

## **Transport and Highways Committee**

**Thursday, 19 January 2017 at 10:30**

**County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP**

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### **AGENDA**

- |    |  |          |
|----|--|----------|
| 1  | Minutes of the last meeting held on 15 Dec   | 3 - 6    |
| 2  | Apologies for Absence  |          |
| 3  | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |          |
| 4  | Quality Bus Partnership Performance and Update   | 7 - 14   |
| 5  | Concessionary Fare Scheme - Extension of the Scheme to include S19 Minibus Services  | 15 - 20  |
| 6  | Consultation on the Implementation of Clear Air Zones in England   | 21 - 28  |
| 7  | Section 19 Reports - Flooding in Cropwell Butler, Thurgaton, Mansfield and Gotham  | 29 - 56  |
| 8  | CCTV Enforcement Car Update Report (March - November 2016)   | 57 - 60  |
| 9  | Rights of Way Management Plan for Nottinghamshire  | 61 - 88  |
| 10 | Responses to Petitions Presented to the Chairman of the County Council   | 89 - 96  |
| 11 | Work Programme   | 97 - 102 |

## **Notes**

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Peter Barker (Tel. 0115 977 4416) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting      Transport and Highways Committee

Date            15 December 2016 (commencing at 10.30am)

**Membership**

Persons absent are marked with an 'A'

**COUNCILLORS**

Kevin Greaves (Chair)  
Steve Calvert (Vice Chair)

Roy Allan	Stephen Garner -A
Andrew Brown	Colleen Harwood
Richard Butler	Richard Jackson
Steve Carr -A	Michael Payne
Steve Carroll	

**OFFICERS IN ATTENDANCE**

Pete Barker	- Democratic Services Officer
Mike Barnett	- Via East Midlands
Sue Bearman	- Legal Services
Tim Gregory	- Corporate Director
Suzanne Heydon	- Highways Safety
Jas Hundal	- Service Director, Environment, Transport & Property
David Pick	- Highways
Kevin Sharman	- Highways
Adrian Smith	- Corporate Director
Gary Wood	- Group Manager, Highways

**MINUTES OF THE LAST MEETING**

The minutes of the last meeting held on 17 November, having been circulated to all Members, were taken as read and were confirmed, and were signed by the Chair.

**MEMBERSHIP**

Councillor Carroll replaced Councillor Peck for this meeting only.

## **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Carr (medical/illness) and Councillor Garner (other reasons).

## **DECLARATIONS OF INTERESTS**

No declarations of interests were made.

## **ROAD INVESTMENT STRATEGY A52(T) NOTTINGHAM JUNCTION IMPROVEMENTS & A46 NEWARK BYPASS – PROGRESS UPDATE**

### **RESOLVED 2016/069**

1. That the decision of Highways England to accelerate the delivery of a series of junction improvements on the A52 (T) in 2016/17, as detailed in the report, be welcomed.
2. That Highways England be encouraged to finalise and deliver the A46 and A52 improvements at the earliest opportunity.
3. That Highways England be encouraged to give full consideration to the needs of cyclists and pedestrians along and across the A52 (T) and provide improvements wherever possible.
4. That a further progress report be brought to a future meeting of the Committee.

## **RAIL ISSUES UPDATE REPORT**

### **RESOLVED 2016/070**

1. That the contents of the report be noted
2. That a report detailing further consultation responses be brought to a future meeting of the Committee.

## **MAIN STREET, LAMBLEY - BUS STOP CLEARWAYS TRO, REPORT OF OBJECTIONS**

Mike Barnett introduced the report and confirmed that where parking enforcement had been decriminalised a Traffic Regulation Order was not required in order to install a bus stop clearway.

### **RESOLVED 2016/071**

That the proposed bus stop clearways on Main Street, Lambley (references GE0696 and GE06778) be installed as advertised and the objectors notified accordingly.

Councillor Brown, Councillor Butler and Councillor Jackson requested that their abstentions from the above vote be recorded.

## **PERFORMANCE REPORT – HIGHWAYS**

Suzanne Heydon introduced the report and confirmed that the reduction in the number of children killed or seriously injured in 2016/17 was 73% and not 40% as stated in the report.

### **RESOLVED 2016/072**

That the contents of the report be noted.

## **WORK PROGRAMME**

### **RESOLVED 2016/073**

That the Work Programme be noted.

The Chairman thanked Tim Gregory for his dedication and hard work and wished him a long and happy retirement.

The meeting closed at 11.09am

## **CHAIRMAN**



**19<sup>th</sup> January 2017****Agenda Item: 4****REPORT OF THE SERVICE DIRECTOR ENVIRONMENT, TRANSPORT AND  
PROPERTY****QUALITY BUS PARTNERSHIP PERFORMANCE AND UPDATE****Purpose of the Report**

1. To provide an update on the Mansfield and Beeston Town Centre Statutory Quality Bus Partnership (SQBP) schemes.
2. To provide an update on the Worksop Town Centre Voluntary Quality Bus Partnership (VQBP) scheme.
3. To highlight the success of the schemes in delivering public transport improvements.

**Information and Advice****Introduction**

1. The provisions of the Transport Act 2000, provided Nottinghamshire County Council with the powers to establish a Statutory Quality Bus Partnership (SQBP) to achieve the following objectives:
  - Enhance bus services and infrastructure.
  - Improve the quality of local bus services by restricting the use of bus stops within a defined area to those buses that meet prescribed quality standards.
  - To enable bus operators to meet the Traffic Commissioner requirements for bus service reliability and punctuality.
  - To facilitate an increased modal share for public transport in line with Local Transport Plan and sustainability objectives.
  - To increase passenger growth and assist with traffic congestion.
  - To improve customer experience which can be achieved through the promotion of bus travel, information improvements (including electronic information), integrated ticketing and new vehicles. Studies show that real time improvements alone can bring a 2% increase in passenger journeys.

**Mansfield SQBP**

2. The formulation of a Statutory Quality partnership was approved in January 2012 and on the 6<sup>th</sup> May 2013 Mansfield's Statutory Quality Bus Partnership came into operation. This has achieved improvements to the town centre infrastructure, the highway, vehicle quality and bus service information including:-
  - Investment by the County Council of £9.11M including the bus station.

- 24 new or refurbished bus stops and shelters in Mansfield. The shelters have clear timetable and bus service maps, providing passengers with additional journey planning and way finding information.
  - 14 bus stops that are Real Time enabled to take away some of the uncertainties related to bus travel.
  - Coach stands for tour buses on Walkden Street outside the Rosemary Centre.
  - Bus stop clearways at all stops which improve accessibility to the bus stops and prevent services being delayed.
  - Targeted parking enforcement in the area to ensure bus accessibility to the Town Centre is improved and to improve reliability of bus services.
  - Refresh of four legally enforceable bus lanes, which improves journey times and reliability.
  - Investment of £4.8 million by the bus operators in vehicles as a direct result of the SQBP- Stagecoach East Midlands' Mansfield Miller and Trentbarton's Threes.
  - Vehicles meeting a minimum of Euro 3 emission standards and the provision of enhanced cleaning and customer care offers.
  - The fitting of equipment to Trentbarton vehicles and Stagecoach vehicles to provide a Real Time feed for passengers.
3. Nottinghamshire County Council commits to an annual passenger survey in Mansfield to measure performance and benchmark standards. Approval ratings for the passenger transport facilities rose from 60% to 90% at the launch of the SQBP and in September 2016 rose to 92% indicating that the investment continues to improve passenger satisfaction.
  4. Every shelter in Mansfield SQBP is fitted with an onward journey planning poster providing access to local bus services and nearby facilities. Mansfield Bus Station has a passenger information zone providing an electronic journey planning kiosk and a large supply of paper timetables. In the recent survey results, 95% of passengers rated information provision at Mansfield bus station as 'Good' or 'Very Good'.
  5. Mansfield Bus Station has 16 bays each fitted with a Real Time information display. There are a further 14 Real Time information displays on street at key bus stops in Mansfield Town Centre. 86% of passengers surveyed in 2016 would welcome more real time information displays in Mansfield.
  6. Nottinghamshire County Council continues to maintain Mansfield bus station to a very high standard and this is reflected in 98% of the public rating the bus station appearance as 'Good' or 'Very Good'. The partnership with Mansfield District Council has ensured there is a comprehensive capital investment plan in place to maintain the standards at existing levels.



7. Passenger numbers grew by 5% in the two years following the opening of Mansfield Bus Station. In line with national trends, operators have reported some loss of patronage in 2015, but passenger numbers have stabilised at 4% or more above the levels reported before the investment.
8. The highway works, install of bus only lanes and relocation of the bus station have successfully improved punctuality across the network. 93% of services operating in Mansfield in 2016 have adhered to the Traffic Commissioners window of tolerance.
9. The SQBP committed Nottinghamshire County Council to clean and maintain bus stop infrastructure to a very high standard. In 2016 98% of bus stop audits and cleans were completed with 95% of infrastructure in excellent condition and the remaining 5% repaired within the agreement timetables.

### **Further public transport developments in Mansfield and Ashfield.**

10. In addition to the original £4.8M investment, the bus operators have spent a further £4.9M upgrading several bus services including the Mansfield town services and the Mansfield to Derby Nines service. The Mansfield to Nottingham services all provide complimentary superfast Wi Fi as standard and all local bus services far exceed the minimum emissions standards required by the SQBP.
11. In a bid to further improve punctuality for customers using the Threes service operating from Mansfield to Nottingham via Sutton in Ashfield and Hucknall service, the County Council and City Council have funded an upgrade to enable buses to seek priority at intelligent traffic signals. The results of this trial should be known in September 2017 and may lead to further operator investment elsewhere in the County.
12. The County Council continues to work with the operators to identify traffic 'hotspots' and look for solutions to further improve reliability and punctuality.
13. The County Council is working with Stagecoach to enable Stagecoach information to be displayed in Real Time at the bus station and on the Real Time passenger information displays.
14. The County Council is working with the operators to introduce Integrated Ticketing within the Mansfield/ Ashfield area as previously reported to Transport and Highways Committee.

### **Beeston SQBP**

15. The formulation of the Beeston SQBP was approved in January 2015 and came into operation on 3<sup>rd</sup> May 2015. This has achieved significant improvements to the town centre, vehicle quality and information to complement the NET 2 investment. This included:-
  - Investment by the County Council of £59K in on street bus stop infrastructure, in addition to the NET public transport investment in Beeston Bus & Tram Interchange.
  - 30 new or refurbished bus stops and shelters in Beeston. The shelters have clear timetable and bus service maps, providing passengers with additional journey planning and way finding information.

- 27 bus stops that are Real Time enabled to take away some of the uncertainties related to bus travel.
  - Ticket machines for customers to purchase and top up Robin Hood Cards.
  - Bus stop clearways at all stops, which improve accessibility to the bus stops and prevents services being delayed.
  - Bus stands for emergency planning should the interchange be closed.
  - A coach stand with upgraded waiting facilities for tour operators, as there is no provision within the new interchange.
  - Targeted parking enforcement in the area to ensure bus accessibility to the Town Centre is improved and to improve reliability of bus services.
  - Investment of £2.8M by the bus operators in low emission vehicles including free Wi Fi and stop announcements for passengers; plus plans to undertake further investment in the near future.
16. Nottinghamshire County Council has committed to the annual passenger survey in Beeston to measure performance. In September 2016, 97% of passengers reported they were satisfied with the passenger transport facilities, up from 93% in 2015. Personal safety scored particularly highly, with 99% reporting they felt safe in Beeston Interchange.
17. Despite the arrival of the tram, bus operators are only reporting a 4% patronage decline year on year, which can be accounted for with the reduction in bus service frequencies and some abstraction from the bus to tram.
18. The ongoing strength of the bus network suggests that much of the tram patronage is new journeys that would not have previously been undertaken by public transport. This is supported by a survey result from September 2016 that reported 40% of passengers using the interchange did so despite having access to a car.
19. A patronage count undertaken in June 2016 at Beeston Interchange Tram indicated that the bus and tram split is roughly 60% and 40%, although it is expected to take several years to establish a stable pattern.
20. To date in 2016, an average of 82% of bus services in Beeston adhered to the Traffic Commissioners window of tolerance. Efforts continue to be made to improve the reliability of the bus services, and investment in smart signals at busy junctions in Beeston have delivered significant improvements for all traffic ; however the tram movement will always take priority over the bus and private car.
21. The SQBP committed Nottinghamshire County Council to clean and maintain bus stop infrastructure to a high standard. In 2016 98% of bus stop audits and cleans were completed with 93% of infrastructure in excellent condition and the remaining 7% repaired within the terms of the agreement.

## **Further public transport improvement in Beeston**

22. As part of the LEP funded Southern Growth Corridor, we have identified a number of bus stop improvements in Beeston to complement the investments in the City Area and Gedling. The Stage 2 business case has now been approved and proposals are being firmed up.
23. The County Council continues to work with City Council on the roll out of further ticket machines in the Beeston area. There are also plans for further upgrades to the tram ticket machines to dispense Robin Hood Cards in the future.
24. The County Council will continue to work with the bus operators to improve reliability and punctuality.

## **Worksop VQBP**

25. To coincide with the opening of the £3.2M bus station in Worksop, Nottinghamshire County Council established a Voluntary Quality Bus Partnership in Worksop as an interim arrangement, while the impact of the bus station and changes to local bus provision were evaluated. This agreement gave more flexibility than a long term Statutory Quality Bus Partnership agreement.
26. The Worksop VQBP came into operation on 30<sup>th</sup> August 2015 and it was agreed that the bus services would not be reviewed until at least April 2017 in order to give time for the improvements to have an impact on patronage and service reliability and punctuality.
27. The VQBP achieved improvements to the town centre infrastructure, the highway, and bus service information. This included:-
  - Investment by the County Council of £35K in on street bus stop infrastructure with further investment in real time of £38K delivered in 2016.
  - 26 new or refurbished bus stops and shelters in Worksop, with 17 of these Real Time enabled to improve confidence in accessing public transport.
  - Bus stop clearways at all stops which improve accessibility to the bus stops and prevents services being delayed.
  - Investment of £420K by the bus operators in 4 Double Decker low emission vehicles.
28. Nottinghamshire County Council has also committed to the annual passenger survey in Worksop to measure performance. In September 2016, 98% of passengers reported they were satisfied with the passenger transport facilities, with 63% rating it as 'Very Good'. 83% reported they were happy with the new location for the bus station and an impressive 35% reported that they used public transport more often since the bus station was opened.
29. Bus patronage in Worksop has been in decline for some years, but since the investment, the patronage decline has slowed and since March 2016 Stagecoach East Midlands has reported a modest growth of 2%.

30. In the recent survey results, 86% of passengers rated information provision in Worksop Town Centre as 'Good' or 'Very Good'.
31. To date in 2016, an average of 89% of bus services in Worksop adhered to the Traffic Commissioners window of tolerance. Operators have reported improvements in access thanks to the relocation of the bus station and priority given to buses at key junctions.
32. The VQBP committed Nottinghamshire County Council to clean and maintain Worksop Town Centre bus stop infrastructure on a monthly basis. In 2016 92% of bus stop audits and cleans were completed with 95% of infrastructure in excellent condition and the remaining 5% repaired within an appropriate window of tolerance.

### **Further public transport improvements in Worksop**

33. The County Council continues to work with the operators to identify traffic 'hotspots' and look for solutions to further improve reliability and punctuality.
34. The County Council is working with Stagecoach to enable Stagecoach services to be displayed in Real Time at the bus station and on the Real Time passenger information displays on street.

### **Buses Bill**

35. The Buses Bill is currently making its passage through Parliament which likely to be ratified in spring 2017. Within the bill there are a number of proposals to improve partnership arrangements between Local Authorities and bus operators and therefore the County Council will need to review the current arrangements in light of these developments. It is proposed that a further Transport and Highways Committee report is prepared follow the Bill's ratification and accompanying DfT guidance.

### **Statutory and Policy Implications**

36. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Implications for Service Users**

37. The provision of local bus services enables users to access key services, jobs, training and leisure. The arrangements detailed above have been made to ensure access to the key priorities of employment, education, health and essential shopping.

### **Financial Implications**

38. There are no financial implications within the report.

## **RECOMMENDATIONS**

39. It is recommended that Committee:

- Note the report regarding the Statutory and Voluntary Quality Bus Partnerships and the ongoing successes of the schemes in delivering public transport improvements.

**Jas Hundal**  
**Service Director**  
**Environment, Transport & Property**

**For any enquiries about this report please contact:**

**Pete Mathieson, Manager Transport and Travel Services**  
**Elliott Mizen, Facilities & Partnerships Manager**

### **Constitutional Comments (SLB 23/12/2016)**

40. Transport and Highways Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 23.12.16)**

41. There are no specific financial implications arising directly from this report.

### **Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Mansfield bus station and Mansfield Town Centre Statutory Quality Bus Partnership –  
Building on the Success - 9th January 2014

### **Electoral Divisions and Members Affected**

Mansfield North  
Mansfield South  
Mansfield West  
Mansfield East  
Worksop North  
Worksop West  
Worksop East  
Worksop North East and Carlton  
Beeston North  
Beeston South and Attenborough  
Chilwell and Toton  
Bramcote and Stapleford



19<sup>th</sup> January 2017

Agenda Item: 5

## **REPORT OF THE SERVICE DIRECTOR, TRANSPORT, PROPERTY & ENVIRONMENT**

### **CONCESSIONARY FARE SCHEME: EXTENSION OF THE SCHEME TO INCLUDE S19 MINIBUS SERVICES**

#### **Purpose of the Report**

1. To advise committee of the outcome of the grant aid support from Transport and Travel Services (TTS) for 'Easylink' and 'Ring & Ride' Minibus services in Nottinghamshire operating under a Section 19 Permit.
2. To seek approval to extend the grant funding for Nottingham Community Transport and Our Centre to provide the Easylink and Ring a Ride services in 2017/18.
3. To seek approval to extend the current Concessionary Fares scheme to include Minibus operations, offering up to 50% discount for disabled residents, from April 2018 for a two year pilot.

#### **Background**

4. Community Transport organisations are an important part of the transport fabric of Nottinghamshire and provide vital services for those people unable to access traditional public transport; or increasingly live in communities with limited public transport or taxi options available.
5. The minibus schemes operate using a Section 19 permit under the provisions of the 1985 Transport Act and subsequent legislation. Primarily these are operated under 'standard permits' for vehicles which are adapted to carry no more than 16 passengers (excluding the driver). These permits may be granted to organizations that operate vehicles without a view to profit to transport their members, or people whom the organization exists to help.
6. Many organisations tend to charge a membership fee to access the service and pay fares based on distance travelled, which is unaffordable for some people or limits the amount of trips undertaken. As these services cannot be registered as a 'Local bus service', because the S19 Permit requires that they are pre-bookable, they are not eligible for English National Travel Concessions Scheme (ENTCS) payments and therefore free travel.
7. Grant funding for Community Transport organizations is currently £190k per annum. This is split across 15 organizations (Minibus and Voluntary Car schemes) with an average contribution of £12,600 per scheme (excluding the funding from TTS). This funding is allocated centrally by the Community and Voluntary Sector team and



monitored by Transport and Travel Services. The grant funding is a contribution towards the core revenue costs/overheads that are essential to managing and delivering the project.

8. The County Council with grant funding and advice has also been encouraging the sector to look for additional work; this includes SEND contract, Adult Social Care and local bus work, but due to the lack of capacity in the sector and the European Commission State Aid inquiry into the Community Transport sector; many providers have been unable or reluctant to embrace these opportunities.
9. Community Transport organisations have also seen reductions in other funding from public bodies such as District Councils, NHS and the lottery has contracted. However the government has helped with the £25M Minibus fund and 2 Nottinghamshire organisations have been successful in bids to the DfT A further bidding round recently closed to applicants.
10. Since the economic downturn we have seen some rationalisation of Community transport providers as well as a gradual scaling back of operations to core activities, reducing accessibility to key services for Nottinghamshire's most vulnerable residents. Without further support this trend is likely to continue.
11. This report therefore proposes a new discretionary Half Fare scheme for S19 Minibus 'Dial a ride' type operations in Nottinghamshire from April 2018; to allow time to finalise the terms and conditions of the scheme in 2017/18. These proposals will seek to address the issues of improving accessibility to key services, affordability of Community Transport services and help ensure the long term sustainability of Community Transport organisations. A separate Annual Report on the schemes funded centrally will be formulated by the Community and Voluntary Sector team.
12. There is currently two large 'Dial a ride' minibus schemes in Nottinghamshire which provide door to door services for disabled members which is detailed below.

### **Nottingham Community Transport - Easylink**

13. As part of the Shared services report to Transport and Highways Committee on 12 November 2015, Members were informed of the following expansion of the easylink service so that it became available for County Users within the Robin Hood Card boundary covering the Greater Nottingham area;
  - Formed a new pricing structure covering the Nottinghamshire area which will be based on mileage and not on zones.
  - Currently offers a 50% fare discount for qualifying Nottinghamshire Concessionary pass holders and Nottingham City pass holders. The customers pays on average £4 per trip.
  - Operates under a Section 19 permit
  - Revised operating hours to reflect passenger demand
  - Improved booking arrangements so clients can book up to 7 days in advance.
  - Started the procurement of new booking software to improve business efficiency and customer experience.
  - Publicity and marketing strategy formulated to promote the service with targeted mailing to disability groups.



14. The expanded scheme was introduced in February 2016, coinciding with the delivery of the new easylink vehicles.
15. The County Council provided a Grant of £10k to facilitate the expansion of the scheme and to promote the services to all users registered on the NCC English National Concessionary Travel Scheme (ENCTS) database.
16. Since the scheme introduction in February 2016:
  - The number of trips per month has risen from 66 trips per month in February to 312 in November, which is an average monthly rise of 17.8% since the beginning of the scheme. The total for year 1 is forecast to be around 2200 trips.
  - Average fare is £8
  - There are over 250 registered active users with the number steadily increasing.

### **Our Centre – Ring a Ride**

17. Our Centre have been providing a Ring and Ride service, similar to easylink:
  - The service has operated since 2012 and is 33 % of Our Centre's business.
  - Operates predominately in the Ashfield and Mansfield area under a Section 19 permit, but on request will go into neighbouring Authorities.
  - 607 people are registered members
  - The pricing structure is based on a Zonal (Kirkby) and mileage system
  - Average fare for passengers is £6 paid by the customer
  - The average number of trips per month is 870 with a forecast of 10,500 per annum.
18. Our Centre have been involved in a number of projects with a variety of partners including Adult Social Care which involved the facilitating of hospital discharges of clients from Kings Mill Hospital back to their own home or care home. Our Centre used the Ring a Ride vehicles to provide the service to maximise the usage of the vehicles to support the Ring and Ride sustainability and provide value for money for Adults. However despite the high passenger numbers on the Ring a Ride service supplemented by the discharge scheme, further funding was required for the service to continue. As the Ring and Ride service and Hospital service were good examples of Total Transport solutions, it was agreed to fund their continuation from DfT Total Transport Funding which cost £15k per annum.
19. Locally and in neighbouring Authorities the following similar services are provided:
  - I) Derbyshire County Council Dial-a-Bus – Standard fares are in line with public transport rates and there is a flat-rate fare of £1.50 per journey (£3 return) for ENCTS Card holders.
  - II) Lincolnshire County Council - CallConnect - ENCTS passes can be used for free travel on all CallConnect services. No discounts on Dial-a-Ride in Lincoln and Stamford
  - III) Leicestershire County Council – A variety of Community transport schemes operate with different fare structures. No discounts for ENCTS pass holders.
  - IV) South Yorkshire – Dial-a-Ride services operate in Barnsley, Doncaster, Rotherham and Sheffield and charge a flat return fare of £2.00

## **Proposals for Nottinghamshire**

20. As indicated above some adjoining Authorities include these type of services as part of their concessionary fare scheme (discretionary provision), or alternatively offer discounted fares which are reflected in financial support arrangements with the operator. It is proposed that the County Council extends their Concessionary fare scheme from 2018/19 to include a half fare concession for disabled pass holders for S19 minibuses services for a trial period of 2 years. At present only two Minibus schemes provide such services, however it is hoped that the introduction of up to a 50% concession would encourage new operations to be set up in areas where alternative public transport provision is limited, therefore proving an affordable alternative for ENCTS holders.
21. For 2017/2018 we continue the current arrangements of grant funding, whilst the terms and conditions of the scheme and the management and monitoring arrangements are finalised. In November 2017 the Concessionary scheme notices for 2017/18 will be published; which will include the discretionary scheme for S19 operated minibus schemes outlined in paragraph 17.

## **Implementation**

22. The exact reimbursement, project monitoring and scheme administration will need to be worked through with the operators in more detail during 2017/18.
23. Discussions with the Community Transport sector have been supportive of this new approach to the provision of these 'Ring a Ride' services.
24. The Concessions proposed start date is April 2018, with the scheme reviewed in April 2020.

## **Other Options Considered**

- To do nothing: Without grant or Concessions support these 'Dial a Ride' type services are not likely to continue in their present form and therefore reduce travel opportunities for Nottinghamshire's most vulnerable residents.
- To only provide Grant funding: this would probably sustain the services but without a reduction in fares, this will not encourage growth which will help the long term sustainability of Community Transport operators.

## **Environment & Sustainability**

- Local Community Transport minibus operations help congestion management, reduce individual car use and improve air quality.

## **Statutory and Policy Implications**

- This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

- To allocate ring-fenced TTS funding; to provide grant funding for Nottingham Community Transport (£10k) and Our Centre (£15k) for the 2017/18 financial year transition period.
- It is proposed from 2018/19 that the Concessionary scheme is extended to include S19 Minibus services based on a 50% discount for ENCTS pass holders for the average fare. The forecast cost of the scheme pending negotiations is between £43k and £58k per annum. This forecast includes projected growth of between 5% and 10% on scheme introduction.
- If other Community Transport organisations develop Ring a Ride services there is currently a 25% contingency to absorb growth in the sector.
- The costs for the scheme can be met from existing TTS budgets, ring fenced for transport provision.
- The scheme will be managed as a Concessionary Fare Scheme with similar arrangement to the existing scheme, with appropriate break clauses to protect the County Council and operators.

## **Implications for Service Users**

- The introduction of Improvements to the Concessionary fare scheme will make the services more affordable and accessible for service users, addressing issues of isolation.
- The scheme will encourage other Community Transport Schemes to expand 'Dial a Ride' type services, increasing travel opportunities for residents and filling transport gaps.
- The scheme will help strengthen Community Transport operators to ensure long term sustainability and help arrest the contraction in provision in some areas.

## **RECOMMENDATIONS**

It is recommended that Committee:

25. Note the progress of the easylink and Ring and Ride services.
26. Approve the renewal of grant funding for 2017/18 for Nottingham Community Transport and Our Centre whilst a new Concessionary Scheme is formed.
27. To approve the extension of the Concessionary Fare scheme to include S19 operated Minibuses services, offering disabled residents a discount on travel from 2018 for a two year pilot.

**Pete Mathieson**  
**Manager Development and Partnerships**  
**Transport & Travel Services**

**For any enquiries about this report please contact:**

Pete Mathieson  
Manager Development and Partnerships  
Transport & Travel Services

**Constitutional Comments (SLB 23/12/2016)**

- Transport and Highways Committee is the appropriate body to consider the content of this report.

**Financial Comments (DJK 10/01/2017)**

- The financial implications are explained in this report and will be funded from existing revenue budgets.

**Background Papers**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Shared Public Transport Services Provision with the City Council: Project Outcome – 12<sup>th</sup> November 2015

**Electoral Divisions and Members Affected**

All

**19 January 2017****Agenda Item: 6****REPORT OF CORPORATE DIRECTOR OF PLACE DEPARTMENT****CONSULTATION ON THE IMPLEMENTATION OF CLEAN AIR ZONES IN  
ENGLAND****Purpose of the Report**

1. The purpose of this report is to update Committee on the consultation undertaken by government on the implementation of clean air zones in England.

**Information and Advice****Policy/strategy background****Clean air zones**

2. The national air quality plan for nitrogen dioxide (NO<sub>2</sub>) was published in December 2015 and sets out the measures the Government is taking to reduce NO<sub>2</sub> emissions and concentrations. The national air quality plan committed the Government to develop a Framework for the implementation of clean air zones (CAZs) so that they would be consistent in their operation and the expected outcomes from their delivery.
3. CAZs are defined geographic areas where targeted action is taken to improve air quality and where resources will be prioritised and coordinated in a way that will improve health and support economic growth in these areas. CAZs fall into two categories:
  - Non-charging CAZs – these are areas used as a focus for actions to improve air quality but do not include the use of charge based action restrictions (and are effectively the same as the existing air quality management areas)
  - Charging CAZs – these are zones, which in addition to the above, require owners to pay a charge to enter the zone if they are driving a vehicle that does not meet the particular vehicle standards.
4. Local authorities already have the powers to introduce CAZs (charging and non-charging models) as set out in Part III of the Local Transport Act 2000. The Air Quality Unit, a joint office representing the Department for Environment Food and Rural Affairs (DEFRA) and the Department for Transport (DfT), has, however, recently undertaken consultation on the draft Framework on the implementation of clean air zones in England (the consultation closed on 9<sup>th</sup> December 2016). The Framework sets out the principles and expected approach to be taken by local authorities when implementing and operating a CAZ.

5. In addition to setting out the standards for vehicles, the type of signing required etc. the Framework sets out what other types of actions should be delivered within the CAZ. These include, for example, the provision of walking, cycling, passenger transport and low emission infrastructure; promotion of walking, cycling, passenger transport and low emission vehicles; traffic management improvements and public realm improvements; local authority leadership in fleet procurement and operations, etc.
6. Five local authorities in England have been mandated to implement charging CAZs – Birmingham, Derby, Leeds, Nottingham and Southampton. These authorities must implement a CAZ because DEFRA modelling has identified that locations in these cities will not meet 2020 air quality targets; and because the identified air quality issues result from traffic sources. The proposed CAZs in these cities must be introduced by 2020 and funding will be made available by Central Government to help the five cities introduce a CAZ.
7. The national air quality plan sets out that the charging CAZs in these cities will cover older buses, coaches, taxis and lorries. Newer vehicles that meet the latest emissions standards will not be charged and the Plan does not require any of the five cities to implement a charging CAZ that includes private cars, motorcycles or mopeds; although the cities themselves could decide to include these vehicles within their scheme. Funding collected through charging polluting vehicles to enter the CAZ will have to be used on transport improvements (in the same way that funding collected through the workplace parking levy has to be used on transport improvements).

### **Consultation response**

8. A CAZ implemented in Nottingham could therefore have an impact on the County's road network. This impact could be both positive (e.g. helping address air quality issues within the county which are adjacent to the City boundary), or negative (e.g. displaced polluting vehicles travelling on county roads to avoid the CAZ charge).
9. The draft Framework makes reference to the local authority implementing a CAZ undertaking consultation with neighbouring authorities and states *"Decisions about whether to introduce a charge based Clean Air Zone will need to take account of a wide range of issues both in the zone and in neighbouring areas"*. It does not, however, state what the consultation should involve, does not specifically mention consideration of the impacts of displaced traffic, and does not detail what assessment should be undertaken of the potential impacts on neighbouring authorities' roads. As the Framework is designed to ensure that the CAZs are implemented consistently it is therefore considered that the Framework should be much more explicit about the assessment of the impacts on neighbouring highway authorities' roads.
10. Whether or not traffic is displaced on to County roads will depend on the geographic extents of the Nottingham City CAZ. Funding made available to deter such traffic (e.g. signing improvements) as part of the introduction of the scheme should be made available to the County Council if it considers there will be an impact on its roads. Similarly, if there is an impact on County Council managed roads following the introduction of the Nottingham City CAZ, some of the funding collected through the charges for polluting vehicles should be made available to the County Council to address these impacts.

11. The County Council has therefore responded to the consultation highlighting the issues in paragraphs 9 and 10 above; and a copy of the County Council's consultation response is attached as appendix 1.

### **Future development**

12. Early discussions have taken place with Nottingham City Council, who is yet to define any proposed CAZ area, and the County Council will continue these discussions to help ensure that polluting vehicles are not displaced onto County Council managed roads; and if they are that funding is made available by the City Council to address the issue.

13. A report providing an update on the development of the Nottingham City CAZ will be brought to a future Transport & Highways Committee once proposals have been developed.

### **Other Options Considered**

14. The alternative option was to not submit a consultation response. This option was rejected as it was considered that the County Council's concerns about potential impacts on its highway network, as well as suggestions to avoid such issues, needed to be raised with the Air Quality Unit so that they could be considered for inclusion in any future Framework document.

### **Reason/s for Recommendation/s**

15. To make all members of Transport & Highways Committee aware of the consultation on the implementation of clean air zones in England and the County Council's response to this document.

### **Statutory and Policy Implications**

16. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

- 1) It is recommended that Committee:  
Note the content of this report.

**Adrian Smith - Corporate Director Place Department**

**For any enquiries about this report please contact:**  
Sean Parks – Local Transport Plan manager

### **Constitutional Comments (SJE 22/12/2016)**

17. As this report is only for noting by Committee, Constitutional Comments are not required.

### **Financial Comments (GB 23/12/2016)**

18. There are no financial implications arising directly from this report.

### **Background Papers and Published Documents**

- Nottinghamshire Local Transport Plan Strategy 2011/12-2025/26
- Nottinghamshire Local Transport Plan Implementation Plan 2015/16-2017/18
- Nottinghamshire Local Transport Plan Evidence Base 2010
- Consultation on the Implementation of Clean Air Zones in England – Draft Clean Air Zone Framework, secondary legislation and impact assessment, October 2016 (Department for Environment Food and Rural Affairs/Department for Transport)

### **Electoral Division(s) and Member(s) Affected**

- All



## Appendix 1

### Consultation on the implementation of clean air zones in England – Nottinghamshire County Council responses

**Question 1:** Are the right measures set out in Section 2?

*Section 2 sets out the additional measures that will be delivered in the CAZs such as sustainable travel infrastructure and encouragement, low emission vehicles, planning etc.*

**Response:** Yes

**Question 2:** Are there additional measures that should be highlighted under each theme? Please give evidence of impact if possible.

**Response:** Currently only the individual impacts of each new development within or close to Air Quality Management Areas are considered by planning authorities, and such planning authorities do not undertake air quality modelling of the cumulative impacts of proposed development. Planning guidance needs to highlight the need for planning authorities to consider the cumulative air quality impacts of all development (not just the impacts of each individual development) that will result in traffic travelling through the Clean Air Zone (or Air Quality Management Area); and, as part of the development control process in consultation with the highway authority, secure the appropriate measures to mitigate against this resultant traffic.

Currently only the individual impacts of each new development within or close to Air Quality Management Areas are considered by the local authorities with responsibility for local planning and environmental protection, and these authorities do not undertake air quality modelling of the cumulative impacts of proposed development. Planning guidance needs to highlight the need for planning authorities to consider the cumulative air quality impacts of all development (not just the impacts of each individual development) that will result in traffic travelling through the Clean Air Zone (CAZ) or Air Quality Management Area (AQMA); and, as part of the development control process, in consultation with the highway authority, secure the appropriate measures to mitigate against the impacts of resultant traffic on the CAZ or AQMA.

**Question 3:** In addition to the draft Framework, are there other positive measures that (a) local or (b) central government could introduce to encourage and support clean air in our cities?

**Response:** Yes

**Question 4:** Are the operational standards and requirements set out in Section 3 and Annex A of the Framework acceptable?

**Response:** Whilst not specifically related to the operational standards there is no consultation question on the development of any proposed CAZ. Paragraph 107 states that “Decisions about whether to introduce a charge based Clean Air Zone will need to take account of a wide range of issues both in the zone and in neighbouring areas” to reflect the requirement in the associated legislation to undertake such consultation. It is considered, however, that the Framework should be more explicit about the work that should be undertaken to ensure that polluting vehicles are not simply displaced on to neighbouring highway authorities’ (e.g. Highways England and local authorities) roads; thereby avoiding simply transferring the problem elsewhere. The Impact Assessment undertaken on the draft Framework clearly highlights that this is likely to happen and has even assessed its likely financial cost. Whilst the County

Council has a good working relationship with its neighbouring city authority it would be beneficial for the Framework to include obligations on the implementing authority to avoid unnecessary complications/disagreements when introducing a CAZ. It is therefore suggested that the Framework should include specific reference to:

- the requirement for the authority introducing a CAZ to work in partnership with neighbouring highway authorities to ensure polluting traffic is not displaced on to unsuitable roads
- the requirement for traffic modelling of any proposed CAZ to be undertaken by the authority introducing a CAZ to consider the potential impacts on neighbouring highway authorities' roads
- the requirement for this modelling to then be used to determine the geographic area of the CAZ and made available as part of the required consultation on the proposed CAZ funding available for the implementation of CAZs to be made available to neighbouring highway authorities (even if it is via the implementing authority) to ensure that polluting vehicles are not transferred on to unsuitable roads
- where traffic is displaced onto neighbouring authorities' roads, the implementing authority must make funding derived from a charging CAZ available to the neighbouring authority to help address the impacts of any displaced traffic on its highway networks.

**Question 5:** Do you agree that the requirements in Clean Air Zones for taxis and for private hire vehicles should be equivalent?

*Taxis and private hire vehicles are included in all classes of Clean Air Zone. A local authority should use non-charging routes, such as licensing standards, before moving to charging these vehicles for entry. If, however, the vehicles are non-compliant to be consistent any local authority bringing in charging or licensing requirements for non-compliant hackney carriages should also place similar requirements on non-compliant private hire vehicles.*

**Response:** Yes. Whilst it is agreed that the requirements should be the same for taxis and private hire vehicles there may be difficulty in determining when a private hire vehicle is being used for business and when it is being used for domestic purposes. The framework should give guidance on how this should be determined so that it is consistent across all clean air zones.

**Question 6:** Do you agree the standards should be updated periodically?

**Response:** Yes.

**Question 7:** If yes, do you agree that the minimum vehicle standards set out in the Framework should remain in place until at least 2025?

**Response:** Yes.

**Question 8:** Do you agree with the approach to Blue Badge holders?

*In order to deliver the aims of the CAZ exemptions should be limited to those vehicles where it is difficult or uneconomic to adapt or those with specialist uses. Vehicles specifically adapted for use by disabled persons have their own tax class; and given the specialist nature of the conversion these will be exempt from charges. A Blue Badge rests with a person rather than a specific owner or driver of a vehicle, therefore it could be used with any vehicle. The draft Framework sets out a general presumption that Blue Badge holders should not be exempt from paying a charge within a CAZ, however, local authorities could choose to apply an exemption based on local circumstances.*

**Response:** The draft Framework enables local authorities introducing a CAZ to apply an exemption for Blue Badge holders, if they wish. Once again, discussion on whether such an exemption should be applied should be made in consultation with neighbouring highway authorities.

**Question 9:** Is the approach set out suitable to ensure charges are set at an appropriate level?  
*The draft Framework states that the levels of charges for entering a charging CAZ will be set by local authorities. The Government will set out nationally recommended bands within which these charges should lie but they have not determined these bands yet. Maximum and minimum levels of charge will ensure levels are set at an appropriate level to address air quality issues without the potential for excessive revenue raising.*

**Response:** Whilst the principle seems suitable it is not possible to fully answer this question until such time as there is an indication of the likely charge bands.

**Question 10:** Do you have any comments on the secondary legislation as drafted?  
*The legislation places a legal duty for the five authorities to implement a CAZ and refers to the legislation already in place enabling authorities to introduce CAZs*

**Response:** No

**Question 11:** Do you agree with the approach undertaken in the impact assessment? If no, please provide supporting evidence?

**Response:** Yes

**Question 12:** Do you agree with the conclusions of the impact assessment? If no, please provide supporting evidence?

**Response:** Yes

**Question 13:** Are you aware of any additional data that could inform the impact assessment? If yes, please give details?

**Response:** No





## **REPORT OF CORPORATE DIRECTOR, PLACE**

### **SECTION 19 REPORTS:**

**FLOODING IN CROPWELL BUTLER ON THE 6 JULY 2012**

**FLOODING IN THURGATON ON 23 JULY 2013**

**FLOODING IN MANSFIELD ON 10 JUNE 2016**

**FLOODING IN GOTHAM ON 15 JUNE 2016**

### **Purpose of the Report**

1. This report sets out the County Council's duties as the Lead Local Flood Authority to report on flooding incidents under Section 19 of the Flood and Water Management Act (2010) and to present its report in relation to the flooding in Cropwell Butler on the 6 July 2012, Thurgaton on 23 July 2013, Mansfield on 10 June 2016 and Gotham on 15 June 2016.

### **Information and Advice**

2. Following the severe flooding in many parts of the Country during the summer of 2007, the Government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation brought this forward; the Flood Risk Regulations (2009) which transpose the EU Floods Directive into UK Law and the Flood and Water Management Act (2010) (FWMA).
3. The Council is a Lead Local Flood Authority (LLFA) and has powers and statutory duties to manage and co-ordinate local flood risk management activities. The County Council does this by working together with other organisations including the Environment Agency, who manage flooding from generally larger rivers (known as Main Rivers, such as the River Trent), Internal Drainage Boards (IDB) managing low lying areas, District, Borough, Parish and Town Councils and infrastructure/ utility providers, such as Severn Trent Water and Highways England. Partnership work is overseen by the Strategic Flood Risk Management Board, jointly chaired by Nottinghamshire County Council (NCC) and Nottingham City Council (NCiC) and attended by all Risk Management Authorities.
4. Section 19 of the FWMA gives NCC, as LLFA, the following duties:
  1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
    - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.

- (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

2. Where an authority carries out an investigation under subsection (1) it must:-

- (a) Publish the results of its investigation.
- (b) Notify any relevant risk management authorities.

- 5. It should be noted that the purpose of a Section 19 Report is to outline what happened during a flooding incident and whether the relevant RMAs have exercised or will exercise their responsibilities but it does not identify specific measures to prevent future flooding. It is up to the LLFA if it wishes to then carry out further investigation into possible flood prevention and protection measures that could be implemented.
- 6. At Transport and Highways Committee on 31 Oct 2013 it was approved that Section 19 Reports should be undertaken where the County Council is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).
- 7. As LLFA we have taken a view to bring Section 19 Reports to Committee once NCC have investigated the events and have a more mature understanding of the catchments rather than immediately after the event. The extended time period is used proactively to support communities, develop understanding and work collaboratively with other RMA's, partner organisations and local communities to progress from the event to a position of understanding and possible action. This report sees all outstanding events requiring a Section 19 report completed.
- 8. A further report is being prepared to be brought to Committee in March which will provide a progress update on all current flood alleviations schemes being managed through the Capital investment programme and those being funded in conjunction with other partners.

## **Section 19 Report summary for Cropwell Butler**

- 9. As a result of the flooding in Cropwell Butler on the 6 July 2012 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix A. These investigations extended beyond the statutory obligations of Section 19 and included on-site investigations, remedial works and liaison with other RMAs.
- 10. The report identifies the main sources of flooding to be the network of unnamed watercourses that serve the village, with flows exceeding their capacity in a number of locations due in part to a lack of maintenance. Some maintenance works have been carried out by NCC during the investigations to improve the hydraulic efficiency of the system and the Authority worked closely with the Parish Council during the investigations.
- 11. The report also identifies that all relevant Risk Management Authorities carried, and continue to carry, out their respective duties.

## **Section 19 Report summary for Thurgaton**

- 12. As a result of the flooding in Thurgaton on the 23 July 2013 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix B.

13. The report identifies the main source of flooding as excessive flows in the Thurgaton Beck. The report acknowledges that the storm that caused flooding in 2013 far exceeded all relevant design standards for the watercourses and drainage systems by a significant margin. It also identifies that all relevant Risk Management Authorities carried, and continue to carry out their respective duties with the IDB working closely with NCC in carrying out a detailed feasibility study into potential flood mitigation measures and funding streams.

## **Section 19 Report summary for Mansfield**

14. As a result of the flooding in Mansfield on the 10th June 2016 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix C.
15. The report identifies that as a result of intense rainfall events, in a period of sustained rainfall, parts of Mansfield experienced major flooding with 17 properties internally flooded. Roads and car parks were also affected during the event. The rainfall event was greater than the design standards for the various drainage systems and excess flows followed natural flow paths and valleys. The report identifies that all relevant Risk Management Authorities carried out, and continue to carry out, their respective duties.

## **Section 19 Report summary for Gotham**

16. As a result of the flooding in Gotham on 15th June 2016 the LLFA carried out investigations and is now able to present its Section 19 Report as contained in Appendix D.
17. The report identifies that as a result of intense rainfall events, in a period of sustained rainfall, parts of Gotham experienced major flooding with 17 properties confirmed as internally flooded. Roads were also affected during the event in June. The rainfall event was greater than the design standards for the various drainage systems and a lack of maintenance in some areas of the drainage network exacerbated the problems. The report also identifies that all relevant Risk Management Authorities carried out, and continue to carry out, their respective duties.

## **Other Options**

18. This report delivers a duty defined within the Flood and Water Management Act (2010) and in line with approved Council policy and as such there are no other options.

## **Further investigation**

19. As highlighted earlier the LLFA may carry out further investigations into possible flood prevention and protection measures.
- a. In the case of Cropwell Butler the LLFA decided that such action was necessary and a number of investigations were carried out in an endeavour to understand any deficiencies in the drainage network and also any mitigation measures that could be implemented to reduce the risk of flooding in the future. This work has provided the necessary information to identify a number of measures, primarily ditch and culvert maintenance that will reduce the risk of future flooding.

- b. For Thurgaton the LLFA has and continues to act as the lead partner to the IDB in financing and completing a detailed feasibility study into potential flood mitigation proposals. This study will hopefully support the IDBs bid for Flood Granting Aid administered by the Environment Agency.
- c. Mansfield flooding issues are being further investigated by NCC Highways in relation to the highway drainage systems and Severn Trent Water are checking the operational effectiveness of the public sewers.
- d. Gotham flooding issues are being further investigated by the LLFA including highway drainage systems and riparian owned watercourses. Severn Trent Water are assessing the operational effectiveness of the public sewers.

## **Statutory and Policy Implications**

- 20. The County Council has a number of new statutory duties and powers under the FWMA and Flood Risk Regulations (2009) including Section 19 Reports.
- 19. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

- 20. The costs of the Section 19 reports will be contained within existing budgets.

## **Reason for Recommendation**

- 21. The report delivers a duty defined within the Flood and Water Management Act (2010) and in line with approved Council policy.

## **RECOMMENDATION**

It is RECOMMENDED that the Committee note for information the Section 19 reports as contained in Appendices A, B, C and D.

**Adrian Smith**  
**Corporate Director - Place**

### **For any enquiries about this report please contact:**

Gary Wood – Group Manager Tel 0115 9774270  
 Sue Jaques – Team Manager Tel: 0115 9774368

### **Constitutional Comments (SLB 14/12/2016)**

This report is for noting only.

### **Financial Comments (SES 14/12/2016)**

The financial implications are set out in the report.



**Background Papers**

None

**Electoral Division(s) and Member(s) Affected**

Cropwell Butler	Cllr Richard Butler
Thurgaton	Cllr Roger Jackson
Gotham: (Soar Valley)	Cllr Andrew Brown
Mansfield East	Cllr Alan Bell, Cllr Colleen Harwood
Mansfield North	Cllr Joyce Bosnjak, Cllr Parry Tsimbiridis
Mansfield South	Cllr Andy Sissons, Cllr Stephen Garner
Mansfield West	Cllr Darren Langton, Cllr Diana Meale



## **APPENDIX A**

### **SECTION 19 REPORT – CROPWELL BUTLER 6 JULY 2012**

#### **Introduction**

Section 19 of the Flood and Water Management Act 2010 states:

1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
  - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
  - (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
2. Where an authority carries out an investigation under subsection (1) it must:-
  - (a) Publish the results of its investigation.
  - (b) Notify any relevant risk management authorities.
3. The objective of this report is to investigate which RMAs had relevant flood risk management functions during the flooding in July 2012 and whether the relevant RMAs have exercised, or propose to exercise, their risk management functions (as per section 19(1) of the Flood and Water Management Act 2010).
4. The Risk Management Authorities for this area of Nottinghamshire are the Environment Agency (Derbyshire, Nottinghamshire and Leicestershire), Rushcliffe Borough Council, Nottinghamshire County Council as Lead Local Flood Authority and Highways Authority and Severn Trent Water Ltd. (there is no Internal Drainage Board here).
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

#### **Background**

6. On the afternoon of the 6th July 2012 parts of Nottinghamshire were subjected to intense rainfall. As a result of this part of the County, including Cropwell Butler, experienced major flooding with some 26 properties reporting flooding to NCC and some 200 reports across the County to Severn Trent Water. The Met Office has since recorded the period between April and June 2012 as the wettest on record with the East Midlands receiving almost twice its average rainfall for the period. The Met Office also issued 'an extraordinary 52 (rainfall) warnings issued from 1 April to 20 July.

## Summary of flooding and its causes

7. Cropwell Butler is a small rural village surrounded by agricultural land and served by a network of unnamed watercourses that collect surface and highway water from the catchment, converge in the centre of the village and ultimately discharge to the west of the village via a culvert that runs under the Town Hall on Main Street as shown on Map 1. There were three key areas of flooding in the village, Main Street, Hardigate Lane and Back Lane, these are circled on Map 1.



Map 1 – Catchment Details

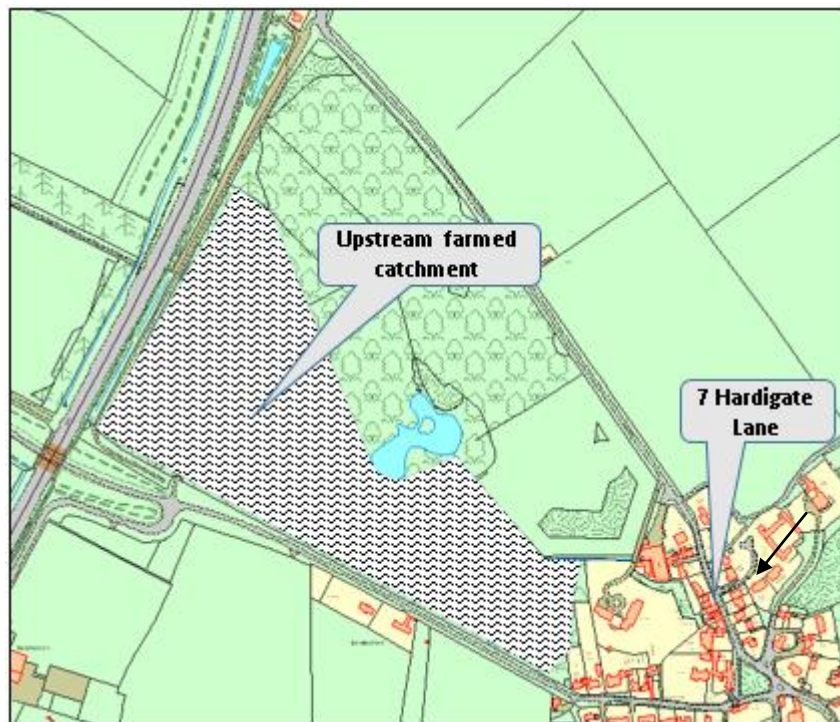
8. A number of these watercourses were inundated during the storm and this was a key contributing factor of the flooding. Investigations showed that some of the watercourses were clearly operating at a reduced hydraulic capacity due to a lack of maintenance with anecdotal evidence suggesting further restrictions may have influenced flooding on the day of the storm.

### Main Street

9. Main Street is where the watercourses serving the village converge before heading west underneath the Village Hall and out to join the River Smite.
10. Investigations identified sections of this watercourse to be heavily silted with areas where the natural flow of water would be impeded due to overgrown vegetation. This watercourse is classed an ordinary watercourse hence the maintenance responsibilities lie with Riparian owners i.e. those who own the land adjacent to either side of the watercourse.
11. As part of the investigations the Authority arranged to clear out a section of the culvert with assistance from the Parish Council (as Riparian owners). This helped facilitate a better understanding of the system and also provided the opportunity for the Parish Council to better understand maintenance requirements.

## Hardigate Lane

12. A number of properties on Hardigate Lane were flooded with reports that water entered the properties from the rear. The Grove tributary (shown on Map 1) passes through the estate to the rear of the affected properties, this tributary take some of the flows from the surface water balancing ponds that are part of the A46 drainage system. There is also quite a significant farmed catchment to the rear of the properties (shown on Map 2). Investigations included referencing the drainage strategy for the A46 and a number of site visits including a meeting with Highways England and Parish Council representatives to inspect an understand the operation of the balancing ponds.
13. All investigations into the flooding proved inconclusive as to exactly what caused the flow of water through the rear of the properties. There have been no repeat incidents since this date.



Map 2 – Hardigate Lane - Upstream catchment

## Back Lane

14. Flooding on Back Lane is triggered due to restrictions on the watercourse created by private residential driveway crossings. The pipe diameters under the crossings vary from 300mm to 600mm and the hydraulic simulation showed this would cause surcharging in 1:5 year return period rainfall event.

## Summary of causes of the flood

15. Cropwell Butler is a small rural catchment whose drainage systems will have been modified and evolved over many years. Under normal weather and rainfall conditions, i.e. those that do not exceed the various drainage design standards, and if all are operating efficiently, the majority of the overall surface water drainage system in Cropwell Butler has the capacity to cope, ensuring water is drained without causing significant flooding. However the event of the 6<sup>th</sup> July 2012 led to surface water runoff that exceeded the capacity of the various systems. [Page 37 of 102](#)

16. It is evident from investigating the flooding that there were a number of issues other than the volume of rain that contributed to the severity of the flooding, primarily the condition of the watercourse serving Main Street, a collapse of a culvert on Radcliffe Road and private residential driveway crossings. Some maintenance has been carried out however it is important that Riparian owners understand and carry out their responsibilities. The collapsed culvert has been repaired and it is not proposed to pursue any modifications to the private residential driveway accesses.

### **Risk Management Authorities and their responsibilities**

17. Nottinghamshire County Council

a) Lead Local Flood Authority

- i. Investigate significant local flooding incidents and publish the results of such investigations.
- ii. Play a lead role in emergency planning and recovery after a flood event.
- iii. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency. LLFAs also have a new duty to determine which risk management authorities have relevant powers to investigate flood incidents to help understand how they happened, and whether those authorities have or intend to exercise their powers.
- iv. By working in partnership with communities, LLFAs can raise awareness of flood risks.
- v. LLFAs should encourage local communities to participate in local flood risk management.

b) Highway Authority

- i. Maintenance of the public highways.

c) Severn Trent Water Ltd.

- i. Maintenance of the public sewerage system.

d) Highways England (formerly The Highways Agency)

- i. Maintenance of Trunk Roads (A46)

### **Risk Management Authority Responses to Flood**

18. The following lists the actions taken by each RMA in response to the flooding both in the immediate aftermath as well as in the longer term:

a) Nottinghamshire County Council:

- i. Initiated and co-ordinated Emergency Planning procedures.
- ii. Provided emergency response crews to assist in management of flooding event.
- iii. Initiated and led the S19 Flood Investigation.
- iv. Commissioned and funded a feasibility study into the hydraulic performance of key assets in the catchment and possible flood mitigation options.
- v. Funded and facilitated clearance of watercourse on Main Street.

b) Severn Trent Water Ltd:

- i. Provided emergency response crews to assist in management of flooding event.
- ii. Actively engaged in S19 Flood Investigation.
- iii. Assisted in the repair of the collapsed culvert.

c) Highways England (formerly Highways Agency):

- i. Assisted in the emergency response due to close proximity of recently completed A46 improvements and associated drainage works.
- ii. Actively engaged in S19 Flood Investigation.

19. The investigation concludes that all risk management authorities have and continue to, exercise their respective functions in response to the flood.

**Additional information.**

20. During the investigations NCC officers liaised closely with Cropwell Butler Parish Council and County Councillor Richard Butler in an endeavour to clarify responsibilities and ensure the community had as much support and understanding as possible to aid future flood resilience.

**Future Actions**

21. NCC have offered to present to the Parish Council both the findings of the report and to discuss and clarify the various responsibilities for drainage assets serving the catchment including riparian responsibilities. This information should assist in the prioritisation and efficiency of response and actions to alleviate any future flooding issues in the catchment.





## **APPENDIX B**

### **SECTION 19 REPORT – THURGATON 23 JULY 2013**

#### **Introduction**

Section 19 of the Flood and Water Management Act 2010 states:

1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
  - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
  - (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
2. Where an authority carries out an investigation under subsection (1) it must:-
  - (a) Publish the results of its investigation.
  - (b) Notify any relevant risk management authorities.
3. The objective of this report is to investigate which RMAs had relevant flood risk management functions during the flooding in July 2013 and whether the relevant RMAs have exercised, or propose to exercise, their risk management functions (as per section 19(1) of the Flood and Water Management Act 2010).
4. The Risk Management Authorities for this area of Nottinghamshire are the Environment Agency (Derbyshire, Nottinghamshire and Leicestershire), Newark and Sherwood District Council, Nottinghamshire County Council as Lead Local Flood Authority and Highways Authority, Severn Trent Water Ltd and the Trent Valley Internal Drainage Board.
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

#### **Background**

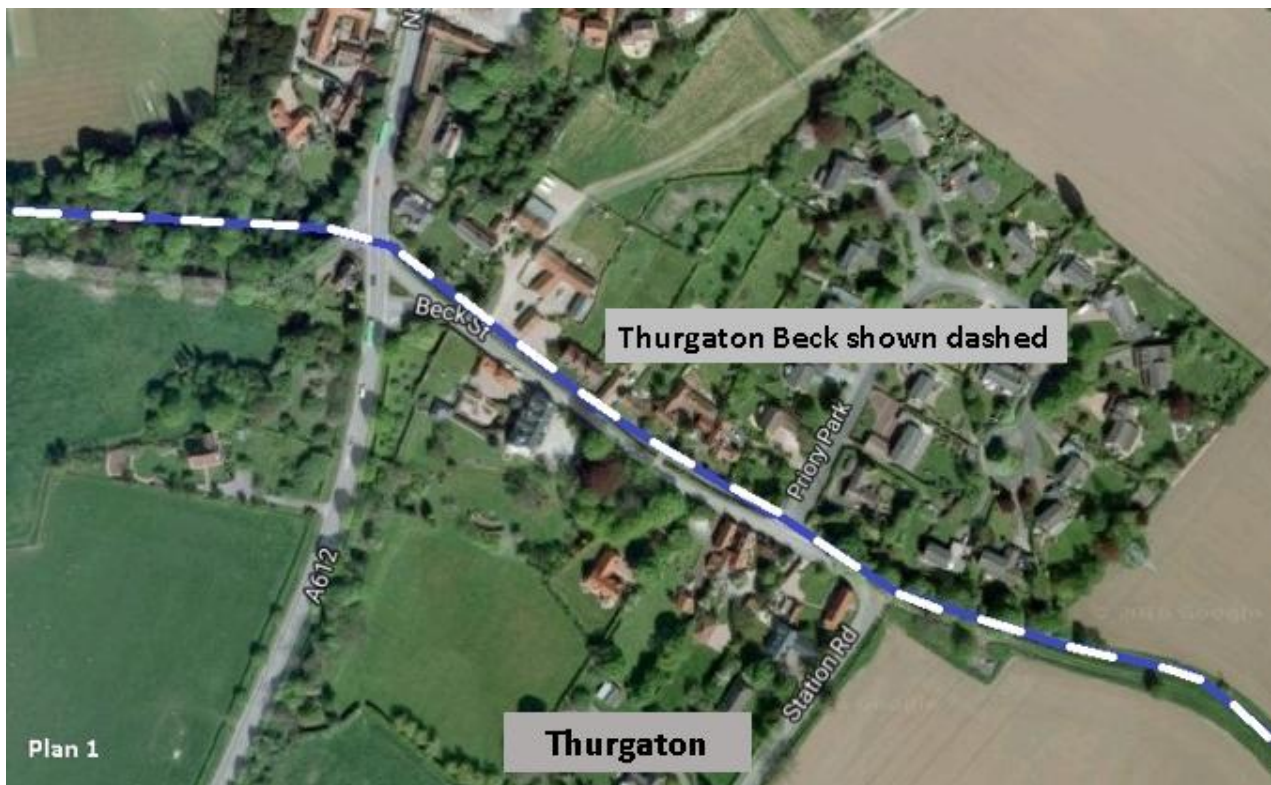
6. On the afternoon of the 23rd July 2013 parts of Nottinghamshire were subjected to intense rainfall. The Met Office at Watnall recorded 35.6mm of rain in a 25 minute period. As a result of this, parts of the County including Thurgaton experienced major flooding with some 600 properties as well as roads and car parks affected across the county.
7. The Met Office issued an Amber Warning at 15:03hrs on the 23rd July highlighting that there was a possibility of up to 60mm of rain fall within a 3 hour period. Whilst the warning was issued the short period between its release and the rainfall did not allow any of the RMAs to fully instigate any pre-planned responses. As a result much of the activity by the Agencies was reactive rather than pro-active but given the short time span between warning and event this is understandable. It should be noted that no criticism is

made of the Met Office. The weather conditions on the day were both very unusual in nature and developed quickly making forecasting difficult.

8. Thurgaton has been subjected to flooding on a number of other occasions including July 2007 although the previous events are not subject to this report.

### **Summary of flooding and its causes**

9. The main source of the flood has been identified as the Thurgaton Beck which runs through the centre of the village, along Beck Street, and is shown below.



10. The rainfall event generated significant overland flows that all followed the natural topography of the catchment and headed downhill towards the Thurgaton Beck. The flows were such that the Beck's capacity was beaten and surcharged flows escaped onto Beck Street itself, essentially using Beck Street as a widened Beck. Ultimately the volume of water was such that it entered properties on Beck Street and the surrounding area.
11. Ground water flooding was not identified as a source of flooding as the underlying geology and soil composition of the area is generally free flowing. It should be noted though that in common with most of the Country the weather prior to the flooding had been dry and hot meaning that the general ground conditions were such that surface water could not percolate through the ground therefore increasing the level of overall run-off from surface water.

### **Sewer pipe surcharge**

12. Severn Trent Water has a network of surface water, foul and combined sewers in the area. These are designed to meet current standards in respect of capacity requirements. There has been no evidence that the sewers were blocked or reduced in capacity at the time of the flood.

## **Generic factors**

13. The impermeable nature of the ground following a dry and hot period has already been highlighted as a contributory factor.

## **Summary of causes of the flood**

14. Under normal weather and rainfall conditions, i.e. those that do not exceed the various drainage design standards, the majority of the overall surface water drainage system in Thurgaton has the capacity to cope, ensuring water is drained without causing flooding. However the extreme events of the 23rd July 2013 led to surface water runoff that was far in excess of what the systems have been designed to cope with.

## **Risk Management Authorities and their responsibilities**

15. Nottinghamshire County Council

### **a) Lead Local Flood Authority**

- i. Investigate significant local flooding incidents and publish the results of such investigations.
- ii. Play a lead role in emergency planning and recovery after a flood event.
- iii. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency. LLFAs also have a new duty to determine which risk management authorities have relevant powers to investigate flood incidents to help understand how they happened, and whether those authorities have or intend to exercise their powers.
- iv. By working in partnership with communities, LLFAs can raise awareness of flood risks.
- v. LLFAs should encourage local communities to participate in local flood risk management.

### **b) Highway Authority**

- i Maintenance of the public highways.

### **c) Severn Trent Water Ltd.**

- i Maintenance of the public sewerage system.

### **d) Trent Valley Internal Drainage Board (IDB)**

- i Maintenance of lengths of the Thurgaton Beck.

## **Risk Management Authority Responses to Flood**

16. The following lists the actions taken by each RMA in response to the flooding both in the immediate aftermath as well as in the longer term:

17.

### **a) Nottinghamshire County Council:**

- i. Initiated and co-ordinated Emergency Planning procedures.
- ii. Provided emergency response crews to assist in management of flooding event.

- iii. Initiated and led the S19 Flood Investigation.
- iv. Part funded and key partner in a detailed feasibility study into the hydraulic performance of the Thurgaton Beck and possible flood alleviation schemes.
- v. Participated in local community response and developed resilience measures.
- vi. As HA assisted in feasibility of solutions.

b) Severn Trent Water Ltd.

- i. Actively engaged in S19 Flood Investigation.

c) Trent Valley IDB

- i. Commissioned and lead detailed feasibility study into the hydraulic performance of the Thurgaton Beck and possible flood alleviation schemes.
- ii. Participated in local community response.
- iii. Lead community engagement and communications.

18. The investigation concludes that all risk management authorities have, and continue to, exercise their respective functions in response to the flood.

**Additional information.**

19. The IDB are continuing to lead a feasibility study into potential flood mitigation proposals for the catchment. A bid to secure FDGiA (Flood Defence Grant in Aid) funding via the Flood and Coastal Erosion Risk Management Investment programme has been made and currently sits in year 7 of the programme.

**Future Actions**

20. The following have been identified as ways of promoting clarity of responsibilities and identifying actions that will ultimately reduce the overall risk and consequence of future flooding in Thurgaton.
- a) The IDB, working with NCC continue to pursue feasibility of flood alleviation measures and secure funding for implementation where necessary.
  - b) The IDB and County Council will jointly consult with the community on any future Flood Risk Management proposals.
21. Working with the communities at risk and educating them on resilience measures and emergency plans will help prepare them for future events. Thurgaton Parish Council have installed flow monitors at key points on Thurgaton Beck and monitor the levels remotely to help assist in flooding response and a number of properties at risk of flooding have installed their own Property Level Protection. Further partnership working between the RMAs will also help in being prepared for any future issues, with clarity of roles and responsibilities shared amongst all parties to ensure an effective response and preparedness for future events.

## **APPENDIX C**

### **SECTION 19 REPORT – FLOOD IN MANSFIELD ON 10 JUNE 2016**

#### **Introduction**

Section 19 of the Flood and Water Management Act 2010 states:

1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
  - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
  - (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
2. Where an authority carries out an investigation under subsection (1) it must:-
  - (a) Publish the results of its investigation.
  - (b) Notify any relevant risk management authorities.
3. The objective of this report is to investigate which RMAs had relevant flood risk management functions during the flooding in July 2013 and whether the relevant RMAs have exercised, or propose to exercise, their risk management functions (as per section 19 (1) of the Flood and Water Management Act 2010).
4. The Risk Management Authorities for this area of Nottinghamshire are the Environment Agency (Derbyshire, Nottinghamshire and Leicestershire), Mansfield District Council, Nottinghamshire County Council as Lead Local Flood Authority and Highways Authority and Severn Trent Water Ltd. (there is no Internal Drainage Board here).
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

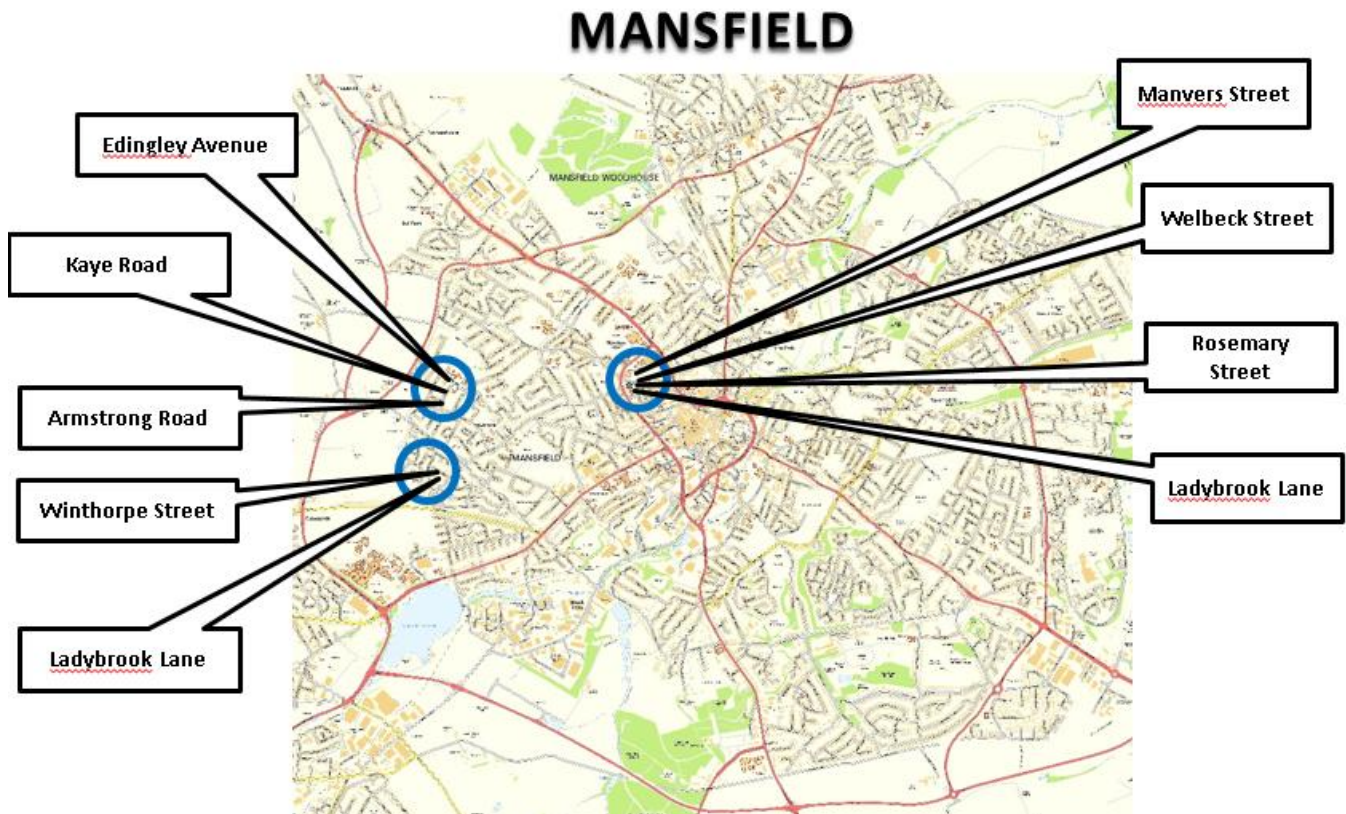
#### **Background**

6. On the 10th June 2016 from mid-day through to mid evening parts of Nottinghamshire were subjected to steady rainfall which included intense periods of heavy rainfall. Mansfield experienced 64mm of rain in a 24 hour period and as a result of this, parts of Mansfield suffered major flooding with 17 properties internally flooded as well as roads and car parks affected.
7. The quickly developing and unusual nature of the weather conditions on the day made forecasting and preparing for the event difficult.



8. Mansfield has been subjected to flooding on a number of other occasions although the previous events are not subject to this report.
9. In response to the flooding events, Fire and Rescue Services, Mansfield District Council, Nottinghamshire County Council and Severn Trent Water Ltd deployed services to provide assistance to the public.

### Summary of flooding and its causes.



Map 1 – Areas affected by flooding

10. Proactive investigations and remedial work has already begun in some locations by the RMA's to identify issues and clear and repair drainage systems to ensure residents are better protected from flooding.
11. The main identifiable sources of the flood have been identified as well as some other generic factors: -
  - a) Localised areas experienced extreme rainfall. This rainfall could not reasonably be accommodated by the design standards of the various drainage system.
  - b) A significant number of the properties have flooded as they are located where the rainfall naturally concentrates along flow paths or low points (this can be evidenced using the Environment Agency's surface water flood risk mapping systems).
  - c) Private properties have increased impermeable surfaces such as driveways. This has directed water off high ground to areas of flooding quickly.
  - d) Highway gully cleaning may be affected where vehicles are parked over the gully at the time of the cleaning route being made so the gully does not get emptied.

NCC and VIA are actively working closely with local communities who are at most risk to improve accessibility during cleansing operations.

- e) Works to the road layout and wall lines have altered which also influences the route of the flood water.

### **Generic factors**

- 12. The impermeable nature of the ground following a period of rain which saturated the ground is a contributory factor but it should also be noted that there has been a trend over the past decade or so for the front gardens of properties to be converted from gardens to hard standing which in itself adds to the overall level of surface water runoff. Recent changes in planning legislation now requires planning permission to be sought by residents for any future such action unless they are installing permeable surfacing. In addition historic development has contributed to the overall level of surface water runoff as well as interfering with the natural flow routes.

### **Summary of causes of the flood**

- 13. Under normal weather and rainfall conditions, i.e. those that do not exceed the various drainage design standards, the majority of the overall surface water drainage system in Mansfield has the capacity to cope, ensuring water is drained without causing flooding. However the extreme rainfall events of the 10th June 2016 led to surface water runoff that was far in excess of what the systems have been designed to cope with. It is evident from investigating the flood that there is no single cause in terms of a failure of the established drainage systems other than those of a natural and uncontrollable nature namely the amount of rainfall, topography of the catchment and the nature of the ground.

### **Risk Management Authorities and their responsibilities**

- 14. Nottinghamshire County Council
  - a) Lead Local Flood Authority
    - i. Investigate significant local flooding incidents and publish the results of such investigations.
    - ii. Play a lead role in emergency planning and recovery after a flood event.
    - iii. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency. LLFAs also have a new duty to determine which risk management authorities have relevant powers to investigate flood incidents to help understand how they happened, and whether those authorities have or intend to exercise their powers.
    - iv. By working in partnership with communities, LLFAs can raise awareness of flood risks.
    - v. LLFAs should encourage local communities to participate in local flood risk management.
  - b) Highway Authority
    - i. Maintenance of the public highways.

- c) Mansfield District Council
  - i. Riparian owners of various lengths of watercourses and associated assets in the Mansfield catchment.
- d) Severn Trent Water Ltd.
  - i. Maintenance of the public sewerage system.
- e) Environment Agency
  - i. Responsible for the regulation of main rivers.

### **Risk Management Authority Responses to Flood**

15. The following lists the actions taken by each RMA in response to the flooding both in the immediate aftermath as well as in the longer term:

a) Nottinghamshire County Council

- i. Provided emergency response crews to assist in management of flooding event.
- ii. Initiated and led the S19 Flood Investigation.
- iii. Highways repaired the carriageway where water damaged the road surface.

b) Mansfield District Council

- i. Initiated Emergency Planning procedures.
- ii. Provided emergency response crews to assist in management of flooding event.
- ii. Actively engaged in S19 Flood Investigation.

c) Severn Trent Water Ltd.

- i. Provided emergency response crews to assist in management of flooding event.
- ii. Actively engaged in S19 Flood Investigation.
- iii. Investigating hydraulic operation and standards of public sewers known to have surcharged during the event.
- iv. Repaired the manhole covers damaged due to the surcharging of the sewers.

d) Environment Agency

- i. Actively engaged in S19 Flood Investigation.
- ii. Undertook rainfall analysis of the June 2016 event to provide the basis of all Flood investigations across the County.
- iii. Provided all flood risk data to assist in the S19 Flood Investigation.

16. The investigation concludes that all risk management authorities have, and continue to, exercise their respective functions in response to the flood.

### **Future Actions**

17. The following have been identified as ways of promoting clarity of responsibilities and identifying actions that will ultimately reduce the overall risk and consequence of future flooding in Mansfield:

- a) The County Council to work with communities on resilience measures.



- b) The County Council to pursue feasibility and design of further flood alleviation measures and secure funding for implementation where necessary.
  - c) The County Council will consult with the community on any future Flood Risk Management proposals.
  - d) Severn Trent Water to investigate the hydraulic capacity of their assets.
  - e) The identified areas to have an increased regime of maintenance for the surface water systems.
18. Working with the communities at risk and educating them on resilience measures and emergency plans will help prepare them for future events.
19. Further partnership working between the RMAs will also help in being prepared for any future issues, with clarity of roles and responsibilities shared amongst all parties to ensure an effective response and preparedness for future events.



## **APPENDIX D**

### **SECTION 19 REPORT – FLOODING IN GOTHAM ON 15 JUNE 2016**

#### **Introduction**

Section 19 of the Flood and Water Management Act 2010 states:

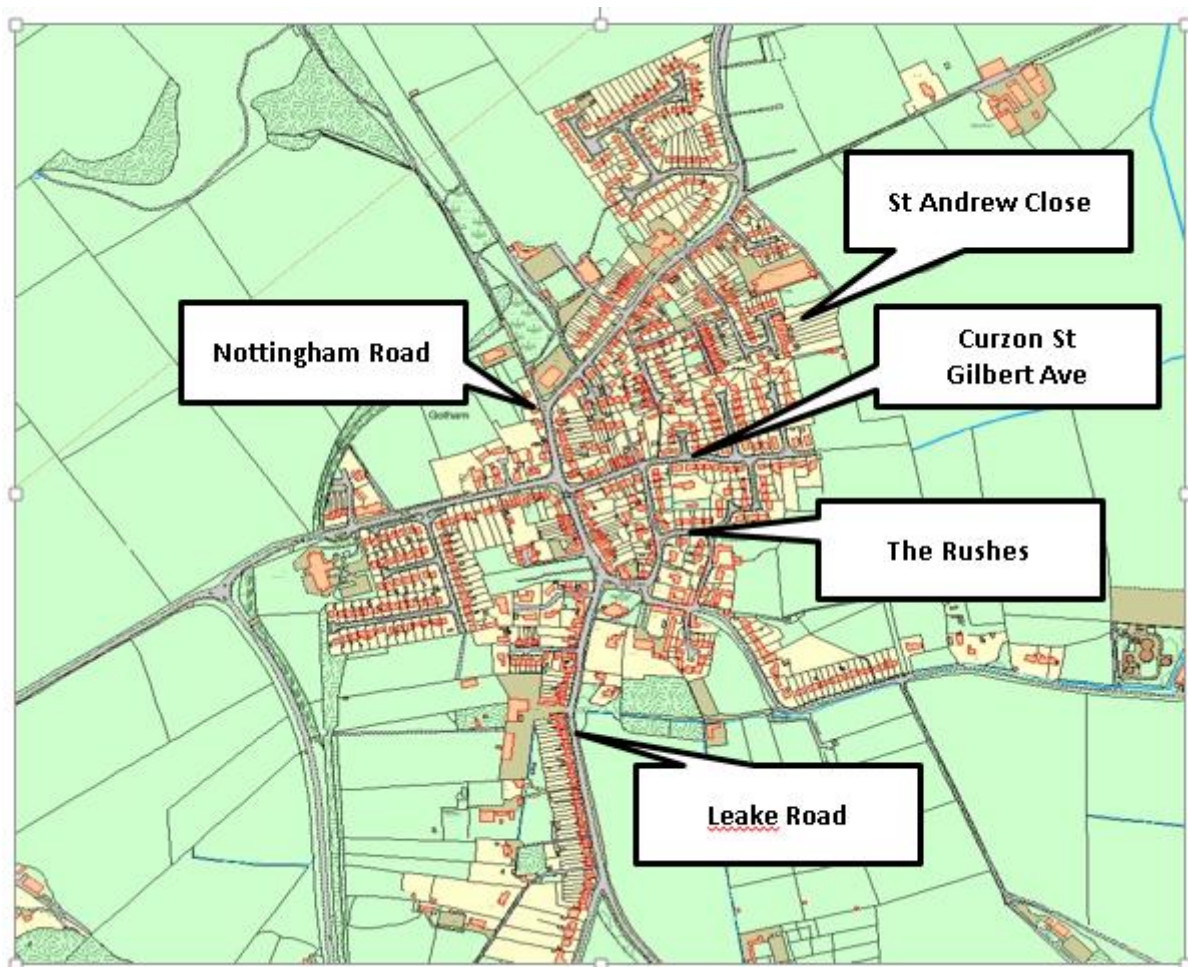
1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
  - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
  - (b) Whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.
2. Where an authority carries out an investigation under subsection (1) it must:-
  - (a) Publish the results of its investigation.
  - (b) Notify any relevant risk management authorities.
3. The aim of this report is to determine the causes of the flooding and to identify which RMAs had relevant flood risk management functions during the flooding in June 2016 and whether they have exercised, or propose to exercise, their risk management functions (as per section 19 (1) of the Flood and Water Management Act 2010).
4. The Risk Management Authorities for this area of Nottinghamshire are the Environment Agency (Derbyshire, Nottinghamshire and Leicestershire), Rushcliffe Borough Council, Nottinghamshire County Council as Lead Local Flood Authority and Highways Authority, Severn Trent Water Ltd. and The Trent Valley Internal Drainage Board (regulation of the ordinary watercourses to the east of Gotham).
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

#### **Background**

6. On Wednesday 15th June 2016 and following a few days of continual rainfall, parts of Nottinghamshire were subjected to intense periods of heavy rainfall events. In one hour on that date Gotham experienced 34mm of rain and as a result of this several parts of Gotham suffered major flooding. Between the 10<sup>th</sup> and 16<sup>th</sup> June Gotham experienced 111mm of rain compared to the average June rainfall of 60mm. 17 properties have been recorded by Rushcliffe Borough and Gotham Parish Councils as having suffered internal flooding as well as roads and car parks affected. These numbers are being validated by the relevant RMAs.

7. The quickly developing and unusual nature of the weather conditions on the day made forecasting and preparing for the event difficult.
8. Gotham has been subjected to flooding on a number of other occasions although the previous events are not subject to this report.
9. In response to the flooding events Rushcliffe Borough Council, Nottinghamshire County Council, Severn Trent Water Ltd and British Gypsum deployed services to provide assistance to the public.
10. The watercourse catchment area as defined by the Environment Agency constitutes the Humber, Lower Trent and Erewash, South Nottinghamshire B and the Fairham Brook.

### Summary of flooding and its causes



Map 1 – Areas affected by flooding

11. Proactive investigations and remedial work has already begun in some locations by the RMA's to identify issues and clear and repair surface water systems to ensure residents are better protected from flooding.
12. The main sources and contributing factors of the flooding have been identified as follows:
  - a) Localised areas experienced extreme rainfall. This rainfall could not reasonably be accommodated by the design standards of the various drainage systems.
  - b) Some riparian owned water courses had not been maintained.

- c) There is a large area of hillside which falls down towards Gotham. A significant number of the properties have flooded as they are located along the natural flow paths for rainfall.
- d) The local geology is such that a permeable band of gypsum is underlain by an impermeable band of mudstone creating a flow path.
- e) Historic drainage features, including ponds and ditches have been lost from the catchment over the years.
- f) Highway gully cleaning may be affected where vehicles are parked over the gully at the time of the cleaning route being made so the gully does not get emptied. NCC and VIA are actively working closely with local communities who are at most risk to improve accessibility during cleansing operations.

### **Generic factors**

- 13. The impermeable nature of the ground following a period of rain which saturated the ground is a contributory factor but it should also be noted that there has been a trend over the past decade for the front gardens of properties to be converted from gardens to hard standing which in itself adds to the overall level of surface water runoff. Recent changes in planning legislation now requires planning permission be sought by residents for any future such action unless they are installing permeable surfacing. In addition historic development has contributed to the overall level of surface water runoff as well as interfering with the natural flow routes.

### **Summary of causes of the flood**

- 14. Under normal weather and rainfall conditions, i.e. those that do not exceed the various drainage design standards, the majority of the overall surface water drainage system in Gotham has the capacity to cope, ensuring water is drained without causing flooding. However the extreme rainfall events of the 15th June 2016 led to surface water runoff that was far in excess of what the systems have been designed to cope with. It is evident from investigating the flood that there is no single cause in terms of a failure of the established drainage systems other than those of a natural and uncontrollable nature namely the amount of rainfall, topography of the catchment and the nature of the ground, but the lack of maintained ditches and culverts added to the flooding problems.

### **Risk Management Authorities and their responsibilities**

- 15. Nottinghamshire County Council
  - a) Lead Local Flood Authority
    - i. Investigate significant local flooding incidents and publish the results of such investigations.
    - ii. Play a lead role in emergency planning and recovery after a flood event.
    - iii. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency. LLFAs also have a new duty to determine which risk management authorities have relevant powers to investigate flood incidents to help

- understand how they happened, and whether those authorities have or intend to exercise their powers.
  - iv. By working in partnership with communities, LLFAs can raise awareness of flood risks.
  - v. LLFAs should encourage local communities to participate in local flood risk management.
- b) Highway Authority
  - i. Maintenance of the public highways.
- c) Rushcliffe Borough Council
  - i. Local Authority with Emergency Planning.
- d) Severn Trent Water Ltd.
  - i. Maintenance of the public sewerage system.
- e) Environment Agency
  - i. Responsible for the regulation of main rivers.

### **Risk Management Authority Responses to Flood**

16. The following lists the actions taken by each RMA in response to the flooding both in the immediate aftermath as well as in the longer term:
- a) Nottinghamshire County Council
    - i. Provided emergency response crews to assist in management of flooding event.
    - ii. Initiated and led the S19 Flood Investigation.
  - b) Rushcliffe Borough Council
    - i. Initiated Emergency Planning procedures.
    - ii. Provided emergency response crews to assist in management of flooding event.
    - iii. Actively engaged in S19 Flood Investigation.
  - c) Severn Trent Water Ltd.
    - i. Provided emergency response crews to assist in management of flooding event.
    - ii. Actively engaged in S19 Flood Investigation.
    - iii. Investigating hydraulic operation and standards of public sewers known to have surcharged during the event.
  - d) Environment Agency
    - i. Actively engaged in S19 Flood Investigation.
    - ii. Undertook rainfall analysis of the June 2016 event to provide the basis of all flood investigations across the County.
    - iii. Provided flood risk data to assist in the S19 Flood Investigation.

17. The investigation concludes that all risk management authorities have and continue to, exercise their respective functions in response to the flood.

## **Future Actions**

18. The following have been identified as ways of promoting clarity of responsibilities and identifying actions that will ultimately reduce the overall risk and consequence of future flooding in Gotham:
  - a) The County Council to work with communities on resilience measures.
  - b) The County Council to pursue feasibility and design of further flood alleviation measures and secure funding for implementation where necessary.
  - c) The County Council will consult with the community on any future Flood Risk Management proposals.
  - d) Severn Trent Water to investigate the hydraulic capacity of their assets.
  - e) The identified areas to have an increased regime of maintenance for the surface water systems.
  - f) The local community, parish council and riparian owners including Nottingham City Transport to build on the good works done so far to clear obstructions and work in partnership to maintain their assets.
19. Working with the communities at risk and educating them on resilience measures and emergency plans will help prepare them for future events.
20. Further partnership working between the RMAs will also help in being prepared for any future issues, with clarity of roles and responsibilities shared amongst all parties to ensure an effective response and preparedness for future events.





**19 January 2017****Agenda Item: 8****REPORT OF CORPORATE DIRECTOR-PLACE****CCTV ENFORCEMENT CAR UPDATE REPORT (MARCH-NOVEMBER 2016)****Purpose of the Report**

1. To update Members on the use of the CCTV enforcement car ('camera car') in Nottinghamshire.

**Information and Advice**

2. Members approved the purchase of a camera car at the Transport and Highways Committee on 16<sup>th</sup> July 2015. This was in recognition that mobile enforcement of school markings and bus stops is more effectively delivered using a vehicle in a predominantly rural County.
3. The vehicle was delivered to the Council early in 2016 fully equipped with an Automatic Number Plate Recognition (ANPR) roof mounted camera and supporting software. The camera works by recognising pre-programmed restrictions thus allowing a driver to simply follow an agreed enforcement beat. This required some significant amount of data population and testing prior to the press release and the attendance of the vehicle in various town centres during the February half-term period.
4. The vehicle became fully operational in March 2016 after a week of publicity. The initial press coverage was generally positive with a Facebook film posted by Radio Nottingham receiving 36,000 views with 192 comments mainly suggesting schools for the car to visit. To coincide with the launch of the vehicle, a web page was added to the Nottinghamshire County Council site providing information on the car and a form to complete to request a visit. This was then sent to all schools in the county with widespread support and many have subsequently used it to request a visit by the car.
5. Following the introduction of the Deregulation Bill in 2015, local Authorities can only use remote camera enforcement for a small number of specific restrictions; bus lanes, bus stops (if marked with the appropriate markings and signs), school keep clear markings accompanied with signs and red routes. By exempting these, the Deregulation Act did recognise that these restrictions are best enforced with a mobile or remote camera. With regard to the school markings and bus stops, this is particularly pertinent in Nottinghamshire where Enforcement Officers have previously attempted to enforce restrictions at over 300 schools often in rural areas.

6. Following a commitment to further improve road safety adjacent to schools and assist with traffic management, almost all school keep clear markings in the county are now enforceable. These markings are provided to create a clear area of the carriageway directly outside of the school entrance where children will gather. Parked vehicles in this area will obstruct the visibility for approaching drivers and create congestion and consequently the keep clear markings have an important role to play in supporting road safety around schools. In addition, parking on the keep clear markings is a consistent source of complaints from parents and teachers to the County Council.
7. The majority of the bus stops in the county are not restricted with bus stop clearways although work is progressing to address known problem sites and high-use routes. A vehicle stopped at a bus stop preventing access by the bus can cause significant difficulties for passengers, and particularly those with disabilities, as well as potentially causing local congestion if vehicles are unable to pass the bus.
8. Operationally, the car follows beats designed to attend as many schools as possible during the school and nurseries start and finish times. Between these periods it attends bus stops covered by bus stop clearways. Generally, it has been visiting one District per week and the routes are being refined as evidence emerges of the most problematic sites.
9. From March 2016, the number of Penalty Charge Notices issued by month by the camera car are as follows;

Month	School markings	Bus stops	Total
March	17	11	28
April	38	13	51
May	45	39	84
June	52	46	98
July	49	26	75
Aug	0	20	20
Sept	45	28	73
Oct	45	4	49
Nov	57	7	64
Total	348	194	542

10. The Transport and Highways Committee report from July 2015 anticipated that once the beats had been established and refined, the car would generate sufficient income from Penalty Charge Notices to meet its running costs and pay towards the initial capital outlay. In this initial period, the car has operated with a small financial deficit with income of £14,500 and operational costs of £16,200. Much of the operational time to date has though been spent developing efficient routes and training staff and it is expected that with improved beats and the more efficient deployment that comes from experience, the car will ultimately return a small operational surplus.
11. It must be emphasised though that the true value of the vehicle is from the increased public perception of enforcement and with it a heightened awareness of school restrictions it brings. It is proposed to expand this further with visits to schools and public events where appropriate

in 2017. In addition, the schools will be further encouraged to assist with publicising the vehicle in their communications with parents.

12. Parking enforcement within Nottinghamshire is managed by the County Council in partnership with the Districts and Borough Councils. On-street enforcement is the responsibility of the County Council and with increased efficiencies, this now produces a small annual financial surplus after all enforcement and administrative costs have been met. This surplus can be utilised to meet any potential deficit arising from the operation of the car.

### **Other Options Considered**

13. Enforcement by Civil Enforcement Officers on foot has previously been attempted but due to the distances involved and the temporal nature of school parking this is inefficient. Other options would include not enforcing the school markings. This would potentially jeopardise the safety of school children across the county.

### **Statutory and Policy Implications**

14. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

15. The vehicle was purchased from a revenue contribution to capital from the 2015/16 budget and is financed from income generated from Penalty Charge Notices. It is expected that given time the vehicle will generate a small surplus that would be allocated in accordance with legislation.

### **Implications for Service Users**

16. Schoolchildren and users of public transport will benefit from the positive impact that enforcement of the restrictions brings.

### **RECOMMENDATION/S**

- 1) That Members note the content of the Report.

**Adrian Smith**  
**Corporate Director-Place**

**For any enquiries about this report please contact: Gareth Johnson**

**Constitutional Comments (SG 03.01.17)**

17. Because the contents of the report are for noting only, Constitutional Comments are not required.

**Financial Comments (SES 13.12.16)**

18. The contents of this report are duly noted; the financial implications are funded through the departmental revenue budget.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

**Electoral Division(s) and Member(s) Affected**

- All

**19 January 2017****Agenda Item: 9**

## **REPORT OF CORPORATE DIRECTOR, PLACE RIGHTS OF WAY MANAGEMENT PLAN FOR NOTTINGHAMSHIRE**

### **Purpose of the Report**

To seek approval to commence public consultation on Nottinghamshire's draft Rights of Way Management Plan (ROWMP).

### **Information and Advice**

Under Section 60 of the Countryside and Rights of Way Act 2000 (the CROW Act), all highway authorities had to prepare and publish a statutory Rights of Way Improvement Plan (ROWIP) by November 2007. On the 1st November 2007 Nottinghamshire County Council adopted its inaugural ROWIP.

The CROW Act states that a ROWIP must contain:

- An assessment of the extent to which local rights of way meet the present and likely future needs of the public,
- an assessment of the opportunities provided by local rights of way for exercise and other forms of open air recreation and enjoyment of the authority's area,
- an assessment of the accessibility of local rights of way for blind and partially sighted people and others with mobility problems,
- a statement of action. This outlines strategic actions an authority will take for the management of rights of way and for securing improvements to the network, taking into account issues identified in the network assessments.

The County Council is required, not more than 10 years after the first ROWIP, to review the ROWIP and, if it is to be amended, to publish a revised plan. A revised plan has been drafted (see Appendix 1 for the Executive Summary). The intention is to run this alongside the County's Local Transport Plan until 2026. While the document will be the County Council's ROWIP in legal terms, the actual title of the draft document has changed to Rights of Way Management Plan to reflect a more focused management plan but which is less 'aspirational' (as the inaugural ROWIP was originally required to be by the CROW Act) and therefore has more emphasis on the Authority's core statutory duties. The Authority has consulted and worked

closely with Nottinghamshire Local Access Forum (LAF) during the production of the draft ROWMP. Responses from the LAF were considered and the plan amended accordingly.

The ROWMP will provide the Authority with a statutory and strategic plan outlining the Council's aims and objectives for the management of a modern and changing rights of way network.

Rights of way and countryside access have a key role in helping deliver and complement the Council's key priorities in both the County Council's Strategic Plan (2014-2018) and Local Transport Plan (2011-2026). The ROWMP will serve as the over-arching focus for the protection, creation and enhancement of responsible countryside access in Nottinghamshire.

The Authority will develop and manage the countryside network for all, enabling opportunities for the widest possible type and number of users contributing to Nottinghamshire's economy, health, social well-being and environment. An Equality Impact Assessment (EqIA) will be undertaken during public consultation. The ROWMP recognises the interests of agriculture, forestry and other land occupiers in the management of rights of way.

If approved, public consultation would commence for a period of eight weeks. As well as the general public and local authorities, all rights of way statutory consultees will be consulted e.g. users groups, landowner representatives, utilities and other agencies. Stakeholders will be contacted directly and the draft plan will be available to view at <http://www.nottinghamshire.gov.uk/enjoying/countryside/rights-of-way/improvement-plan> Comments received will be collated and considered by the County Council and a revised plan will be presented to Transport and Highways Committee, and finally for approval at Policy Committee. The final adopted Plan will be reviewed in line with the next Local Transport Plan in 2026.

### **Reason for Recommendation**

The review of the County Council's Rights of Way Improvement Plan is a statutory duty under Section 60 of the Countryside and Rights of Way Act 2000.

### **Statutory and Policy Implications**

This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION**

It is recommended that:

- a) the commencement of an eight week public consultation on Nottinghamshire's draft Rights of Way Management Plan (ROWMP) be approved
- b) the revised Plan be presented to a future meeting of the Transport and Highways Committee with final approval by the Policy Committee.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:**

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**Constitutional Comments (SLB 23/12/2016)**

Transport and Highways Committee is the appropriate body to consider the content of this report.

**Financial Comments (SES 23/12/16)**

There are no specific financial implications arising directly from this report.

**Background Papers and Published Documents**

- Nottinghamshire's Rights of Way Improvement Plan 2007
- Draft Nottinghamshire Rights of Way Management Plan 2017 - 2026

**Electoral Division(s) and Member(s) Affected**

- All





# Rights of Way Management Plan

## 2017 – 2026

### Executive Summary

### Appendix 1

## Executive Summary

### Why are we doing it?

In November 2007, Nottinghamshire County Council produced its first Rights of Way Improvement Plan (ROWIP1). This fulfilled requirements under section 60 of the Countryside and Rights of Way (CROW) Act 2000 and provided the Authority with a unique opportunity to survey Nottinghamshire's rights of way network and assess the modern day needs and demands of the public. The County Council is required, not more than 10 years after first publishing ROWIP1 to:

- a) Make an assessment of:
  - The extent to which local rights of way meet the present and likely future needs of the public
  - The opportunities provided by local rights of way for exercise and other forms of open air recreation and enjoyment of the authority's area
  - The accessibility of local rights of way to blind or partially sighted persons and others with mobility problems; and
  - Such other matters relating to local rights of way as the Secretary of State may direct.
- b) Review the plan and decide whether to amend it.

The authority shall, if it decides to amend the ROWIP, publish it as amended. If it decides to make no amendments to it, it is required to publish a report of its decision and reasons for it.

The main research undertaken and conclusions reached in ROWIP1 remain valid. However, ROWIP1 was only designed to run until 2012. Therefore, as a result of consultation with stakeholders, the Council has decided to publish a revised and updated plan in order to provide a long term strategy for how Nottinghamshire's rights of way network will be managed for the next ten years. This document constitutes the amended plan and hereafter will be referred to as the Rights of Way Management Plan 2017-2026, ROWMP2 or 'the plan'. The previous Rights of Way Improvement Plan will hereafter be referred to as ROWIP1.

As a result of feedback from stakeholders and users of the previous plan, the title of this document has been changed from Rights of Way Improvement Plan to Rights of Way Management Plan. This is in response to views from users that ROWIP1 was too aspirational and in hindsight had too much emphasis on potential improvements. Therefore, the change in title signifies the shift in emphasis away from aspirational goals and potential improvement, to a more focused strategic document that places emphasis on our core statutory duties as a Highway Authority. Consultation with stakeholders has shown that this shift in emphasis is welcome and is what users want from this plan.

The strategic, economic and political context the County Council operates within has changed significantly since 2007 and will continue to evolve throughout the working life of this document. However, regardless of this, the County Council remains committed to ensuring the PROW continues to be fit for purpose. It is vital that Nottinghamshire's PROW network is maintained; not only for the direct benefits for those who use it but also the wider benefits the network brings to Nottinghamshire's economy. Nottinghamshire's PROW network is a key heritage asset which can support the Council's wider aims with regards to economic development and numerous businesses throughout the County.

This second plan provides the context for future management and maintenance of Nottinghamshire's rights of way network in order to meet the

needs of the people of Nottinghamshire and visitors to the county. ROWIP1 ran from 2007 to 2012 and this plan is designed to run from 2017 to 2026.

The primary focus of this plan and the Statement of Action within is to show how the County Council intends to deliver on its statutory obligations as a Highway Authority with regards to managing the PROW network. The decision to increase the duration of the strategy from five to ten years has been taken to allow the County Council to adopt broader long term strategy to ensure this focus is maintained.

The increased duration of the strategy is also designed to ensure continued integration with Nottinghamshire's current Local Transport Plan (LTP3) and district planning authorities' Local Plans (formally Local Development Frameworks), all of which are currently designed to run until 2026. However, this strategy will be reviewed not more than ten years post publication, as is the current statutory requirement to do so. Furthermore, there is considerable scope to review and update the strategy prior to this date should the need arise. Such circumstances include (but are by no means limited to):

- To consider any significant changes in the condition of the rights of way network
- To consider the effectiveness of the plan to deliver its core aims
- To consider if the priorities and focus of the strategy are still relevant and address rights of way and countryside access issues in Nottinghamshire
- To consider changes in corporate priorities

This plan will review the achievements of our first Rights of Way Plan (ROWIP1) (2007-2012), set out the context for the new plan and will take into account new legislation and guidance, which affects the management of the PROW network.

## What does it cover?

In summary a Rights of Way Management Plan must contain the following:

- An assessment of the extent to which local rights of way meet the present and likely future needs of the public
- An assessment of the opportunities provided by local rights of way for exercise and other forms of open-air recreation and enjoyment of the authority's area
- An assessment of the accessibility of local rights of way to blind and partially sighted people and others with mobility problems
- A Statement of Action. This will outline strategic actions an Authority will propose to take for the management of rights of way, and for securing improvements to the network.

However, the Statutory Guidance also states that the Plan itself should not contain information on site specific assessments but draw broader, generic conclusions which are then the focus of a business plan for specific delivery on the ground. Although the local rights of way network is undoubtedly a major element of access to the countryside, alone, it does not show the full picture. There are many other routes that are used by the general public for informal countryside access that are not legally recorded as definitive public rights of way. This is recognised in the Statutory Guidance and, as a result, this plan will continue to consider the wider network of permissive routes, public open spaces and countryside sites.

## Countryside Access in Nottinghamshire

The Rights of Way Management Plan will continue to serve as the over-arching focus for the protection, creation and enhancement of countryside access in Nottinghamshire. The Council will continue to develop and manage this

countryside network for all, enabling opportunities for the widest possible type and number of users contributing to Nottinghamshire's economy, health, social well-being and environment.

To continue to realise this vision the Council has determined that it must focus on achieving the following 6 key aims;

1. To protect, maintain and seek to enhance the network for all lawful users.
2. To improve access to the network for all by adopting the principle of the least restrictive option.
3. To improve the safety and connectivity of the metalled road network with the rights of way network.
4. To increase awareness of accessing the countryside and the understanding of the wider benefits arising from its use, such as leading an active and healthy lifestyle, and making a positive contribution to the local economy.
5. To provide a revised and updated definitive map and statement
6. To enhance and increase community involvement in managing and improving the network, where resources allow.

### What have we done?

By once again undertaking assessments the County Council has considered national, regional and local research, and best practices from other authorities. National research by the Department for Environment, Food and Rural Affairs (Defra), Natural England and a range of other national organisations with an interest in countryside access, have provided a good overview of user needs and national challenges. The County Council has re-examined and updated the network assessment carried out in 2006 for ROWIP1. It was found that this

assessment is still fit for purpose and accurately reflects the state of the network in Nottinghamshire.

The principles relating to public need which underpinned ROWIP1 and the network assessment made at that time are all still relevant. Furthermore, recent consultation has indicated that public attitudes towards the PROW network in Nottinghamshire remain very similar to those expressed ROWIP1, as do many of the problems faced by users and land managers

The draft Plan was subject to a period of public consultation from the XX of XXXX 2017 to XX of XXXX 2017. The Local Access Forum was also given the opportunity to discuss and comment upon the draft plan at their quarterly meetings during 2015 and 2016. The responses were considered by County Council officers and the draft plan was amended accordingly. This plan was then approved by the Transport and Highways Committee of the County Council on the XX of XX 2017 and formally adopted by the Policy Committee of the County Council at its meeting on the XX of XXXX 2017.

### What did we find?

The PROW network in the county continues to be viewed primarily as a recreational resource but it also highlighted how important the network is in accessing essential services. The most popular activities are cited as walking and cycling, although horse riding continues to be a popular activity in Nottinghamshire.

The PROW network in Nottinghamshire is a vital resource in promoting health and wellbeing for Nottinghamshire residents and visitors. Public rights of way provide a means for people to walk, cycle and horse ride that is free of charge and can improve physical, mental and social wellbeing. The link between promoting health and wellbeing and what the PROW network can offer, should be championed at every available opportunity as a means of safeguarding the management and maintenance of the network for future generations to enjoy.

There continues to be a particular demand for circular walks and rides close to where people live. Where people do travel further afield the most popular locations are Sherwood Forest and Clumber Park.

Walkers, riders and cyclists are classified as vulnerable road users and their primary requirement is to be in a 'safe' and traffic free environment. Where the rights of way network meets the road network, PROW users usually have to cross at road level with no traffic light controls or refuges and in rural areas footways and managed verges are sporadic.

Some of the key problems faced by users and land managers of the rights of way network include;

- *Obstructions* – non reinstatement of cross-field paths after ploughing, non-removal of crops, overgrown vegetation etc. are all deterrents to usage
- *Difficulty in negotiating structures* – some stiles and gates are in states of disrepair and gates have latches that are difficult to open
- *Poor connectivity of the network* – many potential circular routes involve crossing busy roads or a high percentage of road walking / riding
- *Lack of off-road provision for cyclists and equestrians* – limits the possibility of identifying circular rides without the need for riding along busy roads
- *Litter, control of dogs and dog fouling* – lack of respect for the countryside and public rights of way network causes concern for landowners and deters users.



- *Illegal motorbike access*- problems around trespassing and anti-social behaviour can deter legitimate users.

## Key Issues

There are various pressures and changes which contribute in trying to manage a modern day rights of way network. For example, changes to farming practices, increased residential and business development, an increasing number of definitive paths and an increasing population. Because of these pressures there is a need to manage the existing network more efficiently, pro-actively and objectively. The County Council must continue to prioritise its limited and decreasing resources and work strategically and in partnership where possible to provide long term improvements.

The desire to provide 'access for all' continues to be a focus of this plan. A number of barriers, both perceptual and physical to people with disabilities continue to exist. Some of these barriers are due to the geology and topography of the county and are very difficult to remove. However, there are a number of local, 'simple' tasks which can be achieved, such as continuing to replace stiles with kissing gates and progress has been made on this issue since ROWIP1 was published. Any 'accessibility' improvements to the network equates to better access for everyone regardless of their needs.

This plan highlights the high number of applications for definitive map modification orders (DMMO) i.e. adding unrecorded routes or recording higher rights over paths already included in the definitive map and statement. The CROW Act 2000 (later the De-regulation Act 2015) sets a deadline of 1<sup>st</sup> January 2026 for applicants to claim rights of way created before 1949 using documentary evidence. Therefore this cut-off date means the number of DMMO applications could potentially grow significantly. Additionally within the definitive map there are an estimated 700 'map anomalies' to be resolved.

Rights of way often are affected by planning and development. It has been found that planners and developers do not always fully consult or take into

consideration the needs of all PROW users. Often users end up with a token number of badly designed paths when development takes place. The plan points to the need for Access for All, 'designing out' crime and nuisance and providing an attractive path, certainly not any less convenient than the original line of the path.

There are a number of sites and routes across the county offering informal recreational opportunities over and above the definitive rights of way network. The type of access varies from large 'Open Access' sites designated as Open Country (CROW Act 2000) to small routes owned by private landowners. Permissive routes can be beneficial to all users in providing missing links in the PROW network, offering recreation in the County's large forestry areas for families and groups and providing safe routes away from the busy road network. However, a general lack of information as to where these permissive routes and sites are is challenge that needs to be addressed.

The wider community plays an important role in helping the County Council achieve its aims and objectives in managing Nottinghamshire's rights of way network. The Council works with a number of voluntary organisations and individual volunteers general to manage and maintain rights of way and can assist both the Council with its responsibilities and helping farmers and landowners with theirs. In working in with volunteers, the Council must consider the resources that are required to effectively manage volunteers and requirements relating to health and safety.

Clearly rights of way maintenance and an up-to-date definitive map are fundamental in 'keeping paths open and available for the public to enjoy'. Nevertheless, the plan recognises that the promotion of the network is essential in highlighting the opportunities, increasing usage and maximising the potential of rights of way for both recreational and utility type journeys.

## Policies and Procedures

One of the most important considerations in providing an updated Rights of Way Management Plan for Nottinghamshire is to ensure that it addresses key themes and complements the aims and objectives of existing county plans and strategies. As with other local level strategies, the aims and objectives of the Rights of Way Management Plan 2017-2026 have been designed to assist delivery of core national and local policies.

This plan is designed to reflect the values of the Council's Strategic Plan 2014-2018 and to assist in delivering its key priorities. This strategy also complements Nottinghamshire's third Local Transport Plan (LTP3) and each should be viewed as mutually supportive strategies. It is a vital mechanism for delivering on LTP3 objectives and their shared aims, in particular, walking and cycling.

Nottinghamshire's LTP3 confirms that the rights of way network is an integral part of urban and rural transport systems and contributes to the achievement of transport goals. The current framework allows the Rights of Way Plan and the LTP3 to work in tandem to achieve shared goals. This integration is advanced further by the publication of this updated strategy, as it gives the Council an advantage in delivering positive benefits for people and the natural environment. It can help Nottinghamshire's residents and visitors enjoy a more active lifestyle in a greener, healthier, low carbon, quieter and safer environment.<sup>1</sup>

The preparation of this plan has offered another opportunity for the Council to prepare and present a summary of the key rights of way issues taking into account both established and new legislation and working practices. These are supplemented by a series of policies relating to network management and maintenance, community and partnership working, definitive map and planning and development. They will guide the Council, land managers and all

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<sup>1</sup> LTP and ROWIP Integration Good practice note (NE325) 2009

stakeholders in the maintenance and management of public rights of way in the county.

### What happens next?

Under the CROW Act 2000, the Council has a statutory duty to prepare and publish a Rights of Way Improvement Plan, but not to implement it.

Accordingly, no additional funds have been allocated to Highway Authorities for this purpose. This is unlikely to change for the duration of this plan.

The Statement of Action will define the scope of the actions the Council can take. The overall aims and the specific actions of this plan are focused on delivering on our statutory obligations as a Highway Authority<sup>2</sup>.

The County Council will continue to report progress through annual progress reports and work with the Nottinghamshire Local Access Forum in identifying key issues and priorities.

Although the Council faces a significant challenge to deliver financial savings, it is determined to continue to deliver life enhancing services. The PROW network has a vital role in ensuring Nottinghamshire's heritage is preserved and that its countryside can be accessed and enjoyed by all. The ethos of Rights of Way Management Plan 2017-2026 supports this strategic vision and with the support of key organisations and agencies, land managers and the public, its key aims can be achieved. This will ensure the PROW network in Nottinghamshire can continue to be managed and maintained effectively as a key asset the county can be proud of.

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<sup>2</sup> Nottinghamshire County Council is the Highway Authority for Nottinghamshire (excluding Nottingham City). For ease of reference, Nottinghamshire County Council will be referred to as 'the Council' throughout this document, unless it directly quotes from legislation and statutory guidance which makes reference to the Council in its capacity as the 'Highway Authority'. Furthermore, in Council policy the Council is often referred to as 'the authority'

## **The Statement of Action: Aims and Actions**

### **Aim 1: To protect, maintain and seek to enhance the network for all lawful users**

To achieve this aim the Council will:

SOA1.1: Ensure waymarking and signing remains fit for purpose to guarantee that members of the public can lawfully and safely navigate the PROW network.

SOA1.2: Maintain urban and rural paths to ensure the network can be used and enjoyed by all lawful users. We will also continue to manage an annual grass cutting programme and liaise with landowners in facilitating this

SOA1.3: Follow policy and legislation when authorising gates, stiles and other barriers

SOA1.4: Continue to support landowners by providing guidance, information and updates on legislation. We will continue to work with stakeholder organisations such as the National Farmers Union (NFU) and the Countryside Land and Business Association (CLA) to achieve this.

SOA1.5: Continue to seek to prosecute against persistent offenders who obstruct PROW's. Continue to seek to recover all legal costs in all successful prosecutions and defence of claims against the County Council.

### **Aim 2: To improve access to the network for all by adopting the principle of the least restrictive option**

To achieve this aim the Council will:

SOA 2.1: Continue to ensure that our work incorporates 'access for all' best practice.

SOA 2.2: Continue to adopt the least restrictive option' in everyday work.

SOA 2.3: Ensure safe and rightful access by removing unauthorised structures.

SOA 2.4: Liaise with partners to identify key gateways to the countryside via car, public transport and active transport.

SOA 2.5: Ensure all of our actions are compliant with the Equality Act (2010)

SOA 2.6: Work with the Local Access Forum and liaise with all groups who cater for the needs of people with disabilities to ensure the Council does all it can to improve access provision. This includes where resources allow, publicising barrier free routes and encouraging land-owners to replace approved stiles with kissing gates.

**Aim 3: To improve the safety and connectivity of the metalled road network with the rights of way network**

To achieve this aim the Council will:

SOA 3.1: Work closely with Network Rail to ensure compliance with relevant Highways Legislation when improving or removing level crossings and to make sure that alternatives are safe and appropriate.

SOA 3.2: Improve safety by actively seeking for opportunities for light controlled crossings (Toucan and Pegasus)) and for improved signage and traffic calming measures. We will also continue to liaise with the Road Safety team to raise driver awareness of all users, particularly cyclists and horse riders.

SOA 3.3: Improve connectivity by identifying suitable roadside verges for improved maintenance with a particular emphasis on linking bridleways. We will also continue to identify potential shared use footways which link key PROW.

**Aim 4: To increase awareness of the network and the understanding of the wider benefits arising from its use.**

To achieve this aim the Council will:

SOA 4.1: Continue to ensure the Countryside Access section of the Nottinghamshire County Council Website is easy to use, up to date and fit for purpose.

SOA 4.2: Work with Nottinghamshire County Council Corporate Communications team to identify new, innovative and more cost effective marketing opportunities for countryside access. This includes the utilisation of digital and social media platforms.

SOA 4.3: Continue to ensure any new publications are fit for purpose, provide value money and have a neutral environmental impact

SOA 4.4 Produce, when resources allow, PROW guides and information for users and landowners highlighting legislation and responsibilities.

SOA 4.5: Work with the Public Health Directorate in the County Council to promote the PROW network as a vehicle for improving public health outcomes. We will champion the PROW network as a key asset in Nottinghamshire that promotes active travel and healthy lifestyles.

**Aim 5: To provide a revised and updated definitive map and statement**

To achieve this aim the Council will:

SOA 5.1: Continue to review the definitive map and statement

SOA 5.2: Continue to respond to large numbers of DMMO applications and be aware of the likelihood of increased potential applications. The availability of resources to respond to increasing numbers of DMMO applications will be a significant challenge for the Council to meet in the current economic climate.

SOA 5.3: Refine and periodically review prioritisation of DMMOs with particular emphasis on orders which improve connectivity.

SOA 5.4: Record the legal width of all 'new' paths added to the definitive map

SOA 5.6: Identify and record all definitive map anomalies and make necessary anomaly orders where resources allow identify and record

SOA 5.7: Continue to seek opportunities to improve the connectivity of the network through the use of dedications and creations

**Aim 6: To enhance and increase community involvement in managing and improving the network, where resources allow.**

To achieve this aim the Council will:

SOA 6.1: Continue to support the Farm Partnership Scheme

SOA 6.2: Continue to value and support the work of individual volunteers and volunteer organisations where resources allow.



## Nottinghamshire County Council Countryside Access Policies

**POLICY A1-1** The County Council will have due regard for the needs of all lawful byway users and will positively manage the network with all stakeholders in a sustainable and cost effective way.

**POLICY A1-2** Nottinghamshire County Council will continue to work with its partners in a bid to reduce the impact of illegal motor vehicle use. This will be undertaken within the parameters of current highway legislation.

**POLICY A2-1** The Authority will seek to keep the number of structures erected on the rights of way network to a minimum, consistent with legislation, good husbandry and public safety. The least restrictive option available will always be the priority.

**POLICY A2-2** In developing and improving the local rights of way network, Nottinghamshire County Council will embrace the principles of access for all as specified through legislation, guidance and research. The Authority will seek to make the local rights of way network as accessible as possible to all users with emphasis on the provision of clear information and by adopting an approach of the least restrictive option.

**POLICY A1-3** Nottinghamshire County Council will share information with the Rural Payments Agency on issues relating to cross compliance and rights of way to ensure that land managers meet the requirements of 'Good Agricultural and Environmental Condition Standards (GAEC 8)'.

**POLICY A6-1** The County Council will continue to support and develop the Farm Partnership Scheme.

**POLICY A1-4** Maintenance and improvement works will be prioritised according to the level of danger to members of the public. Prioritisation will also consider frequency of use, harassment and intimidating behaviour / notices, needs of the disabled and promotional status.

**POLICY A1-5** Nottinghamshire County Council will implement a co-ordinated signing and waymarking programme. The County Council is committed to ensuring that all paths are signed with their correct legal status from metalled roads, and where appropriate, signs will be placed at other locations where there is an identified need.

**POLICY A1-6** The County Council aims to provide waymarking wherever there is difficulty in identifying the route of a right of way. Nottinghamshire County Council will proactively seek to waymark definitive public rights of way in a structured and standardised approach. Waymarking will only be used where the route is unclear, as an aid to users and land managers, to reduce signage clutter and prevent 'urbanisation' of the network.

**POLICY A1-7** The Council will carry out surface improvements and maintenance in accordance with relevant and current government guidance. When specifying surfacing materials the Council will place the needs of the legal public user first. Where appropriate the Council will consult with local stakeholders such as conservationists, landowners and user groups. Surfacing will only be considered where budget constraints allow, alternative remedies have failed and patterns of use justify expenditure.

**POLICY A1-16** Where a public right of way is also used for private access, the Council will only maintain such a way to a reasonable standard appropriate for a highway of that character having regard to the traffic that passes or may be expected to pass along it (Highways Act 1980 s58). For example, where a bridleway is also access to private dwellings and there are no public vehicular rights, only private access rights, the Council will only maintain the surface to a standard suitable for walkers, horse riders and cyclists. Where there is damage to a right of way through private use (e.g. private vehicular access) the Council will seek to recover the costs of repair from the perpetrator.

**POLICY A1-8** The Authority will seek to maintain the surface of public rights of way to a standard appropriate with their ordinary legal public use with regard to both the current and possible future use of the path.

**POLICY A1-9** The County Council will continue to work with land managers to ensure paths are kept free from obstruction by cultivation and cropping. The County Council will carry out countywide inspections in the Spring to check paths are clear of crops and Autumn to check paths are marked and level following cultivation. Any paths found not to be compliant with the Act will be followed up with the landowner and enforcement proceedings taken where necessary. Repeat offenders will be served enforcement notices without prior warning and the Council will consider prosecution in cases where this approach fails to have effect. The Council may recover its reasonable costs where default enforcement action is carried out.

**POLICY A1-10** The Council will use its powers of enforcement to tackle obstructions of public rights of way wherever initial discussion with the person responsible fails to resolve the situation. The Council may recover its reasonable costs where default action is taken to make a path available to the public. Persons responsible for obstructing paths will be given the opportunity to remedy the situation within specified deadlines; subsequent enforcement will be carried out in accordance with relevant guidelines in a firm but fair way.

**POLICY A6-4** The County Council will continue to support and to expand the Farm Partnership Scheme.

**POLICY A6-5** The County Council will continue to work with and support volunteers, where resources allow. Going forward, the Council will look to work with the third sector to develop a partnership working framework.

**POLICY A6-6** The County Council is committed to developing the work of Nottinghamshire Local Access Forum by encouraging an active membership, supporting the needs and publicising the role of the Forum.

**POLICY A5-2** DMMO applications will be processed chronologically by order of receipt with the following exceptions (in no particular order):

- Where the public benefit to be gained is of more than limited impact. For example, where an order could result in a positive impact on the network such as adding a bridleway to complete an 'off-road' network for horse riders
- Where a claim affects a householder in proving the existence or non-existence of a right of way. For example, a potential route that passes close to residential buildings and dwellings
- A claimed route triggered by an event such as fencing off the line of a regularly used path
- Where an order is claimed on 20-year use the personal circumstances of

path users will be taken into account. For example, the witness's age, health and possible relocation

- Where a claimed route is under threat due to development or major road schemes. For example, the dualling of the A46 trunk road or the widening of the M1 motorway.

**POLICY A5-3** The County Council will, where possible, use dedications in lieu of DMMOs enabling a quicker route onto the definitive map and statement.

**POLICY A5-4** Where a claimed route is unavailable on the ground, for example, due to a building or environmental issue, the County Council will consider the use of concurrent public path orders to assist with the establishment of the route

**POLICY A5-5** The County Council will recharge its full costs of a public path order to all applicants except in exceptional circumstances such as correcting historical errors or a landowner providing a package of measures to significantly improve the rights of way network for the benefit of the public.

**POLICY A5-6** PPO applications will be processed chronologically by order of receipt with one or more of the following exceptions (in no particular order):

- Where there is a clear public benefit. For example, where an order would result in increased connectivity such as an improved path network or a path with more attractive view or historical feature
- An order that addresses public safety, for example, a path may be diverted to a more suitable road crossing point with increased visibility
- Where PPOs resolve definitive map and statement anomalies
- Applications linked to DMMOs – the diversion of a path concurrent with the making of a modification order.

**POLICY A1-11** The County Council will seek improvements, at an early stage, to the rights of way network affected by development. The County Council will work with developers and local planning authorities to achieve the maximum benefit for the rights of way network and support wider economic growth.

**POLICY A5-7** Where developments affect non-definitive routes, on which public rights may reasonably be presumed to exist, the County Council will expect developers and the relevant local planning authority to have regard to these paths as they would with definitive rights of way.

**POLICY A1-12** The County Council will work closer with developers and the local planning authority to minimise the illegal obstruction of rights of way and other access caused by permitted development and unlawful development.

**POLICY A1-13**

Creation agreements will only be considered:

- Where there is a clear public benefit to be gained from the proposed path
- Where the requirement to dedicate forms part of an obligation under the Town & Country Planning Act 1990 s 106.

Maintenance liability will normally only be accepted where:

- The addition of a path is of strategic public benefit
- No initial additional expenditure by the Authority is required to bring a path into a fit state for use.

**POLICY A5-8** Where there is a clear public need, the County Council will seek to create a new path in the first instance by agreement. Where an agreement fails and there are substantial public benefits to be gained and the benefits are relative to the expected costs, the County Council will consider a HA80 s 26 creation order. The Council will carry out this power in accordance with the relevant available guidance.

**POLICY A1-14** The County Council will continue to work with its partners in securing and providing safe and traffic free multi-user routes for walkers, riders and cyclists.

**POLICY A1-15** The County Council will work with landowners, Natural England and conservation bodies to ensure members of the public enjoy their rights on foot to Open Access land designated under the CROW Act 2000.

**POLICY A4-1** The County Council will encourage local authorities and other organisations that produce walk and ride literature to check the accuracy, status and suitability of public rights of way used in their publications with the County Council.





**19 January 2017****Agenda Item: 10****REPORT OF CORPORATE DIRECTOR OF PLACE DEPARTMENT****RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE  
COUNTY COUNCIL****Purpose of the Report**

1. The purpose of this report is to recommend to Committee the responses to the issues raised in petitions to the County Council on 24<sup>th</sup> November 2016.

**A. Petition requesting the reduction of the speed limit on Brookhill Lane, Pinxton (Ref: 2016/0201)**

2. A 632 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor John Knight. The petition requests that the speed limit is reduced, that a weight limit is introduced, and a central white line is marked on the road.
3. It should be noted that Brookhill Lane is in Derbyshire, but a section of the road, named as Pinxton Lane, is in Nottinghamshire. The road is rural in nature and currently has a de-restricted speed limit.
4. A lorry ban has recently been introduced on Brookhill Lane by Derbyshire County Council, and a white line has been painted down the centre of the road.
5. To consider the speed limit request an assessment will be carried out including consideration of the road layout and its purpose, the number of properties fronting the road, an evaluation of traffic speeds, and an investigation of the speed related injury accident data. Once this data is available the request will be considered in line with guidelines for setting local speed limits; and if appropriate, alterations to the speed limit will be considered for inclusion in a future integrated transport programme.
6. If appropriate, any potential change in speed limit would also need to be consistent with the section of road in Derbyshire and therefore a copy of the petition has been forwarded to Derbyshire County Council for consideration.
7. It is recommended that the lead petitioner be informed accordingly.

**B. Petition requesting a residents' parking scheme on Southend Avenue, Newark (Ref: 2016/0202)**

8. A 35 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Stuart Wallace on behalf of residents of Southend Avenue, Newark. The petition requests that a residents' parking scheme is introduced on Southend Avenue, Newark as the petitioners' state that parking has increased on the road due to the introduction of residents' parking schemes on nearby roads.
9. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.
10. Southend Avenue is a residential road situated to the south-west of the town centre. There is a mixture of properties on the road, there are currently no on-street parking restrictions but the majority of properties have off-street parking.
11. As most of the properties on Southend Avenue have off-street parking the introduction of a residents' parking scheme at this location would not currently be considered a priority. Residents are, however, able to fund the provision of white advisory H-bar markings to help prevent obstruction of their driveways.
12. It is recommended that the lead petitioner be informed accordingly.

**C. Petition requesting a residents' parking scheme on Hawthorne Grove, Beeston (Ref: 2016/0203)**

13. A 16 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Kate Foale on behalf of residents of Hawthorne Grove, Beeston. The petition requests that a residents' parking scheme is introduced on Hawthorne Grove, Beeston.
14. Requests for residents' parking schemes are prioritised based in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.
15. Hawthorne Grove is a residential road with no off-street parking situated to the east of the town centre. Home Bargains car park and delivery vehicle access are both located on Hawthorne Grove. There are existing on-street parking restrictions on the road together with a 12 bay parking area opposite the properties. The bays, however, have no restrictions and it is unclear if these are being used by residents or non-residents. A parking survey will therefore be undertaken to determine if a residents' parking scheme should be considered a priority at this location for possible inclusion in a future year's integrated transport programme.
16. It is recommended that the lead petitioner be informed accordingly.

**D. Petition requesting the reduction of the speed limit on the A616 in Caunton (Ref: 2016/0204)**

17. A 299 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Bruce Laughton on behalf of residents of Caunton and others. The petition requests a reduction in the speed limit to 50mph. The road is rural in nature and currently has a de-restricted speed limit.
18. To consider the speed limit request an assessment will be carried out including consideration of the road layout and its purpose, the number of properties fronting the road, an evaluation of traffic speeds, and an investigation of the speed related injury accident data. Once this data is available the request will be considered in line with guidelines for setting local speed limits; and if appropriate, alterations to the speed limit will be considered for inclusion in a future integrated transport programme.
19. It is recommended that the lead petitioner be informed accordingly.

**E. Petition requesting the reduction of the speed limit and the installation of a pedestrian crossing on Wighay Road in Linby (Ref: 2016/0205)**

20. A 288 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Chris Barnfather. The petition requests a reduction in the speed limit and the introduction of a pedestrian crossing on the road. Wighay Road is currently built up along most of its southern side, with little development on its northern side which is open countryside. The road therefore currently has a 40mph speed limit.
21. Given the existing nature of the road the reduction in the speed limit and installation of a pedestrian crossing would not be considered a priority because it would offer limited community benefit (e.g. very few pedestrians would be likely to use a pedestrian crossing).
22. A large-scale housing development is, however, proposed at nearby Top Wighay Farm. It is likely that once the development has been constructed there will be a need for pedestrian crossing facilities; and the change in character from semi-rural to urban is likely to justify a reduction in speed limit.
23. It is appropriate, therefore, that these requests are considered for inclusion as part of the works package associated with the Top Wighay Farm development. If, for whatever reason, it is not considered appropriate to introduce these measures as part of that development, they will, however, be assessed by the County Council as stand-alone requests and will be considered for inclusion in a future integrated transport programme.
24. It is recommended that the lead petitioner be informed accordingly.

**F. Petition requesting the installation of a pedestrian crossing on Rugby Road in West Bridgford (Ref: 2016/0206)**

25. A 161 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Gordon Wheeler. The petition requests the installation of a pedestrian crossing on Rugby Road to aid access to the nearby community centre and other local facilities for elderly residents living in the area.
26. Rugby Road is a spine road linking the A60 Loughborough Road to Compton Acres. It provides access to a number of residential streets; and at its eastern end there is sheltered accommodation located either side of the road, including a community centre.
27. The County Council receives far more requests for such crossings than it is able to fund. Requests for crossings are therefore prioritised based on the numbers of people crossing, traffic volumes and other relevant factors such as accident history so that the available funding helps the greatest number of people. Surveys will therefore be undertaken to determine whether a crossing at this location should be prioritised for possible inclusion in a future year's integrated transport programme.
28. It is recommended that the lead petitioner be informed accordingly.

**G. Petition to reduce the speed limit on A60 in the vicinity of Portland College and provide a footway from Portland to Oak View Rise (Ref: 2016/0207)**

29. A petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Steve Carroll. The petition requests a reduced speed limit on the A60 from Thieves Wood Lane past Portland College, and the provision of an additional footway on the eastern side of the A60 between Portland College and Oak View Rise.
30. The petition is a result of two young people being injured on the A60 in the vicinity of the college and Oak View Rise in September 2016. These collisions were different in terms of location and contributory factor, and the vehicles involved were not speeding. Prior to this there were only 2 other accidents in 3.5 years, both were slight in nature and neither involved a pedestrian.
31. A meeting between representatives from Highways, Councillor Carroll, Gloria De Piero MP, the Heads of Portland and Fountaindale College, the police and residents was held on the 31<sup>st</sup> October 2016 to share information. The historic and recent accident record was discussed, as was the speed measurements that showed an average speed of 43 mph and an 85<sup>th</sup> percentile speed of 49 mph. The current speed limit on this road is 50 mph. It was agreed to carry out a vehicle and pedestrian movement survey to establish travel patterns in the area, which was carried out on the 22<sup>nd</sup> and 23<sup>rd</sup> November 2016.
32. The pedestrian survey was carried out between 0700 and 1800 and indicated low numbers of pedestrians crossing the A60. Pedestrians using the formal crossing point adjacent to the college were 133 in number, pedestrians crossing to Oak View Rise were 43, and crossing in the vicinity of The Spinney were 11 during an eleven-hour period.

33. Given the above results, no amendments to the facilities for pedestrians are recommended. A reduction in the speed limit to 40 mph in the vicinity of the colleges is recommended and a report will be taken to Transport and Highways Committee in March 2017 recommending budget is allocated for carrying out the works in 2017/18. Associated with the speed limit reduction, consideration will be given to the provision of a mobile interactive speed sign to reinforce the message.
34. Whilst not requested as part of the petition, representation was made at the meeting in October regarding the problems vehicles have egressing Oak View Rise. Whereas the reduction in speed limit should assist this process, further investigation is recommended to alert drivers to the proximity of the side road, and ease vehicular movements from it. Concern was also raised about the bus stop to the south-east of the MARR junction, and a review into the safety and suitability of the bus stops along this corridor is also to be considered.
35. It is recommended that the lead petitioner be informed accordingly.

#### **H. Petition requesting the resurfacing of Rockwood Crescent, Beauvale (Ref: 2016/0208)**

36. A 56 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Alice Grice on behalf of the residents of Rockwood Crescent, Beauvale. The petition requests that the road be resurfaced.
37. Rockwood Crescent is an access road off Hillcrest Drive and did not previously feature in the 5-year highway maintenance programme. A further inspection of the road has, however, been undertaken since receipt of the petition and it is showing signs of deterioration and as such, given the overall condition of the section of Rockwood Crescent from Hillcrest Drive to Laxton Drive, it has been added to the 5-year capital maintenance programme.
38. The 5-year capital maintenance programme is reviewed every year and an annual programme developed which features the worst sites. Rockwood Crescent will be considered as part of this process. In the meantime, the road will be inspected regularly and any areas considered unsafe will be repaired.
39. It is recommended that the lead petitioner be informed accordingly.

#### **I. Petition requesting a residents' parking scheme on Bencaunt Grove, Hucknall (Ref: 2016/0210)**

40. A 23 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor John Wilmott on behalf of residents of Bencaunt Grove, Hucknall. The petition requests that a residents' parking scheme is introduced on the road.
41. Requests for residents' parking schemes are prioritised based in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.

42. Bencaunt Grove is a residential road situated to the north-west of the town centre and whilst there are currently no parking restrictions on it all of the properties on the road have off-street parking.
43. As all of the properties on Bencaunt Grove Avenue have off-street parking, the introduction of a residents' parking scheme at this location would not currently be considered a priority. Residents are, however, able to fund the provision of white advisory H-bar markings to help prevent obstruction of their driveways.
44. It is recommended that the lead petitioner be informed accordingly.

**J. Petition requesting a residents' parking scheme for Harrington Street, Worksop (Ref: 2016/0211)**

45. A 19 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor Kevin Greaves on behalf of residents of Harrington Street, Worksop. The petition requests that a residents' parking scheme is introduced on the road.
46. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Schemes are prioritised based on the level of non-resident parking.
47. Harrington Street is a residential road with no off-street parking situated to the west of the town centre; there are currently no on-street parking restrictions. Petitioners state that the problem is caused by a school at the southern end of the road and shops at the northern end of the road.
48. A parking survey has consequently been undertaken on Harrington Street and the results of this survey will be used to consider the request for possible inclusion in a future year's integrated transport programme.
49. It is recommended that the lead petitioner be informed accordingly.

**K. Petition requesting a residents' parking scheme on Lilley Close, Selston (Ref: 2016/0212)**

50. A 62 signature petition was presented to the 24<sup>th</sup> November 2016 meeting of the County Council by Councillor David Martin on behalf of residents of Lilley Close, Selston. The petition requests that a residents' parking scheme is introduced on the road due to parking and other anti-social issues caused by parents dropping-off and picking-up school pupils.
51. Residents' parking schemes are not introduced outside schools to prevent parents from picking-up and dropping-off pupils at school start and finish times. In cases where such parking is causing difficulties with local residents the County Council works with the school community to help them address such issues. It is therefore recommended that the Highways District Manager contact the school to discuss the issues raised by the petitioners.

52. Residents are also able to fund the provision of white advisory H-bar markings to help prevent obstruction of their driveways.

53. It is recommended that the lead petitioner be informed accordingly.

## **Statutory and Policy Implications**

54. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

It is recommended that the proposed actions be approved, the lead petitioners be informed accordingly and a report be presented to a County Council meeting for the actions to be noted.

**Adrian Smith - Corporate Director Place Department**

## **Background Papers and Published Documents**

- None

## **Electoral Division(s) and Member(s) Affected**

- Kirkby in Ashfield North - Cllr. John Knight
- Newark East - Cllr. Stuart Wallace
- Beeston South and Attenborough - Cllr. Kate Foale
- Southwell and Caunton - Cllr. Bruce Laughton
- Newstead - Cllr. Chris Barnfather
- West Bridgford West - Cllr. Gordon Wheeler
- Sutton in Ashfield East - Cllr. Steve Carroll
- Hucknall - Cllr. Alice Grice, Cllr. John Wilkinson & Cllr. John Wilmott
- Worksop West - Cllr. Kevin Greaves
- Selston - Cllr. David Martin





**19 January 2017****Agenda Item: 11**

## **REPORT OF CORPORATE DIRECTOR, RESOURCES WORK PROGRAMME**

### **Purpose of the Report**

1. To consider the Committee's work programme for 2017.

### **Information and Advice**

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. It is anticipated that the committee will wish to commission periodic reports on such decisions. The committee is therefore requested to identify activities on which it would like to receive reports for inclusion in the work programme. It may be that the presentations about activities in the committee's remit will help to inform this.
5. The work programme already includes a number of reports on items suggested by the committee.

### **Other Options Considered**

6. None.

### **Reason/s for Recommendation/s**

7. To assist the committee in preparing its work programme.

## **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **RECOMMENDATION/S**

That the committee's work programme be noted, and consideration be given to any changes which the Committee wishes to make.

**Jayne Francis-Ward**  
**Corporate Director, Resources**

**For any enquiries about this report please contact: Pete Barker x 74416**

## **Constitutional Comments (HD)**

9. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

## **Financial Comments (NS)**

10. There are no direct financial implications arising from the contents of this report. Any future reports to Committee on operational activities and officer working groups, will contain relevant financial information and comments.

## **Background Papers**

None.

## **Electoral Division(s) and Member(s) Affected**

All

## **TRANSPORT & HIGHWAYS COMMITTEE - WORK PROGRAMME**

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>For Decision or Information?</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>9 February 2017</b>				
Worksop Bus Station	Performance to date	Info	Jas Hundal	Jas Hundal
Rail Update	Propose consultation responses	Decision	Gary Wood	Kevin Sharman
Access Fund and Personal Travel Planning	Update report	Info	Gary Wood	Kevin Sharman
Gedling Access Road – CPOs	Progress Report	Info	Mike Barnett	Neil Hodgson
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Neil Hodgson
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various
<b>16 March 2017</b>				
Transport & Highways Committee	Key Achievements	Info	Various	Various
Charging for Services	Approval of charge levels	Decision	Gary Wood	Gary Wood
ITM/Capital Maintenance Programme	Programme approval	Decision	Gary Wood	Gary Wood
Flood Alleviation Schemes – Capital Programme	Update report	Info	Gary Wood	Sue Jaques

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information?</u>	<u>Lead Officer</u>	<u>Report Author</u>
Highways Performance Report Q3	Quarterly Update	Info	Don Fitch	Gary Wood
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Neil Hodgson
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various
<b>20 April 2017</b>				
Tram Update	Update report	Info	Sean Parks	Gary Wood
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Neil Hodgson
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various
<b>15 June 2017</b>				
Highways Performance Report Q4	Quarterly Update	Info	Don Fitch	Gary Wood
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Neil Hodgson
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various

<b><u>Report Title</u></b>	<b><u>Brief summary of agenda item</u></b>	<b><u>For Decision or Information?</u></b>	<b><u>Lead Officer</u></b>	<b><u>Report Author</u></b>
<b>20 July 2017</b>				
Highway TRO Reports	Reports as needed to consider objections to proposed Traffic Regulation Orders	Decision	Mike Barnett	Neil Hodgson
Petitions Report	Responses to Petitions presented to Full Council	Decision		Various

