, the Promoter may appeal using the procedure in Section 19 of this document.
Arbitration	Has the same meaning as in Section 99 of NRSWA, ("any matter which under this Part is to be settled by arbitration shall be referred to a single arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers").
ASD	Additional Street Data (ASD) means other information held on the National Street Gazetteer Custodians website alongside the NSG adjudication.
Bank holiday	Has the same meaning as in Section 98 (3) of NRSWA, ("a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated").
Bar hole	A bar hole is used to detect and monitor gas leaks.
Breaking up (the street)	Any disturbance to the surface of the street (other than opening the street).
Bridge	Includes the entire meaning specified in Section 88(1)(a) of NRSWA, ("references to a bridge include so much of any street as gives access to

	the bridge and any embankment, retaining wall or other work or substance supporting or protecting that part of the street").
Bridge authority	Has the same meaning as in Section 88(1)(b) NRSWA, ("the authority, body or person in whom a Permit Scheme bridge is vested".
Bridleway	Has the same meaning as in Section 329 Highways Act 1980, "(a highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway").
Carriageway	Has the same meaning as in Section 329 of Highways Act 1980, ("a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles".
Central Register	A central register is a register covering two or more street authority areas that is maintained by one single authority, the 'register authority'. For example, a central register could include all authorities in a metropolitan or county area.
Co-ordination Meetings	Quarterly meetings to co-ordinate work within the highway authority's geographical area and neighbouring authorities' roads.
Culvert	A structure in the form of a large pipe or pipes, box or enclosed channel generally used for conveying water under a road.
Cycle track	Has the same meaning as in Section 329 of the Highways Act 1980, ("a way constituting or comprised in a highway, being a way over which the public have the following, but not other, rights of way, that is to say, a right of way on pedal cycles with or without a right of way on foot").
Day	Unless explicitly stated otherwise the reference to day means a working day.
DfT	Department for Transport.
Disability	Has the same meaning as defined in Section 105(5) NRSWA, "Section 28 of the Chronically Sick and Disabled Persons Act 1970 ("the 1970 Act") (power to define "disability" and other expressions applies in relation to the provisions of this Part as to the provisions of the 1970 Act").
Disability Equality Duty	Has the same meaning as in Section 49A of the Disability Discrimination Act 1995, inserted by the Disability Discrimination Act 2005 which requires that

	<p>(1) Every public authority shall in carrying out its functions have due regard to—</p> <p>(a) the need to eliminate discrimination that is unlawful under this Act;</p> <p>(b) the need to eliminate harassment of disabled persons that is related to their disabilities;</p> <p>(c) the need to promote equality of opportunity between disabled persons and other persons;</p> <p>(d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons;</p> <p>(e) the need to promote positive attitudes towards disabled persons; and</p> <p>(f) the need to encourage participation by disabled persons in public life.</p> <p>(2) Subsection (1) is without prejudice to any obligation of a public authority to comply with any other provision of this Act.</p>
Distribution Network Operator (DNO)	Operator of an electricity distribution network.
e-government	The Government objective to deliver efficiency savings while improving the delivery of public services by joining up electronic government services around the needs of customers.
Emergency works	Has the same meaning as in Section 52 NRSWA, ("works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property").
Excavation	Has the same meaning as in "Breaking up" (the street)".
Fixed Penalty Notice	Has the same meaning as in schedule 4B NRSWA, ("a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty").
Footpath	Has the same meaning as in Section 329 Highways Act 1980, ("a highway over which the public have a right of way on foot only, not being a footway").

Footway	Has the same meaning as in Section 329 Highways Act 1980, ("a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only").
Frontager	A person or body occupying premises abutting the street.
Geographical information system (GIS)	A computer system for capturing, storing, checking, integrating, manipulating, analysing and displaying data related to positions on the Earth's surface.
HAUC(UK)	The Highway Authorities and Utilities Committee for the UK.
Heavy commercial vehicle	Has the same meaning as in Section 138 Road Traffic Regulation Act 1984, ("any goods vehicle which has an operating weight exceeding 7.5 tonnes").
Highway	Has the same meaning as in Section 328 Highways Act 1980, ("the whole or part of a highway other than a ferry or waterway").
Highway authority	Has the same meaning as in Sections 1 and 329 Highways Act 1980.
Highway works	Means "works for road purposes" or "major highway works".
Highways Act 1980	Means the Highways Act 1980
Immediate activities	Means emergency works as defined in Section 52 NRSWA or urgent activities or works as defined in The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007.
Land	Has the same meaning as in Section 329 of Highways Act 1980, ("land includes land covered by water and any interest or right in, over or under land").
Level 1 (or 2, or 3) Gazetteer	As defined in the British Standard BS7666.
Local authority	Has the same meaning as in Section 270(1) Local Government Act 1972(a).
Local highway authority	Has the same meaning as in Section 329 Highways Act 1980, ("a highway authority other than the Minister").
Local planning authority	Has the same meaning as in the Town and Country Planning Act 1990.
Local register	Means a register that is maintained by a single street authority for its own geographic area and will include information on all streets other than those streets that are the responsibility of another street authority.

Local street gazetteer	A subset of the NSG containing details of all streets in a local highway authority area, being a self-contained entity created and maintained by the local highway authority covering all streets in their geographic area regardless of maintenance responsibility.
Main roads	Category 0, 1 and 2 streets and category 3 and 4 streets which are traffic-sensitive for all or part of the time.
Maintainable highway	Has the same meaning as “Highway maintainable at public expense” in S329 Highways Act 1980, and includes highway by virtue of Section 36 Highways Act 1980, and any other enactment (whether contained in the Highways Act 1980 or not ”.
Maintenance	Has the same meaning as in Section 329 Highways Act 1980, ("maintenance includes repair, and "maintain" and "maintainable" are to be construed accordingly").
Major activities	Activities which have been identified in an Promoter’s annual operating programme, or if not identified in that programme, are normally planned or known about at least six months in advance of the date proposed for the works; or street works, other than immediate works, where (i) the street authority has indicated to the undertaker; or (ii) the undertaker considers, that an order under Section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads) is required; or street works, other than immediate street works, which have a planned duration of 11 days or more”.
Major bridge works	Has the same meaning as in Section 88 (2) NRSWA, (“works for the replacement, reconstruction or substantial alteration of a bridge”).
Major highway works	<p>Has the same meaning as in Section 86 (3) NRSWA, (“works of any of the following descriptions executed by the highway authority in relation to a highway which consists of or includes a carriageway -</p> <p>(a) reconstruction or widening of the highway;</p> <p>(b) works carried out in exercise of the powers conferred by Section 64 Highways Act 1980 (dual carriageways and roundabouts);</p> <p>(c) substantial alteration of the level of the highway;</p> <p>(d) provision, alteration of the position or width, or substantial alteration in the level of a carriageway, footway or cycle track in the highway;</p> <p>(e) the construction or removal of a road hump within the meaning of Section 90F Highways Act 1980;</p>

	<p>(f) works carried out in exercise of the powers conferred by Section 184 Highways Act 1980 (vehicle crossings over footways and verges);</p> <p>(g) provision of a cattle-grid in the highway or works ancillary thereto; or</p> <p>(h) tunnelling or boring under the highway”.</p>
Major transport works	Has the same meaning as in Section 91(2) NRSWA, (“substantial works required for the purposes of a transport undertaking and executed in property held or used for the purposes of the undertaking”).
Material consideration	A consideration which relates to the carrying out of registerable activities and the impact of those activities. The weight to be accorded to any material consideration will depend upon the circumstances of the case.
Minor roads	Streets in reinstatement categories 3 and 4 which are not traffic sensitive at any time.
Minor works	Means those street works other than immediate works or major works where the planned duration is three days or less.
National Grid Reference (NGR)	Location reference using nationally defined eastings and northings.
National Land and Property Gazetteer (NLPG)	Gazetteer providing a national reference of land and property related Data Nationally consistent street gazetteer (NSG), a database defined as “an index of streets and their geographical locations created and maintained by the local highway authorities” based on the BS7666 standard.
Nationally Consistent Street Gazetteer (NSG)	Means a database defined as “an index of streets and their geographical locations created and maintained by the local highway authorities” based on the BS7666 standard.
Network management duty	<p>Means the duty imposed upon the local traffic authority under Section 16 TMA to manage their road network. The duty should be undertaken with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following overriding objectives:</p> <p>(a) securing the expeditious movement of traffic on the authority’s road network; and</p> <p>(b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.</p>

Notice management system	Notice management systems receive electronic street works notices and are used by street authorities to manage them together with other relevant information.
NRSA	New Roads and Street Works Act 1991.
NSG	National Street Gazetteer.
NSG Custodian	The body appointed to manage the NSG on behalf of the local highway authorities.
ODD	Operational District Data.
Opening (the street)	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any “breaking up” of the street.
Ordnance Survey Grid	A spatial location based on the geospatially referenced national grid owned by the Ordnance Survey.
OSGR	Ordnance Survey Grid Reference.
PAA	Provisional Advanced Authorisation. An indication of the likely future issue by the Permit Authority of a permit for certain proposed works.
Passenger Transport Authority	One of seven authorities (Greater Manchester, Merseyside, South Yorkshire, Strathclyde, Tyne & Wear, West Midlands and West Yorkshire) made up of representatives from local authorities in the area, responsible for public transport in their area.
Passenger Transport Executive	The executive arm of a Passenger Transport Authority.
Pedestrian Planning Order	Means an order made under Section 249(2) or (2A) Town and Country Planning Act 1990.
Permit Authority	The relevant local highway authority or authorities authorised by a Statutory instrument to operate a Permit Scheme.
Permit Scheme	A Scheme approved by Order under which Permits for activities are sought and given.
Portable Traffic Signals	Portable signals used to control traffic at road junctions (multi-way) or to control traffic along a road (two-way), which are defined within the Traffic Signs Regulations and General Directions (2002).



Prescribed	Has the same meaning as in Section 104 NRSWA, “prescription by the Secretary of State by Regulations, which may (unless the context otherwise requires) make different provision for different cases”.
Promoter	A person or organisation responsible for commissioning activities (works), in streets covered by the Permit Scheme. In the Permit Scheme Promoters will be either a Statutory Undertaker or a participating Council as a highway or traffic authority.
Protected street	Has the same meaning as in s61 NRSWA and includes any street that serves a specific strategic traffic need and therefore needs to be protected from unnecessary excavation and works and providing there is a reasonable alternative route in which undertakers can place the equipment that would otherwise lawfully have been placed in the protected street.
Provisional street	A street that does not yet have an entry in the NSG. Typically these will be newly created and/or private streets.
Public sewer	Has the same meaning as in the Water Industry Act 1991.
Railway	Has the same meaning as in Section 105(1) NRSWA and includes a light railway other than one in the nature of a tramway.
Reasonable period	Has the same meaning as in Regulation 37(4) of the 2007 Regulations and Section 74(2A) NRSWA as inserted by section 256 Transport Act 2000.
Reasonable times	Means normal office hours (08:00 to 16:30, Monday to Friday except Bank Holidays).
Registerable activities	As set out in Section 6.2 registerable activities correspond to what are “specified works” in the Traffic Management Permit Schemes (England) Regulations 2007 and Mended 2015 Regulations.
The 2007 Regulations	The Traffic Management Permit Scheme (England) Regulations 2007.
Reinstatement	Has the same meaning as in Section 105(1) NRSWA, “and includes making good”.
Reinstatement Category	The reinstatement category of a street in the Permit Scheme is the same as the reinstatement category under NRSWA, as defined in the Specification for the Reinstatement of Openings in Highways.
Relevant authority	Has the same meaning as in Section 49 (6) of NRSWA, (“references in this Part to the relevant authorities in relation to any works in a street are to

	the street authority and also (a) where the works include the breaking up or opening of a public sewer in the street, the sewer authority; (b) where the street is carried or crossed by a bridge vested in a transport authority, or crosses or is crossed by any other property held or used for the purposes of a transport authority, that authority; and (c) where in any other case the street is carried or crossed by a bridge, the bridge authority").
Remedial works	Means those works required to rectify defects identified in accordance with the provisions of the Code of Practice for Inspections and Regulations.
Road	Means "Highway".
Road category	Means one of the road categories specified in paragraph 1.3.1 Chapter S.1 of the Code of Practice entitled "Specification for the Reinstatement of Openings in Highways" dated April 2010, or where revised or reissued from time to time.
Road works	Works for road purposes.
Sewer	Has the same meaning as in the Water Industry Act 1991.
Small Openings and Small Excavations	All openings with a surface area of two square metres or less.
Special Engineering Difficulties (SED)	Has the same meaning as in Section 63 NRSWA, and refers to streets or parts of streets associated with structures, or streets of extraordinary construction where street works should be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure with attendant danger to person or property.
Specified works	Means registerable activities and comprises both street works and works for road purposes as described in the Permit Scheme.
Standard works	Standard works are those street works, other than immediate works or major works, which have a planned duration of between four and ten days inclusive.
Statutory Guidance	Means the Traffic Management Act 2004 Statutory Guidance for Permits (March 2008).
Statutory right	Has the same meaning as in Section 105 (1) NRSWA, ("a right (whether expressed as a right, a power or otherwise) conferred by an enactment (whenever passed or made), other than a right exercisable by virtue of a street works licence").

Statutory Undertaker	Has the same meaning as in Section 48 (4) NRSWA, and in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence.
Street	Has the same meaning as in Section 48 (1) NRSWA, and includes the whole or any part of any of the following, irrespective of whether it is a thoroughfare; -  (a) any highway, road, lane, footway, alley or passage;  (b) any square or court;  (c) any land laid out as a way whether it is for the time being formed as a way or not.
Street authority	Has the same meaning as in Section 49 (1) NRSWA.
Street managers	Has the same meaning as in Section 49 (4) NRSWA, and where used in relation to a street which is not a maintainable highway, means the authority, body or person liable to the public to maintain or repair the street or, if there is none, any authority, body or person having the management or control of the street.
Street works	Has the same meaning as in Section 48 (3) NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: (a) placing apparatus; or (b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street).
Street works licence	Has the same meaning as in Section 50 (1) NRSWA, "the street authority may grant a licence (a "street works licence") permitting a person  (a) to place, or to retain, apparatus in the street, and  (b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street).
Traffic Regulation Order	Means an Order made under section 1, 6, 9 or 14 of the Road Traffic Regulation Act 1984.

The "Regulations" or "Regs"	Means the Traffic Management Permit Schemes (England) Regulations 2007 SI 2007 No. 3372.
TMA	The Traffic Management Act 2004.
Traffic	Has the same meaning as in Section 105 (1) of NRSWA, and includes pedestrians and animals.
Traffic authority	Has the same meaning as in Section 121A of the Road Traffic Regulation Act 1984.
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works".
Traffic Order	Means an Order made under the Road Traffic Regulation Act 1984.
Traffic sensitive street	Means a street designated by a street authority as traffic-sensitive pursuant to Section 64 NRSWA and in a case where a limited designation is made pursuant to Section 64(3). Any reference to works in a traffic-sensitive street shall be construed as a reference to works to be executed at the times and dates specified in such designation.
Tramway	Has the same meaning as in Section 105 (1) NRSWA, ("a system, mainly or exclusively for the carriage of passengers, using vehicles guided, or powered by energy transmitted, by rails or other fixed apparatus installed exclusively or mainly in a street").
Transport authority	Has the same meaning as in Section 91(1)(a) NRSWA, "the authority, body or person having the control or management of a transport undertaking".
Transport undertaking	As defined in Section 91(1)(b) of NRSWA, "transport undertaking means a railway, tramway, dock, harbour, pier, canal or inland navigation undertaking of which the activities, or some of the activities, are carried on under statutory authority".
Trunk road	Has the same meaning as in Section 329 Highways Act 1980, "a highway, or a proposed highway, which is a trunk road by virtue of Section 10(1) or Section 19 Highways Act 1980 or by virtue of an order or direction under Section 10 Highways Act 1980 or under any other enactment".
Unique Street Reference Number (USRN)	As defined in the British Standard BS7666.
Urgent activities or works	Means immediate activities which are

	<p>a) activities (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the activity believes on reasonable grounds to be required)</p> <p>i) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker;</p> <p>ii) to avoid substantial loss to the undertaker in relation to an existing service; or</p> <p>iii) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and</p> <p>(b) Includes activity that cannot reasonably be severed from such activities.</p>
Working day	A working day means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a bank holiday; and for the purposes of the Permit Scheme the commencement of a working day will be treated as being 08:00 and its end as 16:30.
Working Space	Has the same meaning as specified on page 5 of the current "Safety at Street Works and Road Works, Code of Practice".
Works	Street works or works for road purposes.
Works clear	A works clear notice is used following interim reinstatement.
Works closed	A works closed notice is used following permanent reinstatement.
Works comment	Means an electronic communication using electronic systems.
Works for road purposes	<p>Has the same meaning as in Section 86(2) NRSWA, ("works for road purposes means works of any of the following descriptions executed in relation to a highway:</p> <p>(a) works for the maintenance of the highway;</p> <p>(b) any works under powers conferred by Part V of the Highways Act 1980 (improvement);</p> <p>(c) the erection, maintenance, alteration or removal of traffic signs on or near the highway; or</p>

	(d) the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles").
Works Reference	Based on the current electronic system a works reference is detailed as "allocated by the promoter and includes Prefix and District. The works reference should be unique to an individual works".

## Appendix B – Dis-applied Sections from the NRSWA (1991)

NRSWA Section		Change	Permit Regulations - Revised Arrangements
Section 53	The street works register	Disapplied	Permit regulations prescribe similar provisions for permit registers
Section 54	Advance notice of certain works	Disapplied	Replaced by applications for provisional advance authorisation
Section 55	Notice of starting date	Disapplied	Replaced by applications for permits
Section 56	Power to direct timing of street works	Disapplied	Replaced by permit conditions and variations including those initiated by the Permit Authority
Section 57	Notice of emergency works	Disapplied	Replaced by applications for immediate activities
Section 66	Avoidance of unnecessary delay or obstruction	Disapplied	Replaced equivalent provisions for permit authorities to require Promoters in breach of the permit requirements to take remedial action and failing that for the authority to act. 24-hour compliance period to be replaced with a requirement for Promoters to comply within a reasonable specified period determined by circumstances.

## Appendix C - Modifications to NRSWA (1991)

The 2007 Regulations modify the following sections of NRSWA to accommodate the issuing of permits rather than the exchange of notices.

NRSWA Section		Change	Permit Regulations – Revised Arrangements
Section 58	Restriction on works following substantial road works	Modified	The authority's ability to issue permits with start and end dates replacing directions to start works covered in NRSWA S58 (5) to (7) - The 2007 Regulations provide the equivalent of S58A powers by allowing authorities to take into account whether Promoters responded to the S58 notice by submitting an application for their planned activities.
Section 58A	Restriction on works following substantial street works	Modified	Schedule 3A is modified to work in conjunction with permits.
Section 64	Traffic Sensitive Street	Modified	Permit regulations provide the requirement for notifying permit applicants the proposals to designate further streets as traffic sensitive.
Section 64(1)	Traffic Sensitive Street	Modified	Has effect as if— (a) after “or paragraph 2 of Schedule 3A” there were inserted “or the content, operation, variation or revocation of permit schemes”; and (b) after “street works” there was inserted “or works for road purposes”.
Section 69	Works likely to affect other apparatus in the street	Effectively extended	Permit regulations create an equivalent requirement on highway authority promoters.
Section 74	Charge for occupation of the highway where works are unreasonably prolonged	Modified	Permit regulations make provision to operate Section 74 powers in parallel with Permits.

Section 88	Bridge, bridge authorities and related matters	Modified	Modified to work in conjunction with permits.
Section 89	Public sewers, sewer authorities and related matters	Modified	Modified to work in conjunction with permits.
Section 90	Provisions as to reinstatement of sewers, drains and tunnels	Modified	Modified to work in conjunction with permits.
Section 93	Works affecting level crossings or tramways	Modified	Modified to work in conjunction with permits.
Section 105	Minor definitions	Modified	Modified to work in conjunction with permits.

## Appendix D – Application & Responses Times

Activity Type	Minimum application periods ahead of proposed start date		Minimum period before permit expires for application for variation (including extension)	Response times for issuing a permit or seeking further information or discussion		Response times to applications for permit variations  (Days = Working days)
	Application for provisional advance authorisation	Application for Permit (Days = Working days)		Application for provisional advance authorisation	Application for Permit (Days = Working days)	
<b>Major</b>	3 Months	10 Days	2 Days or 20% of the original duration whichever is longest	1 Calendar Month	5 Days	2 Days
<b>Standard</b>	n/a	10 Days		n/a	5 Days	2 Days
<b>Minor</b>	n/a	3 Days		n/a	2 Days	2 Days
<b>Immediate</b>	n/a	2 Hours After		n/a	2 Days	2 Days



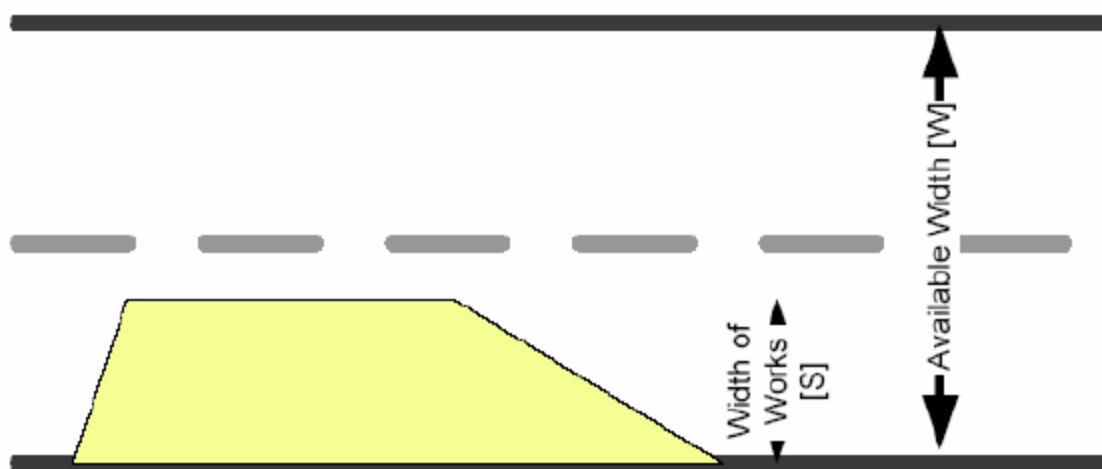
## Appendix E – Disruption Effect Score

### Derivation of Disruption Effect Score

The disruption effect score is based on the reduction in capacity resulting from an activity on the highway. The reduction in capacity may be calculated using an algorithm that requires the entry of several simple factors. These factors are as follows:

Factor	Description
[P]	The daily traffic flow, measured as an average am/pm peak hour flow in PCUs per hour, so that it takes account of HGV percentages. (Source: Highway Authority)
[W]	The total width in metres of the carriageway (or the width of both carriageways for a dual carriageway road) (Source: Ordnance Survey mapping using GIS tools)
[S]	The width in metres of the activity occupying the carriageway, or in the case of activities on the footway, this would be the width in metres of the carriageway occupied by attendant vehicles and associated traffic management, as well as the width needed for any incursion of pedestrians, cyclists and horse riders into the carriageway. (Source: Established as part of the works planning process)

### Disruption Effect Score – Calculation Illustration



### Calculation of Disruption Effect Score

The following algorithm is used to calculate the Disruption Effect Score:

$$\text{Disruption Effect Score} = [(Px100)/(1600x(W-S)/3.65)]$$

### Use of Disruption Effect Score

The disruption effect score has several specific uses including:

- i. Derivation of the Traffic Impact Assessment,
- ii. Objective based prioritisation of activities for co-ordination, and
- iii. Performance indicators

### Impact Assessment

The impact assessment is a broad indicator of the potential disruption that could arise from an activity on the highway;

Disruption Effect Score	Impact
Greater than or equal to 75	Severe
Greater than or equal to 50 and less than 75	Moderate
Greater than or equal to 25 and less than 50	Slight
Less than 25	None

### Impact on Buses

The impact assessment for bus traffic is assessed for defined bus routes only and is derived as follows:

Disruption Effect Score Factor	Impact
Greater than or equal to 75	Severe
Dedicated bus lane closed	Severe
Greater than or equal to 50 and less than 75	Moderate

Dedicated bus lane diverted	Moderate
Greater than or equal to 25 and less than 50	Slight
Less than 25	None

### Impact on Pedestrians

The impact assessment for pedestrian traffic is derived as follows:

Factor	Impact				
	Footway Hierarchy Category				
	1a	1	2	3	4
<b>Closure</b>	Severe	Severe	Severe	Severe	Moderate
<b>Complete Diversion</b>	Severe	Severe	Severe	Moderate	Slight
<b>Partial Diversion</b>	Severe	Severe	Moderate	Moderate	Slight
<b>Narrowing &gt;50%</b>	Severe	Severe	Slight	Slight	None
<b>Narrowing &lt;50%</b>	Severe	Moderate	Slight	None	None

A 'complete diversion' of a footway is where a new route for pedestrians has been established, for example where there is a requirement to cross the road to use the opposite footway. A 'partial diversion' of a footway is where the route for pedestrians is diverted around the activity's site but remains on the same side of the road. In addition, the impact of any activities on footways associated with urban transport facilities will be considered as 'severe'. For the purposes of this section these are any activities on footways that are within 100 metres of an entrance to a bus, tube, railway or tram station.

## Appendix F – Permit Fees

	Main roads			Minor roads
Reinstatement category of street	0,1,2	3 & 4		3 & 4
Street designated as traffic sensitive or not	All streets	Traffic sensitive at some times/ locations		Non traffic sensitive at any time or location
Time and location of activity	Any time and location	Any part within traffic times/ locations	Wholly within non traffic sensitive times/ locations	Any time and location
Provisional advance Authorisation	£ 105.00	£ 105.00	£ 50.00	£ 50.00
Major works over 10 days and all major works requiring a traffic regulation order	£ 240.00	£ 240.00	£ 80.00	£ 80.00
Major works 4-10 days	£ 130.00	£ 130.00	£ 50.00	£ 50.00
Major works up to 3 days	£ 65.00	£ 65.00	£ 35.00	£ 35.00
Standard activity	£ 130.00	£ 130.00	£ 50.00	£ 50.00
Minor activity	£ 65.00	£ 65.00	£ 32.00	£ 32.00
Immediate activity	£ 60.00	£ 60.00	£ 32.00	£ 32.00

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## **Permit Variation Fees**

For permit variations, the Permit Authority will charge: -

- for all works on category 0, 1 and 2 streets and category 3 and 4 streets that are traffic-sensitive;
- for activities on category 3 and 4 streets which are not designated as traffic sensitive.

## **Permit Fee Reduction**

Reduction for works wholly outside of Traffic Sensitive Times on Traffic Sensitive Streets. The Authority will apply a discount to both Road Categories 3 – 4 that are Traffic Sensitive and Road Category 0-2, where the works are wholly outside indicated Traffic Sensitive Times.

Discount rates

30% on permit fees as per marked on table above (\*)

## **Collaborative Working**

Any Statutory Undertaker shall be eligible for a discount where an activity involves more than one promoter and collaborating in one single set of works. This may include collaboration with highway authority promoters as well as other Statutory Undertakers. Promoters should utilise the relevant electronic system data fields to indicate whether collaboration is to take place. Requirements and discounts are set out in Section 3.8 & 15.6.

## **PERMIT VARIATION FEES**

£45 for activities on category 0, 1 & 2 streets, and on 3 & 4 traffic sensitive streets.

£35 for activities on category 3 and 4 non traffic sensitive streets.

If a Permit variation moves an activity into a higher fee category, the Promoter will be required to pay the difference in Permit fee.

No fee is payable if a Permit variation is initiated by the Permit Authority.

The review will consider the on-going Scheme costs and inflationary rates.

The fees will not exceed the maximum charges as set by the DFT.

All Promoters will be notified of any changes to the fees.

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### Permit scheme consultation comments with responses.

The table below summarises the responses made as part of the Street works permit scheme consultation. We have been through and assessed those and have summarised our comments to those in the last column. We received a good number of responses that have obviously been carefully considered, and as such we would like to thank all those who took the time to respond.

Where we have agreed and updated the document we have stated as such, where we have considered the change request but not changed the proposal we have tried explain why.

Consultee type	Comment	Oxfordshire County Council response
A councillor (county, district, town, parish)	I think it's vital that Utility company's are interlinked with Oxfordshire County Council highways team to make sure works on roads are completed on time and reinstatement works are on schedule.	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish)	Better knowledge and coordination of works, especially by utility companies	Agreed. This is an expected benefit of Permit scheme
Representative of a group of organisation	Reduced journey times resulting in fewer emissions. Less disruption. More trench sharing.	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish)	Reduced duration of works, incentives for collaborative working, economic benefits to OCC, businesses and individuals.	Agreed. This is an expected benefit of Permit scheme
Representative of a group of organisation	It will reduce the chance of small but severely disruptive roadworks happening 'ad hoc'.	Agreed. This is an expected benefit of Permit scheme
Representative of a group of organisation	For vulnerable pedestrians, including people with sight loss, the permit scheme will hopefully ensure a more co-ordinated and planned approach to any works carried out that would impact the safe independent mobility of these groups.	Agreed. This is an expected benefit of Permit scheme
Representative of a group of organisation	That only approved works, schemes and contractors will be allowed to carry out works on the Highways	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish)	Making permit holders clear about responsibilities and obligations	Agreed. This is an expected benefit of Permit scheme
A neighbouring local authority	The main benefits to be gained from the scheme will be greater control over the management of Roadworks on the Oxfordshire road network. this leads to better planning by all works promoters and therefore the quality of those works improves and the occupation of the network is reduced as a consequence.	Agreed. This is an expected benefit of Permit scheme

Representative of a group of organisation	Overall support for the permit Scheme to reduce modal trips into the city.	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	flexibility on start date for non traffic sensitive 3 & 4 streets.	Start dates must be agreed with Oxfordshire County Council.
A neighbouring local authority	Ensure traffic movements managed as best as possible and cause as least congestion and disruption as possible	Agreed. This is an expected benefit of Permit scheme
Representative of a group of organisation	We could not specifically identify the benefits of the scheme other than monetary in favour of the county council as the document was long and confusingly difficult to read.	Nationally it has been found a scheme will deliver benefits such as reduced duration of works and improved coordination of works.
A works undertaker/promoter	A permit scheme should allow for better liaison between undertaker and highway authority. In paying for a permit the undertaker expects a service to ensure road space is available for planned work and to assist in arranging traffic management and applications for temporary closures and any other requirements. Benefits of the scheme should be: better planning and collaboration with other utilities to reduce congestion , disruption and delays to traffic and pedestrians. The permit scheme should allow for incentives and a better working relationship between promotor and authority. It should also improve parity as the authority should be applying for and processing their own permits. The HA's vision of encouraging innovation through engaged processes to lower future permit fees is welcomed.	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	The scheme is essentially too long. Having over 80 pages it makes it difficult to search through the scheme and there are a number of sections which could be removed and reference made to the National guidance for permit schemes and permit conditions instead. There are too many references to NRSWA which are not required and advise from utilities on the general wording of the scheme appears to have been ignored. There are sections (many are listed in Q 3) which need to be amended as they are legislatively incorrect. We understand the need to charge a permit fee but are disappointed in the scheme charging on all roads especially non TS category 3 & 4. However, we welcome your reduction in fees on non TS 3 & 4 to lower than the maximum allowed.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	1.5.1 - They only have duration and works type which are aligned. In particular regs 14, 36 and 37 of the 2007 replace parts of NRSWA	No comment
A works undertaker/promoter	1.5.4 - This should relate to the National street gazatteer (NSG) not the SROH.	NSG and SROH are aligned, one is structure and the other the detail. We believe both are useful in this context



A works undertaker/ promoter	2.3 - Remove TMA - objective of the permit scheme should be here "effectively use permits schemes to reduce any adverse effect that highway occupation would have on traffic (including pedestrians) whilst enabling essential maintenance, repair and improvement of the various apparatus within the highway and the highway itself"	As the TMA supports permit schemes we feel this is appropriate.
A works undertaker/ promoter	2.5.1 - include repairs and install new connections.	Agreed, document amended accordingly
A works undertaker/ promoter	3.4 - should be "HAUC (England) Guidance Operation of Permit Schemes (inc. Permit Condition Text) Feb 2017 version 1.0."	Agreed, document amended accordingly
A works undertaker/ promoter	3.7.4 - the use of forward planning notices and not for immediate activities	Agreed, document amended accordingly
A works undertaker/ promoter	4.6 (b) suggest inserting Street Manager and new KPI's	We do not know the full extent of KPIs and so included the term 'current' to allow for changes.
A works undertaker/ promoter	5.1 - suggest removal as irrelevant	We have tried to make it accessible to both experienced and inexperienced audience, and as such feel it is relevant.
A works undertaker/ promoter	5.2 - current system to be superceded by Street Manager expected April 2020	No Comment
A works undertaker/ promoter	6.4 - confusing - suggest rewording the paragraph	Agreed, document amended accordingly
A works undertaker/ promoter	5.7.1 - suggest removal irrelevant	Agreed, document amended accordingly
A works undertaker/ promoter	6.5 - this would not be practical for immediate activities	Agreed, document amended accordingly
A works undertaker/ promoter	6.7 - Only for TS permits. Working days for non TS permits. Unless stated otherwise, reference to "day" means working day, commonly accepted as 08:00 to 16:30 hours. Calculation of dates in relation to notice periods should therefore exclude weekends and public and bank holidays.	Agreed, document amended accordingly
A works undertaker/ promoter	6.8 - A permit can be applied for with the early start date required. No variation is required if start agreed in advance.	Agreed, document amended accordingly
A works undertaker/ promoter	6.9 - excluding immediate works.	Agreed, document amended accordingly
A works undertaker/ promoter	8.5.2 - note to advise this may be removed with street manager	Agreed, document amended accordingly
A works	9.6.2 - fax no longer used and not practical.	Agreed, document amended

undertaker/ promoter		accordingly
A works undertaker/ promoter	10.1(C) - unable to provide more than 1 promotor contact number	Agreed, document amended accordingly
A works undertaker/ promoter	10.1 (E) - working days unless TS permit	Agreed, document amended accordingly
A works undertaker/ promoter	10.1 (F) - illustration not legally required. Permits should not be refused on this basis.	The scheme is looking to promote best practice but agree a permit will not be refused on this basis.
A works undertaker/ promoter	11.8.1 (b) immediate works – urgent	Agreed, document amended accordingly
A works undertaker/ promoter	11.8.2 - Need to rephrase - this is not all instances of immediate activities only where designated on the ASD that the street requires early notification with a valid reason	Agreed, document amended accordingly
A works undertaker/ promoter	11.10.1 - suggest adding 48hrs	Restricted by legislation to use of working days. No change to be made.
A works undertaker/ promoter	11.12 - 11.17.20 - suggest removal as not required. Referred to in 11.12.1 and in table.	We have tried to make it accessible to both experienced and inexperienced audience, and as such feel it is relevant.
A works undertaker/ promoter	13.7.6 _14.3 _16.1.5 _ 18.10.1 No Permits should only be revoked by the permit authority in exceptional or unforeseen circumstances, repeated breach of conditions or safety issues e.g. if there is industrial action, flooding, conflicting significant emergency work (mains burst) or other network failure. In such circumstances, the Authority should inform the works promoter as soon as possible and explain the reason for the revocation.	Agreed, document amended accordingly
A works undertaker/ promoter	16.2.1 (h) - what permit condition covers this requirement?	Agreed, document amended accordingly
A works undertaker/ promoter	16.4.1 - A PMR cannot be used on an immediate permit as it is already in progress. An AIV must be sent but remember works may have already been completed if over a weekend.	Agreed, document amended accordingly
A works undertaker/ promoter	16.4.5 - there are no specific conditions attached to immediate works so how can a list be displayed. They are site specific.	Agreed, document amended accordingly
A works undertaker/ promoter	16.5 - all included in Statutory guidance, this section can be removed as unnecessary.	Agreed, document amended accordingly

A works undertaker/ promoter	16.7.1 - you cannot have more than 1 start and stop on a permit. Once it is in progress it has been started. How the works progress after that should be detailed on the permit.	Agreed, document amended accordingly
A works undertaker/ promoter	18.5.1 - apart from immediate activities where a retrospective permit can be raised. Works may be completed out of hours without having a permit raised until the next working day. This process is therefore not an offence as long as a retrospective permit is raised.	Agreed, document amended accordingly
A works undertaker/ promoter	20.7.2 - notification of the appropriate utility (and allowance for rectification) should take place before charges are levied.	Agreed, document amended accordingly
A works undertaker/ promoter	20.14 - should be inserted Also 10.2 Section 74 – apply to every publicly maintainable highway, except: a footpath or bridleway; a highway with a pedestrian planning order in force; and a highway where vehicular traffic is prohibited – unless that prohibition is restricted to particular times. If the works take longer than both the "Prescribed Period" and the "Reasonable Period", described later in this chapter, they become 'unreasonably prolonged' – and the highway authority may levy a charge for each day, or part of a day, in excess of the longer of the two periods.	Agreed, document amended accordingly
A works undertaker/ promoter	22.9 - not required in scheme and should be removed.	We have tried to make it accessible to both experienced and inexperienced audience, and as such feel it is relevant.
A works undertaker/ promoter	23 - suggest removal and included in separate brief as no relevance to scheme once started and after initiation period.	Agreed, document amended accordingly
A works undertaker/ promoter	24.1 - Not relevant with regard to payment of fees. There is no FPN for not paying your permit fees.	Agreed, document amended accordingly
A works undertaker/ promoter	24.4.2 & 24.4.7 - Confusing please clarify - a draft charge will be sent out listing ALL the permit numbers and costs associated with the permits. Not sure what the account reference number refers to here?	Agreed, document amended accordingly
A works undertaker/ promoter	24.4.5 - suggest via E-mail and sent a month in arrears as standard practice.	Agreed, document amended accordingly
A neighbouring local authority	<p>In response to the consultation on your Permit Scheme, Warwickshire County Council is in full support of your transition from Noticing to Permitting for all works. The move to permits will enable Oxfordshire to have much better control over works that occur on your network and through the use of conditions reduce delay and disruption to vehicles. We have also, as a permitting authority, seen better provision being planned for pedestrians and vulnerable road users at the inception of all schemes. We have seen a year on year continued reduction in occupations of the highway by all works promoters.</p> <p>The move to Permits by Oxfordshire will also assist in cross</p>	Agreed. This is an expected benefit of Permit scheme

	border cooperation, as both Authorities would have a common approach to all works promoters.	
A neighbouring local authority	The benefits included; reduced congestion, a reduction in the duration of works, a reduction in cost pressures, sustainable living promotions and overall better network management and safety.	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	We believe any permit scheme which improves communication, encourages innovation and collaboration and reduced disruption for the public and businesses is a benefit to all. However, this should not be at the detriment to statutory undertakers or customers and the benefits of a scheme can only be realised once the scheme has been in operation for at least a year and the report can show what benefits have been achieved.	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	Thank you for the opportunity to participate in the review of your Permit Scheme. It is however not clear having read through and considered it how many of the aspirations will be delivered and measured. For example how will improvements in Network Management, reduced congestion, improved journey time, reduced carbon emissions, a reduction in works durations etc. be measured? There must be a point at which all of these types of benefits would have been assessed, recorded, and agreed with all practitioners so that if there are indeed any improvements, and if these improvements are singularly attributable to the operation of the scheme, these are clear and visible to all ? Without these starting points and a methodology to record and assess their sole interaction with the Permit Scheme any assigned benefits will be speculative and subject to question and review.	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	<ul style="list-style-type: none"> <li>* We are keen to work with Oxfordshire on the development of an innovation protocol.</li> <li>* Openreach agree that the permit scheme offer better co-ordination for the highway authority.</li> <li>* Appreciate Oxfordshire using Current electronic system as this prevent future alterations.</li> </ul>	No Comment
Oxfordshire resident	To stop the present situation where a road is closed/restricted multiple times over a short period and/or adjacent routes dug up at the same time - sometimes with diversions onto a closed road	Agreed. This is an expected benefit of Permit scheme
Oxfordshire resident	The possibility of reduced inconvenience to road users	Agreed. This is an expected benefit of Permit scheme
A works undertaker/promoter	We believe any permit scheme which improves communication, encourages innovation and collaboration and reduced disruption for the public and businesses is a benefit to all. However, this should not be at the detriment to statutory undertakers or customers and the benefits of a scheme can only be realised once the scheme has been in operation for at least a year and the report can show what benefits have been achieved.	Agreed. This is an expected benefit of Permit scheme

A councillor (county, district, town, parish	Greater control over planned work implemented by developers	No Comment
A councillor (county, district, town, parish	It will improve the authority's ability to minimise disruption and inconvenience from street and road works, managing traffic in the most efficient way.	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish	The Town Council support the scheme. It enables planned work to be coordinated with other work and therefore reduces impact on the public.	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish	A more integrated approach especially the coordination of work by different organisations. Should reduce the time taken and stop the delays caused by unattended roadworks	Agreed. This is an expected benefit of Permit scheme
Emergency Services	Nothing further I wish to add at this stage.	No comment
A councillor (county, district, town, parish	The council will have at their fingertips a more complete picture of the pressure points and inconveniences on the roads in the county. This should hopefully keep bus users, disabled citizens, cyclists, car-owning residents (eg their home parking) and any other groups of local people who are inconvenienced by road works, on the radar as visibly as road traffic.	Agreed. These are expected benefits of Permit scheme
A neighbouring local authority	Better control over when road works are carried out, resulting in less disruption. Also the Council will have better control over who is working on the roads.	Agreed. These are expected benefits of Permit scheme
A neighbouring local authority	<p>The benefits to be derived from the operation of the Permit Scheme are:</p> <ul style="list-style-type: none"> <li>* Improvements to overall network management</li> <li>* Reduced congestion on the road network</li> <li>* Improved journey time reliability, in particular for public transport</li> <li>* A reduction in duration of works</li> <li>* A reduction in cost pressures to businesses caused by delays</li> <li>* Promotion of sustainable communities and businesses</li> <li>* Promotion of a safer environment</li> <li>• Reduced carbon emissions</li> </ul>	Agreed. These are expected benefits of Permit scheme
A councillor (county, district, town, parish	Easing of traffic flow.	Agreed. This is an expected benefit of Permit schemes
A neighbouring local authority	The benefits would be that the County Council will have more control over coordinating work being carried out on the highways.	Agreed. These are expected benefits of Permit scheme
A works	The scheme applies equally to all works promoters,	Agreed. These are expected

undertaker/ promoter	including Oxfordshire County Council's own works.	benefits of Permit scheme
A councillor (county, district, town, parish	Stopping utility companies from undertaking roadworks without proper notice, co-ordination with other utilities and causing inconvenience to communities. Planning and co-ordination to prevent duplicated roadworks and damage to newly resurfaced roads that could have been avoided.	Agreed. These are expected benefits of Permit scheme
A councillor (county, district, town, parish	No aspects concern me .	No comment
A councillor (county, district, town, parish	That pavements must be included as well as highways. Does not include failure by the county over highway matters such as rising bollards not working for periods of time.	Agreed. The term Highway include the pavement area
Representative of a group of organisation	Need to ensure sufficient attention is paid to vulnerable road users, pedestrians and cyclists in granting the permit to work. Too often these groups are not catered for through road works	Agreed and the scheme is built on that premise
Representative of a group of organisation	That where possible parish councils or other stakeholders are informed of planned works in their parish/vicinity so that appropriate information can be shared with the community. Consultation ahead of permits being issued would be helpful as there have been several incidents where detours mapped out and circulated were not practical. Once this had been addressed maps and notices had to be redrawn.	With minor and standard works this is impracticable due to lack of time, however with major works it is our desire to involve Parish councils. TTRO processes are managed under a separate process, but noted.
A councillor (county, district, town, parish	This point is a little off the main subject but there are new ways of repairing and finishing roads that are more effective and environmentally advantageous. For example MacRebur (and others?) who use materials derived from non-recyclable waste plastic that was destined for landfill or incineration. See <a href="https://www.macrebur.com/">https://www.macrebur.com/</a> and <a href="https://www.bbc.co.uk/news/uk-scotland-south-scotland-47454719">https://www.bbc.co.uk/news/uk-scotland-south-scotland-47454719</a>  Could the permit approach be used to make environmental issues a key part of the application process? BTW I have no personal beneficial interest in MacRebur!	The scheme can encourage best practice but can not operate outside of current legislation. Oxfordshire are fully committed to support environmentally friendly solutions
Representative of a group of organisation	The assurance that the permits will be issued with care and that they could be revoked if need be.	Yes permits will be issued with care and may be revoked in line with the scheme document.
Representative of a group of organisation	The New Road and Street Works Act (1991) does state "A street authority may attached to a Street Works License such conditions as they see appropriate to minimize the inconvenience to persons using the street (having regard, in particular, to the needs of people with a disability". We hope that these principles will be mirrored within the proposed Permit scheme.	Yes these principles will be mirrored within the scheme.

Representative of a group of organisation	Evaluation of work carried out - recent failings on highways cause disruption or create a poor surface for drivers or pedestrians	The scheme will enable better monitoring of reinstatements.
A councillor (county, district, town, parish)	One factor not considered is the poor standard of repair of the road surfaces after contractors have finished their work. Once the integrity of a road or street has been broken there seem to be ongoing costs for the continual repairs to poor quality work and has not been included in the cost benefit analysis. One example (of many) is Honey Lane in Cholsey. The road has been used to lay utilities and is now in a really bad state of repair to the extent that cycling on this road is potentially dangerous due to the surface defects. What provision is there to hold permit holders to account for poor quality work that may take a few years to come to light?	The scheme will enable better monitoring of reinstatements.
A councillor (county, district, town, parish)	Neighbourhood forums should have same status as Parish Councils in terms of being informed of forthcoming work under this scheme in the area covered by the NF in Oxford.	No comment
A works undertaker/promoter	22.11.2 b) in addition to our level crossings Network Rail also provides ASD for our rail over road and road over rail bridge structures.	Agreed, document amended accordingly
Representative of a group of organisation	Communication with affect residents is essential. In terms of the pricing structure it is important their views are reflected. There seems a significant difference in price between Road Category 0-2 or Traffic Sensitive Road Category 3-4 and NonTraffic Sensitive. Should they not be closer? Will traffic be encouraged to park on categories 3-4.	This scheme is designed to improve the management of street works. It is not linked to parking.
A works undertaker/promoter	no concerns	No comment
A neighbouring local authority	urgent works such as gas leaks and the H+S takes precedent over congestion and not enough time to rearrange traffic to reduce congestion.  using modern communication methods so that road users know of possible delays ie links to in vehicle sat navs or advanced warning signs	No comment
A neighbouring local authority	does the council have the resources to check that the permit is actually being adhered to on the ground?	Yes, permits allow for recruitment of additional officers to support and manage the permit scheme.
Representative of a group of organisation	The parish council would appreciate if it could be consulted on decisions within in its juristiction rather than told once a decision has been made.	With minor and standard works this is impracticable due to lack of time, however with major works it is our desire to involve Parish councils
A works	1.3 - Does not make sense due to duplication. Second	Agreed, document amended

undertaker/ promoter	sentence needs to be removed '	accordingly
A works undertaker/ promoter	9.5 – We don't agree that we should be agreeing standard descriptions and durations locally. As a national company this would be unachievable, we will however ensure that our descriptions are clear. We request that the last sentence is removed	We are trying to promote best practice but appreciate this may not be achievable for some companies. This is an encouragement to try if possible.
A works undertaker/ promoter	12.3.3 – Remove comma between response and times.	Agreed, document amended accordingly
A works undertaker/ promoter	16.4.5 – Please review this paragraph, it gives the impression that Oxfordshire will make a decision on whether they wish to incorporate any changes, we'd expect that any changes to legislation would be incorporated in the first instance.	Agreed, document amended to clarify.
A works undertaker/ promoter	16.8.1 - This paragraph is unclear, is it referring to s74 charges still applying despite a variation being granted? Formatting issue also.	S74 over runs apply on all occasions where work continues after the agreed works end date even if the end date has been agreed by variation. The new varied end date becomes the end date for the works after which point penalties apply.
A works undertaker/ promoter	16.9.4 – This paragraph is unclear, it should state that all signs should be removed when no longer required	We disagree and feel the paragraph is clear. No change to be made.
A works undertaker/ promoter	16.12.2 - Please use bold font	Agreed, document amended to clarify.
A works undertaker/ promoter	16.18.1 - Does not make sense please clarify what is meant.	We disagree and feel the sentence is clear. No change to be made.
A works undertaker/ promoter	20.13.1 – Remove paragraph, it does not add value to the permit scheme documents	Agreed, document amended to clarify.
A works undertaker/ promoter	We would welcome our members comments and previous feedback to be addressed and the permit scheme amended to show correct legislation, remove any out dated or incorrect references and ensure street manager is referenced in all areas of the permit scheme which will not be valid after implementation in April 2020. These include the chapters on Eton, NRSWA, permit regulations, validity periods, PMR's and glossary terms not in the scheme. There are several sections which should be removed specifically relating to Eton and permit conditions and the national street gazateer which we believe are not required and should not be specifically part of this permit scheme.	These issues are discussed as part of members individual comments.
A works undertaker/	We believe the scheme is too long and there are several sections which could be removed as they are not relevant	We tried to make it accessible to both experienced and



promoter	to the scheme or are covered in current statutory guidance.	inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/ promoter	There does not appear to be a cost benefit analysis and the impact assessment does not follow the usual guidelines and required analysis when setting up a permit scheme.	The DfT cost benefit analysis tool was used and a summary of which was provided as part of the consultation document,.
A works undertaker/ promoter	We are disappointed that the scheme shows charging on all streets (albeit not all at the maximum rate) but feel non traffic sensitive category 3 and 4 streets should be nil charge. Then scheme has too many references to Eton and only one note regarding the introduction of street manager. All the existing terminology will need to be changed once street manager is implemented , having a scheme which is generic and does not require these multiple changes we believe would be beneficial to all. There are several entries in the glossary which do not appear to be in the scheme eg FTP - File transfer protocol and works clear and closed.	The decision was made to charge on all roads to create a balanced scheme to be inclusive for all the citizens for Oxfordshire. No change to be made.
A works undertaker/ promoter	<p>-There are currently only 2 discounts included in the scheme. I would like to suggest the inclusion of the following discounts.</p> <ul style="list-style-type: none"> <li>* Activities on different streets are part of the same project, submitted at same time and identified as same project on Permit Application</li> <li>* Activity that provides economic benefit or meets customer demand. E.g. fibre</li> <li>* Asset replacement undertaken before resurfacing</li> <li>* Completely New connections</li> <li>* Works completed to rectify defective apparatus (S81) within the respective response time of that specific Section 81 defect</li> <li>* Works completed to rectify defective apparatus (S81) within 21 days</li> <li>* Promoter undertakes a reinstatement to the requirements of the permit authority on a street with a live Section 58 restriction</li> </ul>	Oxfordshire are committed to discounts as the scheme evolves and needs changes. No changes to be made.
A works undertaker/ promoter	-Also according to 'Para 3.3 of the DfT Advice Note for local highway authorities developing new or varying existing permit schemes states "unless there is a very strong benefit case otherwise; it is strongly recommended that permit fees are only applied to the more strategically significant roads: Category 1, 2 roads and Traffic Sensitive Street roads. This will mean that although permits would still be required for works on non-strategic routes, it should be very unlikely that these works would attract a permit fee. These permit applications would receive only 'notice' equivalent treatment by the authority." So I'd like to ask	We note the advice note but the decision was made to charge on all roads to create a balanced scheme to be inclusive for all the citizens for Oxfordshire

	why permit fees are included on category 3&4 roads?	
Oxfordshire resident	How will you check that roadworks will not immediately follow road improvements and destroy the new surface	These scheme allow the authority to put in place a structure to monitor this
Oxfordshire resident	The description is over long and suggests an over bureaucratic approach	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	We believe the scheme is too long and there are several sections which could be removed as they are not relevant to the scheme or are covered in current statutory guidance. There does not appear to be a cost benefit analysis and the impact assessment does not follow the usual guidelines and required analysis when setting up a permit scheme. We are disappointed that the scheme shows charging on all streets (albeit not all at the maximum rate) but feel non-traffic sensitive 3 and 4 streets should be nil charge. Then scheme has too many references to Eton and only one note regarding the introduction of street manager. All the existing terminology will need to be changed once street manager is implemented, having a scheme which is generic and does not require these multiple changes Virgin Media believes would be benefit. There are several entries in the glossary which do not appear to be in the scheme eg FTP - File transfer protocol and works clear and closed.	The document has been updated where applicable relating to individual members comments
A councillor (county, district, town, parish)	The application system should be simple enough for those requests made by event organisers.	Events are managed under separate legislation and not via a street works permit scheme. No change to be made.
A works undertaker/promoter	We would welcome comments and previous feedback to be addressed and the permit scheme amended to show correct legislation, remove any out dated or incorrect references and ensure street manager is referenced in all areas of the permit scheme which will not be valid after implementation in April 2020. These include the chapters on Eton, NRSWA, permit regulations, validity periods, PMR's and glossary terms not in the scheme. There are several sections which should be removed specifically relating to Eton and permit conditions and the national street gazetteer which believes are not required and should not be specifically part of this permit scheme.	The document has been updated where applicable relating to members comments
Representative of a group of organisation	There is a need to exercise more control over works undertaken by utility companies on the highways. Around Wantage area there have recently been occasions where	Agreed, an expected benefit of the scheme is improved network coordination.

	two or more major trunk routes have been closed or obstructed by roadworks at the same time.	
A councillor (county, district, town, parish	I completely approve of the stated objectives that the new system will provide more accurate information about journey times and more reliable journey times.	No comment
Emergency Services	None at this stage . I understand this is a legal obligation being imposed on every Highway Authority in order to achieve consistent working practice .	No comment
A councillor (county, district, town, parish	<p>I don't see much about enforcement in the proposal. There's a paragraph on it being a criminal offence to breach conditions and the possibly revocation of the permit. But please pre-think how to get contractors and developers to stick to deadlines, for the sake of residents who are being put-out.</p> <p>I'll give an example - I say this in the context of being chair of the Planning Committee on Witney Town Council since May 2019 - a developer on Corn Street in Witney put up several terraced houses on the street front and several more behind a coaching gateway. Cones have been demarcating no parking on both sides of the road since before May. This affects residents on both sides of the road. The bus stop has been temporarily relocated all that time, meaning bus users lost their seat, shelter, real-time info screen and were subjected to a more dangerous road crossing. Residents of an adjacent side street have written to me to say they are petrified of turning out of the side street when a bus is at the temporary stop because there is no visibility. That's three sets of local people who have been put out for well over 4 months so that.. one developer can make a profit. I think there needs to be more give and take than that: tight deadlines for stages of the process, enforcement of the deadlines, an expectation in favour of the public so that inconvenience to them is minimised.</p> <p>There is scope for even better joined-up thinking - require applicants to outline alternatives to the disruption they will cause. Alternative parking spaces, alternative road routes (granted, diversions are quite well established). And please include carpark works and other infrastructure (trains; water works that incur flooding etc) in your permits. Here's an example from today: Botley Road is at a standstill due to the works at Osney Mead. Yet a sizeable portion of Seacourt Park and Ride carpark is shut. A resident reported on Twitter that there were plenty of spaces at Botley shops (I was not clear if that was the 'Decathlon' carpark or the precinct, but I inferred the latter, because the precinct is a</p>	The fundamental principle of any permit scheme is that the scheme should be undertaken to the benefit of the road user rather than the works promoter. This scheme will hopefully help with some of your observations

	<p>massive building site). She suggested that the Park and Ride managers should have worked with the Botley carpark to find a solution for drivers. I picture buses running from there once Seacort P&amp;R is full, with commensurate signage. Alternatives should be sought - even if it's a field in Farmoor or Cumnor with buses running from there!</p> <p>I have heard via Oxford Livable Streets about 'modal filters'. I assume that is traffic lights that a weighted towards the most vulnerable and then the greenest road users - pedestrians, cyclists, buses and then motorists. Your scheme should exploit this as part of temporary measures too.</p> <p>I would like to see reference to the needs of bus users, as well as to bus companies. Your document talks about the companies and routes but this can be interpreted as a financial consideration, whereas we need to be talking about residents getting from a to b quickly, safely, without losing their bus stops. I watched a bus refuse to stop on Botley Road at an out-of-service stop today, and a lady was visibly agitated at the stop, because it was hard for her to get to another stop. Another bus then stopped for an elderly man at that stop - at the discretion or oversight of the driver, I suppose. When we are all in gridlock anyway, why can't the bus stop as usual?</p> <p>I tackled the document via finding keywords: time, peak sensitive, parking, alternative, penalty, enforcement, cyclist, bus... and for the most part, I found good sense and comprehensive coverage. My final sphere of knowledge comes from commuting on the A4095 from Witney to Woodstock for 12 years. It's a highly sensitive route. I recall flooding in Bladon (apart from 2007), which made it impassable, but local radio was very useful. I recall calling OCC a couple of times about temporary traffic lights in Long Hanborough and further towards Bladon that were on before 8 am, with no sign of workers. I haven't worked there for 3 years and recently I tried to get to Hanborough Station for 7:30 am and temporary traffic lights outside the development nearest to Witney were on, with absolutely no workers on site. The council were helpful back in the days when I called them about smallscale traffic lights. I wonder if the sheer scale of development in places like Hanborough has worn expectations down and allowed an increase in inconvenience to the public. We missed the train, by the way.</p>	
A neighbouring local authority	The criteria for obtaining a scheme needs to be robust.	No comment.

A neighbouring local authority	It would be useful to organise coordination between different agencies which are planning work on the highways to ensure that works take place at the same time and therefore reduce disruption by closing roads or erecting traffic lights several times over a year. It would also prevent roads from being dug up so many times and therefore protect the integrity of the road surfaces for longer.	Agreed. These are expected benefits of Permit scheme
A councillor (county, district, town, parish)	The Planning Committee of The Parish Council reviewed the documents and fully support this consultation in that it would be good to have the County Council coordinating the work done on highways.	No comment.
A works undertaker/promoter	The scheme document is too long at 84 pages, with unnecessary sections duplicated within the document or from the (statutory) Code of Practice for Co-ordination, or DfT Statutory Guidance. This additional text makes the scheme document unwieldy. There are also sections that appear to be attempting	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	There is no scheme start date (as required by Regulation 4(g))	The start date of the scheme will be confirmed in the final document.
A works undertaker/promoter	The early start process in 6.8 does not appear to be in line with HAUC (England) Guidance	Agreed, document amended to clarify.
A works undertaker/promoter	7.1(a) works can start later than the proposed start date.	Agreed.
A works undertaker/promoter	8.5.1 - a permit is not for 'booking road space' but to have a permit to carry out specified works (as per 9.1)	Agreed, document amended to clarify.
A works undertaker/promoter	9.5 - standard descriptions cannot be enforced or used as a reason to reject a permit.	Agreed - referred to as 'should' DfT and Oxfordshire believe it is best practice and encourage it where available
A works undertaker/promoter	10.1 - in general please explain how all of this information is to be provided as it is not currently fully supported in EToN and some of this information will not be supported in Street Manager?	Agreed - referred to as 'should' DfT and Oxfordshire believe it is best practice and encourage it where available
A works undertaker/promoter	10.1 (f) - please provide what is meant by "For certain activities and/or locations, the Permit Authority may request additional information in relation to contingency plans for expedient removal of site occupation, as part of the application" and which permit condition this relates to?	This is meant to allow for gathering of further information as required
A works undertaker/promoter	10.1(h)(ii) - please explain what is meant by "Applications to use portable traffic signals on "immediate" activities should also be supported by the Promoter"?	If you are undertaking immediate works you are encouraged to use portable signals

A works undertaker/ promoter	10.1(l) - regardless of the system, the permit regulations provide for the Permit Authority to attach conditions to a permit (as part of the work needed for the permit fee).	No comment
A works undertaker/ promoter	10.2.5 - we would expect the Permit Authority to manage their own audit trail for imposed variations.	No comment
A works undertaker/ promoter	12.5.2 - please provide examples of "other grounds for refusal"?	We do not feel it is appropriate to define lists of 'other ground at this time. No change to be made.
A works undertaker/ promoter	16.6.1 - please note this is not an enforceable requirement.	Referred to as 'may' in document to encouraged best practice. No change to be made.
A works undertaker/ promoter	16.10.5.1 - please note this is not an enforceable requirement where the traffic management is less severe.	This clause is intended to encourage communication at the earliest possible time. No change to be made.
A works undertaker/ promoter	20.5 - 20.7.8 - please explain why Section 81 (NRSWA) process has been included in this permit scheme document. This is not a permit scheme process.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/ promoter	22 - why is it necessary to include this in the permit scheme document?	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/ promoter	Appendix A	No comment
A works undertaker/ promoter	Appendix E - please explain the purpose of including this within the permit scheme document?	With the intent to reduce disruption, This Appendix outlines monitoring measures that we would like the scheme to promote.
A works undertaker/ promoter	Appendix F - for completeness, please include the proposed variation fees and the discount for working wholly outside traffic sensitive times.	Agreed. Document amended accordingly

A councillor (county, district, town, parish	<p>There needs to be strict control over the quality of restoration. Often contractors' repairs are of poor quality leading to future pot holes. The restoration should be of the same quality as the original road surface or better. Signalling needs to be guaranteed to be effective. There needs to be better enforcement of parking restrictions on urban roadworks where removal of vehicles is necessary. There is an assumption that vehicles parked on a road belong to the householders; this is not the case leading to vehicles that cannot be removed and delays to roadworks. Roadworks should start and finish on the times indicated on signage; often roadworks do not start on time causing problems for residents and bus users where bus routes have to be diverted.</p>	Agreed. This is an expected benefit of Permit scheme
A councillor (county, district, town, parish	<p>Members of The Town Council's Planning Committee discussed this consultation on the 5th August 2019.</p> <p>Minute number 168 refers (extract below)</p> <p>Members discussed, noting the County Council are trying to cover the costs of the utilities road closures but they were concerned that these permit charges could be passed on to organisers of local community events, such as carnivals as well.</p> <p>It was Proposed by Councillor Upcraft, Seconded by Councillor Kidley and</p> <p>RESOLVED: THAT the Town Council's response would be that there is no objection to the permit charges providing these do not extend to community road closures such as carnivals, Christmas Fairs and Remembrance Sunday. Individual Councillors may respond to this effect as well.</p>	Events are managed through a different process to the scheme works
A councillor (county, district, town, parish	This is necessary to stop utilities acting without control or notification.	No comment
A works undertaker/ promoter	<p>Thank you for the opportunity to participate in the review of your Permit Scheme. It is however not clear having read through and considered it how many of the aspirations will be delivered and measured. For example how will improvements in Network Management, reduced congestion, improved journey time, reduced carbon emissions, a reduction in works durations etc. be measured? There must be a point at which all of these types of benefits would have been assessed, recorded, and agreed with all practitioners so that if there are indeed any improvements, and if these improvements are singularly attributable to the operation of the scheme, these are clear and visible to all ? Without these starting points and a</p>	The measures outlined will be reviewed as part of the evaluation at the end of year one.

	methodology to record and assess their sole interaction with the Permit Scheme any assigned benefits will be speculative and subject to question and review.	
A works undertaker/promoter	There is not a full Cost/Benefits analysis (CBA) as part of this consultation. How can 4.5 (ii) be evaluated without a starting point? The impact analysis document you have provided does not provide the necessary analysis on the cost model you have chosen to follow.	The DfT cost benefit analysis tool was used and a summary of which was provided as part of the consultation document,.
A works undertaker/promoter	The permit scheme document is excessively long and includes sections which could be removed. Extremely cumbersome to read and difficult to find the basic operational elements of the scheme.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	We understand the need to charge a permit fee but are disappointed that the scheme charges on all roads, especially on those non traffic-sensitive category 3 & 4 streets.	The decision was made to charge on all roads to create a balanced scheme to be inclusive for all the citizens for Oxfordshire
A works undertaker/promoter	The scheme includes processes already covered by legislation which is not changed under a permitting regime. For example, S74 NRSWA charging scheme, the S81 NRSWA duty to maintain apparatus, reinstatement defect process etc. Inclusion of these sections may cause conflict with existing primary legislation which will take precedence over what is included in a permit scheme. These sections should be removed to prevent any conflict.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	Section 22 has little or no relevance to a permit scheme, the onus on Oxfordshire County Council to maintain a register and a gazetteer is covered under other regulation and is not necessary to be included in a permit scheme as there is no change to the obligation.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	The 2017 HAUC (England) guidance for the operation of permit schemes was developed by those authorities and promoters with many years of experience with permits, and as such we are surprised that Oxfordshire County Council has not utilised this guidance when designing the scheme.	The documents were taken into consideration when designing the scheme and the processes were woven into the scheme
A works undertaker/promoter	There are still too many EtoN based references; as EtoN is to be replaced by another electronic system any such references need to be more generic as they will not be in the replacement system (particular functions may still exist but the terminology will not be the same) . For example, permit modification request, modified application, works closed, works clear, collaboration type etc. Also, a local	We disagree. We have followed DfT guidance to make sure all system references refer to 'electronic means'. No change to be made.



	register is going to be replaced by a centralised register with the advent of Street Manager.	
A works undertaker/promoter	Section 10 includes details which are present in EtoN but not in regulation, as such may not be included in any replacement electronic system. This means that this document will need to be amended and go through another consultation. The document should be written in such a way that this amendment is not necessary when Street Manager is introduced. I would suggest something akin to the final comment on 10.1 (l).	We will ensure the scheme meet with the most current regulations. No change to be made.
A works undertaker/promoter	There are entries in the glossary that do not appear anywhere in the document, these need to be removed as they create more questions rather than offer clarity. For example, FTP – File transfer protocol, XML – extensible mark-up language, above ground, Distribution Network Operator (DNO), e-government, Local planning authority, National land and property gazetteer, etc.	Agreed, document amended to clarify.
A works undertaker/promoter	<b>1.3</b> duplicated statements, very wordy, extremely difficult to read, suggest shortening to ensure clarity.	This is a legal statement
A works undertaker/promoter	<b>1.5.4</b> would suggest removal of the edition of the SroH to futureproof the document when the next edition is released..	No comment.
A works undertaker/promoter	<b>2.7</b> Please confirm that Oxfordshire will demonstrate the current values of these expected benefits before the scheme starts.	We can confirm this
A works undertaker/promoter	<b>3.8.4</b> We welcome the waiving of permit fees in the event of collaboration. However, the wording needs to be amended – there may not be a ‘collaboration type’ in the next electronic system – suggest the wording is changed to ‘accurate collaboration details’	Agreed, document amended to clarify.
A works undertaker/promoter	<b>5.5.2 &amp; 3</b> these paragraphs are unnecessary and unrelated to a permit scheme.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	<b>6.2</b> Please clarify which regulations the list of specified works are listed as they do not seem to appear in either the 2007 or the 2015 permit regulations.	This list is set out in the NRSWA code of practice.
A works undertaker/promoter	<b>6.7</b> Validity Periods are available for planned activities taking place in category 3 and 4 streets that are not traffic sensitive. This is detailed in Section 7.2b. These sentences need to be removed as validity periods are explained in 7.1. No need to duplicate.	Agreed, document amended to clarify.

A works undertaker/ promoter	<b>7.2.3.</b> A PAA has a validity period also, this should be included. Any minor changes to the PAA can be recorded on the PA, only major changes to the plan should be discussed with the HA. The HAUC guidance for the operation of permit schemes explains this with more clarity and examples. Amendments to the PAA can be accommodated with discussion on the permit application however significant changes will require a replacement of the PAA. (for example, significant shift in time or change of impact i.e. some incursion <b>changes to full closure or controlled crossing point now affected</b> ).	No comment
A works undertaker/ promoter	<b>7.2.4.</b> This sentence does not make sense. The 'final detailed information supporting the permit application ' there is no mention that a follow up permit application is to made after a PAA. The sentence above should be amended to reflect the requirement for a permit application.	Agreed, document amended to clarify.
A works undertaker/ promoter	<b>8.5.2</b> The DfT are consulting about changing the definition of major works – would suggest that this document refers to where the categorisation is held in the regulations to prevent having to change this scheme.	Agreed, document amended to clarify.
A works undertaker/ promoter	<b>10.1 (f)</b> Not all works promoters are able to utilise the attachment functionality in EtoN. It is not a mandatory field within EtoN or regulation so it is not a valid basis for a refusal.	Document states as 'should' DfT and Oxfordshire believe it is best practice and encourage it where available. No change to be made.
A works undertaker/ promoter	<b>10.1 (l)</b> Refers to EtoN notification types/terminology which needs to be futureproofed.	We disagree. All efforts have been made to remove reference to EToN. No change to be made.
A works undertaker/ promoter	<b>10.1 (all)</b> this list includes requests for information for which there is no field within the current electronic system. Please confirm where this information is to be recorded considering there is a character limit on all notifications.	Referred to as 'should' DfT and Oxfordshire County Council believe it is best practice and encourage it where available. No change to be made.
A works undertaker/ promoter	<b>10.2.2</b> Please confirm how you are going issue a permit once you have granted a permit.	Agreed, document amended to clarify.
A works undertaker/ promoter	<b>11.8.1</b> unnecessary duplication	We disagree. We feel the text is appropriate for the section of the document.
A works undertaker/ promoter	<b>11.10.1</b> duplication of 13.4	Agreed, document amended to clarify.
A works undertaker/ promoter	<b>12.5</b> This does not meet the requirements of Regulation 9 in the permit regulations as amended in 2015.	Agreed, document amended to clarify.
A works undertaker/ promoter	<b>14.5</b> Is there no option for reasonable discussions between parties before dispute resolution?	This allows for worst case circumstances. Informal discussion are expected to minimise the need for this

		scenario
A works undertaker/promoter	<b>15 c)</b> does not appear in regulation or primary legislation and therefore must be removed.	This is included Oct 15 Statutory Guidance for HA Permit Schemes
A works undertaker/promoter	<b>16.4.1</b> immediate activities by their nature are works which have already started, by issuing a permit modification request this is effectively forcing all promoters to be working illegally in all cases. In the case of immediate works the response should be a grant followed by authority imposed variation. The HAUC (England) guidance for the operation of permit schemes was developed to prevent such scenarios as above. Also, permit modification requests are EtoN terminology which will/may not appear in the new electronic system and as above comments, should be removed.	Agreed, document amended to clarify.
A works undertaker/promoter	<b>16.4.4.</b> this requirement does not belong in a permit scheme as it is covered by other separate legislation.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	<b>16.6.1</b> There are no standard conditions as described. The only conditions allowed are held within the statutory document.	Agreed, document amended to clarify.
A works undertaker/promoter	<b>16.7 to 16.14.</b> This whole section is irrelevant as the permit scheme must follow the statutory document.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	<b>17.1</b> The current code of practice for inspections does not include the inspection types in this section. They are a concept introduced within EtoN 6 only – which will be replaced by another electronic system.	No comment
A works undertaker/promoter	<b>18.10</b> duplication with sections 14 and 16.	We disagree. We feel both sections are relevant to the document. No change to be made.
A works undertaker/promoter	<b>20.2 to 20.16</b> All this information has no bearing on the permit scheme as it is covered by other separate unrelated legislation and should be removed.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.
A works undertaker/promoter	<b>22</b> The only parts in this section which are pertinent to the permit scheme are 22.1 to 22.5.2, 22.6, 22.9.1, 2 & 3. The rest of the information exists in other regulation/legislation and should be removed.	We tried to make it accessible to both experienced and inexperienced audience. It is in line with other permit scheme documents in terms of length and content.

A works undertaker/ promoter	In the glossary there is mention of a works clear notice and a works closed notice. These notices have not existed since 2008. Page 89 of EtoN 6 tech spec states	Agreed, appendix amended to reflect this.
A councillor (county, district, town, parish	<ul style="list-style-type: none"> <li>Objection to the proposed level of suggested fees as they seem too low. Higher fees would encourage faster closure of projects.</li> </ul>	The scheme must be cost neutral as the fees have been constructed to deliver a balanced approach. It is not possible to charge whatever we want. No change to be made.
A councillor (county, district, town, parish	<ul style="list-style-type: none"> <li>The length of time it takes for projects to be finished should be shortened and encouraged through higher fee structures.</li> </ul>	The scheme must be cost neutral as the fees have been constructed to deliver a balanced approach. It is not possible to charge whatever we want. No change to be made.
A councillor (county, district, town, parish	<ul style="list-style-type: none"> <li>A deposit scheme should be instigated and utilised for fines should delays occur or works inadequately made good, again encouraging timelines being met and projects delivered swiftly.</li> </ul>	This is covered under Section 74 or NRSWA
A councillor (county, district, town, parish	<ul style="list-style-type: none"> <li>Signage should be put up further in advance to inform people sooner of potential works. The current notice periods do not seem long enough.</li> </ul>	No comment
A councillor (county, district, town, parish	<ul style="list-style-type: none"> <li>Phone numbers of utility companies need to be visible and accessible during works ensuring contact with appropriate personnel should a problem occur. The Council should be notified of works and provided with contact details.</li> </ul>	Agree, information boards are standard on all sites
Representative of a group of organisation	<b>Resolved:</b> The Committee note the proposals for the Oxfordshire Permit Scheme. The Committee asked that the County Council should ensure that following any works the highways is properly re-instated contractor and that a follow up inspection takes place six months after the work has been completed so that the County Council are satisfied that the re-instatement is to the requisite quality and that there are no safety issues resulting from the works.	Inspection processes are in place but are expected to improve further under a permit scheme.
Public transport provider	How will we be notified of future works and emergency works? The scheme document appears to suggest that the current approach, where a scheme Promoter sends an email will likely continue.	This is correct.
Public transport provider	Will sufficient resources be provided to manage the scheme in practice? Currently, HAUC meetings do not seem to be happening, apparently due to a lack of resources – will they be reinstated following (or, in fact, before) the introduction of the Permit Scheme?	Yes, permits allow for recruitment of additional officers to support and manage the permit scheme.
Public transport provider	Will the rules be enforced? Paragraph 18.5.1. states “It is a criminal offence for a Statutory Undertaker or someone acting on its behalf to undertake works without a permit.”	Yes, permits allow for recruitment of additional officers to support and manage the permit scheme.

Public transport provider	Paragraph 18.2 gives the Permit Authority the power to discuss with the Promotor before instigating criminal proceedings, and 18.6 describes the powers that the Permit Authority has to issue Fixed Penalty Notices. The scheme will not be pointful without the Permit Authority exercising these powers when the terms of the scheme are breached.	No comment
Public transport provider	What will the process be if a utility tends to have many “emergency” works needing immediate action?	Emergency works allow the works promoter to begin works immediately and apply for a permit within 2 hours of the works commencing.
Public transport provider	Paragraph 1.5.9 states that permits are required for Highway Works, but that there will be no charge for these, even where the work is being carried out by a developer under Section 278 of the Highways Act 1980. With the very large amount of development planned, how will the Permit Scheme be resourced to handle the very many permits required which don’t involve payment to the County Council?	The Council will retain a number of staff funded by the authority to handle non statutory undertaker works.
Public transport provider	Will the rules be enforced internally? I understand from paragraph 1.5.6 that “shadow fees” will be charged and collated. Historically, the County Council and City Council do not seem to have been entirely exemplary in coordinating works. The recent closures of Cowley Road and Oxford Road, for carriageway repairs, followed almost immediately by longer closures for major works to the carriageway, is a classic example where there appeared to be a lack of communication or joined up thinking. It may be that there was some logic to the sequencing of work there, and it would have been better if it was explained.	Yes. Shadow fees are recorded for all of the Councils internal works to ensure parity of treatment between works promoter and this will be covered in the schemes annual report.
Representative of a group of organisation	would the County Council consider the University to be a Statutory Undertaker and have to apply for a street permit	Those who carry out work on behalf of the University would be considered statutory undertakers.
Representative of a group of organisation	would the County Council apply for the Street Permit on our behalf with the fees met by the University	Statutory undertakers would be required to apply for a permit.
Representative of a group of organisation	would our works continue to be licenced under section 50 of the New Roads and Street Works Act 1991 as stated in paragraph 1.58?	Yes
Representative of a group of organisation	Paragraph 1.5.9 states that “All Highway Works (including Developer activities under Section 278 of the Highways Act 1980) will require a permit however permit fees will not be applied.” As the University undertakes Developer activities using Section 278 agreements, we request clarification on how this will work in practice. Specifically, in the context of the University constructing a new highways access to its development(s), we would presumably not be a Statutory Undertaker, so would the County apply on our behalf for a street permit to enable us to undertake the Section 278	All S50 applicants will be required to provide details of their works. A permit would be acquired by OCC on their behalf and any fee for that would be included in S.50 charges.

	works? We suggest this is clarified in the permit scheme.	
Representative of a group of organisation	The Permit scheme is fairly complex, lengthy and technical document. It would be useful to have a condensed, more simple version of the guidance aimed at the public and for organisations that may need to commission works in the highways but are not a Statutory Undertaker.	No comment

Division(s): N/A
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## **CABINET – 17 SEPTEMBER 2019**

### **SERVICE & RESOURCE PLANNING 2020/21 – 2023/24**

**Report by the Director of Finance**

#### **RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to:**
  - (a) **Note the report;**
  - (b) **Approve the Service and Resource Planning process for 2020/21; and**
  - (c) **Approve a four-year period for the Medium Term Financial Plan to 2023/24 and ten-year period for the Capital Programme to 2029/30.**

#### **Executive Summary**

2. This report is the first in the series on the Service & Resource Planning process for the forthcoming year and forms context and background information ahead of and part of the process which will culminate in Council setting a budget for 2020/21; a medium term plan to 2023/24 and capital programme to 2029/30 and a Corporate Plan in February 2020.
3. The Medium Term Financial Plan (MTFP) to 2022/23 agreed by Council in February 2019 requires savings of £34.0m to be delivered in the period 2020/21 to 2022/23. Additional funding of £60.9m is also included over the same period for demographic and other directorate pressures and inflation.
4. Information on latest government announcements and their impact as well as an overview of new and emerging pressures which will need addressing through the Service and Resource Planning process for 2020/21 are set out in the report.
5. As at this time last year, there is extreme uncertainty in government funding for 2020/21 and beyond due to a one-year Spending Round for 2020/21, and a full Spending Review in 2020 as well as the introduction of a new Fair Funding Formula alongside implementation of 75% Business Rates Retention, the timing of which is currently unclear. This level of uncertainty is unusual, however in forming the MTFP prudent assumptions will be made based on the latest information available and using scenarios and a sensitivity analysis to form a view

## Introduction

6. This initial report sets the context and the starting point for the Service & Resource Planning process. It sets out the assumptions on which the existing Medium Term Financial Plan (MTFP) agreed in February 2019 is based, information arising from government and other announcements plus new and emerging financial issues for 2020/21 and beyond which impact on the existing MTFP. It also sets out the process for updating the Corporate Plan as well as the timetable of events for the Service & Resource Planning process.
7. The following annexes are attached to this report:
  - Annex 1a: Previously agreed budget changes 2020/21 – 2023/24
  - Annex 1b: Review of assumptions in the existing MTFP
  - Annex 2: Service & Resource Planning timetable for 2020/21
8. It is proposed that the MTFP continues to cover a four-year time frame and is therefore extended by one year to cover 2023/24. It is also proposed that the Capital Programme is extended by one year to cover the 10-year period to 2029/30.

## Assumptions in the existing Medium Term Financial Plan

### *Additional Spending & Savings*

9. The 2019/20 – 2022/23 MTFP agreed by Council in February 2019 included the requirement for £70.8m of savings to be made over the period of the plan to offset funding reductions and to meet additional expenditure pressures. Of this, savings of £34.0m are to be delivered in 2020/21 and beyond. Delivery of savings required in 2019/20 of £36.8m are being monitored through the Business Management and Monitoring Reports to Cabinet throughout this financial year.
10. The MTFP also includes an additional £60.9m of on-going funding for demographic and other directorate expenditure pressures added over the period 2020/21 – 2022/23 and provides for 2.5% pay inflation, up to 3% contract inflation and 2% income inflation. No inflation is provided for general prices<sup>1</sup>.
11. Details of the savings and additional funding in the existing MTFP for 2020/21 to 2022/23 are set out in Annex 1a.

### *Earmarked Reserves and General Balances*

12. Earmarked reserves (reserves held for a specific purpose) were forecast to be £45.5m at the end of 2019/20 in the MTFP. This position was updated in the Provisional Outturn Report for 2018/19 presented to Cabinet in June 2019,

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<sup>1</sup> Applied to costs of premises, transport and supplies and services.



which forecast that reserves will total £56.2m. The latest forecast in the Business Management and Monitoring report elsewhere on this agenda, shows earmarked reserves totalling £63.4m at the end of 2019/20. As with general balances, the level of earmarked reserves is reviewed each year as part of the Service & Resource Planning process through the Earmarked Reserves and General Balances Policy Statement 2019/20.

13. The MTFP assumed general balances would be £22.2m at the start of 2020/21. The Business Management & Monitoring report elsewhere on the agenda forecasts that currently general balances will be £22.8m at the end of 2019/20, assuming corporate contingency is used in full. The risk assessed level for balances in 2019/20 is £19.3m, therefore balances are currently expected to be £3.5m greater than the risk assessed level going into 2020/21. A review of the risk assessment to determine the level of appropriate balances will be undertaken as part of the Service & Resource Planning process. Although at this stage it is envisaged that the level of balances will be sufficient.

### *Funding*

14. The Financial Strategy for 2019/20 approved by Council in February 2019, set out that in relation to 2020/21 it was expected that at least some of the temporary funding received in 2019/20 will continue as part of the spending review and new formula. However, as it was not possible to predict what the funding level will be, the MTFP does not assume any of this funding for 2020/21. As a consequence of this assumption, the proposed MTFP has a budget shortfall of £15.6m in 2020/21.
15. The Settlement Funding Assessment (Revenue Support Grant and Business Rates) is estimated to reduce to £64.7m in 2020/21 a 12.8% reduction from £70.8m in 2019/20. The reduction is based on the assumption that the temporary funding to not implement the negative Revenue Support Grant adjustment is not received in 2020/21. The MTFP also assumes that the growth in business rates above the baseline falls-out with the expectation of a business rates reset in April 2020.
16. One-off grants for 2019/20 that are assumed to fall out in 2020/21 include the Business Rates Levy Grant, the Social Care Support Grant and the Firefighters Pension grant.
17. Taken together, these reductions in funding total £15.6m for 2020/21, equivalent to the shortfall in funding in the MTFP as referred to above. Details are set out in the table below.

Detail	£m
Business Rates growth above 2013/14 baseline	3.4
Levy Account Surplus	1.1
Negative Revenue Support Grant/SFA	6.1
Unringfenced Social Care Support Grant - announced in Autumn Budget 2018	3.9
Grant for increased pension costs for Fire Fighters	1.1
<b>Total Funding Reductions in MTFP</b>	<b>15.6</b>

18. Council tax increases of 1.99% are assumed across all years of the MTFP. Council taxbase increases of 2% are assumed in 2020/21 and 2021/22, with 1.75% assumed for 2022/23. Total income from Council Tax (including collection surpluses) is estimated to be £419.0m a year by 2022/23.
19. Further details on the assumptions in the existing MTFP are provided in Annex 1b.

### **Government and Other Announcements**

20. Since Council approved the 2019/20 budget, MTFP and Capital Programme, several announcements have been made which have, or may have, financial implications. They are set out below.

#### *Spring Statement March 2019*

21. On 13 March 2019, the Chancellor of the Exchequer, Philip Hammond made his 2019 Spring Statement announcement.
22. The Chancellor confirmed that the 2019 Spending Review will conclude in time for the 2019 Autumn Budget and subject to a 'smooth and orderly exit from the EU', this will be a three-year Comprehensive Spending Review. A No Deal Brexit, or delays, could lead to a one-year Spending Review.
23. The Chancellor announced Homes and Infrastructure Funding (HIF) for Didcot Garden Town, Cambridge, Cheshire and West London. The HIF funding for Didcot and Cambridge was announced together with the publication of a new strategy statement for the Oxford to Cambridge Arc.

#### *Government Changes*

24. Following the resignation of Theresa May MP, on 24 July 2019, Boris Johnson MP became Prime Minister. A Cabinet re-shuffle saw Sajid Javid MP appointed as the new Chancellor of the Exchequer, replacing Philip Hammond MP and Robert Jenrick MP appointed as Secretary of State for the Ministry of Housing, Communities and Local Government (MHCLG), replacing James Brokenshire MP.
25. On 8 August 2019, Sajid Javid announced that the Treasury will carry out an accelerated one-year Spending Round to ensure departments have the

financial certainty they need to deliver their plans on public services in 2020/21.

26. The Spending Round, which is due to complete in September, will support the commitments made by the Prime Minister since he came to office including the recruitment of 20,000 extra police officers and his ambition for additional funding for schools, as well as delivering the government's promises on the NHS. Completing the spending Round in September will give Government the time to focus on delivering Brexit by the 31 October 2019.
27. A full Spending Review will be held in 2020 and will set multi-year budgets.

### **Review of Funding Assumptions**

28. With the announcement of an accelerated one-year Spending Round, it is likely that the funding for 2020/21 will be a "roll-forward" of funding from 2019/20. The implementation of the Fair Funding Review, 75% Business Rates Retention and business rates reset is likely to be delayed to 2021/22 following the full Spending Review in 2020.
29. There are many possible scenarios in a roll-forward of funding from 2019/20 depending on the funding streams and grants that are included and the level at which they are rolled forward at i.e. at the same level as 2019/20, a reduced level or an increased level. At this stage it is reasonable to assume that the shortfall in the MTFP for 2020/21, which is equivalent to the fallout of funding as set out in paragraphs 14-17 could be assumed to be received. On this basis, it could be assumed that there is a breakeven position for 2020/21, before taking into account any new or emerging pressures.

### **New and Emerging Pressures**

30. As reported in the Business Management & Monitoring report elsewhere on this agenda, there are areas of overspend and risk in the 2019/20 budget that could place pressure on the 2020/21 budget.
31. Within Children's Services, there are demand pressures in SEN Home to School Transport. There is an underlying overspend of £2.5m in 2019/20 due to current high demand. Cabinet approved a temporary virement of £2.2m from the corporate contingency budget to the SEN Home to School Transport budget which has reduced the forecast overspend from £2.5m to £0.3m, however it is highly likely that further ongoing funding will be required in this area to address the underlying pressure.
32. In the current financial year, the high needs block (Special Educational Needs and Disabilities) within Dedicated Schools Grant (DSG) is forecasting to overspend by between £9.7m and £15m. This is mainly due to increasing demand for special school places and the need to place children at independent non-maintained schools. Whilst this is a grant funded service, the pressure is likely to continue.

33. Within Adult Services, the Learning Disabilities element of the Adults with Care and Support Needs Pool is forecast to overspend by £1.3m in 2019/20 with a further £1.2m of savings at risk of delivery in this financial year. The overspend relates to the social care element of placements in out of county schools and colleges for 18 to 24-year olds with Special Educational Needs (SEN). The forecast of savings to be achieved through the reassessment of care packages is lower than anticipated and is adding to the pressure in the current financial year.
34. In July 2019, Cabinet approved the implementation of the Family Safeguarding Plus Model and the Strategy and Service Improvement Plan for the Fostering Service. In approving these strategies, Cabinet agreed to provide one-off funding of £2.2m in 2020/21 and £0.7m in 2021/22 for the implementation of the Family Safeguarding Plus Model and the re-profiling of £1.0m of savings from 2020/21 to 2022/23 and 2023/24. Overall the model is expected to deliver further savings but some of these will fall outside of the proposed MTFP period. In addition, the new strategy for the Fostering Service requires £1.0m of ongoing funding from 2020/21 and the reprofiling of £0.5m of savings from 2020/21 to 2021/22. Additional savings of £0.8m will be added to the MTFP in 2022/23 and 2023/24.

### **Updating the Corporate Plan**

35. The vision and priorities of the Thriving Communities plan provide an understood and familiar structure to drive impact and delivery, which is increasingly supported by more effective business planning and reporting arrangements. It is proposed to retain the existing structure (including the existing vision and priorities) for the plan to be agreed for 2020/21, with a view to a full plan review in the following year.
36. While the overall structure is considered fit for purpose, since the original development and subsequent refresh of the current Corporate Plan, a number of new issues and themes have emerged alongside existing areas of activity that have gained additional prominence. These will need to include issues identified through the Corporate Peer Review process undertaken in March 2019 and reported elsewhere on this agenda.
37. At the corporate level issues for consideration include:
- Climate action, the council's commitment to carbon neutrality by 2030 and other environmental issues including air quality;
  - Investment and property strategies and restated ambition in these areas;
  - Addressing the wider impact and opportunities of growth across services and the community;
  - Our role in addressing inequalities in social, economic and health outcomes;
  - Locality working and local leadership including devolution of services, the need for more impactful area governance and the community leadership role of members;

- Ongoing ambition to expand our role in fostering social action including developing our relationship with the voluntary and community sectors;
  - The further development of the Cherwell-OCC partnership alongside further development of wider partnership working;
  - New and emerging cross-cutting strategies including for digital and culture;
  - The relationship with health and the development of an Integrated Care System;
  - Continuing focus on the role of prevention and managing demand;
  - Future workforce.
38. The overall corporate planning framework includes the Corporate Plan itself, finance and resource plans and the business plans of individual directorates and services.
39. It is proposed that these issues should be considered alongside existing priorities for formal incorporation into the overall corporate plan framework to drive action and outcomes. Work will be required to identify the tangible change associated with each priority area and how the issue is best incorporate into the overall planning framework – whether into the Corporate Plan or into service specific plans. Where issues are agreed as priority areas, consideration should be given through the budget process of how refocussing on these issues affects budget priorities.
40. In addition to revising plan priorities, within the current cycle of corporate planning, there is an opportunity to redesign and represent elements of the current Corporate Plan to better articulate for residents, members, staff and partners the existing and emerging narrative and purpose. Supporting materials to the Corporate Plan should include a highly visual plan on a page that articulates to internal and external audiences the Council's mission.
41. Finally, during 2019-20, business management reporting is being substantially upgraded in terms of timeliness and quality to help develop a culture of delivery against the agreed priorities and outcomes set out in the Corporate Plan. To achieve this goal, an Outcomes Framework was agreed that uses 48 indicators to measure delivery against the Corporate Plan's six priorities and 13 outcomes. This Outcomes Framework forms the basis of the performance element of the new monthly business management report.
42. Updating the Corporate Plan will necessarily require a parallel update to the Outcomes Framework to ensure that the framework accurately describes the priorities and actions in the plan. Alongside updating content, there is an opportunity to continue to improve the Outcomes Framework reflecting feedback and challenge received through the new reporting process. Indicators will be reviewed to ensure that they have a clear and direct line to outcomes and the target setting process will be reviewed to ensure that the reasons for changing or maintaining a target across years are transparent.

## **Service & Resource Planning Timetable**

43. Budget proposals will be published at the beginning of December 2019, with Performance Scrutiny Committee considering them making comments ahead of the Cabinet meeting on 17 December 2019. An online public consultation on the budget proposals will commence when the information is published at the start of December 2019.
44. Capital proposals will be considered by Performance Scrutiny Committee in early January 2020 alongside the Capital & Investment Strategy which incorporates the Treasury Management Strategy. The Review of Charges will also be considered.
45. Cabinet will take into consideration the comments from the Performance Scrutiny Committees in December 2019 and January 2020 and comments from the public consultation alongside the funding available announced as part of the provisional settlement expected during December 2019, in setting out its proposed budget to Cabinet on 21 January 2020.
46. The District Councils are required to provide Council Tax bases, Council Tax collection surpluses/deficits and business rate forecasts by 31 January 2020. Provisional figures are expected in mid-December 2019.
47. The final settlement is not expected until early February 2020. This will confirm the general funding available to the Council for 2020/21 and the Council Tax referendum limit to be applied.
48. The Council meeting to agree the 2020/21 revenue budget, medium term financial plan and capital programme will take place on 11 February 2020.
49. A timetable for the Service & Resource Planning process is attached at Annex 2.

## **Capital Programme Planning**

50. The Council considers capital investment and programming activity as an integral part of the Service & Resource Planning process. This ensures that the creation of a new asset or investment in the existing asset and infrastructure network is justified through detailed business cases and delivery models for the service, and implications for the medium term financial plan are clearly identified. In view of this, and the delivery period of significant investment programmes, it is proposed to extend the capital programme by a further year to cover the period to 2029/30. This will provide an additional year of funding in the programme.
51. Full Council is required to approve annually the Capital & Investment Strategy in order to demonstrate that the authority takes capital expenditure and investment decisions in line with service objectives and properly takes account of stewardship, value for money, prudence, sustainability and affordability. The overall Capital & Investment Strategy incorporates the Treasury

Management Strategy and the Investment Strategy and is supplemented by the Property Strategy and Highways Asset Management Plan.

52. To support the Council's new Investment Strategy, which will be recommended for Council to approve in September 2019, a new portfolio will be created in the capital programme to identify specific funding for capital investments. This will form part of the capital planning process for 2020/21.
53. Other capital investment pressures are also currently emerging. Proposals will be brought forward in November 2019 to inform the capital planning process.

### **Equality and Inclusion Implications**

54. The Public Sector Equality Duty, under section 149 of the Equality Act 2010, places a responsibility on local authorities to exercise 'due regard to the need to eliminate unlawful discrimination... advance equality of opportunity... and foster good relations.'
55. There are no equality and inclusion implications arising directly from this report. A high level assessment of the broad impact of new savings options will be included as part of the published information in December 2019. More detailed impact assessments, which will take account of feedback from the public consultation and from Scrutiny, will accompany Cabinet's proposed budget in January.

### **Financial and Legal Implications**

56. This report is mostly concerned with finance and the implications are set out in the main body of the report. The Council is required under the Localism Act 2011 to set a council tax requirement for the authority. This report provides information which, when taken together with the future reports up to January 2020, will lead to the council tax requirement being agreed in February 2020, together with a budget for 2020/21, updated medium term financial plan and capital programme.

LORNA BAXTER  
Director of Finance

Contact Officers:  
Katy Jurczynsyn: Strategic Finance Manager (Strategy & Monitoring)  
(Tel: 07584 909518)

September 2019

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# Budget Changes Summary 2020/21 - 2022/23

Directorate	2020/21 £000	2021/22 £000	2022/23 £000	Total £000
<b>Previously Agreed Pressures and Funding Reductions</b>				
Children's Services	6.513	5.377	5.250	17.140
Adult Services	9.550	7.176	7.150	23.876
Public Health	0.000	0.250	0.000	0.250
Communities	1.267	0.150	0.945	2.362
Customers and Organisational Development	0.000	0.000	0.000	0.000
Commercial Development, Assets and Investment	0.054	0.065	0.070	0.189
Corporate Measures including Funding Reductions	4.974	9.078	7.631	21.683
<b>Total Previously Agreed Pressures and Funding Reductions</b>	<b>22.358</b>	<b>22.096</b>	<b>21.046</b>	<b>65.500</b>
<b>Previously Agreed Savings and Funding Increases to be delivered</b>				
Children's Services	-4.039	-1.150	-0.750	-5.939
Adult Services	-2.157	-0.625	0.000	-2.782
Public Health	0.000	0.000	0.000	0.000
Communities	-2.230	0.520	-1.045	-2.755
Customers and Organisational Development	0.000	0.000	0.000	0.000
Commercial Development, Assets and Investment	-0.087	0.000	0.000	-0.087
Corporate Measures including Funding Increases	-11.613	-10.415	-0.440	-22.468
<b>Total Previously Agreed Savings and Funding Increases to be delivered</b>	<b>-20.126</b>	<b>-11.670</b>	<b>-2.235</b>	<b>-34.031</b>
<b>Previously Agreed Fall out of temporary funding/savings</b>				
Children's Services	0.000	0.000	0.000	0.000
Adult Services	2.330	0.000	0.000	2.330
Public Health	0.000	0.000	0.000	0.000
Communities	0.582	-0.500	0.000	0.082
Customers and Organisational Development	-1.000	0.000	0.000	-1.000
Commercial Development, Assets and Investment	0.050	-0.025	-0.015	0.010
Corporate Measures including Funding Increases	11.387	-9.721	-17.219	-15.553
<b>Total Previously Agreed Fall out of temporary funding/savings</b>	<b>13.349</b>	<b>-10.246</b>	<b>-17.234</b>	<b>-14.131</b>
<b>Total Previously Agreed Budget Changes</b>	<b>15.581</b>	<b>0.180</b>	<b>1.577</b>	<b>17.338</b>

### Children's Services - Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Children's Services Previously Agreed Pressures</b>						
20CH3/ 19PC1	NP		Education & Learning - Home to School Transport demography	1.215	1.215	0.800	3.230		
20CH4	NP		Children's Social Care - Programme pressure	0.080			0.080		
20CH5/ 19PC1	NP		Children's Social Care - Corporate Parenting & Placements : Demographic Increases (Mid Case)	4.203	3.520	3.800	11.523		
20CH6/ 19PC1	NP		Children's Social Care - Children with Disabilities : Demographic Increases	0.200	0.200	0.200	0.600		
20CH7/ 19PC1	NP		Children's Social Care - Staffing pressure	0.665	0.292	0.300	1.257		
20CH8	NP		Children's Social Care - Leaving Care Allowances & Support	0.150	0.150	0.150	0.450		
			<b>Total Children's Services Previously Agreed Pressures</b>	<b>6.513</b>	<b>5.377</b>	<b>5.250</b>	<b>17.140</b>		
			<b>Children's Services Previously Agreed Savings</b>						
20CH10	NS	T	Education & Learning - rephase Home to School Transport saving	-0.270	-0.400		-0.670	R	A
20CH14	NS	T	Children's Social Care - Reconnecting Families	-0.833			-0.833	A	G
20CH15/ 20CG21	NS	T	Children's Social Care - Review of Third Party Spend	-1.000	-0.250	-0.250	-1.500	R	G
20CH16	NS	T	Children's Social Care - Fostering	-1.016			-1.016	A	G
20CH17	NS	S	Children's Social Care - Service Redesign	-0.800			-0.800	R	A
20CH18	NS	T	Children's Social Care - Supported Lodgings	-0.120			-0.120	G	G
20CH23	NS	S	Children's Social Care - Efficiencies resulting from embedded new model		-0.500	-0.500	-1.000	R	R
			<b>Total Children's Services Previously Agreed Savings</b>	<b>-4.039</b>	<b>-1.150</b>	<b>-0.750</b>	<b>-5.939</b>		
			<b>Total Children's Services Previously Agreed Budget Changes</b>	<b>2.474</b>	<b>4.227</b>	<b>4.500</b>	<b>11.201</b>		

#### Type of Budget Change

PP - Previously agreed Pressure  
 PS - Previously agreed saving  
 NP - New Pressure  
 NS - New Saving

PP - Previously agreed Pressure  
 PS - Previously agreed saving  
 NP - New Pressure  
 NS - New Saving

#### Type of Transformation Saving

S - Service Redesign  
 T - Reductions in Third Party Spend  
 I - Income Generation  
 O - Other efficiencies

2020/21	2021/22	2022/23	Total
£m	£m	£m	£m
0.000	0.000	0.000	0.000
0.000	0.000	0.000	0.000
6.513	5.377	5.250	17.140
-4.039	-1.150	-0.750	-5.939
<b>2.474</b>	<b>4.227</b>	<b>4.500</b>	<b>11.201</b>

**Adult Services - Previously Agreed Budget Changes**

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Adult Services Previously Agreed Pressures</b>						
19PA1	PP		Demography - additional budget to reflect the care needs of the growing and ageing population in Oxfordshire	5.000	5.576		10.576		
19PA3	PP		On-going base budget pressure relating to increases to rates paid to providers and new hospital social work team costs planned to be funded by the improved Better Care Fund from 2017/18 - 2019/20. The last notified year of the grant is 2019/20.	2.900			2.900		
20AD1	NP		Learning Disabilities - ongoing effect of additional service users and packages	0.500	0.500	0.500	1.500		
20AD3	NP		Demographic Growth in 2022/23 (additional year of MTFP)			5.800	5.800		
20AD4	NP		Provider Inflation - reflecting National Living Wage increases	0.900	1.100	1.100	3.100		
20AD8	NP		Extend funding for Housing Related Support/Homelessness (as per February 2018 Council)	0.250		-0.250	0.000		
			<b>Total Adult Services Previously Agreed Pressures</b>	<b>9.550</b>	<b>7.176</b>	<b>7.150</b>	<b>23.876</b>		
			<b>Adult Services Previously Agreed Savings</b>						
19PA5	PS	T	Transforming Care for Learning Disabilities - work with service users to help them to move from long term placements outside Oxfordshire to supported living placements in Oxfordshire. Up to £0.5m up - front implementation cost will be met from reserves in 2018/19.	-0.457	-0.325		-0.782	G	G
20AD11	NS	T	Learning Disabilities Regional Framework	-0.200			-0.200	A	G
20AD12	NS	T	Impact of reviews of older peoples home care packages	-1.200			-1.200	A	G
20AD19	NS		Reduction to mental health social work contribution for Adults of Working Age (£1.8m current contribution to Oxford Health Foundation NHS Trust)	-0.300	-0.300		-0.600	A	G
			<b>Total Adult Services Previously Agreed Savings</b>	<b>-2.157</b>	<b>-0.625</b>	<b>0.000</b>	<b>-2.782</b>		
			<b>Adult Services Previously Agreed Fall out of temporary funding/savings</b>						
20AD6	NP		Additional Resources to manage coproduction, cross system work, and service change	-0.312			-0.312		
19PA7	PS		Reduce estimated impairment of estimated Adult Social Care income due by £0.350m in each of 2018/19 and 2019/20. This is a technical financial accounting adjustment but effectively creates a one - off credit back to the revenue account if the impairment is reduced.	0.350			0.350	G	G
20CM8	NFI		Adult Social Care Winter Pressures Grant (announced in Autumn Budget 2018) - used to offset pressures	2.292			2.292	G	G
			<b>Total Adult Services Previously Agreed Fall out of temporary funding/savings</b>	<b>2.330</b>	<b>0.000</b>	<b>0.000</b>	<b>2.330</b>		
			<b>Total Adult Services Previously Agreed Budget Changes</b>	<b>9.723</b>	<b>6.551</b>	<b>7.150</b>	<b>23.424</b>		

Type of Budget Change

PP - Previously agreed Pressure  
 PS - Previously agreed saving  
 NP - New Pressure  
 NS - New Saving  
 NFI - New Funding Increase

Type of Transformation Saving

S - Service Redesign  
 T - Reductions in Third Party Spend  
 I - Income Generation  
 O - Other efficiencies

Public Health - Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Public Health Previously Agreed Savings</b>						
19PPH1	PS		Contribution from reserves towards Public Health activity funded by the Council for three years (2018/19 to 2020/21)		0.250		0.250	G	G
			<b>Total Public Health Previously Agreed Savings</b>	<b>0.000</b>	<b>0.250</b>	<b>0.000</b>	<b>0.250</b>		
			<b>Total Public Health Previously Agreed Budget Changes</b>	<b>0.000</b>	<b>0.250</b>	<b>0.000</b>	<b>0.250</b>		

Type of Budget Change

- PP - Previously agreed Pressure
- PS - Previously agreed saving
- NP - New Pressure
- NS - New Saving

Type of Transformation Saving

- S - Service Redesign
- T - Reductions in Third Party Spend
- I - Income Generation
- O - Other efficiencies

### Communities - Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Communities Previously Agreed Pressures</b>						
20COM1	NP		Street Lighting - Energy and Maintenance Costs	0.100	0.150	0.150	0.400		
20COM2	NP		Street Lighting - Borrowing Costs of replacement investment			0.780	0.780		
20COM28	NP		Flood Defence Levy Increase				0.012		
20COM9	NP		Increased pension costs for Fire Fighters	1.167			1.167		
20COM10	NP		Increase share of Joint Control Centre costs - growth in volume			0.015	0.015		
			<b>Total Communities Previously Agreed Pressures</b>	<b>1.267</b>	<b>0.150</b>	<b>0.945</b>	<b>2.374</b>		
			<b>Communities Previously Agreed Savings</b>						
19COM6	PS	I	Increased Income Target Based on the projections for the planned growth over the next 5 years this additional income will primarily be realised through the pre-planning process.	-0.250	-0.250		-0.500	G	G
18EE10/19COM4/19COM14	PS		Savings from reduced energy and maintenance costs relating to Street Lighting (assumes capital investment)	-0.420			-0.420	G	G
20COM12	NS	T	Street Lighting - cost efficiency due to LED replacement	-0.700	-0.950	-0.930	-2.580	A	G
20COM13	NS		ITU - Use of Bus Services Operators Grant to fund net cost of the Comet Bus Service		0.400		0.400	A	A
20COM14	NS	S	Integrated Transport Unit change to the cost of operating model	-0.500	-0.600		-1.100	A	A
20COM15	NS		Community Operations - short term use of Waste demography (MTFP - 17EE35)		0.500		0.500	A	G
20COM26	NS	I	Income - Additional parking income	-0.300			-0.300	G	G
20COM27	NS		Release of Highways Maintenance budget		1.500		1.500	G	G
20COM19	NS	I	Income from the new Strategic Transport Model	-0.060	-0.080	-0.100	-0.240	A	A
20COM20	NS	S	Impact of greater alignment of services		-0.150		-0.150	G	G
20COM21	NS	I	Cost recovery charges for Coroner's Service			-0.005	-0.005	G	G
20COM22	NS		Retained Fire Fighters budget higher than required		0.150		0.150	A	G
20COM23	NS	I	Increased income from extra demand			-0.010	-0.010	G	G
			<b>Total Communities Previously Agreed Savings</b>	<b>-2.230</b>	<b>0.520</b>	<b>-1.045</b>	<b>-2.755</b>		

### Communities - Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Communities Previously Fall out of temporary funding/savings</b>						
18EE4	PP		Phase 2 of Minerals & Waste Plan	-0.200			-0.200		
19COM1	PP		Update of the Oxfordshire Strategic Transport Model: Provides the modelling information for our Strategic Site responses. This model update and investment will improve the robustness of the data within the model and increase the robustness of our responses. Looking at a 'user friendly' front end would also improve our capacity to respond to an increased demand, as well as reducing our reliance on consultants.		-0.500		-0.500		
18EE3	PP		HWRC Prudential Borrowing costs - future investment	-0.018			-0.018		
19FRS5	PS		Replace contribution to vehicle replacement reserve with capital funding	0.800			0.800	G	G
			<b>Total Communities Previously Agreed Fall out of temporary funding/savings</b>	<b>0.582</b>	<b>-0.500</b>	<b>0.000</b>	<b>0.082</b>		
			<b>Total Communities Previously Agreed Budget Changes</b>	<b>-0.381</b>	<b>0.170</b>	<b>-0.100</b>	<b>-0.299</b>		

#### Type of Budget Change

PP - Previously agreed Pressure  
 PS - Previously agreed saving  
 NP - New Pressure  
 NS - New Saving

#### Type of Transformation Saving

S - Service Redesign  
 T - Reductions in Third Party Spend  
 I - Income Generation  
 O - Other efficiencies

Customers and Organisational Development - Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			Customers and Organisational Development - Previously Agreed Fall out of temporary						
19RES19	PP		Parish Council Engagement	-0.055			-0.055		
19RES18	PP		Councillor Priorities Fund (£15,000 per Councillor)	-0.945			-0.945		
			Total Customers and Organisational Development - Previously Agreed Fall out of temporary Funding/Savings	-1.000	0.000	0.000	-1.000		
			Total Customers and Organisational Development - Previously Agreed Budget Changes	-1.000	0.000	0.000	-1.000		

Type of Budget Change

- PP - Previously agreed Pressure
- PS - Previously agreed saving
- NP - New Pressure
- NS - New Saving

Type of Transformation Saving

- S - Service Redesign
- T - Reductions in Third Party Spend
- I - Income Generation
- O - Other efficiencies

**Commercial Development, Assets and Investment - Previously Agreed Budget Changes**

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Commercial Development, Assets and Investment - Previously Agreed Pressures</b>						
18CM2	PP		Impact of 2017 Rates Revaluation.	0.019			0.019		
20COM6	NP		Property utility cost increases	0.035	0.065	0.070	0.170		
			<b>Total Commercial Development, Assets and Investment - Previously Agreed Pressures</b>	<b>0.054</b>	<b>0.065</b>	<b>0.070</b>	<b>0.189</b>		
			<b>Commercial Development, Assets and Investment - Previously Agreed Savings</b>						
19RES12	PS	T	IBC on-boarding charge ends	-0.087			-0.087	<b>G</b>	<b>G</b>
			<b>Total Commercial Development, Assets and Investment - Previously Agreed Savings</b>	<b>-0.087</b>	<b>0.000</b>	<b>0.000</b>	<b>-0.087</b>		
			<b>Commercial Development, Assets and Investment - Fall out of temporary funding/savings</b>						
20COM7	NP		Atrium (Property database) replacement costs	-0.050	-0.025	-0.015	-0.090		
20COM18	NS		Joint Use Agreements - One off funding to part fund pressure	0.100			0.100	<b>G</b>	<b>G</b>
			<b>Total Commercial Development, Assets and Investment - Fall out of temporary funding/savings</b>	<b>0.050</b>	<b>-0.025</b>	<b>-0.015</b>	<b>0.010</b>		
			<b>Total Commercial Development, Assets and Investment - Previously Agreed Budget Changes</b>	<b>0.017</b>	<b>0.040</b>	<b>0.055</b>	<b>0.112</b>		

Type of Budget Change

PP - Previously agreed Pressure  
 PS - Previously agreed saving  
 NP - New Pressure  
 NS - New Saving

Type of Transformation Saving

S - Service Redesign  
 T - Reductions in Third Party Spend  
 I - Income Generation  
 O - Other efficiencies



### Corporate -Previously Agreed Budget Changes

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Corporate Previously Agreed Pressures</b>						
19CM1	PFR		Business Rates Re-set loss of growth above the baseline	4.234	0.053		4.287		
19CM3	PFR		Loss on Taxbase - increase in 2018/19 1.24% (2% assumed in MTFP)	0.110	0.117		0.227		
BALANCE	PP		Balance Available to allocate		7.876		7.876		
20CM1	NFR		Taxbase increase for 2019/20 is 1.79% compared to the 2% estimated in the current MTFP	0.030	0.032	0.031	0.093		
20CM2	NP		Contribution to Demographic Risk Reserve	0.600	1.000	1.000	2.600		
20CM3	NP		Inflation for 2022/23 (additional year of MTFP)			6.600	6.600		
			<b>Total Corporate Previously Agreed Pressures and Funding Reductions</b>	<b>4.974</b>	<b>9.078</b>	<b>7.631</b>	<b>21.683</b>		
			<b>Corporate Previously Agreed Savings</b>						
18CM7 19CM11	PS		Strategic Measures	-0.237	-0.147		-0.384	<b>G</b>	<b>G</b>
18CM8	PFI		Increased Taxbase and Council Tax Surplus	-0.136			-0.136	<b>G</b>	<b>G</b>
19CM4	PS		Reduction in inflation allocation	-1.500			-1.500	<b>G</b>	<b>G</b>
19CM5	PFI		Taxbase Increase - increase from 1.63% to 2% in 2019/20 & 2020/21	-1.434			-1.434	<b>G</b>	<b>G</b>
19CM16	PFI		Additional 1% Council Tax in 2018/19 and 2019/20	-0.282	-0.294		-0.576	<b>G</b>	<b>G</b>
Trans	PS		Transformation Savings	-4.200	-3.200		-7.400	<b>G</b>	<b>G</b>
20CM4	NS		Remove current MTFP profile of Transformation Savings	4.200	3.200		7.400		
20CM14a	NS	S	New profile of Transformation savings - service redesign	-6.000	-8.500		-14.500	<b>G</b>	<b>A</b>
20CM14b	NS	T	New profile of Transformation savings - third party spend	-1.000	-1.000		-2.000	<b>G</b>	<b>A</b>
20CM14c	NS	I	New profile of Transformation savings - income generation	-0.500			-0.500	<b>G</b>	<b>A</b>
20CM5	NS		Strategic Measures - target saving from investment returns	-0.524	-0.474	-0.440	-1.438	<b>G</b>	<b>G</b>
			<b>Total Corporate Savings and Funding Increases</b>	<b>-11.613</b>	<b>-10.415</b>	<b>-0.440</b>	<b>-22.468</b>		

**Corporate -Previously Agreed Budget Changes**

Reference ID	Type of Budget Change	Transformation Saving Type	Detail	2020/21 £m	2021/22 £m	2022/23 £m	Total £m	RAG STATUS OF SAVING	
								Deliverability	Operational Impact
			<b>Corporate Previously Agreed Fall out of temporary funding/savings</b>						
20CM13	NP		Contribution to Contingency	-3.242			-3.242		
20CM24	NP		Youth Provision Fund (to be spent over 2 years)	-1.000			-1.000		
18CM10	PS		Use of Budget Reserve	0.126			0.126	G	G
19CM12	PS		Use of Budget Reserve	-0.346	-0.962		-1.308	G	G
20CM9	NS		Use of Budget Reserve	0.500	0.962	-0.962	0.500	G	G
19CM17	PS		Use of Budget Prioritisation Reserve to balance budget	4.196	-2.618		1.578	G	G
20CM6	NFI		Business Rates pooling share of growth (until business rates baseline reset)	0.500			0.500	G	G
20CM7	NFI		Negative Revenue Support Grant - not implemented in 2019/20	6.239			6.239	G	G
20CM8	NFI		Unringfenced Social Care Grant - announced in Autumn Budget 2018	3.914			3.914	G	G
20CM17	NS		Contribution from Insurance Reserve	1.000			1.000	G	G
20CM18	NFI		Levy Account Surplus - New Grant	1.086			1.086	G	G
20CM20	NS		Remove planned contribution to balances. This will be added to corporate contingency	1.000			1.000	G	G
20CM21	NFI		Increased Collection Fund Surplus	2.806			2.806	G	G
20CM22	NFI		Brexit Preparation Grant	0.088			0.088	G	G
20CM23	NFI		Additional Business Rates (Local Share, Collection Fund Surplus and S31 Grant)	0.520			0.520	G	G
20CM10	NFI		Council Tax increase 1.99% in 2022/23 (additional year of MTFP)			-7.963	-7.963	G	G
20CM11	NFI		1.75% increase in taxbase in 2022/23 (additional year of MTFP)			-7.143	-7.143	G	G
20CM12	NFI		Inflation increase on Business rates in 2022/23 (additional year of MTFP)			-1.151	-1.151	G	G
DEMOGRAPHY	PP		Release Demography Allocation in MTFP	-6.000	-7.103		-13.103		
			<b>Total Corporate Previously Agreed Fall out of temporary Funding/Savings</b>	<b>11.387</b>	<b>-9.721</b>	<b>-17.219</b>	<b>-15.553</b>		
			<b>Total Corporate Previously Agreed Budget Changes</b>	<b>4.748</b>	<b>-11.058</b>	<b>-10.028</b>	<b>-16.338</b>		

Type of Budget Change

PP - Previously agreed Pressure

PFR - Previously Agreed Funding Reduction

PS - Previously agreed saving

PFI - Previously Agreed Funding Increase

NP - New Pressure

NFR - New Funding Reduction

NS - New Saving

NFI - New Funding Increase

Type of Transformation Saving

S - Service Redesign

T - Reductions in Third Party Spend

I - Income Generation

O - Other efficiencies

## Review of Assumptions in the 2020/21 – 2022/23 Medium Term Financial Plan (MTFP)

### *Inflation*

1. The table below sets out the inflation assumptions built into the current MTFP.

Year	Pay	Prices	Contracts (up to)	Income	In MTFP
2020/21	2.5%	0%	3%	2%	£6.000m
2021/22	2.5%	0%	3%	2%	£6.000m
2022/23	2.5%	0%	3%	2%	£6.500m

2. Consumer Price Inflation (CPI) was 2.1% in July 2019, down slightly from 2.5% in July 2018. The Bank of England forecast CPI<sup>1</sup> inflation to drop below the 2% target until June 2020 as energy costs continue to fall. It is expected it will then rise above the 2% target reaching 2.4% by June 2022. This is based on the assumption of a smooth Brexit. Retail Price Inflation (RPI) was 2.8% in July 2019.

### *Previously Agreed Directorate Budget Changes*

3. The MTFP includes funding for demographic and other agreed directorate pressures and savings which were approved by Council in February 2019. Details are set out in annex 1a.

Pressures and Funding Reductions	2020/21 £m	2021/22 £m	2022/23 £m	Total £m
<b>Directorate</b>				
Children's Services	6.513	5.377	5.250	17.140
Adult Services	9.550	7.176	7.150	23.564
Public Health	0.000	0.250	0.000	0.000
Communities	1.267	0.150	0.945	2.362
Commercial Development, Assets and Investment	0.054	0.065	0.070	0.189
Corporate Measures	4.974	9.078	7.631	21.683
<b>Total Previously Agreed Pressures and Funding Reduction</b>	<b>22.358</b>	<b>22.096</b>	<b>21.046</b>	<b>65.500</b>

Savings	2020/21 £m	2021/22 £m	2022/23 £m	Total £m
<b>Directorate</b>				
Children's Services	-4.039	-1.150	-0.750	-5.939
Adult Services	-2.157	-0.625	0.000	-2.782
Public Health	0.000	0.000	0.000	0.000
Communities	-2.230	0.520	-1.045	-2.755
Commercial Development, Assets and Investment	-0.087	0.000	0.000	-0.087
Corporate Measures	-11.613	-10.415	-0.440	-22.468
<b>Total Previously Agreed Savings</b>	<b>-20.126</b>	<b>-11.670</b>	<b>-2.235</b>	<b>-34.031</b>

<sup>1</sup> Bank of England Inflation Report August 2019

### *Balances and Reserves*

4. The MTFP assumes general balances at the start of 2020/21 will be £22.2m and maintained at that level over the medium term. In the Business Management & Monitoring report, general balances are forecast to be £22.8m at the end of this financial year, after taking into account the forecast underspend of £0.8m (after the use of corporate contingency).
5. The table below sets out the estimates for earmarked reserves. As Earmarked Reserves were £26.8m higher than assumed in the MTFP agreed by Council in February 2019, Cabinet agreed in June 2019 a revised forecast for 2019/20. The table below uses the revised forecast for 2019/20 along with the forecasts for 2020/21 to 2021/22 that were included in the MTFP.

	<b>Forecast Balance at 31 March 2020</b>	<b>Forecast Balance at 31 March 2021</b>	<b>Forecast Balance at 31 March 2022</b>	<b>Forecast Balance at 31 March 2023</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
Schools' Reserves	12.558	1.803	1.803	1.803
Vehicle and Equipment Reserve	0.799	0.361	0.338	0.338
Grants and Contributions Reserve	-1.330	-12.374	-16.263	-16.313
Government Initiatives	0.632	0.156	0.096	0.069
Trading Accounts	0.463	0.590	0.590	0.590
Council Elections	0.478	0.608	0.000	0.150
OxLEP	1.882	0.514	0.306	0.144
On Street Car Parking	2.247	0.561	0.561	0.561
Transformation Reserve	2.211	0.576	0.576	0.576
Demographic Risk Reserve	3.000	6.600	11.200	16.800
Youth Provision Reserve	0.500	0.000	0.000	0.000
Budget Prioritisation Reserve	1.884	5.611	7.434	7.434
Insurance Reserve	9.647	6.515	6.515	6.515
Business Rates Reserve	1.049	1.543	2.037	2.531
Capital Reserves	32.705	28.462	26.187	15.922
Budget Equalisation Reserve	0.000	0.000	0.000	0.000
<b>Total Reserves</b>	<b>68.725</b>	<b>41.526</b>	<b>41.380</b>	<b>37.120</b>
<b>Total Reserves excluding Schools</b>	<b>56.167</b>	<b>39.723</b>	<b>39.577</b>	<b>35.317</b>

6. The latest forecast (included in the Business Management Report elsewhere on the agenda) indicates that earmarked reserves will fall to £63.4m by the end of this financial year.

### *General Funding*

7. The Council's general funding, other than from Council Tax (see below), comprises Revenue Support Grant, Business Rates Top-Up and a 10% share of Business Rates collected by the District Councils. The MTFP assumes that our local share of Business Rates increases with inflation (Consumer Price Index).
8. The following table shows the estimates for general funding (excluding Council Tax) included in the MTFP.

<b>MTFP Estimates</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>
Business Rates Top-Up (£m)	34.246	34.845	35.454
Business Rates from District Councils (£m)	30.439	30.975	31.517
Business Rates Total (£m)	64.685	65.820	66.971
Percentage change from previous year	-12.8%	+1.8%	+1.7%
Revenue Support Grant (£m)	0.000	0.000	0.000
Percentage change from previous year	0.0%	0.0%	0.0%
<b>Total Business Rates + RSG (£m)</b>	<b>64.685</b>	<b>65.820</b>	<b>66.971</b>
<b>Percentage change from previous year</b>	<b>-12.8%</b>	<b>+1.7%</b>	<b>+1.7%</b>

### *Council Tax*

9. The MTFP is based on Council Tax increases of 1.99% across all years. No increase is assumed for Adult Social Care. A 1% change in Council Tax equates to £3.7m, with a small residual effect in subsequent years.
10. The MTFP assumes growth in the taxbase of 2.0% in 2020/21 and 2021/22 and 1.75% in 2022/23. A variation of +/-0.25% results in a gain/loss of £1.0m.
11. Surpluses on Council Tax collection are estimated to be £4.5m in each remaining year of the MTFP. This is based on previous years' surpluses that have been above that level in the last five years. In 2019/20 the Council Tax collection surpluses are £7.3m.
12. The table below sets out the estimates for Council Tax included in the MTFP.

<b>MTFP Estimates</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Council Tax Requirement (£m)	383.936	399.410	414.485
Council Tax Base	256,290	261,416	265,990
Council Tax (Band D equivalent) (£)	1,498.06	1,527.88	1,558.27
Increase in Council Tax (Band D)	1.99%	1.99%	1.99%
Council Tax collection surpluses (£m)	4.500	4.500	4.500
<b>Total Council Tax Income (£m)</b>	<b>388.436</b>	<b>403.910</b>	<b>418.985</b>
<b>Percentage change from previous year</b>	<b>3.2%</b>	<b>4.0%</b>	<b>3.7%</b>

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## Service & Resource Planning Timetable 2020/21

Month	Date	For/From	Action/Event
September	12 September 2019	All Councillors	Briefing on Service & Resource Planning Report to Cabinet on 17 September 2019.
	17 September 2019	Cabinet	Service & Resource Planning Report providing an update on the latest information and proposing a process for 2020/21
October	During October 2019	Communities & Local Government	Chancellor's Autumn Budget
December	04 December 2019	Committee Services	Publication of Performance Scrutiny papers including proposals for pressures and savings.
	From 4 December 2019 for 4 weeks		Public Online consultation on budget proposals
	09 December 2019	All Councillors	Briefing on savings options to be considered by the Performance Scrutiny Committee
	Mid December	District Councils	Notification of draft Council Taxbases and draft Business Rates Forecasts
	12 December 2019	Performance Scrutiny Committee	Considers and comments upon the proposed pressures and savings.
	17 December 2019	Cabinet	Service & Resource Planning Report to Cabinet, and an update on the latest financial position.
	Mid/Late December	Communities & Local Government	Provisional Local Government Finance Settlement
January	09 January 2020	Performance Scrutiny Committee	Consider and comment on draft capital proposals (including Capital Programme, Capital Strategy, Investment Strategy, plus Flexible Use of Capital Receipts Strategy) and proposed Review of Charges and draft Treasury Management Strategy.
	15 January 2020	All Councillors	Member briefing on Cabinet's proposed budget, medium term financial plan, and capital programme.
	15 January 2020	Audit and Governance	Consideration of the draft Treasury Management Strategy Statement and Annual Investment Strategy for 2020/21
	21 January 2020	District Councils	Notification of Council Tax surpluses or deficits
	21 January 2020	Cabinet	Cabinet proposes 2020/21 revenue budget, MTFP and capital programme for recommendation to Council in light of comments from the Performance Scrutiny Committee and consultation feedback. Includes the Review of Charges.
	30 January 2020	Cabinet/Opposition and Other Group Leaders /CCMT/Chief Finance Officer	Deadline for Cabinet, Opposition and other groups to submit full budget papers to Committee Services
	31 January 2020	District Councils	Notification of Council Taxbases, Business Rate Forecasts and Business Rate surpluses or deficits
February	Early February	Communities & Local Government	Final Local Government Finance Settlement
	03 February 2020	Committee Services	Publication of Council agenda and Cabinet, Opposition & other groups full budgets, including the Chief Finance Officer's statutory report
	05 February 2020	Opposition & Other Group Leaders	Deadline for amendments to Cabinet budget by Opposition and other groups to Committee Services (By 9am)
	05 February 2020	Committee Services	Publication of amendments to Cabinet budget by Opposition and other groups
	11 February 2020	Council	Agrees Revenue Budget 2020/21; Capital Programme 2019/20 - 2029/20; MTFP 2020/21 - 2023/24 and Corporate Plan 2020/21 - 2023/24

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Division(s): All
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## **BUSINESS MANAGEMENT & MONITORING REPORT**

**June and July 2019**

**Cabinet 17 September 2019**

**Report by Interim Assistant Chief Executive and Director of Finance**

### **RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to note the contents of this report.**

### **Executive Summary**

2. This report sets out Oxfordshire County Council's (OCC's) progress towards Corporate Plan priorities and provides an update on the delivery of the Medium Term Financial Plan at the end of July 2019. Cabinet do not formally meet in August so information from June and July is covered in this report.

### **Introduction**

3. The Council recognises the importance of timely, accurate and accessible performance and budget management information as part of its commitment to both transparency and demonstrating efficiency and effectiveness. This report sets out the Council's activities from 1 June through to the month ending 31 July 2019.
4. These monthly business management reports are part of a suite of performance and budget documents which set out our ambitions, priorities and financial performance. The Corporate Plan sets out the Council's ambitions for the next three years, under our vision for Thriving Communities. It also shows our priority activities for the current business year. An accompanying 'Outcomes Framework' sets out the way we measure progress towards those ambitions and priorities and forms the basis of the performance information included within this report.
5. Our Corporate Plan, Medium Term Financial Plan, Outcomes Framework and previous business management reports, can be found on the Council's website.<sup>1</sup>

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<sup>1</sup> Corporate Plan and Medium Term Financial Plan: <https://www.oxfordshire.gov.uk/council/our-vision/corporate-plan>

Outcomes Framework and previous reports: <https://www.oxfordshire.gov.uk/council/about-your-council/plans-performance-and-policies/performance-reports>

6. The report summarises performance, human resources and finance. This reflects the Council's commitment to transparency and improved performance management. Further information is provided in three annexes:
  - Annex A: performance
  - Annex B: human resources (HR)
  - Annex C: finance
7. A new Risk and Opportunities Management Strategy will be considered by the Audit and Governance Committee in September and recommended to Cabinet for adoption in October. A fully revised leadership risk register will then be reported on a monthly basis as an annex to this report.
8. Annex B summaries key Human Resources data. It provides a snapshot in time. The council is reviewing its HR strategies as part of the transformation programme with the objective of developing a comprehensive long term workforce strategy. In due course this will be considered by Cabinet and Scrutiny.
9. From September 2019 workforce data will be provided on a quarterly basis enabling more effective trend analysis. This data will not form part of the monthly business management reports as it follows the quarterly cycle and therefore will be provided as separate item. This will enable a monthly focus on the Council's outcomes and objectives and a quarterly overview into workforce data

### **Progress towards delivery of Oxfordshire County Council's Corporate Plan**

10. Oxfordshire County Council's vision for Oxfordshire has six priorities which show our ambitions for the county. Our Corporate Plan sets out 13 outcomes which describe the changes we expect to see as a result of the Council's actions.
11. 48 performance indicators show whether or not the outcomes are being achieved – see Annex A. In turn, measures and targets show progress towards the indicators. Collectively, this arrangement of ambitions, and ways of measuring progress towards those ambitions, is called the Outcomes Framework.
12. The Outcomes Framework is the tool which enables us to regularly assess and report on progress towards our ambitions. Every month, most outcomes and indicators are given a Red, Amber or Green (RAG) rating, signifying whether or not progress is on track. In deciding RAG ratings we consider data on current performance and an assessment of progress.
13. The exceptions are a small number of indicators and outcomes for which a performance target is not appropriate, but which are included in the Outcomes Framework because they help to show progress in these areas. These outcomes and indicators are not given a RAG rating but are shaded grey. The measures which support them are marked as "no target set" – that is, not assessed.

14. In this report all but two of the indicators for which RAG assessments have been made are rated either Green or Amber. This continues our positive start to the year. No additional outcomes are considered at risk of becoming Red in the next reporting period (August).
15. We have indicated in the snapshot tables below the main areas of change since the previous report. In summary, these are:
  - a. The indicator “Number of children the subject of child protection plans” has been reassessed as Amber, having been rated Green in June. This reflects a seasonal increase in numbers. The underlying trend remains positive.
  - b. The indicator “Number of people delayed leaving hospital awaiting social care” has been reassessed as Red in July, having been rated Amber in June. This is due to difficulties around home care, reablement and recruitment and retention of care staff.
16. This means that two indicators are rated as Red (off target) in July, as the indicator “Timeliness of completing Education, Health and Care Plans” remains Red.
17. The information below provides a snapshot of progress towards targets set against Corporate Plan outcomes in July 2019, including some of our performance highlights. A full account of progress towards our Corporate Plan priorities is at Annex A.



**We listen to residents so we can continuously improve our services and provide value for money**

### Performance highlights

- 90% of social care providers in Oxfordshire are rated ‘good’ or ‘outstanding’. This is above the national average of 84%.
- Oxfordshire Together Transition Fund for Open-Access Children’s Services has been running for two years as a grant-giving fund to kick start community-led delivery. In 2018-19 nearly £270,000 was paid from the Fund and matched by over £800,000 from other funders across the communities of Oxfordshire, demonstrating buy-in and the high value placed on the services being offered, as well as the efforts taken by organisations to diversify their incomes. A final allocation was made by Cabinet in July.

OUTCOMES	INDICATORS	RAG	Change since last month
Residents feel engaged with the County Council	Number and value of opportunities for public engagement	Amber	No change
	Rates of customer satisfaction	Amber	No change
Our services improve and deliver value for money	Value for money through effective use of resources	Amber	No change
	Improvement following external inspection/audit	Green	No change
The use of our assets is maximised	Progress with One Public Estate Programme	Green	No change



## We help people live safe and healthy lives and play an active part in their community

### Performance highlights

- We are extending the reach of our fire prevention and safety messages through targeted campaigns and the use of social media. We also continue to see steady numbers of work placements and fire cadets. This also promotes Oxfordshire Fire and Rescue Service and Trading Standards as prospective employers.
- We continue to perform above target for the percentage of emergency call attendances made on time.
- The number of volunteer hours contributed to library, museum and history services has risen again, from 3,475 in June to 3,675 in July.

OUTCOMES	INDICATORS	RAG	Change since last month
People are helped to live safe and healthy lives	Number of people helped to live "safe and well"	Green	No change
	Emergency response times	Green	No change
	Prevalence of healthy lifestyles	Green	No change
	Numbers of people receiving support for drug and alcohol dependency	Green	No change
	Proportion of people walking & cycling	Green	No change



## We provide services that enhance the quality of life and protect the local environment

### Performance highlights

- In July we completed 100% (4 out of 4) of our section 106 agreements on time. Section 106 agreements secure contributions from developers to Council infrastructure.
- We continue to improve the condition of the county's highways. In July 100% of road defects – whether those posing immediate or potential risk of injury – were repaired on target (24 hours and 28 days respectively).

OUTCOMES	INDICATORS	RAG	Change since last month
Our quality of life in Oxfordshire is enhanced	Condition of highways	Green	No change
	Funding secured through planning obligations	Green	No change
	Levels of public transport use	Green	No change
	Rates of access to cultural services	Green	No change
Our local environment is protected	Percentage of planning decisions on time	Amber	No change
	Levels of carbon emissions	Green	No change
	Levels of energy use	Green	No change
	Air quality	Amber	No change
	Proportion of household waste re-used, recycled or composted	Green	No change



**We strive to give every child a good start in life and protect everyone from neglect**

### Performance highlights

- Under the indicator “prevalence of healthy children”, performance has improved for two measures relating to face-to-face visits for new or expectant mothers.

### Area for improvement

- Although the number of children who are the subject of a child protection plan has increased in the last month (and has therefore been rated Amber), this is to be expected in the Summer holiday and is still over 100 fewer than last year and the underlying trend remains positive
- The indicator “Timeliness of completing Education, Health and Care Plans” remains Red in July. The last five months have seen the highest monthly numbers of requests for an EHCP in the last three years with over 100 requests in each of the last three months. Improvements have been seen (April 55%, May 27%, June 56% and July 40%) with plans, including a restructuring programme, in place so that we are in a better place in the long-term to meet future demand.

OUTCOMES		RAG	Change since last month
Children are given a good start in life	Sufficiency of early years places	Amber	No change
	Number of looked after children	Amber	No change
	Number of children's social care assessments	Green	No change
	Number of children the subject of protection plans	Amber	Was Green
Children are able to achieve to achieve their potential	Number of children's cases held by permanent staff	Green	No change
	Children missing education	Amber	No change
	Levels of educational attainment	Green	No change
	Timeliness of completing Education, Health and Care Plans	Red	No change



**We enable older and disabled people to live independently and care for those in greatest need**

### Performance highlights

- Over a third of people we support receive a direct payment to organise their own care, compared to 28% nationally. This supports people to live independently and to have control over their own care.
- Oxfordshire is considered a national leader in adult safeguarding, through the Making Safeguarding Personal agenda. This involves working with people to understand the outcomes they want following a safeguarding concern. Over 90% of people are defining the outcomes they want from the raising of a safeguarding concern, and 96% of people are satisfied with the outcomes they experience.

## Areas for improvement

- Delayed transfers of care have increased. Social care delays are increasing because there remains difficulty in accessing home care. Delays specifically for reablement remain high. A robust action plan is in place with the provider of reablement services which we are confident will address the issues while noting the risk that it remains difficult to recruit and retain care staff

OUTCOMES	INDICATORS	RAG	Change since last month
Care services support independent living	Number of home care hours purchased	Amber	No change
	Number of hours of reablement delivered	Amber	No change
	Number of people with control over their care	Green	No change
	Number of people delayed leaving hospital awaiting social care	Red	Was Amber
	Proportion of older people supported in the community	Amber	No change
Homes and places support independent living	Percentage of people living in safe and suitable housing	Green	No change



**We support a thriving local economy by improving transport links to create jobs and homes for the future**

## Performance highlights

- We have achieved our Year 1 target against the Growth Deal infrastructure programme with a £30 million committed to fund infrastructure/highways and school capital projects.
- We have been successful in two Innovate UK (Innovation in Electric Vehicle Charging) competitions. The first project will see us working in partnership with a local company and colleagues in city/district councils to introduce Electric Vehicle charging hubs into local authority owned car parks across the county. For project two, Oxfordshire is one of nine areas that will trial new Electric Vehicle charging points using Virgin Media cable infrastructure. These projects will result in 500 new Electric Vehicle charging points across the county by 2021.

OUTCOMES	INDICATORS	RAG	Change since last month
Strong investment and infrastructure are secured	Level of investment attracted	Amber	No change
	Level of infrastructure investment required	Green	No change
	Number of new homes	Amber	No change
	Levels of disruption to journeys	Amber	No change
	Level of transport connectivity	Amber	No change
	Level of access to online and digital services	Green	No change

## Managing risk

18. OCC manages risk at operational (i.e. service-specific) and strategic levels. The Council's Risk Management Strategy is currently being revised. A new Risk and Opportunities Management Strategy will be considered by the Audit and Governance Committee in September, followed by Cabinet in October, and will then be reported on a monthly basis as an annex to this report.

## Human resources (HR) data

19. Annex B summaries key Human Resources data. It provides a snapshot in time. The council is reviewing its HR strategies as part of the transformation programme with the objective of developing a comprehensive long term workforce strategy. In due course this will be considered by Cabinet and Scrutiny.
20. From September 2019 workforce data will be provided on a quarterly basis enabling more effective trend analysis. This data will not form part of the monthly business management reports as it follows the quarterly cycle and therefore will be provided as separate item. This will enable a monthly focus on the Council's outcomes and objectives and a quarterly overview into workforce data.

## Summary of the Council's financial position

21. Based on expenditure to the end of July 2019, there is a forecast directorate overspend of £2.9m, an increase of £0.5m from the forecast to the end of June<sup>2</sup>. As agreed by Cabinet on 18 June 2019 this position includes the temporary virement of £2.2m from Corporate Contingency to Special Educational Needs Home to School Transport to ensure this budget reflects a reasonable baseline and allow time for savings to be implemented and costs to be reduced.

Directorate	Latest Budget 2019/20  £m	Forecast Outturn 2019/20  £m	Forecast Outturn Variance July 2019/20  £m	Forecast Outturn Variance 2019/20  %	Forecast Outturn Variance June 2019/20  £m
Children's Services	117.5	119.1	+1.6	1.4%	+1.6
Adult Services	184.0	184.7	+0.7	0.4%	+0.4
Communities	113.3	113.3	0.0	0.0%	+0.1
Resources	28.8	29.4	+0.6	2.0%	+0.3
<b>Total Directorate Position</b>	<b>443.6</b>	<b>446.5</b>	<b>+2.9</b>	<b>0.7%</b>	<b>+2.4</b>
Strategic Measures	-443.6	-443.6	0.0	0.0%	0.0
<b>Overall Surplus/Deficit</b>	<b>0.0</b>	<b>2.9</b>	<b>+2.9</b>		<b>+2.4</b>

<sup>2</sup> Not reported to Cabinet as there is no meeting in August.

22. There is no change to the forecast £9.7m to £15m overspend against the in-year High Needs Block Dedicated Schools Grant. This includes the effect of a temporary additional allocation to be received in 2019/20 of £1.5m and a one-off transfer from the Schools DSG block of £1.8m.
23. See Annex C for further details and commentary.

CLAIRE TAYLOR

Interim Assistant Chief Executive

LORNA BAXTER

Director of Finance

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August 2019



**ANNEX A – PERFORMANCE DASHBOARDS – to 31 JULY 2019**

WE LISTEN TO RESIDENTS SO WE CAN CONTINUOUSLY IMPROVE OUR SERVICES AND PROVIDE VALUE FOR MONEY							
OUTCOME	INDICATOR		OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
Residents feel engaged with the County Council	Number and value of opportunities for public engagement	AMBER	↑	% of Residents' Survey respondents who say local people can influence us	Increase on 18-19 average	31% (May '19)	Summer '18 to Summer '19 average was 46.5%. The results of the next Residents Survey will be published in the September monthly report
				% of Residents' Survey respondents who say we act on residents' concerns	Increase on 18-19 average	56% (May '19)	Summer '18 to Summer '19 average was 55%. The results of the next Residents Survey will be published in the September monthly report
				To keep within the lower quartile of comparable authorities of upheld Local Government & Social Care Ombudsman complaints	Lower quartile	38% (Feb '19)	The Local Government Ombudsman publishes this data annually in August. The Council's Monitoring Officer will make his annual report on this to our Audit and Governance Committee in September and an update will be included in the next monthly report.
	Rates of customer satisfaction	AMBER	↔	% of Residents' Survey respondents satisfied with the way we run things	>55%	48% (May 19)	Summer '18 to Summer '19 average was 34.5%. The results of the next Residents Survey will be published in the September monthly report
Page 145  Our services improve and deliver value for money	Value for money through effective use of resources	AMBER	↔	Achievement of planned savings	95%	75%	75% of the planned savings of £36.8m are expected to be delivered.
				General balance outturn at the risk assessed level	>=100%	118%	<b>118%</b> - The current forecast for general balances at 31 March 2020 is £22.8m. This is £3.5m higher than the risk assessed level of £19.3m as set out in the Medium Term Financial Plan (MTFP) approved by Council in February 2019.
				Unplanned use of earmarked reserves	< £250k	0k	Reserves are forecast to be £63.4m at 31 March 2019. There has been no change to the use of reserves this month.
				Total Directorate outturn variation	=< 1% variation	0.7%	Based on expenditure to the end of July 2019 there is a forecast directorate overspend of £2.9m. As agreed by Cabinet on 18 June 2019 this position includes the temporary virement of £2.2m from Corporate Contingency to Special Educational Needs Home to School Transport to ensure this budget reflects a reasonable baseline and allow time for savings to be implemented and costs to be reduced.
				Total outturn variation	0%	0.0%	£3.7m of the Corporate Contingency is currently unallocated it may be possible to use this to offset the directorate forecast overspend of £2.9m.
				Capital programme: average cost variation from Concept Design (Gate 1) to Practical Completion (Gate 3)	<=2%	0.0%	There are no cost variations to report this month.
	Improvement following external inspection / audit	GREEN	↔	Proportion of post-inspection/audit actions dealt with on time	100%	100%	HMI Action plan agreed and work progressing within target dates set.
				The proportion of social care providers rated as 'outstanding' or 'good' by the Care Quality Commission in Oxfordshire remains above the (monthly) national average	Nat. average (84% Apr 19)	90%	90% of social care providers in Oxfordshire are rated 'good' or outstanding compared to 84% nationally. This is a 1% increase on last month's report. This is supported by robust commissioning and contract management arrangements in the Council
The use of our assets is maximised	Progress with One Public Estate Programme	GREEN	↔	One Public Estate projects progress in line with project plans	In line with individual project timescales	On track	Projects are progressing however planned timescales for some projects may need further extension to reflect partner governance processes. New projects are at initial scoping stage, mandates agreed. Any deviations from agreed timescales would be noted in future monthly reports.

WE HELP PEOPLE LIVE SAFE AND HEALTHY LIVES AND PLAY AN ACTIVE PART IN THEIR COMMUNITY							
OUTCOME	INDICATOR		OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
People are helped to live safe and healthy lives	Number of people helped to live “safe and well”	GREEN	↔	Number of vulnerable children and adults helped to live more secure and independent lives, supported by safe and well visits	6,248	See right	<ul style="list-style-type: none"><li>• Safe &amp; well visits: July target 1,220, July actual 1,076. There is a delay in reporting these figures: a faster, digitised process is due to be implemented in October</li><li>• Trading Standards programmes for vulnerable adults &amp; children: July target 208, July actual 1,384 (year to date)</li><li>• Gypsy &amp; traveller site fire safety visits: 90 to be completed by the end of the year, July actual 11 (year to date: 25)</li></ul>
				Number of children better educated to live safer and healthier lives	14,168	See right	<ul style="list-style-type: none"><li>• Work experience placements: Q1 target: 1, actual 2. July actual 5</li><li>• Fire cadets: Q1 target: 960, actual 584. July actual (year to date) 802</li><li>• Trading Standards risk reduction activities for children &amp; young adults: 650 activities to be completed by the end of the year, July actual 0 (no concerns at this stage)</li><li>• Fire prevention campaigns: July target 3,650, July actual 12,582</li></ul>
	Emergency response times	GREEN	↔	More people alive as a result of our prevention, protection and emergency response activities	1,000	See right	<ul style="list-style-type: none"><li>• RTC fatalities: July target 8, July actual 9</li><li>• Fatalities from primary fires: July target 2, July actual 1</li><li>• Special service rescues: July target 70, July actual 152</li><li>• Rescues from primary fires: July target 8, July actual 7</li><li>• Co-responding calls: July target 288, July actual 44. Co-responding ceased in all but one of our stations from September 2017 due to National pay negotiations and the national position is still not clear</li></ul>
				% of emergency call attendances made within 11 minutes	80%	90.58%	Performance continues above expectations
				% of emergency call attendances made within 14 minutes	95%	97.8%	
	Prevalence of healthy lifestyles	GREEN	↑	% of eligible population 40-74 who have been invited for NHS Health Check since Apr ‘15	84.%	88.4%	Our quarterly targets are being exceeded. Quarterly benchmarking shows that Oxfordshire has exceeded South-East and England performance levels. Quarterly Benchmarking data next available 3 <sup>rd</sup> September 2019.
				% of eligible population 40-74 who have received a NHS Health Check since Apr ‘15	41.6%	42%	
	Numbers of people receiving support for drug and alcohol dependency	GREEN	↔	Rate of successful quitters per 100,000 smokers 18+ (reported a quarter in arrears)	> 2,338	3468	We have exceeded our local target. We are targeting those most at risk. Quarterly Benchmarking data next available 9 <sup>th</sup> September 2019.
				Number of users of OPIATES that left drug treatment successfully (free of drug(s) of dependence) who do not then re-present to treatment again within 6 months as a percentage of the total number of opiate users in treatment.	>6.6%	10.2%	We continue to exceed local targets and England averages
				Number of users of NON-OPIATES that left drug treatment successfully (free of drug(s) of dependence) who do not then re-present to treatment again within 6 months as a percentage of the total number of non-opiate users in treatment.	>36.6%	48.8%	We continue to exceed local targets and England averages
				Number of users of ALCOHOL ONLY that left treatment successfully (free of alcohol dependence) who do not re-present to treatment again within 6 months as a percentage of the total number of ALCOHOL ONLY users in treatment.	>38.6%	53.7%	We continue to exceed local targets and England averages
	Proportion of people walking & cycling	GREEN	↔	Numbers of people walking or cycling increase, based on the baseline for Oxfordshire in the government’s Active Lives Survey	Cycling 634,000 Walking 3,000,000	604,000 2,941,000	The targets represent annual increases over the baseline of 5% (cycling) and 2% (walking). We are reviewing whether the final 2017/18 data is complete and will update accordingly in September’s report.
People play an active part in their communities	Rates of volunteering	GREY	↔	Number of environmental volunteer hours generated through County Council activities	No targets set	1784 hours (18-19)	This is an annual measure, next due to be reported on in April 2020. In 2018/19 TVERC (Thames Valley Environmental Records Centre) activities generated 1264 hours of volunteer time (worth £17,064) and the Lower Windrush Valley Project 520 hours. The Wychwood Project became independent from OCC in 2018: figures are no longer included.

				Number of volunteer hours contributed to library, museum & history services		3,675.5 hours in July	<ul style="list-style-type: none"> <li>Library volunteer hours: 3,035 hours contributed in July.</li> <li>Museum Service volunteer hours: 437 hours contributed in July.</li> <li>History Centre volunteer hours: 203.5 hours contributed in July.</li> </ul>
	Prevalence of services provided by communities	GREY	↑	Number of town or parish councils with devolved service responsibilities	No targets set	127	As at 31 <sup>st</sup> July, there is a total of 127 agreements with town or parish councils, and additionally 4 with district councils. Devolution of services is proactively being promoted and it is expected that the number of agency agreements will gradually increase and diversify.
				% of Councillor Priority Fund monies allocated to a) Community Groups, b) town or parish councils, c) direct services		See right	July: 52% of £1.89m allocated = £977,128, of which: <ul style="list-style-type: none"> <li>64% to Community Groups = £631,652</li> <li>22% to Town/Parish councils = £212,143</li> <li>14% to direct services = £133,332</li> </ul>

WE PROVIDE SERVICES THAT ENHANCE THE QUALITY OF LIFE AND PROTECT THE LOCAL ENVIRONMENT						
OUTCOME	INDICATOR	OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
Our quality of life in Oxfordshire is enhanced	Condition of highways	GREEN ↑	A and B Classified road network where carriageway maintenance should be considered	33%	Not yet available	This figure is collected on an annual basis. The 2019/20 result will be available on completion of the 2019/20 condition survey which is due for delivery at the end of August 2019.
			Defects posing immediate risk of injury are repaired within 24 hours	100%	100%	Cumulative rate and covers all defects April to June. (Data is reported one month in arrears.)
			Defects creating potential risk of injury repaired within 28 calendar days	90%	100%	Cumulative rate and covers all defects April to June. (Data is reported one month in arrears.)
			Current status of pothole enquiries reported on FixMyStreet during the calendar month prior to reporting date	No target set	Repaired : 24% Closed without action: 62% Remain open: 14%	This information is reported in arrears to enable inclusion of full month activity. Total public enquiries recorded on FixMyStreet in relation to pothole and other carriageway issues in June was 742. Of these: <ul style="list-style-type: none"> <li>180 (24%) are now repaired.</li> <li>456 (62%) were closed without action. This may be because the fault was below our intervention threshold, or the reported issue was not the responsibility of the council.</li> <li>89 (12%) are still awaiting a decision from officers.</li> <li>17 (2%) are waiting for Skanska to repair.</li> </ul>
			Km of highway resurfaced as % of total	0.6%	1.89%	The cumulative rate up to 31 <sup>st</sup> July is 1.89% which equates to 87% of planned programme delivery. The expected position for full year 2019/20 is 2.18%.
			% of highway maintenance construction, demolition and excavation waste diverted from landfill	90%	98.45%	Rate is the average for April to June. (Data is reported one month in arrears.)
	Funding secured through planning obligations	GREEN ↔	A minimum of 70% of S106 agreements involving contributions to County Council infrastructure are completed within 6 months of District Committee resolutions	70%	100%	4 new agreements were completed during July.
			Monies secured in S106 agreements represent at least 85% of the sums identified as necessary through the corresponding Single Response process	>85%	100%	-
	Levels of public transport use	GREEN ↔	Increase use of public transport in Oxfordshire over baseline as follows: Bus: DfT annual statistics for bus use in Oxfordshire: <ul style="list-style-type: none"> <li>Bus journeys</li> <li>Bus use per head</li> </ul>	34.8m 36.2	34.5m 35.8	Bus targets represent a 1% annual increase in millions of journeys taken. The next bus and rail surveys will take place in Autumn and December: outcomes will be known in Spring 2019
			Bus: Transport Focus Autumn 2018 Bus Passenger Survey for Oxfordshire <ul style="list-style-type: none"> <li>Satisfaction with overall journey</li> </ul>	93%	92%	-
			Rail: Dec 2018 Oxfordshire Rail Station use, per Office of Rail & Road statistics	21.6m	20.6m	Rail target represents a 5% annual increase in millions of journeys taken (based on 10% increase between 2017 and 2018)
	Rates of access to cultural services	GREEN ↔	Increase in the number of community and cultural programs/events/attendees at events/activities hosted by Cultural Services (Museums, History, Archives and Library Services)	5% annual increase	See right	On track to achieve 5% annual increase. Benchmarking is being established quarterly throughout 2019/20. Attendance at Library Services 2019 quarter 1 programs increased by 27% over 2018 quarter 1. The Museum Service and History Centre activities are presented on an annual program, and the services performance indicator provides for that annual comparison.

				Reach the upper quartile in the CIPFA (Chartered Institute of Public Finance and Accountancy) benchmarking comparison group for active library users, website visits, book issues and physical visits	Upper quartile	Not yet available	The 2018/19 CIPFA benchmarking comparison data is due to be available in November 2019.
Our local environment is protected	Percentage of planning decisions on time	AMBER	↔	80% of District Council planning applications are responded to by us within the agreed deadline	80%	60%	93 responses were completed this month: this is significantly up from last month, and up from the last 5 months' average of 63 applications. This is in addition to 53 'discharge of conditions' responses completed.
				50% of Mineral and Waste applications are determined within 13 weeks	50%	100%	1 out of 1 applications were determined within target in July. Year to date = 17 out of 17.
	Levels of carbon emissions	GREEN	↔	Average 3% year on year reduction in carbon equivalent emissions from County Council estates and activities	3%	Not yet available	2018/19 annual emissions data is being processed. We expect the figures to be published in Q3.
	Levels of energy use	GREEN	↑	% of streetlights fitted with LED lanterns by March 2020	22%	20.46%	As at 31 <sup>st</sup> July, 12,202 LED lanterns have been converted from 59,631 streetlights across the county over the past 6 years. This is 20.46% of our total street lighting asset.
	Air quality	AMBER	↔	% rate of delivery in the Oxford city centre Zero Emission Zone programme	(100%)	(100%)	Percentages refer to progress towards the adoption of new standards, not implementation of fleet improvements. (Taxi emissions standards were adopted by city council in January 2019)
					100%	80%	Bus Euro 6 LEZ agreed by city and county in June 2019; next step is application to Traffic Commissioner for implementation
	Proportion of household waste re-used, recycled or composted	GREEN	↔	% of household waste a) recycled, b) composted and c) re-used (and total %)  Reported performance is the forecast end of year position and includes waste collected at the kerbside by district and city councils as well as waste from recycling centres provided by Oxfordshire County Council.	a) 30% b) 29.5% c) 0.5% Total 60%	a) 29.73% b) 28.27% c) 0.37% Total 58.37%	This is the forecasted end of year position for the amount of household waste in Oxfordshire which is recycled, composted and reused. This figure reflects the combined efforts of County, City and District Councils.
				% of household waste sent to landfill. Reported performance is the forecasted end of year position.	under 5%	3.95%	On track at the end of July.
				% of household waste recycled, composted and re-used at Oxfordshire Household Waste Recycling Centres (HWRCs). Reported performance is the forecasted end of year position.	59%	57.4%	The overall amount of green waste has reduced this year due to the weather and as such this has reduced as an overall proportion of the waste streams.
				% of people satisfied with Oxfordshire Household Waste Recycling Centres	95%	96.3%	This survey is completed once per year.



WE STRIVE TO GIVE EVERY CHILD A GOOD START IN LIFE AND PROTECT EVERYONE FROM NEGLECT							
OUTCOME	INDICATOR		OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
Children are given a good start in life Page 150	Prevalence of healthy children	AMBER	↑	Number of expectant mothers who receive a universal face to face contact at 28 weeks	78%	75%	Many factors have impact negatively on this measure including missing midwifery notifications, patient choice, staff vacancies and babies being born early. An action plan in is in place with the provider and there has been an increase in performance from 72.20% in June.
				Percentage of births that have received a face to face New Birth Visit	95%	98.70%	This indicator continues to perform well and shows an increase on the June rate of 98.40%
				Percentage of children who received a 12-month review	93%	90%	Whilst this performance is below target, Oxfordshire is in a strong position compared to the national performance which is 76.7%. The vacancy rate affects performance locally: this will lessen when the student health visitors graduate from Oxford Brookes University
				Percentage of children who received a 2-2½ year review	93%	88.90%	Whilst this performance is below target, Oxfordshire is in a strong position compared to the national performance which is 77.7%. The vacancy rate affects performance locally: this will lessen when the student health visitors graduate from Oxford Brookes University
				Babies breastfed at 6-8 weeks of age	60%	61.50%	Performance remains strong and well above the England average
				% of Mothers who received a Maternal Mood Review in line with the local pathway by the time the infant is aged 8 weeks.	95%	98.50%	Performance remains strong against this local priority target
	Sufficiency of early years places	GREEN	↔	To provide sufficiency of early education placements for children aged 3 and 4 better than England average.	95%	95%	Data to term 4 (Easter 2019): 10,357 places taken up, out of forecast number of 10,864 3 and 4 year olds.
	Number of looked after children	AMBER	↔	Reduce the number of looked after children by 50 to bring it nearer to the average of our statistical neighbours during 2019/2020	750	776	Small decrease in numbers. Rated Amber because of the volatility of the number and its impact on budget and workload
	Numbers of children’s social care assessments	GREEN	↑	Increase the number of early help assessments to 1,500 during 2019-20	1,500	1,546	Figure for last 12 months. Continues to rise month on month [the rate in June was 1,448) and over 1500 in the last 12 months
				Not to exceed the level of social care assessments in 2018-19	6,250	6,085	Figure is projected based on activity so far this year
	Number of children the subject of protection plans	AMBER	↑	Maintain the number of children who are the subject of a child protection plan to the average of our statistical neighbours during 2019/2020	Under 620	633	Although the figure is higher than the target, and up from 578 in June, it is around 100 fewer than this time last year. Numbers traditionally rise in summer holidays as children are not at school. Rated amber to reflect the seasonal increase in numbers, but the underlying trend remains positive.
	Number of children’s cases held by permanent staff	GREEN	↔	Reduce caseloads so that by March 2020 over 80% of staff have caseloads at or below the agreed target level	80%	64%	Although figures have fallen (74% in June) this is in part due to a revised definition of “a case” following a change in the Council’s IT systems. Individual targets now need to be reviewed by the Principal Social Worker
				Invest in the workforce so that by March 2020 80% of cases are held by permanent staff	80%	91%	The latest figure is for the end of June. Reduction in agency staff has a direct impact on caseloads for permanent staff (measure above).
Children are able to reach their potential	% of children with a place at their 1 <sup>st</sup> preference school	GREY	↔	% of children offered a place at their first preference primary school	No target set	93.3%	Although not rated, our performance on these annual measures is high compared to elsewhere
				% of children offered a place at their first preference secondary school		85.5%	
	Percentage of children at	GR	↔	% of children attending primary schools rated good/outstanding by Ofsted	No target set	85.1%	-

	good schools / settings	E Y		% of children attending secondary schools rated good/outstanding by Ofsted		87.0%	-
	Children missing education	A M B E R	↔	Persistent absence rates in primary schools (%)	6.8%	7.2%	Our education services are actively working with schools within a new Learner Engagement strategy overseen by the Learner Engagement Board. This focuses on persistent absence through the introduction of a behaviour and attendance helpline for schools and are working in partnership with CAMHS (Child and Adolescent Mental Health Services) on their Oxford City pilot.
				Persistent absence rates in secondary schools (%)	12.2%	13.9%	
				Reduction in permanent exclusions to 44 or fewer	< 44	59	Although exclusions are higher than the target, relative performance is good. The target was set to be extremely ambitious as part of our determination that no one should miss out on education
	Levels of educational attainment	G R E E N	↔	KS2: % of pupils reaching expected standard in reading, writing, maths	65%	-	Annual only measures. Finalised information for KS2 will be available in October 2019, and for KS4 in January 2020.
				KS2: progress scores for (i) reading (ii) writing (iii) maths remain at least in line with the national average i.e. greater than '0'	> 0		
				KS4: average attainment 8 score per pupil	48.2		
				KS4: average progress score	0.07		
				KS4: % of pupils achieving a 5-9 pass in English & maths remains at least in line with the national average	43%		
				16-18: average point score per pupil (A level)	No target set		
				16-18: average point score per pupil (Tech level)			
				16-18: average point score per pupil (Applied General students)			
	Timeliness of completing Education, Health and Care Plans	R E D	↑	Increase the proportion of Education Health and Care Plans (EHCPs) that are completed within 20 weeks to be above the national average by March 2020	75%	45%	75% is the target for the year. So far 45% of completed EHCPs have been within 20 weeks (April 55%, May 27%, June 56% and July 40%). The last 5 months have seen the highest monthly numbers of requests in the last 3 years with over 100 requests in each of the last 3 months.

WE ENABLE OLDER AND DISABLED PEOPLE TO LIVE INDEPENDENTLY AND CARE FOR THOSE IN GREATEST NEED						
OUTCOME	INDICATOR	OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
Care services support independent living	Number of home care hours purchased	AMBER ↓	Maintain the number of home care hours purchased per week	21,779 hours per week	20,857	Small drop in the month. Figure above March 31 benchmark, but below target. Home Care 2020 project reviewing the way we commission and purchase care.
	Number of hours of reablement delivered	AMBER ↑	Maintain the number of hours of reablement delivered to 5750 per month	5,750 hours per month	5,551	Small increase in July, but still 3% below target. Action plan in place with the provider.
	Number of people with control over their care	GREEN ↔	Number of people with personal budgets remains above the national average	17-18 nat. av. 89.7%	92%	Over 90% of people are told how much their care costs and are agreeing the way that want it delivered.
			% of people with safeguarding concerns who define the outcomes they want	> 90%	96%	This is an improvement from 95% in June.
			% of people using Adult Social Care services who receive a direct payment remains above the national average	17-18 nat. av. 28.5%	35%	Over a third of people who live at home take their care in the form of a cash payment. This gives them greater choice and control over their care.
	Number of people delayed leaving hospital awaiting social care	RED ↔	Reduce the number of people delayed in hospital awaiting social care	6	11.2	Latest national figures for June (11.2) are off target, although our local figures for July have dropped to 9. Figures are 25% lower (better) than this time last year. Delays are associated with difficulties accessing care.
			Reduce the number of people delayed in hospital awaiting both health and social care	26	50.8	These are people waiting for reablement. There is an agreed trajectory to reduce delays from 50 to 26 in the year. Latest national figures for June (50.8) are worse than the target. Local figures for July have increased to 56. An action plan is in place with the provider of reablement to deliver the required improvement.
	Proportion of older people supported in the community	AMBER ↔	Increase from 57% the percentage of older people in long term care who are supported to live in their own home	>57%	55.7%	There has been an increase in the proportion of people supported in care homes due to current constraints in home care supply.
Homes and places support independent living	Percentage of people living in safe and suitable housing	GREEN ↔	Increase Extra Care Housing capacity to 2,138 units by 2031	2,138 by 2031	923	A market position statement on Extra Care Housing (ECH) has been produced and will be published by September. The target has been changed (from 4,500 units by 2026) to reflect the statement and national guidance on ECH planning and provision.
			Ensure the % of working age (18-64) service users with a learning disability support, who are living on their own or with their family, remains above the national average (76%)	>76%	91%	-



**WE SUPPORT A THRIVING LOCAL ECONOMY BY IMPROVING TRANSPORT LINKS TO CREATE JOBS & HOMES FOR THE FUTURE**

OUTCOME	INDICATOR		OUT-LOOK	MEASURE	TARGET	RATE / LEVEL	COMMENTARY
Passenger investment and infrastructure are secured	Level of investment attracted	AMBER	↑	Funding secured as % of yearly investment required to bring the condition of all assets into good condition (identified in the Highway Investment Business Case)	95%	89.4%	Financial modelling has identified that £35.5m is required annually to maintain the carriageway asset in a “good” condition over the next 10 year period (2018/19 to 2027/28). £31.725m has been secured - this is 89.4% of the £35.5m target. Initial investment is lower than expected due to slower growth within the County.
				We participate in 20 innovation funding bids to support the Smart Oxford programme	20	12	We have submitted 12 bids to date. In July we had announcements of success in 3 bids – 2 in Electric Vehicle charging innovation and 1 related to Air Quality and dynamic road management.
				Businesses given support by Trading Standards interventions/fire risk inspections	3,332	See right	<ul style="list-style-type: none"><li>• Fire safety audits completed: July target 115, July actual 109</li><li>• Trading Standards business interventions: July actual 526</li><li>• Trading Standards business advice given: July actual 152</li><li>• Trading Standards business newsletter recipients: July actual 740</li><li>• Building Regulations consultation responses: July target 528, actual 259. We have no control over the number of consultations received.</li></ul>
				% rate of delivery against the Growth Deal infrastructure programme	80%	20%	Achieved £30m spend against £30m target in 2018-19 of the £150m budget for the 5 Year programme. The £30m has been used to fund infrastructure/highways and school capital projects which support the release of housing sites to deliver additional housing across the county. Work has commenced on Year 2 schemes and continuation of Year 1 schemes. Next update will be provided at end of Q2 (September).
	Level of infrastructure investment required	GREEN	↔	Identification of investment levels required in new/improved infrastructure to 2050 (updated from Oxfordshire Infrastructure Strategy 2040)	No target set	See right	We have initiated development of this measure, which will be defined during the 3 <sup>rd</sup> quarter of the year.
	Number of new homes	AMBER	↑	We enable the construction of 100,000 new homes by 2031	1,215 homes in 2019/20 accelerated	1,349 forecast	This housing trajectory reflects the number of homes accelerated due to the infrastructure enabled/delivered through the Housing and Growth Deal. This forms part of the overall ambition to support the delivery of 100,000 homes across Oxfordshire. The RAG remains Amber due to level of risk emerging if SODC withdraw their Local Plan
				We support the delivery of 464 new affordable housing starts by March 2020	464	356 forecast	The forecast for the number of affordable homes is currently below target as a number of change requests have been received from the local planning authorities that have seen a slight reduction in the number of affordable homes they can delivery as part of their existing projects/ Work is ongoing to understand how this can be improved during the remaining 3 quarters.
	Levels of disruption to journeys	AMBER	↑	Failed utility inspections no higher than 15%	<15%	38%	The failure rate of works undertaken by utilities has increased from 32% in June. The issue has been addressed at HAUC (Highway Authority and Utilities Committee) and meetings with individual utility companies. Improvement Notices are being served on companies not providing suitable mitigation plans. The Council is moving to being a Permit Authority, which will give us greater powers of scrutiny and challenge. We expect this to bring an improvement in performance during quarter 3.
	Level of transport connectivity	AMBER	↔	Improve connectedness of all transport modes in priority corridors in Oxfordshire	TBC	Not yet available	We will report on this in 2019-20 but need to determine the correct measure. This needs to be broken down into specific transport corridors and include measures for (i) journey time and (ii) reliability / punctuality.

							A proposal is due to be worked up in partnership with bus operators as part of developing a shared vision and strategy for buses to inform development of the Council's updated Local Transport & Connectivity Plan for initial consultation in autumn 2019
	Level of access to online and digital services	GREEN	↑	The absolute number of premises we have enabled to have access to superfast broadband within Oxfordshire, via our contract with BT The % of premises in Oxfordshire with access (via either our contract or commercial providers) to superfast/ultrafast/full fibre broadband The % of premises in Oxfordshire without access to: <ul style="list-style-type: none"> <li>At least Basic Broadband (at least 2Mb/s)</li> <li>OFCOM 'acceptable' broadband (10Mb/s)</li> </ul>	77,500 97.5% <0.3% <1.2%	77,533 97.1% 0.3% 1.17%	We continue to progress well towards these targets
Local businesses grow and provide employment	Employment rates	GREY	↔	% of Oxfordshire residents aged 16-64 in employment (against GB rate Jul 17 to Jun 18 of 75%)	No target set	See right	Jan-Dec 2018: 81.3% of Oxfordshire residents aged 16-64 in employment vs Jan-Dec 2018 GB rate of 75.1%
	Business numbers	GREY	↔	Numbers of births, deaths and survivals of businesses in Oxfordshire (annual ONS data)		See right	Dec 2018 figures (next ONS update due in November 2019): Business births: 3,450 in 2017 (down 4% on 2016); business deaths: 3,130 in 2017 (down 2% on 2016). Business survivals: 48.7% surviving 5 years later (was 49.3%).
	Numbers of apprenticeships	GREY	↔	Number of apprenticeships employed by the County Council and maintained schools	No target set	31	Since 1 April we have appointed 31 new apprentices. At the end of June the total number of apprentices was 152.
	Levels of workforce	GREY	↔	Oxfordshire County Council Full-Time Equivalent (FTE), excluding schools	No target set	See right	End of July 2019: 4055.44 FTE
				Total spend on agency staff		See right	End of quarter 1 (June 2019): £3,774,950

## ANNEX B – HUMAN RESOURCES (HR) – 31 JULY

Workforce data contained in this Annex provides a snapshot of our workforce. It does not constitute 'performance' in the sense of setting out delivery against targets. It aims to provide an overview of workforce data. The Council will review its workforce plan and HR strategy during 2019: HR data and reporting will be refined as part of this process.

### Full-time equivalent (FTE), headcount and turnover

Note that where employees are absent (e.g. on maternity leave or sickness), and have been temporarily replaced, both the absent employee and the temporary employee will have been counted.

Headcount refers to the workforce including full time, part time, temporary and permanent but excluding casual, external managers or contractors. Those with more than one job are counted for each job they occupy.

Turnover rate measures the number of leavers during a period divided by the headcount figure at the end of that period.

DIRECTORATE	FTE Employed at 30 June 2019 Q1	FTE Employed at 31 July 2019	Headcount at 30 June 2019 Q1	Headcount at 31 July 2019	Turnover Q1 %	Turnover July
<b>ADULTS</b>	<b>747.64</b>	<b>754.35</b>	<b>880</b>	<b>888</b>	<b>2.80</b>	<b>1.50</b>
Adult Social Care	620.92	625.71	736	742	3.00	1.50
Joint Commissioning	126.72	128.64	144	146	2.10	1.40
<b>CHILDREN</b>	<b>1229.95</b>	<b>1232.51</b>	<b>1513</b>	<b>1515</b>	<b>2.60</b>	<b>1.40</b>
Children's Social Care (inc ATV)	415.01	418.28	481	478	2.30	1.70
Safeguarding	353.30	349.97	427	428	2.60	0.90
Education	284.18	286.67	394	397	2.30	0.30
Admin and Director's Office	177.46	177.59	211	212	3.80	3.80
<b>PUBLIC HEALTH</b>	<b>22.03</b>	<b>22.03</b>	<b>23</b>	<b>23</b>	<b>0.00</b>	<b>0.00</b>
<b>COMMUNITIES*</b>	<b>1589.76</b>	<b>1588.89</b>	<b>2084</b>	<b>2083</b>	<b>2.80</b>	<b>0.90</b>
Planning and Place	173.44	166.18	184	176	1.10	1.10
Infrastructure Delivery*	584.12	580.86	806	803	3.00	1.40
Capital Investment & Major Infrastructure Delivery**	NA	NA			NA	NA
Property Investment & Facilities Management**	217.66	219.14	398	400	3.00	0.00
FRS and Community Safety (inc Retained)	614.54	615.11	696	696	2.60	0.70
Growth Deal*	NA	7.60	NA	8	NA	0.00
<b>RESOURCES</b>	<b>458.01</b>	<b>457.26</b>	<b>498</b>	<b>498</b>	<b>3.00</b>	<b>1.25</b>
Finance	112.12	111.89	124	124	1.60	0.00
HR	34.20	34.20	39	39	5.10	2.60
Law and Governance*	83.36	82.90	93	92	2.20	1.10
Policy (includes CE Office and Business Support)	43.44	42.44	46	45	2.20	2.20
Customer Experience*	NA	NA	NA	NA	NA	NA
Customer Services (previously part of Customer Experience)	60.49	61.03	66	67	3.00	0.00
Programme Management Office***	6.90	7.90	8	9	0.00	0.00
Digital and ICT	117.50	116.90	122	122	1.60	0.80
<b>TOTAL</b>	<b>4047.39</b>	<b>4055.04</b>	<b>4998</b>	<b>5007</b>	<b>2.70</b>	<b>1.1</b>

### Explanatory notes

\* Customer Experience - Libraries transferred to Cultural Services, in Infrastructure Delivery

\* Law & Governance - Registration, Coroners, Music Service - transferred to Cultural Services within Infrastructure Delivery

\*\* The majority of Capital Investment transferred to Property and FM - now a separate Directorate. Small numbers transferred into Planning and Place and Infrastructure Delivery

\*\*\* Programme Management Office now shown separately

\*\*\*\* Growth Deal now shown separately

## Agency staff and costs – to 30 June

Agency spend data is available at the end of each quarter. The latest available data is to 30 June. This is shown below, with comparison to the previous quarter (to 31 March 2019).

DIRECTORATE	Cost of Agency Staff £ Q4	Cost of Agency Staff £ Q1
<b>ADULTS</b>	<b>£1,135,362</b>	<b>£814,710</b>
Adult Social Care	£471,720	£523,092
Joint Commissioning	£663,642	£291,617
<b>CHILDREN</b>	<b>£956,999</b>	<b>£1,299,182</b>
Children's Social Care (inc ATV)	£699,310	£621,587
Safeguarding	£104,559	£278,723
Education	£133,352	£90,632
Admin and Director's Office	£19,778	£308,240
<b>PUBLIC HEALTH</b>	<b>£3,448</b>	<b>£5,958</b>
<b>COMMUNITIES*</b>	<b>£1,441,313</b>	<b>£1,259,132</b>
Planning and Place	£529,901	£465,929
Infrastructure Delivery*	£131,344	£319,310
Capital Investment & Major Infrastructure Delivery**	£709,038	NA
Property Investment & Facilities Management**	NA	£432,650
FRS and Community Safety (inc Retained)	£71,030	£41,244
Growth Deal*	NA	NA
<b>RESOURCES</b>	<b>£502,613</b>	<b>£395,969</b>
Finance	£131,945	£118,711
HR	£0	£0
Law and Governance*	£61,688	£55,874
Policy (includes CE Office and Business Support)	£147,562	£37,758
Customer Experience*	£103,054	NA
Customer Services (previously part of Customer Experience)	NA	£58,631
Programme Management Office***	NA	£0
Digital and ICT	£58,364	£124,995
<b>TOTAL</b>	<b>4,039,735</b>	<b>3,774,950</b>

## Commentary

Adult Social Care agency costs have reduced this quarter but are still significant. Much of this activity is funded by short term grants. We have needed to maximise this budget to complete as many assessments as possible, before moving to a new Responsible Localities

model, which is currently subject to a staff consultation. The level of spend also demonstrates the difficulties in recruiting experienced and short-term qualified social workers.

There is an overall increase in agency spend for Children Services. The increase in Administrative Support, which includes Director's Office/Children's Services central costs, is due to some outstanding invoices for previous quarters being paid in Q1 which have increased the figures for this quarter. There has also been an increase in spend in Safeguarding, with the majority of agency spend across the directorate relating to interim arrangements covering vacant posts.

Communities spend has slightly decreased overall. The increase in spend in Infrastructure Operations is due to the transfer in of other services from other parts of the directorate where agency staff are already in place, plus an increase in agency staff to support the Growth Deal. Agency spend across Planning and Place and Community Safety has reduced.

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

<b>Reason</b>	<b>Q4</b>	<b>Q1</b>
Covering a vacancy	61.22%	59%
Project work	12.24%	12%
Temporary/Unplanned demand	13.26%	12%
Sickness	8.16%	10%







#### **Most frequent job categories of agency staff (309 orders in Q1)**

<b>Job Category</b>	<b>Q4</b>	<b>Q1</b>
Social and Health Care qualified	70%	39%
Manager, Admin and clerical	7%	32%
Engineering and surveying		8%
Interim		5%
Catering and hospitality		6%
Manual / Passenger assistant	7%	

## ANNEX C – FINANCE





### Forecast outturn 2019/20 at July 2019

#### Key



 Red	 Improving
 Amber	 Stable
 Green	 Worsening

#### Children's Services



**£1.6m** (1.4%) forecast overspend

<b>Education &amp; Learning</b>  <b>RAG rating</b>   <b>Direction of travel</b>   <b>Variation</b> £0.3m (1.1%) overspend  <b>Action Plan</b> Not required	<p><b>£0.3m overspend</b> forecast in relation to SEN Home to School Transport. This forecast is based on current demand along with average growth seen in recent years. There remains a risk that demand will remain high in 2019/20 and increase the forecast spend in this area. To ensure the budget reflects a reasonable baseline and allow time for savings to be implemented and costs to be reduced, a temporary virement of <b>£2.2m</b> from the corporate contingency budget to the SEN Home to School Transport budget for 2019/20 has been approved which has reduced the forecast overspend from £2.5m to £0.3m.</p> <p>There is a potential pressure due to deficit balances in a school which has converted to academy status. The value is currently estimated at £0.1m and it is unlikely that this can be met from existing resources at this time.</p>
<b>Children's Social Care</b>  <b>RAG rating</b>   <b>Direction of travel</b>   <b>Variation</b> £0.0m (0%) breakeven  <b>Action Plan</b> Not required	<p>In relation to the Unaccompanied Asylum-Seeking Children budget, following a notification from the Home Office that the funding rate for under 18 young people will be increased from 1 April 2019, it is now expected the costs of this cohort overall will be met by the grant funding available.</p> <p>As in previous years there remains a risk around use of agency staff in front line social worker teams due to ongoing issues in recruitment of experienced staff exceeding the available budget set aside for this purpose. There is also a risk around legal costs in relation to Children's Social Care.</p> <p>The implementation of the family safeguarding plus model to deliver Children's Social Care was approved by Cabinet in July 2019. Cabinet also agreed that the savings in the MTFP associated with this service would no longer be delivered in the same time frame and that the <b>£0.8m</b></p>





	planned for 2019/20 would be funded from Corporate Contingency.
<b>Children's Social Care Countywide Services</b>	<b>£0.1m overspend</b> on Safeguarding as a result of the use of agency staff within the team to cover staff absence.
<b>RAG rating</b> 	<b>£1.2m overspend</b> forecast due to savings which are currently not expected to be achieved relating to third party spend. Alternative savings are being considered and an update will be provided in future reports.
<b>Direction of travel</b> 	
<b>Variation</b> £1.3m (2.5%) overspend	Overall no variance outside of savings is currently forecast within Corporate Parenting, with overall demand relatively stable and within the assumed budget. Placement mix particularly the number of residential placements, and demand need to be monitored carefully to identify any potential variances as the year progresses.
<b>Action Plan</b> Being Developed	

### **DSG Funded Services**

<b>High Needs DSG Block</b>	<b>£9.7m to £15m overspend</b> against the in-year High Needs Block Dedicated Schools Grant. This includes the effect of a temporary additional allocation to be received in 2019/20 of £1.5m and a one-off transfer from the Schools DSG block of £1.8m.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	
<b>Variation</b> £9.7m to £15m (18.6% to 28.8%) overspend	The variation is due to an increase in the number of Education Health Care Plans (EHCPs) that the local authority maintains. Over the last year this increased by just under 500 plans. Since the beginning of this financial year, the Council is issuing an average of 50 additional plans per month and this is having a significant impact on team resources. The increase in EHCPs has led to additional cost to meet the needs of students in mainstream schools and an increase in the request for specialist placements. This has led to many children being placed in the independent non-maintained sector, where placements are on average £0.055m per place per annum plus transport costs.
<b>Action Plan</b> SEND Sufficiency of Places Strategy approved by Cabinet in December 2018 to be supplemented by further actions currently in development	The forecast range is currently given as there is a risk that the overspend will increase significantly due to exceptional demand for special school places.  Significant uncertainty will remain in this forecast until special school and further education college places are secured in the new academic year.

## **Adult Services**

**£0.7m** (0.4%) forecast overspend

<b>Better Care Fund Pool</b>	Combines health and social care expenditure on care homes, activity relating to hospital avoidance and prevention and early support activities for older people and adults with physical disabilities.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	The risk share arrangements for managing variations to the pooled budgets in 2019/20 was agreed by the Joint Management Group (JMG) for the Better Care Fund Pool in July 2019. It was agreed that there will be aligned ownership of any under or overspends within the pool, therefore this report does not include any variations against the health elements.
<b>Variation</b> £0.1m (-0.1%) underspend	
<b>Action Plan</b> Not required	<p>While an improvement plan is underway, the forecast reablement activity provided through the contract with Oxford University Hospitals NHS Foundation Trust continues to be lower than budgeted. The council's share of the <u>underspend</u> based on current activity would be <b>£0.8m</b>. This is an increase of £0.1m from the previous month, so while an improvement plan is in place the activity has reduced further.</p> <p>Home support capacity is broadly being maintained but the local market continues to be impacted by workforce availability. Based on current activity there is a forecast <u>underspend</u> of <b>£0.1m</b> (-0.2% of the total home support budget); forecast expenditure has increased by £0.1m compared to the previous month.</p> <p>Since the beginning of the year equipment has been delivered by a new service provider. As more consistent activity information is received this forecast will be updated but forecast expenditure has increased by £0.2m since the previous month so there is currently an <u>underspend</u> of <b>£0.1m</b>. An exercise is being undertaken to validate the split of the previous invoices received to date between the two partner organisations, so an update will be provided in the next report.</p> <p>Based on current activity, the budget for care home placements is forecast to <u>overspend</u> by <b>£0.9m</b>, (2.0% of the total care home budget). The decrease of £0.5m from the previous month reflects an increase in forecast service user contributions partly offset by an increase in placements for service users aged under 65.</p>



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Oxfordshire Clinical Commissioning Group (OCCG) are the accountable body for the Better Care Fund (BCF). Based on the anticipated national increase, the total for Oxfordshire for 2019/20 was estimated to be £38.4m. £22.5m of that was assumed to be available to support Adult Social Care activity. In July 2019, NHS England announced a 5.3% uplift in the BCF nationally and a 6.1% increase for Oxfordshire. An update on the agreed use of the £39.7m funding within the pool, reflecting a stipulated increase in the minimum amount to be spent on Adult Social Care and the additional funding available to OCCG in 2019/20, will be provided in the next report.

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**Adults with Care and Support Needs Pool**

**RAG rating** ▲

**Direction of travel** ↓

**Variation** £3.1m  
(3.7%) overspend

**Action Plan**



Mitigated by underspends in non – pool budgets.

Supports a mix of health and social care needs for adults of working age with learning disabilities, acquired brain injury or mental health needs. The risk share arrangements for 2019/20 as agreed by the Joint Management Group set out that the Council will manage the variation on this pool in 2019/20 subject to OCCG increasing their contribution and taking action to manage any pressure relating to service users with health needs as a result of an acquired brain injury. Any variation associated with service users falling outside of the Outcome Based Contract for Mental Health will be divided equally between the partners based on original budget contribution before any saving.

**£1.3m** forecast overspend relates to the social care element of placements in out of county schools and colleges for 18 to 24-year olds with Special Educational Needs (SEN). The increase of £0.3m since the June forecast reflects the anticipated cost of current and expected placements in 2019/20 but may change further based on activity later in the year. Work to clarify all the placements and costs, to improve the ongoing visibility to Adult Social Care, and to ensure that relevant health costs are recharged to the appropriate organisation, is continuing.

**£0.5m** overspend relates to sustainability costs paid to a provider for the continuing delivery of a contract going through a prolonged procurement process. There is a risk this may increase if the new provider does not mobilise as planned from November 2019.

There is a forecast overspend of **£0.1m** relating to service users with Acquired Brain Injury (ABI) with social care needs. Because of the unpredictability of their needs and the high cost of individual care packages this forecast will fluctuate month to month.

	<p>Savings totalling <b>£2.4m</b> are built into the council's contribution to the pool in 2019/20. Plans to implement these are progressing but based on current plans <b>£1.2m</b> is at risk of slipping to 2020/21 and is contributing to the overspend within the pool. This is £0.3m higher than reported at the end of June, as the forecast achievement of savings through the reassessment of care packages is lower than anticipated earlier in the year.</p>
<p><b>Non-Pool Services</b></p> <p><b>RAG rating</b> </p> <p><b>Direction of travel</b> </p> <p><b>Variation</b> -£2.2m (-15.7%) underspend</p> <p><b>Action Plan</b> Not required</p>	<p>Unallocated on-going base budget of <b>£2.4m</b> is currently being held outside the pooled budgets. <b>£1.7m</b> is funding built into the Medium-Term Financial Plan for the on-going effect of inflationary pressures agreed in 2018/19. However, as in 2018/19, these costs will again be met from the iBCF grant funding, releasing the equivalent base budget to support other pressures.</p> <p>A budget of <b>£0.7m</b> originally related to Care Act implementation and the withdrawal of the Independent Living Fund. This has been used to manage a range of demand led pressures in the pools in the last two years and continues to be available in 2019/20.</p> <p>All of the <b>£2.4m underspend</b> is being used to offset the forecast pressure within the Adults with Care &amp; Support Needs pooled budget.</p> <p>Within provider and support services, an estimated <u>overspend</u> of <b>£0.2m</b> is being reported, including a forecast overspend of £0.3m in relation to a staffing pressure within the community support service partly offset by £0.1m unallocated budget previously used to subsidise the employment service. A review of the community support service is currently taking place.</p> <p>All other areas are currently reporting a breakeven position noting on-going challenges around the recruitment and sustainability of social work capacity required to support the implementation of the Medium Term Financial Plan and on-going work.</p>

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**Commissioning**

The service is currently reporting a breakeven position.

**RAG rating****Direction of travel**

**Variation** £0.0m

Breakeven

**Action Plan**

Not required

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**Public Health**

**£0m** (0%) breakeven position after a transfer of £0.2m to the Public Health reserve.

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**RAG rating**

The **£0.2m underspend** reflects staff vacancies held within the service.

**Direction of travel**

**Variation** £0.0m (0%)

Breakeven against  
£29.9m ringfenced  
grant

The underspend will be in reserves and used to meet eligible Public Health expenditure in future years. The total funding in the reserve was £1.0m at the start of the year and is now forecast to be £1.2m.

**Action Plan**

Not required

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**Communities**

**£0.0m** (0.0%) breakeven forecast

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**Planning & Place****RAG rating****Direction of travel**

**Variation** £0.0m

(0.0%) variance







**Action Plan**

Not required

Although a nil variance is reported for July, the plans to develop an Integrated Delivery team for the implementation of the Growth Deal and HIF programme, may result in a material short-term revenue pressure. Work is on-going to determine and value the best operating model to support the implementation of this significant programme.

A significant level of external income funds Growth and Place expenditure budgets, and although to date no significant issues are envisaged, there is an inherent risk associated with the volatility of this type of funding, which, if not fully realised could result in a year end overspend.



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<b>Community Operations</b>	<b>£0.2m overspend</b> relates to a loss of trading income for the Integrated Transport Unit (ITU) as a result of a contract ending. There is a further risk of overspend if the unit does not realise its operational savings in the MTFP for this year.
<b>RAG rating</b> 	<b>£0.2m overspend</b> relates to additional Depot Works above the budgeted amount.
<b>Direction of travel</b> 	<b>£0.2m overspend</b> relates to the pension costs resulting from structural changes in Cultural Services.
<b>Variation</b> £0.0m (0.0%) variance	<b>£0.6m underspend</b> is reported in Waste Management due to early indications that tonnages in all waste streams will be lower than budgeted for.
<b>Action Plan</b> Not required	
<b>Property &amp; Investment</b>	Although a nil variance is reported at present, the plans for reshaping the service continues, post Carilion and although this will bring about opportunities in redesigning the service, there is a risk of short-term financial pressures. This includes risk of additional pressures following the asset condition surveys in bringing the estate to a safe/appropriate level of operation.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	
<b>Variation</b> £0.0m (0.0%) variance	
<b>Action Plan</b> Not required	
<b>Community Safety</b>	The service is currently reporting a breakeven position.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	
<b>Variation</b> £0.0m (0.0%) variance	
<b>Action Plan</b> Not required	

## **Resources**

**£0.6m** (2.0%) forecast overspend


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<b>Resources</b>	<b>£0.2m</b> of the <u>overspend</u> relates to the unfunded costs of the interim Procurement team from April to December. The ongoing pressure will be addressed as part of Provision Cycle service redesign.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	
<b>Variation</b> £0.6m (2.0%) Overspend	<b>£0.2m</b> of the <u>overspend</u> reflects an indicative pressure for the Legal Service budget. This includes the effect of complex childcare cases which have increased counsel costs and court fees in quarter 1. A review of legal services internal recharges to date has highlighted a potential full year pressure of £0.4m on legal budgets in Communities and Children's directorates.
<b>Action Plan</b> Not required	<b>£0.1m</b> of the <u>overspend</u> relates to the net position for the Customer Service Centre. This includes a reported pressure in the Blue Badge Administrative Service due to increased demand following the national implementation of the 'Hidden Disabilities' criteria.  <b>£0.1m</b> of the <u>overspend</u> relates to a number of small pressures across HR and Democratic Services.  It is noted that there is a risk that the IBC on-boarding of new partners may have an impact on the part year deliverability of the £0.2m savings in the MTFP, which are flagged as amber in this report. An update will be included in the next month's report.

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## **Corporate Measures**

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<b>General Balances</b>	The current forecast for general balances at 31 March 2020 is <b>£22.8m</b> . This is <b>£3.5m</b> higher than the risk assessed level of <b>£19.3m</b> as set out in the Medium-Term Financial Plan (MTFP) approved by Council in February 2019. This position assumes that forecast Directorate overspend is not managed and corporate contingency used in full.
<b>RAG rating</b> 	

**Direction of travel** 

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<b>Reserves</b>	Reserves are forecast to be £63.4m at 31 March 2020, unchanged from last month.
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**RAG rating**  


**Direction of travel** 

**Unplanned Use** >£250k

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**Medium  
Term  
Financial  
Plan  
Savings**

At least 75% of the planned savings of **£36.8m** are expected to be delivered.

**RAG rating**



**Direction of  
travel** ↓

**% of  
savings  
expected to  
be achieved  
95%**

<b>Summary of Savings Delivery Progress</b>		
Total Directorate Savings	-21,672	
Corporate Savings	-15,157	
Total savings for 2019/20 Budget	-36,829	
Directorate Savings		
Met from Contingency - Cabinet decision July 2019	-755	3%
Delivered & Green	-11,639	54%
Amber Savings	-7,521	35%
Red Savings	-1,757	8%
	-21,672	
Directorate Delivered & Green Savings	-12,394	
Corporate Savings - all green	-15,157	
	-27,551	
Percentage Delivered & Green of 19/20 total	75%	

The table below shows what percentage of the savings are expected to be delivered compared to the original RAG status set out in the budget agreed by Council in February 2019.

Original RAG Status	Percentage Green/ Delivered	Target
Red	32%	70%
Amber	37%	90%
Green	90%	100%

**Grants**

The council receives ringfenced and un-ringfenced government grants totalling **£336.3m** in 2019/20. There are no changes to grant allocations this month.

**RAG rating**



**Direction of  
travel** ↔

**Strategic Measures****RAG rating****Direction of travel**

The following table sets out average in-house cash balances and average rates of return for June 2019. The current forecast outturn position for in house interest receivable is **£2.35m**, which is in line with budget.

Month	Average cash balance	Average rate of return
July	£367.42m	0.817%

External Fund dividends are paid quarterly. The forecast outturn position for external fund returns is **£3.8m**, which in line with budget.

Interest Payable is forecast to be in line with the budgeted figure of **£15.2m**.

Performance Indicator	Actual	Target
Average interest rate achieved in-house compared to treasury Management Budgeted Rate	0.93%	>=0.98%
Average Annualised Return achieved compared to Benchmark Rate* (Pooled Fund)	3.75%	>=3.75%



**Debt and Loan Write Offs & Impairments****Corporate Debtors****RAG rating****Direction of travel**

Indicators are showing a stable state for collection and recovery of corporate income. The collection rate is down this month due to the Music Service Summer term invoice run dropping into the 90-120 day period; this is a high volume run hence the impact. However, both days revenue outstanding and debt over 1 year is down and the invoice collection will rebound next month.

Debt requiring impairment has reduced slightly for the third month and remains marginally above the current impairment level. There were no new high value bad debt cases this month; 55% of bad debt is owed by organisations and two cases that make up 27% of the impaired debt are identified as uncollectable and will be put forward to Cabinet to be written off at the next opportunity.

	Target	June 2019
Invoice collection rate	97.5%	94.83%
Avg. days outstanding	35	32
Debt requiring impairment	<£0.30m	£0.30m
Unsecure debt over 1 year	<£0.50m	£0.51m
Write offs as % of income Year to Date	<0.10%	0.02%



<b>Debt and Loan Write Offs &amp; Impairments</b>	Both the invoice collection rate & days revenue outstanding figures were stable this month with no material movement. Both debt requiring impairment & unsecure debt over 1 year were reduced for the second month in a row. The bad debt level dropped by £0.15m, this is in line with the monthly reductions required to meet this year's MTFP savings target.
<b>– Adult Contribution Charges</b>	As previously reported there are several factors contributing to the Adult debt levels and a number of projects are underway that will support improved debt collection going forward. These projects will be ongoing throughout 2019/20.
<b>RAG rating</b> 	
<b>Direction of travel</b> 	Staffing in the team responsible for debt recovery is now at full strength. Local improvement work is underway to target both resolution of historical debt cases, as well as the introduction of new processes to target more efficient resolution of new debt cases so the net effect is to reduce debt overall.

	Target	July 2019
Invoice collection rate	92%	88.45%
Avg. days outstanding	100	102
Debt requiring impairment	<£2.00m	£2.79m
Unsecure debt over 1 year	<£1.60m	£3.1m
Write offs as % of income Year to Date	<1.0%	0.75%

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Directorate	BUDGET 2019/20		Latest Budget	Outturn Forecast Year end Spend/Income	Projected Year end Variation to Budget	Projected Year end Variance Traffic Light
	Original Budget	Movement to Date				
	£000	£000				
<b>Children</b>						
Gross Expenditure	368,782	-427	368,355	369,991	1,636	G
Gross Income	-255,037	4,161	-250,876	-250,876	0.000	G
	<b>113,745</b>	<b>3,734</b>	<b>117,479</b>	<b>119,115</b>	<b>1,636</b>	<b>R</b>
<b>Resources</b>						
Gross Expenditure	40,330	75	40,405	40,999	594	R
Gross Income	-11,487	-71	-11,558	-11,586	-28	G
	<b>28,843</b>	<b>4</b>	<b>28,847</b>	<b>29,413</b>	<b>566</b>	<b>R</b>
<b>Communities</b>						
Gross Expenditure	175,434	2,521	177,955	177,929	-26	G
Gross Income	-61,968	-2,672	-64,640	-64,640	0	G
	<b>113,466</b>	<b>-151</b>	<b>113,315</b>	<b>113,289</b>	<b>-26</b>	<b>G</b>
<b>Adults</b>						
Gross Expenditure	204,376	754	205,131	205,854	723	G
Gross Income	-20,349	-759	-21,108	-21,108	0	G
	<b>184,027</b>	<b>-5</b>	<b>184,022</b>	<b>184,745</b>	<b>723</b>	<b>G</b>
<b>Public Health</b>						
Gross Expenditure	29,950	0	29,950	29,950	0	G
Gross Income	-29,950	0	-29,950	-29,950	0	G
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>G</b>
<b>Directorate Expenditure Total</b>	<b>818,872</b>	<b>2,923</b>	<b>821,796</b>	<b>824,723</b>	<b>2,927</b>	<b>G</b>
<b>Directorate Income Total</b>	<b>-378,791</b>	<b>658</b>	<b>-378,133</b>	<b>-378,161</b>	<b>-28</b>	<b>G</b>
<b>Directorate Total Net</b>	<b>440,081</b>	<b>3,582</b>	<b>443,663</b>	<b>446,562</b>	<b>2,899</b>	<b>G</b>

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Directorate	BUDGET 2019/20			Outturn	Projected	Projected
	Original	Movement	Latest	Forecast	Year end	Year end
	Budget	to Date	Budget	Year end	Variation to	Variance
				Spend/Income	Budget	Traffic
					underspend -	Light
					overspend +	
	£000	£000	£000	£000	£000	
Contributions to (+)/from (-)reserves	11,160		11,160	11,160	0	
Contribution to (+)/from(-) balances	-6,000		-6,000	-5,173	827	
Public Health Saving Recharge	-250		-250	-250	0	
Transformaton Savings	-1,500	25	-1,475	-1,475	0	
Contingency	7,629	-3,475	4,154	428	-3,726	
Insurance	2,897		2,897	2,897	0	
Capital Financing	23,691		23,691	23,691	0	
Interest on Balances	-8,419		-8,419	-8,419	0	
<b>Strategic Measures Budget</b>	<b>29,208</b>	<b>-3,450</b>	<b>25,758</b>	<b>22,859</b>	<b>-2,899</b>	
Unringfenced Government Grants	-18,743	-131	-18,874	-18,874	0	
Council Tax Surpluses	-7,306		-7,306	-7,306	0	
Revenue Support Grant	0		0	0	0	
Business Rates Top-Up	-39,896		-39,896	-39,896	0	
Business Rates From District Councils	-34,279		-34,279	-34,279	0	
<b>Council Tax Requirement</b>	<b>369,065</b>	<b>0</b>	<b>369,065</b>	<b>369,066</b>	<b>0</b>	

**KEY TO TRAFFIC LIGHTS**

**Balanced Scorecard Type of Indicator**

Budget	On track to be within +/- 1% of year end budget
	Estimated outturn showing variance in excess of +/- 1% of year end budget

G
R

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Children Directorate		BUDGET 2019/20			Outturn Forecast Year end Spend/Income	Projected Year end Variation	Projected Year end Variance Traffic Light Indicator
		Original Budget	Movement to Date	Latest Estimate			
		£000	£000	£000	£000	underspend - overspend + £000	
<b>CEF1</b>	<b>Education &amp; Learning</b>						
	Gross Expenditure	79,259	1,823	81,082	81,382	300	G
	Gross Income	-54,797	679	-54,118	-54,118	0	G
		<b>24,462</b>	<b>2,502</b>	<b>26,964</b>	<b>27,264</b>	<b>300</b>	<b>R</b>
<b>CEF2</b>	<b>Children's Social Care</b>						
	Gross Expenditure	34,717	426	35,143	35,143	0	G
	Gross Income	-3,352	-91	-3,443	-3,443	0	G
		<b>31,365</b>	<b>335</b>	<b>31,700</b>	<b>31,700</b>	<b>0</b>	<b>G</b>
<b>CEF3</b>	<b>Children's Social Care Countywide Services</b>						
	Gross Expenditure	55,690	1,785	57,475	58,811	1,336	R
	Gross Income	-3,882	-356	-4,238	-4,238	0	G
		<b>51,808</b>	<b>1,429</b>	<b>53,237</b>	<b>54,573</b>	<b>1,336</b>	<b>R</b>
<b>CEF4-1</b>	<b>Delegated Schools</b>						
	Gross Expenditure	154,133	-4,804	149,329	149,329	0	G
	Gross Income	-154,133	4,804	-149,329	-149,329	0	G
		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>G</b>
<b>CEF4</b>	<b>Other Schools</b>						
	Gross Expenditure	38,570	874	39,444	39,444	0	G
	Gross Income	-38,354	-875	-39,229	-39,229	0	G
		<b>216</b>	<b>-1</b>	<b>216</b>	<b>216</b>	<b>0</b>	<b>G</b>

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Children Directorate		BUDGET 2019/20			Outturn Forecast Year end Spend/Income	Projected Year end Variation	Projected Year end Variance Traffic Light Indicator
		Original Budget	Movement to Date	Latest Estimate			
		£000	£000	£000	£000	underspend - overspend + £000	
CEF5	Children's Services Central Costs						
	Gross Expenditure	6,413	-531	5,882	5,882	0	G
	Gross Income	-519	0	-519	-519	0	G
		<b>5,894</b>	<b>-531</b>	<b>5,363</b>	<b>5,363</b>	<b>0</b>	<b>G</b>
	Directorate Expenditure Total	<b>368,782</b>	<b>-427</b>	<b>368,355</b>	<b>369,991</b>	<b>1,636</b>	<b>G</b>
	Directorate Income Total	<b>-255,037</b>	<b>4,161</b>	<b>-250,876</b>	<b>-250,876</b>	<b>0</b>	<b>G</b>
	Directorate Total Net	<b>113,745</b>	<b>3,734</b>	<b>117,479</b>	<b>119,115</b>	<b>1,636</b>	<b>R</b>

**KEY TO TRAFFIC LIGHTS**

**Balanced Scorecard Type of Indicator**

Budget	On track to be within +/- 1% of year end budget
	Estimated outturn showing variance in excess of +/- 1% of year end budget

G
R

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

		BUDGET 2019/20			Outturn	Projected	Projected
Communities Directorate		Original Budget	Movement to Date	Latest Estimate	Forecast Year end Spend/Income	Year end Variation	Year end Variance Traffic Light Indicator
		£000	£000	£000	£000	underspend - overspend + £000	
EE1	<b>Planning &amp; Place</b>						
	Gross Expenditure	11,862	1,321	13,183	13,183	0	G
	Gross Income	-6,577	-1,513	-8,090	-8,090	0	G
		<b>5,285</b>	<b>-192</b>	<b>5,093</b>	<b>5,093</b>	<b>0</b>	<b>G</b>
EE2	<b>Community Operations</b>						
	Gross Expenditure	124,284	-348	123,936	123,910	-26	G
	Gross Income	-48,224	-1,099	-49,323	-49,323	0	G
		<b>76,060</b>	<b>-1,447</b>	<b>74,613</b>	<b>74,587</b>	<b>-26</b>	<b>G</b>
EE3	<b>Property &amp; Investment</b>						
	Gross Expenditure	12,822	1,495	14,317	14,317	0	G
	Gross Income	-4,324	1	-4,324	-4,324	0	G
		<b>8,498</b>	<b>1,495</b>	<b>9,993</b>	<b>9,993</b>	<b>0</b>	<b>G</b>
EE4	<b>Community Safety</b>						
	Gross Expenditure	26,466	53	26,519	26,519	0	G
	Gross Income	-2,843	-61	-2,904	-2,904	0	G
		<b>23,623</b>	<b>-7</b>	<b>23,616</b>	<b>23,616</b>	<b>0</b>	<b>G</b>
<b>Directorate Expenditure Total</b>		<b>175,434</b>	<b>2,521</b>	<b>177,955</b>	<b>177,929</b>	<b>-26</b>	<b>G</b>
<b>Directorate Income Total</b>		<b>-61,968</b>	<b>-2,672</b>	<b>-64,640</b>	<b>-64,640</b>	<b>0</b>	<b>G</b>
<b>Directorate Total Net</b>		<b>113,466</b>	<b>-151</b>	<b>113,315</b>	<b>113,289</b>	<b>-26</b>	<b>G</b>

**KEY TO TRAFFIC LIGHTS**

Balanced Scorecard Type of Indicator

Budget	On track to be within +/- 1% of year end budget
	Estimated outturn showing variance in excess of +/- 1% of year end budget

G
R

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Resources Directorate	BUDGET 2019/20			Outturn Forecast Year end Spend/Income	Projected Year end Variation  underspend - overspend +	Projected Year end Variance Traffic Light Indicator
	Original Budget	Movement to Date	Latest Estimate			
	£000	£000	£000		£000	
<b>CEO1 Corporate Services</b>						
Gross Expenditure	2,298	11	2,309	2,309	0	G
Gross Income	0	0	0	0	0	G
	<b>2,298</b>	<b>11</b>	<b>2,309</b>	<b>2,309</b>	<b>0</b>	<b>G</b>
<b>CEO2 Law &amp; Governance and Human Resources</b>						
Gross Expenditure	11,223	-16	11,207	11,507	300	R
Gross Income	-5,070	-70	-5,140	-5,140	0	G
	<b>6,153</b>	<b>-87</b>	<b>6,066</b>	<b>6,366</b>	<b>300</b>	<b>R</b>
<b>CEO3 Corporate Finance &amp; Internal Audit</b>						
Gross Expenditure	7,388	-251	7,137	7,311	174	R
Gross Income	-2,599	0	-2,599	-2,627	-28	R
	<b>4,789</b>	<b>-251</b>	<b>4,538</b>	<b>4,684</b>	<b>146</b>	<b>R</b>
<b>CEO4 Assistant Chief Executives</b>						
Gross Expenditure	19,421	332	19,753	19,873	120	G
Gross Income	-3,818	0	-3,818	-3,818	0	G
	<b>15,603</b>	<b>331</b>	<b>15,934</b>	<b>16,054</b>	<b>120</b>	<b>G</b>
<b>Directorate Expenditure Total</b>	<b>40,330</b>	<b>75</b>	<b>40,405</b>	<b>40,999</b>	<b>594</b>	<b>G</b>
<b>Directorate Income Total</b>	<b>-11,487</b>	<b>-71</b>	<b>-11,558</b>	<b>-11,586</b>	<b>-28</b>	<b>G</b>
<b>Directorate Total Net</b>	<b>28,843</b>	<b>4</b>	<b>28,847</b>	<b>29,413</b>	<b>566</b>	<b>G</b>

**KEY TO TRAFFIC LIGHTS**

**Balanced Scorecard Type of Indicator**

Budget	On track to be within +/- 1% of year end budget
	Estimated outturn showing variance in excess of +/- 1% of year end budget

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R

**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Adults Directorate		BUDGET 2019/20			Outturn Forecast Year end Spend/Income	Projected Year end Variation	Projected Year end Variance Traffic Light Indicator
		Original Budget	Movement to Date	Latest Estimate			
		£000	£000	£000	£000	underspend - overspend + £000	
SCS1	Adult Social Care						
	Gross Expenditure	196,700	259	196,959	197,682	723	G
	Gross Income	-18,999	-259	-19,258	-19,258	0	G
		<b>177,701</b>	<b>0</b>	<b>177,701</b>	<b>178,424</b>	<b>723</b>	<b>G</b>
SCS2	Joint Commissioning						
	Gross Expenditure	7,676	495	8,171	8,171	0	G
	Gross Income	-1,350	-500	-1,850	-1,850	0	G
		<b>6,326</b>	<b>-5</b>	<b>6,321</b>	<b>6,321</b>	<b>0</b>	<b>G</b>
Directorate Expenditure Total		<b>204,376</b>	<b>754</b>	<b>205,131</b>	<b>205,854</b>	<b>723</b>	<b>G</b>
Directorate Income Total		<b>-20,349</b>	<b>-759</b>	<b>-21,108</b>	<b>-21,108</b>	<b>0</b>	<b>G</b>
Directorate Total Net		<b>184,027</b>	<b>-5</b>	<b>184,022</b>	<b>184,745</b>	<b>723</b>	<b>G</b>

**KEY TO TRAFFIC LIGHTS**

**Balanced Scorecard Type of Indicator**

Budget	On track to be within +/- 1% of year end budget	G
	Estimated outturn showing variance in excess of +/- 1% of year end budget	R



**Business Management Report**  
**Position to the end of July 2019**  
**Budget Monitoring**

Public Health Directorate		BUDGET 2019/20			Outturn Forecast Year end Spend/Income	Projected Year end Variation	Projected Year end Variance Traffic Light Indicator
		Original Budget	Movement to Date	Latest Estimate			
		£000	£000	£000		underspend - overspend + £000	
PH1	<b>LA Commissioning Responsibilities - Nationally Defined</b>						
	Gross Expenditure	16,352	1	16,353	16,353	0	G
	Gross Income	0	0	0	0	0	G
		<b>16,352</b>	<b>1</b>	<b>16,353</b>	<b>16,353</b>	<b>0</b>	<b>G</b>
PH2	<b>LA Commissioning Responsibilities - Locally Defined</b>						
	Gross Expenditure	12,965	0	12,965	12,730	-235	R
	Gross Income	-228	0	-228	-228	0	G
		<b>12,737</b>	<b>-1</b>	<b>12,737</b>	<b>12,502</b>	<b>-235</b>	<b>R</b>
PH3	<b>Public Health Recharges</b>						
	Gross Expenditure	633	0	633	633	0	G
	Gross Income	0	0	0	0	0	G
		<b>633</b>	<b>0</b>	<b>633</b>	<b>633</b>	<b>0</b>	<b>G</b>
PH4	<b>Grant Income</b>						
	Gross Expenditure	0	0	0	0	0	G
	Gross Income	-29,722	0	-29,722	-29,722	0	G
		<b>-29,722</b>	<b>0</b>	<b>-29,722</b>	<b>-29,722</b>	<b>0</b>	<b>G</b>
Transfer to Public Health Reserve		0	0	0	235	235	G
Directorate Expenditure Total		29,950	0	29,950	29,950	0	G
Directorate Income Total		-29,950	0	-29,950	-29,950	0	G
Directorate Total Net		0	0	0	0	0	

**KEY TO TRAFFIC LIGHTS**

**Balanced Scorecard Type of Indicator**

Budget

On track to be within +/- 1% of year end budget

Estimated outturn showing variance in excess of +/- 1% of year end budget

G

R

**Business Management Report**  
**Position to the end of July 2019**

**CABINET IS RECOMMENDED TO NOTE THE VIREMENTS AS DETAILED BELOW:**

Directorate (CD = Cross Directorate)	Month of Cabinet meeting	Month of Directorate MMR	Narration	Budget Book Line	Service Area	Permanent / Temporary	Expenditure + increase / - decrease £000	Income - increase / + decrease £000
CD	Sep	Jul	Members pay inflation 2019-20	CEO4	Law & Governance	P	21	0
				VSMMGT	Strategic Measures	P	-21	0
			CE and ACE posts shared with Cherwell District Council - savings to offset against the snr mgmt review saving - per LB	CEO1	Resources Business Support	P	10	0
				CEO5	Policy	P	-35	0
				VSMMGT	Strategic Measures	P	25	0
CEF	Sep	Jun	Revenue funding allocation for new Children's Social Care system.	CEF2-1	Management & Central Costs	P	28	0
				CEF5-1	Management & Admin	P	-28	0
		Jul	Pupil Premium budget update	CEF4-1	Delegated Budgets	P	-504	504
			Universal Infant Free School Meals - June update	CEF4-1	Delegated Budgets	P	-365	365
			Budget Tidy Vulnerable Learners	CEF1-2	Additional & Special Education Needs	P	202	-202
				CEF1-4	Organisation & Planning	P	0	0
				CEF1-5	Learner Engagement Service	P	65	-65
			Balance NCS Budget	CEF2-1	Management & Central Costs	P	0	0
				CEF2-2	Social Care	P	0	0
			Allocate Service Redesign savings	CEF2-2	Social Care	P	100	0
				CEF5-1	Management & Admin	P	-100	0
			Virement From The Agency Pot Q1	CEF2-1	Management & Central Costs	T	-204	0
				CEF2-2	Social Care	T	204	0
			July DSG Notification Update	CEF1-4	Organisation & Planning	P	-288	288
				CEF4-1	Delegated Budgets	P	-3,842	3,842
				CEF4-2	Nursery Education Funding (EY)	P	875	-875
			Emergency Duty Team budget tidy 2019-20	CEF2-2	Social Care	P	36	-36
CS	Sep	Jul	Budget for Corporate Performance and Risk Manager	CEO3	Corporate Finance & Internal Audit	P	-58	0
				CEO5	Policy	P	58	0
			budget setting Legal services 2019-20	CEO4	Law & Governance	P	71.1	-71.1
			IBC budget adj - ICT budget is incorrect	CEO3	Corporate Finance & Internal Audit	P	-194	0
				CEO8	ICT	P	194	0
EE	Sep	Jun	Planning & Place Budget Tidy	EE1-4	Planning & Place	P	0	-53.3
				EE1-5	Planning & Place	P	53.3	0
		Jul	Temp budget tidy WT FF external secondments	EE4-1	Fire & Rescue Service	T	98	-98
SCS	Sep	Jul	Budget realignment	SCS1-3	Provider and Support Services	P	-114	0
				SCS1-9	ASC Staffing & Infrastructure	P	114	0
			Budget Tidy and Allocate savings	SCS1-3	Provider and Support Services	P	110.1	-260.1
				SCS1-6	Other Funding	P	150	0
			CCG Budget Contribution	BCFPOOL	Better Care Fund Pool	P	19,103	(19,103)
SM	Sep	Jun	Additional Section 31 Business Rate Relief Grant	VSMMGT	Strategic Measures	T	84	(84)
Grand Total							15,848	(15,848)

**Business Management Report**  
**Position to the end of July 2019**  
**EARMARKED RESERVES**

	2019/20			Last reported forecast as at 31 March 2020 £000	Change in closing balance to last forecast £000
	Balance at 1 April 2019	Movement	Forecast Balance at 31 March 2020		
	£000	£000	£000		
Schools' Reserves	17,309	-4,751	12,558	12,558	0
Vehicle and Equipment Reserve	2,901	-2,102	799	799	0
Grants and Contributions Reserve	14,704	-21,334	-6,630	-6,630	0
Government Initiatives	1,324	-692	632	632	0
Trading Accounts	325	138	463	463	0
Council Elections	328	150	478	478	0
Partnership Reserves	2,659	-777	1,882	1,882	0
On Street Car Parking	1,997	250	2,247	2,247	0
Transformation Reserve	3,193	-982	2,211	2,211	0
Demographic Risk Reserve	0	3,000	3,000	3,000	0
Youth Provision Reserve	0	500	500	500	0
Budget Prioritisation Reserve	4,890	-3,006	1,884	1,884	0
Insurance Reserve	10,647	-1,000	9,647	9,647	0
Business Rates Reserve	555	494	1,049	1,049	0
Capital Reserves	31,188	1,517	32,705	32,705	0
Budget Equalisation Reserve	280	-280	0	0	0
<b>Total Reserves</b>	<b>92,300</b>	<b>-28,875</b>	<b>63,425</b>	<b>63,425</b>	<b>0</b>

**Commentary**

In accordance with the Education Reform Act 1988, the scheme of Local Management of Schools provides for the carry forward of individual schools surpluses and deficits. These reserves are committed to be spent on schools.

Other School Reserves cover a number of miscellaneous education activities, including amounts loaned to individual schools against school reserves, and School Partnership Accounts which are operated in respect of inter-school activities, primarily relating

This reserve is to fund future replacements of vehicles and equipment.

This reserve has been set up to hold unspent grants and contributions committed to be spent in future years. This includes the Dedicated Schools Grant and Public Health Grant

This reserve is used to hold underspends on budgets funded by unringfenced grants held that relate to specific agreed outcomes or the implementation of Government initiatives.

This reserve holds funds relating to traded activities to help manage investment.

This will be used to fund future elections. In years where no County Elections take place any underspend on the Council Elections budget will be transferred to this reserve.

To be spent on OxLEP related project expenditure and the Growth Deal

This surplus has arisen under the operation of the Road Traffic Regulation Act 1984 (section 55). The purposes for which these monies can be used are defined by statute.

£1.0m allocated over 2019/20 and 2020/21 to provide seed funding for locality based youth provision

In light of the significant pressures relating to High Needs DSG and other budgets with demographic volatility. This reserve will help to manage demographic risk.

This reserve is needed to fund the implementation costs of the Council's Transformation programme.

This reserve is being used to support the implementation of the Council's priorities and the Medium Term Financial Plan.

This reserve covers the County Council for insurance claims that, based on the previous experience of the County Council, are likely to be received, as well as a number of insurance related issues.

This reserve is to smooth the volatility of Business Rates income.

This reserve has been established for the purpose of financing capital expenditure in future years.

This reserve is being used to manage the cash flow implications of the variations to the Medium Term Financial Plan.

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## **CABINET - 17 SEPTEMBER 2019**

### **ANNUAL REPORTS 2018/19 FROM THE OXFORDSHIRE SAFEGUARDING CHILDREN BOARD**

**Report by Deputy Director - Safeguarding**

#### **RECOMMENDATION**

1. **Cabinet is asked to review and note the reports.**

#### **Executive Summary**

2. This paper presents three annual reports: the Oxfordshire Safeguarding Children Board Annual (OSCB) Report; Performance, Audit and Quality Assurance Annual Report and the Case Review and Governance Annual Report.

#### **Background**

3. Local Safeguarding Children Boards were set up under the Children Act 2004 in order that agencies co-operate with each other to safeguard children and promote their welfare. The Oxfordshire Board is led by an independent chair and includes representation from all six local authorities in Oxfordshire, as well as the National Probation service, the Community Rehabilitation Company, Police, Oxfordshire Clinical Commissioning Group, Oxford University Hospitals NHS Trust, Oxford Health NHS Foundation Trust, schools and Further Education colleges, the military, the voluntary sector and lay members. In April 2019 these arrangements changed to reflect the requirements of the DfE guidance 'Working Together 2018' however these reports relate to the financial year 2018/19.

#### **Key Issues**

4. The OSCB Annual Report sets out report sets out the challenges that the safeguarding partners have faced in terms of the ongoing demand on the system with neglect being a key feature; the need to keep children safe in full-time education and the contextual safeguarding risks that exist for children outside of their home environment. The report also highlights a number of examples of good practice including work around child exploitation.
5. The Performance Audit and Quality Assurance subgroup scrutinizes the effectiveness of safeguarding practice. This annual report summarises the common themes for learning and improvement to support vulnerable children.
6. The Case Review and Governance Annual report summarises the learning from four serious case reviews.

### **Budgetary Implications**

7. The OSCB receives partnership funding. A breakdown of income and spend is included in the annual report.

### **Equalities implications**

8. The OSCB ensures that diversity and equality issues for all children are considered in all aspects of its work.

### **Risk Management**

9. The OSCB maintains a risk register, which is reviewed on an annual basis.

### **Communications**

10. The OSCB annual report is published on the OSCB website. The PAQA and CRAG reports are not published on the OASB website but are available as part of Cabinet papers.

### **Key Dates**

11. The reports were considered by Performance Scrutiny Committee on 5 September and will go to Full Council on 5 November 2019.

LARA PATEL

Deputy Director - Safeguarding

Contact Officer      Tan Lea, Strategic Safeguarding Partnerships Manager

August 2019



Oxfordshire Safeguarding Children Board



# Annual Report

2018 - 2019

# Contents

1. Foreword	3
2. Introduction	4
3. Structure and governance	5
4. Priorities and progress	10
5. Safeguarding Performance and Effectiveness	12
6. Serious case reviews	15
7. Strengths and challenges	18
8. Summary	20

Appendices	
OSCB Membership	21
OSCB Structure chart going forward	22
Linkages to other groups	23
Funding and expenditure for 2018/19	24
Priorities for 2018/19	25
Glossary	26



# 1. Foreword from the Chair

As the Independent Chair of Oxfordshire Safeguarding Children Board, it is my honour to provide a foreword to this the 2018-2019 Annual Report. I hope that you enjoy reading it and find it an informative and stimulating read about the Achievements, Challenges and Activities of the Board in the past year. We have responded to feedback from last year about the length of the report and have tried to make it a shorter, more concise and pithy report. I would like pay tribute to the hard-working team in the LSCB office who have worked so hard to pull this document together and who support me so impressively in my role as Chair.

I started my tenure as Chair of the Board in September 2018. It was very apparent to me from the start that I was joining a strong partnership with much to celebrate and build upon. Oxfordshire, like other areas, has challenges around demand on statutory services, criminal exploitation of children, the availability of specialist provision for children with complex needs and so on. However I head up a partnership that I am convinced is well sighted on these and other issues and committed to working together to address them. I continue to see little sign of complacency regarding performance and the issues that face us; instead I see a range of professionals and managers committed to continuous improvement.

This is the last report that will be written under the previous version of Working Together to Safeguard Children. The Department of Education issued new guidance last year (Working Together to Safeguard Children 2018) setting out a change in the way that Safeguarding Boards are governed. Boards were required to submit to the Department proposals for how they would comply with the new guidance by the end of June 2019. I am pleased to report that Oxfordshire submitted their proposals at the start of May. Our proposals built on the strong existing partnership but created a new Executive Group that is headed up the so-called “Big Three” of Oxfordshire County Council, Oxfordshire’s Clinical Commissioning Group and Thames Valley Police who have lead responsibility for the local safeguarding arrangements.

We are committed to the Annual Report being an impactful, not just one that is read and then gathers dust on a shelf or sits on an internet page slowly becoming out of date! So if the report raises questions for you, you strongly agree or disagree with any of the contents or wish to know anything more about any aspect of the report do get in touch with us to discuss it further. In the meantime thank you all for what you do week in and week out to safeguard the children and young people of Oxfordshire and I look forward to continuing to work with you in the coming year.

Richard Simpson  
Independent Chair

## 2. Introduction

This annual report is a retrospective look at the work of OSCB for 2018/19. It will be the last Annual Report under the auspices of Working Together 2015. In May 2019 the OSCB will move to a new set of multi-agency safeguarding arrangements in line with Working Together 2018.

At present the OSCB Chair is required to publish an annual report on the effectiveness of child safeguarding and promoting the welfare of children in the local area. The report should provide a rigorous and transparent assessment of the performance and effectiveness of local services. It should identify areas of weakness; the causes of those weaknesses and the action being taken to address them as well as other proposals for action. Finally, it should include lessons from reviews undertaken within the reporting period.



## 3. Structure and Governance

### 3.1 Remit

The OSCB is a partnership set up under the Children Act 2004 to co-operate with each other to safeguard children and promote their welfare. Guidance is set out in Working Together. The Board's job is to make sure services are delivered, in the right way, at the right time, so that children are safe and we make a positive difference to the lives of them and their family. This is done in two ways:

#### 1. Co-ordinating local work by:

- Developing robust policies and procedures.
- Participating in the planning of services for children in Oxfordshire.
- Communicating the need to safeguard and promote the welfare of children and explaining how this can be done.

#### 2. Ensuring that local work is effective by:

- Monitoring what is done by partner agencies to safeguard and promote the welfare of children.
- Undertaking Serious Case Reviews and other multi-agency case reviews and sharing learning opportunities.
- Collecting and analysing information about child deaths.
- Publishing an annual report on the effectiveness of local arrangements to safeguard and promote the welfare of children in Oxfordshire.

### 3.3 Structures and strategic links

The board is not responsible or accountable for delivering child protection services but it does need to know how well the safeguarding system is working. The board's membership is set out in Appendix A. It has effective linkages to other strategic groups in Oxfordshire to ensure clear remit and cross partnership working. The board's structure (going forward) is set out in Appendix B and linkages are set out in C. The OSCB has a strong working relationship with the Safeguarding Adults Board with joint meetings twice a year. This year the two Boards have had the joint priorities of: housing; domestic abuse and transitions.

### 3.4 The OSCB Chair

The OSCB Independent Chair, Richard Simpson, was recruited following a commissioning process in 2018. This involved a series of interviews with board members and children. Richard is a senior manager with Barnardo's children's charity. This arrangement delivers additional independent scrutiny for the Board. As well as his personal experience and skill set, he brings with him the knowledge and support of Barnardo's.

### 3.5 Financial contributions

All board members contribute to the OSCB. The contributions for 2018/19 are attached at Appendix D.

### 3.6 Subgroups

The Board was supported by an Executive Group comprising the Independent Chair, strategic leads and subgroup chairs. The purpose of the sub-groups and key activity in the past year is outlined below:

**Performance, Audit and Quality Assurance** – reviews safeguarding data and intelligence to test the effectiveness of services including early help. The group has undertaken three multi agency safeguarding audits, ten audits of agency safeguarding practice and escalated issues on safeguarding in education, domestic abuse and sufficiency of placements for children with complex needs. See section 5.

**Case Review and Governance** – undertakes rapid reviews of serious incident notifications, oversees and supervises all serious case reviews and identify themes, actions and learning from serious incidents. The group has led on four serious case reviews, three partnership reviews and developed guides, four learning summaries and a series of ten learning points for practitioners in Oxfordshire. See section 6.





**Training** – commissions, monitors and oversees the delivery of training, hosted an annual conference and provided learning summaries and events from key themes that identified locally and nationally on behalf of the OSCB and the Oxfordshire Safeguarding Adults Board. The group has supported learning events on child drug exploitation for 100 delegates, multi-agency chronologies for children for 100 delegates as well as an annual conference for 150 delegates around contextual safeguarding. 5017 delegates have undertaken face to face safeguarding training and 6497 delegates have undertaken e-learning. The group also set in place the mechanism for charging for non-attendance at courses in 2019/20 to respond to a concerning level of last-minute non-attendance.

**Child Exploitation** – ensures a co-ordinated multi-agency approach is in place for all child exploitation concerns and emerging issues. The group has supported the development of a Child Exploitation screening tool as well as partnership arrangements for exploited and missing children across the county. This is developing a common understanding of the patterns and trends around missing and child exploitation risks within each local area, enabling the partnership to ensure that resources are directed appropriately. Other work has been undertaken to improve services when working with boys as victims as well as to better safeguard children with disabilities from exploitation.

**Safeguarding in Education** – ensures staff in pre-schools, schools, colleges and other education providers are aware of key safeguarding issues and are also able to escalate their concerns to the Board and Executive Group and influence the strategic development of services. The group has focused on the themes of keeping children safe in education, elective home education, promoting CAMHS guidance on self-harm for schools; analysing Ofsted safeguarding reports and school audit work. It has produced a termly newsletter for schools.

**Procedures** – ensures all practitioners and managers across the children's workforce have up-to-date guidance and procedures on all key safeguarding issues via the OSCB website. The group has updated procedures as a result of changes in legislation and guidance, in particular, Working Together 2018. Colleagues can refer to the online manual to see updates, which include working together on Information sharing, Female Genital Mutilation, Historical abuse.

**Child Death Overview Panel** – ensures local oversight of all child deaths in the area and ensures that lessons are learnt and action taken as appropriate to the circumstances and any themes are identified and addressed. The group has updated procedures as a result of changes in legislation and guidance, in Working Together 2018, in particular joining with Buckingham CDOP for themed meetings. Oxfordshire has a high number of deaths of children who are not Oxfordshire residents because it hosts the regional hospital and children's hospice. CDOP monitors the numbers and trends of these deaths and liaises with their local area to ensure all appropriate learning is gained.

**Disabled Children** – ensures the safeguarding needs of disabled children are addressed and high quality services are delivered to this group. The group has worked to improve the revised Childcare and Development checklist by refining key criteria which need to be addressed for disabled children's health and well-being, contributed to plans for the Oxfordshire approach to reviewing and learning from child deaths under the new Working Together guidance and considered the impact of the Intensive Support Team in safeguard those with challenging behaviour related to their mental health needs. The group has worked closely with the Exploitation group on the strategy aimed at reducing the vulnerability of children with additional needs to child sexual exploitation / child drug exploitation.

**Health Advisory Group** – brings together the lead health safeguarding practitioners and alerts the Board and Executive to key safeguarding gaps and concerns from the health sector. It also ensures that health professionals are aware of key safeguarding issues. The group has focused on the themes of drug exploitation, neglect and health professionals role in identifying it (including the concept of 'Was Not Brought' rather than 'Did Not Attend' appointments), gender identity, Adverse Childhood Experiences (ACEs), safeguarding issues and mental health (including concerns about lack of provision of in-patient beds), FGM and the Child Protection – Information System. The latter is a new project to link IT systems used in health and social services, to help staff share information securely on children who are looked after or on a child protection plan.

### 3.7 Listening to views of children and young people in Oxfordshire

The group, Voice of Oxfordshire Youth (VOXY), was part of the recruitment process for the OSCB independent chair in 2018/19. The group offers a helpful sounding board for the OSCB, which listens to its view and concerns. Last year VOXY told the OSCB that it was concerned about fabricated and induced illness. This led to a review of current cases by the OSCB designated doctor, with findings presented to the board as well as a review of inter-agency procedures confirming that they are fit for purpose. VOXY also said that they were concerned about the effectiveness of preventive work undertaken with young people they perceive to have started to demonstrate harmful behaviours. This led to a multi-agency audit and learning summary, which contributed to the OSCB's decision to run its annual conference on contextual safeguarding.

The OSCB was also keen to capture the views of children it comes in to contact with through serious case reviews. These are children who have been at risk of serious harm and neglect. Through meetings with reviewers they have told us that at times they 'felt like they were missing' or simply 'not seen' by professionals. They have also told us how small gestures of kindness made a big difference. This re-iterates the message from previous years that practitioners, across the system, should never underestimate the difference that they can make by 'being there', following-up and caring.





## 4. Priorities and Progress

### 4.1 Priorities for 2018/19

The OSCB had three aims: to provide leadership for effective safeguarding practice; to drive forward practice improvement and to challenge in order to ensure that children are kept safe. See Appendix E for the details.

### 4.2 Reporting on progress

#### Aim 1: Providing leadership for effective safeguarding practice.

Working Together 2018 set out the new statutory requirement for the leadership of safeguarding arrangements to be at chief executive level across health, police and the local authority. The OSCB has worked hard to ensure that the new arrangements will build on the existing collective approach to safeguarding children and young people and is set out in the multi-agency safeguarding arrangements.

The OSCB has worked jointly with the adults safeguarding board on Joint priorities. Domestic Abuse training is now up and running, workshops on the young people's pathway are in place and consultation has just completed on the next 5-year strategy. A Housing network has been set up for local providers, a multi-agency housing audit is underway and there is good board representation. Transitions work ensures that there is good cross-over between services and any concerns are quickly escalated.

In addition, reporting on modern slavery is reviewed to maintain a clear view on trends and any concerns arising regarding children – none have been reported as yet.

The voluntary and community sector held elections for representatives on the OSCB board and representatives from that sector are well-represented across the subgroups. The OSCB Chair has met and engaged with the Children and Young people's Forum. An action plan is ensuring good communication as well as visibility on the new OSCB website.

#### Aim 2: Driving forward practice improvement.

##### Safeguarding adolescents

The OSCB has supported the development of a Child Exploitation screening tool as well as partnership arrangements for exploited and missing children across the county. This is timely: whilst the number of children going missing has reduced those that went missing 3 or more times rose by 22% last year (from 149 to 168). The OSCB has challenged around the work with young people at risk of peer abuse. Audits have checked the effectiveness of joint working. Workshops have been run to raise awareness. Learning from the Child J serious case review with respect to mental health support for adolescents has been implemented by mental health services. The OSCB has worked with the Adults Board to improve communication and joint working on those children transitioning from children to adult services.



## Tackling neglect

The OSCB has supported the development of the neglect practitioner portal which includes assessment tools to work with families, videos for practitioners, research and guidance on understanding and working with neglect. Partners have implemented a multi-agency training course on neglect and working with parents around emotional abuse. Colleagues have embedded the early help pathway - there were 1,378 in 2018/19 recorded early help assessments compared to 458 in 2016/17. Partners have checked how well we are involving fathers: data indicates that this could be better. Since July 2018 only 44% of fathers attended child protection conferences regarding their children.

## Taking action from learning

5,017

delegates have undertaken



254

face to face safeguarding training events and



delegates have undertaken e-learning

They were 'Supporting LGBT children, young people and families' as well as 'Working with fathers and other male carers' course. This has increased the range of training and reinforced the 'Think Family' message that the OSCB promotes.



The OSCB has run three learning events on: (1) child drug exploitation as this theme has been raised by practitioners across the county e.g. Kingfisher Team, area safeguarding groups; (2) multi-agency chronologies as this is a repeated theme from serious case reviews and can help address neglect and (3) contextual safeguarding<sup>1</sup> as this has been of concern to practitioners across the county.

<sup>1</sup>Threats to the welfare of children can come from outside their families. These extra-familial threats might arise at school ... from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

## 5. Safeguarding Performance and Effectiveness

### 5.1 Quality assurance framework

The performance, audit and quality assurance subgroup reviews performance and effectiveness across the system. It draws on performance data, the annual impact assessment, safeguarding self-assessments, single and multi-agency audits, participation work with children and young people, serious case reviews and practitioner feedback.

### 5.2 Local safeguarding profile: performance data

Quantitative data provides a picture on ongoing rising demand. There is some indication that the early help work is beginning to increase and have impact. Early help assessments have increased significantly. In 2016/17 early help assessments made up 6% of all assessments compared to 18% last year. The number of troubled families worked with rose from 2698 last year to 4631.

The 2018 Ofsted inspection was positive about improvements made to the Multi-agency Safeguarding Hub (MASH) and these have subsequently been seen to show impacts. In 2017/18 45% of MASH enquiries were dealt with within the target timescale. In 2018/19 this improved to 98% of 'red' enquiries were completed on time and 75% of other enquiries.

After over 10 years of growth in child protection numbers (250 children in March 2009) the number reduced in the last year. The number of children on a child protection plan fell from 729 last year to 605 at the end of March 2018. Neglect is the most common reason for children to be subject to child protection plans (70%). This compares to the national average of 48%<sup>2</sup>. Neglect is not however the most common reason for children to be subject to an early help assessment.

The number of children looked after by the local authority rose by 13% from 690 last year to 780 at the end of March 2019 but remains lower than national average. This is an increasing trend. The biggest increase has been in younger children, who are presenting with increasingly complex needs and elevated risk profiles particularly autism, mental health issues and risk of exploitation.

Audit findings (children displaying harmful behaviours) and case reviews (Children A-F) show the impact of adverse childhood experiences. Quantitative data indicates that the number of child victims of crime rose by 30% (from 2313 to 3021) and the numbers of domestic crime involving children rose 55% (from 1840 to 2854).

From national and local serious case reviews (Children A-F and Child J) the OSCB has evidence of links between safeguarding risk and safeguarding in education issues: attendance, exclusions, elective home education, attainment and achievement of pupils with special educational needs and disabilities.

<sup>2</sup>(SFR 2017/18).



Current year end statistics from 2018/19 indicate: 715 children were recorded as receiving elective home education and 413 pupils who were on a reduced timetable. Current statistics from the end of the second school term (i.e. Easter 2019) indicate 1448 pupils had received a fixed term exclusion and 55 pupils who were permanently excluded, of whom 19 received SEND support.

Data is showing us that children with additional needs make up a large proportion of the children worked with by the Kingfisher team, which specialises in supporting those children most at risk of child sexual exploitation. We know that this type of vulnerability often overlaps with drug exploitation and 50% of the caseload are known to have issues with drug and alcohol abuse. 40% were assessed as having mental health issues. Data also shows that the proportion of Oxfordshire's disadvantaged pupils aged 10-11 achieving the expected standard was below the England average at Key Stage 2 in 2018.

Local mental health services continue to face high levels of demand: in 2017/18 there were 566 child referrals into CAMHS each month, in 2018/19 this rose to 697. This has had an impact on the percentage of referrals to CAMHS who are seen within 12. At the end of the year this was only 34% compared with a target of 75%. The OSCB receives regular updates on this work and is assured that the urgent cases are seen promptly.

There are a higher than average numbers of young people remaining in their placement after 16 (84%) and a high percentage of 19-21-year olds in suitable accommodation (92%). The county council maintains contact with 93% 19-21 year old care leavers. 68% of the cohort are currently in employment, education or training.



### 5.3 Quality assurance: measuring performance and effectiveness

The OSCB takes a system-wide view on safeguarding work through an annual impact assessment and multi-agency auditing. These showed that the key financial and organisational pressures in relation to safeguarding children and their families were (1) recruitment and retention of staff and (2) increasing demand for services. They also pointed to (3) the need for partner agencies to fully understand their safeguarding duties within Working Together 2018, in particular key partner agencies, so that they can have sustained positive impact as well as (4) the benefits of sharing information and working well together as a long-term goal.

The OSCB gains further insight in to how well things are working at practitioner level through agencies' self-assessments and self-audits. Ten safeguarding audits from seven different agencies were reviewed. Collectively they showed that agencies are focussed on getting core safeguarding business right but that there is a determination to do better.

- Evidence of good practice. Thames Valley Police reported an increase in uptake of 'Operation Encompass' from .. to .... This system alerts schools if the child has been in the home when a domestic abuse incident has taken place in the family home the evening/ night before school.
- Evidence of quality assurance work. Children's Social Care audit stated, "*evidence found of multi-agency involvement including housing, education, LCSS, health. There is a strong sense of multi-agency collaboration on the case*".
- Evidence of improved practice to deliver better outcomes. The Community Rehabilitation Company is setting up a permanent Risk and Safeguarding Practice Group to meet bi-monthly, to include practitioners, Unpaid Work staff and programme staff.

Whilst quality assurance work highlighted much good practice there were consistent themes for development at a practitioner level of the need for: good sharing of information, multi-agency chronologies and co-ordinated work.

### 5.5 Escalated issues

Quality assurance work raised some key concerns for the partnership over the last year which were escalated to the board. The first concerned domestic abuse: use of the 'young people's pathway'; use of MARAC; police recording of children's voice at domestic abuse incidents; sign up to Operation Encompass. The second was about safeguarding in education: setting and reporting of performance measures to be sure that children are being kept safe in and out of school. The third was about working together and case conferences: reliable reporting on attendance and contributing. Finally, the sufficiency of placements for children with complex mental health needs meaning there is a delay in discharging them when they come in to hospital.

## 6. Serious Case Reviews, Partnership Reviews, etc

### 6.1 National Child Safeguarding Practice Review Panel

In 2018 a revised version of Working Together was released along with Transitional Guidance, which applies until the new multi-agency safeguarding arrangements come in to place. The National Panel's<sup>3</sup> role and remit was outlined in this guidance along with expectations on safeguarding children boards.

The responsibility for overseeing this work lies with the Case Review and Governance (CRAG) Subgroup of OSCB. This includes the requirement to undertake a 'Rapid Review' as soon as a serious incident is reported to Ofsted and becomes known to the OSCB. The aim of the review is to enable the OSCB to gather the facts about the case and decide what steps we should take next, including whether to recommend to the independent chair to commission a review.

### 6.2 Cases considered for a review

The CRAG undertook three Rapid Reviews. In only one case were the criteria considered to have been met for a serious case review and the recommendation was also made by CRAG that the case raised issues which were complex and of national importance. Whilst the National Panel did not agree that the criteria had been met for a serious case review it has since commissioned its first National Review on adolescent risk and this same case will be examined in detail for that purpose.

The CRAG also undertook reviews of a further five cases, that were not notified to Ofsted as serious incidents but were of enough concern to local agencies that they were reviewed by the CRAG. Three of the cases resulted in Partnership Learning Reviews.

### 6.3 Ongoing reviews

The OSCB has worked on four serious case reviews, which were initiated before the start of the financial year. Of those four reviews: two have been signed off by the Board one is due for sign off and one has been completed as far as possible, whilst parallel processes are underway. The OSCB has worked on three partnership reviews all of which are ongoing and near completion

These reviews involve nine children, the majority of which are aged between 10-15 years, five are male and four are female. Two of these children are transgender.

<sup>3</sup>National Safeguarding Children Practice Review Panel

## 6.4 Safeguarding themes from reviews

Safeguarding themes covered by case reviews have been cross cutting – neglect plays a part in almost all cases. Broadly speaking additional themes have included: the impact of parental mental health on parenting and the well-being of children; severe emotional and physical abuse; engagement and attendance in education as well as children’s emotional wellbeing as they explore their identity and, in doing so, may also become at risk of harm to themselves.

As mentioned, the CRAG considered 8 cases for a potential review this year. An emerging theme from these has been ‘contextual safeguarding’ e.g. children being vulnerable to abuse or exploitation from outside their families such as online abuse and child drug exploitation.

## 6.5 Learning from reviews

The learning from OSCB reviews is shared on the website. Each review has a series of recommendations and action plans.

One message that is mirrored in the impact assessments, the audits and our local reviews is to remember the value of good sharing of information, using multi-agency chronologies and co-ordinating work. See the Golden Rules of information sharing and the information on chronologies on the website.

## Ten Learning points to strengthen working together in Oxfordshire

The OSCB has summarised the ten most frequent learning points from recent case reviews to share with practitioners. They should serve as a reminder of ‘points to bear in mind’ in the busy schedules of day-to-day work. There are many small changes that can be made to improve processes in a system. Ultimately the repeated messages are about how we, within the system, work.

- 1. Understand the ‘lived experience’ of the child in the family:** use multi-agency chronologies to share information in a cumulative view to weigh up risks over time and keep previous events in mind. Make sure that children’s comments are clearly recorded and understood – actual words used and not just the interpretation of them.
- 2. Be curious:** be curious about the family’s past history, relationships and current circumstances in a way that moves beyond reliance on self-reported information
- 3. Respond to physical abuse:** identify it, listen to children and follow safeguarding processes thoroughly; children may sometimes be too afraid to speak or unable to verbalise what they are going through

#### 4. Consider the role of schools in keeping children safe:

- children are safest in full time education. Oxfordshire serious case reviews indicate that children on reduced time-tables, children absent from school and children educated at home are at increased risk. School attendance is a critical factor to support opportunity, well-being and safety
- manage safeguarding records carefully and share them when children transfer schools
- escalate concerns to safeguarding leads and follow up when your concerns persist
- when the child is not in school be aware of the implications of elective home education; know which agencies are in touch with the family and to what effect

#### 5. Recognise the risks and impact of Parental wellbeing on the safety of the child: mental health, substance misuse and domestic abuse are recurring themes. Don't minimise 'older' information and use it to inform your chronology

#### 6. Ensure effective communication across health services for co-ordinated and consistent management of care: fragmented management of health needs can increase safeguarding risks

#### 7. Be mindful of children's emotional wellbeing: there is increasing evidence of self-harm by children aged 10 years & above.

#### 8. Consider that children have a limited capacity to protect themselves as they move into adolescence: more so for children who experience a lack of consistent, supportive parenting in their early years this can. Recognise that, as children explore their identity, they may be at risk of harm to themselves.

#### 9. Rethink 'did not attend' to 'was not brought' and follow up to understand why the child was not brought

#### 10. Understand safeguarding risks that exist in the child's environment – not just their family e.g. children being vulnerable to abuse or exploitation from outside their families such as online abuse, peer on peer abuse and child exploitation.



## 7. Strengths and Challenges

This report provides a rigorous assessment of the performance and effectiveness of local services. It identifies areas of strength and challenge as follows:

### 7.1 Strengths

The OSCB is a high functioning, high challenge Board with a strong reputation and a long-standing commitment to partnership working. The work to move smoothly to new multi-agency safeguarding arrangements is evidence of that. The OSCB training and learning programme continues to be an example of excellent practice with local practitioners volunteering their time to deliver learning to thousands of colleagues across Oxfordshire each year. The continued drive to address neglect through training, better resources and processes is positive and should continue. The indication that more early help assessments are taking place and that for the first time in ten years the number of children on child protection plans has not risen is a good indication of change.

### 7.2 Challenges

There is huge demand on the statutory system. The child population of Oxfordshire has grown by 7% in the last ten years and is estimated to stand at 143,400 young people aged under-18<sup>4</sup>. Alongside this growth there has been increased demand for services particularly towards the high end of the continuum of need. Our impact assessment tells us that local agencies are struggling from the financial pressures on resources and the capacity to retain staff to manage it.

Challenges exist in terms of practice improvement, leadership and joint working.

The key challenges for the Board partners in 2019/20 in terms of practice improvement are:

- **Neglect**

This is an ongoing concern in Oxfordshire and a repeat factor in case reviews. OSCB partners remain committed to addressing it. Neglect is recorded as the main reason in 70% for child protection plans although it is not being picked up in a similar extent in early help assessments. Multi-agency participation and contribution to case conferences could be improved and the standard use of the multi-agency chronology still needs embedded. Data also indicates that fathers are present and contributing to only 44% of case conferences.

<sup>4</sup>Source ONS Mid Year Estimates for Oxfordshire for people aged 0-17 2007 & 2017





- **Safeguarding in (and out of) Education:**

This issue frequently presents in case reviews and audit work. We know that children are safer in education. Work has just begun to agree targets and report data on part-time time tables, attendance, exclusions and also elective home education. We know that we need to improve understanding of education entitlement and provision to different partners in the system. OSCB partners are in the early stages of delivering change and improving practice.

- **Contextual safeguarding and child exploitation**

This is an ongoing concern and the partnership arrangements need to be embedded. The partnership response needs to be agreed and implemented.

Adolescents and risk: more adolescent children are subject to reviews, mental health concerns shown in increased referrals, peer on peer abuse not fully addressed through the young people's pathway

The key challenges for the Board in 2019/20 in terms of leadership and governance are:

- **Embedding the new arrangements and raising awareness of the board to local practitioners**

- **Independent scrutiny:** in the new safeguarding arrangements this will be a new piece of work to embed – need to ensure it picks up on escalated issues from 2018/19 such as domestic abuse

- **Voice of young people:** all audits and reviews point to good practice and the need to really improve this to know 'what it is like to be the child in this family'

The key challenges for the Board in 2019/20 in terms of joint work with the Safeguarding Adults Board are:

- **Domestic abuse:** to improve training for the workforce, better provision for people affected by domestic abuse and better joint working to support young people in abusive relationships
- **Housing:** to improve communication and joint working
- **Transitions:** to improve communication and joint working on those children transitioning from children to adult services
- The boards will also keep a watching brief on **Modern slavery** and **safeguarding training**



## 8. In conclusion

As we publish this annual report we are delighted to be launching our new multi-agency safeguarding arrangements on behalf of the children, young people and families in Oxfordshire.

The new statutory requirement is for the leadership of safeguarding arrangements to be at chief executive level across health, police and the local authority. We are fully committed to safeguarding children and promoting their welfare under these new arrangements. We are already setting out our priorities for the coming year.



## Appendix A. OSCB membership

Independent Chair, Barnardo's

Oxfordshire County Council: children's services, youth justice services, adult services, fire and rescue services, legal & public health

Oxford University Hospitals Foundation Trust

Oxfordshire Clinical Commissioning Group

Oxford Health NHS Foundation Trust

NHS England Area Team

West Oxfordshire District Council

Cherwell District Council

Oxford City Council

South Oxfordshire and Vale of White Horse District Council

Thames Valley Police

Children and Family Courts Advisory and Support Service

Community Rehabilitation Company

National Probation Service

Lay Members

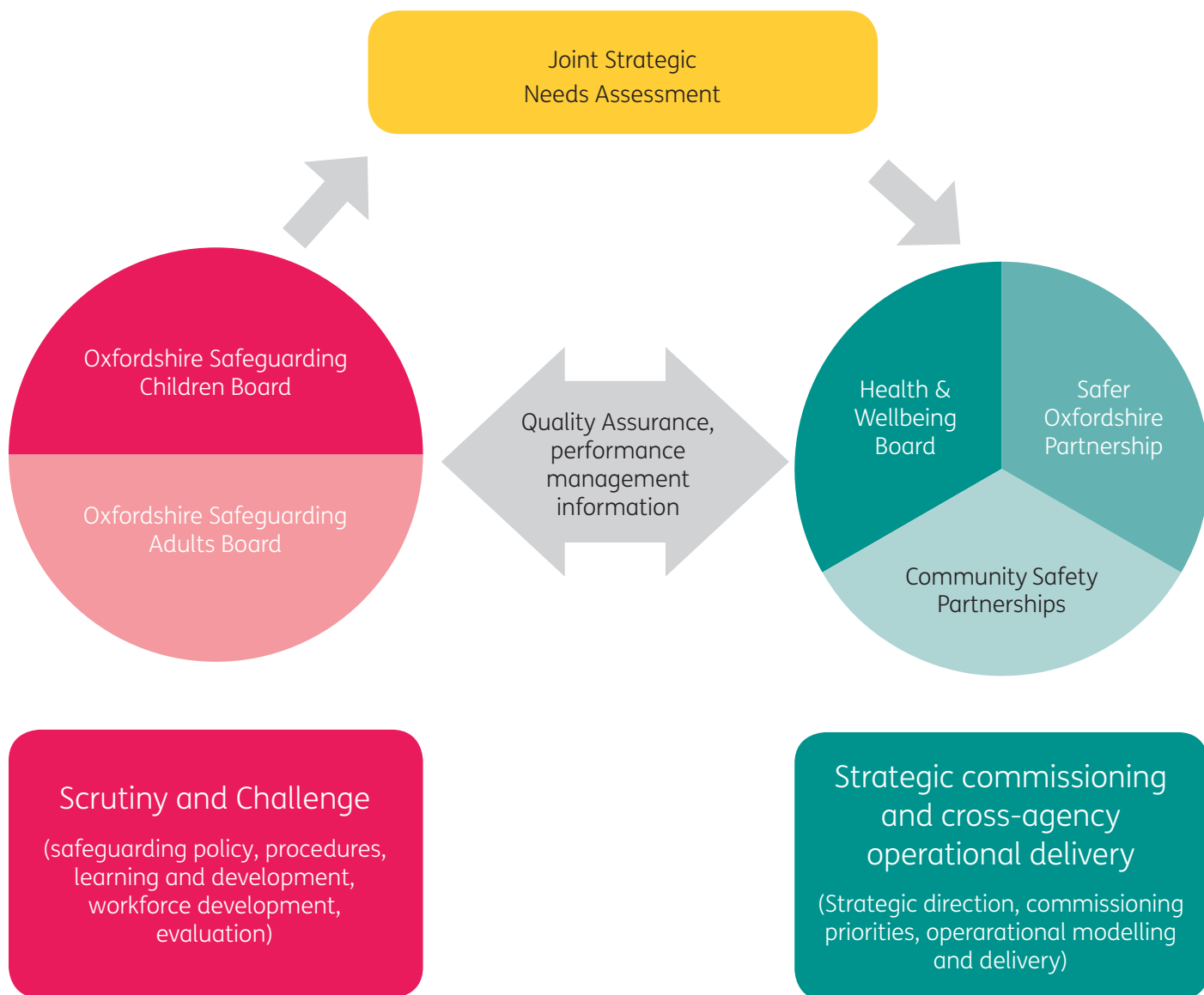
Representation from schools and colleges

Representation from the voluntary sector

Representation from the housing sector

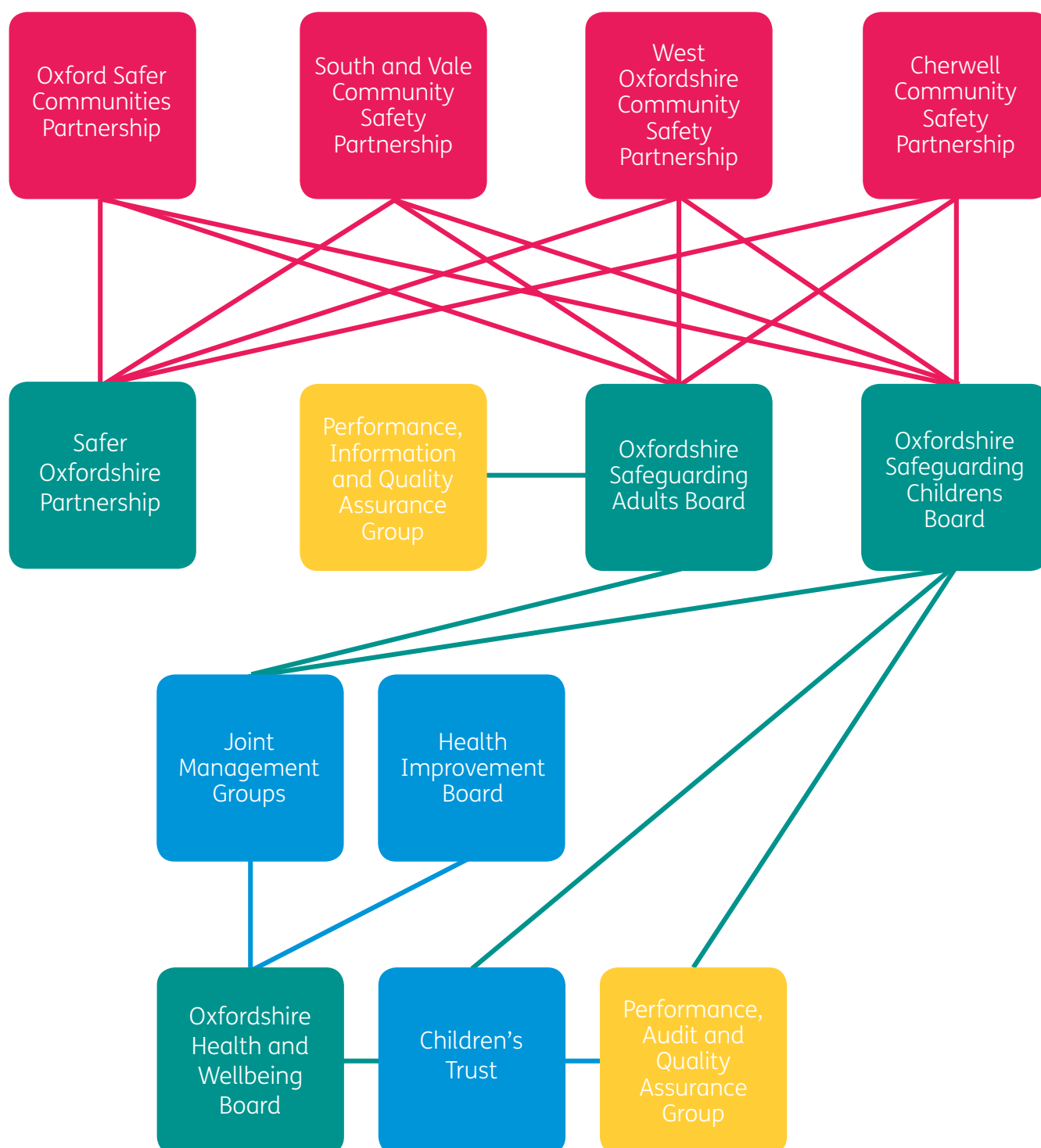
Representation from the military

## Appendix B: OSCB structure diagram





## Appendix C: Linkages to other strategic groups



## Appendix D: Funding and expenditure in 2018/19

	Provisional budget 2018/19	End of year budget 2018/19
<b>Funding streams</b>		
Public Health	-£30,000.00	-£30,000.00
<b>Income</b>		
Foster carer training		-£3,825.00
Neglect training		-£2,200.00
<b>Contributions</b>		
OCC Children, Education & Families	-£196,610.00	-£199,000.00
OCC Dedicated schools grant	-£64,000.00	-£64,000.00
Oxfordshire OCCG	-£60,000.00	-£60,000.00
Thames Valley Police	-£21,000.00	-£21,000.00
National Probation Service	-£1,410.00	-£1,410.00
CRC	-£2,500.00	-£2,500.00
Oxford City Council	-£10,000.00	-£10,000.00
Cherwell DC	-£5,000.00	-£5,000.00
South Oxfordshire DC	-£5,000.00	-£5,000.00
West Oxfordshire DC	-£5,000.00	-£5,000.00
Vale of White Horse DC	-£5,000.00	-£5,000.00
Cafcass	-£500.00	-£500.00
Public Health (see above)	£0	£0
<b>Total income</b>	<b>-£406,020.00</b>	<b>-£414,435.00</b>
<b>Expenditure</b>		
Independent Chair	£39,000.00	£33,504.00
Business unit	£253,000.00	£253,908.00
Comms	£14,500.00	£14,970.00
Training & learning	£60,000.00	£60,094.00
Subgroups	£10,000.00	£10,129.00
All case reviews	£40,000.00	£37,868.00
<b>Total</b>	<b>£416,500.00</b>	<b>£410,473.00</b>

## Appendix E: Board priorities in 2018/19

AIM: PROVIDE LEADERSHIP FOR EFFECTIVE SAFEGUARDING PRACTICE	
PRIORITIES	ACTIONS
Improve board effectiveness	Develop the work of the Board to be more effective in light of the new Working Together guidance
Joint work with OSAB	Develop joint working on housing, domestic abuse, transitions and keep a watching brief on modern slavery
Engage local communities	Ensure that local voluntary and community organisations are better engaged in the partnership: training, communication and working together
AIM: DRIVE FORWARD PRACTICE IMPROVEMENT	
PRIORITIES	ACTIONS
Safeguard adolescents	Support multi-agency responses to safeguard vulnerable adolescents: <ul style="list-style-type: none"> <li>• transitioning from children to adult services with OSAB</li> <li>• at risk of domestic abuse or peer abuse with OSAB</li> <li>• at risk of criminal exploitation</li> <li>• not in full time education</li> </ul>
Address neglect	Support a co-ordinated and multi-agency response to neglect
Act following learning	Ensure the training workstream is well co-ordinated across the OSCB and OSAB and having an impact  Ensure the learning and improvement comms. workstream reinforces safeguarding messages
AIM: ENSURE THAT CHILDREN AND YOUNG PEOPLE ARE KEPT SAFE	
PRIORITIES	ACTIONS
Challenge improvements	Test how well learning is embedded in to practice through multi-agency audits which include the voices of children and families  Check how well the integrated safeguarding arrangements effectively provide early help to families
Assess risk and capacity	Check the level of risk and impact on the safeguarding system through the annual partner self-assessments with OSAB

## Appendix F: Glossary

ACE	Adverse childhood experiences
CAMHS	Child and Adolescent Mental Health Service
CDOP	Child Death Overview Panel
CRAC	Case Review & Governance
CRC	Community Rehabilitation Company
FGM	Female genital mutilation
LCSS	Locality and Community Support Service
LGBT	Lesbian, gay, bisexual, and transgender
LIQA	Learning, Improvement and Quality Assurance (framework)
LSCB	Local Safeguarding Children Board
MASH	Multi-Agency Safeguarding Hub
MARAC	Multi-Agency Risk Assessment Conference
OCC	Oxfordshire County Council
OCCG	Oxfordshire Clinical Commissioning Group
OFTSED	Office for Standards in Education, Children's Services and Skills
OSAB	Oxfordshire Safeguarding Adults Board
OSCB	Oxfordshire Safeguarding Children Board
SEND	Special educational needs and disability
SFR	Statistical First Release
SOP	Safer Oxfordshire Partnership
TVP	Thames Valley Police
VCS	Voluntary and Community Sector
VOXY	Voice of Oxfordshire's Youth









<b>Report title:</b>	<b>Case Review and Governance sub group annual report, 2018/19</b>
<b>Date:</b>	<b>11 06 19</b>
<b>Lead Officer:</b>	<b>Lara Patel</b>
<b>Contact Details:</b>	<b><u><a href="mailto:Lara.Patel@oxfordshire.gov.uk">Lara.Patel@oxfordshire.gov.uk</a></u></b>

### **Introduction:**

This is an annual report from the Chair of the Case Review and Governance (CRAG) subgroup – a subgroup of the Oxfordshire Safeguarding Children Board. It covers information on cases considered, cases reviewed and action taken over the last 12 months.

### **1. Local context**

The subgroup comprises members drawn from Thames Valley Police, the County Council's children's services and legal services, the OCCG Designated Doctor and Designated Nurse, OH NHS FT, Public Health and a Head teacher representative. The purpose of the group is to support the OSCB in fulfilling its statutory duty to undertake reviews of cases both where the criteria<sup>1</sup> is met and where it is not met in order provide valuable information on joint working and areas for improvement.

The OSCB has worked on four serious case reviews since the last report to the Board. Of those four reviews: two have been signed off by the Board one is due for sign off by the end of July and one has been completed as far as possible, whilst parallel processes are underway – which have been ongoing since 2013. The OSCB also instigated four partnership learning reviews, which were ongoing at year end. One of these reviews has been stepped down as a local partnership review as it will form part of the first national child safeguarding practice review overseen by the National Panel.

### **2. National Context**

Over the reporting period the OSCB has complied with the DfE Transitional Guidance 2018, introduced in July 2018, and worked with the new arrangements in terms of undertaking Rapid Reviews of all serious incidents. See appendix A for the specific guidance that the CRAG has worked to with respect to notification of serious harm

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<sup>1</sup> Working Together to Safeguard Children 2015

ans. The OSCB Chair has established dialogue with the National Panel on all Rapid Reviews led by the CRAG. With the implementation of new multi-agency safeguarding arrangements in 2019 the CRAG will seek to complete and close down all serious case reviews by the end of the calendar year.

### **3. Cases considered for review by the subgroup**

Eight cases were brought to the attention of the CRAG for consideration as a serious case review. Four of them led to further action.

#### **Rapid Reviews**

Three cases were notified to Ofsted as serious incidents and became the subject of a Rapid Review. All were referred in by Children's Social Care. These cases were reviewed from the perspective of whether they met the criteria for a SCR and whether the case raised issues which were complex or of national importance.

In only one case were the criteria considered to have been met for a serious case review (see Appendix B for criteria) and the recommendation was made by CRAG that the case raised issues which were complex and of national importance. All Rapid Reviews must be referred on to the National Panel for their consideration of case and the local decision. It was the National Panel's view that the criteria for an SCR had not been met. The National Panel has however commissioned its first National Review on adolescent risk and this same case will be examined in detail for that purpose. The CRAG is therefore not pursuing its own local review. No other decisions were contested by the panel.

#### **Cases considered for a review**

Five further cases were considered. They were not notified to Ofsted as serious incidents but were of enough concern to local agencies that they were reviewed by the CRAG. Most of these cases were referred in by Children's Social Care. One case was referred in jointly with health colleagues. Three of the cases resulted in Partnership Learning Reviews.

In all cases CRAG considered if the child was in immediate harm, if any further action needed to be taken, including assurances of good safeguarding practice, and if there were any immediate learning points.

### **4. Reviews: subject details and safeguarding themes**

There were seven ongoing reviews, which involve nine children. At the time that the reviews were commissioned two of the children were aged between 1-5 years and seven of the children were aged between 10-15 years. Four were female and five were male. Two of these children were transgender. Sadly, in two of the cases the children are deceased.

Safeguarding themes covered by case reviews have been cross cutting – neglect plays a part in almost all cases. Broadly speaking additional themes have included: the impact of parental mental health on parenting and the well-being of children; severe emotional and physical abuse; engagement and attendance in education as well as children’s emotional wellbeing as they explore their identity and, in doing so, may also become at risk of harm to themselves.

As mentioned, the CRAG considered 8 cases for a potential review this year. An emerging theme from these has been ‘contextual safeguarding’ e.g. children being vulnerable to abuse or exploitation from outside their families such as online abuse and child drug exploitation.

## **5. Views of children**

Where possible reviewers have met with family and young people. In all cases the review teams have been grateful to family members that contributed to the review as they have provided an important insight into what happened from their perspective.

All cases are unique and generalisations should be avoided with small numbers but some of the points made were about ‘being missed’ by professionals (children), or ‘not being heard’ (other family members who wanted to help). Some reviews have identified how the ‘voice of the child’ was not known consistently, and therefore their lived experience could not be evaluated effectively. For example, reviews have stated:

- *X was “missed in my family” and recalls that professionals who came to their home “only chatted to mum” and “did not spend any time getting to know me”.*

There is also a message about when children do disclose information. In some cases when children disclosed information they felt that the outcome ‘made it worse’ for them (children).

- *“Y feels very let down that nothing happened” after disclosing a concern at school – the outcome is that this disclosure was shared with carers. Y ‘worries that this is still happening today’.*

The point was also made that when a child did feel that they were noticed, heard or listened to sympathetically, no matter how small the gesture, this did make a difference to their wellbeing and was remembered.

- *Z “Remembers two teachers (in particular) that were kind” and wants them to know that this made a difference at the time.*

Due to the number of children directly affected by current serious case reviews the CRAG is introducing a ‘life letter’ for children. The letter is written by the reviewer

explaining why the review was undertaken and what it found. It will be given to the children or will be kept on the children's case file until they are ready to read it.

## **6. Learning points from Oxfordshire case reviews**

Last year the CRAG summarised the ten most frequently recurring learning points from the three most recently published case reviews. These themes continue to run through the cases that CRAG reviews and have been updated to reflect greater emphasis on some of the points. See appendix C.

Case reviews frequently highlight good practice, where professionals not only do what is expected of them, and excellent practice, where they have gone above and beyond. Current cases highlight Oxfordshire professionals who have done just this: teachers, GPs, health visitors and social workers.

## **7. Report recommendations, monitoring and outcomes from case reviews**

All SCR recommendations form part of the OSCB business plan and drive the direction of work e.g. the OSCB 2018/19 priority to improve practice focuses on: working to address neglect and working to safeguard adolescents. Whilst the current SCRs have not been published there are action plans in place for all four of them, which were monitored through the OSCB Executive group in 2018/19. The four case reviews have over 20 recommendations.

Below are some examples of positive impact resulting from learning from serious case reviews:

- the development of a new 'single point of access<sup>2</sup>' by Oxfordshire CAMHS allowing for much more consultation, advice and support. There has been a 30% increase in activity (consultation, advice and signposting) as a result.
- the production of some short films by CAMHS on some of the most common mental health topics in medias that young people relate to e.g. on YouTube (see Appendix D for the links)
- new CAMHS website with information on service provision, self-help and online referrals [www.oxfordhealth.nhs.uk/camhs/oxon](http://www.oxfordhealth.nhs.uk/camhs/oxon).
- good 'access targets' for Oxfordshire CAMHS. It is now in the top three performing Trusts nationally.
- Information sharing through a multi-agency chronology is now compulsory at initial child protection conferences and reviews. Guidance has been issued and training provided.
- The Parenting Assessment<sup>3</sup> Manual is more widely used (revised guidance has been issued) and 16 practitioners have been trained to carry out the assessments.

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<sup>2</sup> CAMHS 'SPA' is open 8am-6pm Monday to Friday and will take self- referrals, family/carers and professional referrals

<sup>3</sup> Detailed safeguarding risk assessment of parental ability to care for children properly and, if necessary, the support required to do this

- Private fostering guidance has been updated and reissued and raised at children's social care team meetings. New posters explaining what private fostering is have been promoted.
- The guidance on safeguarding record keeping for schools has been updated and training is available. This is also checked during audits of schools and reported on annually.

## **8. Publication**

It is normal practice to publish serious case reviews for a minimum of one year on the OSCB website. However due to the age, identity and vulnerability of surviving children the OSCB will be making the case not to publish a number of these cases. The CRAG does not consider that it would be in their best interest to have their reviews made public.

## **8.Communicating the learning from reviews**

In 2018/19 the OSCB held two learning events and an annual conference on the following topics:

- Child drug exploitation: information was provided on what this is, how it is presenting in Oxfordshire and what work is being undertaken by local agencies
- Multi-agency chronologies: guidance was given on when, why and how to contribute to a multi-agency chronology along with a 7-minute guide on the process.
- Contextual safeguarding<sup>4</sup>: national and local information was given on this theme as well presentations on the victim's perspective

Learning documents have been produced on Elective Home Education; Lessons from reviews for Health partners; 7-minute guide of Parenting Assessment Manual<sup>5</sup> assessment and a 7-minute guide on Multi-agency chronologies. They are on the OSCB website.

## **9.Costs and timeframes**

Of the three most recently published reviews the costs have ranged from approximately £10,000 to over £20,000. All recently published reviews were signed off by the OSCB within a 12-18 month timeframe. The variation in costs is down to the type of review, its complexity, duration and the level of practitioner and family involvement.

## **10.In conclusion**

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<sup>4</sup> Threats to the welfare of children can come from outside their families. These extra-familial threats might arise at school ... from within peer groups, or more widely from within the wider community and/or online. These threats can take a variety of different forms and children can be vulnerable to multiple threats, including: exploitation by criminal gangs and organised crime groups such as county lines; trafficking, online abuse; sexual exploitation and the influences of extremism leading to radicalisation.

The OSCB is recommended to maintain a focus on the ten most common learning points from ongoing reviews and to ensure that members of the local safeguarding partnership are fully aware of the learning from the three most recently published summaries.



## **Appendix A: Serious harm and notifications**

16C (1) of the Children Act 2004 (as amended by the Children and Social Work Act 2017) states:

Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if:

- (a) The child dies or is seriously harmed in the local authority's area, or
- (b) While normally resident in the local authority's area, the child dies or is seriously harmed outside England.

The notification must be within 5 days of becoming aware of the incident. The local authority should also report this to OSCB.

The local authority must also notify the Secretary of State and Ofsted where a looked after child has died, whether or not abuse or neglect is suspected.

Serious harm includes (but is not limited to) serious and/or long-term impairment of a child's mental health or intellectual, emotional, social or behavioural development. It should also cover impairment of physical health. This is not an exhaustive list. When making decisions, judgment should be exercised in cases where impairment is likely to be long-term, even if this is not immediately certain.

Any notification of an incident referred to the Panel will also be referred to the Case Review and Governance Sub Group for a local decision on whether the case:

- meets the criteria for a Child Safeguarding Practice Review
- whether the case may raise issues which are complex or of national importance

## Appendix B: Working Together (DfE 2015) guidance

The Working Together (DfE 2015) guidance requires a Serious Case Review to be undertaken for every case where abuse or neglect is known or suspected<sup>6</sup> and either:

- a child dies; or
- a child is seriously harmed and there is cause for concern as to the way in which the local authority, LSCB partners or other relevant persons have worked together to safeguard the child.

This includes cases where a child died by suspected suicide. Where a case is being considered where the child was seriously harmed unless there is *definitive evidence that there are no concerns about interagency working*, the LSCB must commission an SCR.

Seriously harmed includes, but is not limited to, cases where the child has sustained, as a result of abuse or neglect, any or all of the following:

- a. a potentially life-threatening injury;
- b. a serious and/or likely long-term impairment of physical or mental health or physical, intellectual, emotional, social or behavioural development.

This definition is not exhaustive. In addition, even if a child recovers, this does not mean that serious harm cannot have occurred.

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<sup>6</sup> The threshold for 'suspect' should be consistent with s47 Children Act 1989 "reasonable cause to suspect". The following question should be asked: given what we now know should this incident have led to a child protection investigation? If "yes" and the child has been seriously harmed then a Serious Case Review should take place.

## Appendix C: Learning points to strengthen working together in Oxfordshire

1. **Understand the 'lived experience' of the child in the family:** use multi-agency chronologies to share information in a cumulative view to weigh up risks over time and keep previous events in mind. Make sure that children's comments are clearly recorded and understood – actual words used and not just the interpretation of them.
2. **Curiosity:** being curious about the family's past history, relationships and current circumstances in a way that moves beyond reliance on self-reported information
3. **Response to physical abuse:** identifying it, listening to children and following safeguarding processes thoroughly; children may sometimes be too afraid to speak or unable to verbalise what they are going through
4. **The role of schools in keeping children safe**
  - effective management of safeguarding records and sharing them when children transfer schools; effective escalation of concerns.
  - children are safest in full time education. Oxfordshire serious case reviews indicate that children on reduced time-tables, children absent from school and children educated at home are at increased risk. School attendance is a critical factor to support opportunity, well-being and safety
  - when the child is not in school being aware of the implications of elective home education and knowing which agencies are in touch with the family and to what effect
5. **Parental wellbeing:** mental health, substance misuse and domestic abuse are recurring themes. With respect to mental health colleagues need to recognise the risks and impact on the safety of the child; don't minimise 'older' information
6. **Fragmented management of health needs:** ensuring effective communication across services for co-ordinated and consistent management of care
7. **Children's emotional wellbeing:** increasing evidence of self-harm by children aged 10 years & above, recognising that, as children explore their identity they may be at risk of harm to themselves
8. **Children's limited capacity to protect themselves** as they move into adolescence after experiencing a lack of consistent, supportive parenting in their early years (long lasting impact of neglect)
9. **Rethinking 'did not attend' to 'was not brought'**
10. **Understanding safeguarding risks that exist in the child's environment – not just their family** e.g. children being vulnerable to abuse or exploitation from outside their families such as online abuse, peer on peer abuse and child exploitation.

## **Appendix D: Oxfordshire CAMHS short films on some of the most common mental health topics:**

Anxiety - [https://www.youtube.com/watch?v=WNvKs\\_I-3kk&list=PLKw7kjGJdcXAYVCP4lhoLzVOeBol1vqfU&index=1](https://www.youtube.com/watch?v=WNvKs_I-3kk&list=PLKw7kjGJdcXAYVCP4lhoLzVOeBol1vqfU&index=1)

Psychosis-

<https://www.youtube.com/watch?v=WL5erfC4yE8&list=PLKw7kjGJdcXAYVCP4lhoLzVOeBol1vqfU&index=2>

Personality Disorders-

<https://www.youtube.com/watch?v=oe11chDqbBo&index=3&list=PLKw7kjGJdcXAYVCP4lhoLzVOeBol1vqfU>

Neurodiversity-

<https://www.youtube.com/watch?v=u9ZOqSw9ZLc&list=PLKw7kjGJdcXAYVCP4lhoLzVOeBol1vqfU&index=4>

## **Glossary:**

CRAG	Case Review and Governance Group
IMR	Individual Management Review
OCC	Oxfordshire County Council
OCCG	Oxfordshire Clinical Commissioning Group
PAQA	Performance Audit and Quality Assurance Subgroup
SCR	Serious Case Review

## Annual report of the Performance, audit and quality assurance subgroup 2018/19

### Introduction

PAQA takes a system-wide view on safeguarding work through multi-agency audits and an annual impact assessment. Agencies self-assessments and self-audits then enable PAQA to drill down to how well things are working at practitioner level within individual services. Views are drawn from both practitioners as well as families and children.

### Quality assurance audits on working together

Three multi-agency audits covered the issues of 'strategy meetings<sup>1</sup>', young people who engage in harmful behaviour and safeguarding when interpreting. Findings were specific to each area of work but there are cross-cutting quality assurance themes reflected across the system: the need for partner agencies to fully understand their safeguarding duties within Working Together 2018, in particular the key partner agencies, so that they can have sustained long term impact and the benefits of sharing information through multi-agency chronologies which can shine a light on what it really means to be a child in that family.

### Safeguarding work within OSCB agencies

PAQA reviewed safeguarding audits from ten services within seven agencies. Collectively the audits showed that agencies are focussed on getting core safeguarding business right. Many noted the need to 'think family' as well as the need to improve how children's views were captured to inform decisions: they were captured in many cases but most

<sup>1</sup> A Strategy Meeting is normally held following an Initial Assessment which indicates that a child has suffered or is likely to suffer Significant Harm.

agencies stated that they wanted to be able to better evidence it in all cases. Whilst highlighting much good practice the themes of multi-agency chronologies, good sharing of information and co-ordinated work were noted as consistent themes for development.

### Impact assessment by OSCB agencies

Organisations identified the key financial and organisational pressures in relation to safeguarding children and their families and adults with care and support needs as: recruitment & retention as well as increasing demand for services. District councils and housing organisations also noted homelessness as placing increased pressure on services. Partners identified the following areas for improvement: (1) good information sharing, working agreements & communication (2) commitment to and engagement with multi-agency work e.g. attendance at safeguarding meetings, co-ordination and shared financial responsibility to address complex issues.

### Self-assessment by OSCB agencies

Information provided assurance that board member agencies across Oxfordshire have policies and procedures in place to safeguard children and adults with care and support needs and are compliant with the standards. The majority of partners are committed to ensuring safeguarding practice is embedded into their daily work including training and ongoing reflection and support for staff for around safeguarding practices.

### Practitioner Views

1003 practitioners completed an online questionnaire for the OSCB. Of those surveyed 96% of staff have had training in the last three years and 97% have the opportunity to discuss safeguarding within their organisation. When asked what they would change the top three responses were:

1. Better joint working between partners e.g. communications, info sharing,

2. Better training e.g. shorter, tailored to role, using case studies
3. More positive profile of safeguarding work

## Children and young people's Views

Authors of serious case reviews have spoken with children and young people who have been at risk of serious harm and neglect. Children have told us that at times they 'felt like they were missing' or simply 'not seen' by professionals. They also told us how small gestures of kindness and being noticed by professional made a big difference.

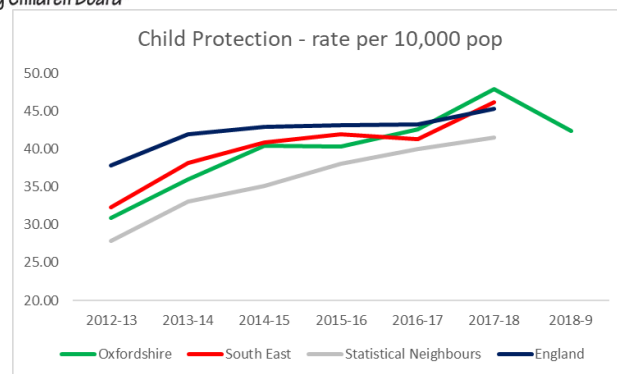
## The local safeguarding data

The data shows that the local context is one of continued increasing demand on services and higher rates of escalation into child protection and care.

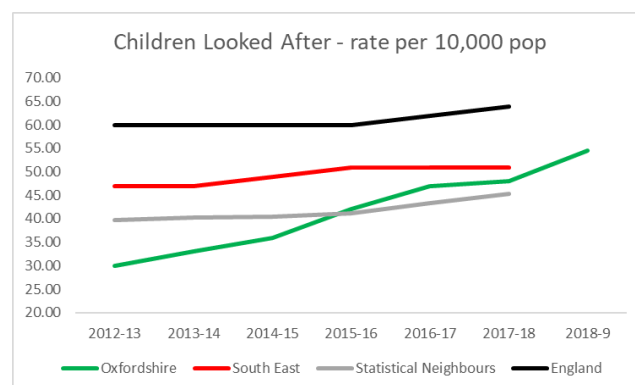
There is some indication that the early help work is beginning to increase and have impact: early help assessments have increased significantly; the number of troubled families worked with has risen and the timeliness of referrals through the Multi-agency Safeguarding Hub is high. However, early help data does not indicate that neglect is being identified early enough to prevent it being the main reason for children becoming subject to Child protection plans.

The demands on the statutory system are still high. Whilst the number of children subject to a child protection decreased from last year (605 at year end), it is still high compared to ten years ago (250 in 2009).

A closer look at child protection data shows that the most common reason for a plan is neglect (70%). It also highlights concern in attendance: qualitative information shows that there are concerns about statutory attendance; quantitative information picks up that only 44% of fathers attended conferences concerning their children last year.



The number of children looked after by the local authority rose by 13% from 690 last year to 780 at the end of March 2019 but remains lower than national average. A large proportion of this increase is due to younger children coming in to the system with increasingly complex needs and elevated risk profiles particularly autism, mental health issues and risk of exploitation.



The data raises concern about adverse childhood experiences and the potential for child exploitation e.g. increases in children who go missing three times or more; in those who are victims of crime and in those where the domestic crime involves children. The statistics are similar for the vulnerable groups of children who are out of education on reduced timetables, excluded or working from home. It is notable that there is some overlap between these issues as well as attainment and achievement of pupils with special educational needs and disabilities. The percentage of children referrals to Child and Adolescent Mental Health Services who are seen within 12 weeks continues to be a cause for concern. At

the end of the year this was only 34% compared with a target of 75%. The service continues to face high levels of demand: in 2017/18 there were 566 referrals into CAMHS each month, in 2018/19 this rose to 697.

## Escalated issues

PAQA's review of safeguarding data and intelligence led to the escalation of the four matters. The first concerned domestic abuse: use of the 'young people's pathway'; use of MARAC; police recording of children's voice at domestic abuse incidents; sign up to Operation Encompass. The second was about safeguarding in education: setting and reporting of performance measures to be sure that children are being kept safe in and out of school. The third was about working together and case conferences: reliable reporting on attendance and contributing. The last matter was about sufficiency of placements for children with complex mental health needs which meant that there is a delay in discharging them when they come in to hospital.

## Conclusions

The child population of Oxfordshire has grown by 7% in the last ten years and is estimated to stand at 143,400 young people aged under-18<sup>2</sup>. Alongside this growth there has been increased demand for services particularly towards the high end of the continuum of need. Within this context there are five messages:

### 1. **There is much to be proud of.**

The examples in the self-assessments, the evidence in the audits and feedback points to a motivated workforce that want to make a difference and get it right for children in Oxfordshire.

2. **We need to continue to focus on working well together.** Using multi-agency chronologies, sharing information and co-ordinating work is a theme for development. Everyone agrees, and audit work tells us, that these individual actions can make a difference in our system and that there is room for improvement.
3. **We need to Think Family.** We need to better involve families; from ensuring that dads attend conferences and that the views of children and their siblings are understood.
4. **We need to listen to children.** Feedback from reviews and audits indicates that children really value when they feel that they are heard and understood. Sometimes they have felt overlooked. Audits have indicated that we could do this more consistently and thoroughly
5. **The workload is high.** Data tells us that there is a continued demand on the services in the system. This impacts on services' capacity and ability to manage resources for a greater volume of children.
6. **The workload is not straightforward.** Audits and feedback emphasise that the complexity of cases and the capacity of colleagues to deal with them makes it a challenging work environment.

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<sup>2</sup> Source ONS Mid Year Estimates for Oxfordshire for people aged 0-17 2007 & 2017

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Division(s): All
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## **CABINET – 17 SEPTEMBER 2019**

### **OXFORDSHIRE SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2018-19**

**Report by Deputy Director - Adult Social Care**

#### **RECOMMENDATION**

1. **The Committee is RECOMMENDED to:**
  - (a) **note that the adult safeguarding partnership is working across Oxfordshire and that work undertaken by the Board and its partners has resulted in a significant decrease in safeguarding concerns being referred into the Local Authority, building on the reduction on concerns started last year; and**
  - (b) **note the priorities for 2019/20.**

#### **Executive Summary**

2. The Oxfordshire Safeguarding Adults Board (OSAB) are required to report annually on the work of the Board and of its partners, assessing the position of the partnerships in relation to the safeguarding adults at risk within Oxfordshire.
3. Members of the Cabinet are recommended to note that the adult safeguarding partnership is working across Oxfordshire and that work undertaken by the Board and its partners has resulted in a significant decrease in safeguarding concerns being referred into the Local Authority, building on the reduction on concerns started last year. This goes hand-in-hand with an increase in the use of the consultation service offered by the Safeguarding Team.
4. The priorities for 2019 onwards include improving engagement with service users and the wider community. Of note is the Social Isolation and Loneliness Conference being held in partnership with AgeUK on 8<sup>th</sup> October 2019.
5. The annual report is attached as Annex 1.

KAREN FULLER  
Deputy Director, Adult Social Care

Background papers: N/A

Contact: Melanie Pearce, Service Manager - Safeguarding

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# OSAB

Oxfordshire Safeguarding Adults Board



## 2018-19 Annual Report

Page 227

# CONTENTS



FOREWORD	3
WHAT IS THE OXFORDSHIRE SAFEGUARDING ADULTS BOARD?	4
WHAT HAS THE BOARD BEEN DOING?	6
Improving Multi-agency Working	6
Monitoring Key Issues	8
Service User & Community Engagement	9
Early Help Strategies & Initiatives	10
Joint Working	11
HOW WE KNOW WE ARE MAKING A DIFFERENCE	12
WHAT ARE THE NUMBERS TELLING US	14
WHAT WILL THE BOARD WORK ON IN 2019-21?	16
GLOSSARY OF TERMS	17

# FOREWORD

I am pleased to present the sixth annual report of the Oxfordshire Safeguarding Adults Board. It is my first for Oxfordshire as I became Chair in April 2019 and I am delighted to see all the good work that has been achieved prior to my arrival under the leadership of the former Chair, Pamela Marsden. I aim to contribute my experience from chairing other Safeguarding Adult Boards in the North of England and on good practice elsewhere in the UK, to build on the good work within the Oxfordshire partnership.

This report outlines the role and function of the Board which is set out in the requirements of the Care Act 2014. It highlights the risks faced by vulnerable people and most importantly what agencies both statutory and in the independent sector are doing to safeguard them.

We have been looking at the patterns in safeguarding activity to inform our priorities for improvement. We are particularly proud of our data around the numbers of safeguarding concerns which have decreased for the second year in a row through the hard work of partners and the increasing use of the consultation service. In the current climate where all agencies are experiencing increasing demands on their time, it is heartening to know practitioners are finding the consultation service valuable.

The Board works closely with the Oxfordshire Safeguarding Children's Board to ensure that we have a consistent view of safeguarding across the age groups and work together on issues that affect both adults and children in Oxfordshire. I look forward to the challenges of the year ahead for the Board with all the concerns there are for the lives of vulnerable people across the County. There has never been a time when safeguarding has been more important.



**Dr Sue Ross**

Independent Chair of the Oxfordshire  
Safeguarding Adults Board

# WHAT IS THE OXFORDSHIRE SAFEGUARDING ADULTS BOARD?

The Care Act 2014 says that Local Authorities must have a Safeguarding Adults Board in place from 1st April 2015.

The Oxfordshire Safeguarding Adults Board has provided leadership for adult safeguarding across the county since 2009. The Board is a partnership of organisations working together to promote the right to live in safety, free from abuse or neglect.

Its purpose is to both prevent abuse and neglect, and where someone experiences abuse or neglect, to respond in a way that supports their choices and promotes their well-being.

The Care Act says key members of the Board must be the Local Authority; the Clinical Commissioning Groups; and the Chief Officer of Police.

The three key members on the Oxfordshire Safeguarding Adults Board are:

- The Director of Adult Social Care, Oxfordshire County Council
- The Director of Quality, Oxfordshire Clinical Commissioning Group
- The Detective Chief Inspector, Protecting Vulnerable People, Thames Valley Police

The Care Act says these key members must appoint an independent chairperson who has the required skills and experience. Pamela Marsden was the Independent Chair of the Oxfordshire Safeguarding Adults Board from November 2016 - April 2019. She had many years of relevant experience as a Director within Adult Social Services outside Oxfordshire.

The Care Act 2014 states that the Board can appoint other members it considers appropriate with the right skills and experience. Oxfordshire's Board has senior representatives from the following organisations:



Community Protection  
Services (Fire & Rescue,  
Trading Standards &  
Community Safety)



Local Councillor with  
Adult Social Care  
portfolio



Board Members are the senior people in each of the organisations with responsibility for safeguarding. Their role on the Board is to bring their organisations' adult safeguarding issues to the attention of the Board, promote the agreed priorities and work to embed learning throughout their own organisation.

The Board meets four times each year and alternate meetings include a joint meeting with the OSCB (Oxfordshire Safeguarding Children's Board) where our joint priorities can be progressed. The Board also has multi-agency subgroups focussing on specific areas of work.

# WHAT HAS THE BOARD BEEN DOING THIS YEAR?



## Improving Multi-agency Working

"working together to ensure people are safe through their life journey"

### **Training Subgroup (TSG)**

Building on feedback from delegates at training, from issues arising in safeguarding concerns raised in Oxfordshire and from learning from case reviews from around the country, in 2018-19 the Board developed new Decision-making in Practice training materials.

Three sessions for care provider services on Making Safeguarding Personal were run over the year. The sessions were well received by delegates and further sessions have been arranged for 2019-2020. Feedback from the sessions has been used to improve what is already discussed around Making Safeguarding Personal in the other OSAB Safeguarding courses.

To support the work of TSG, the Safeguarding Adults Board has recruited a Learning & Engagement Officer. This Officer looks after all the training provided by the Board, ensuring it reflects the current issues in safeguarding. They will be supporting the engagement work the Board is planning for next year.

### **Vulnerable Adults Mortality (VAM) Subgroup**

The VAM group was initially set up in response to the deaths of adults with a learning disability who died while in the care of Southern Health. Once the group have reviewed those deaths, it continued to meet to oversee the reviews required under Learning Disability Mortality Review (LeDeR) process.

As a result of the learning from case histories that came to the Vulnerable Adults Mortality Subgroup for analysis, changes were made to how record-keeping is reviewed and quality assured, with a particular focus on how mental capacity is recorded.



### **Performance, Information & Quality Assurance (PIQA) Subgroup**

PIQA receives multi-agency performance information, including data on the use of advocates, a key mechanism for ensuring all work is in line with the principles of Making Safeguarding Personal (MSP).

Oxfordshire is acknowledged as a frontrunner nationally in the quality and quantity of its MSP data and practice. The Local Authority is part of a national pilot around the collection and use of MSP data.

The outcome of a safeguarding investigation is categorised as either having the risk reduced, removed or that the risk remains. The service user is also asked whether they are happy with the outcome of the safeguarding investigation. This year PIQA was concerned to find out more about those cases where the risk remained and the service user was recorded as not being happy with the outcome. Out of more than 1,200 investigations, less than 20 fell into this category. From the initial findings of audits into these cases, it appears they were service users who were unhappy an investigation was undertaken at all.

### **Full Board**

Mental capacity is a recurrent issue in safeguarding cases and as such, the Full Board has been kept up-to-date on practice issues relating to mental capacity as well as potential changes to the Deprivation of Liberties Safeguards (DoLS). The Mental Capacity (Amendment) Bill received Royal Assent in May 2019 so the Board will receive further briefings on the implications during 2019-20.

Focussing on its own effectiveness, the Full Board also reviewed the membership of the subgroups and narrowed down the information requested from them. Each now has a set of questions that form the basis of the quarterly update to the Full Board.

The Full Board received presentations from the Multi-Agency Public Protection Arrangements (MAPPA) Coordinator to understand how those released from prison under license are monitored to protect the wider community.

As part of the Board's aim to hear more from frontline practice, practitioners from Adult Social Care and Oxford Health NHS Foundation Trust presented recent cases to the Full Board to highlight how complex the issues are facing those coming into safeguarding services.

### *Define and develop a multi-agency risk assessment tool*

In 2018-19 the Board agreed it would look at developing a multi-agency risk assessment tool. The Board brought together a small group to work on this item but encountered numerous barriers to success. It became clear that the complexity of current risk assessment arrangements was based on genuinely different requirements and structures of diverse organisations, making a universal risk assessment tool impractical.



## Monitoring Key Issues

"Ensuring progress is being made on the issues that matter"

The Board decided to monitor the thematic priorities identified by Board Members that remain at the forefront of safeguarding work but whose governance fell to other partnerships.

**Prevention and early intervention** – the strategy around this is owned by the Health & Wellbeing Board (HWBB). Board Member agencies were consulted on the strategy as it was developed. In 2019-20 the OSAB will request an update report from the HWBB on progress in this area.

**Mental health service provision** – the Joint Strategic Needs Assessment identified the continued increase in demand on mental health services in Oxfordshire. The OSAB will challenge the HWBB on how needs are being met if the lack of services results in an increase in safeguarding concerns. Public Health are overseeing the Suicide Prevention Strategy, which also forms part of the work around mental health.

**Exploitation** – modern slavery and exploitation is an increasingly important issue across the country and with several high profile cases in the county, it is of particular concern to organisations in Oxfordshire. Locally there is the Anti-Slavery Network and the Modern Slavery Partnership Group who are working towards reducing slavery and exploitation. The Modern Slavery Partnership Group is under the governance of the Safer Oxfordshire Partnership and also reports to the bi-annual joint Safeguarding Board meeting.



## Service User & Community Engagement

"Presumption of person led decisions and informed consent"

### Engagement Group

In 2018-19 the Board established an Engagement Group to improve the links between the Board, frontline workers, community groups, service users and other stakeholders. The group was set up to help develop accessible, clear and concise material to promote safeguarding.

The group has overseen the production of several posters, which are all available on the Board's website, promoting what to do if someone has a concern about themselves, a friend/relative or someone they are working with.

In 2018-19 the Full Board also recruited two lay members to provide another form of challenge to the Board. The lay members helped to review last year's draft annual report and rework several sections to make it as accessible as possible to a wider audience. The report was praised across the partnership and within the leadership teams of various agencies, including elected members.





## Early Help Strategies & Initiatives

"It is better to take action before harm occurs"

The OSAB receives information from services around the work being done to prevent issues occurring. For example, the County Council Fire & Rescue Service provide their data on the Safe & Well visits they conduct. The data has shown that the service continues to achieve its targets in relation to the delivery of Safe and Well visits. The Fire & Rescue Service are looking at how they can improve their approach to targeting their Safe and Well visits to those who are most at risk through incorporating wider data and intelligence gathered by other partners into their risk profiling; for example, could data collected by the district councils on bin emptying be used to identify those with mobility issues and therefore those who might benefit from a Safe and Well visit?

The two Boards have run a safeguarding awareness session for elected members, along with producing a one-sided briefing about adult safeguarding for elected members with the key contacts in case a constituent comes to them with an issue.

The Safeguarding Consultation Service run by the County Council has continued to see increased use, proportional to the decrease in concerns being raised. This indicates the service is helping to identify concerns that do not meet the criteria for being a safeguarding concern before they are formally raised.

In 2019-20, the Performance, Information & Quality Assurance Group will audit the consultation service calls to understand more about who is using the service.

The two Safeguarding Boards have developed a joint training strategy for safeguarding across Oxfordshire. The aim of the strategy is to provide a consistent approach to safeguarding training across the workforce of Oxfordshire. The strategy is has been set to run for three years, with annual reviews to ensure it is still meeting the needs of the workforce.



## Working with the Children's Board

"working together to ensure people are safe from birth until end of life"

The OSAB has worked jointly with the Children's Safeguarding Board on a number of priorities.

Multi-agency **Domestic Abuse** training is now up and running and consultation has just been completed on the next 5-year domestic abuse strategy.

A **Housing** network has been set up led by local housing providers, a multi-agency housing audit is underway and there is good safeguarding board representation.

**Transitions** work ensures that there is good cross-over between child and adult services and any concerns are quickly escalated.

In addition, **modern slavery issues** are reviewed to maintain a clear view of trends and ensure an effective response is being mobilised across the county.



# HOW WE KNOW WE ARE MAKING A DIFFERENCE

Here are four examples of how the work of the Safeguarding Adults Board is making a difference to the residents of Oxfordshire.

All names have been changed to protect identities



## Ben

Ben has a chronic mental health problem requiring regular medication. It came to the point that he was living in squalor (accumulations of rubbish and rotting food, house not cleaned at all, etc). He was isolated and had no social network. Ben was unable to make any changes to his situation by himself.

Through thoughtful and patient engagement with Ben, he was coaxed into agreeing to emergency respite care in a care home where he met people he liked. This was an opportunity to clean up his home. It was also an opportunity to explore with him his options about changing his situation. He now attends a day centre and has a social outlet.

Ben's mental and physical health have improved, as he himself is happy to acknowledge.



## Adam

A concern was raised with the County Council's Safeguarding Team, that Adam, a retired clergy man, was under coercion to live with his daughter in Oxfordshire thereby making him estranged from his wife (who lived in another county) against his will.

As part of this arrangement, Adam was also unable to have private telephone conversations; telephone conversations were monitored with bugging devices by his daughter.

The Safeguarding Team spoke to Adam, his wife, and daughters. they found that Adam indeed lived in Oxford to please his daughter who had been helpful and supportive to him. He was saddened because it was contrary to his spiritual beliefs to live with his wife of over 50 years. He still desired to return to live with his wife and his wife wanted him back home. He was also sad that he had not been free to speak to his wife or pray with her by telephone. The Safeguarding Team facilitated Adam's return to his wife, which made him very happy.

Adam's daughter had complaints about the care provided to her father in the county where he had lived with his wife before coming to live with her. There were concerns about the care agency as there appeared to be no written agreement on what care would be provided, the care that had been provided was poor quality and the charges for what was provided were excessive (nearly £12,000 charged for 2 months care). However, they had felt there was no choice but to pay as there was no alternative provider.

The Safeguarding Team worked with the neighbouring authority to investigate these allegations. The allegations were partially substantiated and Adam confirmed that he received poor care from a particular carer but chose not to name the person because he did not want anyone to be punished. He was happy enough to be re-united with his wife.

The investigation found that the agency was not registered with Care Quality Commission (CQC). The agency is now being investigated by the CQC. The manager of the agency has learned lessons about care planning and working with statutory services to ensure their client's needs are met.

## Carl

Carl has a long term physical illness which is affecting his cognitive ability and he is not always able to make relevant decisions.

He was admitted to hospital and he was unable to consent to this. His family were very concerned about his ability to cope with the risks of traffic if he went out alone, and an authorisation was put in place to stop him from leaving the hospital. Carl stated he felt incarcerated.

As he received treatment, Carl's abilities were changing. He was kept fully informed and involved with decisions about his treatment and hospital admission. This enabled the staff to reduce the restrictions in place as Carl's level of functioning changed. Things changed from Carl being prevented from leaving the hospital under any circumstances to being escorted to the local shops to buy day to day items. While he was clear that he'd prefer not to return to the hospital, he nevertheless agreed to do so.





## Eric

The Fire Service raised a number of safeguarding concerns for Eric due to unsafe living conditions. This elderly gentleman lives in a very large house which has been his family home since birth.

The house is severely hoarded, poor electrical wiring, and rodent infestation. Eric lived in one room on the ground floor.

Safeguarding concerns were also raised by Thames Valley Police and Oxford City Council's Environmental Health department. All these agencies worked together for an extended amount of time to keep Eric living safely in his home for as long as possible.

However, as time passed, agencies became increasingly worried as Eric's living conditions deteriorated further. Following a fall and subsequent stay in hospital, Eric left hospital and went to a temporary placement in a care home. During his stay here, Eric's capacity was assessed according to the Mental Capacity Act, concluding that he did not have capacity to understand the risks in his home.

A 'best interest' meeting was held and the decision was taken that Eric would remain in a care setting where his basic needs were met. His property was made safe and passed into the care of solicitors who have Power of Attorney for him. Eric is thriving in his new environment. He is supported with personal care, enjoys hot meals and clean bedding, neither of which were available to him at home, and he has the stimulation of seeing other people daily.

### **Danielle**

Danielle lives with her husband, her dementia is progressing and she never goes out. Her husband was not coping well and often left her alone for prolonged periods. She is distrustful of strangers and reported passers-by to the Police on numerous occasions.

The Fire Service visited jointly with Adult Social Care and the landlord, a housing association, to assess the risks and see what support could be offered to the couple. A multi-agency meeting was then called, attended by Danielle's husband, to work out how to address the problems in the best interests of Danielle.

The housing association agreed to help with repairs and an electrical safety check, Social Care helped Danielle's husband to get a phone line fitted to enable Assistive Technology to be installed, such as a falls pendant and linked smoke and heat alarms. A local personal assistant was identified and arrangements made to gradually introduce her to Danielle, allowing time for trust to build up.

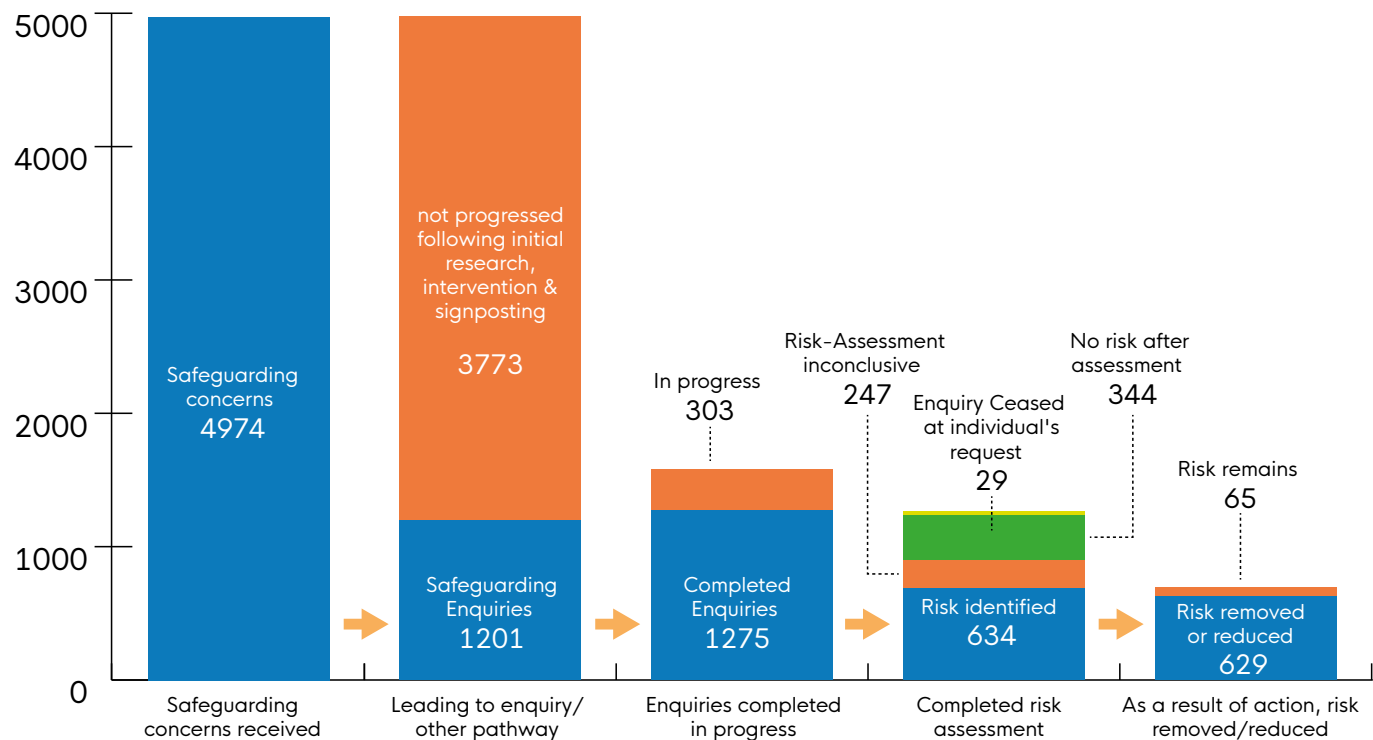
When the Fire Service re-inspected the property, they were satisfied that the fire risks had been significantly reduced. Danielle is now safer in her own home and Danielle's husband feels supported to care for his wife more effectively.



# WHAT ARE THE NUMBERS TELLING US

The safeguarding journey - from raising a safeguarding concern to the outcome of safeguarding enquiries 2018-19

Population 18+ with/without care and support needs



## RAISING OF SAFEGUARDING CONCERNS

We estimate that there are about 43,120 people who have care and support needs in Oxfordshire. This is five and half times the number of adults who received long term support from adult social care in 17-18 (7901)

In 2018-19, Oxfordshire received a total of 4974 concerns about cases of potential or actual harm or abuse. This is equivalent to around 9 concerns for every 1000 adults in the population or around 115 for every 1000 adults with care and support needs (although please note that not all concerns are raised by existing service users)

The 25% reduction in concerns since 16-17 is offset by an increase in consultation calls received by service from around 613 in 17-18 to 1757 in 18-19.

Most concerns (about 63%) were raised by health, carers or social care staff; the remainder were raised mainly by relatives, friends or neighbours, housing agencies and the police.

## RESULTING SAFEGUARDING ENQUIRY PROCESS

A quarter (24.1%) of the concerns received were assessed as requiring follow-up under safeguarding procedures

This is because the people involved were assessed as Experiencing, or being at risk of, harm or abuse; and/or having care and support needs which prevented them from protecting themselves

Those concerns (3373) not followed up as safeguarding enquiries were followed up in other ways, notably referral to trading standards offices, domestic abuse support agencies, the police or the County Council's customer services team

## OUTCOME OF ENQUIRY PROCESS

Safeguarding enquiries can take varying lengths of time to complete, depending on the issues and organisations involved. At 31 March 2019, 1275 enquiries had been completed in 2018-19. Some of these will have commenced in 2017-18. 303 of those started since April 18 were still in progress at the end of the year.

A risk was identified in 694 (54%) of completed enquiries in 2018-19; the risk assessment was inconclusive in 208 cases (16%), there was no risk identified in 344 (27%) and the enquiry was ceased at the individual's request in 29 (2%).

Where a risk was identified – the risk was removed or reduced in 629 (91%) of cases.

# WHAT WILL THE BOARD WORK ON IN 2019-21?

A business planning meeting of the OSAB in May 2018 agreed the following strategic priorities for 2018-2021 with an annual review to ensure they still reflect the safeguarding picture in Oxfordshire.



Early Help  
Strategies &  
Initiatives



Improving Multi-  
agency Working



Monitoring  
Key Issues

## Early Help Strategies & Initiatives

There are further refinements to be made to the annual self-assessment to understand more about the challenges around prevention & early intervention. Further work is needed to ensure the governance for all strands of early help is clear and understood across the partnership.

## Improving Multi-agency Working

Disseminating the lessons from Safeguarding Adult Reviews will be key within 2019-20. The Performance, Information & Quality Assurance Subgroup are also planning a series of mini-Peer Review sessions between Board Member organisations of their safeguarding systems.



## Monitoring Key Issues

Continue to monitor the thematic priorities identified by Board Members: mental health service provision; alcohol and drug abuse and modern slavery and exploitation. These are in addition to the agreed joint priorities for the Safeguarding Boards, currently housing, domestic abuse and transitions from child to adult services.

## Service User & Community Engagement

For 2019-20, Engagement Group the group is supporting the Social Isolation & Loneliness Workshop being run in October 2019. This will be followed up by a series of meetings in each district area, bringing together community groups and services with those at risk of loneliness and those working with people at risk of loneliness.

They will also work on the Adult Safeguarding Awareness Week (18th November 2019).



# GLOSSARY OF TERMS

## **Safeguarding**

Safeguarding means protecting our right to live in safety, free from abuse and neglect. It is about people and organisations working together to prevent and reduce the risk of abuse and neglect. When people have experienced abuse or neglect, safeguarding is about taking actions that are informed by the person's views, wishes, feelings and beliefs.

## **Making Safeguarding Personal**

Making Safeguarding Personal starts with the principle that we are experts in our own life. Things other than safety may be as, or more, important to us; for example, our relationship with our family, or our decisions about how we manage our money. So, staff are always encouraged to ask 'What is important to you?' and 'What would you like to happen next?'

## **An Outcome**

An Outcome is what you hope to get out of the conversations we have, and the work we do with you. Measuring outcomes helps the Board to answer the question "what difference did we make?" rather than "what did we do?"

## **Deprivation of Liberty Safeguards (DoLS)**

Deprivation of Liberty Safeguards apply when a person in a care, or nursing home, or hospital, is subject to continuous supervision and control from staff, and is not free to leave; under the Supreme Court judgement known as 'Cheshire West', they are deprived of their liberty. Once identified, a deprivation of liberty must be authorised either by the Court of Protection order; or under the Deprivation of Liberty

Safeguards in the Mental Capacity Act 2005; or under the Mental Health Act 1983. If it is not authorised, under the law, it is an illegal detention.



**Safeguarding Adult Review**

A Safeguarding Adults Review must be conducted where an adult with care and support needs has died as a result of abuse or neglect and there are concerns about how agencies worked together to safeguard the adult.

A Safeguarding Adults Review (SAR) should also be conducted where an adult with care and support needs has experienced serious abuse or neglect as a result of abuse or neglect and there are concerns about how agencies worked together to safeguard the adult. In the context of SARs, something can be considered serious abuse or neglect where, for example the individual would have been likely to have died but for an intervention, or has suffered permanent harm or has reduced capacity or quality of life (whether because of physical or psychological effects) as a result of the abuse or neglect.

Boards can also choose to arrange a review into any other case of an adult in its area with care and support needs.

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Division(s): All
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## **CABINET– 17 SEPTEMBER 2019**

### **REPORT BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN - INVESTIGATION INTO A COMPLAINT AGAINST OXFORDSHIRE COUNTY COUNCIL (REFERENCE NUMBER: 18 009 005)**

**Report by Director for Childrens Services**

#### **RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to note the contents of the report by the Local Government and Social Care Ombudsman (LGO) and to endorse the actions undertaken in response by this council.**

#### **Executive Summary**

2. The LGO has issued a report following its investigation of a complaint against Oxfordshire County Council. The complaint was about Education & Children's Services matter. The LGO found that there had been fault on the part of the council where Mr and Mrs X had complained their daughter Child D had not been provided with a suitable education when unable to attend school for medical reasons and this had caused injustice to the complainants.
3. The council has agreed to take action which the LGO regards as providing a satisfactory remedy for the complaint. It must now consider the report (attached at Annex 1) and tell the LGO within three months (or such longer period as the LGO may agree) what it proposes to do.
4. The finding is 'Report issued: upheld; maladministration and injustice'.
5. In law, Cabinet must consider this report and evidence of its consideration must be reported to the LGO. (Local Government Act 1974, section 31(2), as amended).
6. The LGO welcomes the work the Council has already carried out, and has planned, to address the fault identified in this and our previous investigation. This is satisfactory to address the service failures identified.
7. Recommendations of the LGO are set out under two categories; those to address the injustice caused to Mr and Mrs X and Child D; and those to address the injustice that may have been caused to others.
8. Both sets of recommendations are in hand and the outcomes of the latter will be reported to Education Scrutiny Committee at its meeting on 20<sup>th</sup> November 2019.

9. Child D has now taken GCSE examinations this academic year and intends to continue with further study in the next academic year.

## **Introduction**

10. Mr and Mrs X complained the Council delayed in providing their child, D, with a suitable education when she was not able to attend school for medical reasons. This caused the family significant distress and D missed out on education for 14 months.
11. The finding of the report is that the council was found to be at fault causing injustice. Recommendations were made setting out action to be taken by the county council.

## **Outline of Case**

12. In December 2016 Child D, resident in Banbury, stopped attending her independent school due to mental ill health.
13. In March 2017 she was formally removed from that school roll and parents, Mr and Mrs X made an application for a school place to the council. This application was acknowledged by email but not processed. This was an oversight and a mistake. The council has since strengthened procedures so that this should not happen again.
14. Mr & Mrs X enquired after progress in April 2017. By May 2017 Child D did not have a school place and had been out of education for 2 months. Two applications were made by the council to different secondary schools to admit Child X which were declined due to lack of places available; one application was made directly by Mr & Mrs X to an academy that was not part of the councils' in-year coordinated admissions arrangements. N.B. All secondary schools referred to in this case are academies and as such are the admissions authority for those schools and must give consent to the council to formally allocate places. The other schools concerned in this case have chosen to be included in the councils' co-ordinated admissions scheme.
15. In September 2017 three further applications to schools were made but were unsuccessful. In October 2017, following two further school refusals, the council informed Mrs X that Child D would be placed through the Fair Access Panel arrangements. The purpose of Fair Access Protocols (FAP) is to ensure that - outside the normal admissions round - unplaced children, especially the most vulnerable, are found and offered a place quickly, so that the amount of time any child is out of school is kept to the minimum. Every local authority is required to have in place a FAP, developed in partnership with local schools.
16. The operation of the FAP is outside the usual co-ordination arrangements operated by the council to admit children to school places and is

triggered when an eligible child has not secured a place under in-year admissions procedures. In other words if there are no spaces remaining from the published number of places available for offer in each school then this mechanism provides for the council and school community together to identify a place extraordinarily and ensure every child is offered a place and receive their education entitlement.

17. The School Admissions Code 2014 states that as a minimum the FAP should include children who have been out of school for two months or more and have special educational needs, disabilities or medical conditions but do not have an Education, Health and Care Plan.
18. The Council's FAP states that where a child is without a school place, a placement will be agreed at the FAP Panel meeting at which the case is considered. If the Panel is not able to make a decision on the most suitable placement, the Council will name a school after taking into account recorded comments of the Panel and any expressed preferences of the parent.
19. If a school refuses to accept a pupil when directed under the FAP:
  - if it is an authority-maintained school, the Council can direct the school to admit the child; or
  - if it is an academy or free school, the Council can make a referral to the Secretary of State to ask it to direct an admission. The Education and Skills Funding Agency manage these referrals.
20. The full FAP for Oxfordshire County Council is available at this link.  
[https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/child\\_renewededucationandfamilies/educationandlearning/schools/startingschool/admissionrulesandpolicies/rules\\_2019\\_20/InYearAdmissionsScheme2019-20.pdf](https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/child_renewededucationandfamilies/educationandlearning/schools/startingschool/admissionrulesandpolicies/rules_2019_20/InYearAdmissionsScheme2019-20.pdf)
21. This sets out full details of the membership and operation of the FAP Panel.
22. In November 2017 the Fair Access Panel did not place Child D in any of the three closest schools to her home address nor did it seek the direction of the Secretary of State (SoS) to place her at one of these schools. Only the SoS can direct an academy to admit a child to its roll. This matter was considered again in January and February 2018 but with no school place being agreed for Child D.
23. In March 2018, OCC sought the opinion of Children and Adults Mental Health Service (CAMHS), despite Mrs X making this available in November 2017. At the March Fair Access Panel, three schools set an admissions condition that Child D had to attend a meeting at school prior to admission.
24. In May 2018, the council sought a direction from the SoS to an Oxfordshire school to admit Child D which was not successful. Mrs X made a complaint to her M.P. and the council and at the June Fair Access Panel, a different school agreed to take Child D on roll without the necessity of meeting her first.

25. In June 2018, Mrs X having made a complaint through the councils' formal complaints procedure an unreserved apology for OCC delays in placing Child D was issued at initial and further review stages. Child D now receives a package of education at home from School H, the Oxfordshire Hospital School outreach service and CAMHS provision. Having effectively missed all of Year 10, this has impacted on her ability to sit all the GCSEs that she would have otherwise done.

## **LGO Finding and Actions**

26. The finding of the report is that the council was found to be at fault causing injustice.
27. Since the events of 2017 and early 2018, the county council has adapted several of its processes to ensure this series of events cannot happen again.
- (a) The Fair Access Protocol has been revised and is operational in the revised form from April 2019.
  - (b) There are regular weekly meetings between Admissions Officers and Children Missing Education Officers, from January 2019.
  - (c) The Service Level Agreement between the Hospital School and OCC has been re-written to accommodate medically unfit children that are not on a school roll.
  - (d) Funding of the Hospital School, that currently requires schools to pay for this provision for their medically unfit pupils, is scheduled for review to ensure OCC is complying with its statutory duties. This review commenced in June 2019 and further updates will be provided to Education Scrutiny Committee as outlined at paragraph 32 below. The schools related element of the overall funding formula exists because schools automatically receive per pupil funding for each pupil admitted to the school roll. It is this funding which is required to be transferred to the Hospital School when the pupil is transferred temporarily to that roll for education purposes.
  - (e) Transformation of Education Services will offer an opportunity to ensure synergies between Admissions, Fair Access and Children Missing Education are more closely aligned.
  - (f) Learner Engagement Services have been created to oversee (not exhaustive) Children Missing Education, provision for medically unfit children and Fair Access.
28. The LGO has welcomed the work the Council has already carried out, and has planned, to address the fault identified in this and a previous investigation. In that previous investigation the LGO found that the council had failed to provide any education for a pupil when out of school for medical reasons. A suitable remedy was agreed which included a review of relevant procedures and evidence this had been completed.

29. Recommendations were also made by the LGO setting out action to be taken by the council. These are set out below.
  - a) The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members.
  - b) The Council has agreed to keep D's educational provision under review to ensure the number of hours tuition she is currently receiving is a suitable level of support.
  - c) Within three months of the date of this report, the Council has agreed to:
    - i. pay D £2,400 for the significant loss of education at an important time in her school life because it failed to provide her with a suitable education.
    - ii. apologise to Mr and Mrs X for its failure to inform them of their appeal rights when they made an in-year admissions application in March 2017;
    - iii. pay Mr and Mrs X £500 to remedy the prolonged and unnecessary distress and anxiety the Council caused them; and provide the LGO with evidence of its proposals for working with the family to ensure D receives appropriate educational provision from September 2019 when she begins her A level options.
30. The Director for Children's Services and Head of Learner Engagement for the council met with Mr and Mrs X in August. At that meeting Mr and Mrs X shared lessons learned from their perspective which have been incorporated into continuing work to improve council systems and processes and will inform the advice to Education Scrutiny Committee referred to in paragraph 32 below.
31. The LGO's report found that failings we found in this report may have affected other children in its area. As such the Council has agreed to carry out, within four months, an audit of children missing from education from September 2016 to December 2018 for whom it has a statutory duty to provide suitable full-time education under section 19 Education Act 1996 to identify:
  - a) the number of children brought to its attention by schools/academies as missing education;
  - b) the outcome for each child in terms of provision of education. This should include the amount of time each child was out of school and the level of alternative education they received;
  - c) whether any child was refused a referral to School H because they were not on roll at another school;
  - d) the number of occasions the Council did not name a school after a Fair Access Panel failed to place a child.
32. The findings of the audit will be reported to the Education Scrutiny Committee at its meeting on 20<sup>th</sup> November together with advice about whether the Council is complying with its statutory duties and has made the service changes found in a previous LGO investigation.

33. The council will also provide evidence to the LGO that the audit has been completed.

LUCY BUTLER  
Director for Children's Services

Background papers:

Contact Officer: Allyson Milward, Head of Access to Learning  
September 2019



Division(s): N/A
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## CABINET – 17 SEPTEMBER 2019

### FORWARD PLAN AND FUTURE BUSINESS

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

Topic/Decision	Portfolio/Ref
<b>Cabinet, 15 October 2019</b>	
<ul style="list-style-type: none"> <li>▪ <b>Delegated Powers - October 2019</b> To report on a quarterly basis any executive decisions taken under the specific powers and functions delegated under the terms of Part 7.2 (Scheme of Delegation to Officers) of the Council's Constitution – Paragraph 6.3(c)(i). It is not for Scrutiny call-in.</li> </ul>	Cabinet, Leader of the Council 2019/075
<ul style="list-style-type: none"> <li>▪ <b>Local Government Association Peer Review Report</b> To review the LGA peer review report, any feedback received and proposals for the future.</li> </ul>	Cabinet, Leader of the Council 2019/103
<ul style="list-style-type: none"> <li>▪ <b>Didcot Garden Town Housing Infrastructure Fund (HIF) Heads of Terms/Contract</b> To seek approval of the conditions within the HIF HoT/'Contract' (funding agreement) and delegate authority to Chief Executive to sign a contract with Homes England (anticipated draft contract date).</li> </ul>	Cabinet, Leader of the Council 2019/122
<ul style="list-style-type: none"> <li>▪ <b>Risk and Opportunities Management Strategy</b> To seek approval of the Risk and Opportunities Management Strategy.</li> </ul>	Cabinet, Deputy Leader of the Council 2019/144
<ul style="list-style-type: none"> <li>▪ <b>Business Management &amp; Monitoring Report - August 2019</b> To note and seek agreement of the report.</li> </ul>	Cabinet, Deputy Leader of the Council 2019/074
<b>Joint Responsibility:</b> Deputy Leader of the Council and Cabinet Member for Finance.	
<ul style="list-style-type: none"> <li>▪ <b>Update on Buckinghamshire, Oxfordshire, Berkshire West (BOB) Integrated Care System - Process &amp; Milestones</b> To provide Cabinet with a summary of progress to date and timelines associated with the BOB Integrated Care System Long Term Plan Submission.</li> </ul>	Cabinet, Adult Social Care & Public Health 2019/142

- **Oxfordshire Minerals and Waste Local Plan: Site Allocations - Consultation Draft Plan** Cabinet, Environment  
 To seek approval of the Minerals and Waste Local Plan: Site Allocations – Draft Plan for consultation. 2018/102
- **England's Economic Heartland Outline Transport Strategy: Framework for Engagement** Cabinet, Environment  
 To seek agreement to Oxfordshire County Council's consultation response to the Outline Transport Strategy document. 2019/121
- **Capital Programme Monitoring Report - August 2019** Cabinet, Finance  
 Financial report on capital spending against budget allocations, including any necessary capital programme approvals. 2019/073

### **Cabinet Member for Education & Cultural Services, 16 October 2019**

- **Amendments to Premises Arrangements for Early Years and Childcare Providers Operating on School or Council Sites** Cabinet Member for Education & Cultural Services, 2019/096  
 To seek approval for amendments to a policy approved at Delegated Decisions by Cabinet Member for Children, Education & Families on 8 December 2014.

### **Cabinet Member for Environment, 10 October 2019**

- **Didcot: B4493 Wantage Road - Proposed Shared Use Cycle Track** Cabinet Member for Environment, 2019/066  
 To seek approval of the proposals.
- **Wallingford: Reading Road - Proposed Waiting Restrictions** Cabinet Member for Environment, 2019/051  
 To seek approval of the proposals.
- **Radley: Church Road - Proposed Waiting Restrictions** Cabinet Member for Environment, 2019/112  
 To seek approval of the proposals.
- **Shiplake: Mill Road - Proposed Waiting Restrictions** Cabinet Member for Environment, 2019/125  
 To seek approval of the proposals.
- **Ardington/Lockinge: Icknield Way - Proposed Prohibition of Motor Vehicles** Cabinet Member for Environment, 2019/130  
 To seek approval of the proposals.

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| <ul style="list-style-type: none"> <li>▪ <b>Oxford: Various Sites - Proposed Administrative Amendments to Existing Bus Gate Traffic Regulation Orders</b></li> </ul> <p>To seek approval of the proposals.</p> | <p>Cabinet Member for Environment, 2019/137</p> |
| <ul style="list-style-type: none"> <li>▪ <b>Abingdon: Marcham A415 - Proposed 50mph Speed Limit</b></li> </ul> <p>To seek approval of the proposals.</p>   | <p>Cabinet Member for Environment, 2019/145</p> |
| <ul style="list-style-type: none"> <li>▪ <b>Oxford: Hollow Way North Area - Proposed CPZ</b></li> </ul> <p>To seek approval of the proposals.</p>  | <p>Cabinet Member for Environment, 2019/146</p> |
| <ul style="list-style-type: none"> <li>▪ <b>Oxford: Various Locations - Proposed New Disabled Persons Parking Places (DPPPs)</b></li> </ul> <p>To seek approval of the proposals.</p>                          | <p>Cabinet Member for Environment, 2019/147</p> |
| <ul style="list-style-type: none"> <li>▪ <b>Abingdon: A415 Oak Street - Proposed Loading Bay</b></li> </ul> <p>To seek approval of the proposals.</p>  | <p>Cabinet Member for Environment, 2019/148</p> |

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