

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Environment and Transport
Date:	19 January 2017
Title:	Highways Development Control Agency Arrangements and Traffic Management Agency Arrangements Update
Reference:	7999
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. In September 2016, the Executive Member for Environment and Transport delegated authority to the Director of Economy Transport and Environment to contact the district and borough council agents to request confirmation of their decision in respect of the revised agency agreements by 31 December 2016. This report provides an update on the responses received.

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. At the March Decision Day, approval was also given to the introduction of Standing Advice to replace bespoke responses from the highway authority on applications dealing with up to five residential dwellings.

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. Transition arrangements were later approved for traffic management by the Executive Member for Environment and Transport in September 2016, such that a £264,000 reduction takes effect from 1 April 2017, with a further £136,000 from 1 April 2018.

4. Performance

- 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 individually identified a number of issues with the proposals to amend the services provided under revised agency agreements. These were reported to the Executive Member for Environment and Transport in September 2016.
- 4.4. Since this time, officers have had further discussions with district and borough councils to clarify these issues. District and borough council agents were requested to confirm their decision in respect of the revised agency agreements by 31 December 2016.
- 4.5. Following initial discussions during the summer with district and borough councils, and more recently in focussed workshop sessions, some authorities have maintained their concerns regarding the scope of Standing Advice for smaller residential developments. While the County Council remains committed to understanding and responding to these concerns through on-going discussions, it should be noted that to date these concerns remain.
- 4.6. Some authorities considered that the scope of Standing Advice needed to be reviewed either to limit the scope of applications it would apply to, or to allow more flexibility in applying the technical standards. It was also suggested that the advice sets out the validation process for applications to make it clearer in what circumstances the advice would apply.
- 4.7. Additional feedback provided was that the introduction of Standing Advice is undertaken on an initial trial basis or through a formal monitoring period to identify any issues. There was also a request that the format be amended to provide more clarity on the process for applying the advice and in what circumstances the local highway authority is consulted, and how this would be managed.
- 4.8. All attendees were invited to forward through their detailed comments on the drafting of the advice and many of these comments pick up matters of detail that will be reviewed and incorporated into an updated draft of the advice. The County Council remains committed to introducing Standing Advice and, as well as reviewing the drafting of the advice, will also hold further training sessions to support planning authorities in applying Standing Advice.
- 4.9. Table 2 below identifies which of those district and borough councils identified in Table 1 above, have confirmed that they will continue or withdraw from traffic management and/or development planning agency agreements with the County Council.

District / Borough council	Traffic Management	Development Planning
Rushmoor	Continue	Continue
Hart	To be advised	To be advised
Basingstoke & Deane	To be advised	Continue
East Hampshire	Continue	n/a
Havant	Continue	Continue
Winchester	Continue	Continue
Eastleigh	Continue	Withdraw
Gosport	n/a	n/a
New Forest	Continue	n/a
Test Valley	Continue	Continue
Fareham	Withdraw	Continue

Table 2 Decisions of district and borough councils to continue or withdraw from agency agreements with the County Council.

4.10. Hart District Council has advised that its decision will be made in February as part of its budget setting process and as such it has not been able to provide a response for this report.

4.11. Basingstoke and Deane Borough Council has advised that its decision has also been deferred to February.

4.12. There is a potential for TUPE (Transfer of Undertakings [Protection of Employment] Regulations) to apply to district and borough councils' staff affected by the changes to the agency agreements. Any implications will be managed through the transition period.

5. Next steps

5.1. The revised agency arrangements will operate from 1 April 2017.

5.2. Alternative arrangements for delivering traffic management and development planning services currently provided by district and borough councils will be established where agency agreements have not been renewed. These services will be provided in accordance with Hampshire County Council policies and within the reduced budget allocated to the district or borough council areas, thus contributing to the approved savings set out in Section 3 of this report.

- 5.3. In the event that a sufficient number of district/borough councils do not renew the agreements or subsequently withdraw from the agency arrangements, such that the County Council has to provide significant resources to deliver these service activities, then the viability of the remaining agency arrangements will be re-assessed.

6. Recommendation

- 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, and agrees the approach being taken, as set out in this report.

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
Highways Development Control Agency Arrangements and Traffic Management Agency Arrangements Update	7740	15 September 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 proposals 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. It is not anticipated that the proposals will have any impact on Crime and Disorder.

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.