

**Report of:** Sharon Cosgrove, Strategic Director

**Title:** Review of Section 42 arrangements

**Ward:** All

**Report author:** Sharon Cosgrove  
Strategic Director

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**Key Decision:** Yes

**Lead Member:** Cllr John Tanner

**Scrutiny responsibility:** Finance

#### **RECOMMENDATIONS**

That the Executive Board agrees that:

1. Oxford City Council continues to exercise its right to undertake eligible highway maintenance under s42 Highways Act 1980.
2. Oxford City Council reviews the arrangements for the maintenance of the Thames Towpath with the County Council and other stakeholders
3. The City Council retains the Local Authorities (Goods & Services) Act contract with the County Council and invokes the well-being powers under s2 of the Local Government Act 2000 to allow this authority to supplement the funding and provide a higher service level than that specified by the County Council.
4. Funding the shortfall in the Goods and Services Act contract to maintain the city's trunk roads and provide a higher service level than that specified by the County Council is likely to promote the environmental and social well-being of the city through supporting the Council's objectives "Improve the environments where we live and work" and "Make Oxford a safer city" by increasing the maintenance of the grass verges and trees lining the trunk roads into the city, thereby improving the city's appearance and the health of its highway trees.
5. The Strategic Director continues to explore options for alternative delivery models with the County Council.
6. The Leisure & Parks Business Manager reviews the cost-effectiveness of work undertaken for the County Council and decides on how best to deliver

this service at the least cost to the City Council. The Business Manager should negotiate with the County Council to explore increasing the unit price.

7. The Strategic Director explores the options to transfer surplus from the account to Leisure & Parks to fund additional service levels.
8. Both City Works and Leisure & Parks Business Mangers account for Section 42 work separately from any other work and that, on an annual basis, members are informed of any surpluses or deficits arising from the Section 42 account.
9. The City Works Business Manager informs Members on an annual basis of the highway engineering schedules that will be undertaken over and above those agreed with the County Council. These reports should go to Area Committees.
10. These recommendations are reviewed every three years and, in any event when the opportunity to relocate the City Works depot arises.

## **1. Summary**

1. The purpose of this report is for the Executive Board to consider the review of the City Council's claim to maintain unclassified highways under Section 42 of the Highways Act 1980.
2. The report considered by Finance Scrutiny Committee at its meeting of 8<sup>th</sup> December is attached as Appendix 1 and explains the work that has taken place under the review.
3. The report at Appendix 1 considers options to hand back the S42 function in full, retention of the function and a redistribution of functions between the two Councils. It also considers tree and grass verge maintenance on Oxford's trunk roads that the City Council provides and assesses options for future provision.
4. On the basis of the costs and community benefits, Finance Scrutiny recommended that the Executive Board continue to claim the right to manage Oxford's unclassified roads, explore the improved maintenance of the River Thames towpath with all stakeholders, and continues to provide the service to maintain the grass verges and trees of the City's trunk roads to existing standards.

**THIS REPORT HAS BEEN SEEN AND APPROVED BY:**

Strategic Director, Finance: Mark Luntley

Legal and Democratic Services: Lindsay Cane

Background Papers: None