

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Environment and Transport
Date:	15 September 2016
Title:	Highways Development Control Agency Arrangements and Traffic Management Agency Arrangements Update
Reference:	7740
Report From:	Director of Economy, Transport and Environment

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1. Executive Summary

- 1.1. The purpose of this paper is to update the Executive Member for Environment and Transport on the review of the agency agreements for traffic management and development planning.
- 1.2. A review of these agency agreements was approved by the Executive Member for Environment and Transport on 31 March 2016, with the aim of reducing the cost of those traffic management and development planning services provided by District and Borough councils under agency agreements with Hampshire County Council.
- 1.3. This report provides an update on the work to reconfigure the agency agreements.

2. Contextual information

- 2.1. The Executive Member for Environment and Transport gave approval in March 2016 to reduce funding for traffic management and development planning services provided by District and Borough councils as part of the savings proposals for the Economy, Transport and Environment Department, to come into effect from 1 April 2017.
- 2.2. A number of other key savings proposals were identified as part of the County Council's Shaping Hampshire - Spending Review public consultation exercise, including significantly reducing work on traffic management schemes which are not led by safety or legal requirements. A new policy on traffic management was approved by the Executive Member for Environment and Transport in May 2016 in line with this consultation.

- 2.3. The policy decision on traffic management had been deferred from the March Decision Day to May, to provide an opportunity for the Economy, Transport and Environment Select Committee to scrutinise the recommendations. In deferring the policy decision for traffic management, discussions with District and Borough councils about agency agreements were also delayed.

3. Finance

- 3.1. The Economy, Transport and Environment Department has made savings totalling over £26m since the 2010/11 financial year, with a further £14.7m of savings required for 2017.
- 3.2. The proposals to achieve savings approved by the Executive Member for Environment and Transport in March 2016 included reductions in funding for traffic management and development planning services delivered through agency agreements of £400,000 and £300,000 respectively from 1 April 2017.
- 3.3. It is proposed to reduce the funding for development planning agencies by £300,000 with effect from 1 April 2017 as planned.
- 3.4. The transition to revised traffic management agency arrangements will be more effectively managed by phasing in the funding reductions, and it is therefore proposed to implement the £400,000 saving for traffic management, such that a £264,000 reduction takes effect from 1 April 2017, with a further £136,000 from 1 April 2018.

4. Key issues

- 4.1. Table 1 below identifies which District and Borough councils currently provide traffic management and/or development planning services under agency agreements with the County Council.

District / Borough council	Traffic Management	Development Planning
Rushmoor	Yes	Yes
Hart	Yes	Yes
Basingstoke & Deane	Yes	Yes
East Hampshire	Yes	No
Havant	Yes	Yes
Winchester	Yes	Yes

Eastleigh	Yes	Yes
Gosport	No	No
New Forest	Yes	No
Test Valley	Yes	Yes
Fareham	Yes	Yes

Table 1 Services currently provided by District and Borough councils under agency agreements with the County Council.

- 4.2. Initial discussions with District and Borough councils regarding proposed changes to the agency agreements for traffic management and development planning took place in June and July, with the aim of informing District and Borough councils of the need for cost savings and proposed reduction or changes to the services required in line with the reduced funding provided by the County Council.
- 4.3. The District and Borough councils have individually identified a number of issues with the proposals to amend the services provided under revised agency agreements.
- 4.4. In respect of development planning, the County Council will be introducing Standing Advice to be applied to applications of 5 dwellings or less that will be the highway response to such applications in place of specific responses currently provided.
- 4.5. The use of Standing Advice reflects the need to transform services to meet the challenge of further reductions in funding for local authority services, and a number of District and Borough councils have requested more information on the Standing Advice prior to seeking formal approval for a revised agency agreement.
- 4.6. Draft Standing Advice has been provided, and further engagement will be arranged as necessary, to ensure the change in process is understood. It is recognised that, whilst the majority of planning applications will be suitable for applying Standing Advice, there will be individual planning applications for 5 dwellings or less where specific highway advice may be appropriate. District and Borough councils providing a development planning service under revised agency agreements will need to manage this within the funding provided by the County Council.
- 4.7. In respect of traffic management, the County Council is seeking to reconfigure the agency agreements to prioritise traffic management services provided by District and Borough councils to respond to on-street parking and loading related issues. The District and Borough councils are broadly supportive of this priority, which supports their responsibility for civil parking enforcement.

- 4.8. Concerns have been raised about limiting new parking and loading controls to minor changes to existing locations and safety-related issues (in line with the new traffic management policy agreed by the Executive Member for Environment and Transport in May 2016). The District and Borough councils' concerns are based on experience managing parking and loading restrictions and the need for a less restrictive approach to dealing with new issues. The request from District and Borough councils is only for a broader scope of control for on-street parking activities and not for additional funding. The broader scope requested would be the same as in existing agreements.
- 4.9. Some of the District and Borough councils have requested allowing a broader scope of traffic management activities within the agency agreement. In these cases, the District and/or Borough council wishes to fund and implement traffic management schemes in support of their local priorities, and not necessarily limited by the County Council policy of traffic management. It is worth noting that the existing agency agreements for traffic management already limit the scope of measures District and Borough councils can implement, with more strategic measures 'reserved' for the County Council.
- 4.10. A number of the District and Borough councils have also requested they retain the ability to offer and charge for temporary traffic regulation orders. Processing temporary traffic regulation orders is undertaken by staff delivering parking related traffic management services (permanent parking and loading restrictions) in the District and Borough councils, and recovering the cost of processing temporary traffic regulation orders supports the business case for retaining the agency agreements with reduced funding from the County Council. A number of the District and Borough councils have indicated that retaining the opportunity to recover some of the cost of staff through charging for temporary traffic regulation orders will be essential if they are to continue with the agency agreements in their revised form.
- 4.11. The County Council's core traffic management team currently process both permanent and temporary traffic regulation orders. Processing all temporary traffic regulation orders (for Statutory Undertakers and County Council works e.g., for Operation Resilience), including those currently processed by the District and Borough councils, would require additional staff. The cost of employing staff to provide this service could be recovered through charges for temporary traffic regulation orders, but allowing District and Borough councils to offer this service to Statutory Undertakers could provide greater resilience as well as supporting the business case for retaining the traffic management agency and specifically for processing parking and loading restrictions. Temporary traffic regulation orders for the County Council's own works e.g., for Operation Resilience, will be processed by County Council's core traffic management team on a cost-recovery basis.

5. Next steps

- 5.1. Draft Standing Advice for individual planning applications for 5 dwellings or fewer has been issued to the District and Borough councils. Further engagement will be arranged as necessary to ensure the change in process is understood.
- 5.2. Relaxing the constraint on parking and loading controls, which limits these to minor changes to existing locations and new safety-related issues, would offer greater flexibility for the District and Borough councils managing civil parking enforcement, and it is considered that this constraint could be relaxed.
- 5.3. Relaxing the constraint on the scope of traffic management activities permitted within the agency agreement could undermine the County Council's policy objective of directing traffic management measures at reducing casualties. The existing agency agreements for traffic management already limit the scope of permitted measures, with other measures deemed reserved matters to be approved and /or implemented by the County Council, with the support of the County Council elected member. It is considered that this approach provides sufficient flexibility to respond to traffic management schemes in support of local priorities outside of the scope of the agency agreements, and there is no need to relax this constraint.
- 5.4. The District and Borough councils have largely identified the need for executive approval to formally agree the finances for new agency arrangements. It is proposed to ask the District and Borough councils to confirm their decisions in respect of the agency arrangements for traffic management and development planning by 31 December 2016 to allow sufficient time for alternative arrangements to be established in the event that an agreement is terminated.
- 5.5. For those District and Borough councils wishing to withdraw from these arrangements, appropriate capacity to deliver only those service activities described in the proposed agency agreements will be provided by staff at the County Council.

6. Recommendations

- 6.1. That the Executive Member for Environment and Transport notes the progress made in amending the agency agreements for traffic management and development planning.
- 6.2. That the Executive Member for Environment and Transport confirms a reduction of £300,000 to the development planning agencies, to take effect from 1 April 2017.
- 6.3. That the Executive Member for Environment and Transport approves phasing of the £400,000 savings target for traffic management agency

arrangements, such that the total funding for all traffic management agencies is reduced by £264,000 by 1 April 2017, with a further reduction of £136,000 from 1 April 2018.

- 6.4. That the Executive Member for Environment and Transport delegates authority to the Director of Economy Transport and Environment to contact the District and Borough Council agents requesting confirmation of their decision in respect of the revised agency agreements by 31 December 2016 to allow sufficient time for alternative arrangements to be established in the event that an agreement is not renewed.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Transformation to 2017 – Revenue Savings Proposals	6888	15 September 2015
Future Traffic Management Policy	7281	31 March 2016
Highways Development Control Arrangements	7279	31 March 2016
Future Traffic Management Policy	7468	19 May 2016
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

It is considered that the proposal will have a low or no impact on groups with protected characteristics. Traffic management service activities will be prioritised to address the causes of injury accidents, helping to improve road safety for all. Measures provided in response to specific needs e.g. disabled parking bays, will continue to be provided where appropriate.

2. Impact on Crime and Disorder:

2.1. The provisions of the Crime and Disorder Act 1998 have no implications for this proposal.

3. Climate Change:

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

The proposal in itself has no impact on climate change. There is scope to reduce fuel consumption and the carbon footprint of car travel by the use of

effective traffic management measures, and individual projects requiring traffic management measures may continue to be devised and implemented through the Capital Programme.

- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

It is considered that the proposal will have no impact on the need to adapt to climate change and be resilient to its longer term impacts.