

Communities and Place Committee

Thursday, 19 July 2018 at 10:30

County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

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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 Martin Gately (Tel. 0115 977 2826) 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 Communities and Place Committee

Date 14 June 2018 (commencing at 10:30 am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

John Cottee (Chairman)
Gordon Wheeler (Vice-Chairman)
Phil Rostance (Vice-Chairman)

Pauline Allan	John Knight
Glynn Gilfoyle	Bruce Laughton
Kevin Greaves	David Martin
Vaughan Hopewell	John Ogle

OTHER COUNCILLORS IN ATTENDANCE

Jim Creamer
Maureen Dobson

OFFICERS IN ATTENDANCE

Mick Allen	-	Place Department
Pete Barker	-	Resources Department
Doug Coutts	-	VIA
Peter Gaw	-	Inspire
Derek Higton	-	Place Department
Neil Hodgson	-	VIA
Pete Mathieson	-	Place Department
Kevin Sharman	-	Place Department
Mark Walker	-	Place Department

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 17 May 2018, having been circulated to all Members, were agreed to be a correct record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Councillor Martin replaced Councillor Hollis for this meeting only.

3. DECLARATIONS OF INTEREST

None.

4. TRANSPORT FOCUS - BUS PASSENGER SURVEY RESULTS 2017

RESOLVED 2018/054

That Committee their support for Transport Focus annual surveys at a cost of £6.2k per annum to inform future investment priorities and to enable benchmarking against other Local transport Authorities.

5. THE NOTTINGHAMSHIRE COUNTY COUNCIL (DEVONSHIRE STREET & HARRINGTON STREET, WORKSOP) (RESIDENTS' CONTROLLED ZONE & PARKING PLACES) TRAFFIC REGULATION ORDER 2018 (1211)

RESOLVED 2018/055

That the Nottinghamshire County Council (Devonshire Street & Harrington Street, Worksop) (Residents' Controlled Zone & Parking Places) Traffic Regulation Order 2018 (1211) be made as the revised advertised proposals and the objectors notified accordingly.

6. CULTURE, LEARNING AND LIBRARIES – INSPIRE: DEVELOPMENT UPDATE AND SECOND YEAR REVIEW

Peter Gaw confirmed that the report was a review of Inspire's second year of operation.

RESOLVED 2018/056

That Members consider whether there are any actions they require in relation to the issues contained within the report and that Members agree to receive a follow update report in the next 12 months and that this be included in the work programme.

7. CULTURAL SERVICES EVENTS PROGRAMME

RESOLVED 2018/057

That the events programme for Cultural Services is endorsed.

8. RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

RESOLVED 2018/058

- 1) That the proposed actions be approved, and the lead petitioners be informed accordingly.
- 2) That the outcome of Committee's consideration be reported to Full Council.

9. CONSULTATION: POWERS FOR DEALING WITH UNAUTHORISED DEVELOPMENT AND ENCAMPMENTS

RESOLVED 2018/059

That a reference to assisting private individuals be added to the response to the consultation 'Powers for Dealing with Unauthorised Development and Encampments' and be approved.

**10. PERFORMANCE REPORTING (QUARTER 4 2017/18) – COMMUNITIES
AND PLACE**

RESOLVED 2018/060

That no further action is required as a direct result of the contents of the report.

11. WORK PROGRAMMME

RESOLVED 2018/061

That no further action is required as a direct result of the contents of the report.

The meeting concluded at 11.56am

Chairman

19 July 2018

Agenda Item: 4

REPORT OF THE CORPORATE DIRECTOR, PLACE**THE NOTTINGHAMSHIRE COUNTY COUNCIL (DEVONSHIRE STREET &
HARRINGTON STREET, WORKSOP) (RESIDENTS' CONTROLLED ZONE &
PARKING PLACES) TRAFFIC REGULATION ORDER 2018 (1211) REPORT****Purpose of the Report**

1. To clarify an issue in a report to Communities & Place Committee on 14th June - The Nottinghamshire County Council (Devonshire Street & Harrington Street, Worksop) (Residents' Controlled Zone & Parking Places) Traffic Regulation Order 2018 (1211).

Information

2. Contrary to the information which was advertised and consulted upon, the report previously presented to Committee in relation to this matter contained a typographical error – stating “Friday” in place of “Saturday” in paragraph 5. In addition, to clarify, the operational days referred to in paragraph 15 are likewise Monday to Saturday. The resolution of the committee on 14th June was that the Traffic Regulation Order be made as advertised. The proposal had been advertised correctly – i.e. Monday to Saturday.
3. The report to committee of 14th June is attached as an appendix to this report for information.

RECOMMENDATION/S

It is recommended that:

- 1) The previous Resolution of the Committee to make the Order as advertised be affirmed, and officers authorised to proceed accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

Helen North (Improvements Manager), Tel: 0115 977 2087 / Mike Barnett, Team Manager (Major Projects and Improvements), Tel: 0115 9773118

Constitutional Comments (SJE 05/07/2018)

4. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to the planning,

management and maintenance of highways (including traffic management) has been delegated.

Financial Comments (SES 10/07/2018)

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

Background Papers and Published Documents

6. 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.
7. All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

Electoral Division(s) and Member(s) Affected

Worksop South ED

Councillor Kevin Greaves

REPORT OF THE CORPORATE DIRECTOR, PLACE

THE NOTTINGHAMSHIRE COUNTY COUNCIL (DEVONSHIRE STREET & HARRINGTON STREET, WORKSOP) (RESIDENTS' CONTROLLED ZONE & PARKING PLACES) TRAFFIC REGULATION ORDER 2018 (1211)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. To consider the objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

Information

2. Harrington Street and Devonshire Street are located approximately 0.5 km west of Worksop town centre and lead directly off Newcastle Avenue that is a primary route into the town. Harrington Street is a cul-de-sac comprising of terraced properties and St Anne's Primary School is located at the southern end of the street. The northern section of Devonshire Street comprises of terraced properties the majority of which have no off-street parking. Approximately 300m south of its junction with Newcastle Avenue, the type of properties change, becomingly primarily detached properties with off-street parking. A pedestrian entrance to St Anne's Primary School is also located at this point, on the western side of the Devonshire Street. There are also a number of commercial properties located on the streets, primarily around the junctions with Newcastle Avenue.
3. The County Council has received complaints from residents on Harrington Street and Devonshire Street regarding obstructive and intrusive parking. There are significant levels of parking demand in the area from commuters working in and around the town centre. The intrusive parking results in residents having difficulty in finding parking spaces within a reasonable distance of their homes. A 19-signature petition was presented to the 24th November 2016 meeting of the County Council by Councillor Kevin Greaves on behalf of residents of Harrington Street, Worksop. The petition requested that a residents' parking scheme is introduced on the road. A parking survey had also been undertaken in 2016 which indicated high levels on non-residential daytime parking in the area.
4. In response, the County Council proposes to introduce a Residents Parking Scheme (RPS) in Harrington Street and part of Devonshire Street. As part of the implementation of a RPS questionnaires were sent out on the 13th September 2017 to determine levels of support. There was a 52% response rate with 79% of those respondents in support of a scheme, these

results exceed the criteria of 35% response rate with 65% of respondents in support that the County Council uses to progress the implementation of a RPS.

5. Following the confirmation of support for a RPS a statutory consultation and public advertisement was carried out between 4th December 2017 and 3rd January 2018 on the proposals. These are detailed on the attached drawing JE/HW/10295/02 and consists of a RPS to be in operation on Monday to Friday from 9am-3pm on Harrington Street and the northern section of Devonshire Street (with terraced properties).

Objections Received

6. During the advertisement period, 14 responses were received, 7 of which supported the proposal or made comments and 7 of which were considered objections to the proposals. Objections and comments referred to a number of issues; including the loss of on-street parking for visitors and the effect that this may have on local businesses, both located in the area and serving customers on the streets.
7. Responses to the consultation have been considered and discussed with the local County Councillor resulting in amendments to the scheme proposed to address some of the concerns raised. The proposed changes consisted of 2-hour limited waiting parking bays in operation Monday to Saturday 9am-3pm at the northern end of Devonshire Street and Harrington Street.
8. The statutory consultation and public advertisement of the revised proposals, as detailed on the attached drawing JE/HW/10295/03 was carried out between 8th March and 4th April 2018.
9. During the second public advertisement period a total of 5 responses were received, this included three from previous respondents. The revised proposals and an agreement to offer permits to properties on the adjacent section of Newcastle Street addressed a number of the objections to the original scheme. However, it is considered that after two rounds of consultation there are a total 6 outstanding objections to the proposals.
10. Objection – Scheme not required / cost / inconvenience to residents
Five respondents objected on the basis that the scheme was not required or that they would find such a scheme inconvenient or permits were an unnecessary expense. Comments made by respondents included that they had never experienced any problems with finding a parking space and that the operation and cost of such a scheme would be an inconvenience / unwelcome. Another respondent commented that the scheme would require additional signage and therefore increase highway clutter.
11. Response – Scheme not required / cost / inconvenience to residents
It is understood that opinion on the merits of a RPS scheme will differ and consultation is undertaken to determine both need for such a scheme and residents' support for it as part of the scheme development and implementation. The questionnaire process includes a four-page guide explaining how a residents' parking scheme operates and the rules on permit allocation to enable residents are able to make an informed decision. The questionnaire demonstrates sufficient support (52% of households responded to the survey and of these 79% were in favour of the scheme) and responses to the formal consultation.
12. On 19th October 2016 a parking survey was undertaken on Devonshire Street and Harrington Street between the hours of 9am and 6pm. The surveys identified that both streets had significant numbers of non-resident long-stay parking. The surveys identified:

- Devonshire Street - there were 85 vehicles parking of which 41 were non-residents' vehicles. The assessment suggests that on average 64% of the available space is taken up by non-residents vehicles.
 - Harrington Street - there were 46 vehicles parking of which 26 were non-residents' vehicles. The assessment suggests that on average 81% of the available space is taken up by non-residents.
13. It is acknowledged that the introduction of the scheme will result in additional highway signs in the area, however this is unavoidable. The signs are required to ensure that highway users are aware of the restrictions in place and do not inadvertently contravene the Traffic Order. Whilst the proposed scheme, as with any residents parking scheme, requires appropriate signs it does not require bay markings within the controlled zone, therefore reducing the visual impact of the scheme.
14. Objection – Parking migration
Three objections were made on the basis that the introduction of the restrictions would result in parking migration to areas outside the controlled zone. One respondent felt that this would be detrimental to the safety of children attending the school. Comments included concerns that the increase in parking on other parts of Devonshire Street would increase the likelihood of driveways being obstructed and of obstructive parking near the junction with Water Meadows. A respondent also stated that it would increase instances of pavement parking and parking on verges on the section of Devonshire Street outside the controlled zone area affecting visibility for people crossing the road. Also, the respondent stated that the proposals would benefit one half of the street to the detriment of the other.
15. Response – Parking migration
Premises within the controlled zone do not have access to off-street parking and so are more affected by non-resident parking than areas where properties have off-street parking. It is recognised that there is likely to be some element of displaced parking with any new highway waiting restriction, however the operational times of the proposed restrictions have been restricted to operate 9am to 3.00pm weekdays only. It is considered this will address the problem with commuter parking but retains flexibility for parents and carers to park in the area whilst dropping off and picking up children at the start and end of the school day.
16. It is expected that the times proposed will significantly reduce the volume of any potential parking migration as opposed to a scheme which operated beyond the times of the school day. The revised proposals also provide short-term parking bays on Harrington Street and Devonshire Street for visitors to the area, further reducing potential parking migration.
17. The junction of Water Meadows and Devonshire Street is approximately 300m from the end of the controlled zone and it is anticipated that any displaced parking will be dissipated over the extent of this street and surrounding roads and not materially affect this junction.
18. It should be noted that where pavement parking constitutes an obstruction it is a matter for the Police, who are empowered to enforce on this matter. An appropriate measure to help alleviate residents' difficulties with vehicle access / egress to properties is the provision of advisory 'H bar markings' and these can be provided in line with the County Council's charging policy (£200 in 2018-19) on request from local residents.

Other Options Considered

19. Other options considered relate to the operational times of the residents parking scheme, which could have been either lesser or greater. Proposals were modified to include areas of limited waiting in direct response to comments received. The restrictions are considered a

reasonable balance between retaining public access to the highway and ensuring residents' reasonable access to parking.

Comments from Local Members

20. County Councillor Greaves was involved in the development of the revised proposals and has expressed his support for the scheme.

Reasons for Recommendations

21. The proposals are considered appropriate taking into account a balanced view of the needs of all road users; balancing the need to retain public access to the highway with ensuring residents' reasonable access to on-street parking. It is considered therefore that the proposals achieve a balance between competing demands for the highway and that all residents will have access to parking within a reasonable distance of their home.

Statutory and Policy Implications

22. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

23. Nottinghamshire Police made no comments during the consultation. No additional crime or disorder implications are envisaged.

Financial Implications

24. This scheme is being funded through the Local Transport Plan ITM budget for 2018/19 with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

25. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

Public Sector Equality Duty implications

26. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to:

- Eliminate unlawful discrimination, harassment and victimisation;

- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
- Foster good relations between people who share protected characteristics and those who don't.

Disability is a protected characteristic and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly.

Safeguarding of Children and Adults at Risk Implications

27. The proposals are intended to have a positive impact on all highway users and the operational times of the scheme have been designed to maintain full public access to the highway network around the school at the start of and end of the school day.

Implications for Sustainability and the Environment

28. The proposed waiting restrictions are designed to facilitate the operation of the wider highway network for drivers, cyclists and pedestrians.

RECOMMENDATION/S

It is recommended that:

- 1) The Nottinghamshire County Council (Devonshire Street & Harrington Street, Worksop) (Residents' Controlled Zone & Parking Places) Traffic Regulation Order 2018 (1211) be made as the revised advertised proposals and the objectors notified accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Mike Barnett - Team Manager (Major Projects and Improvements) 0115 9773118 / Helen North (Improvements Manager) 0115 977 2087

Constitutional Comments [SLB 17/05/2018]

29. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [SES 18/05/2018]

30. The financial implications are set out in the report.

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.

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

Electoral Division(s) and Member(s) Affected

Worksop South ED

Councillor Kevin Greaves

19 July 2018**ITEM: 5****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (VARIOUS SITES IN
MANSFIELD WOODHOUSE) (PROHIBITION OF WAITING) TRAFFIC
REGULATION ORDER 2018 (2211)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

Information

2. Nottinghamshire County Council has received requests for measures to prevent parking at various locations in Mansfield where parked vehicles are obstructive and affecting visibility for highway users or impacting on the efficient operation of the highway. There are six locations in Mansfield Woodhouse, at three of these sites issues have been reported by local County Councillors Joyce Bosnjak and Parry Tsimbiridis with the remainder from local residents. The other location is in Mansfield on Chesterfield Road South and obstructive parking is causing problems for deliveries to a local business.
3. At all locations there is significant demand for on-street parking, this is generated by a range of reasons specific to each location but includes markets, community centre, local businesses and residential parking. However, capacity is constrained by several factors including vehicle accesses, pedestrian crossing points and road width. Obstructive parking too near to junctions, bends or crossing points reduces visibility for vehicles, pedestrians and adversely affects the efficient operation of the highway.
4. As a result, it is proposed to introduce 'No Waiting at Any Time' (double yellow lines) restrictions at the locations listed below:
 - Sycamore Road / Worcester Avenue / Park Hall Road – drawing - H/TRO/2613/001
 - Brown Avenue / Cox's Lane / Beech Tree Avenue / Slant Lane / Park Avenue (Sunnydale) roundabout - drawing H/TRO/2613/002
 - Kingsley Avenue / Ley Lane / Manor Park Sports Entrance – drawing H/TRO/2613/003
 - Crow Hill Lane / Mansfield Road / Tennyson Avenue – drawing H/TRO/2613/004
 - Church Hill / Welbeck Road – drawing H/TRO/2613/005
 - Springwood Drive, Edgehill Grove, King Street / Leeming Lane South – drawing H/TRO/2613/006

- Albion Street / Chesterfield Road South – drawing H/TRO/2613/007

5. The statutory consultation and public advertisement of the proposals was carried out between 21st February and 21st March 2018.
6. A total of 13 responses including one petition of 55 signatures were received to the consultation during the advertisement period. This included 3 expressing support for the proposals, 3 requesting additional highway measures / or commenting on highway issues. There were 7 responses objecting to elements of the proposals, this includes the petition.

Objections Received

7. Objection- Brown Avenue roundabout

Three objections, including a 55-signatory petition was received relating to the proposals at the Brown Avenue roundabout. Respondents objected on several points primarily relating to the loss of on-street parking and the impact this would have on local businesses and their customers, some of whom were disabled. District Councillor Fisher requested that consideration be given to formalising pavement parking or parking on land behind the shopping precinct and for the placement of highway mirrors.

8. Response - Brown Avenue Roundabout

There are many competing demands for free, convenient on-street parking in this area and when dealing with a finite resource it is not possible to meet all these demands for parking. The objections relate specifically to parking on the Cox's Lane arm of the roundabout. Parking currently occurs in the layby outside local shops, businesses and also routinely on the north-east pavement on either side of the entrance to a residents' car park. This negatively impacts on visibility for pedestrians' crossing over Cox's Lane and for vehicles entering or exiting the residents' car park. Vehicles are also frequently parked in close proximity to the roundabout junction which adversely affects the safe and efficient movement of vehicles through this junction.

9. The County Council has no duty to provide on-street parking and there is no legal right for an individual to park in proximity to their property. It is recognised that demand for such parking exists and the proposals have been kept to the minimum necessary to ensure the effective and safe movement of pedestrians and vehicles through the roundabout junction and safe ingress and egress from the residents' car park.
10. Concerns were raised relating to the detrimental effect on customer access, especially for those with limited mobility. It should be noted that disabled drivers, who have a blue badge, are entitled to park on double yellow lines for periods of up to three hours, provided they do not park so as to cause an obstruction. The picking up and setting down of passengers is also permitted on double-yellow lines. These exemptions will enable disabled drivers or disabled passengers to retain easy access to the commercial premises.
11. The County Council currently has no policy to create parking bays either wholly or partly on the footway. It is noted that the subject of 'pavement parking' is a high-profile matter, in relation to which the Government is currently considering imposing a national ban on all pavement parking so that this may be enforced by local authorities (as it is currently only enforceable by the police). It would not therefore be appropriate to further consider authorising any form of pavement parking at this time. Traffic mirrors require special authorisation from the Department for Transport (DfT) and it is County Council policy that traffic mirrors are not permitted on the public highway except in very exceptional circumstances. Traffic mirrors can distort the view of traffic which can cause drivers to think approaching vehicles are further away than they actually are.

12. Unrestricted highway parking is available on both sides of Cox's Lane beyond the proposed restrictions. It is acknowledged that there is always a balance to be struck between competing demands for a finite resource. However, it is considered that the scheme is proportionate and reasonable intervention to improve safety for pedestrians and improve the operation of the junction.
13. Objections – Kingsley Drive
Four objections were received relating to the proposals on Kingsley Drive. Respondents cited several reasons for their objections, which included the loss of on-street parking for residents and visitors, potential for parking migration and therefore increased obstruction of other parts of Ley Lane and Kingsley Drive. Objections included requests for both more and less restrictions and for the operational period of the proposed restrictions to be reduced to operate only at weekends or on Sundays.
14. Response – Kingsley Drive
Double yellow lines are proposed, rather than single yellow lines operational only at weekends, because the detrimental effect of obstructive parking in close proximity to highway junctions and crossing points is present at all periods of the day. As such it is not considered appropriate to limit the duration of the waiting restrictions from double yellow lines (in operation at all times) to single yellow lines (in operation only at specified times and days).
15. All properties in the affected area have off-street parking and on-street parking remains available on the highway network further away from the junctions, providing parking opportunities for residents and their visitors.
16. One objector requested an extension to the proposed restrictions on Ley Lane. However, the introduction of any new parking restriction will result in a degree of parking migration. With the intention of keeping this migration to the lowest level, the extents proposed have been kept to the minimum necessary to ensure the safe operation of the junctions. The extents (11m) proposed for Ley Lane are considered appropriate junction protection.
17. The consultation responses were reviewed and consideration given to suggestions and requests made during the consultation. An alternative proposal for the Kingsley Avenue / Ley Lane / Manor Park Sports junctions was developed, which incorporated reduced restrictions opposite the Ley Lane junction and extension to the proposed restrictions eastwards on Kingsley Avenue. However, when presented for comment to residents this revision attracted additional objections and no consensus of support for the revised proposal. As such the original option, which focussed on removing parked vehicles from directly around the junctions, is being taken forward.
18. Objection – King Street
One objection was received in respect of the double yellow lines proposed on King Street. The respondent suggested that the traffic calming feature be removed from the street to widen the road and that it be made one-way. District Councillor Coxhead expressed concern regarding the loss of parking, particularly the effect of this on residents of Leeming Lane South many of whom have no access to off-street parking and tended to park on King Street.
19. Response - King Street
The demand for on-street parking is noted and as such the restrictions are proposed only in proximity to the narrow part of the carriageway at the north-western end of King Street, extending existing restrictions by 6m on both sides equating to the loss of parking for a maximum of 2 vehicles. It is not considered appropriate to remove the traffic calming feature at this location as this was introduced to manage traffic speeds in this residential area. King

Street is sufficiently wide to accommodate two-way traffic and there is no traffic management reason to restrict the use of the road by making it one-way. Such a change may be detrimental to road safety, as traffic speeds generally increase when using one-way streets.

20. The proposals have been kept to the minimum necessary to ensure the effective and safe movement of pedestrians and vehicles through the junction. Unrestricted on-street parking remains available on the highway network further away from the junction, providing parking opportunities for residents, visitors and other users.

Other Options Considered

21. Other options considered relate to the length of the waiting restrictions proposed, which could have been either lesser or greater. A revised proposal was considered, but following consultation with affected residents no consensus was received so these were not taken forward. The proposals are considered to strike a reasonable balance between the need to maintain the safe operation of the highway and recognition of the demand for on-street parking.

Comments from Local Members

22. County Councillor Joyce Bosnjak requested that the concerns expressed by residents and District Councillors be carefully considered as part of the consultation. Councillor Parry Tsimbiridis made no comment on the proposals as part of the consultation.

Reasons for Recommendations

23. It is considered that the proposed scheme presents a reasonable and proportionate balance between the needs of all highway users, including non-drivers, who live in or visit the area.

Crime and Disorder Implications

24. Nottinghamshire Police made no comments on the proposal. No additional crime or disorder implications are envisaged.

Financial Implications

25. The scheme is being funded through the 2018/19 Traffic Management Revenue budget for Mansfield with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

26. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

Public Sector Equality Duty implications

27. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
- Foster good relations between people who share protected characteristics and those who don't.

28. Disability is a protected characteristic and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly.

Safeguarding of Children and Adults at Risk Implications

29. The proposals are intended to have a positive impact on all highway users.

Implications for Sustainability and the Environment

30. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Improving the environment for vulnerable highway users, such as pedestrians and cyclists, may encourage modal shift to sustainable modes of transport.

RECOMMENDATION

It is **recommended** that:

- 1) The Nottinghamshire County Council (Various Sites in Mansfield Woodhouse) (Prohibition of Waiting) Traffic Regulation Order 2018 (2211) is made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about the report please contact: Mike Barnett - Team Manager (Major Projects and Improvements) Tel: 0115 9773118

Constitutional Comments [SJE – 11/06/2018]

37. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to the planning, management and maintenance of highways (including traffic management) has been delegated.

Financial Comments [RWK 07/06/2018]

38. The financial implications are set out in paragraph 25 of the report.

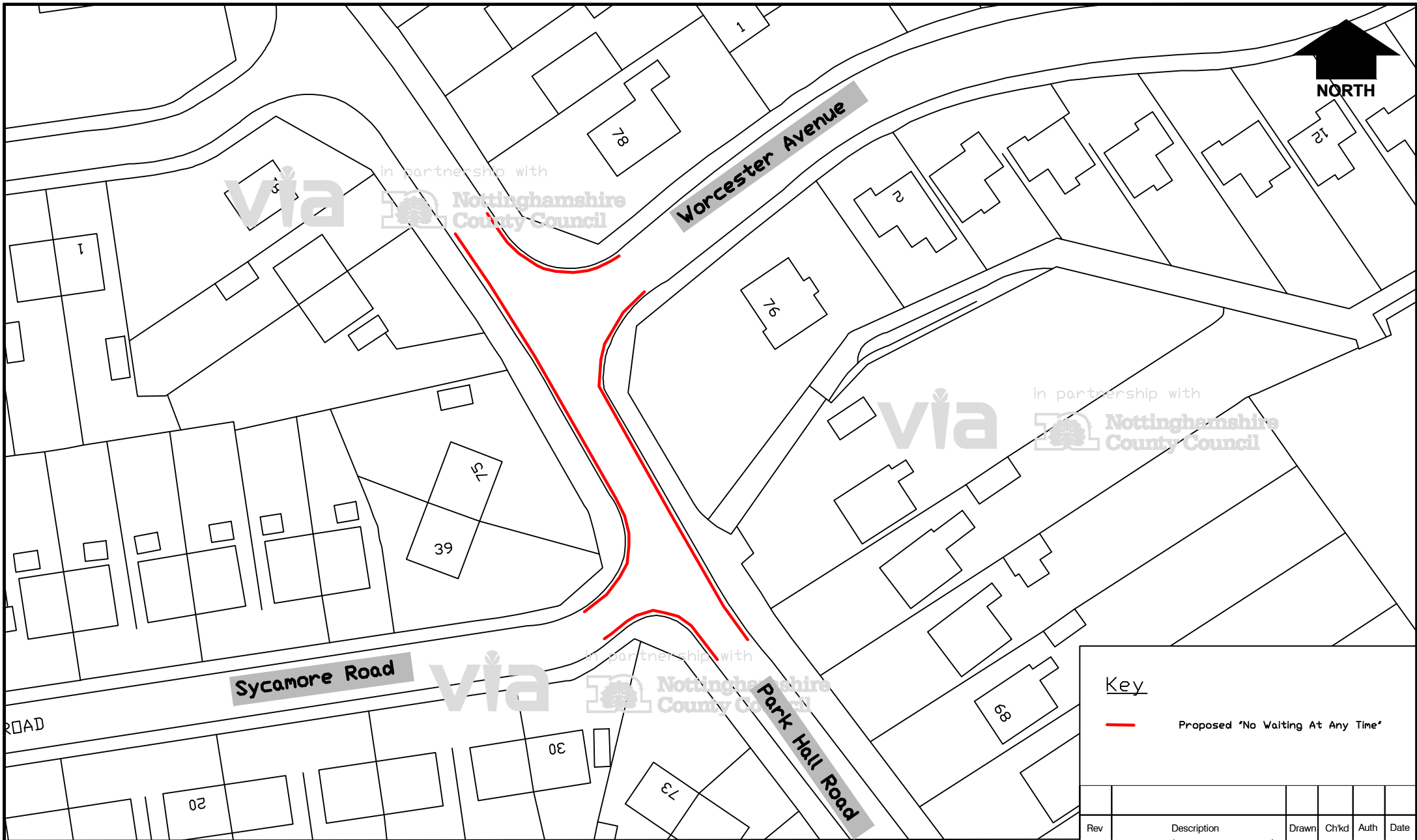
Background Papers

39. All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.
40. 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.

Electoral Division(s) and Member(s) Affected

Mansfield North ED
Mansfield North ED

Councillor Joyce Bosnjak
Councillor Parry Tsimbiridis



Key

— Proposed "No Waiting At Any Time"

Rev	Description	Drawn	Chkd	Auth	Date
		JE			12/17
		SW			12/17
		Auth			Traced
		Rev			Scale



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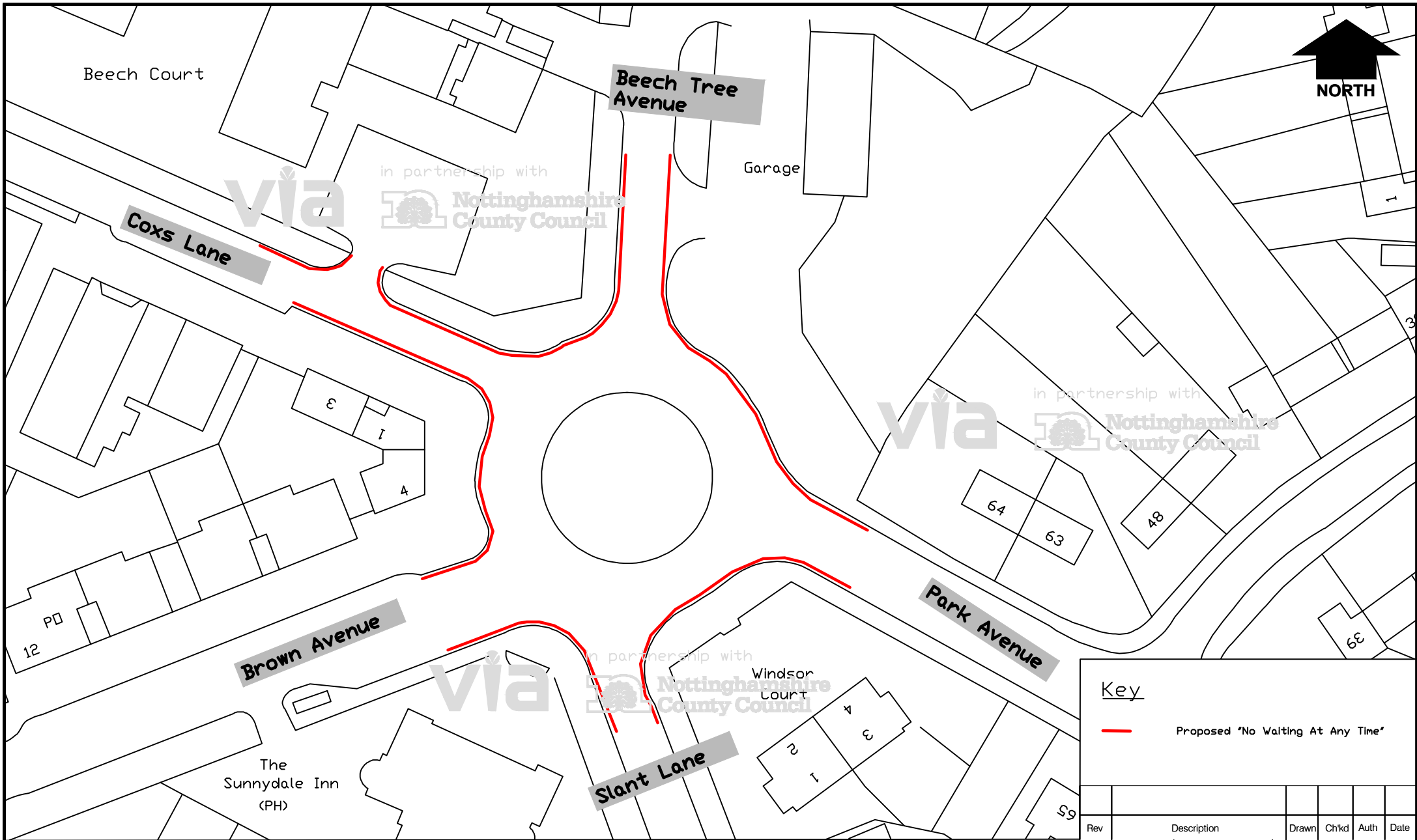


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Project	Mansfield Combined TRQs				
Status	Page 21 of 626				
Title	Park Hall Road Proposed DYL's				
Drawing No.	H/TRQ/2613/001				
Project No.	HW10348				



Key					
<div><div></div>Proposed "No Waiting At Any Time"</div>					
Rev	Description	Drawn	Chkd	Auth	Date
		JE			12/17
		SW			12/17
		Auth			Traced
		Rev			Scale



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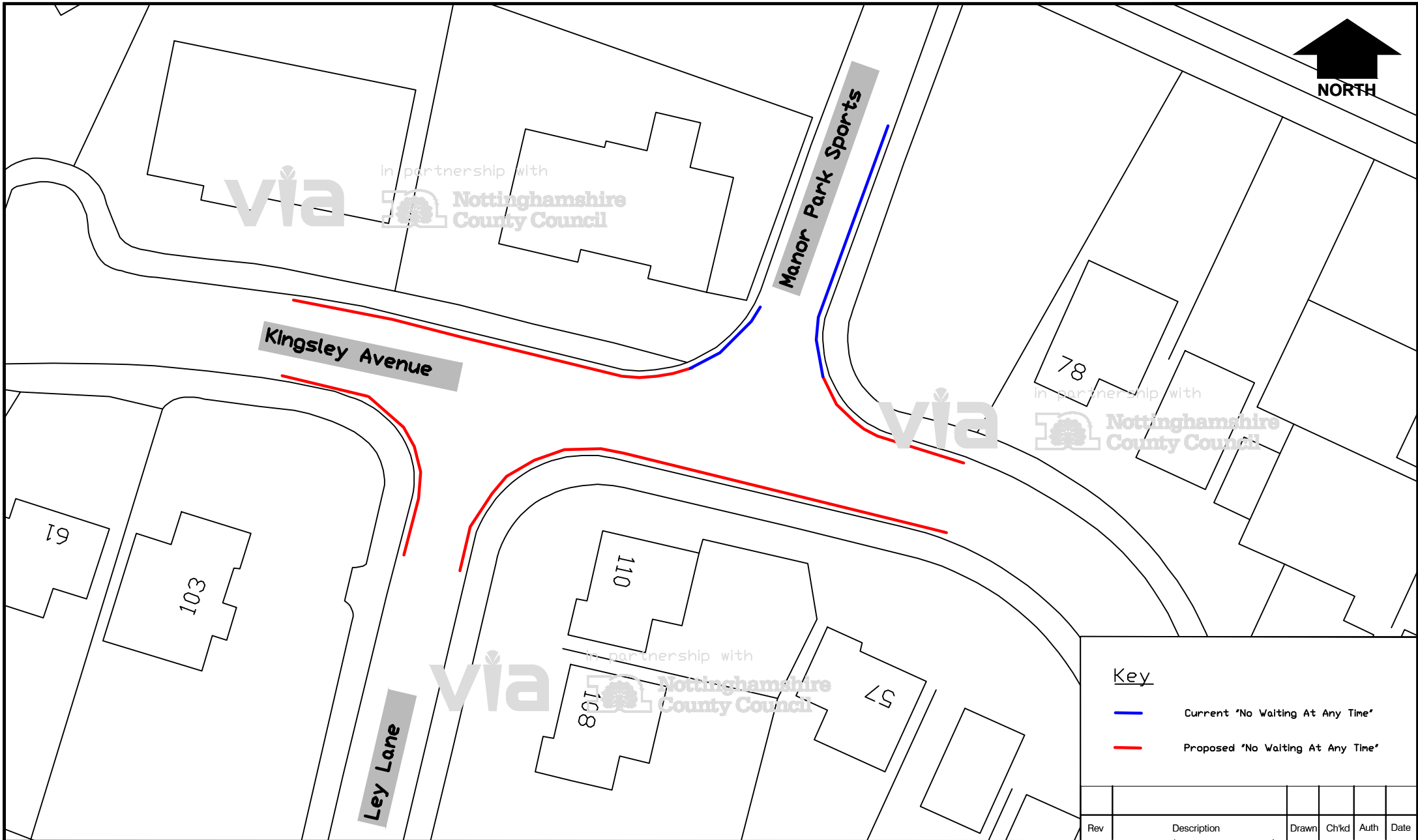
Business Park, Bilthorpe,

Nottinghamshire NG22 8ST

Project	Mansfield Combined TRDs				
Status	Page 22 of 626				
Title	Brown Avenue Roundabout Proposed DYL's				
Drawing No.	H/TRD/2613/002				

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Key					
<div><div></div>Current 'No Waiting At Any Time'</div> <div><div></div>Proposed 'No Waiting At Any Time'</div>					
Rev	Description	Drawn	Ch'kd	Auth	Date
		JE			12/17
		SW			12/17
		Auth			Traced
		Rev			Scale

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Project	Mansfield Combined TR0s				
Status	Project No. HW10348				
Title	Kingsley Avenue Proposed DYL's				
Drawing No.	H/TR0/2613/003				



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NORTH

23

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13

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Tennyson Avenue

TENNYSON AV

Crow Hill Lane

in partnership with



Nottinghamshire
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Mansfield Road

Key



Proposed 'No Waiting At Any Time'

Project

Mansfield Combined TRDs

Status

Project No.

HW10348

Title

Crow Hill Lane Proposed DYLS

Drawing No.

H/TRD/2613/004

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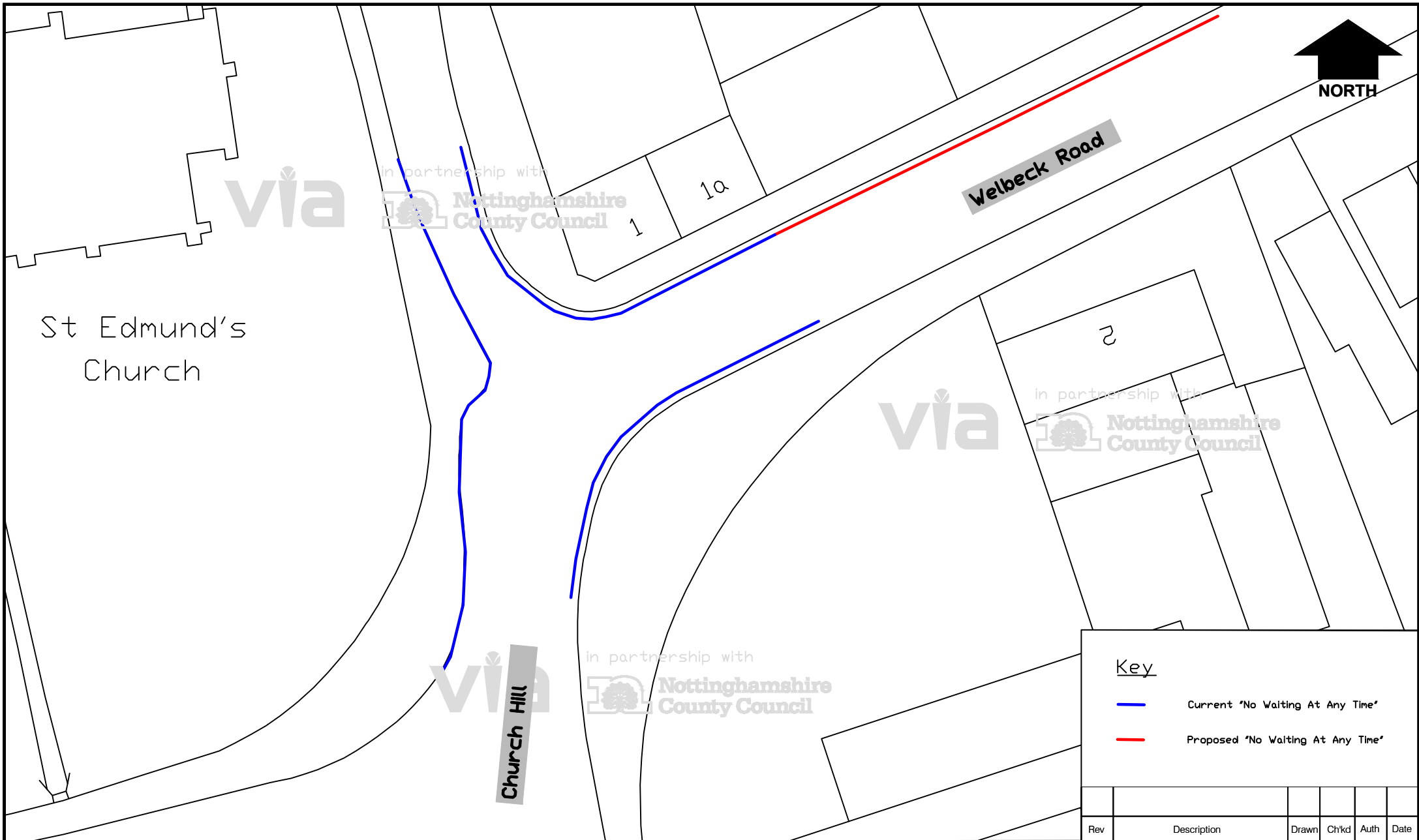
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Project

Mansfield Combined TR0s

Status

Project No.

HW10348

Title

Welbeck Road Proposed DYL's

Drawing No.

H/TR0/2613/005

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Date

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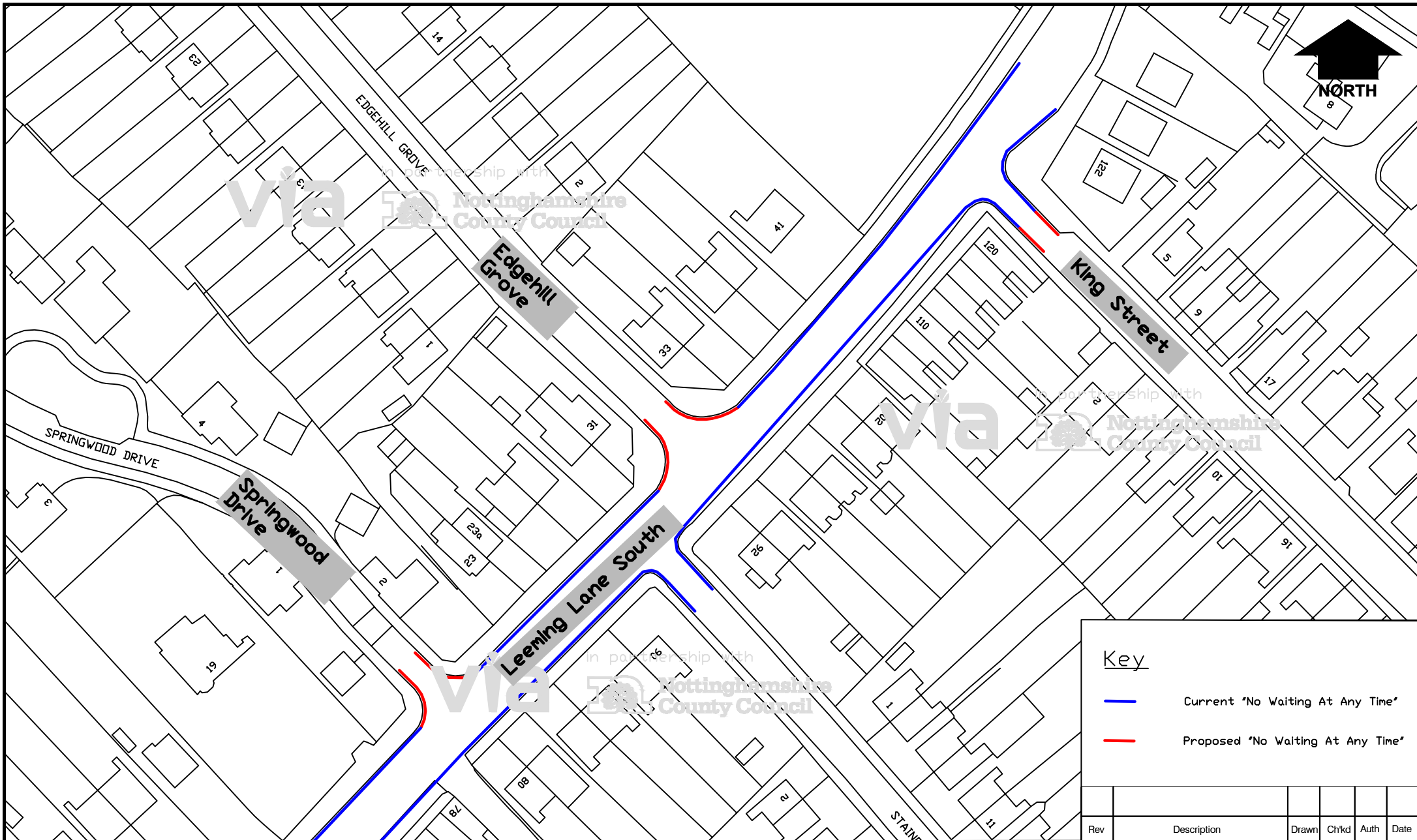
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Key					
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		Proposed 'No Waiting At Any Time'			
Rev	Description	Drawn	Chkd	Auth	Date
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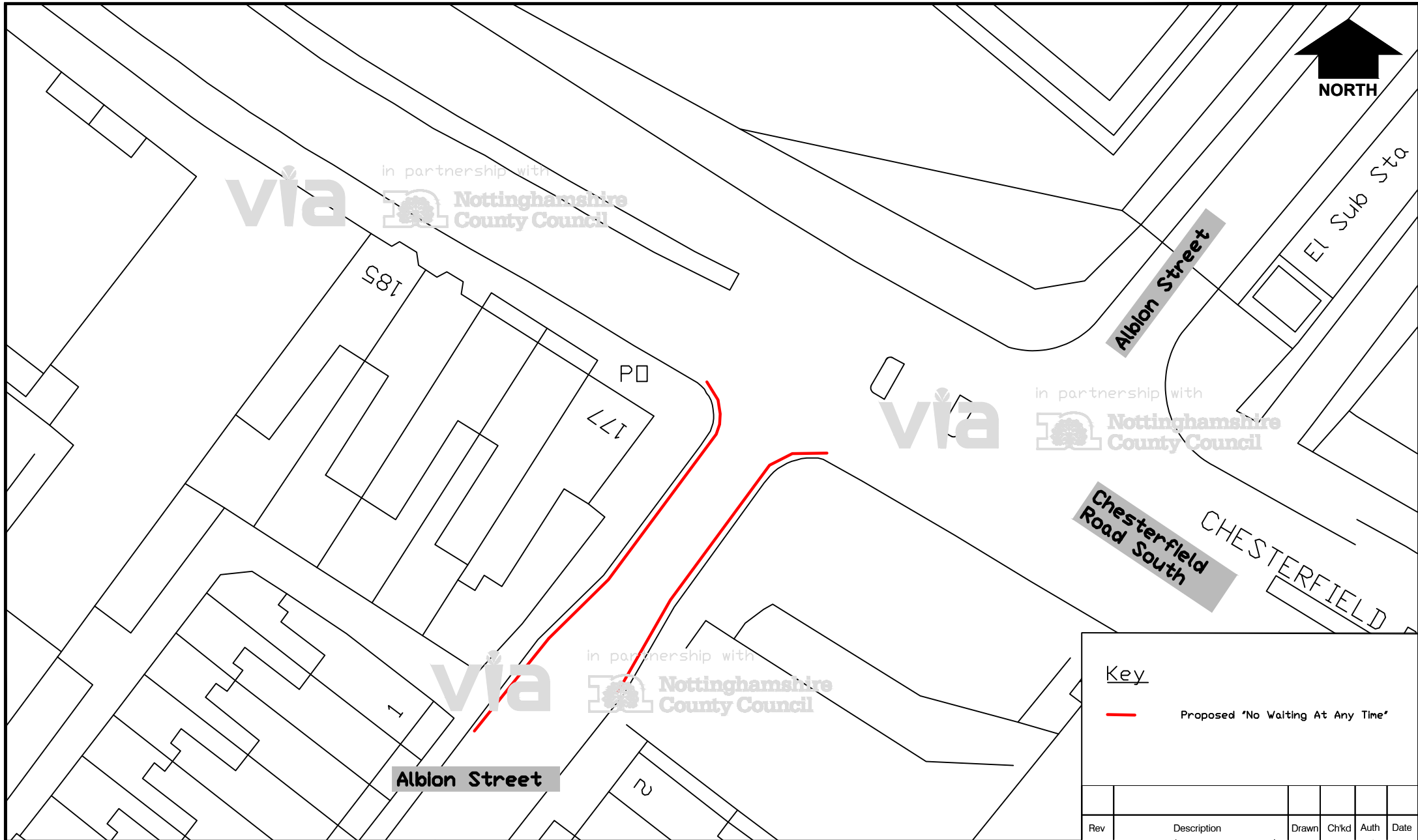
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Project	Mansfield Combined TRDs		Drawn	JE	Date	12/17
Status	Page 26 of 626		Chkd	SW	Date	12/17
Title	Edgehill Grove, King Street & Springwood Drive DYL's		Auth			
Drawing No.	H/TRD/2613/006		Rev			



Key					
<div><div></div>Proposed "No Waiting At Any Time"</div>					
Rev	Description	Drawn	Ch'kd	Auth	Date
		JE			12/17
		SW			12/17
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		Rev			Scale



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Project	Mansfield Combined TRDs				Drawn	JE	Date	12/17
Status	Page 27 of 626				Ch'kd	SW	Date	12/17
Title	Albion Street Proposed DYL's				Auth			
Drawing No.	H/TRD/2613/007				Rev			
Project No. HW10348								

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19 July 2018**Agenda Item: 6****REPORT OF THE CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL (B6031 CARTER LANE,
WARSOP VALE) (40 M.P.H. SPEED LIMIT) ORDER 2018 (2213)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider objections received in respect of the above Traffic Regulation Order and whether it should be made as advertised.

Information

2. Carter Lane is a local distributor road leading from Church Warsop westwards to Warsop Vale and then on to Shirebrook, where it becomes Station Road. The section between Warsop Vale and Longster Lane is currently subject to a 30mph speed limit whilst the section between Longster Lane and Shirebrook is derestricted (60mph). Carter Lane is a B-road (B6031) between Warsop Vale and Longster Lane and is rural in character with no roadside development and few private accesses.
3. Nottinghamshire County Council has received complaints from local residents regarding vehicle speeds in Warsop Vale. It is considered that the current 30mph speed limit on the rural stretch of Carter Lane between Warsop Vale and Longster Lane contributes to non-compliance of the 30mph speed limit within the village.
4. In response the County Council proposed to increase the speed limit on the rural section of Carter Lane between Longster Lane and Warsop Vale to 60mph. The change enables new terminal signs to be installed on the approach to Warsop Vale when travelling towards village helping to reinforce the lower limit within the village and it is considered that this will help achieve compliance through the village.
5. The current 30mph limit on the rural section of Carter Lane does not meet Department for Transport (DfT) guidelines on appropriate speed limits for the type of road. In addition, a review of speed limits was undertaken in 2009/10 along the B6031, the review recommended that the speed limit on this section should be the National limit (60mph) for consistency with adjacent routes. The review did note that the accident rate was low and no changes were predicted to future speeds, accident rate or time taken to negotiate the route. The changes included in the review have not previously featured in any works programme although it is considered that the recommendations are still valid. The changes are proposed as a direct result of complaints concerning speed in the village area.

6. The statutory consultation and public advertisement of the proposed derestriction was carried out between 17th January and 14th February 2018, as detailed on drawing H/JMR/2630/01.
7. A total of 6 responses were received to the consultation during the advertisement period; these consisted of 1 comment and 5 objections to the proposals.
8. Responses to the consultation were reviewed and following consideration an alternative proposal which mitigates several of the objections was developed. The revised proposal will make Carter Lane subject to a 40mph speed limit between Warsop Vale and Longster Lane. Whilst the speed limit review recommended a 60mph limit on this section of road, it is considered that a 40mph limit meets the DfT guidelines and will also act as a buffer to the 30mph limit within the village. As with the previous proposal, will deliver an appropriate gateway effect at the start of the village, serving to reinforce the impact of the 30mph speed limit in force through the built-up area.
9. The revised proposals were publicly advertised between 14th March and 11th April 2018, as detailed on drawing H/JMR/2630/02. A total of 3 responses, including one petition of 15 signatories, were received during this advertisement period. In total, taking account of both rounds of consultation, 4 responses are considered to be outstanding objections to the proposals.

Objections Received

10. Objection - Increase in the speed limit

Two respondents objected to an increase in speed limit on this stretch of Carter Lane, one stating that an increase in speed limit would adversely affect owners and tenants of properties along Carter Lane when accessing their premises. They considered that traffic speeds were already a concern when using private accesses along the route; especially with farm vehicles.

11. One respondent and the petition supported the 40mph proposed limit but objected that this was not being applied to the entire length of Carter Lane from Warsop Vale to Shirebrook and also along Longster Lane and Sookholme Lane, which are currently derestricted (60mph).

12. Response - Increase in the speed limit

Nottinghamshire County Council use a number of factors when determining appropriate speed limits. These are based on current Department for Transport's guidance "Setting Local Speed Limits" and include existing traffic speeds, history of collisions (including frequency, severity, types and causes), road purpose/function, population size, expected vulnerable road users and environmental affect.

13. An assessment of these factors and consideration of the views expressed in the consultation, determines that a speed limit of 40mph is appropriate for this stretch of Carter Lane. The absence of a roadside development, combined with few vehicle accesses and open fields results in a lack of visual reinforcement of the current 30mph limit. Drivers associate lower speed limits on primary roads with adjacent roadside development. This is not the case on Carter Lane and results in reduced driver compliance with the speed limit on this stretch and within the village itself. This section of Carter Lane is street-lit for some of its length, which means that 30mph repeaters cannot be installed to reinforce the current speed limit.
14. Where speed limits are set at an inappropriately low level driver compliance is generally low. It can also lead to an increase in accidents as drivers make unsafe overtaking manoeuvres to pass what they perceive as vehicles driving 'too slowly'. Carter Lane does not align with official guidance for a 30mph speed limit, it is considered that the proposed 40mph limit is

more appropriate for this route and may increase driver compliance with the 30mph limit when entering Warsop Vale.

15. Longster Lane, Sookholme Lane and the remaining stretch of Carter Lane are all currently derestricted roads (60mph speed limit). The DfT assessment criteria suggests that the current speed limit is appropriate for the rural character of these roads. As such there is no plan to amend the speed limit at these locations.

Other Options Considered

16. A number of options were considered before and after consultation. The original option was to derestrict the road (speed limit of 60mph) from its current limit of 30mph. Whilst this limit is in accordance with DfT guidelines and appropriate it was reviewed in response to consultation and further consideration was given to whether the revised limit should be set at 50mph or 40mph. The lower limit of 40mph still meets the DfT guidelines and will also act as a buffer to the 30mph limit within the village. As with the previous proposal this will deliver an appropriate gateway effect at the start of the village, serving to reinforce the impact of the 30mph speed limit in force through the built-up area so it considered appropriate as an alternative to the original proposal.

Comments from Local Members

17. County Councillor Andy Wetton did not comment during the consultation process.

Reasons for Recommendations

18. It is considered that the proposed scheme presents a reasonable balance between the needs of all highway users, including non-drivers; who live in or visit the area.

Crime and Disorder Implications

19. Nottinghamshire Police made no comments on the proposal. No additional crime or disorder implications are envisaged.

Financial Implications

20. This scheme is being funded through the Local Transport Plan ITM budget for 2018/19 with an estimated cost to implement the works and traffic order of £5,000.

Human Rights Implications

21. The implementation of the proposals within this report might be considered to have a minimal impact on human rights (such as the right to respect for private and family life and the right to peaceful enjoyment of property, for example). However, the Authority is entitled to affect these rights where it is in accordance with the law and is both necessary and proportionate to do so, in the interests of public safety, to prevent disorder and crime, to protect health, and to protect the rights and freedoms of others. The proposals within this report are considered to be within the scope of such legitimate aims.

Public Sector Equality Duty implications

22. As part of the process of making decisions and changing policy, the Council has a duty 'to advance equality of opportunity between people who share a protected characteristic and those who do not' by thinking about the need to.

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who don't;
- Foster good relations between people who share protected characteristics and those who don't.

23. Disability is a protected characteristic and the Council therefore has a duty to make reasonable adjustments to proposals to ensure that disabled people are not treated unfairly.

Safeguarding of Children and Adults at Risk Implications

24. The proposals are intended to have a positive impact on all highway users.

Implications for Sustainability and the Environment

25. The proposed waiting restrictions are designed to facilitate the safe operation of junctions and wider highway network for drivers, cyclists and pedestrians. Improving the environment for vulnerable highway users, such as pedestrians and cyclists, may encourage modal shift to sustainable modes of transport.

RECOMMENDATION/S

It is **recommended** that:

- 1) The Nottinghamshire County Council (B6031 Carter Lane, Warsop Vale) (40 mph Speed Limit) Order 2018 (2213) be made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

Mike Barnett - Team Manager (Major Projects and Improvements), Tel: 0115 9773118

Constitutional Comments [SJE – 11/06/2018]

26. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the exercise of the Authority's functions relating to the planning, management and maintenance of highways (including traffic management) has been delegated.

Financial Comments [RWK 07/06/2018]

27. The financial implications are set out in paragraph 20 of the report.

Background Papers

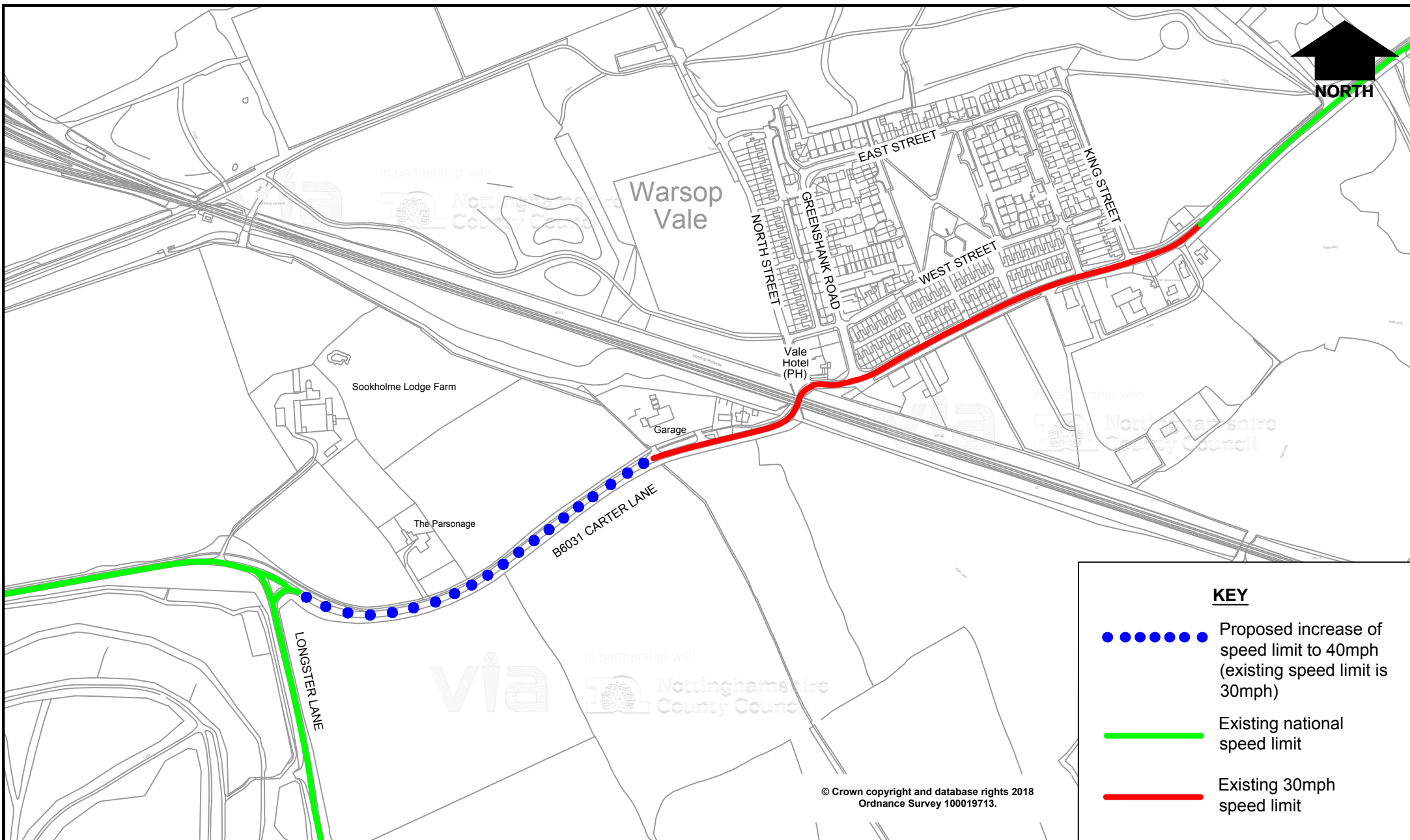
All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

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.

Electoral Division(s) and Member(s) Affected

Warsop ED

Councillor Andy Wetton



in partnership with



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Project

Carter Lane, Warsop Vale

Status
Committee

Project No.
TRO 2213 HW 10242

Title

Proposed 40mph Speed Limit - Revised Proposal

Drawing No.

H/JMR/2630/02

Drawn

JMR

Date

Jun '18

Chkd

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Date

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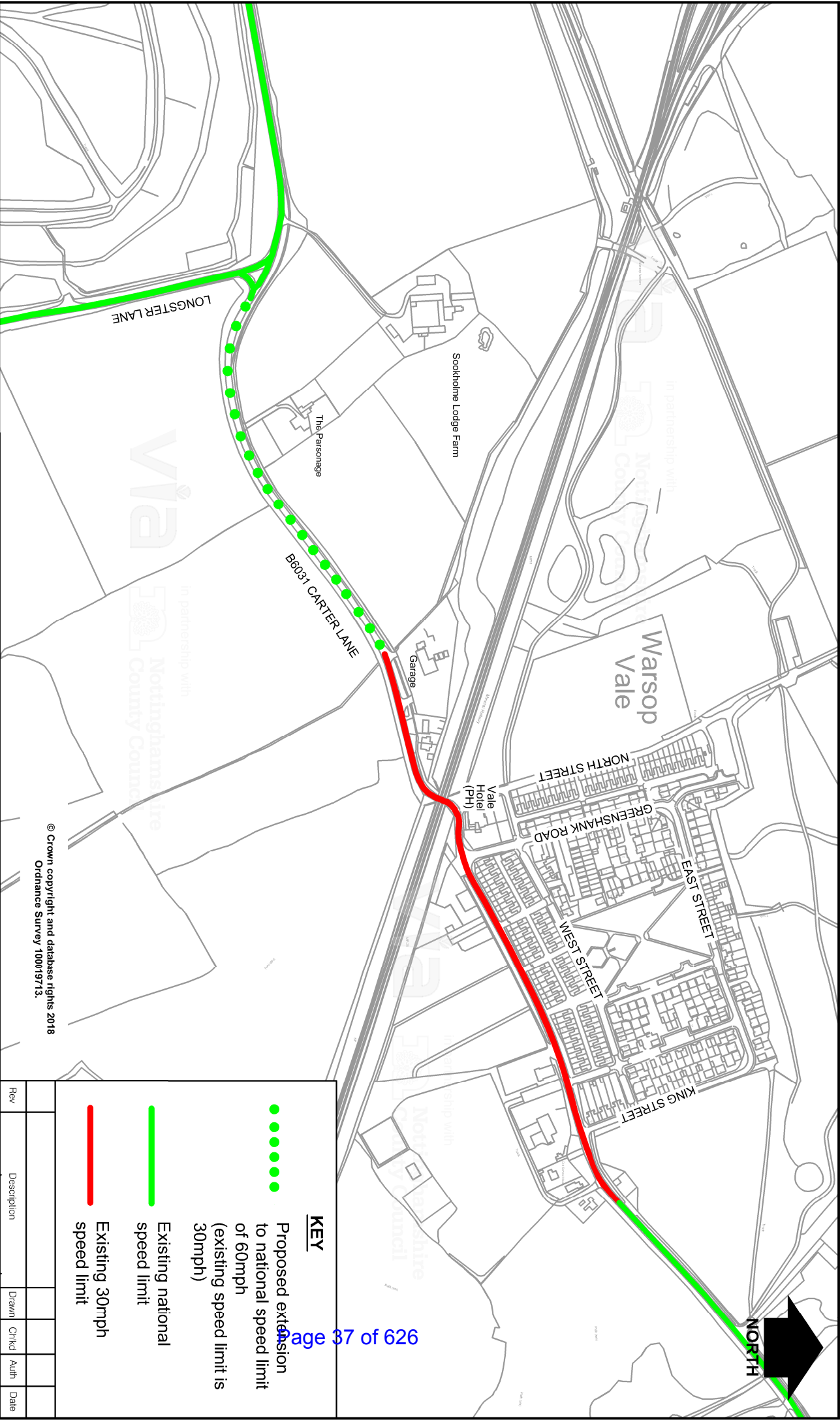
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KEY

Proposed extension
to national speed limit
of 60mph
(existing speed limit is
30mph)

Existing national
speed limit

Existing 30mph
speed limit

Rev	Description	Drawn	Chkd	Auth	Date

Project
Carter Lane, Warsop Vale

Status
Consult
Project No.
TRO 2213 HW 10242

Title
Proposed Extension to National Speed Limit

Drawing No.
H/JMR/2630/01

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19 July 2018

Agenda Item: 7

REPORT OF THE SERVICE DIRECTOR PLACE AND COMMUNITIES

UPDATE ON KEY TRADING STANDARDS AND COMMUNITIES MATTERS

Purpose of the Report

1. To:
 - update the Committee on key Trading Standards and Communities matters;
 - provide the quarterly update on the Commercial Performance of the Service;
 - approve the awarding of funding to two additional applications made under the Local Improvement Scheme;

Information

Trading Standards

Income Progress.

2. As Members will recall, revised targets were set for the Service at the December 2017 Committee. The figures agreed for increases in net income are set out below.

	2017/18	2018/19	2019/20	TOTAL
Reduction in net cost	£66k	£122k	£132k	£320k

3. So far this year, new income secured already stands at £225k which is positive news. Because income streams vary year from year to year, it is expected that £93k of income achieved last year will not occur again this year. In other words, at this stage it is felt that the service will achieve at least the £132k target for this year without winning any further new work.
4. **Illicit Tobacco** - Trading Standards Officers continue to respond to complaints and intelligence received regarding the sale and distribution of illicit tobacco and tobacco related products. Recently in the Stapleford area, Officers seized 5,400 cigarettes and 285g of hand rolling tobacco with a value of £7,200. Prosecutions are now pending against the shop worker, delivery driver and shop leaseholder.

5. Warnings have also been given to two shops in the Newark area, and following interventions, one shop has since closed.
6. **Chartered Trading Standards Institute Symposium** - Between 4th and 6th June, the East Midlands Conference Centre, Nottingham hosted the annual National Chartered Trading Standards Institute (CTSI) Symposium. This is a flagship event in the Trading Standards profession's calendar, and brings together not only those involved in managing and delivering the service but also attracts a host of experts from across the consumer protection spectrum.
7. Sessions run during the 3 days highlighted examples of excellence, innovation and good practice amongst Trading Standards Services nationwide.
8. To celebrate this work, this year the CTSI has produced a guide aimed at decision makers to assist members and senior officers understand the role that their Trading Standards Services play in protecting communities and assisting reputable businesses. A hard copy of this guide is available for Committee members.
9. During the event, the Trading Standards East Midlands (TSEM) Heads of Service held a workshop for members and senior officers. The nature of today's markets mean that unscrupulous traders have a wide impact. The event gave TSEM the opportunity to showcase the benefits and importance of regional collaborative approaches.
10. During this session, the challenges facing services were highlighted and examples of good practice and significant achievements shared. These included examples of work in relation to the Regional Investigations Team, tobacco enforcement and product safety enforcement at East Midlands Airport .
11. **Doorstep Crime** – From 1st October 2017 to 31st March 2018, 52 individuals were provided with support from Trading Standards Officers in relation to doorstep crime. A total of 124 incidents were reported to the Service during this time.
12. An assessment of shows that 1 in 2 victims live alone, with 3 out of 4 being repeat victims. Loneliness is a key factor for many of the victims and Trading Standards Officers have visited each victim and been able to gain support from other agencies.
13. Recent examples include:
 - A 92 year old lost thousands of pounds to a doorstep crime incident. He was visited by staff, and was found to be increasingly lonely and isolated. Officers identified this as an important factor in the case, so referred him to a befriending scheme, a local luncheon club, and made referrals to other agencies. This showed how important it is to combat the feelings of loneliness and isolation to make it less likely older adults fall victim.
 - Officers have also been assisting an elderly consumer and his family, who, despite dementia, has been able to continue to live independently. This consumer was recently visited by rogue roofers asking for money. Fortunately and the consumer was able to inform his family that he had received further unannounced visits and measures could be put in place to protect him.
14. **Legal Update - Doorstep Crime** – In May 2017, an individual appeared in the Mansfield Magistrates court charged with offences of fraud to the value of £26,400. There was initially one victim in this case, who the Authority alleged had been defrauded by representations that she needed certain work carrying out on her property. The defendant pleaded not guilty, and the case was listed for trial on the 2nd January 2018, due to some technical issues with the courts the matter had been put back until the 25th June 2018. Since this time a further matter has arisen against the

defendant, who now faces a further charge along with a co-accused. The trial has now moved to 10 December 2018.

15. **Justin Marriott** – Marriott appeared in the Crown Court on the 18th January, charged with the possession of counterfeit electrical items and clothing. He pleaded guilty to the charges, and was sentenced to 7 months in prison suspended for 2 years, with 150 hours unpaid work. A proceeds of crime investigation is continuing.
16. **Unsafe cigarettes** – A trial was listed in the Nottingham Crown Court on the 5th March for 3 defendants who have been charged with offences of supplying counterfeit and dangerous cigarettes from the shop in Beeston. Due to lack of court time, the trial has been put back until August 2018.
17. **Alleged fake jewellery sellers** – two online sellers are due in the Nottingham Crown Court on 8th June 2018. They are charged with offences of selling mis described platinum and diamond rings and ear rings. This is the first hearing in the Crown Court, and a plea is yet to be entered.
18. **Doorstep Crime** – a further defendant is in court for offences in respect of targeting the elderly for work that is poor, and in some cases, unnecessary. This matter is listed for an initial hearing in the Nottingham Crown Court on the 19th June 2018, at which time the defendant will enter a plea.

Communities

19. **Establishment of the new function** – Following Committee approval on 8th March 2018, the Council's new Communities function was established on 1st April 2018. The new function sits with the Trading Standards and Communities Service within the Communities and Place Division of the Place Department.
20. This new function integrates the Authority's community and voluntary sector function with the community safety function. This will improve effectiveness and efficiency through forging closer working relationships, and by increasing support to communities to be more resilient, through encouraging active community support, volunteering, and focusing on delivering specific outcomes.
21. A strategy and framework to support these ambitions is currently being developed, and will be brought to this Committee for approval later on this year.
22. The Team is providing a specialist resource to support the delivery of the Council's Local Improvement Scheme, and it's lead responsibility for the co-ordination of the Safer Nottinghamshire Board. Additionally, it also creates a pool of flexible general resource to deliver the outcomes required by the Council for supporting Nottinghamshire residents.
23. **Local Improvement Scheme** - Following Committee approval on 17th May 2018 to fund 201 projects across the county, all 408 groups who made applications have now been communicated with to inform them of the decision, advise them of the next steps, and offering further support where appropriate.
24. During this process, it has transpired that two organisations had submitted applications on the closing date for applications that were not considered during the main assessment process. These applications have now been considered in line with the Council's rigorous assessment process.
25. The applications outlined below are recommended for approval by this Committee, subject to providing the relevant additional information / assurances required, as they clearly demonstrate contributions to delivering on the LIS funding priorities.

26. These applications are:

- Misterton Parish Council: recommended £10,000 in capital funding for 2018/19, to resurface the sports field car park to make the facility more accessible to the local community and visitors to Misterton.
- Nottingham Community Transport: recommended £16,000 in revenue funding per year, 2018 to 2021, as a contribution towards the running costs of a community transport service to provide accessible transport links in Radcliffe, Bingham and Cotgrave. The service aims to reduce social isolation and loneliness for those who find it difficult to access other transport services and would provide a service to local community and voluntary groups in the evenings and at weekends.

27. **Modern Slavery** - The County Council has a key role to play in tackling modern slavery, including identifying and supporting victims and working in partnership locally. In partnership with the University of Nottingham's Impact Leaders' Initiative on Modern Slavery in the Direct Payment Supply Chain, the Communities Team are co-ordinating two workshops in the coming months to discuss the procurement work being explored through this programme.

28. From these workshops, it is intended that a template of activities in relation to reducing the risk of modern slavery in the direct payment supply chain will be developed. This will be significant in being able to influence our commissioning processes accordingly.

29. **NottsWatch** - The team are working in partnership with NottsWatch to develop a fit for purpose approach to helping communities to be more resilient and encourage greater neighbourhood connections. One example would be by adopting a community organising approach to supporting good neighbourhood schemes.

30. **Age Friendly Nottinghamshire** - the pilot 'Take a Seat Campaign' was successfully launched in Mansfield and Beeston this spring. The campaign aims to encourage local retailers to provide a seat in their shops for older people to take a rest so encouraging older to venture out so reducing isolation and loneliness. Over 100 businesses have signed up to the campaign to date.

31. **The Great War – One Hundred Year Commemorations 2018** - The Team are involved in the planning of a wide variety of activities that support legacy projects to ensure that local landmarks and events are recorded and highlighted for future generations. The aim is to bring the Past, Present and Future to life by encouraging ceremonial events, cultural experiences and educational activities.

32. The programme starts at County Hall on Monday 25th June, with the combined Armed Forces Day Flag Raising outdoor event, and the launch of the Victoria Cross recipient display in the Assembly Hall. In honour of the RAF100, Air Force Cadets will lead the flag raising event. Living descendants of the six Victoria Cross recipients have been invited to attend the launch to tell their story and bring along family ephemerae. The display will travel the county visiting 7 local libraries, Rufford Abbey Country Park, Southwell Minster and the Royal Concert Hall).

33. Two events have been planned at Rufford Abbey Country Park.

- Wednesday 11th July 2018 sees 18 local museums, history societies and historical groups set up a pop up museum to tell the rich history of Nottinghamshire life during the Great War. Exhibits will include: Newark Mayoresses, Chilwell canaries, home front, fashion and textiles, shops and rationing, school life, genealogy, Nottinghamshire mines and mining, stretchers, trolleys and blood, artefacts relating to the horse in WW1, contemporary handcars, and fighting fires.

- The second event is planned for Friday 17th August 2018. This will be a family picnic style outdoor screening of Steven Spielberg's film adaptation of Michael Morpurgo's novel 'War Horse'. There will be 650 free tickets available, bookable through Eventbrite.

34. RAF Syerston will host RAF100 AeroSpace Camp, Monday 20th to Friday 24th August 2018, predominantly for Air Cadets across the Country. Special permission has been sought and granted so that Nottinghamshire schools and youth clubs can attend this event. Young people can expect to be involved in a wide variety of activities that fit in with the Science, Technology, Engineering and Maths (STEM) agenda.

35. The Aviation Skills Partnership will run an aviation masterclass, and there will be a chance to interact with various technology platforms. SERCO, an RAF partner, will run a session working in a hangar. Also included is a chance to build a glider and fly a simulator. Other planned events are:

- 3rd October 2018: Sgt William Johnson VC 100TH Commemoration event, Worksop
- 4th November 2018: Britten's War Requiem Concert, Royal Concert Hall
- 6th November 2018: County Commemoration Service and Armed Forces Covenant Signing, Southwell Minster
- 8th November 2018: Commemorative football matches, City Ground and Meadow Lane
- 11th November: Beacons of Light, County Hall

Other Options Considered

36. **Local Improvement Scheme** – consideration was given to not considering the two bids, which is deemed to be unfair as the bids were submitted before the deadline but were not received due to technical issues.

Reason/s for Recommendation/s

37. **Local Improvement Scheme** – the two bids are recommended for funding as they scored highly when using the agreed scoring criteria.

Statutory and Policy Implications

38. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance 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, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

39. The Service makes significant contributions to reducing crime and disorder as outlined in the information provided in the body.

Financial Implications

40. **Local Improvement Scheme** – on the 17th May 2018, this Committee approved applications to the Local Improvement Scheme totalling £2,244,246, against the total revenue and budget allocations of £2,190,482 in the Committee's capital and revenue budget. If the Committee approves the two

applications recommend in this report, the maximum total committed would rise to £2,270,246. It is not anticipated that actual expenditure incurred will exceed the total budget available.

Human Resources Implications

41. None.

RECOMMENDATION/S

That the Committee:

- 1) Ratifies the updates given regarding key Trading Standards and Community safety matters;
- 2) Ratifies the update given regarding the progress of raising additional income in the Service; and
- 3) Approves the proposals to award Local Improvement Scheme funding of £10k Capital Funding to Misterton Parish Council for 2018/19, and £16k p.a. Revenue Funding per year, 2018/19 to 2020/21, to Nottingham Community Transport.

Derek Highton
Service Director, Place and Communities

For any enquiries about this report please contact: Mark Walker, Group Manager Trading Standards & Communities x 72173

Constitutional Comments [SLB 11/06/2018]

42. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 11/06/2018]

43. The financial implications are set in paragraph 40 of the report.

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- All

19 July 2018

Agenda Item: 8

REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES**FEASIBILITY OF REOPENING THE FORMER SUTTON IN ASHFIELD
RECYCLING CENTRE****Purpose of the Report**

1. To advise Members of the outcome of an assessment of the feasibility of reopening the former Sutton-in-Ashfield Recycling Centre and recommend that the site should not be reopened and that alternative locations be considered for additional Recycling Centre provision to serve the wider Ashfield and Mansfield area.

InformationBackground

2. We want to improve recycling across Nottinghamshire, we have therefore looked into the possibility to reopen the former Sutton Household Waste Recycling Centre (HWRC) which was located on part of the former Sutton Landfill Site on the outskirts of Sutton-in-Ashfield and Huthwaite.
3. Sutton HWRC was closed in August 2010 following the closure of the landfill site as planning policies would not permit the retention of a stand-alone HWRC facility beyond the operational life of the landfill site.

Site Status

4. The HWRC site was located at the entrance to the former landfill and accessed by a private road off Huthwaite Road. The site developed historically as part of the landfill operation and did not have planning permission in its own right. The site therefore no longer has planning permission to be used as an HWRC facility and the Environmental Permit has been surrendered.
5. Both the former landfill site and HWRC site are owned by Nottinghamshire County Council and leased to FCC Environmental, which operated the landfill site and is responsible for its ongoing restoration and aftercare. The former landfill area, which surrounds the HWRC compound, is being restored to a mixture of woodland and grassland with public access in accordance with planning permission reference 4/98/0324. The landfill restoration scheme, however, excludes the HWRC compound.

The compound which housed the HWRC site has been cleared of all operational equipment but the concrete hardstanding and security fencing remain in situ.

Feasibility of Reopening the Site

6. The feasibility of reopening this site has been considered in terms of the current regulatory position, the physical condition of the site, operational and service requirements and financial considerations.

Regulatory Position

7. The Sutton HWRC site was developed as part of the landfill site and opened in 1982. As such, it did not have planning permission in its own right and its construction pre-dates more recent planning and environmental controls. This means that the site could not simply be brought back into use by the County Council. From a regulatory perspective reopening the HWRC facility would have to be treated in the same way as opening a new site and would require obtaining both planning permission from the Waste Planning Authority (NCC) and a new environmental permit from the Environment Agency. Highways colleagues have confirmed that any proposal to reopen the site would also need to be accompanied by a detailed site specific transport assessment as part of any planning application.
8. Without the previous land-use justification provided by the landfill site with which it was associated, it may now be more difficult to obtain planning permission for a stand-alone recycling facility at this location. Relevant national and local planning policies identify either existing or proposed industrial areas as the most suitable locations for this type of facility. In some cases development may also be acceptable on previously developed (i.e. brownfield) land subject to the level of environmental impact.
9. As the site is not allocated for development within either the saved Ashfield Local Plan (2002) or Ashfield's emerging replacement Local Plan (2017) it would not satisfy current planning policies. It is surrounded on three sides by designated protected public open space (the landfill area which is currently being restored) and by agricultural land. Although it may be possible to argue that the site could be considered as previously developed land, the planning situation is somewhat uncertain given the ongoing restoration of the surrounding landfill area. Planning colleagues have also confirmed that the site would not benefit from any established rights of 'existing lawful use' as the site has been closed since 2010.
10. At the time of writing, it is understood that FCC are preparing a planning application to vary parts of the existing restoration scheme and that this may provide an opportunity to regularise the current lack of restoration conditions on the former HWRC site. From a planning perspective there may be a preference to seek to incorporate the unrestored HWRC compound into a comprehensive restoration scheme to tie in with the previously restored areas and the County Council's wider aspirations for Rookery Park as a public open space. This could be achieved fairly simply by removing the existing security fencing, perforating the hardstanding and spreading suitable soils.
11. As the construction of the HWRC site pre-dates modern pollution controls, it is unlikely to obtain an Environmental Permit from the Environment Agency without considerable upgrading. The site is constructed over land that was previously used for waste disposal and overlies the principal Sherwood Sandstone Aquifer. The site would not therefore meet current [Page 6 of 626](#) groundwater protection requirements.

Re-engineering the site would require removing the existing hardstanding and disturbing the landfill cap and buried waste underneath which may cause associated problems with leachate and landfill gas emissions. Without further site investigation (i.e. borehole drilling) it is not certain exactly what materials lie beneath the HWRC site. Detailed advice has been sought from the Environment Agency as to the likelihood of obtaining a permit subject to upgrading the site, but this has not been received at the time of writing.

Physical Condition

12. As the site is of an older design it is physically much smaller than a modern HWRC site and would not be able to accommodate the same number and type of recycling containers as provided on other sites. Stricter health and safety requirements in terms of accessing the recycling containers would also necessitate a larger site area in order to provide segregated access for HGV vehicles servicing the site and avoid conflict with pedestrians.
13. Constructing a new purpose built site to modern standards would therefore require additional land-take from within the area due to be restored. For planning purposes, any proposals to develop land that is already subject to existing restoration conditions would have to be considered as if developing a Greenfield site and any expansion of the site is therefore unlikely to be supported.
14. As the site is constructed on 'made-up' ground it suffers from ongoing stability problems with repeated cracking of the concrete surface due to the settlement of the landfill underneath. There are therefore likely to be ongoing maintenance issues associated with this site.
15. Veolia, the County Council's waste management contractor, has advised that to remove the existing hardstanding, install appropriate drainage, enlarge the site to meet current layout standards, install ramps, CCTV and additional security fencing would cost an estimated £750,000 plus an additional minimum cost of £125,000 for containers, signage, quarantine area, site office etc.

Operational/Service Requirements

16. Sutton HWRC was originally developed in 1982 as a 'Civic Amenity' site where residents could dispose of their waste at a time when very little recycling and composting was carried out. As such there was little emphasis on segregating and recycling the deposited waste and proximity to landfill was of primary importance to reduce onward transport costs. As this pre-dated more recent measures such as the landfill tax, it was a relatively cheap form of waste disposal at the time. The size and location of the Sutton HWRC site was therefore opportunistic rather than forming part of a comprehensively planned network of facilities to meet operational needs. The site's previous benefits in terms of location and affordability therefore no longer exist.
17. A review of the Council's HWRC facilities in 2007 showed that the catchment area for Sutton overlapped significantly with other existing HWRC facilities at Mansfield and Kirkby. The site also received a high proportion of waste from non-Nottinghamshire residents due to its location close to the Nottinghamshire/ Derbyshire border. Therefore in addition to the planning imperative to close the Sutton site, there was a strong business case to close this site as part of the wider efficiency savings.

18. In terms of current operational/service requirements, all of the County Council's twelve existing recycling facilities have been replaced or upgraded as part of the long term PFI contract. These provide a comprehensive and financially sustainable network of modern recycling facilities which are able to take a wider range of materials and recycle 80% of the waste received on average. In order to accommodate planned future growth the County Council's recently updated Planning Contributions Strategy (due to be considered in July 2018) seeks contributions from residential development over 200 dwellings to support the provision of additional recycling capacity where required.
19. The Local Plans being brought forward by the Nottinghamshire District and Borough Councils identify significant future housing development with approximately 64,000 new dwellings proposed across Nottinghamshire over the next 15 years. This will create an estimated 38,000 tonnes of additional household waste. The largest number of new houses are proposed within Rushcliffe and Newark and Sherwood with progressively smaller numbers proposed in the Mansfield/Ashfield area, Gedling, Bassetlaw and Broxtowe.
20. Newark already has a purpose built new site which is designed and located to accommodate anticipated growth in this area and an additional facility is planned for Rushcliffe as part of the Council's 2018/19 budget. Approximately 15,000 new homes are proposed across the Mansfield/Ashfield area and a need to provide additional recycling capacity for this wider area has already been identified. The majority of this new housing development will be focussed on the eastern fringes of Sutton and Kirkby towards Mansfield and within the main Mansfield urban area. In this respect, re-opening the former Sutton site would provide little operational benefit, particularly in light of the significant costs and prospective risks associated with redeveloping this site.
21. Given the level of overall growth proposed across Mansfield/Ashfield and the ability to seek financial contributions from larger housing developments, this may provide an opportunity to consider a larger, purpose built site to serve Mansfield, Kirkby and Sutton in preference to redeveloping the former Sutton site.

Financial Considerations

22. As noted above Veolia have identified that the minimum engineering costs associated with reopening the site are £750,000 plus £125,000 of containers/site infrastructure and could be substantially more depending on any works required by the Environment Agency assuming a permit could be obtained. There would also be additional costs associated with on-site machinery. These costs would be in addition to any planning and environmental permit application fees and the cost of any ground investigation works required.
23. Annual operating and waste disposal costs are estimated to be around £500,000, taking into account likely additional waste generation as a result of providing a new site. This would also undermine the savings and improvements to householder behaviour made through the Ashfield green waste incentive scheme introduced in April 2016.
24. The site is located close to the Derbyshire border in an area where Derbyshire County Council do not provide convenient facilities. This could potentially increase disposal costs although it is acknowledged that the County-wide Recycling Centre

registration scheme that has been implemented should help effectively manage cross border issues, if appropriately monitored and enforced.

Conclusions

25. The planning status of the former HWRC site is uncertain as it not allocated for waste related development and lies within an area that is currently being restored. This will leave a somewhat incongruous tarmac/concrete and fenced area within a wider area of protected public open space. The likelihood of obtaining planning permission to re-open the site is therefore very uncertain. Groundwater and other environmental considerations also mean that it is unclear whether the Environment Agency would grant an Environmental Permit for an HWRC facility at this location.
26. The site would require considerable physical upgrading to meet current operating standards as it is no longer fit for purpose. This would require significant capital investment alongside ongoing annual operating costs. If left unrestored, it is anticipated that the site would remain an ongoing security and maintenance liability to the County Council, particularly in light of current fly-tipping issues.
27. If additional funding to improve Recycling Centre provision were available this could be invested more beneficially in a more centrally located site to meet future growth needs.

Other Options Considered

28. To try and reopen the Sutton Recycling Centre regardless of the planning, permitting and cost implications.

Reasons for Recommendations

29. It is not recommended that Sutton Recycling Centre be reopened on the basis of the associated financial implications, the uncertainty around planning permission and the operational restrictions of the site.

Statutory and Policy Implications

30. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment 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

31. None if recommendation not to reopen the site approved.

Recommendation/s

That Committee:

- 1) Having considered this report, do not agree to the reopening of the Sutton Recycling Centre site;
- 2) That alternative locations be considered for additional Recycling Centre provision to serve the wider Ashfield and Mansfield area.

Derek Higton
Service Director, Place and Communities

For any enquiries about this report please contact: Mick Allen, Group Manager,
Place and Commissioning – Tel: 0115 9774684

Constitutional Comments []

32.

Financial Comments [RWK 11/06/2018]

33. The financial implications are set out in paragraphs 22 to 24 of the 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.

Electoral Divisions

All

19 July 2018**Agenda Item: 9****REPORT OF THE CORPORATE DIRECTOR, PLACE****REVISED HIGHWAYS CODE OF PRACTICE****Purpose of the Report**

1. To consider an integrated, risk-based approach to highway asset management, in line with the Well Managed Highway Infrastructure publication and recommend the adoption of a revised Highway Infrastructure Asset Management Plan Highway Inspection and Risk Manual, along with a new document the Highway Infrastructure Maintenance Plan.

Information

2. The publication of 'Well-Managed Highway Infrastructure: A Code of Practice' (WMHI), has given the County Council the opportunity to review its highway policy documents. The code applies to the whole of the United Kingdom and is designed to promote the adoption of an integrated asset management approach to highway infrastructure, based on the establishment of local levels of service through risk-based assessment.
3. A risk based approach to managing the highway assets in Nottinghamshire allows the Authority to reconsider how the risks associated with the management of a large and varied dynamic highway network are managed. In line with the Place Departmental Strategy, it is important that Nottinghamshire maintains its highway network in a condition which is safe, resilient and free-flowing for all road users and that Nottinghamshire remains a well-connected place to live, work and visit.
4. The main change to managing how Nottinghamshire roads are considered for maintenance, is to have a road hierarchy based on usage; vehicle and pedestrian flow, accidents, schools, hospitals and accidents on that road, rather than on road classification; A, B, C or unclassified.
5. The development of the Highway Infrastructure Maintenance Plan (see **Appendix 1**) for Nottinghamshire has allowed the Authority to incorporate and engage with the 36 recommendations contained in the WMHI, and also to undertake a review of the policies, strategies and plans associated with the service. This will allow the guidance contained in the new code to be implemented, considering local needs, priorities and cost of the service.
6. The Authority has also increased the visibility of its capital maintenance programme by publishing a interactive map which allows the public to view locations of proposed works in their vicinity or on they routes travel. This interactive map can be found by at internet address below.

<http://www.improvingyourroads.co.uk/>

7. The Highway Infrastructure Maintenance Plan document outlines Nottinghamshire's approach to the adoption of risk-based principles in accordance with the national guidance contained in the WMHI, and acts as a reference between the Code of Practice and the County Councils existing highway documentation;
- Highway Network Management Plan (HNMP)
 - Highway Infrastructure Asset Management Plan (HIAMP)
 - Highway Inspection & Risk Manual (HIRM)
8. The WMHI provides guidance to enable local authorities to develop their own levels of service in accordance with risk, local needs, priorities and affordability. Zurich, the Authority's insurance provider, endorses a risk based approach to managing highways, and refers specifically to the merits of the WMHI Code of Practice in it's Fluidbook training resource.
9. In considering changes to existing policies the County Council, has reviewed the approaches of other Highway Authorities and engaged with the Midlands Service Improvement Group to gather a wide collection of experience and approaches.

Highway Inspection and Risk Manual

10. The Highway Inspection and Risk Manual (HIRM) provides guidance to highway inspectors and others, when carrying out highway inspections. The main changes from the previous version are as follows:
- A complete review of the Highway Inspection Manual since it was last updated in 2014 and throughout the document, a revision of the risk management aspects associated with the highway, in accordance with the recommendations of the WMHI.
 - Consider the implications of the WMHI and amend the HIRM to reflect these:
 - ♦ Includes an explanation of how a clear line of sight exists between the HIRM and Local policies such as NCC's Strategy Plan, Service Plan, the Local Transport Plan, and the Highway Network Management Plan plus the Well-Managed Highway Infrastructure: A Code of Practice document.
 - ♦ A detailed explanation of the Highway Inspection regime and the types of inspection undertaken.
 - ♦ The Network Hierarchy and Inventory sections have been amended in line with the proposals contained in the Highway Infrastructure Asset Management Plan (HIAMP).
 - ♦ Inspection tolerances have been included for both Safety and Service inspections.
 - ♦ Risk management, defect risk assessment and the defect category elements **have been rewritten in line with the WMHI. However the investigatory levels** remains the same and response time have been amended to allow the incorporation of an additional Defect Category – Emergency (2 hour response).
 - ♦ New sections detailing the expected outcome of an inspection, along with the provision of audit inspections and a review of highway inspector competency requirements, with a defined minimal training requirements.

It is intended that this HIRM is adopted from 1 October 2018, following a period of training for highway inspectors. The HIRM is included at **Appendix 2**.

Highway Infrastructure Asset Management Plan

11. The Highway Infrastructure Asset Management Plan identifies the County Council's approach to the maintenance of its highway assets. The main changes from the previous version are as follows:

- A complete review of the HIAMP since it was written in 2015 to bring it in line with changes in Asset Management both nationally and locally.
- Consider the implications of the WMHI and amend the HIAMP to reflect these:
 - ♦ Includes an explanation of how a clear line of site exists between the HIAMP and Local policies such as NCC's Strategy Plan, Service Plan, the Local Transport Plan, and the Highway Network Management Plan plus the Well-Managed Highway Infrastructure: A Code of Practice document.
 - ♦ Update financial figures and include references to increased highway maintenance funding in Nottinghamshire.
 - ♦ The revised Network Hierarchy which is based on usage rather than road classification is set out in detail (in accordance with Risk evaluation detailed in the WMHI).
 - ♦ Expansion of the sections on Whole Life Costing, Life Cycle Planning and future programming for the main highway assets.
 - ♦ Enhanced level of detail explaining Asset Management Plans for the main highway assets and the highway maintenance strategy and treatments.

It is intended that the HIAMP is adopted from 1 October 2018. The HIAMP is included at **Appendix 3**.

Incentive Fund

12. The Incentive Fund is additional money awarded by the DfT to Authorities who adhere to a good practice approach to highway maintenance. Nottinghamshire County Council submitted evidence to the DfT in February 2018 to be rated at the highest ranking of Band 3. One of the requirements of achieving a Band 3 rating is for the authority to undertake life cycle planning as part of its highway infrastructure asset management, and the adoption of the proposed suite of documents will significantly assist this process. The monetary value associated with achieving Band 3 is detailed below;

	£000k					
Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Block Allocation*	£14,921	£13,679	£13,265	£12,006	£12,006	£12,006
Band 1*	N/A	£745	£745	£750	£250	£0
Band 2*	N/A	£828	£1,118	£1,750	£1,250	£750
Band 3*	N/A	£828	£1,242	£2,501	£2,501	£2,501

(* Allocation values from DfT.'s initial consultation)

Other Options Considered

13. The other option considered is not to adopt the nationally recommended guidance and continue with the policy documents and guidance currently used by Nottinghamshire County Council for highway maintenance. This would result in the County Council potentially losing government funding and having policies which would weaken our defences in public liability claims.

Reason/s for Recommendation/s

14. Local authorities across the country are being encouraged to adopt a risk based approach to asset management, and the monetary reward for engaging in this process is significant.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment 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

16. Life cycle planning is one of the requirements of reaching the highest band in the DfT Incentive Fund. Adopting this practice over the time frame 2018/19 – 2020/21 equates to an additional £3.753m being awarded to the authority (moving from Band 2 to Band 3).
17. As Zurich is also advocating the merits of Well Managed Highway Infrastructure, it is anticipated that adherence to the Code of Practice will positively affect the insurance premium.

Implications for Service Users

18. Service users will receive a safer highway network through a risk based approach to maintenance, based on the latest national guidance.

RECOMMENDATION

That Committee approve:

- 1) The adoption of a revised Highway Infrastructure Asset Management Plan and Highway Inspection and Risk Manual along with a new document the Highway Infrastructure Maintenance Plan, with these documents to be adopted by NCC from 1 October 2018.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Gary Wood, Group Manager, Highways & Transport, Tel: 0115 9774270

Constitutional Comments [SLB 13/06/2018]

19. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 07/06/2018]

19. The financial implications are set out in paragraphs 15 and 16 of the report.

HR Comments [JP 13/06/2018]

20. There are no specific HR implications to note.

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.

- Highway Infrastructure Maintenance Plan(2018)
- Highway Infrastructure Asset Management Plan (2018)
- Highway Inspection & Risk Manual (2018)

Previous Versions

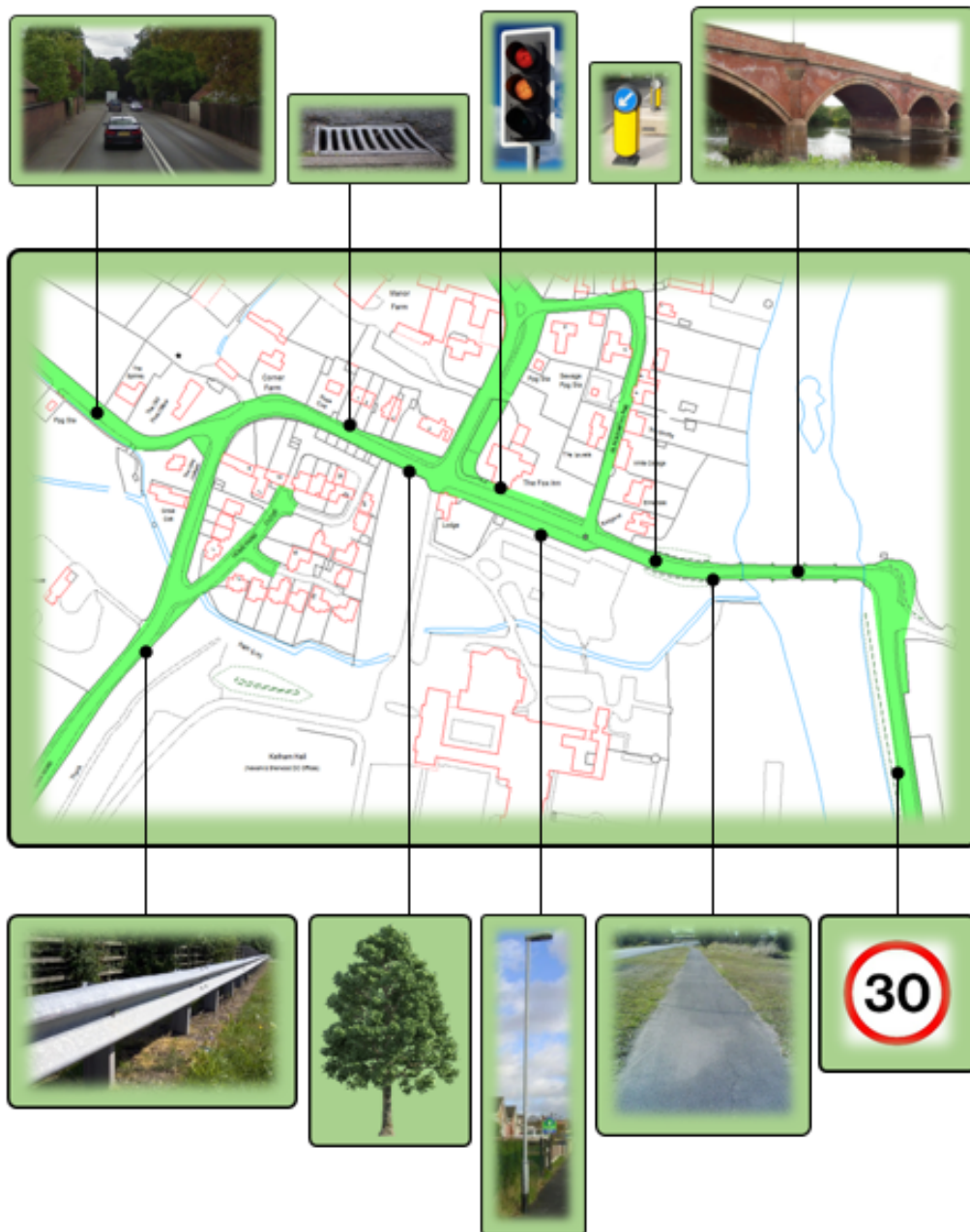
Highway Infrastructure Asset Management Plan (2015)

Highway Inspection Manual (2014)

Electoral Division(s) and Member(s) Affected

- 'All'

HIGHWAY INFRASTRUCTURE MAINTENANCE PLAN



July 2018

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Executive summary

The 'Well-Managed Highway Infrastructure: A Code of Practice' (WMHI) was published on 28th October 2016. It is designed to promote the adoption of an integrated asset management approach to highway infrastructure, linked to its 36 recommendations, based on the establishment of local levels of service through risk-based assessment.

This document is Nottinghamshire's approach to the adoption of these principles and acts as a reference between the WMHI and the County Councils existing suite of highway documentation. These documents have been reviewed as part of this process.

The table below shows a summary of the progress made against each recommendation and any further work that needs to be carried out.

Summary of progress against the 36 recommendations		
Recommendation	Progress	Further work required
1. Use of the Code	Adoption of the Code	
2.Asset Management Framework	Approach developed for NCC	
3.Policy and Strategy	Policy and strategy developed	Needs to be published.
4.Engaging with Stakeholders	Engagement strategy developed	Website need to be utilised.
5.Consistency with other authorities	Engagement with other authorities	Ongoing engagement through MSIG and other groups.
6.An Integrated Network	Whole street approach	
7.Risk-based approach	Policy and strategy developed	
8.Information Management	Secure infrastructure developed	
9.Network Inventory	Asset inventory developed	
10.Asset Data Management	Asset data regularly reviewed	
11.Asset Management Systems	Accessible to relevant people	
12.Network Hierarchy	Network Hierarchy developed	
13.Whole Life Maintenance	Lifecycle planning embedded	The HIAMP details the means of assessment that needs to be applied to the whole of the highway network. This will establish an overview of the maintenance treatment band for every street section and from this how each street fits in with the Life Cycle plan.
14.Risk Management	Risks/mitigation of assets reviewed	This is a continuous process involving risk consideration at many levels. The day to day risk management aspects are detailed in the HIRM whereas the more strategic risk associated with the resilience of the network are considered in the HIAMP.

Recommendation	Progress	Further work required
15.Competencies and Training	Information captured	Roles identified. Training as detailed in the HIAMP needs to be disseminated through the organisations to ensure the staff involved meet the required competency.
16.Inspections	Risk based approach developed	
17.Condition Surveys	Risk based approach developed	
18.Management systems & claims	Dashboard developed	Continuous process based on audits of both data and working practices to ensure accuracy and standards are being maintained across the various service areas.
19.Defect Repair	Risk based approach developed	
20.Resilient Network	Network identified	Ongoing Partner engagement through MSIG and other groups.
21.Climate Change Adaption	Risk based approach developed	
22.Drainage Maintenance	Risk based approach developed	
23.Emergency Planning	Emergency plans developed	
24.Communications regarding Emergency	Communications strategy developed	
25.Learning from events	Emergencies rehearsed & reviewed	
26.Performance Management	Framework developed	
27.Performance Monitoring	Monitoring framework developed	
28.Financial Plans	Financial plans in place	Continuous process balancing the needs of the network against the available funding and keeping key stakeholders aware of the impact investment level has on the highway network.
29.Lifecycle Plans	Principles adopted	
30.Cross Asset Priorities	Whole street approach	
31.Works Programming	2-year programme developed based on a Candidate List of sites	Develop a 5-year programme based on a Candidate List of sites.
32.Carbon	Implications considered /acted upon	Working towards BSI 14001.
33. Consistency with character	Treatments empathetic with the site	Continuous Partner engagement through design process.
34.Heritage Assets	Heritage assets recorded & mapped	
35.Environment Impact, Conservation	Treatment empathetic with issues	
36.Minimising Clutter	Redundant street furniture removed	Continuous review required through design process

Foreword

The publication of 'Well-Managed Highway Infrastructure: A Code of Practice' (WMHI) in October 2016, has given Nottinghamshire the opportunity to review what is required from its highway management functions and the levels of service the County Council wishes to promote.

A risk based approach to managing the Authority's Highway Assets allows us to reconsider how we manage the risks associated with the management of a large and varied dynamic highway network. It is important that Nottinghamshire maintains its highway network in a condition which is safe, resilient and free-flowing for all road users and remains a well-connected place to live, work and visit.

The development of this document has allowed us to review how the Authority may incorporate and engage with the recommendations contained in the WMHI. This has allowed us to implement the guidance contained in the new code, considering local needs, priorities and cost of the service.

This document outlines Nottinghamshire's approach to the adoption of risk-based principles in accordance with the guidance contained in WMHI and acts as a response to the code of practice and interface the County Councils existing highway documentation.

- Highway Network Management Plan (HNMP)
- Highway Infrastructure Asset Management Plan (HIAMP)
- Highway Inspection & Risk Manual (HIRM)

We have drawn on the 36 Recommendations of the WMHI and linked these to the relevant areas of Nottinghamshire's policy, strategy and plan, for the Highway Service. Development of this document has led to a review of the above documents to ensure they meet the guidance being promoted, whilst also being in keeping with Nottinghamshire's needs.



Cllr John Cottee

Chairman of Communities & Place Committee

Nottinghamshire County Council

Introduction

The 'Well-Managed Highway Infrastructure: A Code of Practice' (WMHI) was published on 28th October 2016. It applies to the whole of the United Kingdom and is designed to promote the adoption of an integrated asset management approach to highway infrastructure, based on the establishment of local levels of service through risk-based assessment. Recognising that many local authorities require time to consider the implications of the WMHI, a phased 2-year period of introduction has been allowed which comes to an end on 31st October 2018.

This WMHI replaces the previous Codes of Practice for Well Maintained Highways, Well-lit Highways, Management of Highway Structures and Management of Electronic Traffic Equipment; which previously provided local authorities with guidance on highways management.

The intention of this WMHI is that Authorities will develop their own levels of service and hence the code provides guidance for authorities to consider when developing their approach in accordance with local needs, priorities and affordability.

Changing from reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each Highway Authority has involved appropriate analysis, development and gaining of approval through authorities' executive processes.

This document is Nottinghamshire's approach to the adoption of these principles and acts as a signpost between the WMHI and the County Councils existing suite of highway documentation.

- Highway Network Management Plan (HNMP)
- Highway Infrastructure Asset Management Plan (HIAMP).
- Highway Inspection & Risk Manual (HIRM)
(Renamed following developments associated with the WMHI)

This document draws on previous publications recognising that the 'Highway Infrastructure Asset Management Guidance' (HIAMG - May 2013) set out a national approach to Asset Management which is developed further locally in Nottinghamshire's Highway Infrastructure Asset Management Plan (HIAMP – updated July 2018). As the WMHI refers extensively to the HIAMG and is intended to be useful additional guidance; it is logical that Nottinghamshire's HIAMP and this Highway Infrastructure Management Plan (HIMP) are intrinsically linked. Topics covered in the above documentation are referred to, but not repeated in the HIMP.

During the development of the framework for Nottinghamshire's HIMP, the plan was directly linked to the 36 recommendations in the WMHI and use the HIMP as a reference to where the different recommendations are covered in Nottinghamshire's existing documentation. This resulted in a review and analysis of the above, to ensure through associated development, they met the guidance being promoted, whilst also being in keeping with Nottinghamshire's own requirements.

1. Use of the Code

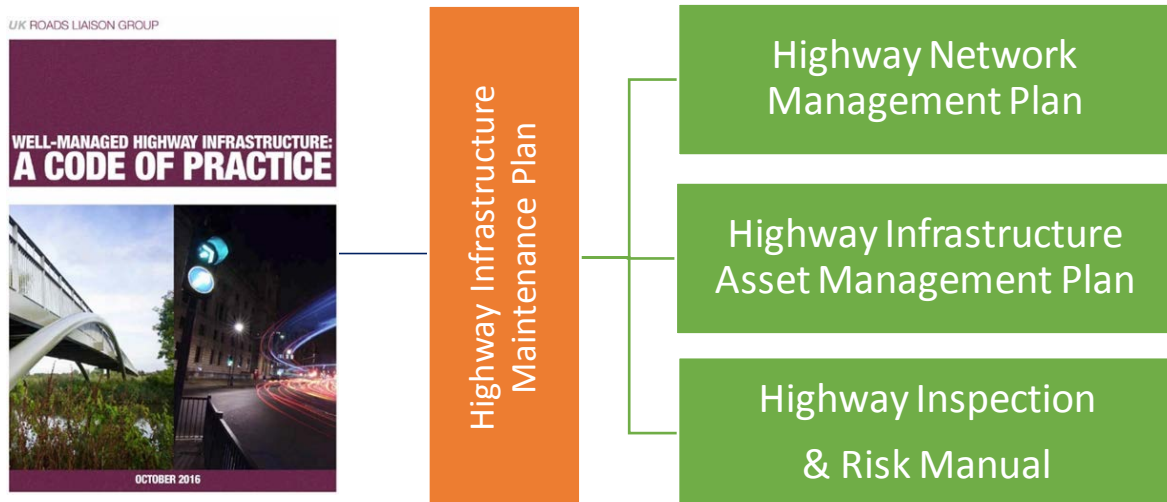
This Code, in conjunction with the UKRLG Highway Infrastructure Asset Management Guidance, should be used as the starting point against which to develop, review and formally approve highway infrastructure maintenance policy and to identify and formally approve the nature and extent of any variations.

Well-managed Highway Infrastructure – A Code of Practice: Recommendation 01.

The Nottinghamshire Approach

Whilst 'Well-managed Highway Infrastructure' (WMHI) is not a statutory document it is recognised that it provides Highway Authorities with guidance on highways management and will be used as a basis for our approach in Nottinghamshire.

GUIDANCE HIERARCHY



TERMINOLOGY

As per the WMHI, publicly understood definitions are used for the major parts of the highway. There are also differences in definitions across the various legal systems in the UK that would be inappropriate to repeat at length. In such cases the English term is used.

The main relevant definitions are:

- The term 'highway' is used to include roads, streets, footways, cycleways and verges and other associated aspects of the highway infrastructure.
- The term 'authority' is used to include all forms of national and local authorities having responsibility for highway infrastructure management.
- The term 'carriageway' is used for facilities used by motor vehicles.
- The term 'footway' is used for that part of a highway over which the public have a right of way on foot only, e.g. segregated surfaced paths used by pedestrians. 'Footway' includes the commonly understood use of the term 'pavement'. The term 'remote footway' is used where a footway is not immediately adjoining a carriageway. The term 'housing footway' is used for those footways serving predominantly housing areas which may be unadopted as public highways but have established public rights of access and may be maintained separately by the housing authority. Users will make no distinction and will consider the footway network as a whole.
- The term 'footpath' is used for the majority of Public Rights of Way (PROW).
- The term 'cycle route' is used as the collective term for facilities used by cyclists. These include cycle lanes on carriageways, cycle tracks adjacent to or away from carriageways, on carriageway provision with cycle symbols and shared use facilities.
- The industry term 'running surface' is used as the collective term for all hardened surfaces within the highway, including carriageways, footways and cycle routes. The industry term 'pavement' as a construction of running surfaces, particularly for carriageways is included in the term 'running surface'.

RELATED ACTIVITIES

'Well-managed Highway Infrastructure' identifies many related functions that are not dealt with in detail by this document, but which could affect and be affected by highway infrastructure maintenance activity. These functions are integrated in Nottinghamshire where practicable as follows:

- Network Management and Traffic Management duties being integrated.
- The highway development control function being linked with highway infrastructure requirements to ensure additional funding is secured where possible.

- Maintenance activities are coordinated with the District Councils cleansing and litter picking functions to maximise the potential to undertake the works at the same time under shared traffic management.

MAINTENANCE PRACTICE

‘Well-managed Highway Infrastructure’ identifies that types of maintenance contribute in varying degrees to the core objectives of safety, customer service, serviceability and sustainability. Levels of service and delivery arrangements in Nottinghamshire are focussed on outcomes.

The main types of maintenance are as follows:

- Reactive – responding to inspections, complaints or emergencies.
- Routine – regular schedule, generally for lamp replacement, patching, cleaning, grass cutting and landscape maintenance, drainage.
- Programmed – flexibly planned schemes primarily of reconditioning or structural renewal.
- Regulatory – inspecting and regulating the activities of others.
- Winter Service.
- Resilience and emergencies.

LIMITATIONS TO THE CODE OF PRACTICE

The Code is not intended as a detailed technical reference for all aspects of highway infrastructure maintenance or to repeat technical guidance available elsewhere.

Areas referred to but not dealt with in detail include:

- Highway improvement and new construction.
- Network management, including management of utilities.
- Management and maintenance of Public Rights of Way.
- Management of street cleansing.

2. Asset Management Framework

An Asset Management Framework should be developed and endorsed by senior decision makers. All activities outlined in the Framework should be documented.

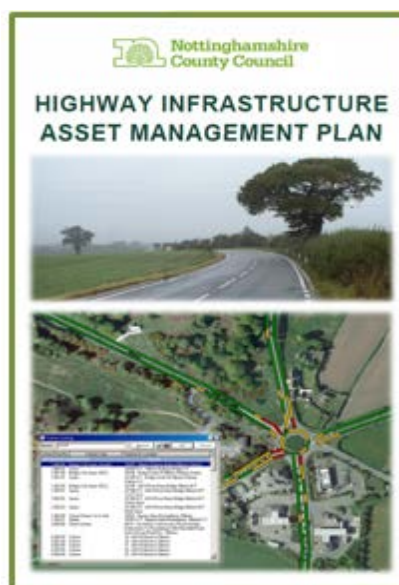
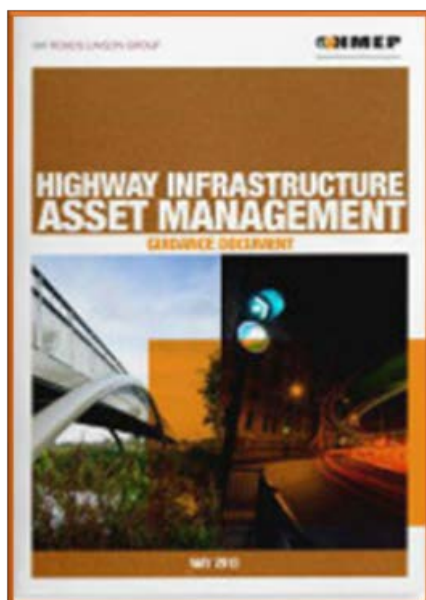
Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 02.

Highway Infrastructure Asset Management Guidance – Recommendation 01.

The Nottinghamshire Approach

Details of the Asset Management Framework for Nottinghamshire are contained in Section 4 of Nottinghamshire's Highway Infrastructure Asset Management Plan. This was adopted by Nottinghamshire County Council in 2015 and has been updated as part of this review to reflect the changes in Lifecycle Planning, risk management and the review of the road hierarchy.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



3. Asset Management Policy and Strategy

An asset management policy and a strategy should be developed and published. These should align with the corporate vision and demonstrate the contribution asset management makes towards achieving this vision.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 03.

Highway Infrastructure Asset Management Guidance – Recommendation 03.

The Nottinghamshire Approach

Details of the Asset Management Policy and Strategy for Nottinghamshire are contained in Section 6 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

1. The County Council recognises that Nottinghamshire's highway network and its associated infrastructure plays a crucial part in supporting the local authority's Strategic Plan 2014-18

Priority One - Supporting safe and thriving communities: The Authority will maintain roads in a serviceable condition and seek to change behaviour through engineering measures, awareness raising and enforcement.

Priority Two - Protecting the environment: By maintaining the condition of roads and footways the Authority will deliver a road and transport infrastructure that seeks to meet the needs of the county's residents, visitors and businesses.
2. Nottinghamshire County Council is committed to the continued implementation of Asset Management principles in the maintenance of the county's highway network, delivering the greatest amount of community and business benefit with the funds available. These principles are directly linked to the 14 recommendations in the Highway Maintenance Efficiency Programme (HMEP) and promoted by the DfT in its Capital Maintenance Funding Programme 2015 - 2021.
3. The County Council's Asset Management Strategy and Plan will set out how Highway Infrastructure Asset Management will be delivered in Nottinghamshire. This strategy will consider current and predicted future financial scenarios and will determine how funding and resources should be utilised to maximise the benefit to Nottinghamshire stakeholders.
4. The County Council's Asset Management Strategy will also seek to support the three key transport goals set out in the authority's Third Local Transport Plan.

Provide a reliable, resilient transport system which supports a thriving economy and growth whilst encouraging sustainable and healthy travel.
 - Adopting an effective Asset Management Strategy will provide robust support to an ever developing transport system within Nottinghamshire. It will provide long term maintenance planning to help with co-ordination of expenditure, resources and third party network access whilst being flexible enough to respond to dynamic changes in the needs of businesses and the local economy. Asset Management will promote sustainable travel through efficient maintenance of cycling and walking routes, and their interaction with the network as a whole.Improve access to key services, particularly enabling employment and training opportunities.
 - One of the key features of a robust Asset Management Strategy is the priority given to the maintenance of a 'resilient network' which involves ensuring key transport corridors are kept safe and free flowing at all times. One element of this consideration is the maintenance of access routes to key services such as health facilities, schools, businesses, retail and community centres.Minimise the impacts of transport on people's lives, maximise opportunities to improve the environment and help tackle carbon emissions.
 - The County Council's Asset Management Strategy will seek to ensure a free flowing, resilient transport network which is available 24/7, thereby reducing carbon emissions from stationary traffic and encouraging healthier transport choices. The use of sustainable materials in maintenance will be promoted to reduce the authority's carbon footprint, minimising waste and landfill costs. The effects of climate change will be factored into the Asset Management Strategy to further safeguard Nottinghamshire's highway network for future generations

4. Engaging and Communicating with Stakeholders

Relevant information should be actively communicated through engagement with relevant stakeholders in setting requirements, making decisions and reporting performance.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 04.

The Nottinghamshire Approach

Details of engagement and communication with stakeholders in Nottinghamshire are contained in Section 5 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

This details Nottinghamshire's approach for Elected Members, Stakeholder Liaison and how the Authority's Public Website is utilised for engagement and communication. The National Highways & Transportation Survey (NHT) is important for benchmarking of the Authority's services against other similar Shire Authorities and overall levels of performance for defined service areas.

For details of performance management and monitoring, see Section 26 and Section 27 of this document. In addition, performance is also reported to Communities and Place Committee on a quarterly basis, both at a strategic and operational level.



5. Consistency with other Authorities

To ensure that users' reasonable expectations for consistency are taken into account, the approach of other local and strategic highway and transport authorities, especially those with integrated or adjoining networks, should be considered when developing highway infrastructure maintenance policies.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 05.

The Nottinghamshire Approach

Nottinghamshire is fully represented at numerous local and national highway forums and benchmarking groups namely, the Midland Service Improvement Group (MSIG) the Chartered Institute for Public Finance Accounting (CIPFA Group) the Midlands Highways Alliance (MHA) and the Association of Directors of Environment, Planning and Transportation (ADEPT)

Further information on Nottinghamshire's approach to Benchmarking can be found in Section 17 of the Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

MSIG is a collective of Midlands and North-West County, City and Unitary Councils sharing best practice to drive improvements and efficiencies within the Highways and Road Safety Disciplines of Local Authorities.

CIPFA is the leading accountancy body for the public services providing education and training in accountancy and financial management.

The MHA delivers the regional procurement and implementation of highways maintenance, professional services and capital works through framework agreements.

ADEPT represents directors from county, unitary and metropolitan authorities, along with Local Enterprise Partnerships. ADEPT members work to maximize sustainable growth in communities throughout the UK, by delivering projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure.

Following Government's announcement on its intention to develop a 'major road network' (MRN) for England, Midlands Connect has employed consultants to identify what it considers to be the MRN for the Midlands Connect area. The County Council has therefore been working in partnership with the appointed consultants and all the highway authorities (including neighbouring highway authorities) that form Midlands Connect to identify a consistent and joined-up MRN across the region which will help in the future planning of the strategic road network (major roads and motorways managed by Highways England) and local authority A roads.

Nottinghamshire has a Cross-Boundary agreement in place with Nottingham City Council for the specific delineation of assets and liabilities between the two authorities. A similar approach is being considered for neighbouring authorities in line with both the adoption of a consistent approach between authorities and a clear delineation of responsibilities.

6. An Integrated Network

The highway network should be considered as an integrated set of assets when developing highway infrastructure maintenance policies.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 06.

The Nottinghamshire Approach

Nottinghamshire has detailed information on highway related assets on its network. These are listed in Section 8 (Asset Data Management) of the Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

Nottinghamshire has a 'Candidate List' of sites requiring maintenance, for consideration in future works programmes. These are discussed between teams who manage the various assets on the network with a view to shaping the integration, scope and timing of any potential works to ensure value for money efficiencies are achieved.

This includes, though not exclusively, street lighting, structures, drainage and any third-party assets such as those owned by utility companies.

Nottinghamshire's policy for the management of specific assets is contained in the Highway Network Management Plan.

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)

Nottinghamshire has a 'Project Control' mechanism, endorsed by BSI 9001, which includes a Scheme Quality Plan. This is utilised for the feasibility and design stage of all projects in Nottinghamshire and this document is used to ensure consideration and compliance with both statutory requirements and local environmental, sustainable and conservation issues. This allows for a 'whole street approach' to the management of the highway network in Nottinghamshire and ensures the requirements for all highway users and stakeholders are fully considered.

7. Risk-Based Approach

A risk based approach should be adopted for all aspects of highway infrastructure maintenance, including setting levels of service, inspections, responses, resilience, priorities and programmes.

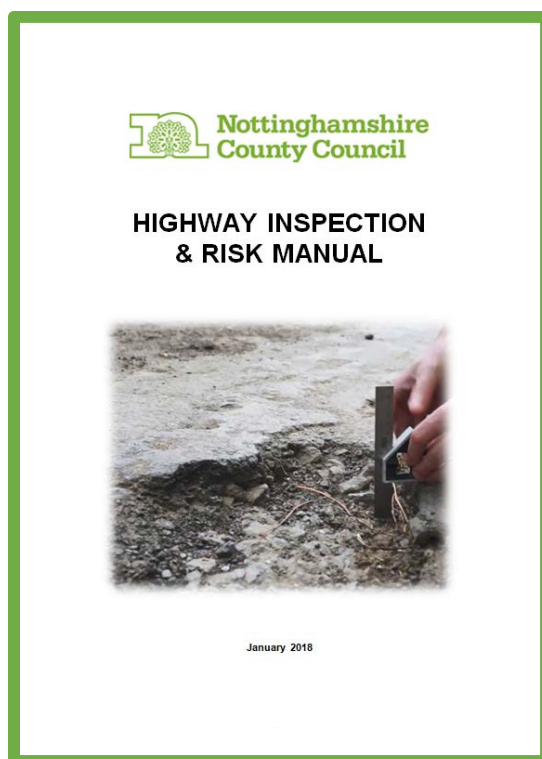
Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 07.

The Nottinghamshire Approach

Details of Nottinghamshire's approach to 'Risk-Based' management forms part of the overall policy and strategy for the county as contained in both the Highway Infrastructure Asset Management Plan and the Highway Inspection and Risk Manual.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

[Appendix 01 - Nottinghamshire's Highway Inspection and Risk Manual](#)



8. Information Management

Information to support a risk based approach to highway maintenance should be collected, managed and made available in ways that are sustainable, secure, meet any statutory obligations, and, where appropriate, facilitate transparency for network users.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 08.

The Nottinghamshire Approach

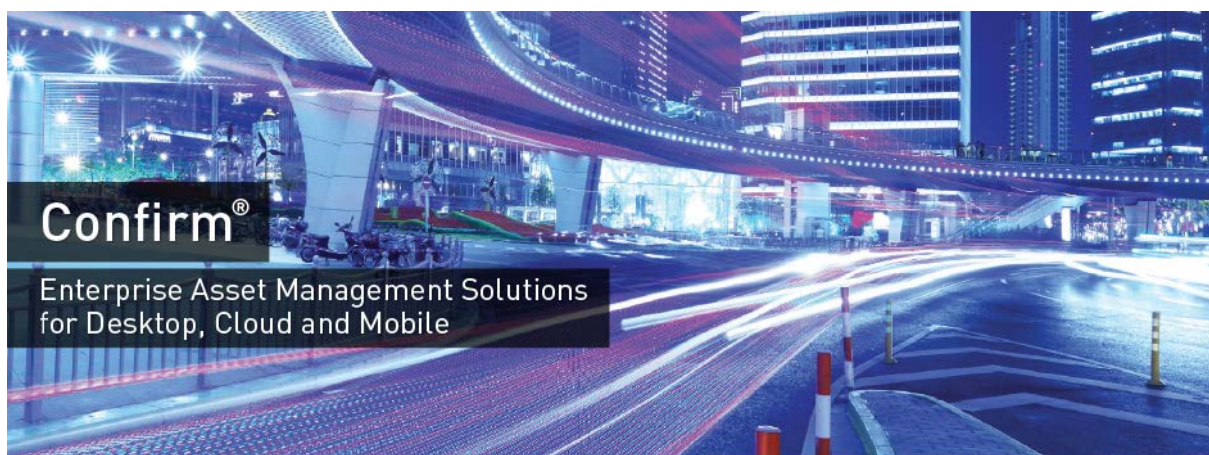
Details of Nottinghamshire's approach to Information Management forms part of the overall strategy to engage with stakeholders as detailed in Section 5: Communications of the Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

The wider aspects of risk associated with the management and inspection of the highway are contained in the Highway Inspection and Risk Manual which is subject to routine review and endorsement by stakeholders.

[Appendix 01 - Nottinghamshire's Highway Inspection and Risk Manual](#)

Details of the highway asset are contained in the central asset register which forms one of the key modules of the Highway Asset Management System. This system is held in a secure environment with controlled access for users. Set ICT policies and security measures are in place for the management and use of ICT hardware, infrastructure, data and access. Mobile devices are utilised to allow direct data capture and work functions to be performed. These devices allow highway network condition information to be monitored and future plans to be available to the user.



9. Network Inventory

A detailed inventory or register of highway assets, together with information on their scale, nature and use, should be maintained. The nature and extent of inventory collected should be fit for purpose and meet business needs. Where data or information held is considered sensitive, this should be managed in a security-minded way.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 09.

The Nottinghamshire Approach

Details of the Network Inventory for Nottinghamshire are referred to in Section 8: Asset Management Data and Section 15: Asset Management System of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

The Highway Asset Management System holds the Network Inventory as part of the Asset Register. This data is plotted geospatially to create a visual picture of the highway infrastructure and its associate assets.



10. Asset Data Management

The quality, currency, appropriateness and completeness of all data supporting asset management should be regularly reviewed. An asset register should be maintained that stores, manages and reports all relevant asset data.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 10.

Highway Infrastructure Asset Management Guidance – Recommendation 05.

The Nottinghamshire Approach

Details of Asset Data Management for Nottinghamshire are contained in Section 8 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



11. Asset Management Systems

Asset management systems should be sustainable and able to support the information required to enable asset management. Systems should be accessible to relevant staff and, where appropriate, support the provision of information for stakeholders.

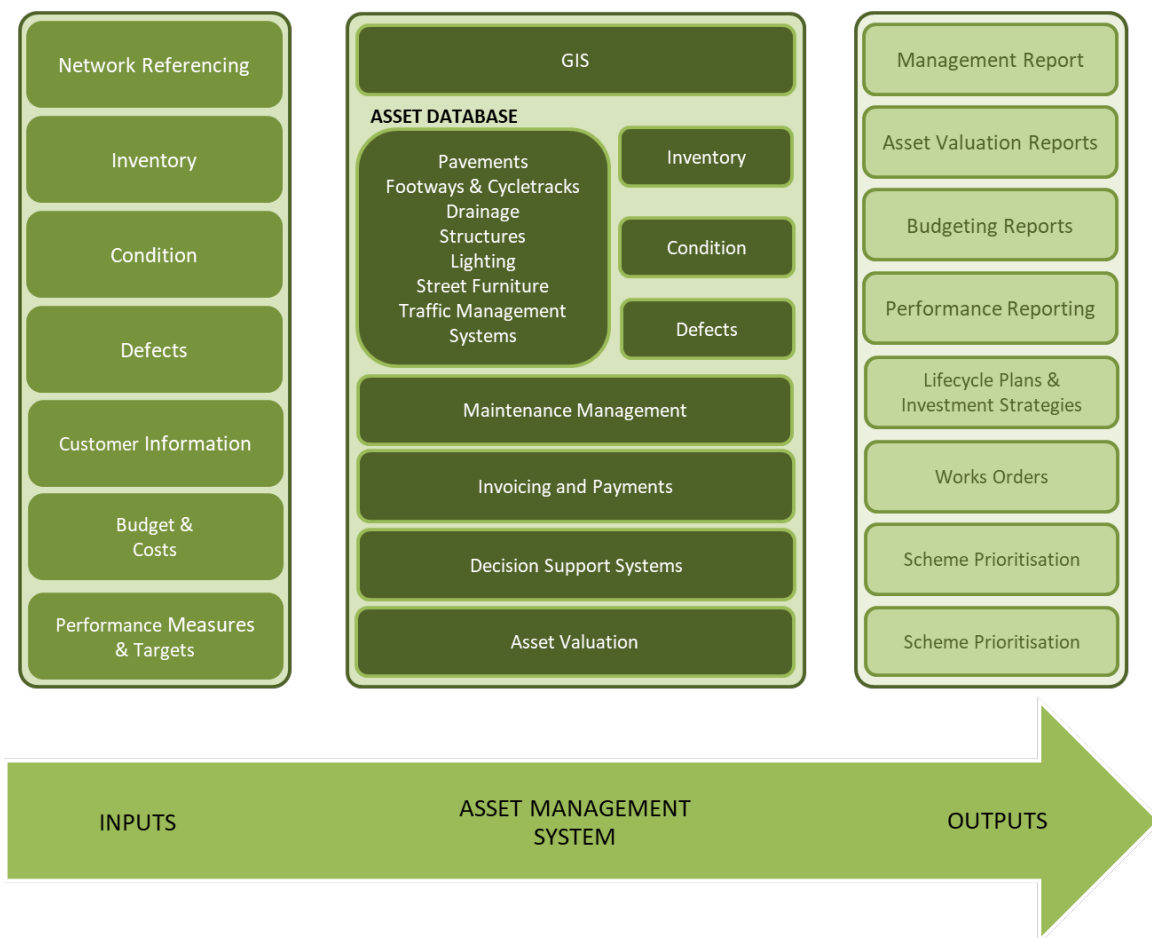
Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 11.

Highway Infrastructure Asset Management Guidance – Recommendation 12.

The Nottinghamshire Approach

Details of Asset Management Systems for Nottinghamshire are contained in Section 15 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



12. Network Hierarchy

A network hierarchy, or a series of related hierarchies, should be defined which include all elements of the highway network, including carriageways, footways, cycle routes, structures, lighting and rights of way. The hierarchy should take into account current and expected use, resilience, and local economic and social factors such as industry, schools, hospitals and similar, as well as the desirability of continuity and of a consistent approach for walking and cycling.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 12.

The Nottinghamshire Approach

Nottinghamshire has developed a network hierarchy which utilises spatial data to place roads, footways, cycleways, lighting and other associated assets at a representative hierarchy level dependent upon traffic counts, property counts and aggregated densities for both domestic dwellings and commercial/ industrial/ retail sites. It also recognises significant locations such as emergency services, council depots, healthcare and educational facilities, some of which will contribute to the formation of a Resilient Network (Recommendation 20).

The outcome of this exercise is a hierarchy table which clearly demonstrates those factors and ranges of values which places each set of assets in their correct hierarchy category, as detailed in the Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

Traffic count data is collected by in-house teams. Property data is taken from the 'AddressBase' dataset, managed by District & Borough Councils.

A network hierarchy, using objective data from a variety of sources is the cornerstone of a 'risk-based approach' to all highway maintenance management activities as it allows the County Council to set levels of service commensurate with hierarchy levels and form an objective data-led base from which to make better informed decisions.

A data-based hierarchy determines the safety inspection frequencies, defect intervention levels, response times, condition survey strategies and works programming.

Nottinghamshire have worked extensively with neighbouring authorities as part of both the Midlands Service Improvement Group (MSIG) and the Midlands Highways Alliance (MHA) to ensure consistency between hierarchies across local authority boundaries.

The network hierarchy is detailed in [Appendix 02](#)

Further information on network hierarchy can be found in Section 5.1.6 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

Information on hierarchy tables and inspection frequencies are detailed in Nottinghamshire's Highway Inspection and Risk Manual.

[Appendix 01 - Nottinghamshire's Highway Inspection and Risk Manual](#)

13. Whole Life / Designing for Maintenance

Authorities should take whole life costs into consideration when assessing options for maintenance, new and improved highway schemes. The future maintenance costs of such new infrastructure are therefore a prime consideration.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 13.

The Nottinghamshire Approach

Information on Lifecycle Planning which is a key element in the study of whole life costing for all asset groups, can be found in Section 9 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

Whole life costing involves predicting the likely deterioration rate of assets based upon usage and material composition plus the treatment cost versus useful life calculations which give the most cost-effective medium and long-term asset maintenance plans.

Nottinghamshire works to design specifications contained in the 'Manual for Streets', the 'Highway Design Guide' (6 C's) and the Design Manual for Roads & Bridges. The authority's Development Control department enforces design guidance and procedures for new developments using the 'Highway Design Guide' (6 C's).

Manual for Streets:

<https://www.gov.uk/government/publications/manual-for-streets>

Highway Design Guide:

<http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

Design Manual for Roads & Bridges:

<http://www.standardsforhighways.co.uk/ha/standards/dmr/>

14. Risk Management

The management of current and future risks associated with assets should be embedded within the approach to asset management. Strategic, tactical and operational risks should be included as should appropriate mitigation measures.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 14.

Highway Infrastructure Asset Management Guidance – Recommendation 11.

The Nottinghamshire Approach

Details of Nottinghamshire's approach to risk management are contained in Section 14 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



15. Competencies and Training

The appropriate competency required for asset management should be identified, and training should be provided where necessary.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 15.

Highway Infrastructure Asset Management Guidance – Recommendation 10.

The Nottinghamshire Approach

Information on Competencies and training for Nottinghamshire is contained in Section 13 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

An Asset Management Competency Framework has been incorporated in the HIAMP to ensure those involved with the management of the asset understand their role and the importance of good asset management.



16. Inspections

A risk-based inspection regime, including regular safety inspections, should be developed and implemented for all highway assets.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 16.

The Nottinghamshire Approach

The Inspection regime for Nottinghamshire is contained in the Nottinghamshire's Highway Inspection and Risk Manual.

[Appendix 01 - Nottinghamshire's Highway Inspection and Risk Manual](#)

This document details the regime for Highway Inspections associated with the main highway asset and is supported by Nottinghamshire's Highway Network Management Plan.

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)



17. Condition Surveys

An asset condition survey regime, based on asset management needs and any statutory reporting requirements, should be developed and implemented.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 17.

The Nottinghamshire Approach

The current condition survey strategy is outlined in the County Council's Highway Infrastructure Asset Management Plan, Sections 10 & 18 and the Highway Network Management Plan, Section 5.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)

Both documents represent a 'risk-based approach' to the gathering and use of highway condition data based upon the highway authority's current policies and strategies. The Highway Infrastructure Asset Management Plan was reviewed as part of the implementation of the recommendations in the new Code of Practice and a 'hierarchy-based strategy' has been developed for both the gathering of condition data and the prioritisation of work which will be based upon it. The Highway Network Management Plan will be reviewed in 2018.

Whilst a hierarchy-based technical survey strategy is important for ensuring resources are targeted to the right locations, the national requirement for reporting performance and the Whole Government Accounting process are not yet in line with the procedures encouraged in the Well Managed Highway Infrastructure: A Code of Practice.

Within Nottinghamshire, the current national reporting requirements will be adhered to, as well as the restructured approach to gathering condition data outlined in the WMHI document.



18. Management Systems and Claims

Records should be kept of all activities, particularly safety and other inspections, including the time and nature of any response, and procedures established to ensure efficient management of claims whilst protecting the authority from unjustified or fraudulent claims.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 18.

The Nottinghamshire Approach

Nottinghamshire's Highway Asset Register forms part of the Highway Asset Management System (HAMS) that is detailed in Section 15 of Nottinghamshire's Highway Infrastructure Asset Management Plan. The system is monitored using dashboard reports to ensure data consistency and accuracy. Audits are undertaken periodically of specific service areas and data sets. Nottinghamshire's Highway Inspection and Risk Manual and Highway Network Management Plan detail the inspection frequency for the various asset groups and list what is covered by each type of inspection.

The HAMS contains a Customer Relations Module (CRM) which interfaces with Nottinghamshire's Customer Service Centre (CSC) and the Public Webpages which provides an online reporting and feedback mechanism for the public. The HAMS contains a record of all enquiries and inspections undertaken since the system was introduced and provides a street history report which is utilised in the defence of 3rd party claims when necessary.

The condition of the highway asset and its characteristics are reviewed as part of the planned inspection regime. Data on the asset is collected through the inspection of the asset and implementation of the works programme to maintain the effective data set.

The inspection frequency is reviewed annually through the hierarchy development framework and through local assessment dependant on the asset type. The condition data contained in HAMS relating to technical surveys, inspector condition report, inspector observations and customer feedback are all considered as part of the programme formulation process for both short and long-term activities.

19. Defect Repair

A risk-based defect repair regime should be developed and implemented for all highway assets.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 19.

The Nottinghamshire Approach

The criteria for what is considered a highway defect in Nottinghamshire is detailed in the Nottinghamshire's Highway Inspection and Risk Manual, along with types of repair and make safe arrangements available. The intervention criteria for different types of defect considering the degree of risk is based on their depth, size, location, traffic levels, other adjacent works/activities, impact of traffic management and any associated factors which contribute to each location's specific hierarchy category.

[Appendix 01 - Nottinghamshire's Highway Inspection and Risk Manual](#)

The management of highway risk is fundamental to effective asset management and Section 14 of Nottinghamshire's Highway Infrastructure Asset Management Plan contains further details on the Nottinghamshire approach.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



20. Resilient Network

Within the highway network hierarchy, a 'Resilient Network' should be identified to which priority is given through maintenance and other measures to maintain economic activity and access to key services during extreme weather.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 20.

The Nottinghamshire Approach

Information on Nottinghamshire's resilient network is contained in sections 6 and 14 of the County Council's Highway Infrastructure Asset Management Plan

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

As part of the development of a revised data-based Network Hierarchy for Nottinghamshire, a Resilient Network has also been identified which pinpoints the location of key emergency, health and service assets and the infrastructure links which connect them all to the Strategic Road Network (Trunk Roads)

This includes the plotting of Police, Ambulance and Fire Stations plus key healthcare and industrial facilities which either need to be accessed at all times or they provide the means with which to maintain access to these key locations, particularly in times of crisis.

The risk of specific asset failure, to the extent that it leads to closure or restriction of the Resilient Network has been assessed as part of this exercise and has considered the likelihood of failure due to the asset's physical attributes and its location (design capability / capacity, condition, geology, catchment characteristics). The socio-economic consequences of failure have been considered in consultation with relevant stakeholders and include the potential for community severance, the ability to respond to further emergencies, the suitability and length of any diversion route, typical traffic types and volumes, repair / recovery cost and timescale, and damage to statutory utility plant.

As with other hierarchies, levels of service and maintenance will be created specifically for those assets which form part of the Resilient Network.

County Council departments, managers and key staff maintain a close awareness of the potential impact of severe weather. This knowledge is consolidated each year with a Winter Weather Workshop involving Highways, Via and Emergency Planning staff. There is an awareness of the crossings of the River Trent that may need to close during a flood emergency, and awareness of local roads that are liable to flooding. Managers have worked with Flood Wardens in five high risk flood communities to train and equip community volunteers to safely close roads when specific pre-identified triggers are reached indicating that the road is no safe for motorists to use.

21. Climate Change Adaptation

The effects of extreme weather events on highway infrastructure assets should be risk assessed and ways to mitigate the impacts of the highest risks identified.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 21.

The Nottinghamshire Approach

Nottinghamshire has a Carbon Management Plan and is a signatory to The Nottingham Declaration on Climate Change. This Declaration commits the County Council to tackling the causes and effects of climate change and encouraging all sectors in our local community to take the opportunity to adapt to the impacts of climate change, reduce their own greenhouse gas emissions and make public their commitment to action.

Nottinghamshire's Strategic Plan contains information reducing carbon dioxide emissions from its own estate and operations.

As part of the work to address the potential impacts of climate change the authority has also developed a local climate impacts profile for Nottinghamshire, which highlights some of the Council's vulnerability to extreme weather events.

[Nottinghamshire County Council's Strategic Plan 2014-2018](#)

[Nottinghamshire County Council - Climate Change & Sustainable Energy](#)

As part of the revised hierarchy, identification and development of the Resilient Network and those other parts of the highway which are at higher risk in terms of safety, usability or community isolation will be in line with both the over-arching strategy for Nottinghamshire as a whole and the specific levels of service required for assets in each hierarchy category.

In these locations, specific consideration over and above standard design guidance has been undertaken to ensure the potential effects of climate change can be mitigated as far as is practicable and any remaining risks carefully managed.



22. Drainage Maintenance

Drainage assets should be maintained in good working order to reduce the threat and scale of flooding. Particular attention should be paid to locations known to be prone to problems, so that drainage systems operate close to their designed efficiency.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 22.

The Nottinghamshire Approach

Nottinghamshire's drainage policy information can be found in Section 5.12.12 of the Highway Network Management Plan, whereas the authority's approach to drainage maintenance is covered in detail in Section 22 of the County Council's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



23. Civil Emergencies & Severe Weather Emergency Plans

The role and responsibilities of the Highway Authority in responding to civil emergencies should be defined in the authority's Civil Emergency Plan. A Severe Weather Emergencies Plan should also be established in consultation with others, including emergency services, relevant authorities and agencies. It should include operational, resource and contingency plans and procedures to enable timely and effective action by the Highway Authority to mitigate the effects of severe weather on the network and provide the best practicable service in the circumstances.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 23.

The Nottinghamshire Approach

Detailed information on Nottinghamshire's approach to planning for and dealing with civil and severe weather emergencies can be found on the authority's website at the following link:

<http://www.nottinghamshire.gov.uk/planning-and-environment/emergencies-and-disruption>

Emergencies that may affect Nottinghamshire include: flooding, severe weather, major transport accidents, industrial accidents, outbreaks of disease including flu pandemics and terrorist incidents.

To prepare for possible emergencies within the county the authority will:

- assess local risks in order to identify what needs to be planned for
- write and review emergency plans
- train and exercise with other key organisations to enhance the management of an emergency
- ensure that Nottinghamshire County Council has plans in place to deliver important services to the public during an emergency.

The County Council also helps to support the emergency services and other organisations with their emergency response in a number of ways:

- arranging emergency accommodation should members of the public be evacuated from their homes
- providing emergency transport to move members of the public from the scene of an emergency to a safe location
- co-ordinating services that the County Council provides which are required as part of the emergency response
- contributing to the running of assistance centres. Assistance centres will be set up in the aftermath of a major emergency to act as a focal point for information and assistance to families and friends of those missing, injured or killed, and to survivors
- providing information to the public

- providing advice and assistance to major sporting venues to ensure that they are prepared for emergencies
- providing guidance to Parish Councils and other community groups, to help communities prepare for emergencies
- providing emergency planning guidance to schools.

The County Council provides this as a key partner of the Nottingham & Nottinghamshire Local Resilience Forum (LRF), which is the multi-agency management group for the co-ordination of emergency planning within Nottingham and Nottinghamshire. The LRF is led by Nottinghamshire Police, and is made up of senior managers from the principal emergency planning and response organisations.

Multi-agency LRF emergency plans include overarching Generic Response Guidance, a 'Flood Emergency Plan' plus a 'Local Flood Response Plan' for each District/Borough Council area. All of these plans include appropriate reference to the roles of the County Council, as Highways Authority, and Via East Midlands as the County Council's Highways contractor. The LRF 'Flood Emergency Plan' includes a specific section on arrangements for closure of a major highway and local issues arising from difficulty in access/egress due to the highway being flooded and the need for suitable signage and diversions when highways are inundated.

Within the County Council, planning and preparation for major emergencies is coordinated by a 'Risk, Safety and Emergency Management Board' (RSEMB), the membership of which includes a senior Highways management representative.



24. Communications (Severe Weather & Civil Emergencies)

Severe Weather and Civil Emergencies Plans should incorporate a communications plan to ensure that information including weather and flood forecasts are received through agreed channels and that information is disseminated to highway users through a range of media.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 24.

The Nottinghamshire Approach

Nottinghamshire has a comprehensive plan in place for the communication of major incidents and disruptions, details of which can be found at the following link:

<http://www.nottinghamshire.gov.uk/planning-and-environment/emergencies-and-disruption/current-disruption>

The County Council uses its web pages, along with social media platforms, local radio and television stations to communicate information updates and advice when disruptions occur. This takes the form of both self-service, whereby people can check for information themselves, or sign up for updates as required.



25. Learning from events

Severe Weather and Civil Emergencies Plans should be regularly rehearsed and refined as necessary. The effectiveness of the Plans should be reviewed after actual events and the learning used to develop them as necessary.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 25.

The Nottinghamshire Approach

Nottinghamshire County Council is a full member of the 'Nottingham and Nottinghamshire Local Resilience Forum', more detail on which can be found at the following link:

<http://www.nottinghamshire.police.uk/site-page/emergency-planning-preparing-nottingham-and-nottinghamshire>

The strategic aim of the Local Resilience Forum is to establish and maintain effective multi-agency arrangements to respond to major emergencies, to minimise the impact of those emergencies on the public, property and environment of Nottingham and Nottinghamshire, and to satisfy fully the requirements of the Civil Contingencies Act.

Information on the Civil Contingencies Act can be found at the following link:

<https://www.gov.uk/guidance/emergency-response-and-recovery>

Recovering from emergencies is a complex and long running process that will involve many more agencies and participants than the response phase.

Recovery is defined as the process of rebuilding, restoring and rehabilitating the community following an emergency, but it is more than simply the replacement of what has been destroyed and the rehabilitation of those affected.

One of the key features of the above guidance and part of the Civil Contingencies Act is the 'Evaluation and Debrief process', during which lessons should be learned from the systematic analysis of the multi-agency response to emergencies and disruptions.

The Nottingham and Nottinghamshire LRF tests its plans through periodic major emergency response exercises. These are fully debriefed afterwards and lessons are captured in an Actions Plan the completion of which is monitored by the LRF Resilience Working Group.

The scenario for these multi-agency exercises frequently includes a severe weather element, and a major flooding scenario is rehearsed on a three-year cycle of exercises. The fourth in this series (Exercise Diamond IV) took place in February 2018.

Debriefs following exercises and actual incidents are facilitated by officers trained in structured debriefing.

26. Performance Management Framework

A performance management framework should be developed that is clear and accessible to stakeholders as appropriate and supports the asset management strategy.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 26.

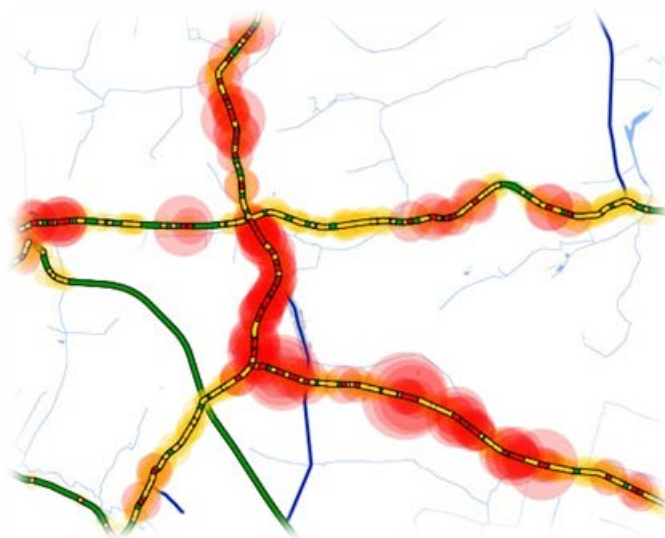
Highway Infrastructure Asset Management Guidance – Recommendation 04.

The Nottinghamshire Approach

Details on the Performance Management Framework for Nottinghamshire is contained in Section 07 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

The Highways Service is delivered primarily through a joint venture company, Via EM, to the County Council for the benefit of the County's residents, visitors, businesses and highway users. There are a range of performance measures which support performance management for the company and County Council and these cover the large range of services provided, including road maintenance, casualty reduction, congestion and traffic management, street lighting and development control. Performance against these activities is reported to the Communities and Place Committee on a quarterly basis.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



27. Performance Monitoring

The performance of the Asset Management Framework should be monitored and reported. It should be reviewed regularly by senior decision makers and when appropriate, improvement actions should be taken.

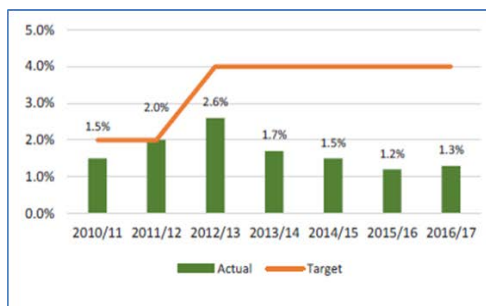
Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 27.

Highway Infrastructure Asset Management Guidance – Recommendation 13.

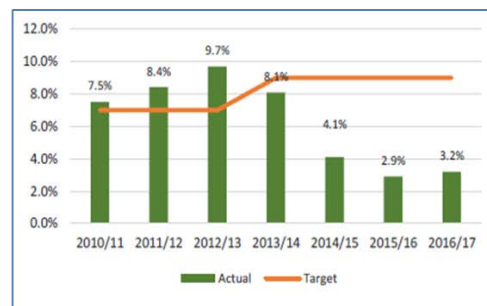
The Nottinghamshire Approach

Details on Performance Monitoring for Nottinghamshire is contained in Section 16 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

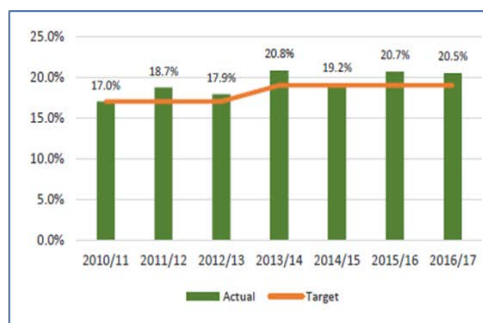
[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



A Roads



B & C Roads



Unclassified Roads

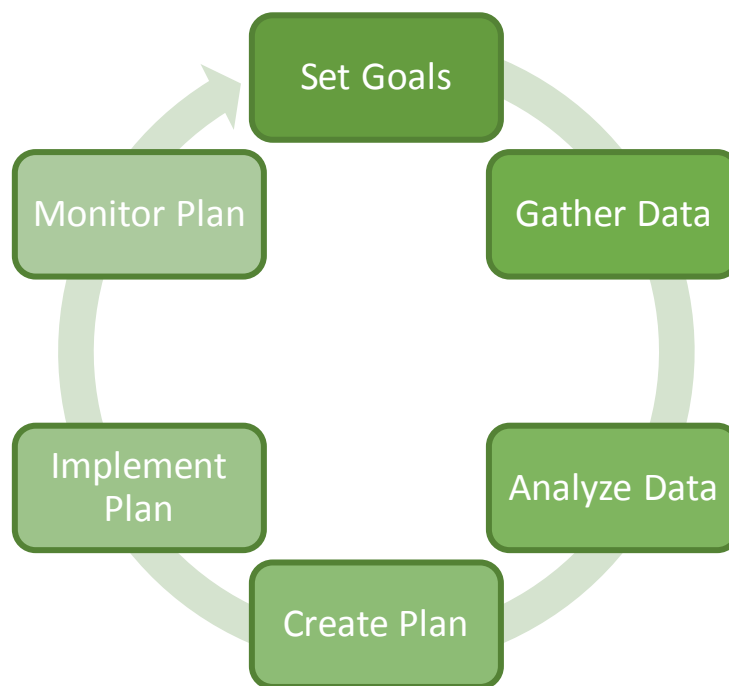
28. Financial Plans

Financial plans should be prepared for all highway maintenance activities covering short, medium and long-term time horizons.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 28.

The Nottinghamshire Approach

Management and maintenance of the Highway Asset in Nottinghamshire is of paramount importance for sustaining the asset value and managing the level of investment through a planned maintenance strategy. The Department for Transport's 6 year highways funding model has created a period of stability through a planned capital allocation which will be in place until 2021. This capital funding combined with the Authority's Revenue allocations for maintenance creates a platform for year on year asset maintenance and replacement which is utilised for programming and planning purposes, and allows the formalisation of a maintenance strategy for highway assets.



29. Lifecycle Plans

Lifecycle planning principles should be used to review the level of funding, support investment decisions and substantiate the need for appropriate and sustainable long-term investment.

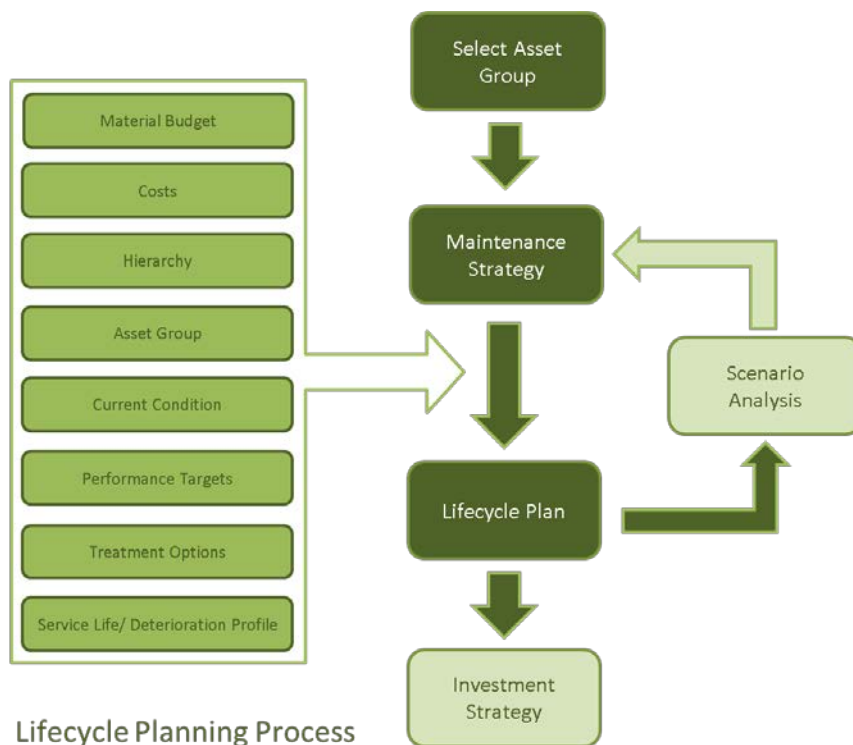
Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 29.

Highway Infrastructure Asset Management Guidance – Recommendation 06.

The Nottinghamshire Approach

Details on Lifecycle Planning for Nottinghamshire is contained in Section 09 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



30. Cross Asset Priorities

In developing priorities and programmes, consideration should be given to prioritising across asset groups as well as within them.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 30.

The Nottinghamshire Approach

Nottinghamshire has a 'Whole Street Approach' strategy in place which aims to consider all assets in terms of lifecycle and condition and to pick the optimum time for works to be carried out whilst looking to consider other assets which may also be in or close to their respective maintenance 'window' and works on these can be brought forward in conjunction with the initial identified works to reduce the scale and frequency of disruption to the public.

Further information on the 'Whole Street Approach' can be found primarily in Section 19.3 of the County Council's Highway Infrastructure Asset Management Plan. It is also referenced in Sections 18.3 and 20.8 of the same document.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

Recommendation 6 of the Code of Practice, 'Well-Managed Highway Infrastructure' promotes an 'Integrated Network' whereby assets and their associated data are intrinsically linked to each other, thus helping the implementation of the 'Whole Street Approach'. This also applies to works by external bodies such as Statutory Undertakers and will help with the co-ordination of street works.



31. Works Programming

A prioritised forward works programme for a rolling period of three to five years should be developed and updated regularly.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 31.

Highway Infrastructure Asset Management Guidance – Recommendation 07.

The Nottinghamshire Approach

Details on how works programmes are created in Nottinghamshire are contained in Section 10 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)



32. Carbon

The impact of highway infrastructure maintenance activities in terms of whole life carbon costs should be taken into account when determining appropriate interventions, materials and treatments.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 32.

The Nottinghamshire Approach

Nottinghamshire has a Carbon Management Plan and is a signatory to The Nottingham Declaration on Climate Change. This Declaration commits the County Council to tackling the causes and effects of climate change and to encouraging all sectors in our local community to take the opportunity to adapt to the impacts of climate change, reduce their own greenhouse gas emissions and make public their commitment to action.

[Nottinghamshire County Council's Strategic Plan 2014-2018](#)

[Nottinghamshire County Council - Climate Change & Sustainable Energy](#)

Maintenance of the public highway includes removing some 'Tar' contaminated road construction material prior to resurfacing and transporting it to specialised and costly waste management disposal areas. In the 1970's and 1980's road surfaces were laid that contained coal tar, a by-product of town gas production from coal. It is classified as hazardous waste and as such must be disposed of correctly to avoid environmental contamination.

To manage safety concerns, costly and environmental land fill limitations, a cold recycled bound material process was developed and included as an alternative material in the 'Specification for Highway Works' series 900 clause 948.

The Environment Agency issued a position statement allowing the use of such material providing it met the specification.

In 2017/18, the cold mix process recycled 6,000 tonnes of contaminated material, thereby reducing the carbon footprint by less vehicle movements and re-use of existing materials.

Nottinghamshire's Highway Infrastructure Asset Management Plan refers to the above strategy and includes referencing to procurement and use of materials.

[Appendix 01 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

33. Consistency with Character

Determination of materials, products and treatments for the highway network should take into account the character of the area as well as factoring in whole life costing and sustainability. The materials, products and treatments used for highway maintenance should meet requirements for effectiveness and durability.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 33.

The Nottinghamshire Approach

The overall street characteristics in conservation and other areas is important to maintain the heritage of a local area and its visual appearance and character. This can be tied to local street attributes, types of asset and materials used. Wherever possible, materials are maintained like for like in such areas with any changes being highlighted through the project control measures. This may involve consultation and incorporating defined requirements from other bodies or local considerations. Further details are available in Nottinghamshire's Highway Network Management Plan.

The priority for Nottinghamshire is to have a safe system of roads for the travelling public to use. If there is a conflict between safety and conservation, safety will be given a higher importance.

34. Heritage Assets

Authorities should identify a schedule of listed structures, ancient monuments and other relevant assets and work with relevant organisations to ensure that maintenance reflects planning requirements.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 34.

The Nottinghamshire Approach

Policy information on the maintenance of monuments and historic structures in or adjacent to the highway can be found in Section 5.10.3 of Nottinghamshire's Highway Network Management Plan.

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)

A register of Historic Listed Buildings and Scheduled Ancient Monuments known as the 'Historic Environment Record' is maintained by the County Council, information on which can be found at the following link:

<http://www.nottinghamshire.gov.uk/culture-leisure/heritage/historic-buildings>

These assets are also spatially mapped on the authority's in-house mapping system for use by technical staff.

Public access to information on historic sites can also be done via the Heritage Gateway:

<http://www.heritagegateway.org.uk/gateway/>



35. Environment Impact, Nature Conservation, Biodiversity

Materials, products and treatments for highway infrastructure maintenance should be appraised for environmental impact and for wider issues of sustainability. Highway verges, trees and landscaped areas should be managed with regard to their nature conservation value and biodiversity principles as well as whole-life costing, highway safety and serviceability.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 35.

The Nottinghamshire Approach

Nottinghamshire has a statutory role as a Waste Disposal Authority, controlling the recycling, reprocessing, treatment and disposal of all local authority collected waste in Nottinghamshire. This equates to approximately 400,000 tonnes a year and includes waste collected by the seven district and borough councils and waste collected at the Recycling Centres.

Further information on this can be found at the following link:

<http://www.nottinghamshire.gov.uk/waste-and-recycling/recycling-and-disposing-of-waste/how-we-deal-with-your-waste>

Regarding highway-specific activities, Nottinghamshire has a Quality Plan, in line with BSI accredited activities relating to the ISO 14001 standard, embedded within the feasibility and design stage of all its highway projects. This Quality Plan provides an 'aide memoir' and checklist for all environmental issues which may be present at a particular site.

This includes a requirement to carry out specialist wildlife surveys if required at the feasibility stage and take any remedial action as necessary. It also considers Sites of Special Scientific Interest (SSSI), Conservation Areas and the provision of a Site Waste Management Plan for the environmental management of any material arisings.

Location information on Sites of Special Scientific Interest, Green Belt Sites, Local Wildlife Sites, Conservation Areas and Green Estates are all available on the authority's in-house Community Mapping system.

Routine maintenance activities such as grass cutting can have a significant impact on the management of SSSI sites and their planned care. Recognising this, managers and operatives involved in the activity are aware of the individual site requirements and appropriate maintenance practises. An example of this is the verges seeded with wild flowers, and the requirement to allow them to develop organically.

36. Minimising Clutter

Opportunities to simplify signs and other street furniture and to remove redundant items should be taken into account when planning highway infrastructure maintenance activities.

Well-Managed Highway Infrastructure – A Code of Practice: Recommendation 36.

The Nottinghamshire Approach

Nottinghamshire's approach for minimising clutter in the highway environment is contained in Section 5 of Nottinghamshire's Highway Network Management Plan. The specific sections that relate to the consideration of the impact of clutter on the urban environment are listed below:

- Section 5.5.3 - Bus Stops
- Section 5.7.3 - General Signing
- Section 5.7.14 - Banners on the highway
- Section 5.12.29 - CCTV Equipment on the highway

[Appendix 01 - Nottinghamshire's Highway Network Management Plan](#)



Courtesy of www.gov.uk

Appendix 01 – Policy and Strategic Documentation

Highway Network Management Plan (HNMP)

The following is a direct link to Nottinghamshire County Council's Highway Network Management Plan which is published on the NCC website.

[Nottinghamshire's Highway Network Management Plan](#)

Highway Infrastructure Asset Management Plan (HIAMP)

The following is a direct link to Nottinghamshire County Council's Highway Infrastructure Asset Management Plan which is published on the NCC website.

[Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

Highway Inspection & Risk Manual (HIRM)

The following is a direct link to Nottinghamshire County Council's Highway Inspection & Risk Manual which is published on the NCC website.

[Nottinghamshire's Highway Inspection and Risk Manual](#)

Well-Managed Highway Infrastructure – A Code of Practice (WMHI)

The following is a direct link to Nottinghamshire County Council's website where a copy of the national document, Well-Managed Highway Infrastructure – A Code of Practice, is displayed.

[Well-Managed Highway Infrastructure: A Code of Practice](#)

Highway Infrastructure Asset Management Guidance Document (HIAMGD)

The following is a direct link to Nottinghamshire County Council's website where a copy of the national document, Highway Infrastructure Asset Management Guidance is displayed.

[Highway Infrastructure Asset Management Guidance](#)

Appendix 02 – Network Hierarchy

Carriageway	
R	Resilient Network
H1	Main Distributor
H2	Secondary Distributor
H3	Tertiary Distributor
H4	Local Access Road
H5	Local Road
H6	Minor Road
H7	Track
H8	Unsuitable for Vehicles
Footway	
F1	Primary Walking Route
F2	Secondary Walking Route
F3	Tertiary Walking Route
F4	Local Access Footway
F5	Rights of Way (footpath)
Cycleway	
C1	Cycleway on Carriageway
C2	Cycleway on Footway
C3	Remote Cycleway/Trails on Highway

HIGHWAY INSPECTION & RISK MANUAL



July 2018

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Introduction

The Highway Inspection & Risk Manual (HIRM) sets out how Nottinghamshire County Council manages and risk assesses the day to day or routine maintenance of its highways to fulfil its statutory obligations and deliver a safe, serviceable and resilient highway network. This is a procedural document which is intended as a guide for all employees involved in the inspection of Nottinghamshire's highway network.

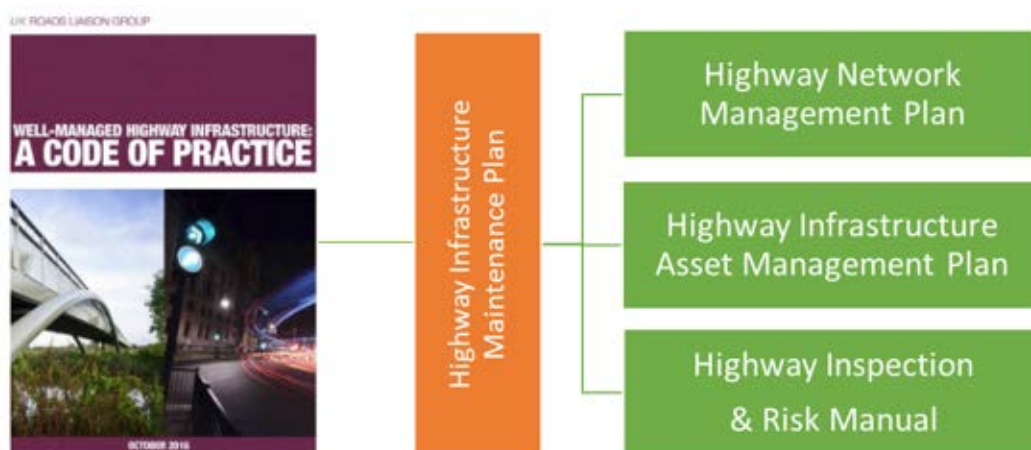
It covers highway safety and service inspections for a number of assets (a service inspection is an enhanced safety inspection), with additional information recorded on overall condition, and potential for asset to be considered for future planned maintenance. These inspections do not attempt to address overall structural condition, which forms part of the technical surveys covered in the Highway Infrastructure Asset Management Plan along with aspects associated with sustainability and resilience.

This document has been written in line with the recommendations and guidance in 'Well Managed Highway Infrastructure - A Code of Practice' published in October 2016. It should be considered as part of Nottinghamshire County Councils existing suite of highway documentation and the Highway Infrastructure Maintenance Plan.

- Highway Network Management Plan (HNMP)
- Highway Infrastructure Asset Management Plan (HIAMP).
- Highway Inspection & Risk Manual (HIRM)

Links to these documents is available through [Appendix 05](#) of this document.

This document replaces the Highway Inspection Manual dated December 2014 and is operational from 1st October 2018



This guide is not intended to cover inspections associated with, public rights of way, planned street lighting apparatus inspections, or planned tree inspections.

Public rights of way (generally rural footpaths and bridleways) as shown on the definitive map record, are covered in the Rights of Way Improvement Plan, which will be replaced by the Rights of Way Management Plan in 2018.

1 The need for Highway Safety Inspections

Under Section 41 of the Highways Act 1980 Nottinghamshire County Council has a statutory duty to maintain a highway maintainable at public expense in a safe and serviceable manner for all types of road user. Neglecting this duty can lead to claims against the County Council for damages resulting from a failure to maintain the highway. Under **Section 58** of the **Highways Act 1980**, the highway authority can use a “**Special Defense**” in respect of action against it for damages for non-repair of the highway if it can prove that it has taken such care as was reasonable. Part of the defense rests upon:

“Whether the highway authority knew, or could reasonably have been expected to know, that the condition of the part of the highway to which the action relates was likely to cause danger to users of the highway”.

This is where highway authorities must demonstrate that they carry out highway safety inspections in accordance with their policies and national guidance. Highway inspection reports are part of the evidence used to show that the highway authority has acted reasonably.

Section 58 of the Highways Act also says:

“The court shall in particular have regard to the following matters:

- a) The character of the highway and the traffic which was reasonably to be expected to use it;*
- b) The standard of maintenance appropriate for a highway of that character and used by such traffic;*
- c) The state of repair in which a reasonable person would have expected to find the highway.”*

Case history demonstrates that the highway authority must also be recording all customer reports of highway defects, however not all defects which the authority becomes aware of by inspection or customer report need to be repaired. Highways Asset Management System (HAMS) records may also be used as evidence to show that the highway authority has acted reasonably.

Guidance on the discharge of the Section 41 duty has been available, for many years, in a national Code of Practice (ACOP) – Well maintained Highways (2005). In October 2016, a revised code of practice was published ‘Well Managed Highway Infrastructure - A Code of Practice’. This HIRM specifically addresses the guidance and requirements contained in this revised code of practice relating to day to day maintenance, inspections and risk management. It sets the overall context for the application of a risk based methodology to the management of the highway.

Management of risk both in assessing the implications of investment decisions for asset management purposes and also in determining appropriate responses to highway deficiencies is core to understanding and managing risk. Critically, it must be noted that lack

of financial resources is not a defense under Section 58 of the 1980 Act. Those involved in highway maintenance, including Nottinghamshire County Council members, cabinet members and senior management must have a clear understanding of their powers and duties and the implications and the procedures used to manage and mitigate risk. There is also a need to understand the risks and impacts to the network in setting, or changing, the levels of service. Authorities have a general duty of care to users and the community to maintain the highway in a condition fit for its purpose. This principle should be applied to all decisions affecting highway maintenance works.

2 Information Management and Customer Care Policy

Details of Nottinghamshire's approach to Information Management forms part of the overall strategy to engage with stakeholders as detailed in Section 5: Communications of the Highway Infrastructure Asset Management Plan.

Link to: [Appendix 05 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

All enquiries are logged into the Highways Asset Management System (HAMS) via the Customer Relationship Module (CRM). Further information regarding the HAMS is contained in Section 15 of the Highway Infrastructure Asset Management Plan. The system automatically forwards the details to the most appropriate officer for consideration / action and reply. These enquiries may trigger **Reactive Inspections**. [Appendix 3](#) of this document, details items that will be dealt with as an enquiry in the Highway Asset Management System.

This system is held in a secure environment with controlled access for users. Set ICT policies and security measures are in place for the management and use of ICT hardware, infrastructure, data and access. Mobile devices are utilised to allow direct data capture and work functions to be performed. These devices allow highway network condition information to be monitored and future plans to be available to the user.

3 Aims and Purpose

The aim of inspecting the highway is to identify and take action to remove those hazards which present a potential risk to highway users. Additionally, the process will support the development of programmes, to maintain the asset and keep the highway in a serviceable condition. This is in line with our overall aim of network safety, serviceability, and sustainability.

Highway **Safety and Service Inspections** are undertaken to identify defects that are creating or likely to create a danger or serious inconvenience to users of the network or the wider community. Such defects should include those that will require urgent attention, as well as those where the reduced level of severity is such that longer periods of response would be acceptable, or may confirm that no response is needed.

4 Highway Inspection Regime

The Highway Inspection regime is managed through the Highway Asset Management System. It is configured so that inspection routes for the whole county are available to all, which provides flexibility for the Inspectorate, allowing Inspectors to work outside of their defined areas when the need arises. Inspections are carried out on a monthly, three-monthly, six-monthly or annual basis dependent upon the hierarchy of the network.

The inspection regime is made up of three key elements:

- **Inspection Route:** This refers to monthly and three-monthly inspections, generally on classified roads and unclassified distributor roads. These are designed as a single inspection route along a single numbered road.
- **Inspection Area:** This is reserved for all annual inspections and 6 monthly link footway inspections.
- **Enquiry Area:** These are specific geographical areas where enquiries such as those from the general public either via Customer Services or the website, are allocated to particular Inspectors or other relevant action officers through the Customer Relationship Module (CRM) in HAMS. In general, the Enquiry Areas broadly match the Inspection Areas but some sections of an Inspection route may be in different enquiry areas.

Inspections are fully managed through Confirm and defects and ordered works are maintained from creation to closure. Each inspection is recorded against the relevant Street Section in Highway Asset Management System, as well as any defects found.

As part of the planned inspection regime there is an in-built condition survey which allows the Highway Inspector to highlight sites that are displaying signs of deterioration into one of the three condition bands. These sites are then further reviewed as part of the inspection management process, added to the Candidate List and form part of the Annual Engineering Inspection (AEI) as detailed in the Highway Infrastructure Asset Management Plan.

When recording inspections, on the host (Confirm) or using a handheld device, HAMS will automatically time and date stamp the inspection. If no actionable defects are present this is recorded as part of the inspection. The inspection data should show the name of the person who carried out the inspection. (Inspections must not be carried out in another person's name).

All inspections shall be properly recorded into the Highway Asset Management System and retained by the Authority for future reference.

5 Types of Inspection

The Highway is routinely inspected as part of a planned inspection regime, with inspections being carried out at a set of frequencies (Monthly, 3 Monthly, 6 Monthly, Annually) that are based upon network hierarchy. This, combined with the Customer Relations process, results in all highway inspections being undertaken by the Highway Inspector. Observed defects which meet the investigatory 'trigger' level are considered for repair and a response time allocated dependent upon a risk assessment. Inspections can be classified into four types:

i. Safety inspections

These inspections are undertaken to meet the key objective of network safety. They are critical to the County Council's strategy for managing liabilities and risks. They are used to identify defects that are creating or likely to create a danger or serious inconvenience to users of the network or the wider community; including defects requiring urgent attention. These defects will either be repaired immediately or initiate reactive maintenance.

The safety inspection is carried out in a manner that ensures that the highway can be adequately assessed, and may include a combination of walked and driven inspections. The inspection methodology adopted will ensure risk to the inspector is minimised.

ii. Service inspections

The service inspection is an enhanced inspection to meet the key objective of network serviceability and provide conditional information which supports the management of the asset and programmes of work. Service inspections comprise of a more detailed inspection, to identify issues that may have an effect on the reliability, quality, comfort and ease of use of the network, as well as those associated with safety of the network. Defects will either be repaired immediately or initiate reactive maintenance. The service inspection should be carried out in a manner that ensures that the highway can be adequately assessed. In addition, the procedures adopted will ensure risk to the inspector is minimised.

iii. Specialist inspections

Specialist inspections comprise of more detailed specific inspections of particular highway assets, with regard to the key objectives of network serviceability and sustainability and will be used to identify programmed maintenance requirements.

It will often be necessary for inspectors to have specialist knowledge in a particular field and may require the use of specialist equipment.

Specialist inspections will be considered in the following areas:-

- Highway drainage systems
- Embankments and cuttings
- Landscaped areas and trees
- Vehicle Restraint Systems
- Large signage and gantries
- Road markings and studs reflectivity
- Traffic signals and pedestrian crossings
- Street lighting
- Bridges and structures

iv. Reactive inspections

Reactive inspections are carried out as a result of third party defect reports. Such reports may

be received through calls, in writing, via social media sites or via a web form submission.

Defects verified through this reactive inspection will be dealt with as if the defect was found as part of a planned inspection.

6 Health and Safety

All inspections must be carried out in a safe manner so as not to endanger staff or the public. Whenever a safety, service or specialist inspection is undertaken the basic principles of risk assessment are carried out, not only for the inspection process but also for the assessment of any observed defects and for any proposed remedies.

Safe working procedures are available for walked and driven inspections where potential common hazards have been identified, however inspectors are expected to ensure any unforeseen events are assessed to ensure safe working practices are maintained.

With regards to responses to individual hazardous defects a judgement can be made by evaluating them in terms of their significance, the likely impact should an incident occur and the probability of it actually happening.

All operations will have a current risk assessment which must be followed by staff.

7 Responsibility of the person undertaking Inspections

The person undertaking the inspection is responsible for the accuracy of that inspection and the recorded information. The inspector undertaking the inspection may also be required to provide information relating to third party liability claims against the Council or Via EM, this may include providing statements to support the defense of claims. On occasions, the Inspector may have to attend court as a witness in civil trials.

8 Network Hierarchy and Inventory

The network hierarchy and associated inventory are the foundation of the highway maintenance strategy. The hierarchy is also core to the inspection system as the attributes used to evaluate the position of roads, footways and cycle paths in the hierarchy are also the cornerstone of a 'risk-based approach' to the planned inspection regime.

The factors that influence the hierarchy of a particular road length, footway section etc are detailed in the HIAMP and the hierarchy table contained in [Appendix 04](#) of this document, demonstrates the influence these will have and how the route will be managed. Each part of the network is assigned a hierarchy which relates to its importance to transportation and usage. This hierarchy is stored in the Highway Asset Management System and records are kept of hierarchy changes. Footway hierarchies may differ from carriageway hierarchies and hence, they can have potentially diverse inspection frequencies.

Nottinghamshire County Council has worked extensively with neighbouring authorities as part of both the Midlands Service Improvement Group (MSIG) and the Midlands Highways Alliance (MHA) to ensure consistency between hierarchies across local authority boundaries.

The Highway inventory and the many types of assets and their attributes are detailed in the HIAMP. Whilst the detailed technical specification for all assets are not inspected as part of the safety and service inspections, covered in this document, any asset which is considered to be a potential risk are identified and reported through the appropriate channels to ensure that the highway is kept safe.

Further information on network hierarchy can be found in Section 5.1.6 of Nottinghamshire's Highway Infrastructure Asset Management Plan.

Link to [Appendix 05 - Nottinghamshire's Highway Infrastructure Asset Management Plan](#)

9 Frequency of Highway Safety and Service Inspections

Nottinghamshire County Council has set its own standards for the frequency of its highway safety and service inspections. These have been approved by Elected Members and take into account national guidance for the definition of highway type, hierarchy and inspection frequencies, issued in *"Well Managed Highway Infrastructure - a Code of Practice"* (published in October 2016). It recognises the patterns of use of the network rather than classification.

Each part of the highway network is assigned a hierarchy which relates to its importance in terms of transportation and usage. This hierarchy is stored in the Highway Asset Management System and records are kept of hierarchy changes. Depending upon usage and hence hierarchy, it is possible for carriageways and footways which are part of the same street section to have different inspection frequencies.

The Authority will ensure that the routes include the existing highway network and newly adopted highways, where appropriate, are added to the inspection routes.

It may be necessary to inspect certain highways at a higher frequency than shown above when there are particular hazards, e.g. a highway is deteriorating quickly or a road being used as a diversion route for 1 month or more. Any agreed additional (ad-hoc) inspections will need recording in the Highway Asset Management System.

The defined inspection frequencies should be maintained in accordance with Table 1.

Table 1 – Frequency of Highway Inspections

CARRIAGEWAYS			
HIERARCHY CATEGORY	TYPE	SAFETY INSPECTION FREQUENCY	ENHANCED INSPECTION FREQUENCY
R	Resilient Network	Monthly	Annual
H1	Main Distributor	Monthly	Annual
H2	Secondary Distributor	Monthly	Annual
H3	Tertiary Distributor	Quarterly	Annual
H4	Local Access Road	Quarterly	Annual
H5	Local Road	Annual	Annual
H6	Minor Road	Annual	Annual
H7	Track	Annual	Annual
H8	Unsuitable for Motor Vehicles	Reactive Only	

FOOTWAYS			
HIERARCHY CATEGORY	TYPE	SAFETY INSPECTION FREQUENCY	ENHANCED INSPECTION FREQUENCY
F1	Primary Walking Route	Monthly	Annual
F2	Secondary Walking Route	Quarterly	Annual
F3	Tertiary Walking Route	6 Monthly	Annual
F4	Local Access Footway	Annual	Annual
F5	Right of Way	NCC Countryside Access Frequencies	

CYCLEWAYS			
HIERARCHY CATEGORY	TYPE	SAFETY INSPECTION FREQUENCY	ENHANCED INSPECTION FREQUENCY
C1	On Carriageway	As per CW	As per CW
C2	On Footway (shared)	As per FW	As per FW
C3	Remote from Carriageway / Cycle Trails (when highway maintainable at public expense)	6 Monthly	Annual

Note: Hierarchies and the attributes which define them are identified in [Appendix 04](#)

10 Safety and Service Inspections Tolerance

All safety and service inspections are based upon categories within the network hierarchy and they should be wherever possible, evenly spaced throughout the year. It is accepted however that some inspections will not be achievable due to unforeseen circumstances or extreme weather conditions. If this should occur, details of the event should be made against the appropriate inspection record.

INSPECTION TYPE	INSPECTION FREQUENCY	TOLERANCE
Safety	Monthly	+/- 7 days
	Quarterly	+/- 14 days
	6 Monthly	+/- 14 days
	Annual	+/- 28 days
Service	Annual	+/- 28 days

The reference to days is calendar days not working days, inspection may be undertaken early (+) or late (-) as indicated.

The due date of an inspection in HAMS is fixed, therefore any inspection undertaken early/late, in line with the tolerance, does not change the due date of the next planned inspection.

Consideration of the potential rate of deterioration of surfaces and defects before the next planned inspection should also take into account the tolerances described above.

11 Method of Inspection

i. Driven

Carriageway Safety Inspections should always be undertaken by two people in a suitable liveried vehicle travelling at a suitable speed that will enable adequate recording of defects – (guidance speed is 20 mph), one driving and the other inspecting. The driver will not be expected to be actively involved in identifying and recording defects, but will concentrate on ensuring the safe passage of the vehicle. For high speed roads (above 40mph), a dynamic risk assessment should be undertaken by the inspectors to determine whether traffic management is to be provided to enable the inspection to take place safely.

For narrow roads, typically those less than 4m total width, the driven inspection may be carried out in one direction only.

ii. Walked

Carriageways can be inspected by one person on foot if the person is walking on a footway and can safely inspect the footway, carriageway and verge at the same time.

All footways surfaced in a flagged or modular paving are to be inspected in both directions to allow for the assessment of all vertical changes in level.

iii. Cycled

The cycle network (urban and rural) may be inspected by one person on a bicycle, or walked. Cycleways that are located on carriageways will be inspected as part of the carriageway inspection.

12 Information to be Recorded

For both safety and service inspections it is necessary to record details of the inspection, irrespective of whether there are any defects or not. The information to be recorded includes:

- The inspection route
- Street / section within the route
- Date of inspection
- Name of inspector

As each inspection is recorded against the relevant Street Section in HAMS, this information is automatically captured. In addition, any actionable defects found will also be recorded with a more specific location, type and nature of actionable defect and any action taken at the time. Where appropriate, an image of a specific actionable defect may also be recorded on HAMS.

An assessment of the overall condition of the carriageway and footway must be recorded as part of the annual service inspection. This information is further assessed to help identify potential preventative maintenance and renewal schemes.

When recording inspections, on the host or using a handheld device, HAMS will automatically time and date stamp the inspection. If no actionable defects are present this is recorded as part of the inspection. The inspection data should show the name of the person who carried out the inspection. (Inspections must not be carried out in another person's name).

All inspections shall be properly recorded into the Highway Asset Management System and retained by the Authority for future reference.

13 Inspection Coverage

A safety inspection should identify and record highway defects such as:

- Debris, spillage or contamination on footways, cycleways, carriageways or hard shoulders.

- Displaced road studs lying in the carriageway.
- Overhead wires in a dangerous condition.
- Vandalism, the results of which are likely to endanger the public.
- Abrupt level differences in footways, cycleways, carriageways or hard shoulders, the results of which meet the relevant investigatory trigger levels.
- Potholes, cracks and gaps in footways, cycleways, carriageways or hard shoulders, the results of which meet the relevant investigatory trigger levels.
- Damaged, broken or displaced kerbs which meet the relevant investigatory trigger levels.
- Edge deterioration of the carriageway.
- Visual evidence of potentially slippery surfaces / loss of texture.
- Missing or defective ironwork and other apparatus that is the responsibility of public utility companies should be directed to the relevant utility company for action as soon as possible, under Section 72 of the NRSWA 1991. This should be within a timescale decided by the Inspector to be reasonable and in line with relevant NRSWA Codes of Practice.
- Standing water, water discharging onto or overflowing across the highway if present at the time of inspection.
- Blocked drains and grips.
- Damaged, defective, displaced, missing traffic signs, signals or lighting columns.
- Badly worn road markings, missing road studs.
- Dirty or otherwise obscured traffic signals and signs.
- NRSWA Defects – contained in NRSWA 1991 Specification for the Reinstatement of Openings in Highways Second Edition 2002.
- Bollards and street furniture defects.
- Damaged safety fencing, parapet fencing, handrail and other barriers.
- Sight-lines obscured by trees, other vegetation, unauthorised signs and other features.
- Overhanging vegetation causing obstruction to pedestrian or vehicular traffic.
- Dead trees, or trees with obvious die-back, which could affect the highway to be referred to the Forestry Team for specialist advice.

The above list is not exhaustive; the important issue is to ensure the safety of, and to prevent serious inconvenience to road users and the wider community.

Safety and service inspections will generally only include the highway assets visible from the carriageway or footway.

14 Risk Management and Defect Risk Assessment

When undertaking inspections or responding to reported incidents a judgement has to be made with regards to categorizing any observed defects and the consequential responses required. Every decision could be critical to the safety of users and may potentially be subject to legal scrutiny in the event of an accident occurring at or near the site. Consequently, it is important that inspectors are competent, provided with appropriate training and guidance in undertaking safety inspections (see section 21), including guidance on items to be inspected and the application of risk management in determining the degree of deficiency and the nature of response in order to make safe and maintain the highway in a serviceable condition in relation to its use.

An example of a typical process is shown below and examples of parameters that may be taken into consideration include:

- The depth, surface area or other degree of deficiency of the defect or obstruction
- The localized volume, characteristic, speed of vehicles and use by pedestrians.
- The location of the defect relative to other highway features such as retaining walls, bridges, embankments, junctions and bends.
- The location of defect, if it could adversely affect non-highway features such as neighboring properties.
- The location of the defect relative to the positioning of users, proximity of community facilities, vulnerable users such as in traffic lanes or wheel tracks.
- The nature of interaction with other defects.
- Forecast weather conditions, especially potential for freezing of surface water.

All defects identified through the inspection process may be evaluated in terms of their significance, which means assessing the likely impact should an incident occur and the probability of it actually happening.

Risk factor

The risk factor for a particular hazard is the product of the “Risk of Impact” and the “Risk Probability”, which can be measured in the range of 1 to 25. This factor can be used to identify the overall significance of the risk and consequently the appropriate response required.

Risk impact - The impact of a risk occurring can be quantified on a scale 1 to 5.

1	No impact
2	Minimal impact
3	Moderate impact
4	High impact
5	Severe impact

Consideration can be given to the extent of damage or injury likely to be caused if an incident occurred. The impact is likely to change with different defects, the amount and type of traffic and increasing speeds.

Risk probability - The probability of a risk occurring can be quantified on a scale 1 to 5.

1	Remote
2	Unlikely
3	Possible
4	Likely
5	Probable

Consideration can be given to the likelihood of users passing by or encountering the hazard, including location, maintenance hierarchy, vehicular and pedestrian flows.

Risk Factor = Impact x Probability

Or

Risk Factor = Risk x Hazard

Where:

- **Hazard** is something with the potential to cause harm.
- **Risk** is the likelihood or chance of that harm occurring.

Risk Matrix table

Risk Matrix		Probability(Risk)				
		1 Remote	2 Unlikely	3 Possible	4 Likely	5 Probable
Impact (Hazard)	1 No impact	1	2	3	4	5
	2 Minimal	2	4	6	8	10
	3 Moderate	3	6	9	12	15
	4 High	4	8	12	16	20
	5 Severe	5	10	15	20	25

Defect risk management

Having identified a particular hazard, the defect category and response time can be allocated based on the assessment of risk in relation to the likely impact and probability of an incident occurring. Generally, a Risk Factor of 16 or greater, would be considered as a Category 1 defect.

All defects therefore need to be carefully assessed and appropriate actions applied in order to make safe and maintain the highway network in a serviceable condition in relation to its use.

The *Risk Impact*, *Risk Probability* and *Risk Matrix* tables are tools used by Inspectors to assist them in establishing the category of defect and hence, the appropriate response times. It is not expected that the numbers from these tables will be recorded.

15 Categories of Defect

There are 4 categories of defects, as below:

Defect Category	Risk Factor Range	Response Time*
Emergency	25	2 hours
Category 1	16 to 20	1 working day
Category 2	9 to 15 #	28 calendar days
Category 3	6 to 10 #	90 calendar days

* Response time relates to the time following inspection.

The risk factor range for category 2 and 3 defects overlaps. This is due to the variability in site conditions and the probability (risk) that a defect may have an impact or offer a hazard to users. Through dynamic risk assessment the inspector will determine the most appropriate timing.

a) Emergency defects (EMG)

These are the most serious defects that offer the greatest risk to road users, offering a severe outcome. The nature of the action taken to deal with such defects will be dependent on the type of defect. A response will be provided within 2 hours of inspection. These are defects that often require immediate action to be made safe and where possible this will be at the time of inspection. In this context, making safe may be displaying warning notices, installing temporary traffic control measures, coning off or fencing off to protect the public from the defects.

b) Category 1 defects (Cat 1)

These are defects that require an urgent response and to be made safe at the time of inspection, if reasonably practicable. In this context, making safe may constitute a permanent first-time repair using modern proprietary repair techniques, displaying warning notices, coning off or fencing off to protect the public from the defect. If it is not possible to correct or make safe the defect at the time of inspection, repairs or other action of a permanent or temporary nature should be carried out as soon as possible and in any case within 1 working day.

A temporary repair will be followed up with a permanent repair that will be issued as a separate instruction as per the appropriate defect category.

When temporary signing or guarding is employed to make safe, further remedial works should be undertaken to enable the removal of the signing and guarding within 28 days, unless there are exceptional circumstances.

c) Category 2 defects (Cat 2)

These defects are those that are assessed by the Inspector as highly likely to become a Cat 1 defect within 3 months if not attended to, allowing for the tolerances as detailed in Section 10 of this document.

Category 2 defects will be issued with a 28-day completion time.

Nottinghamshire's target is to repair 90% of Cat 2 defects within 28 days, and 100% within 90 days.

d) Category 3 defects (Cat 3)

These defects are those that are assessed by the Inspector as likely to become Cat 1 defect in 3 to 12 months' time, allowing for the tolerances as detailed in Section 10 of this document.

Category 3 defects will be issued with a 90-day completion time.

The categorisation of defects will be reviewed annually to consider the impact of budgetary constraints, the practicality of delivery and the volume of work being identified. This review has a greater implication for the lower categories of defect with the longer completion time.

Other sites may be recorded as suitable for preventative maintenance through the conditional information recorded as part of the service inspection. These are sites with minor deterioration and surface irregularities which are highly unlikely to become defects before the next inspection. Work will not be issued for these; however, their suitability is recorded to allow preventative maintenance treatment to be considered as part of the wider maintenance programme.

Where an inspector determines that a section of highway has numerous defects constituting a surface failure over the section length, they should issue the repairs for the street rather than identifying each individual defect, categorising all the repairs based on the local factors.

16 Defect Category Selection

This will depend upon the inspector's assessment at the time of the inspection which should be based on the following criteria:

- Overall probability and impact of damage or accident occurrence.
- Hierarchy and frequency of inspection from Table 1 above (Section 9).
- The depth, surface area – (extent of the defect and their parameters in relation to the investigatory levels see Appendix 02 of this document).
- The location of the defect relative to other highway features such as junctions and bends.
- The location of the defect and its likely effect on users. Consideration will be given to pedestrians and vulnerable road users and whether it affects walking routes outside sheltered accommodation, elderly people's homes, doctors' surgeries etc.
- Consideration is given to the location of the defect in terms of 'desire lines' (whether it sits within the areas of greatest use over the carriageway or footway cross-section)
 - In carriageways, this is likely to be in the wheel tracks.
 - In footways, it refers to the areas of greatest footfall, usually away from boundary features (hedges, fences, walls)
- The nature and extent of interaction with other defects.
- Forecast weather conditions and time of year, especially considering the potential for freezing of standing water.
- If the defect is categorised as a Cat.1, consideration will be given as to whether the next day is a working day (and not a weekend or bank holiday) and if the next day is not a working day, given the above parameters, whether an emergency response would be more appropriate.

Example: defects, classification, guidance and investigatory levels are contained in Appendix 01 and Appendix 02 of this document.

17 Claims by Third Parties

The authority receives claims for damages for alleged failure of statutory duty (Section 41 - Highways Act 1980: Duty to maintain a highway). The inspection records constitute an important defence document.

18 Types of Defect Repairs

The range of different types of repair and treatment available to the Highway Inspector form part of the works ordering process contained in the Highway Asset Management system. These processes and treatments are embedded in the system and are utilised through the use of tablet technology by the Inspectors and Operatives.

Operational works procedures are covered by systems accredited to the internationally recognised quality system ISO 9001 and the Health and Safety system OHSAS 18001.

Make safe arrangements, as referred to in Section 15 of this document, are also managed in the same way with a description of the work required/done forming part of the inspection/enquiry process.

19 Outcome of Inspections

The works ordered as a result of an inspection are determined based upon the category of the defect and its associated response time plus other information such as indicative forward works programmes and major utility works. Reactive repairs are carried out effectively, to potentially prolong asset life where possible.

'Highway Assistants' are used and they support and accompany Highway Inspectors on their daily duties. The role of the Assistant is to help with the repair or 'make safe' of Category 1 defects at the first visit, as far as is practicable. This reduces the need for multiple visits and allows operational staff to better plan their maintenance activities around lower category defects.

Routine or Reactive maintenance is undertaken in response to inspections, complaints or emergencies. The action taken may vary depending upon the nature of the defect.

- All assets - sign and making safe for safety purpose
- All assets - provide initial temporary repair for safety purposes
- All assets - provide permanent repair for safety and asset maintenance purposes

As part of the wider asset management strategy it is recognized that each element of the highway asset will have a variety of lifecycle options taking the asset through from creation to disposal. Furthermore, within the lifecycle of the asset there are also a variety of treatment options which will provide for short, medium and long-term maintenance of the asset. These treatment options will form an integral part of the process for identifying and prioritizing treatments as part of the asset management process. The treatment options chosen will have an impact on both achieving the core service levels of safety, serviceability and sustainability and maintaining or improving the asset value.

20 Audit Inspections

The standard of highway inspections is reviewed regularly through the implementation of audit inspections, to check that the planned inspection regime meets the necessary standard. These reviews are recorded, along with the associated outcome and monitored as a guide to the level of compliance. Any element of an inspection that may be found to be below the required standard is amended and raised with the inspector accordingly.

21 Inspector Competency

The inspection regime is based on risk assessment and provides a practical and reasonable approach to potential hazards, it is important therefore that inspections and records are consistent across the network and county. To this end inspectors will be required to demonstrate competence, have experience in highway maintenance and to have received internal training until they are deemed to be competent prior to the commencement of inspection duties.

In addition to the above, all Highway Inspectors must have received and attained the following training and development within the first 12 months of appointment and receive refresher training as necessary:

- NRSWA Supervisory Qualification.
- City & Guides Inspection Qualification.
- Court Room Training and attended court in a viewing or witness capacity.

Appendix 01 - Types of Highway Defect

The following are **examples** of highway defects together with a description of those classed as **Category 1, 2 & 3**.

The list is not exhaustive and the Inspector will need to use their risk assessment as detailed in Section 14, 15 & 16 to what is likely to be hazardous.

a) Carriageways, Category C1 and C3 Cycleways

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
POTHOLE / SPALLING * DEPRESSIONS * RUTTING * GAP / CRACK * SUNKEN IRONWORK *	See Appendix 2 – Table 2 below.	See Appendix 2 – Table 2.	See Appendix 2 – Table 2.	See Appendix 2 – Table 2.
EDGE DETERIORATION * Constituting a hazard to the travelling public especially cyclists.	Greater than 100mm 'drop off' on the edge of an unconstrained road. If a designated cycle route 50mm should be used. Edge deterioration that has broken away will be considered as a pothole see Appendix 2 - Table 2.	See section 15(c)(Cat 2) definition.	See section 15(d)(Cat 3) definition.	
DEBRIS, SPILLAGE, CONTAMINATION* Constituting a hazard on any part of the carriageway or cycleway.	Diesel / oil spillage etc., mud on road, hazardous debris, dead animals.	Not Applicable.	Not Applicable.	General non-emergency debris/rubbish clearance is a District Council responsibility. May require serving of notice under Highways Act or NRSWA. For Cat 1 making safe can include signing / treatment or removal of hazard.

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
DRAINAGE COVERS ETC. * Defective gully grates, manholes, service covers etc. constituting a hazard, especially for powered 2 wheeled vehicles and cyclists.	Missing or collapsed covers. 20mm trip within the frame. Broken gully grates, manholes, service covers etc.	As Cat 3 unless likely to deteriorate within 28 days. Also, drainage gully grate with grating parallel to kerb.	Not Applicable.	Utility should be dealt with under NRSWA Section 81. Cat 1 defects should be made safe if a full repair is not possible within the allocated time.
SURFACE WATER * Ponding / discharging across highway. Constituting a hazard of aquaplaning, vehicle avoidance measures or skidding, especially during winter.	Where excess water requires signing and guarding.	Minor discharge across the carriageway.	Not Applicable.	Where applicable serve notice to landowner. During Winter months as defined in the Winter Service Plan. Winter Maintenance Manager to be advised in excessive circumstances.
DISPLACED LEVEL CROSSING PADS. Must be reported to Network Rail as soon as possible.	Must be reported to Network Rail as soon as possible.	Not Applicable.	Not Applicable.	
LONGITUDINAL AND TRANSVERSE TRENCHES* (Utilities / NCC).	Refer to NRSWA tolerances in 2002 NRSWA Specification and Table 2 for NCC tolerances.	Refer to NRSWA tolerances in 2002 NRSWA Specification appendix and Table 2 for NCC tolerances.	Refer to NRSWA tolerances in 2002 NRSWA Specification appendix and Table 2 for NCC tolerances.	Utility should be dealt with under NRSWA Section 81, but defect must be made safe. Repair should be undertaken if utility does not respond to Section 81 notice.

*Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection

b) Footways and Category C2 Cycleways

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
POTHOLE *	See Appendix 2 – Table 3.	See Appendix 2 – Table 3.	See Appendix 2 – Table 3.	
TRIP HAZARD * Crack in surface. Raised/damaged paving slab. Trip/pothole. Street furniture. Rocking slab/block. Tree root damage. ** Sunken / raised ironwork.	See Appendix 2 – Table 4.	See Appendix 2 – Table 4.	See Appendix 2 – Table 4.	** Tree root damage – Seek Advice from Tree Officers.
DEBRIS, SPILLAGE, CONTAMINATION * Constituting a potential hazard.	Such that require signing and guarding before clearance.	Obviously slippery inspection covers.	Not Applicable.	General non-emergency debris/rubbish clearance is a District responsibility May require serving of notice under Highways Act or NRSWA. For Cat 1 making safe may include signing / treatment or removal of hazard.
KERBING * Damaged, rocking, missing or dislodged kerbs.	Creating a trip hazard greater than 20mm where a risk assessment indicates substantial risk within pedestrian desire lines. If there is not substantial risk within the desire line the defect can be categorised as Cat 2 or Cat 3 depending on the level of risk.	See section 15(c) (Cat 2) definition.	See section 15(d) (Cat 3) definition.	

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
<p>DEFECTIVE AND MISSING IRONWORK AND SERVICE COVERS *</p> <p>Refer to Section 81 of the New Roads & Street Works Act 1991 (see below).</p>	<p>Raised, low or broken gully grates, manholes, service covers etc.</p> <p>Trip hazard greater than 20mm.</p>	<p><i>See section 15(c) (Cat 2) definition.</i></p>	<p>See section 15(d) (Cat 3) definition.</p>	<p>Utility should be dealt with under NRSWA Section 81, but defect must always be made safe, where they meet the investigatory level.</p> <p>Repair should be undertaken if utility does not respond to Section 81 notice.</p>

***Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection**

New Roads & Street Works Act 1991, Section 81 - Duty to maintain apparatus:

“An undertaker having apparatus in the street shall secure that the apparatus is maintained to the reasonable satisfaction of the street authority, as regards the safety and convenience of persons using the street (having regard, in particular, to the needs of people with a disability), the structure of the street and the integrity of apparatus of the authority in the street”

c) Verges / Visibility Splays

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
Overgrown verges/vegetation or obstruction at road junctions and roundabouts.*	Visibility at junctions & roundabouts severely restricted.	See section 15(c) (Cat 2) definition.	Not applicable	Contact 3rd parties and service notice if appropriate for Cat 2 and monitor progress.
Overgrown verges / vegetation or obstruction to footway.*	Footway impassable.	See section 15(c) (Cat 2) definition.	Not applicable	Contact 3rd parties and service notice if appropriate for Cat 2 and monitor progress.
Nuisance Items in the verge.*	Items causing a potential danger.	See section 15(c) (Cat 2) definition.	Not applicable	Contact 3rd parties and serve notice if appropriate for Cat 2 and monitor progress.

*Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection

d) Traffic signs, Road Markings, Street Lighting and Street Furniture.

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
<p>SIGNS* ROAD MARKINGS* ROAD STUDS*</p>	<p>Badly damaged or missing Stop or Give Way Sign.</p> <p>Loose sign face likely to fall on pedestrian, or fall into carriageway.</p>	<p>Obscured or dirty hazard / warning sign face.</p> <p>Significantly faded or missing road 'Stop' or other mandatory lines at major junctions.</p> <p>Missing "cat's eyes".</p>	<p>Partly obscured or dirty sign face.</p> <p>Faded sign face.</p> <p>Damaged or missing advance Give Way sign.</p> <p>Faded or missing other mandatory road markings.</p>	<p>Lining defects to be identified for lining programme. Major junction lining faults to be passed to maintenance manager.</p>
<p>STREET LIGHTING ALL ELECTRICAL HAZARDS MUST BE REPORTED IMMEDIATELY TO STREET LIGHTING TEAM</p> <p><u>APPARATUS NOT TO BE</u> <u>TOUCHED. EXCLUSION ZONE</u> <u>CREATED.</u></p>	<p><u>THIS MAY CONSTITUTE</u> <u>AN EMERGENCY</u> <u>CATEGORY</u></p> <p>Lighting column or illuminated sign knocked down.</p> <p>Exposed live electrical wiring.</p>	<p>Lighting column or illuminated sign minor damage.</p> <p>Lighting column or illuminated sign inspection door loose.</p> <p>Illuminated bollard damaged, missing or unlit.</p>	<p>Lighting column or illuminated sign minor damage.</p> <p>Lighting column or illuminated sign inspection door loose.</p> <p>Illuminated bollard damaged, missing or unlit.</p>	<p>Category to be determined based on severity of damage and location of apparatus</p>

DEFECT	CAT. 1 DEFECT IF:	CAT 2 DEFECT IF:	CAT 3 DEFECT IF:	ADDITIONAL ADVICE
<p>TRAFFIC SIGNALS</p> <p><u>ALL SIGNAL DAMAGE MUST BE REPORTED TO THE TRAFFIC CONTROL CENTRE</u></p>	<p><u>THIS MAY CONSTITUTE AN EMERGENCY CATEGORY</u></p> <p>Exposed live electrical wiring.</p> <p>Seriously damaged or defective traffic signals.</p>	Not applicable	Not applicable	
<p>FENCING / BARRIERS*</p> <p>Safety fencing</p> <p>Private fencing</p> <p>Pedestrian barriers</p> <p>Knee rail fencing</p> <p>Highway fencing</p>	<p>Obviously damaged fencing or barriers causing immediate danger to highway users</p>	See section 15(c) (Cat 2) definition.	See section 15(d) (Cat 3) definition.	Contact 3 rd parties and service notice if appropriate for private fencing.

***Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection**

Appendix 02 - Investigatory Levels for Highway Defects

Table 2 Carriageways, Category C1 and C3 Cycleways

Pothole / spalling, depressions, rutting, gap / crack width and sunken ironwork or other hazard

Road Type		Resilient Network	Main Distributor	Secondary Distributor	Tertiary Distributor	Local Access Road	Local Road	Minor Road	Track	Unsuitable for Vehicles
Hierarchy Category		R	H1	H2	H3	H4	H5	H6	H7	H8
Inspection Frequency		1 month	1 month	1 month	3 monthly	3 monthly	Annual	Annual	Annual	Reactive Only
Category 1 Defect	1 Working Day*	Investigatory Level >As per adjacent footway if within 'desire line' of pedestrian crossing or pedestrian route Investigatory Level >40mm elsewhere								
Category 2 Defect	28 Day Repair	May potentially become Category 1 within 3 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.								
Category 3 Defect	90 Day Repair	May potentially become Category 1 within 3-12 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.								

***Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection**

Table 3 Footway and Category C2 Cycleways - Potholes

Footway Type		Primary Walking Route	Secondary Walking Route	Tertiary Walking Route	Local access footway	Rights of Way (Footpath)
Footway Hierarchy		F1	F2	F3	F4	F5
Inspection Frequency		1 month	3 monthly	6 monthly	Annual	NCC Countryside Access Policy
Category 1 Defect	1 Working Day*	Investigatory Level >20mm if within footway desire lines				
Category 2 Defect	28 Day Repair	May potentially become Category 1 within 3 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.				
Category 3 Defect	90 Day Repair	May potentially become Category 1 within 3-12 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.				

***Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection**

Table 4 Footway and Category C2 Cycleways - Trip Hazard

Crack in surface, raised/damaged paving slab, trip/pothole, rocking slab/block, sunken or raised ironwork or other tripping hazard

Footway Type		Primary Walking Route	Secondary Walking Route	Tertiary Walking Route	Local access footway	Rights of Way (Footpath)
Footway Hierarchy		F1	F2	F3	F4	F5
Inspection Frequency		1 month	3 monthly	6 monthly	Annual	NCC Countryside Access Policy
Category 1 Defect	1 Working Day*	Investigatory Level >20mm vertical face/movement/crack if within footway desire lines				
Category 2 Defect	28 Day Repair	May potentially become Category 1 within 3 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.				
Category 3 Defect	90 Day Repair	May potentially become Category 1 within 3-12 months if not attended to, allowing for tolerances as detailed in Section 10 of this document.				

***Subject to Risk Assessment as detailed in Section 16 - Defect Category Selection**

Appendix 03 - Items covered as enquiries in the HAMS

- Debris, spillage and contamination
- Manholes and gullies
- Nuisance items in the verge
- Overgrown verges / vegetation or obstruction to carriageway
- Overgrown verges / vegetation or obstruction to footway
- Signs
- Street lighting
- Traffic signals
- Fencing / Barriers / Private Fencing

Appendix 04 - Network Hierarchy – Carriageway

HIERARCHY		STREET PROPERTIES
R	Resilient Network	Is an 'A' class road or Has a Key Service* located on it or is required by the Key Service to gain access to the Resilient Network or Is an Emergency Diversion Route for the Trunk Road network or Is a road identified with an isolation factor associated with the winter maintenance plan (severe weather gritting route)
H1	Main Distributor	Is RURAL and has an AADT of > 5000 or Is URBAN and has an AADT of > 2000
H2	Secondary Distributor	Is RURAL and has an AADT of > 1500 or Is URBAN and has an AADT of > 1700
H3	Tertiary Distributor	Is a 'B' class road or Is RURAL and has an AADT of > 151 or Is URBAN and has an AADT of > 101 or Has > 200 Residential Properties or Has > 10 Commercial Properties with a density of ≥ 50 Properties per Km
H4	Local Access Road	Is an URBAN 'C' class road or Is an URBAN Bus Route or Is RURAL and has ≥ 28 Residential Properties with a density of 50 to 100 Properties per Km or Is URBAN and has ≥ 28 Residential Properties with a density of < 100 Properties per Km
H5	Local Road	Has ≥ 50 Residential Properties with a density of < 10 Properties per Km
H6	Minor Road	Is Metalled
H7	Track	Un-Metalled. Is suitable for some Motor Vehicles
H8	Unsuitable for Motor Vehicles	Un-Metalled. Unsuitable for Motor Vehicles

Appendix 04 - Network Hierarchy - Footway & Cycleway

FOOTWAYS		
HIERARCHY		PROPERTIES
F1	Primary Walking Route	Is a Pedestrianised Zone ① or Has Belisha Beacons ② located on it or Has Flashing Amber Warning Lights (FAWLS) ③ located on it or Has an Educational Facility located on it
F2	Secondary Walking Route	Is URBAN and is on a BUS ROUTE or Has > 10 Commercial Properties ④ located on it
F3	Tertiary Walking Route	Has > 5 Commercial Properties ④ located on it
F4	Local Access Footway	Has a 'bound' or slabbed surface
F5	Rights of Way (footpath)	See NCC 'Countryside Access' for info

CYCLEWAYS		
HIERARCHY		PROPERTIES
C1	Cycleway	On Carriageway
C2	Cycleway	On Footway
C3	Remote Cycleway/ Trails on Highway	Cycleway or route on designated facility off carriageway or footway

Appendix 04 Key

This framework assumes the carriageway / footway / cycleway in question is adopted and has extents.

Carriageway

* Key Services = Fire, Police, Ambulance, A&E Hospital, Gritting Depot, Emergency

Diversion for Trunk Road Network or connects these to the Strategic (Trunk) Road Network.

AADT = Annual Average Daily Traffic (Ave no. of vehicles per day)

= Is Metalled and suitable for traffic.

Footway

① = Pedestrian Zone indicated by the presence of this sign (Diagram 618.3B in Traffic Signs Regulations & General Directions 2016) or a derivative of it.



② = Belisha Beacons indicates the location of a Zebra Crossing.

③ = Flashing Amber Warning Lights indicate the location of a School Crossing Patrol.

④ = Commercial Properties includes Retail and Key Services.

= Assumes the Footway does not have an 'un-bound' surface.

Appendix 05 - Policy and Strategic Documentation

Highway Network Management Plan (HNMP)

The following is a direct link to Nottinghamshire County Councils Highway Network Management Plan which is published on the NCC website.

[Highway Network Management Plan](#)

Highway Infrastructure Asset Management Plan (HIAMP)

The following is a direct link to Nottinghamshire County Councils Highway Infrastructure Asset Management Plan which is published on the NCC website.

[Highway Infrastructure Asset Management Plan](#)

Highway Inspection & Risk Manual (HIRM)

The following is a direct link to Nottinghamshire County Councils Highway Inspection & Risk Manual which is published on the NCC website.

[Highway Inspection & Risk Manual](#)

Well-Managed Highway Infrastructure – A Code of Practice (WMHI)

The following is a direct link to Nottinghamshire County Councils website where a copy of the national document, Well-Managed Highway Infrastructure – A Code of Practice is displayed.

[Well Managed Highway Infrastructure – A Code of Practice.](#)

Highway Infrastructure Asset Management Guidance Document (HIAMGD)

The following is a direct link to Nottinghamshire County Councils website where a copy of the national document, Highway Infrastructure Asset Management Guidance is displayed.

[Highway Infrastructure Asset Management Guidance Document](#)

HIGHWAY INFRASTRUCTURE ASSET MANAGEMENT PLAN



Revised - January

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1. Executive Summary

The Highway Infrastructure Asset Management Plan

In May 2013, the UK Roads Liaison Group produced the Highway Infrastructure Asset Management Guidance Document. This set out 14 recommendations that all local Highway Authorities should employ to demonstrate they are following Asset Management principles in all aspects of Highway Maintenance Management.

The Highway Infrastructure Asset Management Guidance Document identifies the requirement for the production of a Highway Infrastructure Asset Management Plan (HIAMP) in order for Authorities to embed the required principles in their working practices.

During development of the framework for Nottinghamshire's HIAMP, it was decided to link the plan directly to the 14 recommendations in the UK Roads Liaison Group guidance document as these were seen as the cornerstone to good asset management practice.

One key element was the principle of Policy, Strategy & Plan, whereby the HIAMP follows a clear line of sight from the local and national policies that shape the future direction of the County Council, via the strategies employed to meet these policies and what this means for specific assets and their corresponding performance data.

- **Policy** - Local policies such as NCC's Strategy Plan, Service Plan, the Local Transport Plan, and the Highway Network Management Plan plus national legislation and policies such as The Highways Act 1980 and the Well-Managed Highway Infrastructure: A Code of Practice document.
- **Strategy** - This forms the major part of the document and demonstrates the steps being taken in Nottinghamshire to meet the 14 recommendations in the Highway Infrastructure Asset Management Guidance Document produced by the UK Roads Liaison Group. The HIAMP is structured so that the recommendations are the Chapter headings, with an extract from the guidance document, followed by 'The Nottinghamshire Approach' which outlines how these are met.
- **Plan** - Chapters 18 to 22 contain the Asset Management Plans for specific assets, namely: Carriageways, Footways & Cycleways, Structures, Highway Lighting & Traffic Management Systems and Drainage. These final chapters show in greater detail how the County Council manages these assets to not only meet the 14 recommendations in the HMEP guidance, but also to make best use of the resources available to provide a safe and efficient working highway network for those who travel within or through the county.

The document is bespoke to Nottinghamshire rather than a generic template with Nottinghamshire's own figures inserted. In this way, the County Council have ensured that the development work it has undertaken thus far in the adoption of asset management principles is recognised and helps outline the way forward in bridging the gap between current and desired practice.

This document has been updated following the publication of the Well-Managed Highway Infrastructure: A Code of Practice document [that](#) creates a code which advocates a 'Risk-Based' approach to the maintenance management of highway assets. The HIAMP is written with these principles in mind and addresses the issues of network hierarchy and inspection frequency to build in the principles of this new code.

Future Funding Models - Background

Spring 2015 saw the culmination of over five years development work by the Department for Transport to create a new set of funding models for highways maintenance across the country. A history of these developments is listed below:

- During summer 2010, consultation took place on changes to Department for Transport Block Funding Formula.
- In May 2013, the UK Roads Liaison Group produced the **Highway Infrastructure Asset Management Guidance Document**. www.ukroadsliasongroup.org
- At the same time, a summary document was published called **Highways - Maintaining a vital asset. What should Councillors know about asset management?**
- In January 2014, the DfT consultation document **Gearing up for efficient highway delivery and funding** was produced, setting out ideas on how funding could be distributed from 2015 onwards to maximize benefits.
- In April 2014, the DfT Pothole Fund was announced. The 2014 Budget made £200 million available for the fund, of which £168 million was allocated to local highway authorities in England. This included guidance and a bid application form for Councils to submit for a share of this money. Whilst the fund was for pothole repairs, and indeed each authority had to publish a 'Pothole Pledge' on their respective public websites, the questions in the application form were heavily leaning towards the adoption of '**Asset Management Principles**' in highway maintenance. Nottinghamshire's allocation was £2.78m
- In the spring of 2015, the new funding models for local authority highway maintenance were announced. It consisted of three key elements:
 - The Incentive Fund.
 - A revised 'Needs-Based' Funding Formula.
 - The Challenge Fund.
- Since this announcement the DfT have annually requested the completion of a questionnaire to determine which Band of the Incentive Fund Nottinghamshire as achieved and the return for 2018/19 indicated Band 3, the highest level.
- The Challenge Fund was made available in 2015/16 and Nottinghamshire was unsuccessful in its first bid but was successful in 2017/18 with a major maintenance scheme on the A38/A617 MARR corridor.
- An additional funding element was introduced by the DfT in 2016/17 in the form of the Pothole Action Fund which whilst not being an asset management focused funding source can be used in the prevention of potholes and has helped to improve many sites. This funding is set to continue as part of the DfT funding model.

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The Incentive Fund

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The purpose of the incentive funding is to promote the adoption of good practice across all local authorities to ensure value for money.

Time is being given to allow highway authorities to adopt efficiency measures, to gain buy-in from their senior leaders and to make the necessary transformational changes to the full adoption of '**Asset Management Principles**'.

In year one, each local authority receives all of its funding. However, for each subsequent year there will be an expectation that continuous improvement in efficiencies of delivery will take place. This level of improvement will be reflected in the funding awarded through the size of the funding received.

Local highway authorities are categorised based upon where they are on the efficiency curve:

- **Band 1: Early stage authority** - Has a basic understanding of key areas and is in the process of taking it forward.
- **Band 2: Mid stage authority** - Can demonstrate that outputs have been produced that support the implementation of key areas that will lead towards improvement.
- **Band 3: Final stage authority** - Can demonstrate that outcomes have been achieved in key areas as part of a continuous improvement process.

A local authority's category is based on the responses to a self-assessment exercise on efficiency. This is collected annually via the Single Data List Item 129-000 in relation to highway data. Each local authority return requires a Section 151 Officer declaration to confirm it is accurate.

The self-assessment questionnaire has 22 questions in total, divided into five categories:

- **Asset Management**
- **Resilience**
- **Customer**
- **Benchmarking & Efficiency**
- **Operational Delivery**

A local authority's Band is based on its score in this self-assessment questionnaire:

- **Band 1:** Does not reach Level 2 or Level 3 in at least 15 of the 22 questions.
- **Band 2:** Must reach Level 2 or Level 3 in at least 15 of the 22 questions.
- **Band 3:** Must reach Level 3 in at least 18 of the 22 questions.

The figures associated with Incentive Fund allocations are detailed in the table below:

Year	2015 / 16	2016 / 17	2017 / 18	2018 / 19	2019 / 20	2020 / 21
Band 1	100%	90%	60%	30%	10%	0%
Band 2	100%	100%	90%	70%	50%	30%
Band 3	100%	100%	100%	100%	100%	100%

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The DfT Incentive Fund places the need for a robust HIAMP at the heart of its self-assessment methodology. For Nottinghamshire to progress to Band 3, and hence retain its full level of funding until at least 2021, it is important that the HIAMP is fit for purpose, not only at the time of its publication, but for the foreseeable future and is able to adapt to the constantly changing landscape of highway maintenance.

It is an essential requirement of the Incentive Fund that all highway authorities must have reviewed their HIAMP within the last 2 years and outline the steps they are taking and the strategies they will employ to demonstrate their commitment to the adoption of asset management principles in all highway maintenance activities. In Nottinghamshire, the HIAMP is the document used to achieve this. The publication of the previous iteration of this HIAMP helped to place Nottinghamshire County Council into Band 2 when the first full self-assessment exercise was completed at the end of November 2015. The target is to move into Band 3 as soon as is practicable to maintain the full funding allocation, and the review of this document [will have assisted this process and Nottinghamshire's submission for 2018/19 placed the authority at Band 3.](#)

Year	£0,000k					
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Block Allocation*	£14,921	£13,679	£13,265	£12,006	£12,006	£12,006
Band 1*	N/A	£745	£745	£750	£250	£0
Band 2*	N/A	£828	£1,118	£1,750	£1,250	£750
Band 3*	N/A	£828	£1,242	£2,501	£2,501	£2,501

(* Allocation values from DfT's initial consultation)

Difference in allocation based on 2015/16	Band 2 Result	N/A	-£414	-£538	-£1,165	-£1,665	-£2,165
	Band 3 Result		-£414	-£414	-£414	-£414	-£414

Needs-Based Funding and the Challenge Fund

From 2015/16 to 2020/21 the needs-based funding formula is calculated as follows:

There will be a total of £4.7 billion across the six-year period. This excludes the funding for the Incentive element and the Challenge Fund; the total funding available over this period amounts to just under £6 billion nationally.

As a result of the consultation on highways maintenance funding, the DfT has allocated a proportion of the total funding to four elements in varying proportions, derived from the Whole of Government Accounts.

The table below left shows the percentage split from 2015/16 to 2017/18. The anticipated allocation for 2018/19 onwards is shown in the table on the right:

2015/16 to 2017/18		2018/19 onwards	
Roads	82.42%	Roads	75%

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

Split evenly between:		Split evenly between:	
A roads	27.47%	A roads	25%
B & C roads	27.47%	B & C roads	25%
Unclassified roads	27.47%	Unclassified roads	25%
Bridges	15.38%	Bridges	14%
Lighting	2.2%	Lighting	2%
Cycleways & Footways	0%	Cycleways & Footways	9%

Part of the government's 2014 Autumn Statement assigned a proportion of the highways maintenance budget to a Local Highways Maintenance Challenge Fund. The purpose of the Fund is to enable local highway authorities in England to bid for major maintenance projects that are otherwise difficult to fund through the normal needs element allocations they receive.

In March 2017, there was a second round of Challenge Fund Bidding, which was ahead of the original proposal, but allowed Nottinghamshire to submit a successful bid for the A38/A617 corridor in the Mansfield and Ashfield districts on the MARR route.

Nottinghamshire County Council – Additional Capital Funding

In January 2018, Nottinghamshire County Council decided to invest £204m from local funding into the capital maintenance programme. This funding was made available over a four year period to invest in the local infrastructure most used by residents. The funding is being targeted at the unclassified road network, predominately residential roads with some footway maintenance schemes also being included. The treatments being promoted are patching, surface dressing, micro asphalt and resurfacing of sites where large areas of surfacing are possible for the financial investment, with sites being identified using the asset management principles contained in this document.

2. Foreword

2.

In May 2013 the UK Roads Liaison Group, as part of the Highways Maintenance Efficiency Programme, published a guidance document titled 'Highway Infrastructure Asset Management'. This document was developed with the support of, amongst others, the Department for Transport. It set out, in short, a set of 14 recommendations which local authorities should put in place in order to apply the principles of Asset Management to their highway maintenance.

In January 2014, The Department for Transport began a consultation on a new six-year national funding model for highways capital maintenance. The framework of this model which will run from 2015/16 to 2020/21 means that all local highway authorities must work towards the adoption of these same Asset Management Principles in order to maintain a workable level of funding. The DfT has recognised that these methods provide the best way of getting serviceable longevity from the highway network at minimum cost and have built a model to encourage their usage.

In Nottinghamshire, the County Council found itself in a good starting place as far as the application of these principles and the associated 14 recommendations were concerned. Much of the framework, systems, methods, knowledge and experience discussed in the guidance were already in place and this Highway Infrastructure Highway Asset Management Plan pulled all these elements together in a single document.

In recent years, Nottinghamshire has moved away from the 'worst-first' treatment method which, coupled with nationally years of reduced investment, an increase in climatic impact and the importance of maintaining the network in a safe and serviceable condition had led to a maintenance backlog for carriageways (the largest asset group) of approximately [£144m \(2017/18 figures\)](#) ~~319 million (2014 figures)~~.

We will continue to build a forward maintenance programme with a far greater emphasis on preventative treatment, balanced with an element of 'worst-first' as some roads and footways still need to be 'brought back to life' to enable their effective future maintenance to begin.

Nottinghamshire is a vibrant, diverse and dynamic county with a highway network that is a rich mixture of all road types from motorways to cul de sacs. The County Council will continue to enhance the application of Asset Management Principles to maintain the network in a condition which is safe, resilient and free-flowing for all road users, to ensure it remains a well-connected place to live, work and visit.

[As part of our commitment to improving the quality of the highway network in Nottinghamshire, the County Council has decided to invest a further £240m into the highway infrastructure. This decision was made in January 2018, and the funding has been made available over a four year period, to invest in the local infrastructure most used by residents. The funding is being targeted at the unclassified road network, predominately residential roads with sites being identified using the asset management principles contained in this document.](#)



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Cllr John Cottee
Chairman of Communities and Place Committee
Nottinghamshire County Council

3. Introduction

Highway Infrastructure Asset Management Plan for Nottinghamshire.

As time goes by roads that are currently in good condition will deteriorate, just like any physical asset such as a house or a vehicle. To keep on top of the deterioration of Nottinghamshire's asset the County Council must invest continually in maintenance. Whilst the County Council is unlikely to ever be in the position where it has enough money to maintain every road that forms part of the maintenance backlog in a single year, it is prudent to make the best use of the resources it has to get the best investment results for its stakeholders.

How the Authority invests is critical to achieving the best outcome for its customers. Is the highway so poor that it might fail completely, or can it be repaired to extend its life before having to do a full replacement? A good analogy would be to ask whether you should sand and re-paint window frames regularly, or wait until they rot and replace the whole window.

In a climate where budgets and resources are tightening, Nottinghamshire County Council is facing significant challenges in deciding how to manage its assets effectively. The adoption of Asset Management Principles can deliver a systematic approach to this by planning well into the future and making informed decisions based on sound engineering.

The definition of Highway Asset Management is:

'A systematic approach to meeting the strategic need for the management and maintenance of highway infrastructure assets through long term planning and optimal allocation of resources in order to manage risk and meet the performance requirements of the authority in the most efficient and sustainable manner.'

From the Highway Infrastructure Asset Management Guidance Document - Section 4.1.2

Adopting these principles will enable the Authority to identify the best allocation of resources for the management, operation, preservation and enhancement of the highway infrastructure to meet the needs of current and future customers. Asset management therefore supports business decisions and provides longer term financial benefits.

Historically, Nottinghamshire has largely followed a 'worst-first', short-term approach to structural highway maintenance, with an element of preventative maintenance through surface dressing. The Council identified the worst condition roads through technical surveys, local engineering knowledge and political input to develop a one year programme of road resurfacing and reconstruction. This is easily understood by the public and elected members who see a road in poor condition and will see it as the Council's duty to repair it. However, nationally years of underinvestment, an increase in climatic impact and a largely 'worst-first' strategy, coupled with the importance of maintaining Nottinghamshire's network in a safe and serviceable condition has led to an estimated maintenance backlog of approximately £319m [144m for carriageway maintenance \(2014-2017/18 figures\)](#).

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The current approach assumes that over 20% of the unclassified network and nearly 10% of the classified network will remain in need of repair. The Council is effectively maintaining its current position. The backlog of sites requiring maintenance will only reduce very gradually, if funding levels are not significantly increased.



A Roads



B & C Roads



Unclassified Roads

The County Council proposes to increase the life span of its roads and reduce the percentage of roads in need of repair by balancing the 'worst-first' approach with a parallel programme of preventative maintenance. This approach will form the basis of its Highways Infrastructure Asset Management Plan.

The County Council continues to develop a future maintenance programme consisting of a list of candidate sites (or Candidate List) of both major resurfacing and preventative maintenance. To maximise the maintenance benefits, it is possible to create a multi-year programme though the ability to be prescriptive diminishes the further into the future you go. [The ability to predict future years deterioration has been hampered by the ever evolving climatic conditions that the country faces. The changing pattern of very wet weather combined with temperatures that repeatedly stay around the freeze point cause major damage to the network due to the effects of freeze/thaw.](#) Therefore, a prioritised Candidate List rather than a defined programme has been developed which is banded based on likely short, medium and longer-term maintenance objectives [and from this the flexibility to move sites within the developing in-year programme allows the best use of the available funding.](#)

As the Authority continues to develop a more comprehensive and refined picture of its asset condition, it will use a process known as 'Deterioration Modelling' to predict the relative condition of the highway network over the coming years. This will help the County Council to

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

decide where it should be channelling its resources at the optimum time to treat the roads in the most cost-effective way, providing the greatest benefit. The key question is how the Council will decide which roads should have preventative maintenance treatment and on which ones to undertake major resurfacing works. It's a matter of picking the right point on the 'Deterioration Curve', and the right treatment at the right time. Whilst the 'candidate list' for future years remains 'indicative', it will still be utilised annually to create the in-year programme.

This approach needs to be communicated clearly and prescriptively through the correct channels to ensure engagement at a strategic level. Asset Management principles and methodology will only be successful if key decision makers are on board and can visualise the long-term benefits and savings to be made from this approach, based upon sound engineering and accurate costing. Whilst the process focuses on road condition, the same process holds true for all asset types including street lighting, structures, major signs, safety fencing, trees etc.

This document does not cover the management of Public Rights of Way. This is dealt with in the Rights of Way Improvement Plan, details of which can be found at the following link: [Nottinghamshire Rights of Way Management Improvement Plan](#)

Nottinghamshire's Highway Infrastructure Asset Management Plan delivers better value for money through adoption of a sensible and forward-thinking maintenance plan. This results in customers seeing more miles of road maintained each year ~~and have greater visibility as to the relative status of their roads' deterioration.~~ The council continues to deliver more on the ground and help to meet its corporate and strategic transport objectives by doing so.

This document follows the approach of Policy, Strategy and Plan whereby it takes its lead from national and local policies and then outlines the strategy which Nottinghamshire will adopt to fulfil these policies. The sections at the back of the document explains the asset management plans for specific highway assets.



4. Asset Management Framework

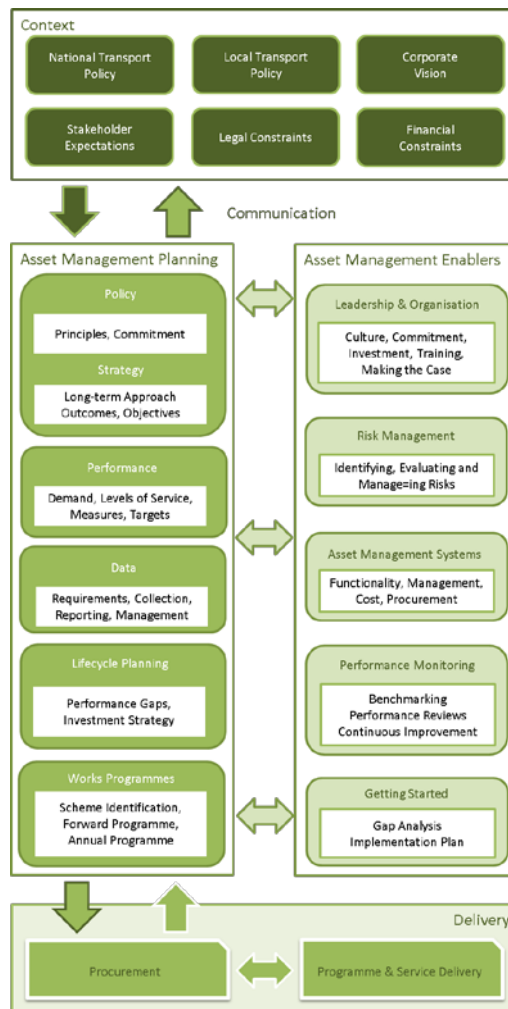
An Asset Management Framework should be developed and endorsed by senior decision makers. All activities outlined in the Framework should be documented.

This sets out the activities and processes necessary to develop, document, implement and continually improve asset management.
HIAMGD - Page XI

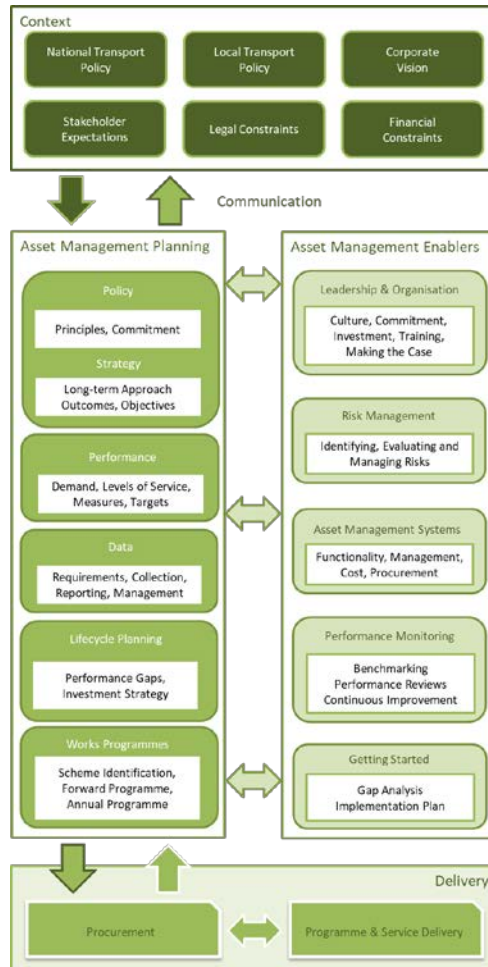
4.1 - The Nottinghamshire Approach

The table below shows the communication links which need to be established between the policy makers, planners, enablers and deliverers of Asset Management at Nottinghamshire County Council.

IMAGE AMENDED



Nottinghamshire County Council - Highway Infrastructure Asset Management Plan



4.1.1 - Context: Policy, vision, expectations and constraints.

The direction of Nottinghamshire's Highway Asset Management Strategy is determined by a number of factors – national codes of practise / policies, legal and financial parameters. National Transport Policy sets targets for local authority achievement and the County Council will continue to keep abreast of these via direct communication with the Department for Transport and updates from www.gov.uk

The corporate vision for all services within Nottinghamshire, including highways can be found in the [Strategic Plan 2014-2018](#).

The County Council is also driven by policies in Nottinghamshire's [Third Local Transport Plan](#).

Performance expectations are placed upon the highway network by all stakeholders which include the travelling public, businesses and the emergency services who rely on its efficiency and availability to carry out their own travel requirements.

The [Highways Act 1980](#) places duties and bestows powers upon Nottinghamshire County Council as the local highway authority. Chief among these is the duty to maintain the highway in a safe and serviceable condition.

[Well Managed Highway Infrastructure – A Code of Practice](#). Published in October 2016, the code is designed to promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment. It also includes guidance on some additional topics.

The Code is produced as a single document to emphasise the integrated approach to highway network infrastructure assets. Overarching matters are dealt with in Part A and additional asset specific elements in Parts B, C and D.

Delivery of a safe and well-maintained highway network relies on good evidence and sound engineering judgement. The intention of this Code is that Authorities will develop their own levels of service and the Code therefore provides guidance for authorities to consider when developing their approach in accordance with local needs, priorities and affordability.

Changing from reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each Highway Authority involves appropriate analysis, development and approval, gained through authorities' executive processes. Some authorities are able to implement a full risk-based approach immediately. Others may require more time and may choose to continue with existing practices for an interim period, in which case the previous Codes remain valid until a risk-based approach has been implemented or a period of two years from the date of publication of the Code. Therefore, the absolute deadline for implementation is October 2018.

Nottinghamshire's implementation is contained within the Highway Infrastructure Management Plan which is a 'signposting' document that highlights where the authorities existing documentation, working practices, methods and procedures align with the new Code of Practice.

The [Prudential Code](#) is a professional code of practice to support local authorities in taking capital investment decisions. Local Authorities determine their own programmes for capital investment in fixed assets that are central to the delivery of quality local public services in accordance with the Prudential Code.

Local Authorities are required by regulation to have regard to the Prudential Code when carrying out their duties in England and Wales under Part 1 of the Local Government Act 2003, in Scotland under Part 7 of the Local Government in Scotland Act 2003 and in Northern Ireland under Part 1 of the Local Government Finance Act (Northern Ireland) 2011.

[Whole of Government Accounts](#) (WGA) consolidates the audited accounts of around 4,000 organisations across the public sector in order to produce a comprehensive, accounts-based picture of the financial position of the UK public sector. WGA is based on International Financial Reporting Standards (IFRS), the system of accounts used internationally by the private sector.

There will never be an inexhaustible supply of funding for highway maintenance and as such the County Council has to ensure that it is spending funds effectively to get the most output for the minimum cost. Asset Management has never been more important than it is now in order to provide the most beneficial highway network for the user.

4.1.2 - Asset Management Planning

National and local policies and strategies inform the way highway maintenance activities should be carried out. This, however, is only part of the picture and there are numerous elements involved in Asset Management Planning.

The County Council will demonstrate through this document, what the historic, current and future demand on the highway network is likely to be, set out levels of service and performance targets and how these will be measured.

The County Council will continue to expand its asset register to include as much information as possible, both physical and non-physical to ensure it is a future-proof database. This will involve, as it does now, drawing on data in hard copy formats and transferring it into digital spatial data.

Other data, such as customer enquiries, condition survey information and maintenance records will also be held within HAMS and these are gathered by either call centre staff, Highway Inspectors, external survey suppliers or directly via the County Council's public website and social media.

The County Council will develop an investment strategy for highway maintenance which is led by the principles of Asset Management. This will take the form of lifecycle planning for all the major assets based upon historical data, current / future usage and design specifications, allied to anticipated index-linked cost estimates. This data is analysed through Horizons software to produce a long term strategic approach.

Historically, Nottinghamshire generally followed the 'worst-first' principle of highway maintenance, meaning that assets were repaired or replaced when they were already at the end of their serviceable life. This has evolved towards a more proactive approach in recent

times, leading to an increased investment in preventative treatments such as surface dressing and micro-asphalt surfacing to slow down the rate of deterioration.

This evolution will continue and intensify in the coming years as future programming over longer periods becomes more reliable. Programming is based upon predicting the deterioration rates of numerous assets and carrying out the right treatment at the right time to ensure maximum benefit for minimum outlay.

The County Council will ensure the processes and practices outlined above are informed from national and local policy and strategy

4.1.3 - Asset Management Enablers

Leadership has a strong influence on the culture and behaviour of all organisations. The principles of Asset Management require buy-in at the highest levels within the County Council in order for them to be effectively applied. Securing this buy-in from senior decision makers and elected members will pay dividends in the long term as the purpose, objectives and responsibilities for the implementation and delivery of asset management is clearly established and supported.

Risk Management is a key approach to effective Asset Management. The identification, evaluation and management will shape the County Council's strategy. Detail on Risk Management and how it will be applied in Nottinghamshire is in Chapter 15.

The County Council will ensure that the systems and processes employed in Asset Management are, and will remain through targeted development and investment, fit for purpose both now and in the future. The functionality, management, cost and procurement of such systems will fall within existing County Council, National and European frameworks and the County Council will ensure full accreditation and calibration is maintained for data validity and auditing purposes.

Nottinghamshire has a robust framework in place for performance monitoring. The County Council not only submit data to the DfT under the WGA procedure but will also subscribe to such organisations as the Midlands Service Improvement Group ([MSIG](#)) which shares ideas and good practice with similar local authorities and the Midlands Highway Alliance ([MHA](#)) which is a unique venture, delivering the regional procurement and implementation of highways maintenance, professional services and capital works through framework agreements.

The County Council also subscribe to the National Highways & Transportation Survey ([NHT](#)) which gathers data on customer satisfaction nationwide and gives an indication of how well the service provision is viewed by the general public. With this information, the County Council can adapt appropriate processes and methods to actively communicate its successes and points for improvement to a wider audience.

The fundamental activity required to take Asset Management forward is to understand the current position, what the performance targets should be based upon national and local benchmarking and to plan its progress towards this. This is known as 'Gap Analysis' and it provides the platform from which the County Council will implement its continuous

improvement. The County Council is confident that Nottinghamshire is beginning from a solid foundation and much of the development work already done in recent years has been based upon Asset Management principles, but it will not be complacent as future funding and the safety and usability of the highway network will depend upon this work continuing.

4.1.4 - Delivery

The County Council continues to develop a future maintenance programme consisting of a list of candidate sites (or Candidate List) which is utilised to extensively develop the annual maintenance programme for endorsement by committee.

This forms part of an annual cycle, which starts in the previous year, using network condition data and the Annual Engineering Inspection (AEI) to develop an early programme from July onwards, consisting of sites where maintenance should be considered. These sites are further reviewed for feasibility and deliverability, to define a programme that is endorsed by committee in the autumn to allow a more detailed feasibility design to be undertaken. Final approval for the resulting following years programme is given in March ready for the start of the next financial year.

This allows the operational arm (deliverer) to feed into the process at an early stage, plus it allows for better planning of works on the ground and organising the supply chain of services and materials.

The County Council and its Highway Services Contractor, Via East Midlands Ltd, have procurement frameworks in place such as the Eastern Shires Purchasing Organisation (Technical Surveys - [ESPO](#)) and the Midland Highways Alliance ([MHA](#)) for services and materials.

Works on site are delivered either by the County Council's highway & fleet management services provider, Via East Midlands Ltd, or its major resurfacing and civil engineering partner, Tarmac. Design works are also supplied by Via East Midlands with support from AECOM.

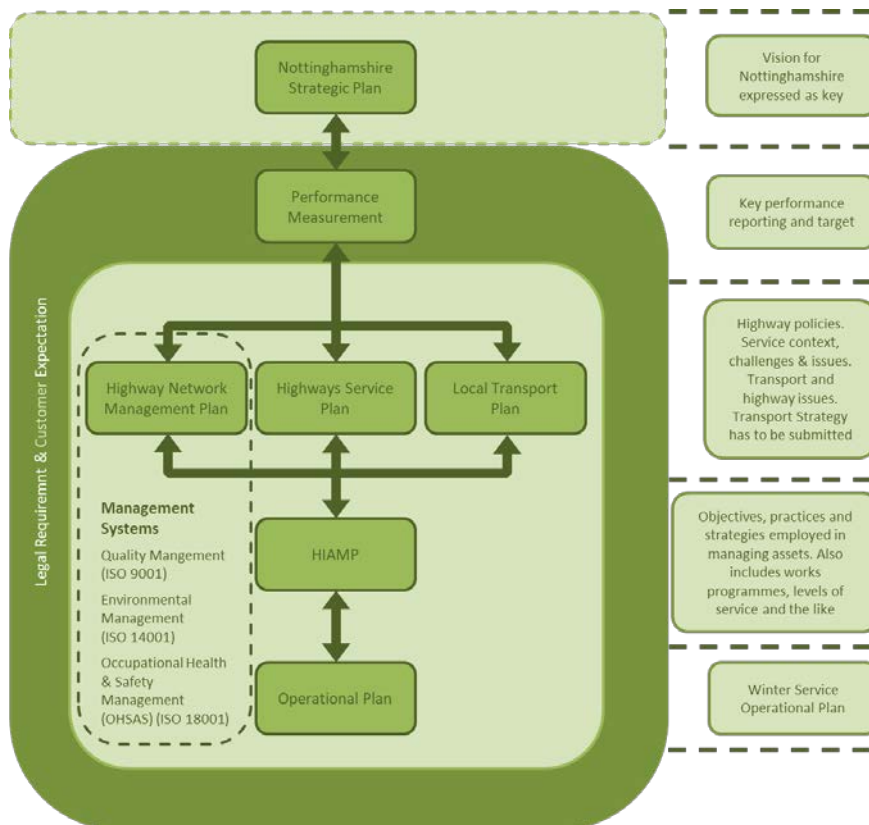
Via East Midlands Ltd is a joint-venture company (Nottinghamshire County Council and Cornwall Council) formed in July 2016. It is entirely owned by the public sector. Via provide highways, fleet management and maintenance functions to the residents of Nottinghamshire in partnership with Nottinghamshire County Council. This includes network and asset management, the maintenance of roads, footways, signs, lines, lighting and signals, salting and snow clearance, the delivery of highway improvement services and the management of activities needed to support the county's highway network of over 4,100 kilometres of roads and its 94,000 streetlights.

in partnership with



Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The chart below shows the links between the various policy documents and plans against the Authority's key developmental areas and management systems.



5. Communications

Relevant information associated with asset management should be actively communicated through engagement with relevant stakeholders in setting requirements, making decisions and reporting performance.

Engaging with stakeholders to understand their needs and expectations provides the information needed to determine and review the service provided by highway infrastructure assets and hence the asset management activities. The highway network is often of significant interest to the public and the media. This interest is likely to continue with robust public expectations of how the network should function. In addition, weather conditions and possible resulting damage to the highway network often provide the focus for significant national and local media coverage.

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The trend towards transparency in the public sector is resulting in increased availability of a wide range of information in the public domain. Authorities should provide clarity and transparency in how they make decisions in the identification, assessment, programming and delivery of asset management activities, including maintenance works, and how the public are involved in making decisions for the service provided by the network.

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5.1 - The Nottinghamshire Approach

5.1.1 - Elected Members

To ensure elected members support the principles of Asset Management, the Authority will guarantee clear and accurate information is made available to help with the decision making process and to demonstrate the cost benefits of lifecycle planning and an Asset Management approach.

Nottinghamshire has developed a prioritised candidate list of potential sites that form the basis of a multi-year works programme. This programme effectively remains live and subject to changes and evolution dependent upon factors within and outside of the local authority environment. These changes may be engineering or non-engineering based but the severity of their likely effect can be reduced by early intervention and forward planning.

An annual 'snapshot' of this programme is passed to committee for consideration and approval. The benefit of an 'organic' programme means all parties are able to analyse and feed into this programme, such that views can be considered where appropriate, at an early stage in the development process.

Annual reports are produced for elected member's consideration detailing predicted network condition changes based upon the anticipated funding availability. This is a 'scenario' based method whereby the Authority can demonstrate, using sound engineering data, what the future

condition of the county's network is based upon and the level of funding required to achieve the agreed performance targets.

5.1.2 - Public Website

The County Council aims to publish a Candidate List that consist of a 'needs based' list of schemes that are to be considered for maintenance over future years. The Candidate List will be published on the Authority's public website so that all stakeholders can see an indication of future maintenance plans. The Authority anticipates this will help those who do not share detailed engineering knowledge to be able to understand the maintenance decisions made and the reasons for them, and no stakeholders are excluded from the process.

The 'In-year' maintenance programme is already routinely published on the Authority's public website with works separated into quartiles for the current financial year. This work will continue and is integrated with the work on the Candidate List.

Along with the maintenance activities, the Authority also publishes information on the work undertaken with regard to funding bids and documents such as the [Highway Network Management Plan](#), the [Highway Inspection & Risk Manual](#) and this [Highway Infrastructure Asset Management Plan](#).

Legislation known as the '[Inspire' Regulations 2009](#) means that local authorities should work towards making spatial data available to view in a public forum. This means non-sensitive data such as the locations of highways assets should be made available on the public website. In Nottinghamshire, this work is already well underway with the ability to raise enquiries or defects on fixed and non-fixed assets such as road gullies, street lights or potholes via the website.

With the current proliferation of smart phones and the rise of social media, the County Council are developing the capability for stakeholders to interact with the local authority on highway related matters, and other services using a variety of platforms.



5.1.3 - National Highways & Transportation Survey (NHT)

Nottinghamshire will continue to contribute to the annual NHT Survey for the purposes of both benchmarking alongside similar authorities and gauging the level of stakeholder satisfaction with the Authority's services.



5.1.4 - Asset Valuation

This information is provided to the Department for Transport on an annual basis and provides both the Gross Replacement Cost of the authority's assets (what it would cost to rebuild from scratch) and the Depreciated Replacement Cost (what it would cost to return the assets to new from their current condition)

This data not only gives the government a detailed overview of the country as a whole but it is also a useful benchmarking measure between the County Council and neighbouring or similar sized authorities.

5.1.5 - Stakeholder Liaison

The County Council is a custodian of Nottinghamshire's street data for the National Street Gazetteer, alongside the respective District & Borough Councils who manage their own inputs to the Local Land & Property Gazetteer. This national database, managed by GeoPlace on behalf of national government, provides accurate street data for use by the emergency services and delivery firms.

Full utilisation of this system provides stakeholders with a method for engagement with the network and the opportunity to validate the accuracy of associated information.

Many aspects of the maintenance process are highly technical and may be difficult to explain, but it is important that legal duties and obligations are understood. Users' concerns may tend to focus on the short term more visible deficiencies in the network rather than the underlying less apparent problems. Consultation can be expensive both in time and resources. Despite these difficulties, the involvement of users and the community in informed consultation on the highway maintenance service is likely to be beneficial in the longer term in building understanding and support.

The Authority will continue to support and engage with stakeholders as above through existing communication strands.

5.1.6 - Network Hierarchy Re-Evaluation

The emphasis on the needs of users and consultation implies that authorities should be open to input from local stakeholders where appropriate, but this requires careful management.

The most useful vehicle for the management of these pressures is the local road hierarchy. This is the framework around which levels of service and priorities are based and can provide the focus for consultations and community involvement on the scope for local or neighbourhood discretion, which will inevitably be greater for the less strategic parts of the network.

In keeping with Horizons asset management philosophy, user and community involvement should be a high priority and ongoing aspect of highway maintenance. The nature and scale of involvement will depend on the scale and impact of the works, and in most cases for maintenance works the key issue will be the provision of information. It is important, for the Authority to continue to learn the lessons from completed schemes (what went well, where improvement can be made) so future scheme can be implemented more efficiently.



6. Asset Management Policy and Strategy

An asset management policy and a strategy should be developed and published. These should align with the corporate vision and demonstrate the contribution asset management makes towards achieving this vision.

The asset management policy sets out the commitment by senior decision makers to highway infrastructure asset management. The asset management strategy sets out the long-term objectives for the highway asset and how they are met, including statutory obligations, stakeholder needs and the overall performance of highway infrastructure within the context of any constraints such as funding.

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6.1 - The Nottinghamshire Approach

6.1.1 – Policy

Nottinghamshire's HIAMP is set around the clear principles of Policy, Strategy & Plan, whereby the HIAMP follows a clear line of sight from the existing local and national policies that shape the future direction of the County Council, via the strategies it will employ to meet these policies and what this means for specific assets and their corresponding performance data.

1. The County Council recognises that Nottinghamshire's highway network and its associated infrastructure plays a crucial part in supporting the local authority's Strategic Plan 2014-18

Priority One - Supporting safe and thriving communities: we will maintain roads in a serviceable condition and seek to change behaviour through engineering measures, awareness raising and enforcement.

Priority Two - Protecting the environment: By maintaining the condition of roads and footways we will deliver a road and transport infrastructure that seeks to meet the needs of the county's residents, visitors and businesses.

2. Nottinghamshire County Council is committed to the continued implementation of Asset Management principles in the maintenance of the county's highway network, delivering the greatest amount of community and business benefit with the funds available. These principles are directly linked to the 14 recommendations in the Highway Maintenance Efficiency Programme (HMEP) and promoted by the DfT in its Capital Maintenance Funding Programme 2015 - 2021.
3. The County Council's Asset Management Strategy and Plan will set out how Highway Infrastructure Asset Management will be delivered in Nottinghamshire. This strategy will consider current and predicted future financial scenarios and will determine how funding and resources should be utilised to maximise the benefit to Nottinghamshire stakeholders.

4. The County Council's Asset Management Strategy will also seek to support the three key transport goals set out in the authority's Third Local Transport Plan.

Provide a reliable, resilient transport system which supports a thriving economy and growth whilst encouraging sustainable and healthy travel.

- Adopting an effective Asset Management Strategy will provide robust support to an ever-developing transport system within Nottinghamshire. It will provide long term maintenance planning to help with co-ordination of expenditure, resources and third-party network access whilst being flexible enough to respond to dynamic changes in the needs of businesses and the local economy. Asset Management will promote sustainable travel through efficient maintenance of cycling and walking routes, and their interaction with the network as a whole.

Improve access to key services, particularly enabling employment and training opportunities.

- One of the key features of a robust Asset Management Strategy is the priority given to the maintenance of a 'resilient network' which involves ensuring key transport corridors are kept safe and free flowing at all times. One element of this consideration is the maintenance of access routes to key services such as health facilities, schools, businesses, retail and community centres.

Minimise the impacts of transport on people's lives, maximise opportunities to improve the environment and help tackle carbon emissions.

- The County Council's Asset Management Strategy will seek to ensure a free flowing resilient transport network which is available 24/7, thereby reducing carbon emissions from stationary traffic and encouraging healthier transport choices. The use of sustainable materials in maintenance will be promoted to reduce the authority's carbon footprint, minimising waste and landfill costs. The effects of climate change will be factored into the Asset Management Strategy to further safeguard Nottinghamshire's highway network for future generations.

6.1.2 - Strategy

This document is the Highway Infrastructure Asset Management Strategy for Nottinghamshire County Council. In line with the authority's Asset Management Policy and closely tied to the recommendations in the HMEP guidance document (2013) it shows the steps the Authority will take to effectively manage the highway assets in the coming years.

6.1.3 - Plan

Chapters 18 to 22 of this document contain the County Council's Asset Management Plan for specific Highway Asset categories. This is where the Authority sets out its performance targets and the methods it will employ to achieve them.

The core objectives of these plans are:

- **Customer Service** - Consultation, levels of service, information, etc.
- **Network Safety** - Complying with statutory obligations; Meeting users' needs for safety.
- **Network Serviceability** - Ensuring availability; Achieving integrity; Maintaining reliability.
- **Enhancing condition** – Improving the overall condition of the network.
- **Network Sustainability** - Minimising cost over time; Maximising value to the community; Maximising environmental contribution.



7. Performance Management Framework

A performance management framework should be developed that is clear and accessible to stakeholders as appropriate and supports the asset management strategy.

Authorities should establish levels of service with their stakeholders, senior decision makers and the public. Performance measures and targets should be set to enable monitoring of delivery of the strategy and of performance and to identify the cost of meeting the strategy in the short, medium and long term.

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Current and future demand for the service and funding for its delivery are identified as part of the asset management planning process. It needs to be recognised, however, that the levels of funding required may not always be available. Where funding is limited, authorities should review their levels of service to confirm that they are affordable. In these cases, maintaining statutory requirements should be a priority. A link should be established from corporate objectives to levels of service, performance measures and targets, and the cost of delivering these needs to be determined.

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7.1 - The Nottinghamshire Approach

7.1.1 - Levels of Service & Performance Indicators

The County Council monitors its service levels through a range of performance indicators which are routinely reported to senior management for review. These are shown in Appendix 01 - Service Levels & Performance Indicators, as part of a Performance Management Framework. These indicators are managed through the Authority's performance management system with the associated data being produced from the Asset Management Systems (See Section 15) and external sources such as NHT and APSE. Performance Management data is reported to Committee on a quarterly basis with an annual review that focuses on the overall performance and a trend review. This review allows senior stakeholders to be fully part of the decision-making process and input into future strategy. Further information on Performance Monitoring is contained in Section 16 and Appendix 01.

8. Asset Data Management

The quality, currency, appropriateness and completeness of all data supporting asset management should be regularly reviewed. An asset register should be maintained that stores, manages and reports all relevant asset data.

Asset data describes what highway infrastructure assets an authority has, where they are and how they perform. It is used to support the requirements of the asset management strategy and in determination of the approach to deliver the strategy, including performance management, lifecycle planning, forward programming and risk management.

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8.1 - The Nottinghamshire Approach

8.1.1 – Highway Asset Management System - 'Confirm' from Pitney Bowes

Nottinghamshire and its Highway Contractor will continue to use the Confirm system as its main Highway Asset Management system for the foreseeable future as it provides the authority with a robust tool for holding and reporting on Asset Data. Confirm is a modular piece of software which allows users to develop the system to their requirements. Via East Midlands holds a full Enterprise license for Confirm and as such is able to fully utilise the package as well as benefitting from the in-built efficiencies this allows.

Section 15 details the Asset Management systems used for highway management and covers HAMS, GIS and PMS visualisation.



8.1.2 – Data Management Strategy

The highway network is surveyed routinely using a variety of different methods. Asset data is collected and verified through these methods and new details are identified as part of an ongoing process. For new asset sets that have not previously been collated, a specific means of surveying is identified and implemented accordingly. This method allows the quality and integrity of the data to be regularly reviewed and any inaccuracies amended ensuring the overall data quality. ~~This data is further reviewed by maintenance operations that identify assets changes at a component level which are not necessarily easily seen.~~

The table below has been reproduced from the *Code of Practice on Transport Infrastructure Assets* (24) and adopts a three-layer approach for selecting and grouping assets. This approach is the one currently recommended for authorities undertaking their returns for Whole of Government Accounts.

✓ = Data Available, ✖ = Data NOT Available, **Part** = Some Data Available (Ongoing work to complete) **No** = Data not collected by NCC but by other authorities such as District Council

Level 1	Level 2	NCC Status	Level 3	NCC Status
Asset type	Asset group		Components that level 2 implicitly covers	
Carriageway	<ul style="list-style-type: none"> Area (square metre) based elements Flexible pavements Flexible composite pavements Rigid concrete pavements Rigid composite pavements 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✖ 	<ul style="list-style-type: none"> Pavement layers Other surface types, e.g. paved Central reservation, roundabout, lay-by, traffic island, etc Earthworks (embankments and cuttings, retaining walls height <1.35) Traffic calming Fords and causeways 	<ul style="list-style-type: none"> ✖ ✖ ✓ ✖ Part ✖
	Linear elements		<ul style="list-style-type: none"> Kerbs Line markings Road studs Road drainage elements (gullies, drains, etc, but not large structures) Boundary fences and hedges Hard strip/shoulder verges/vegetation 	<ul style="list-style-type: none"> ✖ ✖ ✖ Part Part ✖

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

Level 1	Level 2	NCC Status	Level 3	NCC Status
Asset type	Asset group		Components that level 2 implicitly covers	
Footways and cycle tracks (attached to the road or segregated)	<ul style="list-style-type: none"> Footways Pedestrian areas Footpaths Cycle tracks 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✗ 	<ul style="list-style-type: none"> Pavement layers Other surface types, e.g. block paving, unbound materials 	<ul style="list-style-type: none"> ✗ ✓
Structures	<ul style="list-style-type: none"> Bridges (span >1.5m) Cantilever road sign Chamber/cellar/vault Culverts (span >0.9m) High mast lighting columns (height >20m) Retaining walls (height >1.35m) Sign/signal gantries and cantilever road signs Structural earthworks, e.g. strengthened/reinforced soils (all structures with an effective retained height of 1.5m or more) Subway: pipe Tunnel (enclosed length of 150m or more) Underpass/subway: pedestrian (span of 1.5m or more) Underpass: vehicular Special structure 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✗ ✓ ✓ ✓ ✓ ✗ ✓ 	<ul style="list-style-type: none"> All elements identified on the CSS inspection pro forma Smaller water-carrying structures are considered as road drainage 	<ul style="list-style-type: none"> ✓ ✗
Highway lighting	<ul style="list-style-type: none"> Lighting columns Lighting unit attached to wall/wooden pole Heritage columns Illuminated bollards Illuminated traffic signs 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ Part 	<ul style="list-style-type: none"> Column and foundations Bracket Luminaires Control equipment, cables 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

			<ul style="list-style-type: none"> Control gear, switching, internal wiring cabling (within ownership) 	
Level 1	Level 2	NCC Status	Level 3	NCC Status
Asset type	Asset group		Components that level 2 implicitly covers	
Street furniture	<ul style="list-style-type: none"> Transport Highway Street Scene/amenity 	✓ Part ✗	<ul style="list-style-type: none"> Traffic signs (non-illuminated) Safety fences Pedestrian barriers Street name plates Bins Bollards Bus shelters Grit bins Cattle grids Gates Trees/tree protection, etc Seating Verge marker posts Weather stations 	Part Part ✗ No No ✗ ✓ ✓ ✗ ✗ ✓ ✗ ✗ ✓
Traffic Management Systems	<ul style="list-style-type: none"> Traffic signals Pedestrian signals Zebra crossings 	✓ ✓ ✓	<ul style="list-style-type: none"> Different product types 	✓
	<ul style="list-style-type: none"> In-station 		<ul style="list-style-type: none"> Complete installation 	
	<ul style="list-style-type: none"> Information systems Safety cameras 	✗ ✓	<ul style="list-style-type: none"> Variable message signs Vehicle activated signs Real time passenger information 	✓ ✓ ✓
Land	<ul style="list-style-type: none"> Freehold land Rights land 	✓ ✓	<ul style="list-style-type: none"> Features on the land are not taken into account in the valuation 	Noted

8.1.3 - Asset Maintenance

Via East Midlands uses Confirm to create and manage its highway inspection regime, [on behalf of Nottinghamshire County Council](#). It has a whole county access approach which provides flexibility for Inspectorate, allowing Inspectors to work outside of their defined areas when the need arises. Inspections are carried out on a monthly, three-monthly, six-monthly or annual basis dependent upon the hierarchy of the network, in accordance with the County Council's [Highway Inspection & Risk Manual](#).

The inspection regime is made up of three key elements:

- **Inspection Route:** This refers to monthly and three-monthly inspections, generally on classified roads and unclassified distributor roads. These are designed as a single inspection route along a single numbered road.
- **Inspection Area:** This is reserved for all annual inspections and bi-annual link footway inspections.
- **Enquiry Area:** These are specific geographical areas where enquiries such as those from the general public either via Customer Services or the website, are allocated to particular Inspectors or other relevant action officers. In general, the Enquiry Areas broadly match the Inspection Areas but some sections of an Inspection route may be in different enquiry areas.

Inspections are fully managed through Confirm and defects and ordered works are maintained from creation to closure.

8.1.4 - Pavement Management

Nottinghamshire's Technical Survey Strategy is detailed in section 10.1.2. The data collected through these annual surveys is processed through the Pavement Management module of Confirm and a base condition programme can be determined from this data. More detailed analysis of this data is carried out using Horizons (see Chapter 15).

8.1.5 - Street Gazetteer

The Street Gazetteer module holds a complete record of the network in Nottinghamshire, from the Unique Street Reference Number (USRN) and naming convention, through to links with the hierarchy.

8.1.6 - Performance Management

Performance Management data can be reported via the use of the reporting tools contained in Confirm. To assist this, bespoke dashboards can be created to monitor performance through the interrogation and display of live data. All the data stored in Confirm can be reported on and hence this results in a very robust performance management tool. This supports the Authority's approach to Performance Management through the provision and reporting of performance data for national and local indicators.

8.1.7 - Street works

The Street works module of Confirm manages road space allocation for utility works, works by others on the highway and the Authority's promoted maintenance and improvement works.

8.1.8 - Works Management

Jobs raised through Enquiries and Inspections are managed through this module with ties to the Contract Management module for the associated schedule of rates.

8.1.9 - Contract Management

Contracts are managed through this module with associated works areas, rates, bills of quantities and overall contract costs.

8.1.10 - Customer Service

The Customer Service module links with the authority's Customer Service Centre (CSC) who utilise 'FirmStep' to manage the service enquiries received.



9. Life Cycle Planning

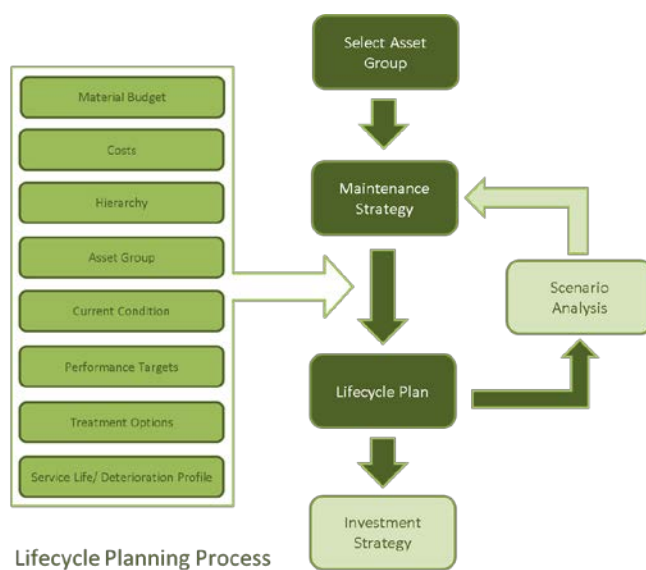
Lifecycle planning principles should be used to review the level of funding, support investment decisions and substantiate the need for appropriate and sustainable long-term investment.

Lifecycle planning comprises the approach to the maintenance of an asset from construction to disposal. It is the prediction of future performance of an asset, or a group of assets, based on investment scenarios and maintenance strategies. The lifecycle plan is the documented output from this process.

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Development and use of lifecycle plans will demonstrate how funding and performance requirements are achieved through appropriate intervention and investment strategies, with the objective of minimising expenditure while providing the required performance.

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9.1 - The Nottinghamshire Approach

9.1.1 - Scenario Modelling & Associated Costing

Asset Management Systems allow the modelling of deterioration around varying parameters. Whilst capturing the overall network condition and future deterioration they also allow modelling based on funding levels and condition. Varying funding levels can be modelled to predict the likely impact on condition and hence the associated measures. Condition levels can be set based on the network hierarchy to ascertain the necessary funding model required to maintain the condition or performance level. This modelling is available for a number of

asset types allowing for a more predictive means to manage the asset and project future funding requirements.

9.1.2 - Asset Creation / Inventory Capture

The HAMS database currently contains asset inventory on Nottinghamshire's carriageways, footways, trees, lighting columns, illuminated signs and structures, including those elements that are highway maintainable at public expense.

Work is continuing to capture non-illuminated signs, road gullies, grips, piped drainage, linear drainage, surface water chambers, ditches, safety fencing, grassed areas and grit bins.

9.1.3 - Routine Maintenance Overview

Nottinghamshire's highway inspection regime ensures that all the county's roads and footways are inspected at various frequencies dependent upon their hierarchy and in accordance with the authority's [Highway Inspection & Risk Manual](#). These inspections occur either monthly, quarterly, bi-annually or annually with annual inspections as a minimum for all roads.

Works ordered as a result of these inspections are determined based upon the category of the defect and its associated response time plus other information such as indicative forward works programmes and major utility works. Reactive repairs are carried out effectively, to potentially prolong asset life where possible.



Nottinghamshire has introduced 'Highway Assistants' who are operatives that support and accompany Highway Inspectors on their daily duties. The role of the Assistant is to help with the repair or 'make safe' of Category 1 defects at the first visit, as far as is practicable. This reduces the need for multiple visits and allows operational staff to better plan their maintenance activities around lower category defects.

9.1.4 - Renewal or Replacement

With effective forward works planning and deterioration profiling, the County Council will aim to carry out both proactive treatments (such as surface dressing or micro-asphalting) and major renewal or replacement (resurfacing) at the right time for the right cost, ensuring the Authority gets the maximum benefit for the cost outlay. This is determined by design life and calculated deterioration.

9.1.5 - Decommissioning

It is rare for assets to be decommissioned. This usually only occurs when roads are 'stopped up' because of major highway improvements or realignments. As a result of this, it is possible that sections of highway may fall into disuse, or be returned to the landowner of the subsoil beneath the highway. Some drainage assets may be decommissioned if they are replaced by larger projects because of increased flooding. Other assets such as signs or street lighting

columns may be deemed to be decommissioned when they have in fact been relocated as a result of improvement works.

The importance of maintaining an up to date asset inventory is recognised, taking into account the changes which do occur through planned activities and one-off events.

9.1.6 - Service Life / Performance Level

The type of asset in question will determine the method of measuring its level of performance and its service life.

Highway gullies, for example, have three elements: the ironwork above, the structure below and its ability to drain water effectively (silting, blocked pipework etc). Each of these elements can be measured in varying ways and each element will have different expectations as to its service life and its whole life costing.

With regard to carriageways and footways, the performance levels are determined by Road Condition Indices which are gathered using a mixture of SCANNER and CVI (Coarse Visual Inspection) surveys. This data, coupled with deterioration profiling will enable the Authority to predict the condition of its roads and footways along a timeline, thus allowing the targeting of works resulting in the right treatment, for the right cost, at the right time.

9.1.7 - Deterioration Modelling

Horizons takes condition data from roads of the same class, hierarchy and similar HGV usage over several years, monitors the change in condition over this period and uses this information to predict the future status of defects. This is how a Candidate List based upon the predicted condition of the county's roads is produced.

Using carriageways as an example, the Authority will take condition data over many years for roads in a specific grouping based upon classification, hierarchy and traffic usage. This will produce a 'curve' (in graphical format) showing the deterioration over a period. Marrying many curves together will produce a 'trend line', which is effectively an average rate of deterioration for all assets in this grouping. This trend can then be applied to newly resurfaced carriageways to make accurate predictions about their lifespan and maintenance costs.



9.1.8 - Whole Life Costing

Specifically tied in with Lifecycle Planning and a reviewed network hierarchy, this depends on a comprehensive understanding of the condition of sites across the whole network and the nature of treatment required (if any) plus associated costs and estimated lifespan. By dividing the requirements of sites on the network into three distinct treatment bandings (four if you include 'up to standard' or 'as new' – no work required) the County Council builds up a database of 'maintenance needs' at a network level.

The condition bands are described as:

- As new or up to standard – No works required.

- Surface treatment required – Non-invasive.
- Resurfacing required – Semi invasive (40mm).
- Reconstruction required – Highly invasive (100mm+).

From this, the authority is able to determine the estimated cost of these treatments, coupled with the expected lifespan before secondary, tertiary and even longer-term treatments are required. By matching these condition bands and treatment costs against the relative positions in the revised network hierarchy, it is possible to model maintenance funding allocations to target those parts of the network where the need is greatest both from a 'worst-first' and an 'Asset Management' perspective.

In the case of footways and cycleways the same principle applies, although the condition bands and treatment options vary. For example, footways are generally maintained using a surface preventative treatment or are replaced. Along with historic Footway Network Survey (FNS) data, these are now identified for further survey as part of the inspection regime which produces an overview of the condition of footways and cycleways across the county based upon the following bands:

- As new – No work required.

- Aesthetically Impaired – Surface treatment required – Non-invasive.
- Functionally Impaired – Overlay required – Semi invasive (20mm).
- Structurally Unsound – Reconstruction required – Highly invasive (60mm+)

Street lighting tends to operate with a specified lifespan for the products and elements involved although some do extend beyond their expected replacement cycle. The cost of these lifecycles is reasonably constant and as such is easier to predict with a higher level of certainty.

With other assets such as road gullies, it may be more difficult to predict an entire lifespan as assets such as these are rarely decommissioned and some are in place for decades, only being replaced upon sudden failure due to single events (flooding, accidents etc) It may therefore be better to predict a cost over a rolling cycle such as ten or twenty years.

9.1.9 - Scenario Modelling

This involves the predicted outcome of taking a variety of options to the maintenance of the highway network. By running such reports through Horizons 'Analysis' the Authority is able to predict the future condition of the network, and indeed individual streets, based upon the anticipated budget availability over a given number of years. Conversely, the Authority can predict the likely cost of maintaining the network to an agreed level of serviceability. The most likely scenario will be to use its maintenance strategy to maximise the serviceability of the network based upon the predicted budget availability.



10. Works Programming

A prioritised forward works programme for a rolling period of three to five years should be developed and updated regularly.

Delivery of the works programme is the tangible outcome of the asset management planning process. The process to develop a works programme for maintenance and renewal of highway infrastructure assets comprises the identification, prioritisation, optimisation, programming and delivery of individual schemes.

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10.1 – The Nottinghamshire Approach

10.1.1 - Reactive maintenance - Highway Inspection Regime

The Highway Inspection Regime is detailed in the [Highway Inspection & Risk Manual](#). This document is intended as a procedural guide for all employees involved in the inspection of Nottinghamshire's highway network. It covers highway safety and service inspections for a number of assets (a service inspection is an enhanced safety inspection), with additional information recorded on overall condition, this includes a judgement on the potential inclusion of sites in the Candidate List. This guide is not intended to cover inspections of public rights of way (generally rural footpaths and bridleways) as shown on the definitive map record, detailed street lighting, or full tree inspections. This is dealt with in the Rights of Way Improvement Plan, details of which can be found at the following link: [Nottinghamshire Rights of Way Improvement Plan](#)

The aim of inspecting the highway is to identify and take action to remove those hazards causing potential danger to highway users. Additionally, the process will support the development of programmes, to maintain the asset and keep the highway in a serviceable condition. This is in line with the Authority's overall aim of network safety, serviceability, and sustainability.

Highway Safety and Service Inspections are undertaken to identify defects that are creating or likely to create a danger or serious inconvenience to users of the network or the wider community. Such defects should include those that will require urgent attention (within a maximum of 24 hours) as well as those where the reduced level of severity is such that longer periods of response would be acceptable, or confirm that no response is needed.

Nottinghamshire County Council has set its own standards for the frequency of its highway safety and service inspections. These have been approved by Elected Members and take into account national guidelines and are built on Nottinghamshire's Highway Network Hierarchy, recognising the patterns of use of the network rather than classification. The Authority's current standards are shown in the County Council's [Highway Inspection & Risk Manual](#).

Each part of the network is assigned a hierarchy which relates to its importance to transportation and usage. This hierarchy is stored in the Highway Asset Management System

and records are kept of hierarchy changes. Footway hierarchies may differ from carriageway hierarchies and hence, they can have potentially diverse inspection frequencies.

The Authority will ensure that the routes include the existing highway network and newly adopted highways, where appropriate, are added to the inspection routes.

Each inspection must be recorded against the relevant Street Section in Highway Asset Management System. As well as any defects found, an assessment of the overall condition of the carriageway and footway must be recorded as part of the annual service inspection, but can also be highlighted through a safety inspection. This information is considered to identify potential preventative maintenance and renewal schemes. When recording inspections using a handheld device it will automatically time and date stamp the inspection. If no defects are present this must be recorded as part of the inspection. The inspection data should show the name of the officer who carried out the inspection (inspections must not be carried out in another person's name).

All inspections shall be properly recorded into the Highway Asset Management System and retained by the Authority for future reference.

10.1.2 - Technical Survey Strategy.

SCANNER Survey – The Authority will continue to carry out SCANNER surveys on its classified road network at the following frequencies:

- 'A' roads - 100% in one direction, alternating each year. One direction one year, the opposite direction in the following year
(2014/15 network = 442km)
- 'B' & 'C' roads - Also 100% in one direction, alternating each year
(2014/15 network = 1049km)

CVI Survey – The Authority will continue to use CVI surveys for its unclassified network. The seven districts within Nottinghamshire are split into three separate areas and one of these areas is surveyed each year with all three areas completed over a three-year period.

- Area 1: Newark & Rushcliffe (2012/13 Network Length = 1031km)
- Area 2: Ashfield, Broxtowe & Gedling (2013/14 Network Length = 847km)
- Area 3: Bassetlaw & Mansfield (2014/15 Network Length = 765km)

SCRIM Survey – The Authority will continue to survey one third of its 'A' road network in both directions each year, plus one third of its 'B' road network in both directions each year.

10.1.3 - Forward Works Planning.

Using the 'Horizons Analysis' software from 'Yotta', the Authority has created a Candidate List or 'needs' list based upon projected asset condition (Deterioration Modelling) against costs and agreed levels of asset performance. To maximise the benefits, it is possible to create a multi-year programme though the ability to be prescriptive diminishes the further into

the future you go. Therefore, a candidate list rather than a defined programme has been developed which is banded based on likely short, medium and longer-term maintenance objectives. This is not a rolling programme as it is recognised that annual deterioration can manifest in different ways and these are assessed as part of an Annual Engineering Inspection (AEI), with an 'in year' programme developed based on current condition each year.

The Candidate List is developed using condition data derived from the Network Technical Surveys but also feedback from the Highway Inspectorate who are the 'eyes and ears' on the ground, being aware of local community concerns and utilising engineering judgement on whether a street section is in need of future capital investment or whether it can be maintained through standard reactive maintenance techniques.



The maintenance programme is indicative and based upon the predicted condition of the network over time. The Authority will also look to make this information available either via the public website or regular bulletins or both.

The benefits of this are threefold:

Firstly, by using the predicted condition of the highway network the Authority can plan a more efficient works programme, balancing the needs of 'worst-first' with a greater emphasis on preventative maintenance treatments which can reduce the demands of a 'worst-first' programme over time. The Authority is able to predict when the optimum point on the deterioration curve is reached where the allocated treatment at that point provides the greatest cost benefit. *'The right treatment, at the right time, for the right price.'*

Secondly, having an indicative Candidate List in place, helps with co-ordination activities both within and outside the authority. The Authority is able to better plan the timing and extent of utility works as well as fully co-ordinating its own internal multi-disciplinary functions such as street lighting and structures works. Making the information available to Highway Inspectors via electronic tablets, helps them make informed treatment decisions dependent upon if and where specific sites sit within the maintenance plans.

Thirdly, this approach allows for greater transparency in helping the public, elected members and other stakeholders to understand what the County Council's future maintenance plans are and how we've come to such decisions, which should remain objective and based upon sound engineering criteria. It will allow for a larger amount of self-service and can help, particularly in the case of elected members, district / parish councillors etc to field enquiries about particular locations.

11. Leadership & Commitment

Senior decision makers should demonstrate leadership and commitment to enable the implementation of asset management.

Leadership has a strong influence on the culture and behaviour of all organisations. Clear direction and priorities will ensure that both significant and apparently relatively minor decisions taken across an organisation all support a consistent approach to delivering asset management. Time and effort spent on leadership and organisational development will pay dividends in the long-term as the purpose, objectives and responsibilities for asset management will be clearly established and supported.

Demonstrating the benefits that investment in highway infrastructure assets can achieve is required to support decision making and prioritise investment of capital funds and other valuable resources. Many authorities have been successful in making the case for additional investment in the maintenance of their highway infrastructure by adopting asset management principles. HIAMGD - Page XIII

11.1 - The Nottinghamshire Approach

Ensuring the support of senior decision makers is key to the effective application of Highways Asset Management. Engagement is continuous between all parties involved in the delivery of highway maintenance at all levels within the County Council and a sound system of communication in both directions is in place. Reports are presented to the Authority's committee responsible for the service covering performance management, works programming, and budget setting.

Strategic direction and asset policy are set out in this document and demonstrate the steps the Authority will take to meet them.

Alongside the Highway Infrastructure Asset Management Guidance Document, the UK Roads Liaison Group (UKRLG) produced an abbreviated document called [Highways - Maintaining a vital asset \(What should councillors know about asset management?\)](#) Strong leadership and commitment from elected councillors and their chief officers is vital in maintaining the highway. This leaflet explains how asset management can help councils to improve highway maintenance, by ensuring best use of available funds and demonstrating need for investment.

The County Council will ensure, through regular communication (committees, regular update bulletins and website publishing) that the investment case for Asset Management is clearly stated and based upon predicted funding and asset condition.

12. The Case for Asset Management

The case for implementing the Asset Management Framework should be made by clearly explaining the funding required and the wider benefits to be achieved.

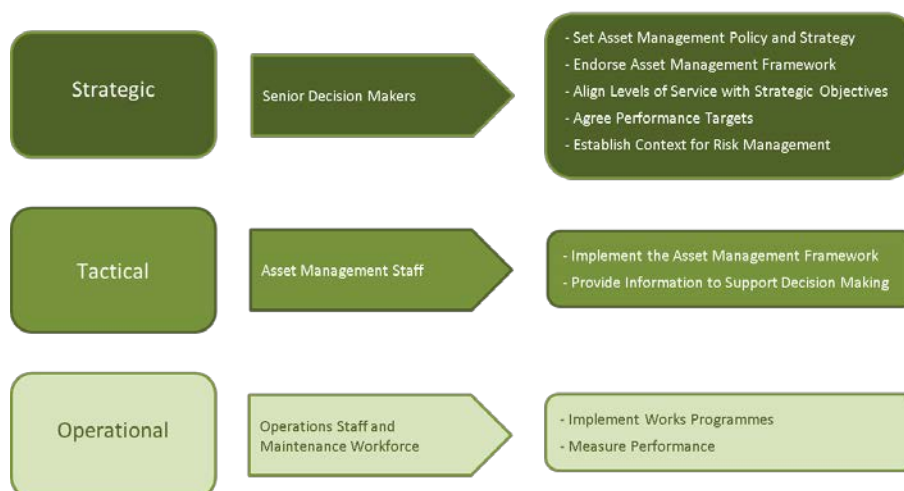
Asset management has been widely accepted by central and local government as a means to deliver a more efficient and effective approach to management of highway infrastructure assets through longer term planning, ensuring that standards are defined and achievable for available budgets. It also supports making the case for funding and better communication with stakeholders, facilitating a greater understanding of the contribution highway infrastructure assets make to economic growth and the needs of local communities.

The demand for a more efficient approach to the management of highway infrastructure assets has come to prominence in the light of the fiscal challenges faced by both central and local government as well as the devolved administrations.

Although the principles of asset management have been accepted, highway authorities throughout the UK have adopted a wide-ranging approach to its implementation. Many authorities have successfully adopted asset management but others are still at an early stage of implementation. Where asset management has been successfully adopted, demonstration of leadership and commitment from senior decision makers in supporting an asset management approach has been fundamental.

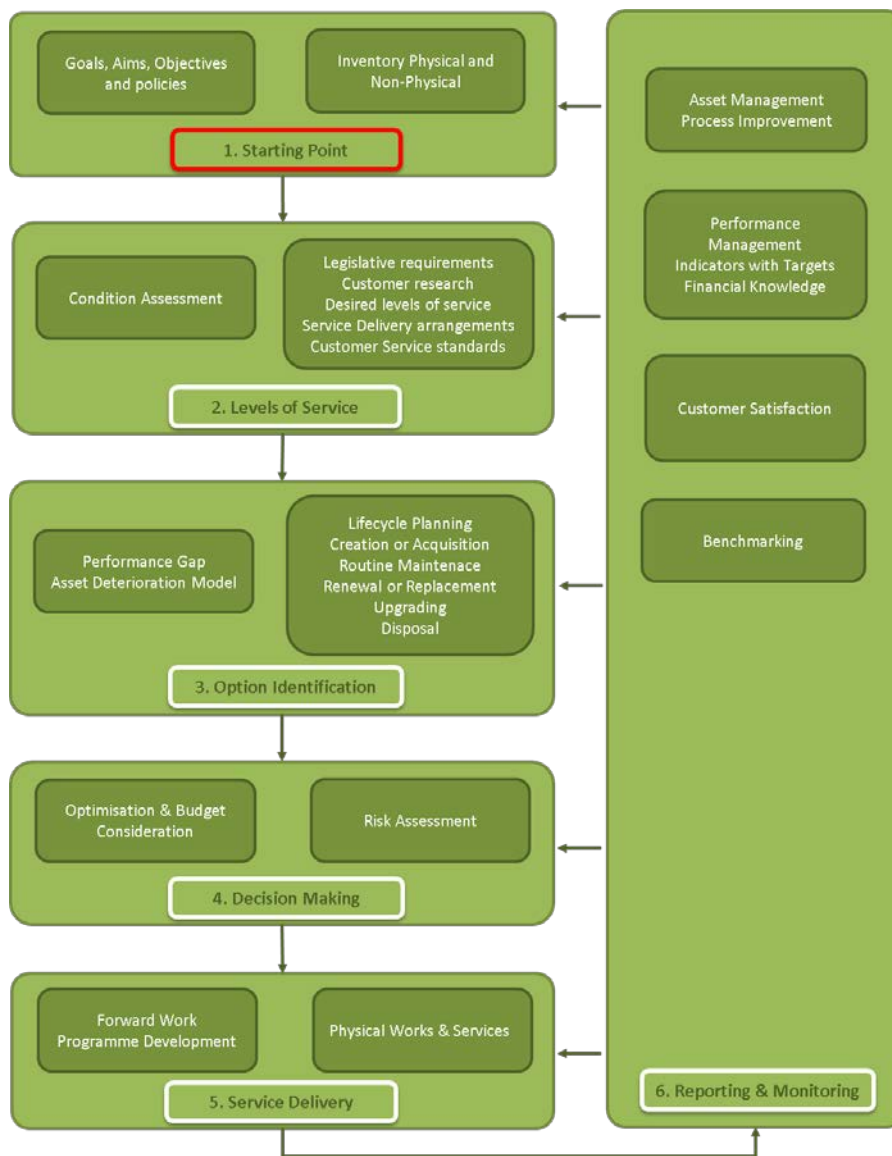
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Organisational Hierarchy



12.1 - The Nottinghamshire Strategy

The Asset Management Process is set out in the diagram below. This approach will also be utilised by Nottinghamshire when undertaking the completion of lifecycle plans for individual assets.



12.1.1 - Department for Transport Block Funding 'Needs' Formula

Prior to 2015/16, the highways maintenance funding formula comprises four main elements:

- De-trunked road length;
- Network road length;
- Number of bridges greater than 1.5m in length; and the number of bridges requiring major maintenance or strengthening; and
- Street lighting columns over 40 years old

From 2015/16 to 2020/21 the funding formula has been amended by the Department for Transport as follows:

It was announced in 2015/16, that there would be a total of £4.7 billion across the six-year period, and excludes the funding for the Incentive element and the Challenge Fund; the total funding available over the period amounted to just under £6 billion.

Following a consultation on highways maintenance funding, the Department has allocated a proportion of the total funding to four elements in varying proportions, derived from the Whole of Government Accounts:

Roads		75%
Split evenly between:		
A roads		25%
B & C roads		25%
Unclassified roads		25%
Bridges		14%
Lighting		2%
Cycleways & Footways		9%

In order for the Department for Transport to specify what the data requirements would be for Cycleways & Footways, there was no specific allocation for these until 2018 / 19 onwards. Therefore, from 2015 / 16 to 2017 / 18 the formula was as follows:

Roads		82.42%
Split evenly between:		
A roads		27.47%
B & C roads		27.47%
Unclassified roads		27.47%
Bridges		15.38%
Lighting		2.2%
Cycleways & Footways		0%

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The allocation for each authority is calculated in broadly the same way for the roads, bridges and lighting elements. That is:

- Local authority total for each element divided by England total for each element multiplied by total allocation in £ for each element; and
- The allocations for each of the elements are then added together to get the total allocation for each authority, and rounded to the nearest £1,000.

A-road totals have been calculated as:

Principal Motorway *multiplied by 3 plus* Principal rural 'A' roads *plus* Principal urban 'A' roads *plus* Dual Principal rural 'A' roads *plus* Dual Principal urban 'A' roads.

B & C road totals have been calculated as:

'Rural B' roads *plus* 'Urban B' roads *plus* 'Rural C' roads *plus* 'Urban C' roads.

Unclassified road totals have been calculated as:

'Rural U' roads *plus* 'Urban U' roads.

Bridges

These were sourced from local authorities in a previous data collection exercise and relate to the number of publicly maintainable highways bridges that highway authorities owned as at 1st April 2014. This figure should include all structures over 1.5 metres in span, whether carrying carriageway or footway (but not including public rights of way, nor structures belonging to other owners, such as Network Rail).

Lighting

These were sourced from local authorities in a previous data collection exercise and relate to the total number of street lighting columns owned by authorities as at 1st April 2014.

12.1.2 - Department for Transport Incentive Fund

The incentive funding element is about obtaining consistent adoption of good practice across all local authorities to ensure value for money.

Time is being given to allow highway authorities to adopt efficiency measures, to gain buy-in from their senior leaders and to make the necessary transformational changes to the full adoption of Asset Management Principles.

Initially, each local authority receives all of its efficiency funding, both the 'needs' and 'incentive' elements of their initial award. However, for each subsequent year there is an expectation that continuous improvement is taking place by each highway authority. This level of improvement is reflected in the funding awarded through the size of the incentive received.

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

Local highway authorities are categorised based upon where they are on the efficiency curve as follows:

- Band 1: Early stage authority
- Band 2: Mid stage authority
- Band 3: Final stage authority

A local authority's category is based on the responses to a self-assessment exercise on efficiency. This is collected annually via the Single Data List Item 129-000 in relation to highway data. Each local authority return will require a Section 151 Officer declaration to confirm that it is accurate.

The exact proportion of an authority's incentive funding would be based upon the allocation table below:

Year	2015 / 16	2016 / 17	2017 / 18	2018 / 19	2019 / 20	2020 / 21
Band 1	100%	90%	60%	30%	10%	0%
Band 2	100%	100%	90%	70%	50%	30%
Band 3	100%	100%	100%	100%	100%	100%

Nottinghamshire undertook a review (Summer 2015) of the 22 questions in the self-assessment questionnaire, based on the anticipated position for November 2015 and at that time it was predicted that the Authority would achieve Level 2 on the majority of questions including three cornerstone questions. The two questions relating to Risk and Resilience are at Level 1 and the Authority recognises the need for the development of such plans, however, as this is an area that is also contained in the Well Managed Highway Infrastructure: A Code of Practice (ACoP) review, any plan production is tied to this. At that time, Nottinghamshire bordered on level three in several areas, however, it attained Band 2 for the year 2016/17.

For the year 2017/18, there was an improvement in many areas with Level 3 being attained in half the questions, however, with the implications of the ACoP changes, the two questions relating to Risk and Resilience and changes to Lifecycle planning the Authority remained at Band 2 for the year.

With the creation of Via East Midlands in 2016 and the embedment of practices and procedures relating to the contract between the Authority and Via EM, many of the questions relating to robust performance management, procurement chain and management of the service could be answered with clear evidence of attaining Level 3 from management of the contract. This combined with the developments associated with the changes for the ACoP led to a Network Hierarchy Review, which resulted in a review of the whole Inspection Regime and the development of a risk management approach which was introduced across all service areas as part of a whole service review. The result of all these changes and development was the Authority attaining Band 3 for 2018/19.

12.1.3 - Department for Transport Challenge Fund

Part of the government's 2014 Autumn Statement assigned a proportion of the highways maintenance budget to a Local Highways Maintenance Challenge Fund. The purpose of the Fund is to enable local highway authorities in England to bid for major maintenance projects that are otherwise difficult to fund through the normal needs element allocations they receive. It was recognised that much of England's highway infrastructure is not new. Each highway asset has a definitive lifespan after which it decays and loses functionality. Some of this country's existing highway assets may now be moving to more costly stages of their natural life-cycle with some components already reaching the end of their serviceable life. In addition to the natural ageing process of highway infrastructure, the life-cycle of the asset has in many places deteriorated at a faster rate than perhaps originally envisaged, as a result of its original under-investment, as well as recent severe weather events which has compounded the issue.

An ageing asset can indicate the need for more funding as older infrastructure is costlier to maintain than new. In short, many areas of England may now be entering an era where a growing proportion of its public highway is nearing the end of its first full life-cycle and needs to be addressed.

The Challenge Fund is designed to help maintain existing local highways infrastructure. The types of project that are eligible for funding include:

- Major maintenance, strengthening or renewal of bridges, tunnels, retaining walls or other structures.
- Major maintenance or renewal of carriageways (roads).
- Major maintenance or renewal of footways or cycleways.
- Major maintenance or renewal of drainage assets.
- Upgrade of street lighting.
- A scheme which primarily covers one of the above categories but also includes some enhancement to the network to provide better access to housing and/or employment.

The total value of the Fund was announced as £575 million split over six financial years from 2015/16 to 2020/21. It was envisaged that the Fund would be split into two Tranches as follows:

Tranche 1		Tranche 2	
2015 / 16	£75 million	2018 / 19	£100 million
2016 / 17	£100 million	2019 / 20	£100 million
2017 / 18	£100 million	2020 / 21	£100 million
Total	£275 million	Total	£300 million

Nottinghamshire's Challenge Fund bid for 2015 was a programme to enhance strategic links in Nottinghamshire where there was high customer demand and strong links to the local community, services and businesses. Utilising a 'whole street' approach, the programme covered carriageway & footway treatments, including associated assets and lighting column/lantern replacement and drainage improvements, where applicable.

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The County Council's bid for Tranche 1 covered the whole county and was specifically targeted at unclassified distributor roads based on asset management principles and customer demand. At the time of the bid the classified road network was performing well (around 1.5% of A roads and 4.0% of B & C roads requiring maintenance) so the bid was concentrated around the next tier of hierarchy which was the unclassified 'distributor roads'. The sites identified were those with local community value and had high amenity, facility and/or business (including HGV) access requirements. Unfortunately, the Authority was unsuccessful with this bid.

In 2017/18, in a change to the original proposal, the Department for Transport asked for submissions for a second phase of the Challenge Fund. The bid produced by the Authority focused on the A38 and A617 corridor being part of the Mansfield & Ashfield Regeneration Route. The bid was identified and substantiated using asset management principles and was a result of close working between Via EM and their partnership contractor Tarmac Ltd. It consisted of resurfacing of the whole identified section, with structural improvements to the surface at known points of failure using bespoke material designs specific for the location. As part of the bid, a full drainage survey was included to identifying all the associated assets, and combine cleansing and improvements as required. The bid was linked to developments along this corridor and Section 278 [changes works](#). The Authority was successful with this £6.0m bid and work took place from late Autumn 2017/18, with the majority of the work towards the end of the financial year.

13. Competencies and Training

The appropriate competency required for asset management should be identified, and training should be provided where necessary.

Authorities should identify the competencies necessary to meet their requirements for asset management. Where these competencies are not available in the organisation training of staff may be required. Recruitment, mentoring or collaboration with other authorities may also be considered.

To maintain competency regular training should be considered for staff undertaking roles in asset management, such as the Highway Asset Manager. This will ensure the authority has the continuing ability to efficiently and effectively prepare, implement and review their approach to asset management. Investment in development of staff will support the overall improvement in the implementation and delivery of asset management supporting the subsequent business benefits.

Long term asset management involves many different people over time. As people change and as the approach evolves it will be necessary to ensure an orderly transfer of knowledge. This can best be achieved where those involved in asset management have clear roles and where due consideration is given to succession planning and the smooth hand-over of responsibilities. HIAMGD - Page 72

13.1 - The Nottinghamshire Approach

Nottinghamshire will continue to ensure suitable competency across staff from all levels, from senior decision makers to frontline operatives.

This will take the form of on-site & off-site training in the use of specific software packages such as Yotta's 'Horizons' and Pitney Bowes' 'Confirm' as well as training and mentoring in Microsoft Office packages such as Excel, Word, Publisher and PowerPoint. There is a mixture of tailored training such as HMEP online toolkits and day to day learning through frequent usage. Details of the training associated with Asset Management are shown in the table at the end of this section.

It is also important, alongside the sharing of good practice between authorities, that the Authority shares knowledge within its own organisation in the form of mentoring and day to day working together. The principles of Asset Management are communicated to relevant staff, including senior officials and engineers by one to one desktop study, in presentations and in open forums and workshops. HIAMP meetings/workshops are planned to raise awareness and communicate developments.

Asset Management is a principle and as such it relies on knowledge, experience & skills from a wide range of individuals and organisations to operate effectively. It will not function without the 'buy in' from senior decision makers / elected members and as such they should be made fully aware of the benefits to be had from the proper application of these principles. The Authority will ensure that knowledge is allowed to feed in from both ends of the local authority spectrum. The Institute of Asset Management's Competency framework identifies key roles and their required competencies. This framework has been utilised to create the following matrix:

ASSET MANAGEMENT COMPETENCY FRAMEWORK		
Post Title/Level	Required Competencies	Resources
Service Director/ Managing Director	An overall awareness.	HMEP Toolkits HAM Policy & HIAMP
Group Manager/ Head of Service/ Divisional Manager	Knowledge of corporate policy & strategy.	HMEP Toolkits HAM Policy & HIAMP
Team Manager/ Service Manager/ District Manager	Knowledge of national & corporate policy, strategy & plan.	HMEP Toolkits HAM Policy & HIAMP
Team Manager Highway Assets & Development	Detailed knowledge of national & corporate policy, strategy & plan. Detailed knowledge of HAMS (PMS), Horizons - Explorer & Analysis.	HMEP Toolkits HAM Policy & HIAMP HAMS Training Horizons Training (Explorer & Analysis)
Highway Asset Manager	Knowledge of national & corporate policy, strategy & plan. Detailed knowledge of HAMS (PMS), Horizons - Explorer & Analysis and detailed understanding of condition modelling.	HMEP Toolkits HAM Policy & HIAMP HAMS Training Horizons Training (Explorer & Analysis)
Asset Management Officer	Detailed knowledge of HAMS (PMS), Horizons - Explorer & Analysis and detailed understanding of condition modelling.	HMEP Toolkits HAM Policy & HIAMP HAMS Training Horizons Training (Explorer & Analysis) including further Analysis Tools (Excel, Access etc)
Team Manager: Highway Design - Maintenance	Knowledge of corporate policy, strategy & plan. Horizons - Explorer and knowledge of condition modelling.	HMEP Toolkits HAM Policy & HIAMP Horizons Training (Explorer)
Principal Project Engineer	Knowledge of corporate policy, strategy & plan. Horizons - Explorer and knowledge of condition modelling.	HMEP Toolkits HAM Policy & HIAMP Horizons Training (Explorer)
Project Engineer	Horizons - Explorer and knowledge of condition modelling.	HMEP Toolkits HAM Policy & HIAMP Horizons Training (Explorer)
Casualty Reduction Officer/ Safety Auditor	Horizons - Explorer and knowledge of condition modelling.	HMEP Toolkits HAM Policy & HIAMP Horizons Training (Explorer)
Inspectorate Staff	An overall awareness and understanding of strategy, policy and how condition modelling and the conditional information collected by the service drives the overall long term maintenance programme.	HAM Policy & HIAMP Bespoke training event

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14. Risk Management

The management of current and future risks associated with assets should be embedded within the approach to asset management. Strategic, tactical and operational risks should be included as should appropriate mitigation measures.

Highway authorities are required to manage a variety of risks at all levels within their organisations. The likelihood and consequences of these risks can be used to inform and support the approach to asset management and inform key decisions on performance, investment and implementation of works programmes.

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14.1 - The Nottinghamshire Approach

14.1.1 - Definition

Risk can be defined as an uncertain event which, should it occur, will have negative effect on the performance of the asset or the asset directly. The level of Risk can be defined as the likelihood of an event occurring, and the magnitude of its impact on the asset which would result from the occurrence. The Highway Asset is subject to many risks:

- **Safety** – of staff engaged in works on the highway, or in the much wider remit of highway user safety
- **Risk to Reputation** – both of the Highways Authority itself and those who rely on the asset in the course of their businesses
- **Loss or damage to the asset** – ranging from total destruction in an instant due to an extreme event to the steady deterioration of the asset due to wear and tear.
- **Service reductions or complete failure** – to lose some parts of the Network would potentially directly threaten lives
- **Environmental** – threats both to and from the environment
- **Financial and Contractual Risks** – for the Highway Authority and stakeholders
- **And most importantly - combinations of the above!**

Management of these risks is fundamental to effective asset management.



14.1.2 - Management of Risk in Nottinghamshire

The level of risk to an asset is generally reflected by its place in the network hierarchy, however this can be over-ridden by specific local needs. The asset team is made aware of these needs by close liaison with the staff engaged in the service and feedback from Highway Users.

Risks are evaluated along with available asset condition data and schemes are prioritised in line with available funding resulting in a list of candidate sites. Subsequent site investigation works also help to ascertain if project risks, such as tar being found in the construction layers, are clarified as early as possible to allow effective re-evaluation.

For reactive maintenance work the procedures on Risk Management are included in the [Highway Inspection & Risk Manual](#) along with guidance on appropriate defect treatments and response times.

All processes and treatments are embedded into the Highway Asset Management System and tablet technology utilised by Officers and Operatives.

Operational works procedures are covered by systems accredited to the internationally recognised quality system ISO 9001 and the Health and Safety system OHSAS 18001.

The chart below shows the four main risk categories and the separate risk elements within, which can contribute and need to be managed effectively.



14.1.3 - Resilient Network

In July 2014, the Department for Transport published the 'Transport Resilience Review - A review of the resilience of the transport network to extreme weather events'. The review made many recommendations, two of which were specifically related to highways asset management:

- **Recommendation 31:**

Local Highway Authorities should follow asset management principles in managing their assets, and informing spending decisions.

- **Recommendation 32:**

The DfT should proceed with its proposal to consult on using part of the capital maintenance monies to encourage the development and adoption of Asset Management Plans. However, in order to allow adoption of plans by more authorities, this should be delayed at least until financial year 2016/17.

These recommendations provide the intrinsic link between the Incentive Fund and the adoption of asset management principles. The fact that these recommendations were contained in a government review about climate change, extreme weather events and network resilience means that all local authorities must put plans in place to manage such events and provide a transport network which is robust enough to cope when the worst happens.

[Well Managed Highway Infrastructure – A Code of Practice](#) was first published in October 2016. Produced by the UK Roads Liaison Group and backed by the Department for Transport, this document provides guidance on how authorities can implement a risk-based approach to highway maintenance management. The Code is designed to promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment.

Nottinghamshire already has emergency planning in place for operational response and also protection of the vulnerable and less-abled people in times of crisis.

Allied to this is a comprehensive understanding by the Flood Risk Management Team of known and potential flooding hotspots based upon recent historical events and shared data from other organisations such as the Environment Agency and Internal Drainage Boards.

The County Council is identifying 'Critical Assets' such as bridges, junctions and routes that form the backbone of the revised network hierarchy developed as part of the ACoP review.

15. Asset Management Systems

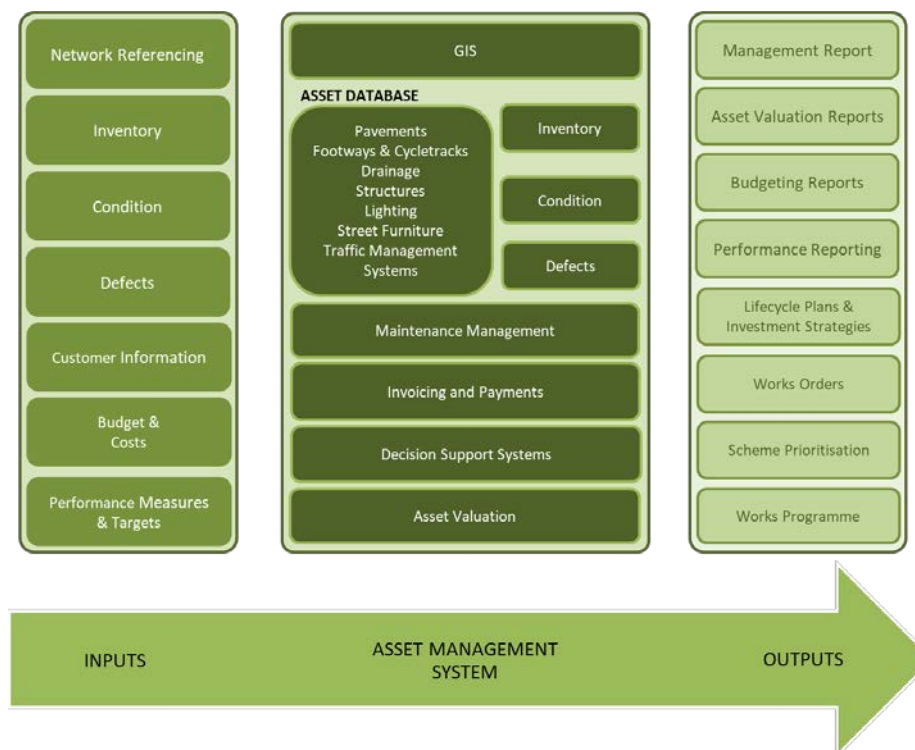
Asset management systems should be sustainable and able to support the information required to enable asset management. Systems should be accessible to relevant staff and, where appropriate, support the provision of information for stakeholders.

Good asset management needs to be supported by robust processes for implementation and management as well as good quality, repeatable and reliable data. An asset management system will support decision making through managing information and data to support asset management as well as to record and monitor its implementation.

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15.1 - The Nottinghamshire Approach

Nottinghamshire will continue to utilise software applications to manage the Highway Asset. These systems and applications are detailed in this section to all the inputs and outputs to be achieved as per the diagram below.



15.1.1 – Highway Asset Management System - ‘Confirm’ from Pitney Bowes

The Authority will continue to use the Confirm system for the foreseeable future as it provides the authority with a robust tool for reporting the performance of its systems and working practices. Confirm is a modular piece of software which allows users to develop the system to their requirements. [Nottinghamshire Via East Midlands](#) holds a full Enterprise license for Confirm and as such is able to fully utilise the package as well as benefitting from the in-built efficiencies this allows. This system is continually upgraded to provide greater functionality and to maintain compliance with other protocols, as these become available from the provider.



Asset Register - Spatial and non-spatial data on highway assets and their associated attributes is stored within the Confirm database.

Customer / Stakeholder Enquiries - The Authority's Customer Services Centre feeds information on enquiries / complaints from the general public and others into Confirm which

provides IT with information which, when aligned with engineering data from technical surveys, can enhance the overall picture of Nottinghamshire's highway network.

The screenshot shows the 'Feature Lookup' window in the Confirm software. It contains a table with columns for 'Street / Foot No.', 'Feature Type', 'Feature Id', and 'Location'. The table lists various highway assets, including columns, trees, and road sections, with their corresponding feature IDs and locations.

Street / Foot No.	Feature Type	Feature Id	Location
2.000.00	Street Section		From Riddale Road to Hound Road
4.000.00	Column	1 - a/s 1 - opp TBH entrance	
4.000.07	Column		TEST PLOT ROAD - Test plot
4.001.00	Column	2	
4.002.00	Column	3 - a/s 15	
4.003.00	Column	4 - a/s 15	
4.004.00	Column	5 - a/s 15a	
4.005.00	Column	6 - a/s 27/23	
4.006.00	Column	7 - a/s 25a/37	
6.000.00	Trees - 1 Highway (Single)	RUSH-07246 - FRONT OF 29	
6.001.00	Trees - 1 Highway (Single)	RUSH-07249 - OPPOSITE 27	
6.002.00	Trees - 1 Highway (Single)	RUSH-07250	
6.003.00	Trees - 1 Highway (Single)	RUSH-07251	
6.004.00	Trees - 1 Highway (Single)	RUSH-07252 - FRONT OF 15	
6.005.00	Trees - 1 Highway (Single)	RUSH-07253	
6.006.00	Trees - 1 Highway (Single)	RUSH-07254	
6.007.00	Trees - 1 Highway (Single)	RUSH-07255	
6.008.00	Trees - 1 Highway (Single)	RUSH-07256	
6.009.00	Trees - 1 Highway (Single)	RUSH-07257 - FRONT OF TBH	
6.010.00	Trees - 1 Highway (Single)	RUSH-07258 - FRONT OF TBH	
6.011.00	Trees - 1 Highway (Single)	RUSH-07259 - FRONT OF TBH	
6.012.00	Trees - 1 Highway (Single)	RUSH-07260	

Pavement Management Data - Confirm stores, processes and analyses data from technical condition surveys such as SCANNER.

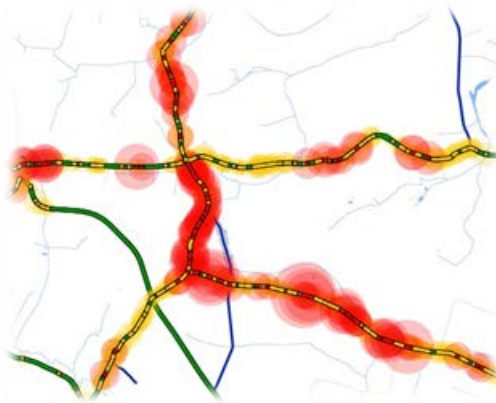
Highway Inspections - These will continue to be managed along with the whole highway inspection regime using Confirm.

Asset Valuation – The Authority will continue to use Confirm for the provision of data to the Department for Transport for the Whole of Government Accounts including Depreciated Replacements Costs and Gross Replacement Costs.

15.1.2 – Pavement Management System - 'Horizons' from Yotta

'Horizons' is a visualised PMS software product from Yotta. Its greatest attribute is its ability to take vast amounts of complicated road and footway condition data and display it in a visualised format using maps, graphs, pie-charts and video. This enables IT to present the information to a wider audience, both engineering and non-engineering.

Horizons uses the 'Red, Amber, Green' format to display data on the Road Condition Index (RCI) which is a value given to each sub-section of road based upon a formula which pulls together the severity of each individual defect.



15.1.3 – MapInfo

MapInfo is a software programme from Pitney Bowes, designed to interact with Confirm and is primarily used for plotting spatial asset data onto base maps. The co-ordinate data from MapInfo is transferrable between various platforms including Horizons and Microsoft Office programmes such as Excel.

The Authority uses MapInfo to plot not only asset locations but also some attributes such as public highway extents, flooding and administration areas.



15.1.4 – Control Systems and Asset Register

Traffic

Urban Traffic Control (UTC) system: for traffic signals in co-ordinated networks (e.g. Mansfield town centre) enabling continuous communication with and control of sites remotely, monitoring of faults and signal operation.

Remote Monitoring System (RMS): for stand-alone traffic signal installations via phone lines or GSM allowing remote dial up to monitor operation of sites. System will also dial up the in-station at Trent Bridge House when faults occur.

IMTRAC: the system for logging and managing all traffic signal faults with relevant service contractors. All faults are prioritised with set attendance and rectification targets.

Traffic Control Systems Asset Register: this system collates the asset data from the associated Traffic Control systems above into a single register.



16. Performance Monitoring

The performance of the Asset Management Framework should be monitored and reported. It should be reviewed regularly by senior decision makers and when appropriate, improvement actions should be taken.

A well-developed approach to performance monitoring will provide authorities with the ability to continuously improve their asset management knowledge, processes and systems to support effective delivery of asset management and to build on lessons learnt to enable them to continuously improve.

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16.1 - The Nottinghamshire Approach

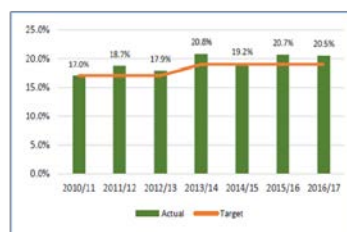
Nottinghamshire County Council monitors its service levels through a range of performance indicators which are routinely reported to senior management for review. These indicators are managed through the Authority's performance management system with the associated data being produced from the Asset Management Systems and external sources such as NHT (APSE). Performance Management is embedded in the contract with Via East Midlands and Appendix 1 contains a list of the indicators currently being measured, monitored and managed. Indicators monitor conditional aspects, response and timing, quality and service, providing a means to measure short and long-term performance. [The suite of indicators is subject to a regular review to ensure they provide a fit for purpose management tool.](#)



A Roads



B & C Roads



Unclassified Roads

17. Benchmarking

Local and national benchmarking should be used to compare performance of the Asset Management Framework and to share information that supports continuous improvement.

Benchmarking is a systematic process of collecting information and data to enable comparisons with the aim of improving performance, both absolutely and relatively to others. It provides a structure to search for better practice in similar authorities that can then be integrated into an asset management approach.

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Selection of the benchmarking network is important in providing useful information. Its significance will be improved if partners have similar characteristics.

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17.1 - The Nottinghamshire Approach

17.1.1 - Midland Service Improvement Group

Nottinghamshire is fully engaged with MSIG which is a benchmarking group made up of individual authorities sharing innovation and good practice. Members exchange objective and subjective data on all areas of Asset Management from stakeholder satisfaction through to national road condition data.

17.1.2 - National Highways & Transportation Survey

The County Council annually supplies data to the NHT which serves to provide details on levels of customer satisfaction with local authority services and practices. This helps the Authority to target and publish information clearly and effectively to ensure members of the public and other highways stakeholders are as fully informed as possible about the current performance of the services.

17.1.3 - Department for Transport submissions

The Authority's annual submissions of condition data to the DfT gives it a clear indication of how the County Council's road network is performing relative to other authorities. This data is used to identify key areas for improvement.

The following table shows the performance of the county's road network for the period 2007 - 2017. This data is the Authority's annual performance submission to the Department for Transport. The table shows data for 'A' roads (Single Data List 130-01, formerly NI168) 'B' & 'C' roads (SDL 130-01, formerly NI169) and Unclassified Roads (BVPI - Best Value Performance Indicator 224b)

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The table below shows the percentage of roads that require structural maintenance both countywide and at district level in each year.

Percentage of Carriageways requiring maintenance		2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
		% within Area	% within Area	% within Area	% within Area	% within Area	% within Area	% within Area	% within Area	% within Area	% within Area
A Roads	Countywide	1.5%	1.6%	1.5%	1.5%	1.9%	2.6%	1.7%	1.50%	1.20%	1.31%
	Ashfield	0.9%	1.1%	1.3%	1.2%	1.4%	1.4%	1.20%	1.19%	1.06%	1.17%
	Bassetlaw	1.0%	1.3%	1.0%	0.9%	1.9%	2.0%	1.00%	0.95%	0.78%	0.85%
	Broxtowe	3.6%	1.8%	2.3%	2.3%	3.2%	3.1%	2.90%	2.55%	2.23%	2.85%
	Mansfield	5.1%	3.0%	3.0%	3.2%	3.1%	8.0%	3.40%	2.88%	2.08%	2.20%
	Newark	1.4%	2.0%	1.1%	1.1%	1.3%	2.0%	1.30%	1.05%	0.67%	0.79%
	Gedling	1.0%	1.2%	2.5%	2.0%	1.7%	1.9%	2.20%	2.01%	1.71%	1.64%
	Rushcliffe	1.4%	2.2%	1.8%	1.9%	2.1%	2.0%	2.60%	2.01%	1.88%	2.13%
B & C Roads	Countywide	7.3%	8.4%	8.4%	7.5%	7.4%	9.7%	8.0%	4.06%	2.89%	3.22%
	Ashfield	8.0%	8.7%	7.6%	7.5%	7.2%	11.2%	10.08%	5.54%	4.12%	3.24%
	Bassetlaw	6.5%	8.8%	8.3%	6.6%	6.7%	12.3%	10.38%	4.29%	3.12%	3.40%
	Broxtowe	9.1%	9.8%	9.9%	8.6%	8.4%	12.8%	9.69%	4.57%	3.79%	3.57%
	Mansfield	2.5%	2.4%	3.5%	2.6%	2.8%	5.2%	5.08%	2.70%	1.75%	1.08%
	Newark	7.9%	9.6%	9.6%	8.0%	8.4%	8.8%	4.80%	3.88%	2.65%	3.50%
	Gedling	3.6%	4.6%	4.2%	4.4%	5.7%	6.5%	7.22%	2.80%	2.17%	2.29%
	Rushcliffe	7.7%	7.7%	9.0%	7.5%	7.0%	7.5%	6.50%	3.82%	2.58%	3.12%
Unclassified Roads	Countywide	15.7%	17.0%	19.5%	17.3%	18.7%	17.9%	20.8%	19.20%	20.70%	20.50%
	Ashfield	17.5%	17.5%	17.5%	7.2%	7.2%	7.2%	16.9%	17.30%	17.30%	14.70%
	Bassetlaw	15.6%	21.2%	21.2%	21.2%	24.8%	25.3%	25.3%	20.00%	19.80%	19.80%
	Broxtowe	14.3%	14.3%	14.3%	9.5%	9.5%	9.3%	15.1%	15.40%	15.40%	15.60%
	Mansfield	12.6%	14.3%	14.3%	15.0%	19.6%	19.9%	19.9%	13.30%	13.30%	13.30%
	Newark	18.3%	18.4%	27.2%	27.6%	27.6%	23.9%	23.7%	23.60%	27.30%	27.40%
	Gedling	15.3%	15.1%	15.1%	10.5%	11.3%	11.3%	22.5%	22.70%	22.70%	24.20%
	Rushcliffe	15.3%	15.3%	21.7%	21.7%	21.6%	19.1%	18.7%	18.70%	24.30%	24.30%
Overall Length of Carriageway Network Requiring Structural Maintenance	Countywide	11.5%	12.6%	14.1%	12.6%	13.4%	13.7%	14.4%	12.81%	13.36%	13.34%
	Ashfield	13.5%	13.7%	13.5%	6.6%	6.6%	7.5%	13.6%	12.83%	12.48%	10.57%
	Bassetlaw	10.3%	13.9%	13.7%	13.2%	15.3%	17.2%	16.5%	11.88%	11.40%	11.49%
	Broxtowe	12.2%	12.1%	12.2%	8.5%	8.6%	9.0%	12.8%	12.25%	12.10%	12.29%
	Mansfield	10.6%	11.6%	11.7%	12.2%	15.7%	16.8%	16.2%	10.84%	10.63%	10.59%
	Newark	13.3%	14.0%	19.0%	18.5%	18.7%	16.8%	15.1%	14.66%	16.20%	16.59%
	Gedling	9.7%	9.9%	9.6%	6.9%	7.6%	7.9%	14.3%	13.70%	13.50%	14.41%
	Rushcliffe	11.6%	11.7%	15.8%	15.3%	15.1%	13.8%	13.3%	12.31%	15.12%	15.33%

17.1.4 - Midlands Highways Alliance

Nottinghamshire's membership of the MHA helps it keep abreast of industry developments and to measure where the Authority is in terms of performance standards compared to its peers. It also allows for prudent procurement of goods and services and helps with achieving economies of scale for both. This is the first partnership of its kind in the UK which commenced in July 2007. The MHA delivers the regional procurement and implementation of highways maintenance, professional services and capital works through framework agreements.

17.1.5 - Highways Maintenance Efficiency Programme

The work of the HMEP has been at the cornerstone of all strands of highway maintenance activities. There are several guidance documents which give recommendations on the best way of delivering these services using Asset Management Principles. This document is itself founded on these recommendations which also tie-in very closely with the 2015-2021 DfT funding models (the Incentive Fund in particular) the new over-arching Approved Code of Practice and also the Whole of Government Accounting which calls for greater detail on asset inventory in future submissions. Ensuring that Nottinghamshire County Council has the HMEP guidance at the heart of the Authority's approach to highway maintenance now and in the future, will also ensure it is properly measured against all other local authorities for all development, programming and delivery operations.



17.1.6 – Asset Management Standards

The Authority recognises the need to attain and maintain a robust asset management approach and ensure this meets national industry standards. ISO 55000 is the international standard covering the management of physical assets. This BSI standard dovetails with Via East Midlands accreditations for quality management and health & safety and as such will be considered for future accreditation.

17.1.7 – APSE

Both Nottinghamshire County Council and Via East Midlands will continue to work with the Association for Public Service Excellence (APSE) as an effective means of benchmarking the company's performance in the delivery of highway maintenance management relative to other similar companies and highway authorities. This helps Via East Midlands identify where its strengths and weaknesses are and the company can to continue to improve the quality of its services.

18. Asset Management Plan for: CARRIAGEWAYS

18.1 - Survey Strategy and Data Collection

Nottinghamshire County Council has developed a hierarchy / risk-based technical carriageway survey strategy in line with recommendations contained in the Code of Practice 'Well managed Highway Infrastructure'. This strategy considers asset management requirements as well as national reporting protocols.

18.1.1 - Survey Types

The condition data collection strategy utilises a range of survey types that are either digitally measured over short 10m sections and / or interpretive, based on a visual engineering observation of whole streets and routes either by high definition video or on-site survey. The network hierarchy has a large part to play in the selection of survey method and the subsequent maintenance strategy.

- **SCANNER** - These surveys use automated road condition survey machines to measure a range of road condition parameters including ride quality, rut depth, intensity of cracking, texture depth and edge condition. Measurements from SCANNER accredited machines are used to produce a national performance indicator (the SCANNER Road Condition Indicator) for reporting carriageway condition to the Department for Transport. Historically, the SCANNER survey produces the Government's Road Condition Indicator for the following:
 - **Single Data List Item 130-01** - Principal roads where maintenance should be considered.
 - **Single Data List Item 130-02** - Non-principal classified roads where maintenance should be considered.
- **Coarse Visual Inspection (CVI)** - This is a simple visual survey, usually carried out from a slow-moving vehicle, which previously allowed for around one third of the authority's unclassified road network to be assessed each year. A CVI survey is normally undertaken using the 'cross-sectional position' method, where the carriageway is assessed as a whole, and kerbs, footways and cycle-tracks are separately inspected for the left and the right of the carriageway. Historically, the CVI survey produces the Government's Road Condition Indicator for the following:
 - **BV224b** - Unclassified roads where maintenance should be considered.
- **Detailed Visual Inspection (DVI)** - This type of survey is more comprehensive than the CVI, with defects identified by a larger number of more detailed classifications. The DVI is a walked survey, and is typically targeted at lengths already identified as defective and potentially in need of treatment either by the CVI, the Annual Engineering Inspection (AEI) or from some other sources of information such as Highway Inspector's condition survey reports, enquiries or reactive maintenance records. The DVI records measured areas or lengths for a wider range of more closely defined defects (than for CVI), aggregated within short sub-sections, 20 metres in length by default. The defects collected for DVI are generally defined to a closer level of detail

than CVI. In order to ensure broad consistency between the two surveys a single CVI defect is normally equivalent to a number of DVI defects.

- **Annual Engineering inspection (AEI)** - Very similar to the DVI survey above but goes even further by prescribing specific treatment options over whole sections or routes to help identify the 'maintenance need', defined as: what treatment, if any, is required for the road in its current condition, whether that be preventative, patching, resurfacing or reconstruction. This type of survey is a key component in establishing lifecycle plans for both individual streets and at network level as it defines the estimated useful life of treatments and their relative costs.
- **SCRIM** - This type of survey was introduced in the early 1970s to provide a method of measuring the wet skidding resistance of the road network. The normal testing speed for the **S**ideways-force **C**oefficient **R**outine **I**nvestigation **M**achine is 50km/h and skidding resistance values for the nearside wheel track only (usually the location of the lowest skidding resistance) are generally recorded as the average for each 10m section. Historically, the SCRIM survey produces the Government's Road Condition Indicator for the following:
 - **Single Data List Item 130-03** - Principal road % with skid resistance at or below investigatory level.

18.2 - Maintenance Strategy

18.2.1 - Works Programming

Nottinghamshire operates a prioritised 'Candidate List' of potential sites based upon both their relative place in the network hierarchy and their current condition / treatment option.

Streets are initially grouped into their relative hierarchies. Streets or sections that are recorded as either 'as new' or 'up to standard', whilst still being recorded for lifecycle planning purposes, will not find themselves included on the Candidate List as this is primarily a prioritisation tool for scheme selection, whereas lifecycle planning looks at the useful life of treatments and the relative costs.

Broadly speaking, other than 'as new' or 'up to standard', streets will fall into one of three condition bands, each having its own suite of potential treatments:

Surface Deterioration (non-invasive)

This refers to those streets where the structural integrity remains, possibly even the 'shape' of the road and the ride quality are generally acceptable but the surface itself is beginning to deteriorate. Either it is 'polishing up' and becoming potentially slippery or it is 'ravelling' where the aggregate (stone chippings) is coming away (stripping) from the road surface. This triggers a range of lower cost preventative treatments where by timely intervention means the road can be halted from falling into the next condition category. The range of preventative treatments include:

- **Surface Dressing (with minimal pre-patching if required)** - Surface dressing is an extremely cost-effective way of maintaining a road. It restores skidding resistance and seals the road surface to prevent water ingress. Hot bitumen is sprayed onto the road and chippings are then applied and rolled in. The road is then swept to remove excessive chippings.
- **Micro-Asphalt** - Ideal for use where the existing surface is not suitable for surface dressing because of extensive patching requirements, rutting, failed repairs or extensive utilities work. It also provides an alternative where surface dressing would be considered unsuitable, such as in some populated urban areas. Micro-Asphalt reduces road noise and can regulate the surface sufficiently to improve ride quality.
- **Re-Texturing** - Generally used over smaller areas, this method involves the high-pressure firing of water or ball bearings at the road surface to remove excess bitumen and restore the surface texture, improving skid resistance.
- **High Friction Surfacing** - Also known colloquially as 'anti-skid' surfacing. This is the red or buff coloured surfacing usually seen at approaches to junctions, roundabouts, pedestrian crossings and other hazards to improve grip in braking zones.

Resurface (semi-invasive)

This is generally a semi-structural condition caused by a failure of the carriageway's surface layer, usually around 40mm deep. It can take the form of cracking either in the wheel tracks or across the whole surface or wholesale stripping away of the surface aggregates. Extensive pothole repairs or reactive patching may leave a road in need of a full surface course replacement or larger areas of patching. The major structure of the road remains intact and there would be no obvious signs of rutting or failures in the lower layers. Treatment options include:

- **Full resurfacing** - A full replacement of the surface course layer using a suitable material relative to the existing construction of the road and its level of use.
- **Patching** - If the surface course damage is restricted to isolated areas it may be cost effective to carry out large areas of patching rather than wholesale resurfacing. This often hinges upon the economies of scale but is an option if enough of the existing surface remains of an acceptable standard. In cases such as this, the site goes onto a 'watch list' as pre-cursor to surface dressing or micro-asphalting before either the edges of the patching begin to show signs of wear or the original untreated begin to deteriorate.



Reconstruction (highly-invasive)

These are the roads that are generally in the worst condition and have reached the end of their 'useful-life'. There will be signs of structural failure in at least the top two layers and possibly deeper still. Evidence would be 100mm deep potholes or severe rutting. Traditionally, a 'worst-first' approach to highway maintenance had authorities concentrating solely on roads in this category whilst not fully addressing those sites which could be prevented from falling into a similar condition and hence the cycle was repeated over numerous years. The most important aspect for roads in this condition category is that they are kept safe until a longer-term repair can be carried out. As it is, Nottinghamshire accepts that a certain number of these sites do need to be addressed every year and so the prioritisation of such sites becomes ever more paramount to ensure they are considered objectively.

18.3 – Future Programming & Life Cycle Planning

18.3.1 - Future Programming

Using the 'Horizons Analysis' software from Yotta, the Authority has created a Candidate List or 'needs' list based upon projected asset condition (Deterioration Modelling) against costs and agreed levels of asset performance. To maximise the benefits, it is possible to create a multi-year programme, though the ability to be prescriptive diminishes the further into the future you go. Therefore, a candidate list rather than a defined programme has been developed which is banded based on likely short, medium and longer-term maintenance objectives. This is not a rolling programme as it is recognised that annual deterioration can manifest in different ways and these are assessed as part of an Annual Engineering Inspection (AEI), with an 'in year' programme developed based on current condition each year.

This forms part of an annual cycle, which starts in the previous year, using network condition data and the AEI to develop an early programme from July onwards, consisting of sites where maintenance should be considered. These sites are further reviewed for feasibility and extent information, to define a programme that is endorsed by committee in the autumn to allow more detailed feasibility design to be undertaken. Final approval for the resulting following years programme is given in March ready for the start of the next financial year.

This approach is supported by condition data from several years of survey and used to carry out deterioration modelling on roads of similar hierarchy and usage, thereby predicting their likely condition in future years. This is a better method than prescribing specific treatments as it allows engineers to employ local knowledge when considering treatment types based upon unique site conditions and the overall transport dynamic of the local area.

The longer-term programming considers factors and assets other than simply road condition data and draws on proposed sites for footways, cycleways, structures and street lighting maintenance. This is moulded into a 'whole street' approach as far as possible where as much asset maintenance as is practicable can be undertaken together, within the same location, thereby reducing the need for repeated traffic management, particularly on critical junctions and primary routes.

The strategy is to maintain the road condition KPI at or below the target value, whilst increasing the level of preventative maintenance to roads which are at the earlier stages of deterioration through treatments such as surface dressing. This will see an increase in the overall annual surface dressing programme, whilst leaving certain roads toward the end of their serviceable life in a safe and stable condition. Catching roads before they substantially deteriorate will ultimately result in an improvement in overall road condition across the network through this redirection of funding.

18.3.2 - Life Cycle Planning

Lifecycle Planning depends on a comprehensive understanding of the condition of sites across the whole network and the nature of treatment required (if any) plus associated costs and estimated lifespan. By dividing the requirements of sites on the network into three distinct treatment bandings the County Council builds up a database of 'maintenance needs' at a network level.

- Surface treatment required – Non-invasive.
- Resurfacing required – Semi invasive (40mm).
- Reconstruction required – Highly invasive (100mm+).

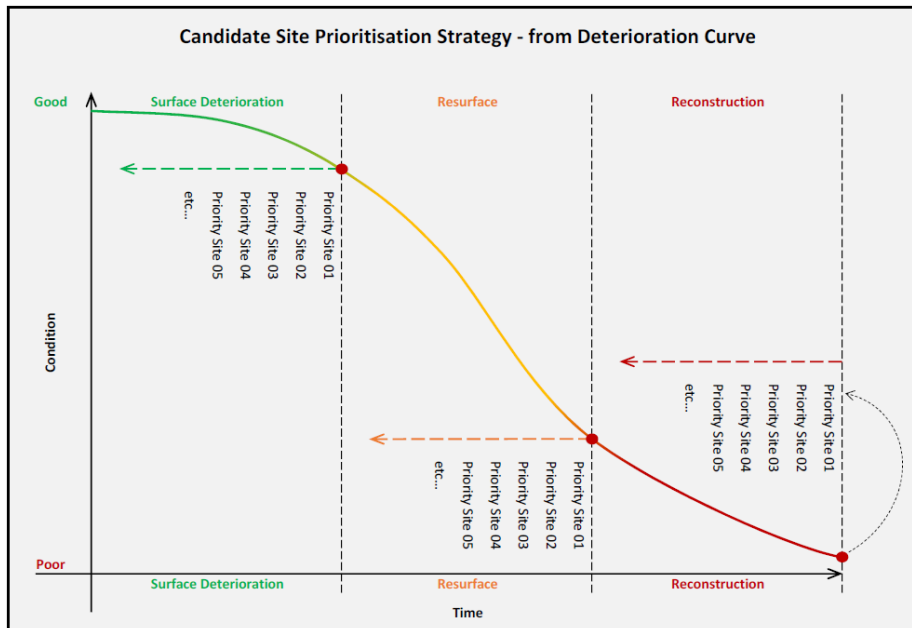
This directly links with the overall Maintenance Strategy, as covered in an earlier section. It allows the Authority to determine the estimated cost of the required treatment, coupled with the expected lifespan before secondary, tertiary and even longer-term treatments are required. By matching these condition bands and treatment costs against the relative positions in the network hierarchy, it is possible to model maintenance funding allocations to target those parts of the network where the need is greatest both from a 'worst-first' and an 'Asset Management' perspective.

18.3.3 – Candidate List

Once these sites have been grouped into their respective condition / treatment bands they are subsequently prioritised to establish which are the most critical, as in, which are most likely to 'tip-over' into a more invasive (and hence, costlier) condition band the soonest.

The Candidate List is developed using condition data derived from the Network Technical Surveys but also feedback from the Highway Inspectorate who are the 'eyes and ears' on the ground, being aware of local community concerns and utilising engineering judgement on whether a street section is in need of future capital investment or whether it can be maintained through standard reactive maintenance techniques.

The graph below illustrates this methodology.



The prioritisation methodology takes into account numerous factors:

- Technical Survey Data
- Network Hierarchy
- Area Highway Engineer input
- Highway Inspector Condition Reports
- Structures Input
- Accident Investigation Unit input
- Elected Member requests
- Public & Media reporting
- Third-Party input from:
 - Public Utilities
 - Emergency Services
 - Environment Agency
 - Department for Transport (Government) directives
 - Other key stakeholders

18.4 - Reactive Maintenance

The Highway is routinely inspected as part of a planned inspection regime detailed in The Highway Inspection & Risk Manual with inspections being carried out at a set of frequencies (Monthly, 3-Monthly, 6-Monthly, Annually) that are based upon network hierarchy. This, combined with the Customer Relations process results in all inspections being undertaken by the area Highway Inspector. Observed defects which meet the investigatory 'trigger' level are considered for repair and a response time allocated dependent upon a risk assessment as outlined in the [Highway Inspection & Risk Manual](#).

As part of the planned inspection regime there is an in-built conditional survey which allows the Highway Inspector to highlight sites that are displaying signs of deterioration into one of the three condition bands as described above. These sites are then further reviewed as part of the inspection management process, added to the Candidate List and form part of the AEI.



19. Asset Management Plan for: FOOTWAYS and CYCLETRACKS

19.1 – Survey Strategy and Condition

Nottinghamshire County Council has developed a hierarchy / risk-based technical footway survey strategy in line with recommendations contained in the Code of Practice 'Well managed Highway Infrastructure'. This strategy takes into account asset management requirements as well as national reporting protocols.

19.1.1 - Inventory

Footways: Previously the County Council commissioned a Footway Network Survey (FNS) of the entire county. This not only gave the authority some baseline condition data across the entire footway network, it has also been useful in identifying missing 'remote' footways that were not included in earlier inventories, for example, those which connect streets and locations over longer distances and often across open spaces or between existing housing or industrial developments.



Cycleways: The DfT is putting greater emphasis on the asset management of cycleways and Nottinghamshire County Council is continually enhancing its existing inventory of both on-street and off-highway cycle-tracks using data gathered from highway inspections, technical surveys by third parties and in-house improvement programmes.

19.1.2 - Condition

In 2011/12 the County Council commissioned the FNS of the entire county. This served to give the authority a 'baseline' data set of the overall condition of the county's footways. The condition data is split into four generic categories:

- As New
- Aesthetically Impaired
- Functionally Impaired
- Structurally Unsound

The data at that time revealed that overall, the highest category footways were generally in better condition than those in a lower hierarchy.



The strategy for condition identification moving forward involves utilising observations made by Highway Inspectors as part of their everyday safety and enhanced inspections across the entire network. The County Council uses this

reporting mechanism to feed in to the selection process for footways to be included in annual maintenance programmes.

This process involves the identification of potential sites which are subsequently reviewed by engineers, treatment type agreed with extents and these sites then take their place on the Candidate List for potential inclusion based upon hierarchy / priority and actual usage.

19.2 - Maintenance Strategy

19.2.1 - Works Programming.

Nottinghamshire operates a prioritised 'Candidate List' of potential footway & cycleway sites as well as carriageways based upon both their relative place in the network hierarchy and their current condition / treatment option.

Footways & Cycleways are initially grouped into their relative hierarchies. Those that are recorded as either 'as new' or 'up to standard', whilst still being recorded for lifecycle planning purposes, will not find themselves included on the Candidate List as this is primarily a prioritisation tool for scheme selection, whereas lifecycle planning looks at the useful life of treatments and the relative costs.

Broadly speaking, other than 'as new' or 'up to standard', footways & cycleways will fall into one of three condition bands, each having its own suite of potential treatments:

Aesthetically Impaired - Surface treatment required – Non-invasive.

This refers to those streets where the structural integrity remains, possibly even the 'shape' of the footway / cycleway is generally acceptable but the surface itself is showing early signs of beginning to deteriorate. Either it is becoming slippery or it is 'ravelling' where the aggregate (stone chippings) are coming loose from the surface, also a potential slipping hazard. This triggers a range of lower cost preventative treatments whereby timely intervention means the site can be halted from falling into the next condition category.

Slurry Sealing - An extremely cost-effective way of maintaining or restoring the surface texture of footways. Slurry sealing can repair imperfections and seal footway surfaces to prevent fretting caused by loss or ageing of the binder. It is semi self-levelling and is spread by hand using squeegees. It provides an even and consistent surface free from trip hazards.



Functionally Impaired – Overlay required – Semi invasive (20mm).

Overlays - These are best used when there is capacity within the cross-section of the footway for the use of an overlay surface without causing a pronounced camber on the footway. Usually best saved for when there might be a small vertical edge at the rear of the kerbing and / or a negative profile (a 'u' shape rather than an 'n' shape) where the surface can still be restored without excavation. There is a partially-invasive version which involves cutting away a strip of footway immediately to the rear of the kerbing (keying-out) followed by the overlay which won't then sit higher than the kerbs themselves.

Structurally Unsound – Reconstruction required – Highly invasive (60mm+)

These are the footways & cycleways that are generally in the worst condition and have reached the end of their 'useful-life'. There will be signs of structural failure in at least the top two layers and possibly deeper still. Evidence would be potholes at investigatory level or severe rutting (possibly from vehicle over-riding). Traditionally, a 'worst-first' approach to maintenance had authorities concentrating solely on footways and cycleways in this category whilst not fully addressing those sites which could be prevented from falling into a similar condition and hence the cycle was repeated over numerous years. The most important aspect for footways & cycleways in this condition category is that they are kept safe until a longer-term repair can be carried out. As it is, Nottinghamshire accepts that a certain number of these sites do need to be addressed every year and so the prioritisation of such sites becomes ever more paramount to ensure they are considered objectively based upon their usage.

19.3 – Future Programming & Life Cycle Planning

19.3.1 - Future Programming

A candidate list rather than a defined programme has been developed which is banded based on likely short, medium and longer-term maintenance objectives. This is not a rolling programme as it is recognised that annual deterioration can manifest in different ways and these are assessed as part of the AEI, with an 'in year' programme developed based on current condition each year.

This forms part of an annual cycle, which starts in the previous year, using network condition data and the AEI to develop an early programme from July onwards, consisting of sites where maintenance should be considered. These sites are further reviewed for feasibility and extent information, to define a programme that is endorsed by committee in the autumn to allow more detailed feasibility design to be undertaken. Final approval for the resulting following years programme is given in March ready for the start of the next financial year.

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

In general, footways in the upper hierarchies will generate maintenance schemes on their own, those such as Primary Walking Routes and shopping centres.

This will not always be the case but the County Council looks to raise the priority of footways which meet the criteria for more than a localised repair and are alongside carriageway schemes which are already in the forward works programme.



This will form part of a 'Whole Street Approach' to highway maintenance whereby, having an indicative multi-year maintenance programme helps the authority to consider other works which can be co-ordinated to take place concurrently or in a prescribed order to cut down on traffic management costs and repeat visits to the same site.



This can apply to both internal works such as lighting column replacement or drainage and external works such as utility plant maintenance or replacement.

19.3.2 - Life Cycle Planning

Lifecycle Planning depends on a comprehensive understanding of the condition of footway and cycleway sites across the whole network and the nature of treatment required (if any) plus associated costs and estimated lifespan. By dividing the requirements for footways and cycleways on the network into three distinct treatment bandings the County Council builds up a database of 'maintenance needs' at a network level.

- Aesthetically Impaired – Surface treatment required – Non-invasive.
- Functionally Impaired – Overlay required – Semi invasive (20mm).
- Structurally Unsound – Reconstruction required – Highly invasive (60mm+)

This directly links with the overall Maintenance Strategy, as covered in Section 19.2 above. It allows the Authority to determine the estimated cost of the required treatment, coupled with the expected lifespan before secondary, tertiary and even longer-term treatments are required. By matching these condition bands and treatment costs against the relative positions in the network hierarchy, it is possible to model maintenance funding allocations to target those parts of the network where the need is greatest both from a 'worst-first' and an 'Asset Management' perspective.

In the case of footways and Cycleways the same principal applies, although the condition bands and treatment options vary. For example, footways are generally maintained using a surface preventative treatment or are replaced. Along with historic Footway Network Survey data, these are now identified for further survey as part of the inspection regime which produces an overview of the condition of footways and cycleways across the county based upon the condition bands as described in section 19.2 above:

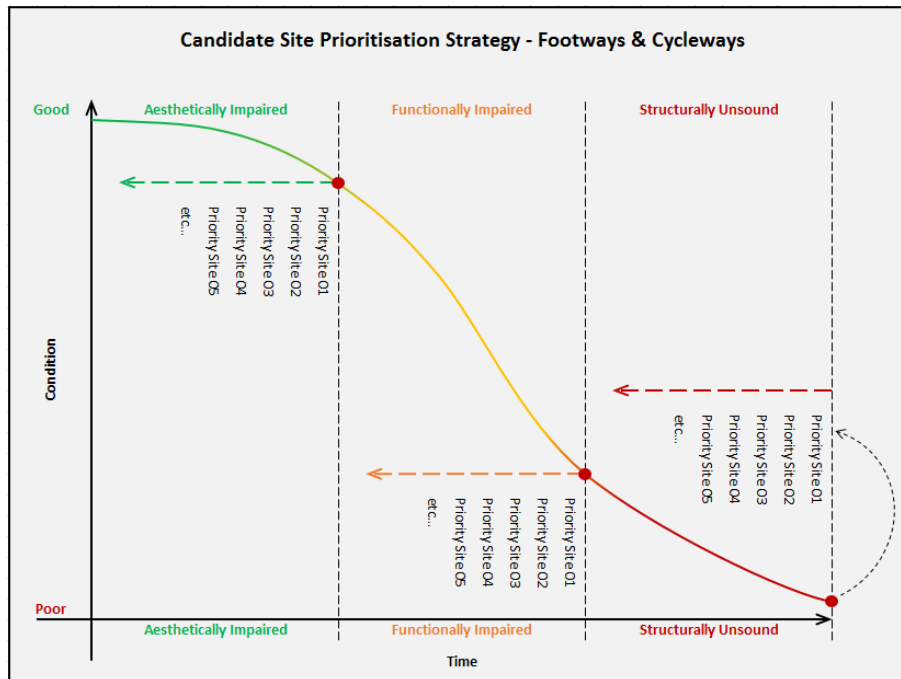
- As New
- Aesthetically Impaired
- Functionally Impaired
- Structurally Unsound

This data is utilised for the County Council's annual Whole Government Accounting submission where the 'maintenance need' for footways in the four condition bands is calculated and costed.

19.3.3 - The Candidate List

Using the same principles as with carriageways, these footway & cycleway sites are grouped into their respective condition / treatment bands and are subsequently prioritised to establish which are the most critical, as in, which are most likely to 'tip-over' into a more invasive (and hence, costlier) condition band the soonest.

The graph below illustrates this methodology.



The prioritisation methodology considers numerous factors which are broadly aligned with those considered when carriageway sites are assessed either as stand-alone sites or alongside existing prioritised works. These factors are not always directly relevant to footways in isolation but when considered alongside carriageways they create a fuller picture. These factors include:

- Technical Survey Data
- Network Hierarchy
- Area Highway Engineer input
- Highway Inspector Condition Reports
- Structures Input
- Accident Investigation Unit input
- Elected Member requests
- Public & Media reporting
- Third-Party input from:
 - Public Utilities
 - Emergency Services
 - Environment Agency
 - Department for Transport (Government) directives
 - Other key stakeholders

19.4 - Reactive Maintenance

The Highway is routinely inspected as part of a planned inspection regime detailed in The Highway Inspection & Risk Manual with inspections being carried out at a set of frequencies (Monthly, 3-Monthly, 6-Monthly, Annually) that are based upon network hierarchy. This, combined with the Customer Relations process results in all inspections being undertaken by the area Highway Inspector. Observed defects which meet the investigatory 'trigger' level are considered for repair and response time allocated dependent upon a risk assessment as outlined in the [Highway Inspection & Risk Manual](#).

As part of the planned inspection regime there is an in-built conditional survey which allows the Highway Inspector to highlight sites that are displaying signs of deterioration into one of the three condition bands as described above. These sites are then further reviewed as part of the inspection management process, added to the Candidate List and form part of the AEI.



20. Asset Management Plan for: STRUCTURES

20.1 - Inventory

Nottinghamshire's Highway Structure asset is made up of:

- River Bridges, Road Over Road Bridges, Canal Bridges and Railway Bridges;
- Other Smaller Bridges defined as structures with a span equal or greater than 3m crossing streams and other small obstacles;
- Subways;
- Culverts defined as structures with spans greater than 0.9m and less than 3m;
- Highway Footbridges (excludes rights of way bridges);
- Retaining walls greater than 1.37m; and
- Overhead sign gantries

The table below contains details of the number of assets by road hierarchy. There are also a small number of reinforced earth embankments and sign and signal gantries which fall within the Highway Structures inventory. The bridge and culvert stock is made up of a mix of masonry, concrete and steel construction types in an approximate split of 45%, 45% and 10% respectively. The retaining walls are nearly all constructed in either masonry or concrete.

Nottinghamshire's Highway Structures Stock			
Type	Principal Highways	Non-Principal Highways	Total
	A&B Class Roads	C Class & below	
River Bridges	50	65	115
Over Road Bridges	12	5	17
Canal Bridges	15	13	28
Railway Bridges	22	7	29
Other Small Bridges	62	115	177
Subways	12	13	25
Culverts 1.5m - 3.0m	80	232	312
Culverts 0.9m - 1.5m	90	237	327
Footbridges	9	13	22
Retaining Walls	72	87	159

20.2 - Condition

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

The condition of the County's structures is assessed through an inspection regime and scored using the ADEPT National Bridge Condition Indicator (BCI) system. There are five different types of inspection used as described in the table below. The inspections are carried out by the Council's own in-house Inspectors and Engineers except for underwater and confined space inspections, where specialist divers and confined space inspectors are employed.

The programme of inspections is determined from the inspection frequency cycle which generally follows the recommendations of the Management of Highway Structures Code of Practice.

NOTTINGHAMSHIRE'S HIGHWAY STRUCTURES INSPECTION REGIME		
Inspection	Description	Frequency
General	Remote visual inspections	2 years
Principal	All elements are inspected within touching distance	Railway / Major River – 6 years Other bridges, Subways, Culverts and Retaining Walls – 9 or 12 years if risk assessment allows, otherwise 6 years
Confined space / Underwater	Confined space and underwater inspections using specialist services/divers	Every 6 years for confined space structures and every 3 years for underwater inspections and after a major flooding event
Special	For specific requirements – i.e. following vehicle impact, monitoring defects/ weak bridges/ scour vulnerable bridges	As required
Superficial	Similar to General but for private bridges on the highway network as a duty of care e.g. railway bridge over highway	2 years

The data produced and information gathered during both general and principal inspections enables completion of inspection pro forma for determination of the Bridge Condition Indices (BCI). An overall score for the whole bridge stock can be determined using this measure and is useful for tracking overall condition and identifying structures in poor condition. This data is utilised for the County Council's annual Whole Government Accounting submission via the Atkins Structures Toolkit.

The Inspection data and spatial location data for highway structures is stored on Nottinghamshire's Highway Asset Management System - 'Confirm'.

In addition to the production of a principal inspection report, a strength assessment review is also undertaken. This allows the current condition of the bridge to be taken into account in the assessment review. The code of practice recommends a strength assessment review should be carried out at least every 12 years. The assessment review is undertaken at same time as the principal inspection so every 6, 9 or 12 years depending on the risk based assessment frequency cycle. The assessment review also includes for abnormal load vehicles in accordance with BD86.

20.3 - Level of service

The desired condition of the asset is not currently defined by any specific standard. The BCI rating system implies that the desired bridge stock condition should be somewhere in the categories 'good' to 'very good', scores between 80 -100 (>90 = very good). The County Council is therefore working on the basis that the desired strategy subject to funding would be to move bridge stock condition into the 'very good' category for both critical and average indicators and then to maintain it at that level.



There is no condition intervention criteria as such except when there is a risk posed to the public. In this case actions are triggered to make the structure safe and to carry out repair work. This is usually associated with emergency repairs to parapets and safety fencing following traffic accidents.

20.4 - Future demands

All of Nottinghamshire's highway structures will need to meet the increasing demands of the highway network in terms of the overall objectives of network safety, sustainability and serviceability. Specific future demands related to highway structures, include the following:

- Maintain structures in a condition to continue to carry the 40/44t vehicles and improve the capacity where traffic demands make this necessary
- Improvements in safety
- Identify and ensure structures on critical network links particularly single access are regularly inspected and well maintained

20.5 - Routine and 'steady state' maintenance

Routine maintenance activities can be classed as cyclic work and tend to be carried out on an annual basis with the timings based on historical experience. Steady state maintenance is carried out to maintain the condition of the structure by protecting it from deterioration or slowing down the rate of deterioration. Maintenance work carried out can include:

- Vegetation removal – typically carried out as a works package before the start of the bird nesting season.
- De-silting culverts, clearing grilles and cleaning out drainage systems typically carried out before winter (partly carried out by District Councils and Internal Drainage Boards).
- Work packages for masonry and concrete repair work are issued every year using defect information stored on the bridges database. This type of work forms a significant part of steady state maintenance as the majority (approximately 90%) of the bridge stock is either masonry or concrete. Repair work is prioritised using current BCI scores however road hierarchy, location and access are also taken into consideration.
- A small annual bridge painting contract is let every year for painting small items such as steel parapets.
- The County also has 10 major steel structures and a major maintenance bridge painting contract is arranged every one to two years.

Reactive maintenance is usually emergency work and is dealt with urgently on the grounds of safety such as emergency repairs following a bridge strike. Essential maintenance work can also be reactive and occurs when major repairs are identified and must be carried out quickly before the structure becomes unsafe. A good routine and steady state maintenance programme reduces the likelihood for essential maintenance.

20.6 - Upgrading / Renewal / Replacement

Upgrading work is identified usually by desk top study. A parapet protection and improvement study was carried out some years ago to identify work for bridges on the A and B classified roads including vehicle incursion protection measures on road over rail bridges. A programme of improvement of work is close to completion [and when this is finalised it will be maintained as a future programme of works.](#)

Other upgrading work includes provision and/or replacement of bridge waterproofing systems. A bridge waterproofing programme for concrete bridges has been undertaken and is close to completion [and when this is finalised it will be maintained as a future programme of works.](#) There are also masonry arch bridges suffering freeze thaw damage by water penetration through the fill. Concrete saddle or over-slabbing and waterproofing is an effective option for slowing down deterioration and extending the serviceable life. This has already been carried out in-conjunction with strengthening work, however, a programme of waterproofing work is now being developed for arch bridges suffering freeze thaw damage that don't necessarily require strengthening.

A desk stop study to identify scour risk bridges is complete and scour risk assessments in accordance with BD97 are in progress with a programme of protection and improvement work under development. [Once this programme is finalised it will be maintained as a future programme of works.](#)

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Renewal and replacement work is carried out when a structure or an element of a structure (expansion joints and bearings) reaches the end of their serviceable life. There are around 600 county owned culverts (0.9m to 3m span) and an average of 3 a year should be replaced if a 200-year life span is assumed. Many culverts inspected are considered to be beyond their serviceable life and/or are difficult to gain safe access to repair. At the time of publication, approximately 40 culverts have undergone replacement, infilling or strengthening countywide since 2008. New schemes are identified though the inspection process. Culvert replacement is sometimes not an option due to Traffic Management issues and maintaining a free-flowing network, which can lead to a major repair strategy rather than full replacement.

20.7 - Creation / Acquisition

The creation of bridges by the County takes place as part of new road schemes. In recent years there have been a total of 8 bridges, 6 culverts and 3 retaining walls created on the A617 Mansfield Ashfield Regeneration Route, A612 Gedling Integrated Transport Scheme and the Gresham Park Schools Development in West Bridgford.



Highways structures are sometimes acquired through the adoption of highways following housing and industrial developments. Normally the developer is charged a commuted sum to pay for future maintenance liabilities. Recent construction of the Newark Southern Link Road Phase 1 and future construction of Phase 2 as part of the infrastructure improvement for construction of circa 3000 houses in Newark will add further highway structures to the inventory.

Bridges have also been acquired in the past from Rail Property Board and from the Highways Agency. The authority acquired approximately 30 bridges following de-trunking of the A57, A614, A17, A60, and A606 in 2002.

As part of the hand over process principal inspections are required to ensure any outstanding maintenance issues are rectified before formal adoption.

20.8 – Disposal

Bridges can become redundant, for example after closure of railway lines, or when watercourses change direction or dry up. Subways can also become redundant because the public prefer not to use them or because a suitable crossing at road level is available. More recently underfilling rather than demolition has become preferable because there is less disruption to traffic.

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20.9 - Forward works programme

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The majority of future works are planned up to two years ahead with advanced design and planning work undertaken a year ahead. This allows works to be ordered early in the new financial year, taking advantage of the spring, summer and autumn months.

Five year programmes of work are currently being developed on arch bridge waterproofing, scour protection, major bridge maintenance painting and culvert replacement.

This will co-ordinate with developing multi-year indicative capital works programme for carriageways, footways, lighting and other assets as part of a 'whole street' approach to future maintenance, reducing the occurrence of repeated road closures or restrictive traffic management arrangements.

20.10 - Asset Management Toolkit

Nottinghamshire has adopted the use of the 'Structures Asset Management Planning Toolkit' developed by Atkins alongside the Department for Transport. This Excel-based toolkit supports bridge engineers and managers in their management and other related activities, for example, financial planning, prioritisation of needs, lifecycle planning and asset valuation.

The most recent version of this toolkit, released in June 2014, primarily focuses on long-term asset management and financial planning and asset valuation/depreciation for highway structures.

The objectives of the toolkit, and the requirements and principles that underpin it are:

- To clearly explain the overall methodology and supporting rationale;
- To identify the data and supporting information, i.e. rule sets and algorithms, required to support the methodology and functional specification;
- To ensure the methodology and the functional specification are standalone and independent of any computerised tool, thereby enabling the toolkit to be adopted by different commercial software/systems;
- To enable the methodology, where appropriate, to be adopted in part or in whole to suit the functionality of different commercial software/systems;
- To clearly define the minimum requirements of the methodology and functional specification;
- To enable the methodology and functional specification, where appropriate, to be applied so that the minimum requirements are met by the analysis.

The Structures Asset Management Planning Toolkit' is currently being used for determination of Gross Replacement and Depreciated Replacement Costs (GRC and DRC).

The Life Cycle Planning aspect of the toolkit is not currently being used as a review of the maintenance and depreciation rates stored in the tool kit is required.

Maintenance programmes are currently being developed from information gathered from the inspection process and targeted to where it is needed.

21. Asset Management Plan for: HIGHWAY LIGHTING and TRAFFIC MANAGEMENT SYSTEMS

21.1 - Current Strategy for Highway Lighting

There are approximately 94,000 street lights in Nottinghamshire at the present time. There is an ongoing LED replacement programme for the entire stock of low pressure sodium (SOX) lighting. This programme is expected to be complete by 2020, and will result in approx. 40,000 new lanterns being fitted. LED's will dim between the hours of 10pm-7am unless the area has a history of night time accidents or high crime rates.

LED's are on average 60% more efficient than SOX lanterns, so their use is heavily reducing energy & carbon usage by the authority.

The LED lanterns have an expected lifespan of approximately 25 years, although general maintenance will be required and this will be built in as part of a 6 years electrical testing programme in future. A reduction of faults has already been noticed within the areas where the LED conversions have taken place.

The Authority also runs an annual Column Replacement Programme (CRP), which replaces life expired columns, based on their condition. This programme is put together using the knowledge of dedicated Lighting Maintenance Engineers. The CRP not only targets columns in the poorest condition but also dovetails with the SOX replacement programme. In this way, columns are also targeted on their ability to be fitted with LED lanterns. Non-standard column types such as cast iron are not conducive for refitting. If these types of column are replaced in conjunction with the SOX replacement programme then the whole area can effectively be changed, leaving no small pockets that are out of sync with the rest of the area.



An electrical test and visual condition check is carried out at the same time as the lantern refit.

The Authority also has a programme of Bulk Clean and changing its stock of high pressure sodium (SON) lamps with a new lamp that has a 6-year warranty. Any SOX lanterns that need replacing under reactive maintenance are also being replaced by LED ones.

21.2 – Proposed Future Highway Lighting Strategy

Once the SOX replacement programme has been completed it is proposed to start replacing the older SON lamps with LED lanterns. All SON lamps are expected to become LED by 2025.

As the LED stock of the Authority increases over the coming years, the number of lighting faults will steadily fall. Over this period the funding normally associated with reactive repairs may be redirected towards column replacement where much of the Authority's stock is already over 20 years old.

The Authority has an aging column stock which will continue to deteriorate over the lantern replacement period. As new LED lanterns will have been fitted to virtually all of the Authority's stock, column replacement will then involve refitting the existing LED lanterns back onto the new columns.

The rapid development in the LED street lighting industry has resulted in longer lifespans when compared to traditional lanterns. Combining this with the new 50 year columns will reduce future maintenance requirements enabling an area by area 6-yearly cycle of works to be established.

Testing regimes are also co-ordinated to require fewer visits. The electrical testing is undertaken every 6 years, drivers will be replaced every 12 years and the lantern replaced every 24 years. This rolling 6-year cycle results in a programmed testing and replacement regime. The co-ordination of routine but necessary maintenance gives a more efficient use of funding, reduces energy, carbon and street lighting faults and will improve the over-all asset for the County Council.

21.3 – Current Strategy for Traffic Signals

There are currently 419 traffic signal installations in Nottinghamshire, covering junctions, standalone pedestrian facilities, tram operation and traffic control for emergency service call-outs. This does not include Trunk Road installations within the County.

There is a high proportion of real time control in the form of MOVA and SCOOT, together with the use of on-crossing and kerbside detection to assist pedestrian movements and minimise vehicle delays and congestion.

As a matter of course, extra low voltage equipment and LED lamps have been routinely installed for several years, for both safety and energy reduction reasons.

As an integral part of the design process, all new installations and refurbishments are considered in future maintenance terms, in accordance with CDM Regulations. This is to minimise the risk to operatives from passing vehicles and working at height, minimise on-site operational time and to reduce the need for Traffic Management. Where practicable, demountable pole base sockets are used – this allows replacement poles to be installed with minimal delay, which is highly beneficial on a network dealing with high volumes of traffic.



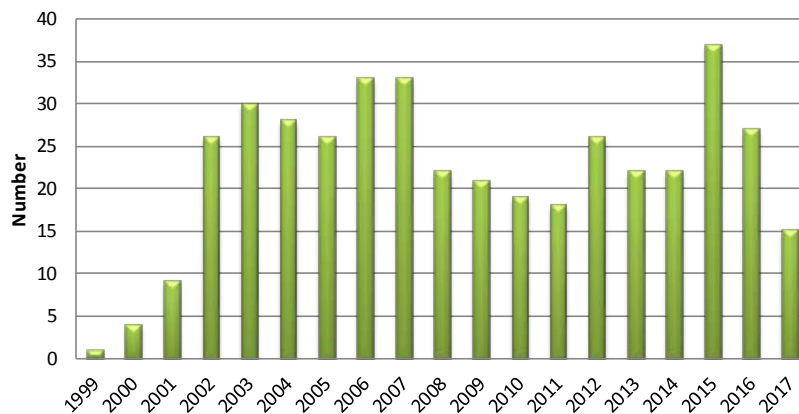
There is also a programme of replacing traditional multi-point circuits to individual Controllers with internet based communication. This allows the same level of control needed for real time operation but ALSO significantly reduces communication costs.

All installations are subject to periodic electrical and condition inspection and all are remotely monitored. In this way, faults are automatically passed through for repair.

Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

There is a dynamic programme for the refurbishment / replacement of traffic signal equipment and whole installations. This is based on information from the Periodic Inspections reports, visual condition, maintenance activity records and Traffic Signal Engineer input.

The graph below shows the number of traffic signal sites by their year of implementation or last refurbishment.



21.4 – Proposed Future Traffic Signals Strategy

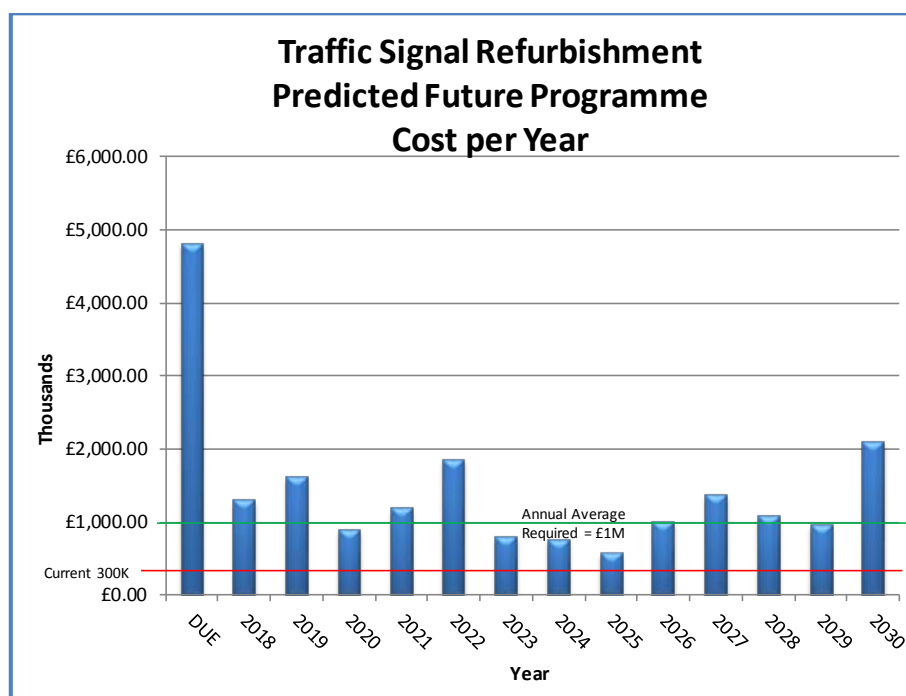
The upgrade of the Fault Management System (FMS) to a cloud-based system has enabled all the different parties involved in the fault management process to be more fully integrated, with faults being able to be very quickly reassigned to the most appropriate service provider. Fault times are assessed against performance criteria, and site history is instantly available to prevent false call-outs or multiple visits. All faults can be directly accessed, and cleared, on site via tablet / smart phone, and relevant data such as site plans, operational drawings, data sets, can also be accessed and downloaded ie: new MOVA / SCOOT data sets.

A combination of enhanced fault handling, the design process and improved infrastructure / equipment means that future maintenance requirements are minimised, thereby providing reduced risk to operatives, less 'down time' for installations, less disruption to the travelling public, reduced Traffic Management requirements, reduced maintenance costs and, ultimately, giving some potential to increase the life expectancy of traffic signal installations. Communication costs will also continue to be reduced by the extended use of Internet Protocol (IP) based equipment.



There are 419 traffic signal sites across Nottinghamshire, with an average cost of refurbishment for each site of £53,767 (at 2017 prices).

The following graph demonstrates the number of sites and the costs associated with maintaining these in line with a 15-year replacement cycle. Funding for this service area has been running at approximately £300,000 per annum, as denoted by the red line in the graph below, whereas the required level of funding to meet the service standard is in the order of £1,000,000 as denoted by the green line on the graph below.



The condition of the traffic signal asset is monitored by using our Fault management system / Asset database, Imtrac. Imtrac takes in data from several different data sources to give each site a score which is based upon the following key areas: Average age of equipment on site; Electricity power draw; number of faults in the last 365 days weighted on severity; average assessed equipment condition per site. (every single piece of equipment at each site is assessed once per year by the maintenance contractor and given a score of Excellent, Good, Average, Poor or Failing)

The top 30 sites showing up as having the highest score are then assessed on site by Via East Midlands Traffic Systems Engineers to come up with a programme to target the sites in most need of attention in the coming years. This programme is then developed with knowledge of works in other areas so that savings can be made on traffic management by collaborative working.

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22. Asset Management Plan for: DRAINAGE

This plan is aligned with the recommendations set out in the HMEP document 'Guidance on the Management of Highway Drainage Assets' (GMHDA)

22.1 - Effective use of limited budgets

Adopt highway drainage asset management strategies based on information held.

GMHDA - Page IV

Nottinghamshire has adopted a 'Risk-Based Approach' to the management of drainage assets in line with the recommendations in the 2012 HMEP Guidance on the Management of Highway Drainage Assets. This method provides the most effective way for all local authorities to maximise limited budgets. The County Council utilises condition data from a countywide inspection and cleansing programme to form a maintenance regime which takes account of how drainage assets perform over a period of time in respect of their capacity, their location on the network hierarchy and any other localised conditions. Assets such as road gullies are placed on a matrix based upon the severity and the frequency with which their condition changes ie: how often and at what rate the silt level rises within the gully chamber. This subsequently led to the creation of a 'Targeted Cleansing Strategy' which means some assets are inspected and maintained more or less frequently than others based upon the relative risk of their becoming a hazard to road / footway / cycleway users or residents, and the potential severity.

22.2 - Understanding evolving duties and Responsibilities

New regulations bring new obligations. These evolving responsibilities will have an effect on budgets and operations. Understand and adapt to these changes.

GMHDA - Page III

After extensive flooding in 2007 the UK government commissioned a review, which recommended that 'Local authorities should lead on the management of local flood risk, with the support of the relevant organisations', (The Pitt Review, 2008). This led to the Flood and Water Management Act (2010).

Nottinghamshire County Council is now a Lead Local Flood Authority (LLFA) and has new powers and duties for managing flooding from local sources, such as watercourses, surface water runoff and groundwater in the administrative area of Nottinghamshire.



The County Council works together with Nottingham City Council through a joint Strategic Flood Risk Management Board with other relevant organisations to steer local flood risk management activities in Nottingham and Nottinghamshire. Partnership working between the County Council, Risk Management Authorities, other relevant organisations and local communities is key to managing flood risk

in the future, funding future flood schemes and helping communities to become more resilient to flooding.

Since 2007, greater collaboration has been established between the County Council and other stakeholders such as the Environment Agency, Highways England, Emergency Services, Neighbouring County and Unitary Authorities, District Councils, Internal Drainage Boards, Water Companies and Landowners.

The role of Lead Local Flood Authority (LLFA) brings both greater responsibility and enhanced opportunity. Nottinghamshire is better placed to co-ordinate programmes of work with other bodies and to secure financial and technical contributions. This allows far greater scope in meeting the challenge of managing the county's drainage assets now and in the future through greater collaboration and a 'whole catchment' approach to understanding how best to manage water from rainfall to outfall.

[Nottinghamshire County Council has a Flood Risk Management Strategy which it published in its role as LLFA in 2016. This document identifies work programmes and key partnerships for reducing solving \(?\) flood risk across the county.](#)

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22.3 - Selection of highway drainage asset survey equipment & methodology

Before selecting equipment, have a detailed equipment requirement specification and evaluation check-list to ensure that equipment being trialled is done in an objective and consistent manner. Allow sufficient time for the trial. Ensure mobile GPS software complies with the latest National Marine Electronics Association (NMEA) protocols.

GMHDA - Page III

Nottinghamshire uses an approved drainage survey & maintenance contractor sourced through an ongoing partnership arrangement with Tarmac. The information data on drainage asset condition and performance is gathered in such a way that it is easily transferred into the existing asset management system, 'Confirm'. FME (Feature Manipulation Engine) software is also used to pull together information from existing disparate datasets and insert them into the asset register.



Nottinghamshire County Council - Highway Infrastructure Asset Management Plan

Gully emptying, jetting, survey and GIS plotting work is routinely carried out on the county's drainage assets. Assets are plotted and given a unique ID. This data gives a focal point for the ongoing work of plotting the entire highway drainage network and also gives a reference for decision making on ownership and maintenance responsibilities and future design modelling to reduce the likelihood and / or scale of flooding events.

22.4 - Involvement of colleagues in selecting technology

Understand your authority's information technology procurement processes, purchasing documentation requirements and get the appropriate council staff (finance, IT GIS etc.) involved early on.

GMHDA - Page III

The County Council awarded its Term Service Contract (TSC) for highway services which included gully emptying in April 2013. The award of this contract involved a robust bidding process which followed the OJEU restricted route. The specification included a requirement to capture data which included location, amount of silting, date and time and defect reporting. The data collected forms the basis of a risk based approach to cyclic gully emptying regime in line with the revised Code of Practice - Well Managed Highway Infrastructure. It is anticipated that these frequency adjustments will result in significant efficiency savings and service improvements.

The defect reporting data captured through this arrangement is used to compile programmes of remedial works which are undertaken by the County Council's operational arm.

The electronic data is transferred via batch files which are uploaded into the Authority's GIS and HAMS.

22.5 - Data Integration

Link systems to maintenance activities, focus future activities and map 'hotspots'. Address the causes of problems as opposed to symptoms.

GMHDA - Page IV

Nottinghamshire currently has a spatially located dataset of its highway gullies. Work is ongoing to map other drainage assets such as manholes, catch-pits, soakaways, pipes and outfalls using information from hard copy plans and as-built drawings from historic works and investigations. This is being digitised as a layer of nodes and lines with associated attributes attached to them where known. This will continue to build over time into a comprehensive database.

This data is linked directly to the highway network itself via Confirm, the Authority's asset management system. Drainage assets are tied to specific streets where possible using the unique street reference number (USRN) and in this way enquiries are connected to inspections and defects to particular assets and hence, a picture is built up of the performance of whole drainage systems.

The costs of surveying pipework using CCTV can be very expensive and the current practice is to carry out such surveys at known hotspots where significant flooding events have occurred to help understand the causes and identify potential solutions. It is important to have detailed knowledge of the size and condition of the surface water network in specific locations, taking in the whole catchment as the solution to a specific problem is more often than not in a different location to the site of the flooding itself, usually an upstream / downstream blockage caused by collapse, tree root ingress or third-party works causing damage.

It can also be the case, in a fully functioning system that its capacity is insufficient to cope with sustained periods of heavy rain. Understanding and modelling the capacity of these drainage systems against predicted future rainfall is essential to directing funding and technical expertise in the right areas.

The key to the future and the adoption of a risk-based approach to maintenance of all drainage assets lies in the quality and quantity of the data. This helps with cross-referencing the gathered information against those of other stakeholders such as the Environment Agency and Severn Trent Water.

22.6 - Data Use

Use highway drainage asset data to focus, support and inform maintenance activities. These should be linked to the overall asset management objectives for local highways.

GMHDA - Page III

The more complex the data, the greater the cost of collection, so in Nottinghamshire a risk based prioritisation system has been adopted to select sites and the method of data collection to be employed at them.

The more asset specific data that is available, the greater the ability to pursue a credible risk based approach to maintenance of the county's drainage systems. Benchmarked data is vital for this work as it enables the authority to take a clear balanced view and ensures fairness for all whilst resisting challenge from parties with particular interests.

Activities such as lifecycle planning, flood modelling, targeted budget allocation and repair / replacement strategies are better served by having robust asset data available. The County Council recognises this and has been steadily growing its inventory dataset over a number of years. This will continue for the foreseeable future.



22.7 - Partnerships

Form partnerships with all relevant bodies, such as the Environment Agency and water companies, to address water management issues and to cooperate in service delivery and information sharing.

GMHDA - Page IV

Nottinghamshire works collaboratively across organisational boundaries to develop the strategy, deliver efficient and integrated solutions, support local communities and manage flood risk within wider river catchments.

As Lead Local Flood Authority, Nottinghamshire County Council has a 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. By working in partnership with communities, the County Council raises awareness of flood risks. Local flood action groups (and other organizations that represent those living and working in areas at risk of flooding) are useful and trusted channels for sharing up-to-date information, guidance and support direct with the community. The County Council encourages local communities to participate in local flood risk management. Depending on local circumstances, this includes developing and sharing good practice in risk management, training community volunteers so that they can raise awareness of flood risk in their community, and helping the community to prepare flood action plans. Local communities are also consulted about the authority's local flood risk management strategy.



Sustainable measures are continuously being developed to manage flood risk in the County that take account of the needs of the local economy, communities and the environment. Other organisations and the voluntary sector contribute key skills and experience as the authority considers how it can manage flood risk in an integrated manner into the future across the County. There is a depth of understanding and appreciation of the extent of others' work, which may not be directly related to the work of the County Council, to look for opportunities to improve the environment that will have multiple benefits for all.

22.8 - Data Sharing

Drainage data must be transferable between owners and stakeholders who understand its value and make use of it.

GMHDA - Page IV

Under the Flood and Water Management Act 2010 all risk management authorities have a duty to co-operate with each other and to share data. A key theme of the Pitt Review was for flood risk management authorities to work in partnership to deliver flood risk management more effectively to the benefit of their communities.

Sharing data between agencies is fundamental to informing better decision making and driving the design process. The County Council is continually gathering drainage data on sites across the county and this is being included in the asset management system 'Confirm'. This data is spatially referenced and freely available to all flood risk management stakeholders.

22.9 - Understanding demand and service delivery requirements

Develop a clear understanding of the demand or service delivery level for the drainage asset, as this will clarify and focus activities and budgets to deliver efficient and effective service.

GMHDA - Page III

Highway drainage elements fall into five main categories:

- Gullies, grips and ditches, which may be obstructed by the growth of vegetation or damaged by traffic. In most cases the responsibility for maintenance of ditches will rest with the adjoining landowner;
- Culverts under roads which may be affected by blockage, subsidence or structural damage;
- Other piped drainage which may be affected by blockage or subsidence;
- Sustainable urban drainage systems, which may require special maintenance attention for maximum effectiveness; and
- Surface boxes and ironwork for both drainage and non-drainage applications, which may be affected by subsidence or obstructed access.

Some of the assets named above are quite simple to clarify in terms of serviceability. They are either working (serviceable) or they are not. Ironwork is an example: once a manhole cover or gully grating is broken, it is deemed to have instantly failed and requires attention for safety reasons.

Other assets such as gully pots themselves or piped drainage will have degrees of usability. Reductions in usable volume or diameter can be caused by silting or in extreme cases, blocked completely due to damage by third parties.

The level of service for an existing drainage network should also consider the suitability of its overall capacity, even when it is functioning at 100%. The County Council, adopting a 'whole

catchment approach' is working towards an understanding of the causes of flooding and the solutions which serve to prevent further events now and in the future, modelled from climate change estimates. The level of service for each component in the drainage cycle therefore needs to be managed and maintained in such a way as to mitigate risk (as it cannot always be removed completely) and to become part of an overall more resilient network.

For these reasons, Nottinghamshire has an ongoing programme of gathering location, type, condition and performance data for all its drainage assets. This creates the opportunity to allocate budget and resources in the most effective way possible. A risk register includes those known 'hotspots' where flooding is either frequent, severe or both and these are the sites most in need of attention but this process will broaden to include all locations once enough data is in place to make informed decisions.



22.10 - Use people's knowledge

In many cases the organisation's employees are the best source of asset management information. Ensure local knowledge of drainage assets held by long service experienced staff is captured and incorporated into data records.

GMHDA - Page IV

Nottinghamshire, along with its highway service partner Via East Midlands has a wealth of experience and knowledge within its staff base. Highway Inspectors, Customer Liaison Officers and Area Engineers among others have all carried investigative or project design work in all areas of the county at various times and a background knowledge of drainage systems and catchments has built up over the years. Work is ongoing to bring this knowledge into the authority's asset database, Confirm, to ensure that this important local knowledge is retained even after experienced staff have moved on.

Often vital information can be gleaned from local residents, Parish Councils and the like who are usually first-hand witnesses to flooding from the moment it begins. There is a wealth of information often in the form of photographic & video evidence to help build a picture of the factors contributing to a flooding event. This data is also included in the highways asset register.

22.11 - Resourcing

Allocate resources and funds to routes, sections, or specific areas or assets where most needed. Monitor the maintenance of these assets and require contractors to provide details of the condition of assets; for example, gully cleansing records that details the location of the asset and amount of material removed.

GMHDA - Page IV

October 2016 saw the publication of 'Well Managed Highway Infrastructure - A Code of Practice. This is a guidance document which advocates a risk-based approach to the management and maintenance of highway infrastructure assets. A risk-based approach enables the County Council to direct resources more effectively to the areas of greatest need.

Nottinghamshire already has a wealth of drainage information from historic drawings, as-built drawings, adoption records and local surveys and is continually adding this data to the asset register. On top of these records data is gathered on location and condition / performance of road gullies. Once a fully comprehensive second round of data for all of these gullies is established, this enables the creation of a risk-based approach to their future maintenance by placing each gully into a performance category which subsequently helps to decide on cleansing frequency and whether any specific repair, replacement or upgrading is required to bring them up to an acceptable performance level.

The County Council is working to enhance its understanding of whole catchments so it is better able to model the predicted / desired performance of the county's drainage systems and resource accordingly.

22.12 - Solutions

Do not let the management tool become more important than the job deliverables and recommend simple solutions that do not require a great deal of maintenance or administration.

GMHDA - Page IV

It is important for those involved with this service not to become too dependent on the technology. Mapping information does not always show exact positions of apparatus and in many cases the whole catchment should be considered rather than the immediate locality. Sometimes the simple solution is all that is required. A drainage system is only as good as its narrowest point resulting from poor third party repairs, inadequate flow / storage designs or inadequate maintenance.

Sustainable Urban Drainage (SUDs) should always be considered as a low maintenance solution where water is designed to be attenuated within the system, creating natural features and reducing the pressure on downstream apparatus and outfalls.

These considerations are also important when advising on potential development sites and amendments / changes to the existing Highway Network.

Appendix 01 - Service Levels & Performance Indicators

Service satisfaction

- Customer satisfaction with highway services (overall, maintenance, walking & cycling, tackling congestion, road safety - Based on National Figures
- Percentage of Standard Enquiries where a full response is given within 10 working days of the escalation date
- Percentage of Complex Enquiries where an acknowledgement is made to customers clearly stating the target timescale when they can expect a full response
- Complaints received, upheld/partially upheld, and not upheld/active
- Total number of highways related enquiries, and proportion of these that are complaints

Asset condition

- Bridge stock index a) Primary elements, b) All elements
- Percentage of the principal road network, non-principal classified network, and unclassified network, where structural maintenance should be considered.

Safety & performance (response)

- Number of defects identified/reported
- Average number of days to repair a category 1 (urgent) defect, category 2 (high) defect, and category 2 (low) defect
- Percentage of emergency incidents attended within 2 response time - 2 hours
- Percentage of category 1 (urgent), category 2 (high), and category 2 (low) defects made safe within response time
- Percentage of precautionary road salting completed on time
- Percentage of street lighting faults under the control of the Highway Authority repaired within response time
- Average number of days to repair street lighting faults under the control of the Local Authority
- Average number of days to undertake DNO street lighting repair
- Percentage of signal emergencies made safe within response times.
- Percentage compliance with other signal fault repair response times
- Percentage of remedial works completed within mutually agreed response times

Safety & performance (inspection/maintenance)

- Percentage of NRSWA inspections achieved against agreed target
- Percentage of network inspected within stated frequency
- Percentage of principal bridge inspections completed within stated frequency.
- Percentage of gullies cleansed within stated frequency

Road Safety

- Number of (& reduction in) people/children killed or seriously injured in road traffic accidents

Staff Health & Safety

- LTIFR: Lost time per 100,000 hours worked (Year to Date)
- AFR: Percentage of reportable accidents per 100,000 hours worked (Year to Date)
- Percentage of all staff that have undertaken Health and Safety training

Fleet performance

- Percentage of NCC vehicles returned to service on time
- Operator Compliance Risk Score (OCRS) – NCC / Via

Effectiveness

- Percentage of reports for all claim types received that are comprehensive in nature and contain sufficient information to allow the Risk & Insurance Team to make a decision on liability
- Scheme Design Changes
- Annualised defined cost with percentage annualised target cost
- Saving / Innovation register submitted at monthly TOB meetings
- Team Effectiveness report completed and submitted to MHA annually

Insurance

- Number of insurance claims received, closed, active, repudiated, agreed
- Reports for all claim types provided with 14 days of request
- Requests for information responded to within 5 days
- Where a Highway tree has been identified as causing damage for which the Highways Authority has a liability and is subject to an insurance claim, draw up a scheme for appropriate remedial works within 14 days and undertake the works within 1 month of the cause being identified
- Relevant staff to have undertaken Court Room Skills training in the last 5 years

Appendix 02 - Policy and Strategic Documentation

Highway Network Management Plan (HNMP)

The following is a direct link to Nottinghamshire County Councils Highway Network Management Plan which is published on the NCC website.

[Highway Network Management Plan](#)

Highway Infrastructure Asset Management Plan (HIAMP)

The following is a direct link to Nottinghamshire County Councils Highway Infrastructure Asset Management Plan which is published on the NCC website.

[Highway Infrastructure Asset Management Plan](#)

Highway Inspection & Risk Manual (HIRM)

The following is a direct link to Nottinghamshire County Councils Highway Inspection & Risk Manual which is published on the NCC website.

[Highway Inspection & Risk Manual](#)

Well-Managed Highway Infrastructure – A Code of Practice (WMHI)

The following is a direct link to Nottinghamshire County Councils website where a copy of the national document, Well-Managed Highway Infrastructure – A Code of Practice is displayed.

[Well Managed Highway Infrastructure – A Code of Practice.](#)

Highway Infrastructure Asset Management Guidance Document (HIAMGD)

The following is a direct link to Nottinghamshire County Councils website where a copy of the national document, Highway Infrastructure Asset Management Guidance is displayed.

[Highway Infrastructure Asset Management Guidance Document](#)

Appendix 03 - Other Documentation and Organisation Links

Nottinghamshire County Council Documentation Links

The following is a direct link to Nottinghamshire County Councils documentation which is published on the NCC website:

[Nottinghamshire Rights of Way Improvement Plan](#)

[Strategic Plan 2014-2018](#)

[Third Local Transport Plan](#)

National Documentation Links

The following is a direct link to National documentation which is referred to in this document:

[Highways Act 1980](#)

[Prudential Code](#)

[Whole of Government Accounts](#)

[Highways - Maintaining a vital asset \(What should councillors know about asset management?\)](#)

['Inspire' Regulations 2009](#)

Organisational Links

The following is a direct link to organisational bodies referred to in this document:

Midlands Service Improvement Group ([MSIG](#))

Midlands Highway Alliance ([MHA](#))

National Highways & Transportation Survey ([NHT](#))

Eastern Shires Purchasing Organisation (Technical Surveys - [ESPO](#))

Other Sources

More details on the Department for Transport and other government highway related matters are available at: www.gov.uk

Appendix 04 - Glossary of terms / abbreviations

An explanation of the terms, abbreviations and acronyms used in Nottinghamshire County Council's Highways Documentation:

AEI – Annual Engineering Inspection

An annual inspection of Candidate sites prescribing specific treatment options over whole sections or routes to help identify the 'maintenance need', defined as what treatment, if any, is required for the asset in its current condition, whether that be preventative, patching, resurfacing or reconstruction.

ADEPT - Association of Directors of Environment, Economy Planning and Transport

This is an umbrella organisation representing local authority, county, unitary and metropolitan Directors responsible for 'Place based' services. Remits include economic development, transport and communications, planning and housing and the environment. Responsible for the public services primarily relating to the physical environment and the economy, ADEPT has a significant impact on all aspects of the nation's well-being.

APSE – Association for Public Service Excellence

APSE is a network of some 23,000 officers and councillors responsible for frontline services in local authorities in England, Northern Ireland, Scotland and Wales. APSE helps councils to share information and best practice. APSE's team of advisors also provide specialist briefings, training and events.

Asset Management

A strategic approach which identifies the optimal allocation of resources for the management, operation, preservation and enhancement of the highway infrastructure to meet the needs of current and future customers.

Asset Valuation

The calculation of the current monetary value of an authority's assets purely in terms of their maintenance and replacement costs. It excludes therefore any consideration of the value to the community in terms of the economic and social benefits of providing a means for people to travel to work, socialise and live.

Candidate List

Nottinghamshire has developed a priority candidate list of potential sites that form the basis of a multi-year works programme. This programme effectively remains live and subject to changes and evolution dependent upon factors within and outside of the local authority environment. These changes may be engineering or non-engineering based but the severity of their likely effect can be reduced by early intervention and forward planning.

CIPFA - Chartered Institute of Public Finance and Accountancy

A professional body for people in public finance. 14,000 members work throughout the public services, in national audit agencies, in major accountancy firms, and in other bodies where public money needs to be effectively and efficiently managed.

CVI - Coarse Visual Inspection

This is a coarse, rapid survey, usually carried out from a slow-moving vehicle, which allows a large part of the authority's unclassified road network to be assessed each year.

A CVI survey is normally undertaken using the 'cross-sectional position' method, where the carriageway is assessed as a whole, and kerbs, footways and cycle tracks are separately inspected for the left and the right of the carriageway.

Depreciation

The consumption of economic benefits embodied in an asset over its service life arising from use, ageing, deterioration, damage or obsolescence.

Deterioration

The change in physical condition of an asset resulting from use or ageing. Often displayed as a 'curve' in graphical form.

DfT - Department for Transport

Government department responsible for providing policy, guidance, and funding to English local authorities to help them run and maintain their road networks, improve passenger and freight travel, and develop new major transport schemes.

DRC - Depreciated Replacement Cost

The current value of the asset, normally calculated as the gross replacement cost minus accumulated depreciation and impairment.

DVI - Detailed Visual Inspection

This type of survey is more comprehensive than the CVI, with defects identified by a larger number of more detailed classifications. The DVI is a walked survey, and is typically targeted at lengths already identified as defective and potentially in need of treatment either by the CVI, or from some other sources of information such as enquiries, reactive maintenance records or identified by the Highway Inspection Team.

The DVI records measured areas or lengths for a wider range of more closely defined defects (than for CVI), aggregated within short sub-sections, 20 metres in length by default. The defects collected for DVI are generally defined to a closer level of detail than CVI. In order to ensure broad consistency between the two surveys a single CVI defect is normally equivalent to a number of DVI defects.

ESPO - Eastern Shires Purchasing Organisation

This is a public sector owned professional buying organisation. Utilising commercial experience, market insight, category expertise and best practice sourcing it is able to respond quickly and effectively to the changes in the public sector and achieve economies of scale. Nottinghamshire's current SCANNER survey supplier was secured using this framework.

Firmstep

Firmstep is specifically designed Customer Relations software providing data management and integration requirements for large Public-Sector organizations and is used for enquiry management, business process management, knowledge management, real time analytics and social media capabilities in order to support local authority channel shift initiatives.

FNS - Footway Network Survey

The FNS is a walked survey, intended to provide a simple, efficient and reliable survey to enable authorities to obtain a picture of the condition of their whole footway network. It records four condition levels: As new, Aesthetically Impaired, Functionally Impaired and Structurally Unsound.

GIS - Geographic Information System

A geographic information system (GIS) is a system designed to capture, store, manipulate, analyse, manage, and visually represent all types of spatial or geographical data.

GRC - Gross Replacement Cost

The total admissible cost of replacing the existing highway asset to a modern equivalent standard, taking into account up-to-date technology and materials.

GMHDA - Guidance on the Management of Highway Drainage Assets

This is a document from the Highway Maintenance Efficiency Programme (HMEP) and provides the underlying guidance on OUR own methods and procedures with regard to highway drainage.

HAMS - Highways Asset Management System

The Highways Asset Management System (HAMS) is a large database comprising all the available highway asset data for Nottinghamshire held within a modular software package which enhances the effective and efficient management of the highway network.

HIAMGD - Highway Infrastructure Asset Management Guidance Document

Produced by the UK Roads Liaison Group, under the banner of the Highway Maintenance Efficiency Programme (HMEP) this document lays the foundation for good asset management by outlining 14 recommendations which, if adhered to, will secure a sound future for maintenance of all highway assets.

HIMP – Highway Infrastructure Maintenance Plan

This is Nottinghamshire County Council's signpost document which links the ACOP with the Authority's Policy and Strategy documentation.

HMEP - Highway Maintenance Efficiency Programme

HMEP is a £6million, Department for Transport funded and sector led transformation programme. HMEP connects networks from across the highways sector and provides the tools and resources to ignite ideas and help leaders and managers to transform delivery of roads and services through greater efficiencies. HMEP has worked very closely with the DfT and CIPFA in creating 14 recommendations which local authorities need to adopt, along with 'Asset Management Principles' to fully retain, via a system of self-assessment, a comprehensive level of funding from the DfT's 'Incentive Fund'.

HNMP - Highway Network Management Plan

This is Nottinghamshire County Council's policy document for all matters relating to highway activities and the maintenance of the highway network and aligns with relevant national policies and legislation.

INSPIRE Regulations 2009

INSPIRE is a set of regulations that define how to publish and share spatial data among public sector organisations through a common Europe wide spatial data infrastructure. Spatial data is information that corresponds to a location, allowing it to be viewed on a map. INSPIRE enables data to be comparable across regions, the UK and Europe to give decision makers consistent evidence about the environment. The regulation came into force in 2009 and its implementation is led by the UK INSPIRE team in Defra.

For further information see data.gov.uk/inspire

Levels of service

A statement setting out the performance of the asset in terms customers can readily understand. Levels of service typically cover condition, availability, capacity, amenity, safety, environmental impact and social equity. They cover the condition of the asset and non-condition related demand aspirations, i.e. a representation of how the asset is performing in terms of both delivering a service to customers and maintaining its physical integrity at an appropriate level.

LLFA - Lead Local Flood Authority

The Flood & Water Management Act 2010 created the concept of a 'one-stop-shop' for flooding related matters and gave this role to Local Authorities. Nottinghamshire County Council is now a Lead Local Flood Authority and has new powers and duties for managing flooding from local sources, such as watercourses, surface water runoff and groundwater in the administrative area of Nottinghamshire, in partnership with other organisations such as the Environment Agency, emergency services, utilities, and internal drainage boards.

LLPG - Local Land & Property Gazetteer

This is a collection of address and location data created by a local authority. The Local Land and Property Gazetteers were created by extracting information from a variety of sources such as the Electoral Register. The information within the Local Land and Property Gazetteers were then standardised to BS7666, which means that all data within them, regardless of the authority, is stored and maintained in an identical fashion.

LTP - Local Transport Plan

Sets out Nottinghamshire's transport strategy and outlines a programme of measures to be delivered over the short, medium and long term. The strategy covers all types of transport including public transport, walking, cycling, cars and freight.

MARCH - Maintenance Assessment Rating & Costing for Highways

A forerunner of the Coarse Visual Inspection system (CVI) and Detailed Visual Inspection system (DVI) which used a method of defect severity and defect coverage to create a costed list of streets and footways requiring treatment.

MHA - Midlands Highways Alliance

The first partnership of its kind in the UK which began in July 2007, the MHA delivers the regional procurement and implementation of highways maintenance, professional services and capital works through framework agreements.

MOVA - Traffic Control

Originally designed by TRL during the 1980s, MOVA is now a very well-established strategy for the control of traffic light signals at isolated junctions. It can also be used at stand-alone pedestrian crossings, i.e. Puffin and Pelicans.

MSIG - Midlands Service Improvement Group

This group is a collective of Midlands and North-West English Shire Counties, Shire Unitary Authorities and City Unitary Authorities sharing Best Practice within the disciplines of Highways and Transportation.

NHT - National Highways & Transportation Survey

An annual postal survey which collects public perspectives on, and satisfaction with, highways and transportation services in local authority areas.

NSG - National Street Gazetteer

The NSG is a centralised unique referencing system, designed to improve the relationship between local authorities and utilities. Its fundamental aim is to make the street works process more convenient to the citizens who use them.

The National Street Gazetteer (NSG) is the definitive reference system used in the notification process and the coordination of street works. Under legislation, each local highway authority in England and Wales is required to create and maintain its own Local Street Gazetteer (LSG) and Associated Street Data (ASD). These are then compiled into the only master index built

to the national standard BS 7666, for access by a number of other organisations via the NSG online hub and managed by GeoPlace.

OJEU - Official Journal of the European Union (European Union Procurement Directive)

The European Union Procurement Directives establish public procurement rules throughout the European Union and apply to any public purchases above the defined thresholds. The purpose of the directives is to open up public procurement within the European Union and to ensure the free movement of supplies, services and works. The directives are enacted in the UK by The Public Contracts Regulations.

PMS - Pavement Management System

The Pavement Management System (PMS) is a software tool to aid Highway Management decisions. The PMS models network deterioration, provides condition data for national reporting and recommends maintenance treatments based on the assets condition parameters.

Risk Management

The formal assessment of risks with the potential to affect delivery of the service via a process of identification, assessment, ranking and control planning. See 'Well Managed Highway Infrastructure - A Code of Practice' published in October 2016.

SCANNER - Surface Condition Assessment for the National Network of Roads

SCANNER surveys use automated road condition survey machines to measure a range of road condition parameters including ride quality, rut depth, intensity of cracking, texture depth and edge condition. Measurements from SCANNER accredited machines are used to produce a national performance indicator (the SCANNER Road Condition Indicator) for carriageways, as well as for planning highway maintenance schemes and programmes.

SCOOT - Traffic Control

SCOOT is a type of adaptive traffic control system. It coordinates the operation of all the traffic signals in an area to give good progression to vehicles through the network.

SCRIM - Sideways-force Coefficient Routine Investigation Machine

This type of survey was introduced in the early 1970s to provide a method of measuring the wet skidding resistance of the road network. The normal testing speed for the machine is 50kmh and skidding resistance values for the nearside wheel track only (usually the location of the lowest skidding resistance) are generally recorded as the average for each 10m section.

Section 151 Officer

An officer appointed under section 151 of the Local Government Act 1972 which requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its affairs.

Single Data Lists - National and Best Value Performance Indicators

The national governments of the UK monitor local authority performance in maintaining their road networks through a range of performance indicators. Some of which are required for national statistics, some which Local Authorities collect for asset management and other purposes such as Whole of Government Account requirements.

In England, local authorities Best Value Performance Indicators and National Indicators (NI) have been replaced by the following Single Data List data topics relating to the condition of local roads:

- SDL 130-01 – Principal roads where maintenance should be considered
- SDL 130-02 – Non-principal classified roads where maintenance should be considered
- BVPI 224b - Local authority survey data, if carried out, of unclassified roads. This is not part of the Single Data list but where it has been provided by a local authority it is published in the Road Conditions England Report.

SOX / SON Lighting

The name for a sodium-vapour lamp. They come in low (SOX) and high (SON) pressure forms. They have varying light spectrums and tend to have poorer colour rendering than other types of lamps. Low-pressure SOX lamps only give monochromatic yellow light and so inhibit colour vision at night.

UKRLG - UK Roads Liaison Group

This group brings together national and local government from across the UK to consider roads infrastructure engineering and operations matters. It was set up in 2001, along with its Bridges, Lighting and Roads boards. The Network Management Board was formed in 2002.

Via EM - Via East Midlands Ltd

Via East Midlands Ltd is a joint-venture company (Nottinghamshire County Council and Cornwall Council) formed in July 2016. It is entirely owned by the public sector. Via provides highways, fleet management and maintenance functions to the residents of Nottinghamshire in partnership with Nottinghamshire County Council.

WGA - Whole of Government Accounts

Preparing the Whole of Government Account (WGA) is necessary to meet the undertaking in the Code for Fiscal Stability to produce consolidated accounts for the whole public sector on the basis of International Financial Reporting Standards (IFRS). Publishing audited WGA also improves the transparency of government's finances. It attempts to show in a single document what the government owes, owns, spends and receives.

WMHI - Well Managed Highway Infrastructure – A Code of Practice

Published in October 2016, the code is designed to promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment.

Appendix 05 – Network Hierarchy - Carriageway

HIERARCHY		STREET PROPERTIES
R	Resilient Network	Is an 'A' class road or Has a Key Service* located on it or is required by the Key Service to gain access to the Resilient Network or Is an Emergency Diversion Route for the Trunk Road network or Is a road identified with an isolation factor associated with the winter maintenance plan (severe weather gritting route)
H1	Main Distributor	Is RURAL and has an AADT of > 5000 or Is URBAN and has an AADT of > 2000
H2	Secondary Distributor	Is RURAL and has an AADT of > 1500 or Is URBAN and has an AADT of > 1700
H3	Tertiary Distributor	Is a 'B' class road or Is RURAL and has an AADT of > 151 or Is URBAN and has an AADT of > 101 or Has > 200 Residential Properties or Has > 10 Commercial Properties with a density of ≥ 50 Properties per Km
H4	Local Access Road	Is an URBAN 'C' class road or Is an URBAN Bus Route or Is RURAL and has ≥ 28 Residential Properties with a density of 50 to 100 Properties per Km or Is URBAN and has ≥ 28 Residential Properties with a density of < 100 Properties per Km
H5	Local Road	Has ≥ 50 Residential Properties with a density of < 10 Properties per Km
H6	Minor Road	Is Metalled
H7	Track	Is suitable for Motor Vehicles
H8	Unsuitable for Vehicles	Unsuitable for Vehicles

Appendix 05 – Network Hierarchy – Footway and Cycleway

HIERARCHY		STREET PROPERTIES
Footway		
F1	Primary Walking Route	Is a Pedestrianised Zone ① # or Has Belisha Beacons ② located on it or Has Flashing Amber Warning Lights (FAWLS) ③ located on it or Has an Educational Facility located on it
F2	Secondary Walking Route	Is URBAN and is on a BUS ROUTE # or Has > 10 Commercial Properties ④ located on it
F3	Tertiary Walking Route	Has > 5 Commercial Properties ④ located on it #
F4	Local Access Footway	Has a 'bound' or slabbed surface
F5	Rights of Way (footpath)	See NCC 'Countryside Access' for info

Cycleway		
C1	Cycleway	On Carriageway
C2	Cycleway	On Footway
C3	Remote Cycleway/ Trails on Highway	Cycleway or route on designated facility off carriageway or footway

Key

This framework assumes the highway in question is adopted and has extents.

Carriageway

* Key Services = Fire, Police, Ambulance, A&E Hospital, Gritting Depot, Emergency Diversion for Trunk Road Network or connects these to the Strategic (Trunk) Road Network.

AADT = Annual Average Daily Traffic (Ave number. of vehicles per day)

= Is Metalled and suitable for traffic.

Footway

① = Pedestrian Zone indicated by the presence of this sign (Diagram 618.3B in Traffic Signs Regulations & General Directions 2016) or a derivative of it.



② = Belisha Beacons indicates the location of a Zebra Crossing.

③ = Flashing Amber Warning Lights indicate the location of a School Crossing Patrol.

④ = Commercial Properties includes Retail and Key Services.

= Assumes the Footway does not have an 'un-bound' surface.

19 July 2018**Agenda Item: 10**

REPORT OF THE CORPORATE DIRECTOR, PLACE ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Purpose of the Report

1. The County Council, working in partnership with Nottingham and Derby city councils, is looking to develop a Nottinghamshire, Nottingham and Derby areawide network of electric vehicle charging infrastructure funded through the Go Ultra-Low Nottingham programme. The purpose of this report is to update Committee on, and seek Committee approval for officers to work with partners to deliver, the different elements of the electric vehicle (EV) charging infrastructure programme (subject to Policy Committee approval for the proposed approach to delivery of the EV charging infrastructure programme).

Information

2. The County Council (along with Nottingham and Derby City Councils) is a partner in the successful £6.1m Go Ultra-Low Nottingham bid to the Office of Low Emission Vehicles (OLEV) which aims to deliver a step-change in the number of ultra-low emission cars and vans. The objectives of the funding are to deliver significant air quality benefits, reduce carbon emissions and create ultra-low emission vehicle (i.e. electric vehicles) related growth opportunities for car manufacturing and businesses both locally and beyond.
3. The successful Nottingham, Nottinghamshire, Derby Bid focuses on a number of work programmes (as detailed in the 'Go Ultra-Low Nottingham bid to the Office of Low Emission Vehicles (OLEV)' Transport & Highways Committee reports of 8 October 2015 and 17 March 2017) which will be funded from the Bid's funding allocation of £6.1m and there is currently no local funding commitment required. It is intended that each of the Bid programmes will be extended into the county whenever possible, particularly those relating to:
 - Expansion of the public electric vehicle charging infrastructure to create an area-wide network of charging infrastructure
 - Grants, loans and advice to support businesses to introduce low-emission vehicles and electric charging at workplaces
 - Expansion of the Council's electric vehicle fleet (e.g. pool cars and vans and associated charging facilities at County Council sites) should this be feasible
 - Expansion of the existing car club into the county
 - A programme of targeted promotional events in areas where data highlights the residents and/or businesses are more likely to transfer to ULEVs.

4. The County Council, working in partnership with Nottingham and Derby city councils, is looking to develop a Derby, Nottingham, and Nottinghamshire area-wide network of EV charging infrastructure funded through the Go Ultra-Low Nottingham programme, as detailed below.

Off-street EV Charging Infrastructure

Electric Vehicle Homecharge Scheme

5. The government offers grants to support the wider use of electric and hybrid vehicles via the Office of Low Emission Vehicles (OLEV). To help private plug-in vehicle owners offset some of the upfront cost of the purchase and installation of a dedicated domestic recharging unit, the OLEV has also made funding available to private households to apply for off-street charging infrastructure. The 'Electric Vehicle Homecharge Scheme' provides grant funding of up to 75% (capped at £500, inc. VAT) towards the cost of installing electric vehicle charge points at eligible domestic properties across the UK. It is proposed that the County Council will act as a signpost for potential eligible residents to OLEV's 'Electric Vehicle Homecharge Scheme'.

Electric Vehicle Workplace Charge Schemes

6. The OLEV also offer a 'Workplace Charge Scheme' which is a voucher-based scheme designed to provide eligible applicants with support towards the upfront costs of the purchase and installation of EV charge points. OLEV's 'Workplace Charge Scheme' grant contribution is limited to £300 for each socket up to a maximum of 20 across all sites for each application (i.e. the maximum amount that a business could receive through the scheme is £6,000).
7. The funding available through the Go Ultra-Low Nottingham programme has, however, enabled the Councils to offer an enhanced grant scheme to businesses to install EV charge points at workplaces. Funding of up to £25,000 is available to Nottinghamshire businesses to install on-site EV charging infrastructure through the Go Ultra-Low programme, should the businesses meet the eligibility criteria.
8. Off-street charging infrastructure installed at businesses funded through the Go Ultra-Low programme that is not available to the public will be maintained for three years through the concession agreement with Chargemaster. After the three year warranty has expired maintenance of the infrastructure will be the responsibility of the applicant.
9. The County Council, as an employer, is eligible to apply for the funding available to employers to install EV charge points for its staff and visitors; and it is proposed that the Council applies for the available funding to install EV charge points at suitable County Council properties.

Public Electric Vehicle Charging Network

10. £2m of the available £6.1m Go Ultra-Low Nottingham funding has been allocated to the delivery of a public EV charging network across the Derby, Nottingham, Nottinghamshire area by 2020. The locations that will form the EV charging network will be available to the public 24hours, 7days each week and will be publicised/promoted as such.
11. A charge point Concessionaire – Chargemaster PLC – has been procured by Nottingham City Council to install the charging infrastructure. The concession agreement involves

Chargemaster supplying, installing, maintaining and operating the network during the contract period. The concession contract encourages the concessionaire to maintain the network, and as such overcome user concerns about the reliability of the network, as any downtime will reduce Chargemaster's income from the project. The initial contract period will be five years with the potential for an extension of a further five years (subject to contract conditions being met and the concessionaire providing additional investment into the network).

12. The public network will consist of a combination of fast (minimum 22kW) and rapid (minimum 45kW) chargers. The number and type of charge points and their specific siting will be determined following detailed site surveys of the locations and through discussion with the concessionaire, but approximately 230 EV charge points will be installed across the Bid area. Chargemaster has also committed to fund and install an additional 50 rapid chargers as part of the concession agreement. The installation and maintenance of EV charge points installed as part of the area wide network will be funded wholly through the concession agreement, which includes their maintenance and repair.
13. Work is underway to identify potential locations, assess their feasibility, and install infrastructure at the most suitable (feasible) sites and officers from Nottinghamshire County, Derby and Nottingham city councils, as well as district councils have proposed a number of potential sites for inclusion in the EV charge point network. It is currently proposed that the area wide network of charging infrastructure will be located in off-street car parks. Where these will be installed in district council owned car parks, agreements will be made directly between the Concessionaire and the relevant district council.
14. In the eventuality of a site being unviable in terms of insufficient network capacity, prohibitive costs (e.g. high connection costs), inability to obtain the necessary consents (e.g. wayleaves and permits to carry out the works), or engineering feasibility issues, alternative sites will be recommended by the Concessionaire for approval.
15. The County Council, is eligible to apply for the funding available to install public EV charge points in car parks on its property; and it is proposed that the Council applies for the available funding to install EV charge points at suitable County Council properties (e.g. visitor attractions and other car parks available to the public 24 hours per day).

On-street Residential Charge Points

16. OLEV's 'on-street residential charge point scheme' provides grant funding for local authorities towards the cost of installing on-street residential charge points for plug-in electric vehicles.
17. The funding does, however, require a contribution from the applicant as well as revenue funding to maintain the infrastructure. Local authorities can apply for OLEV funding (which is available on a 'first-come, first-served basis') for up to 75% of the capital costs of the provision of on-street charging points for residential use; and the applicant must have the 25% match funding in place at the time of making the application. The County Council does not specifically have to apply for the funding, or provide any match funding, as any appropriate local authority can apply (i.e. district councils can apply for the funding). The applicant authority must, however, have the explicit support of the relevant highways authority that has responsibility for maintenance of the highway on the residential streets where charge points are to be located; and this support must be obtained before any application is submitted.

18. A dedicated parking bay for the EV charge point is not a requirement of the grant, but DfT strongly encourage local authorities to consider it, especially in locations where residents who own a plug-in vehicle may have problems accessing the point due to 'parking congestion'. Given that the grant criteria for the charge points means that they will only be funded on roads with no off-street parking facilities, 'parking congestion' is likely to be an issue on all of the roads in question. This issue will be exacerbated by the fact that guidance on good practice for the delivery of charging infrastructure states that a minimum of three charge points should be introduced to allow for the potential future demand.
19. The County Council understands that there is also a requirement to ensure that any charging infrastructure is only located where there is sufficient space between different electrical supplies and potential conductors (both underground and overground) to enable the charging infrastructure to be earthed effectively – which has proven difficult in a number of on-street locations.
20. Given the issues highlighted above the County Council does not intend to apply for the current OLEV funding available to install public on-street EV charging infrastructure. The Council will, however, work with Nottinghamshire residents that request on-street EV charge points to try and identify nearby locations that would be suitable for off-street charge points. Such locations could include community spaces within residential areas, such as leisure centres, community centres, libraries etc. that have parking facilities that are open to the public at all times. If the landowner is prepared to allow the installation of the charge points on their property (and enter into the necessary legal agreements) then the charge points would also be eligible to be funded and maintained through the Go Ultra Low programme.
21. Where district councils wish to pursue the installation of on-street EV charging infrastructure in Nottinghamshire and apply for the available OLEV funding the County Council will assess each request individually on its own merit. In such cases, district councils will need to demonstrate support from the residents on the road in question. The relevant district council will also be required to underwrite/take-on all financial liabilities relating to the charge points, including any shortfall in installation costs; operational costs; any liabilities from claims resulting from the infrastructure, or its use; funding the maintenance and/or removal of the charge point; as well as any other future ongoing revenue costs.

Taxi/private-hire vehicle EV Charge Points

22. The Go Ultra-Low Nottingham programme also includes for the provision of area wide EV charge points specifically for taxis/private-hire vehicles, including on-street and off-street locations.
23. Taxis/private-hire vehicles will be permitted to use the public EV charge points and therefore no charge points will be provided in County Council owned car parks (e.g. its work sites or visitor sites) for the exclusive use by taxis/private-hire vehicles.
24. Requests for on-street EV charge points for the exclusive use by taxis/private-hire vehicles in Nottinghamshire will be individually assessed on each request's merits. Whenever possible such charge points will be located within existing taxi/private-hire vehicle ranks. It should, however, be noted that such requests will only be considered where the installation of such charge points will not result in the loss of limited public car parking spaces (e.g. existing limited

waiting bays will not be converted to bays exclusively available for taxis/private-hire vehicles to use charge points).

Further Scheme/Programme Development, Design and Consultation

25. Each of the programmes detailed in this report is still subject to the necessary consultation, statutory undertakings and other issues arising from feasibility studies, detailed scheme investigation, and design. This may involve consultation and/or pro-active information provision on schemes including statutory or non-statutory consultation with affected households and businesses only. Formal consultation will be undertaken on all schemes that require statutory. Non-statutory consultation, or information provision (i.e. informing people that works will take place) will also be undertaken with households and businesses immediately adjacent to schemes that fall wholly within the highway boundary.
26. The Go Ultra Low programme involves pro-active engagement with businesses to promote the grants, loans and advice available to support businesses to introduce low-emission vehicles and electric charging at workplaces; and targeted promotional events to encourage the take-up of electric vehicles
27. The project manager responsible for the delivery of each individual scheme will ensure that County Council Members are also advised of any proposed consultation prior to it occurring; and will liaise with communications and marketing colleagues where appropriate.

Other Options Considered

28. Other options considered are set out within this report.

Reason/s for Recommendation/s

29. The programmes detailed within this report have been developed to help ensure delivery of County Council priorities, national priorities and local transport goals and objectives. The programmes detailed in the report have been developed to reflect a balance of member, public and stakeholder requests and priorities, evidence of need (including technical analysis), value for money (including the co-ordination of works) and delivery of the County Council's vision and transport objectives. The proposed approach to the delivery of the different elements of the EV charging infrastructure programme is subject to approval at the 18 July 2018 Policy Committee.

Statutory and Policy Implications

30. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance 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, smarter working, sustainability and the environment 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

31. The financial implications, including budget allocations, are set out within the report and are in line with those detailed within the 'Highways Capital & Revenue Programmes 2018/19' report approved at 8 March 2018 Communities & Place Committee. Should the County Council wish to install EV charge points on its property which are not available to the public the Council will be responsible for the ongoing running and maintenance costs of the charge points after the three year warranty has expired.

Public Sector Equality Duty implications

32. All programmes detailed within this report comply with the Public Sector Equality Duty. An equality impact assessment was undertaken on the Nottinghamshire Local Transport Plan 2011/12-2025/26 in March 2011 to ensure that the strategy and its capital programmes to deliver it met the duty.
33. The Concessionaire, as part of the concession agreement, must ensure that equality impact assessments are carried out (and can be made available to the relevant authorities on request) for all installations and its charge point management system (CPMS). This will ensure that each charge point and element of the concession agreement will have considered the needs of potential users and comply with all relevant equalities legislation.

Implications for Sustainability and the Environment

34. The County Council has a statutory obligation to address air quality issues resulting from road traffic on its managed roads (there are currently two air quality management areas on County Council managed roads). The programmes and measures contained within this report have therefore been developed to address poor air quality resulting from road traffic and its impacts on local communities.

RECOMMENDATION/S

It is recommended that Committee approve:

- 1) County Council officers working with partners to identify and deliver an area-wide publically available electric vehicle charging network in Nottinghamshire as set out in this report
- 2) County Council officers working with partners to identify and deliver an area-wide taxi/private hire electric vehicle charging network in Nottinghamshire as set out in this report
- 3) County Council officers working with partners to identify and deliver electric vehicle charge points at appropriate County Council properties
- 4) County Council officers working with Nottinghamshire businesses to support them to install electric vehicle charge points on their property.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Sean Parks – Local Transport Plan manager Tel: 0115 9774251

Constitutional Comments [SLB 13/06/2018]

35. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 07/06/2018]

36. There are no specific financial implications arising directly from the report. The general financial implications are set out in paragraph 31. Where any works are to be undertaken by the County Council approval to amend the Capital programme will need to be sought from Finance and Major Contracts Management Committee.

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.

- Nottinghamshire Local Transport Plan Strategy 2011/12-2025/26
- Nottinghamshire Local Transport Plan Implementation Plan 2018/19-2020/21
- Nottinghamshire Local Transport Plan Evidence Base 2010
- Electric Vehicle Charging Infrastructure – 18th July 2018 Policy Committee report
- Highways Capital & Revenue Programmes 2018/19 – 8th March 2018 Communities & Place Committee report
- Place Departmental Strategy – January 2018
- Nottingham Go Ultra Low City Bid to the Office of Low Emission Vehicles
- Nottingham Go Ultra low City Bid to the Office of Low Emission Vehicles (OLEV) – 8th October 2015 Transport & Highways Committee report
- Nottingham Go Ultra low Bid to the Office of Low Emission Vehicles (OLEV) – 17th March 2016 Transport & Highways Committee report
- Travel Choice workplace travel grant criteria
- Nottinghamshire Access Fund Bid to the Department for Transport
- Access Fund 2017-2020 Funding Bids – 20th October 2016 Transport & Highways Committee report

Electoral Division(s) and Member(s) Affected

- All

REPORT OF CORPORATE DIRECTOR, PLACE**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 10 May 2018.

A. Petition requesting road safety improvements on Plumtree Road, Cotgrave (Ref: 2016/0297)

2. An 85 signature petition was presented to the 10 May meeting of the County Council by Councillor Richard Butler requesting that a review of road safety is carried out on Plumtree Road in the vicinity of the school, due to concerns about increases in the volume and speed of traffic on that road.
3. A site meeting was held with council officers, the county council and representatives of the school and church to discuss possible alterations and, as a result, the council has agreed to undertake a study to determine the feasibility and cost of making improvements in the area. The study will look at reducing the speed of vehicles turning into Plumtree Road and making it easier for school children to cross.
4. Should proposals be considered feasible and offer value for money, they will be considered for inclusion in a future year's integrated transport measures programme.
5. It is recommended that the lead petitioner be informed accordingly.

B. Petition requesting a residents parking scheme on Barton Street, Beeston (Ref: 2016/0298)

6. A 5 signature petition was presented to the 10 May 2018 meeting of the County Council by Councillor Kate Foale on behalf of residents requesting a residents' parking scheme on Barton Street, Beeston due to the proximity of the train station and Victoria Hotel.
7. Barton Street is a residential road situated to the south-east of the town centre. There is a mixture of properties; many of which have off-street parking and there are some on-street parking restrictions.

8. Barton Street was considered for a residents' parking scheme as part of an area wide residents' parking scheme in 2012. At that time, it was determined that a residents' parking scheme on Barton Street was not appropriate and traffic levels would continue to be monitored.
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. Residents' parking schemes are not intended to offer any guarantee as to where residents' park within any such scheme or restrict the number of vehicles a household owns.
11. A parking survey will be undertaken to monitor whether a residents' parking scheme should be considered a priority for inclusion in a future years' integrated transport programme.
12. It is recommended that the lead petitioner is informed accordingly.

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/S

It is recommended that:

- 1) the proposed actions be approved, and the lead petitioners be informed accordingly;
- 2) the outcome of Committee's consideration be reported to Full Council.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Sean Parks, Local Transport Plan Manager, Tel: 0115 977 4251

Constitutional Comments []

Financial Comments []

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- Cotgrave – Councillor Richard Butler
- Beeston Central and Rylands – Councillor Kate Foale

REPORT OF THE CORPORATE DIRECTOR, PLACE**NOTTINGHAMSHIRE MINERALS LOCAL PLAN – PUBLIC CONSULTATION ON
THE DRAFT MINERALS LOCAL PLAN****Purpose of the Report**

1. To seek Committee approval to consult on a Draft Minerals Local Plan.

Information

2. A Minerals Local Plan is a statutory document that all Minerals Planning Authorities must prepare. It can identify site specific allocations of land for mineral development and planning policies against which all future minerals development proposals are assessed and determined by the County Council. The overall aim of the Plan is to ensure a steady and adequate supply of minerals is provided to meet expected demand in the most sustainable way.
3. The current Plan was adopted in December 2005 and was prepared under previous Government legislation. This plan is now out of date and work has begun on a new plan to replace it, following the decision of Council to withdraw a previous plan from examination. The new plan will look ahead to 2036.
4. Before it can be adopted, the new Local Plan must go through various stages of public consultation and community involvement culminating in an Independent Examination by a government appointed inspector.
5. A small Member led working group was established at the outset of the development of the new minerals local plan. This working group has met at key stages to discuss the main issues as they have arisen and to provide a Member steer.

Feedback from the Issues and Options Consultation

6. The preparation of the new Minerals Local Plan commenced in 2017 with an informal public consultation on the issues and options faced over the new plan period. 570 representations were received from a total of 76 organisations and individuals. This included statutory bodies, district and parish councils, neighbouring county councils, the minerals industry, interest groups and Members of the public.

7. Where relevant, the consultation responses have been used to inform the preparation of the draft plan. A summary of the key issues is set out below:
 - Sand and gravel provision
8. The majority of the public thought that expected demand over the plan period had been overstated. Reasons for this included: The reduced need for primary minerals due to new construction methods, the level of recycled aggregates not being fully taken into account and the lack of analysis regarding the availability of aggregates in the East Midlands to supply Nottinghamshire.
9. The minerals industry thought that expected demand was too low. Reasons for this included: Rising aggregate sales both at the sub-national and national level, limited ability of the plan to provide a steady and adequate supply over the plan period and a reliance of purely recession sales data to forecast future demand.
 - Prioritisation of extensions to existing quarries before new quarries are developed
10. It was acknowledged that extensions to existing sites could be more sustainable than new quarries, however the majority thought that all quarry proposals should be assessed on their own merits.
 - Geographical spread of sand and gravel quarries
11. There was clear support for a geographical spread of sand and gravel quarries across the county. Reasons for this included: Reduce transport distances to the main markets, minimising the impact of HGV traffic on the environment and local communities and maintaining overall supply.
 - Secondary and recycled aggregates
12. Views on recycled aggregates were split. Some respondents thought that recycled aggregates were underutilised and that a greater use of these would significantly reduce demand for primary aggregates. Others acknowledged the important role that recycled aggregates play in meeting overall demand, however it was noted that future growth in the recycled aggregates market was limited and primary aggregates were still needed.
 - Potential extraction of Industrial Dolomite
13. Concern was expressed from a number of respondents regarding the potential impacts on Creswell Crags from any future quarrying of Industrial dolomite in Nottinghamshire.
 - Unconventional Hydrocarbons
14. Respondents expressed concerns regarding shale gas exploration (fracking). Reasons for this included the potential impacts on climate change, water quality, the wider environment and impacts on local communities.
 - Impact from minerals related HGVs

15. Respondents raised concerns regarding the impact of additional HGVs from minerals development. Issues included high level of existing traffic, increased congestion and pollution, and the suitability of the road network.
- Use of river barge to transport minerals
16. Responses to this issue were split. Some supported this mode of transport as it would reduce the amount of HGV traffic (and the associated emissions and congestion). Others questioned the financial feasibility of moving mineral by barge, particularly over shorter distances.

Preparation of the Draft Plan Consultation Document

17. The Draft Plan consultation document is a further stage in the preparation of the final Minerals Local Pla. There is no requirement for the Council to consult on a Draft version of the Plan but there is a duty to involve the community in the preparation of the Plan and a draft version of the Plan will enable individuals and organisations to view the plan and make comment. It sets out the draft approach for each mineral, the consultation responses received, and how the findings of the Sustainability Appraisal have influenced the draft plan. A copy of the Draft Minerals Plan is attached in **Appendix 1**.
18. A key aim of the Plan is to identify expected demand for individual minerals over the plan period. In many cases permitted reserves are inadequate for the plan period and new site specific allocations will need to be identified if the county is to continue supplying its share of national and local minerals supplies.
19. The biggest shortfall over the plan period is for sand and gravel, where an additional 14.8 million tonnes will need to be identified over the plan period. This is based on the most recent average sales data set out in the Nottinghamshire Local Aggregates Assessment published in October 2017.
20. As a result of the identified shortfall, the Draft Plan proposes extensions to existing permitted sand and gravel quarries at:
- Bawtry Rd, Scrooby
 - Langford Lowfields
 - East Leake
- and new greenfield quarries at:
- Botany Bay
 - Mill Hill near Barton in Fabis
21. The Draft Plan also proposes extensions to the existing Sherwood Sandstone quarries at Bestwood II and Scrooby Top, an extension to the existing permitted clay pit at Dorket Head known as Woodborough Lane and a southern extension to the existing gypsum quarry at Bantycok.
22. The Draft Plan also sets out a proposed list of planning policies against which planning applications for future minerals development will be assessed. These include the protection of local amenity, protection and enhancement of biodiversity and geodiversity, Landscape character, the historic environment and highways safety and vehicle movements. The full list can be found in the draft plan in **Appendix 1**.

Next Steps

23. If committee approve the Draft Minerals Plan for consultation, it is planned to publish it for a eight week period between 27 July and 28 September 2018. Officers are also proposing to hold a series of surgeries at local libraries to inform, answer questions and promote responses. Officers will attend meetings of relevant parish councils on request and will be asking parish councils to publicise the proposals and the opportunity to make comment in their local areas.
24. A submission version of the Local Plan document will then be prepared, in light of comments received on the draft plan. Approval will then be sought through Communities and Place Committee to publish it for a further period of consultation. The Minerals Local Plan, along with all representations received, will then be formally submitted to the Secretary of State and subsequently subject to an independent examination

Other Options Considered

25. Not to carry out a consultation on a draft Plan and move straight to a final Plan. This option has been considered but it is considered important for the sake of allowing public involvement in the proposed sites before the Plan is finally prepared and submitted for examination, that a Draft Plan be prepared.

Reason/s for Recommendation/s

26. To enable community involvement and comment on the draft proposals in the Plan.

Statutory and Policy Implications

27. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance 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, smarter working, sustainability and the environment 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

28. The costs of preparing and examining the Minerals Local Plan will be met through a reserve which has been established to cover these costs.

RECOMMENDATION/S

It is recommended that the Committee approves:

- 1) The publication of the draft Minerals Local Plan for a period of eight weeks public consultation;
- 2) Authority to be given to the Service Director for Investment and Growth in discussion with the Chairman to make any final minor changes required prior to consultation.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Steven Osborne-James, Principal Planning Policy Officer, Tel: 0115 9772109

Constitutional Comments [RHC 14/06/2018]

29. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments [RWK 07/06/2018]

30. The financial implications are set out in paragraph 28 of the report.

Background Papers and Published Documents

- 'None' or start list here

Electoral Division(s) and Member(s) Affected

- 'All'

APPENDIX 1

Nottinghamshire Minerals Local Plan

Draft Plan Consultation

27th July 2018 – 28th September 2018

Foreword

We have listened carefully to the needs of the minerals industry and the concerns of local residents to help us prepare an up-to-date Minerals Local Plan which will guide the future development of mineral planning in our county up to 2036.

Our aim is to ensure that our county can provide a steady and adequate supply of minerals over the planned period, by allocating the right number of quarries in the correct locations whilst providing adequate protection to communities and the environment.

This Draft Minerals Local Plan public consultation stage marks an important stage in the development of the new plan. It sets out the draft policies including a vision, strategic objectives, strategic policies, minerals provision policies (including site specific allocations) and development management policies that will guide the future development of minerals in Nottinghamshire.

We would like to know your thoughts on the draft proposals as we have to try and strike the best balance between the wide range of local, environmental and commercial interests involved.

I hope you will respond and your comments will be considered as part of the next stage of the plan's production.

County Councillor Phil Rostance

Vice Chairman, Communities and Place Committee



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1. Introduction

- 1.1. Every year, we each use the equivalent of 10 tonnes of minerals to maintain our way of life from building homes, offices and roads, to providing electricity and heat. Specialist minerals are used in many manufacturing processes and can even be found in cosmetics and food. It is therefore important to ensure that there is a sufficient supply of material to provide the infrastructure, buildings energy and goods that we need.
- 1.2. Nottinghamshire is rich in a wide variety of minerals – in fact most of the county overlies at least one potential surface or underground resource. Sand and gravel, gypsum and clay are our largest extractive industries, all of which are nationally important. Other minerals worked include building stone, silica sand and oil. There are also mineral resources such as shale gas that could be worked in the future.
- 1.3. Whilst many of our mineral resources remain plentiful, permitted reserves are often limited and finding sufficient new reserves to meet demand will be a major challenge over the next 15-20 years. Unlike other forms of development, minerals are finite and can only be worked where they are found. This factor combined with potential environmental impacts can limit where mineral extraction is feasible. It is therefore important both to identify, at least in broad terms, where future minerals extraction will be acceptable and to safeguard resources so that suitable sites are not unnecessarily lost to other development.
- 1.4. The County Council is preparing a new Minerals Local Plan to resolve these issues and to provide the planning policy against which all proposals for new minerals development will be assessed. This Draft plan consultation exercise forms an informal stage in preparing a new plan which will cover the period up to 2036.

Have your say

- 1.5. The purpose of this draft plan consultation exercise is to set out the draft vision, strategic objectives, strategic policies, minerals provision policies (including land allocations) and development management policies that will guide the future development of minerals in the County.
- 1.6. We need to hear from all sections of Nottinghamshire's communities about what they think about the choices. There is likely to be a wide range of views about the shape of future mineral extraction in the County and we want to find solutions that have the best consensus of opinion but that can also be delivered. It is therefore important you let us know what you think so we can take your views into account before any decisions are made about what should go into the new plan.
- 1.7. This document will be available for comments between July 27th and September 28th. We would encourage you to respond online to this consultation using our online consultation system.

How to make representations

- 1.8. If you would like to make representations on the Minerals Local Plan, we would encourage you to do so online via our website at www.nottinghamshire.gov.uk/minerals, using our interactive online representation system. However, you can also email or post us your comments.

<p>Online www.nottinghamshire.gov.uk/minerals Email development.planning@nottsc.gov.uk Phone 0300 500 80 80 (customer contact centre) Post Planning Policy Team Nottinghamshire County Council County Hall West Bridgford, Nottingham NG2 7QP</p>
--

What happens next?

- 1.9. At the end of this consultation exercise we will consider all comments received and we will then incorporate relevant comments in to the Submission Draft consultation document ready for another public consultation period prior to submission of the final plan to the planning inspectorate for examination.

Scope of the new Minerals Local Plan

1.10. Once adopted, the new Nottinghamshire Minerals Local Plan forms the land use planning strategy for mineral development within the County up to 2036. It will provide the basis for the determination of mineral planning applications within the County. Its over-arching theme is the promotion of sustainable development and achieving the highest quality restoration possible. This means balancing the economic benefits and need for minerals against the social and environmental disruption and harm that their extraction can cause. Long term environmental gains can be achieved, for example, by creating wildlife habitats out of worked out quarries. Sustainability also means safeguarding mineral resources from unnecessary sterilisation so they can remain available for extraction for future generations.

The Plan contains the following:

- An overview of the County in terms of population, transport, communications, the economy and resources, Green Belt, landscape, countryside, natural and built heritage, water, soil, air, health and climate, which will help us plan effectively for the future;
- A long term Vision for mineral development in Nottinghamshire to 2036;
- Strategic Objectives demonstrating how the Vision will be achieved
- Strategic Policies covering the key issues of Sustainable Development, Minerals Provision, Biodiversity-Led Restoration, Climate Change, Sustainable Transport, The Built, Historic and Natural Environment and the Nottinghamshire Green Belt;
- Mineral Provision Policies setting out the mineral requirements during the plan period to 2036, including land allocations to meet this demand;
- Development Management Policies, the purpose of which is to deliver the strategic policies and objectives by providing the criteria against which future minerals development will be assessed. They relate specifically to individual, site level criteria such as environmental impacts and standards and provide guidance about how planning applications for minerals development in the County will be assessed;
- A framework by which the implementation of and subsequent effect of the plan and its policies can be monitored and reviewed; and
- A Policies Map which identifies site allocations/policies and site specific Development Briefs.

Replacing our existing minerals policies

The new Minerals Local Plan will replace the existing saved policies contained in the Nottinghamshire Minerals Local Plan which was adopted in 2005.

This document can be made available in alternative formats or languages on request.

The Government has published a revised NPPF that is currently out for consultation. This draft plan does not take account of the proposed changes as they have yet to be formally adopted. However once the final NPPF revisions have been confirmed any relevant changes will be incorporated into the developing plan.

Supporting documents

The Minerals Local Plan is supported by a series of other documents that will help inform the development of the minerals local plan.

Local Aggregates Assessment (LAA)

The LAA summarises past aggregate production, the number of active quarries and the distribution of the extracted mineral. It includes 10 and 3 year average production figures as required by the National Planning Policy Framework (NPPF) and identifies key issues that could affect the future demand for aggregates over the next plan period. The LAA is produced on an annual basis taking account of the most recent production data.

Monitoring Report

These reports are produced at least annually and show how the County Council is progressing with preparing its new Local Plans and how well its current adopted policies are being implemented.

Statement of Community Involvement (SCI)

This sets out how Nottinghamshire County Council will consult and engage with local people, statutory bodies and other groups during the preparation of the Local Plan and on mineral planning applications.

Sustainability Appraisal (SA)

The purpose of the SA is to promote sustainable development through better integration of sustainability considerations in the preparation and adoption of plans. SA helps local planning authorities to ensure that sustainable development is considered in the preparation of their plans. The NPPF introduced a 'presumption in favour of sustainable development' as a 'golden thread' which should run through plan and decision-making. SA has been an integral part of all stages of the preparation of the new Minerals Local Plan, with reports produced at each stage. This submission draft is accompanied by a final SA report.

Strategic Transport Assessment (STA)

Consultation with the Highways Authority during the preparation of the Minerals Local Plan has indicated that each proposed site would not have significant impacts on the highway network if a relevant package of mitigation measures were implemented. However, a

detailed strategic transport assessment has been completed to ensure that there are no unacceptable overall impacts on the highway network. This concludes that the highway impacts of new or extended mineral sites would be minimal and highlights appropriate mitigation measures, where relevant. In addition to these strategic findings, all sites will require a detailed transport assessment at the planning application stage.

Strategic Flood Risk Assessment (SFRA)

A Level 1 Strategic Flood Risk Assessment for the Nottinghamshire Minerals Local Plan has been undertaken by AECOM on behalf of the County Council. The purpose of this report was to assess and map the different levels and types of flood risk to inform the development of the Minerals Local Plan. In addition to the work carried out, all sites will require a site-specific Flood Risk Assessment at the planning application stage.

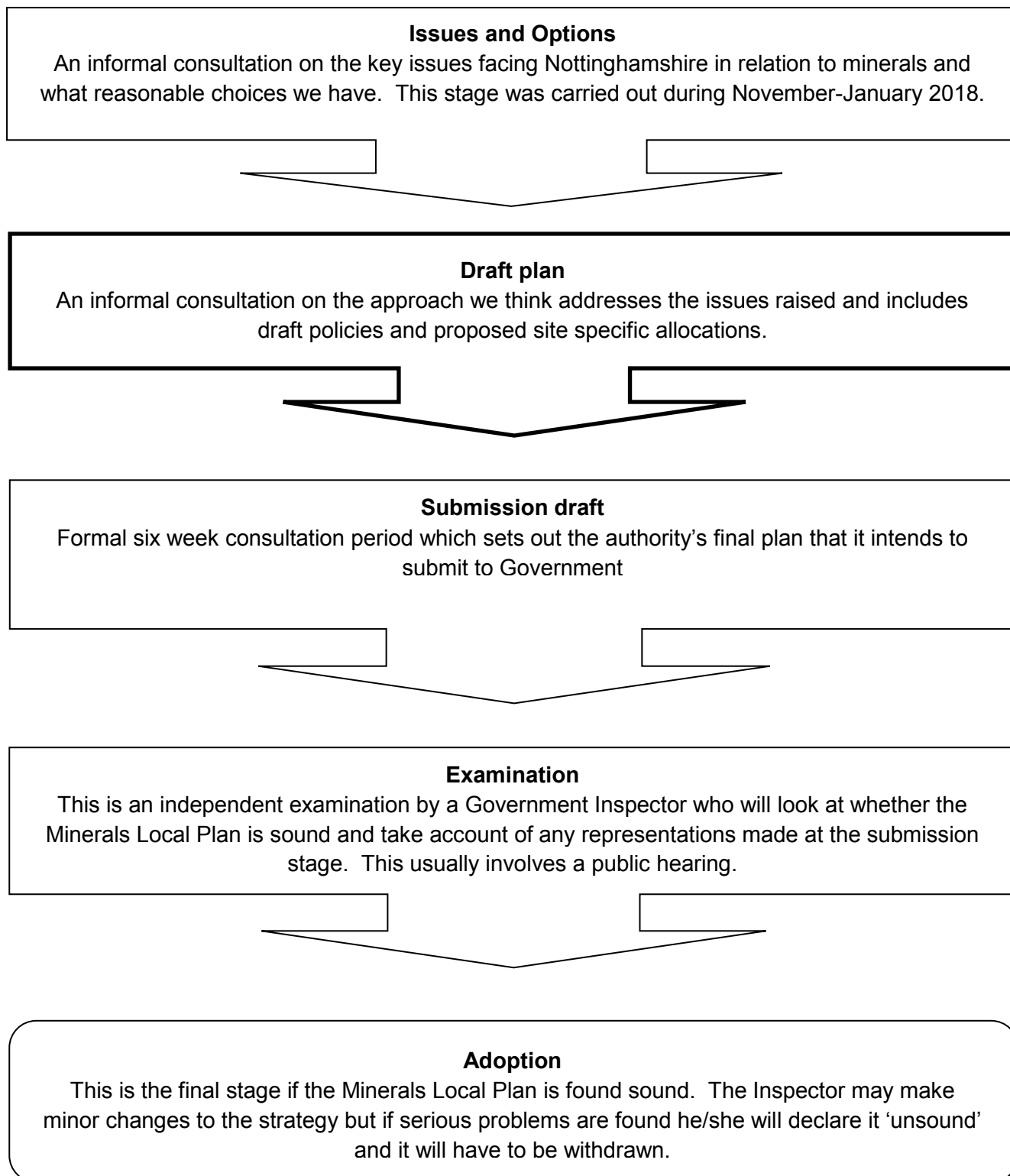
Biodiversity Opportunity Mapping

A project undertaken for the Sherwood and Trent Valley areas to identify particular opportunities for the enhancement, expansion, creation and re-linking of wildlife habitats across the county. The project will help to meet creation/restoration targets set in the UK Post 2010 Biodiversity Framework and Local Biodiversity Action Plan.

How is the new Minerals Local Plan being prepared?

The preparation of the Minerals Local Plan includes a number of key consultation and other stages as illustrated below.

Key stages in preparing the new Minerals Local Plan



How to read this document

The following chapters share a number of common features:

What you told us at the Issues and Options stage...

This sets out a summary of the response we received from members of the public, the minerals industry, stakeholders and interest groups during the first stage of consultation on the Minerals Local Plan, completed between November 2017 and January 2018.

These comments have been taken on board and where appropriate and where possible, have been incorporated into the draft plan

Issues and Options Sustainability Appraisal findings

As set out above, a Sustainability Appraisal (SA) of the options set out in the Issues and Options consultation document has been completed. These boxes set out a summary of the main findings of the SA in relation to the topic in each section. In some cases there are no findings presented. This is because no options were presented at the previous stage.

The full findings of the SA in relation to all of the options can be found on our website. Also available on our website is the SA of the draft plan document itself (split into the main report and a separate one looking at all of the individual sites we considered for allocation).

Introduction

This is a short introduction to the topic, which gives the context for each of the topic/policy areas.

Policies

Policies are set out in these boxes.

Where policies include land allocations, reference codes are used to identify each individual site. For all sites reference codes are related to the policy number (eg. MP2a).

Justification

This sets out in detail an explanation of the policy, including the reasons why it is needed, justification for the approach taken and what the policy seeks to achieve.

2. Overview, Vision and Strategic Objectives

What you told us at the issues and options stage...

- More explicit recognition should be given to the value of the range of ecologically designated sites in the County
- Update plan 1 to show correct greenbelt boundary and active mineral sites
- The overview covers important designations such as Sherwood Forest area including the SAC and the (ppSPA). However other nationally and locally important nature conservation sites throughout the county should be mentioned.
- Overview makes reference to the network of important sites for nature conservation however this should be balanced with a reference to the historic environment.
- Helpful if plan 1 showed the adjoining MPAs and relative size of principal towns and cities in Nottinghamshire.
- Overall, many comments accepted the proposed vision, with most of these respondents suggesting minor changes. Other, more detailed suggestions or recommended amendments to the vision are as follows.
- A number of respondents stated that there should be increased emphasis and more consideration given to the role played by alternative aggregates and recycled materials.
- There is a need to ensure that mineral development is concentrated in locations that offer the greatest level of accessibility to major markets and growth areas and provides a steady and adequate supply of minerals to meet objectively assessed development needs.
- A vision's aim that all mineral working will protect the County's environmental assets is welcome. All mineral working in flood zones 2 and 3 should reduce the flood risk to the site and others.
- Minerals infrastructure should also be included in the safeguarding regime.

Overview of the Plan area

- 2.1. Planning effectively for the future means having a good understanding of our current situation and what is likely to change. It is important to take account of environmental assets including our countryside, wildlife and heritage, as well as the quality of life and well-being of our communities.
- 2.2. Nottinghamshire is well known for its historic past, linked to tales of Robin Hood and its industrial heritage based on textiles and coal, but it also has an ambitious future with a growing population of over one million people and a diverse and expanding economy.

- 2.3. Nottinghamshire is part of the East Midlands, but also shares a boundary with South Yorkshire. Northern parts of Nottinghamshire therefore have significant employment, housing and business links with Sheffield, and the metropolitan areas of Barnsley, Rotherham and Doncaster. The more urbanised west of the County is also closely linked to neighbouring Derbyshire, with more rural eastern parts of the county having a similar character to neighbouring parts of Lincolnshire. In the south, Nottingham is a major regional centre with close physical links to the neighbouring cities of Derby and Leicester. Consequently there is a significant overlap of housing areas; business and employment between these three cities (see Plan 1 below).

Population

- 2.4. Nottinghamshire has a population of around 1,000,000 residents. Nottingham, in the south of the County, is one of the UK's eight Core Cities and a major centre for employment, retail and tourism. Around two thirds of the County's population live in, or close to, Nottingham. Most of the remainder live in, or close to, the other main towns of Mansfield, Kirkby-in-Ashfield, Sutton-in-Ashfield, Hucknall, Worksop, Newark and Retford.

Transport and Communications

- 2.5. Road and rail links to the rest of the UK are generally good, especially via the main north-south routes of the M1, A1, A46 and direct rail links to London from Retford, Newark and Nottingham. Links to the M1 have been enhanced with the widening of the A453 into Nottingham.
- 2.6. Most freight, including minerals, is currently moved by road rather than rail although there is some use of the County's network of rivers and canals for transport. The River Trent, especially, is a major waterway flowing from Nottingham to Newark and then northwards to the Humber, forming part of the County's eastern boundary.
- 2.7. Although just outside the County, both East Midlands Airport at Castle Donington and Robin Hood Airport near Doncaster provide national and international passenger and freight services.

Employment, Economy and Resources

- 2.8. This connectivity makes the County an important centre for warehousing, distribution, and other service based industries, which are replacing the more traditional industries of coal-mining, textiles and manufacturing, especially around Mansfield, Worksop and Newark.

- 2.9. Here, the legacy of former coal mining and heavy industry has left a surplus of derelict land and opportunities for enterprise and redevelopment. Nottingham and its surrounds also provide a major centre for technology, financial, knowledge and science based industries. Away from the main urban areas, agriculture and forestry are no longer major employers but still make up much of the County's rural landscape, particularly to the south and east. Minerals and energy production are important in parts of the County, especially sand and gravel extraction from the Trent and Idle Valleys and the four major power stations along the River Trent.
- 2.10. Nottinghamshire's economy generally compares well to the rest of the UK, with key urban areas expected to be the focus of significant housing and commercial development in future. However, there are also wide inequalities in the rates of employment, income, education and skills across the County, most notably in former mining areas.

Green Belt

- 2.11. In Nottinghamshire the Green Belt covers land around Greater Nottingham, Nottingham City and rural village areas. It covers more than 43,000 ha and exists to prevent towns from merging, limit urban sprawl and to safeguard the countryside (see Plan 1 below). National policy states that minerals extraction is not inappropriate in the green belt provided the openness of the green belt is preserved and where it would not conflict with the purposes of including land in the green belt.

Landscape and Countryside

- 2.12. The County's landscape is characterised by rich rolling farmlands to the south, with a central belt of mixed woodland and commercial forestry, giving way to heathland in the north and open, flat agricultural landscapes to the east. Although agriculture is a relatively small industry today, large parts of the County are made up of good quality agricultural land with the highest quality (Grade 1) being concentrated in the northern part of the County. The six country parks around Nottinghamshire provide valuable areas of open space.

Nature

- 2.13. Nottinghamshire supports a wide range of important sites for nature conservation, including a Special Area of Conservation within Sherwood Forest, near Edwinstowe, that is of international importance. A large part of central Nottinghamshire is also being considered as a possible Special Protection Area for birds which would provide protection at the international level under European regulations. The quality of Nottinghamshire's natural environment has suffered in the past from the impacts of development and there has been a significant decline in biodiversity, with losses of ancient woodland, heathland, species-rich grassland, hedgerow and wetland habitats, as well as the species that these habitats support.

Some of these historic declines are now being halted, and in some cases reversed, with neglected sites brought into positive management and new areas of habitat created as a result of the activities of partner organisations in the Nottinghamshire Biodiversity Action Group, by initiatives such as Environmental Stewardship and the English Woodland Grant Scheme, and as a result of restoration schemes. This action is being co-ordinated and quantified through the Nottinghamshire Local Biodiversity Action Plan.

Heritage

- 2.14. Nottinghamshire's heritage is very diverse. Creswell Crags on the Nottinghamshire-Derbyshire boundary has the most northerly Ice Age cave art in the world. The historic landscape of the Trent Valley is an important area for archaeological remains of prehistoric settlement. There is important evidence of Roman field patterns in the north of the County and the modern day A1 and A46 follow the line of old Roman routes. Evidence of Viking influence is apparent in many of the County's place names. Sherwood Forest boasts a unique heritage of folklore, monasticism and large country house estates (the Dukeries). The County has a fine collection of historic market towns including Worksop, Newark, Retford, Mansfield and Southwell. They are all rich in architectural and archaeological heritage. The Rivers Trent and Idle, which historically provided important cultural and trade links and the focus of many of our early settlements, are still relied on today by industry, agriculture and the County's power stations.
- 2.15. For hundreds of year's coal mining and other quarrying was very significant in the west of the County. Nottingham's industrial past was dominated by the textile industry throughout the 18th, 19th into the 20th centuries and has left a rich built heritage. The majority of Nottinghamshire's conservation areas, listed buildings, historic parks, and Scheduled Ancient Monuments are in good condition, but a proportion (around 10%) are in a vulnerable condition or situation.

Water, Soil and Air

- 2.16. Much of Nottinghamshire is underlain by important groundwater resources used for industry, agriculture and drinking water. The Rivers Trent and Idle also provide important surface water resources. Whilst water quality is good overall, there are problems with the level of nitrates in the soil in large parts of the County which can in turn affect water quality. The whole of north Nottinghamshire is therefore designated as a nitrate vulnerable zone.
- 2.17. Flood risk varies across the County and, although there are several areas at risk of localised surface flooding, the main risk comes from the River Trent, especially around Nottingham and Newark and in some of the outlying villages.

- 2.18. Air quality is generally good across the County but several Air Quality Management Areas (AQMAs) have been designated around Nottinghamshire because of known traffic and congestion problems.

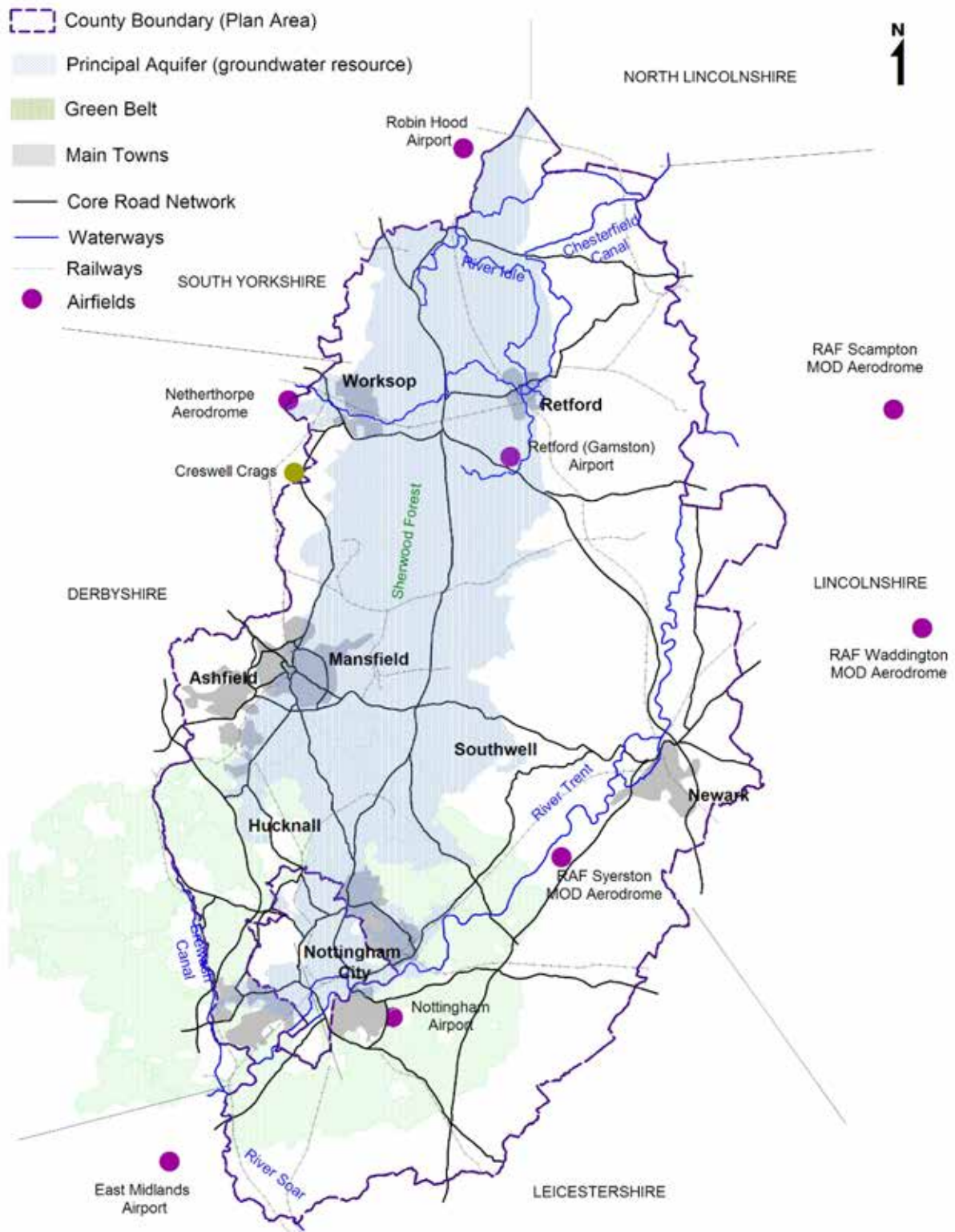
Health

- 2.19. Overall health indicators are slightly lower than both the regional and national average although life expectancy has recently grown closer to the national average. There are also wide variations in life expectancy with a twelve year gap in average life expectancy between the least and most deprived wards. In some areas low levels of income, and high levels of unemployment and stress, are seen as having a significant impact on health and wellbeing. The main urban areas of Mansfield and Ashfield are worst affected, whilst more rural, affluent areas within Rushcliffe and Gedling generally fare far better in line with national trends. Obesity, amongst both children and adults is also a concern.

Climate

- 2.20. Parts of Nottinghamshire have already experienced more frequent and heavier flooding previously and, overall, this pattern is expected to continue. In common with the rest of the UK there is also an increased likelihood of higher average temperatures, drier summers, wetter winters and more frequent and extreme storms.

Plan 1: Overview of the Plan area



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Principal Aquifer derived from Environment Agency data © Environment Agency 2010
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Nottinghamshire's mineral resource and industry

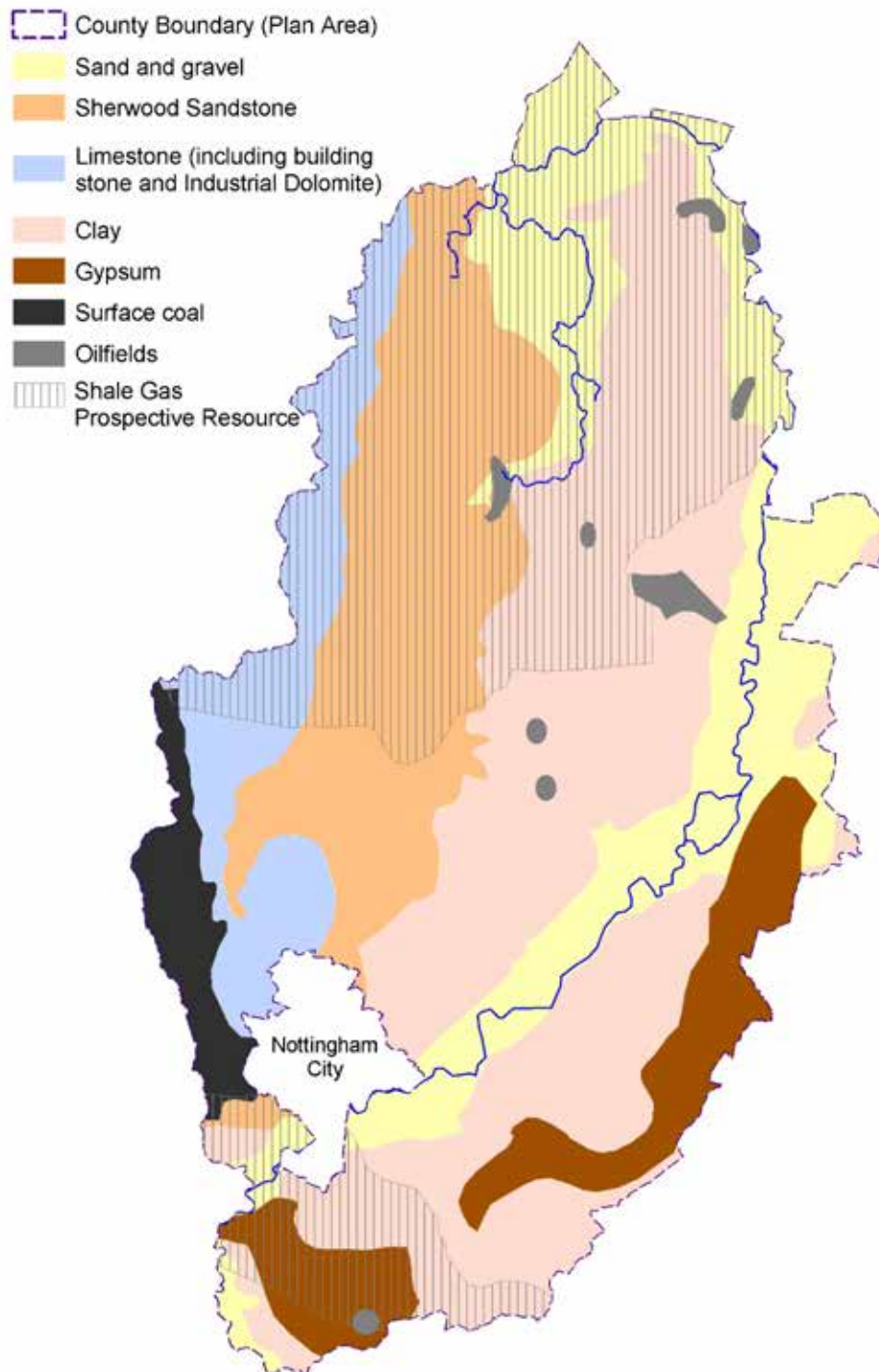
- 2.21. Nottinghamshire is rich in minerals and most widely known for its coal mining industry which has had a major impact on the social and economic development and environment of many parts of the County. The legacy of the coal industry is still very evident; the most visible reminders are the large spoil tips, many of which have been restored but some still present environmental issues. Most former colliery sites have now been redeveloped to provide new employment opportunities for communities that were hit hard with the closure of collieries.
- 2.22. Today, sand and gravel is the biggest extractive industry in the County. Most quarries work the river deposits found in the Trent and Idle valleys, although Sherwood Sandstone is also exploited. This activity has transformed large areas of the Trent and Idle Valleys into wetlands and in doing so has changed the landscape character of the area. Some former workings are now used for sports and recreation and others have become important wildlife habitats. As the County has suffered from a loss of habitats, sand and gravel restoration schemes have had a very significant role in redressing the balance.
- 2.23. Gypsum is another major minerals industry in Nottinghamshire, and has been extensively mined in the south of the County and quarried between Newark and Kilvington. The associated plasterboard and plaster works that these mineral operations support are important local employers although few are actually directly employed in the extractive process itself.
- 2.24. Other minerals worked are brick clay, silica sand, building stone, aggregate limestone, and oil. Some of these minerals also support locally important associated industries such as brick works.
- 2.25. Building stone was worked much more extensively in the past and has contributed towards the traditional character of many villages and historic buildings. Today extraction is limited to just one small quarry.
- 2.26. Nottinghamshire has potential mineral resources that have not been exploited but which could be in the future. This includes industrial dolomite found in a small area in the north west of the County and potential shale gas resources which are thought to exist in the north and the south of the County.

Wider issues

- 2.27. There is a significant movement of minerals both in and out of the County which provides opportunities to work with other Mineral Planning Authorities to manage these movements and minimise the environmental impacts of the extraction.
- 2.28. Plan 2 illustrates the geological resource of Nottinghamshire.

Plan 2: Nottinghamshire's mineral resources

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British Geological Survey, 2013. Digital Geological Map of Great Britain 1:625 000 scale (DiGMapGB-625)
Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

Vision

- 2.29. The Vision for managing minerals seeks to address the issues facing the Plan Area and take into account the views of local communities and other stakeholders as well as supporting the delivery of national planning policies. The broad aims are then developed in more detail in the Strategic Objectives, the policies, and the Implementation section.

“Over the plan period to 2036 minerals will continue to be used as efficiently as possible across Nottinghamshire. Minerals are a valuable natural resource and should be worked and used in a sustainable manner and where possible reused to minimise waste

Mineral development will be designed, located and operated to ensure that environmental harm and impacts on climate change are minimised.

Within geological constraints, mineral development will be concentrated in locations that offer the greatest level of accessibility to the major markets and growth areas and to sustainable transport nodes to encourage sustainable patterns and modes of movement.

Nottinghamshire will continue to provide minerals to meet its share of local and national needs. Sites will be available to support the economic, social and environmental benefits of sustainable growth. Mineral reserves, and minerals related infrastructure will be identified and safeguarded against inappropriate development. Consumption will be minimised, by promoting the use of secondary and recycled minerals.

Quarries will be designed, operated and managed in ways which help to reduce flood risk, particularly in the Trent Valley flood plain, manage surface water sustainably and maintain or enhance water quality.

All mineral workings will contribute towards ‘a greener Nottinghamshire’ by ensuring that the County’s diverse environmental assets are protected, maintained and enhanced through appropriate working, restoration and after-use and by ensuring that proposals have regard to Nottinghamshire’s historic environment, townscape and landscape character, biodiversity, geodiversity, agricultural land quality and public rights of way. This will result in improvements to the environment, contribute to landscape-scale biodiversity delivery, including through the improvements to existing habitats, the creation of large areas of new priority habitat, and the re-connection of ecological networks, with sensitivity to surrounding land uses.

The quality of life and health of those living, working in, or visiting Nottinghamshire will be protected.”

Strategic Objectives

- 2.30. The following objectives have been identified as central to achieving the delivery of the spatial vision for future Minerals development in Nottinghamshire:

SO1: Improving the sustainability of minerals development

Ensure more efficient exploitation and use of primary mineral resources by minimising waste, increasing levels of aggregate recycling and the use of alternatives from secondary and recycled sources. Secure a spatial pattern of mineral development that efficiently delivers resources to markets within and outside Nottinghamshire. Prioritise the improved use or extension of existing sites before considering new locations. Make use of sustainable modes of transport.

SO2: Providing an adequate supply of minerals

Assist in creating a prosperous, environmentally sustainable and economically vibrant County through an adequate supply of all minerals to assist in economic growth both locally and nationally. Provide sufficient land to enable a steady and adequate supply of minerals over the plan period. Assist in creating a sustainable and economically vibrant County through providing an adequate supply of all minerals to assist in economic growth both locally and nationally.

SO3: Addressing climate change

Minimise and mitigate the impact of mineral developments on climate change by encouraging efficient ways of working including reductions in transport and onsite machinery emissions. Reduce existing and future flood risks linked to, and aid in adaptation to, climate change through good quarry design and operation, water management, location of plant and appropriate restoration, particularly for quarries in the Trent Valley flood plain. Contribute to climate change adaptation by relinking fragmented habitats and creating new areas of habitat to allow the migration and dispersal of species.

SO4: Safeguarding of mineral resources

Protect the County's potential mineral resources of economic importance from development which would prevent or hinder their future use.

SO5: Minimising impacts on communities

Minimise the adverse impacts on Nottinghamshire's communities by protecting their quality of life and health from impacts such as traffic, visual impact, dust, water resources etc. Make sure that local people have the opportunity to be involved in decisions about new mineral developments by providing information, encouraging wider involvement and targeting key groups or individuals where appropriate. Protect and enhance rights of way and access to open space.

SO6: Protecting and enhancing natural assets

Conserve and enhance Nottinghamshire's natural environment, including its distinctive landscapes, habitats, geology, wildlife species and ecological health of water bodies by avoiding, minimising and mitigating potential negative impacts. Maximise biodiversity gain by creating new habitats at a landscape-scale through mineral restoration schemes which take in to account the Council's priority for biodiversity-led restoration, focusing on priorities set out in the Nottinghamshire

Local Biodiversity Action Plan, in particular meeting reed bed and floodplain grazing marsh targets through sand and gravel restoration schemes, and heathland targets through sandstone restoration schemes, and achieving the targets set out in the Water Framework Directive objectives. Support minerals development that will provide long term enhancements to landscape character and which avoids damaging the highest quality landscapes. Appropriate restoration will result in a net gain for biodiversity through the creation of new ecologically valuable habitats, and will contribute to the delivery of biodiversity at a landscape-scale and the enhancement of ecological networks.

SO7: Protecting and enhancing historic assets

Protect and where appropriate enhance Nottinghamshire's distinct historic environment. Ensure heritage assets (archaeological, historic buildings, settlements, landscapes, parks and gardens) and their settings are adequately protected and where appropriate enhanced. Recognise the important role of locally sourced building stone in the repair of heritage assets and in maintaining local distinctiveness.

SO8: Protecting agricultural soils

Support minerals developments that will safeguard the long-term potential of best and most versatile agricultural soils.

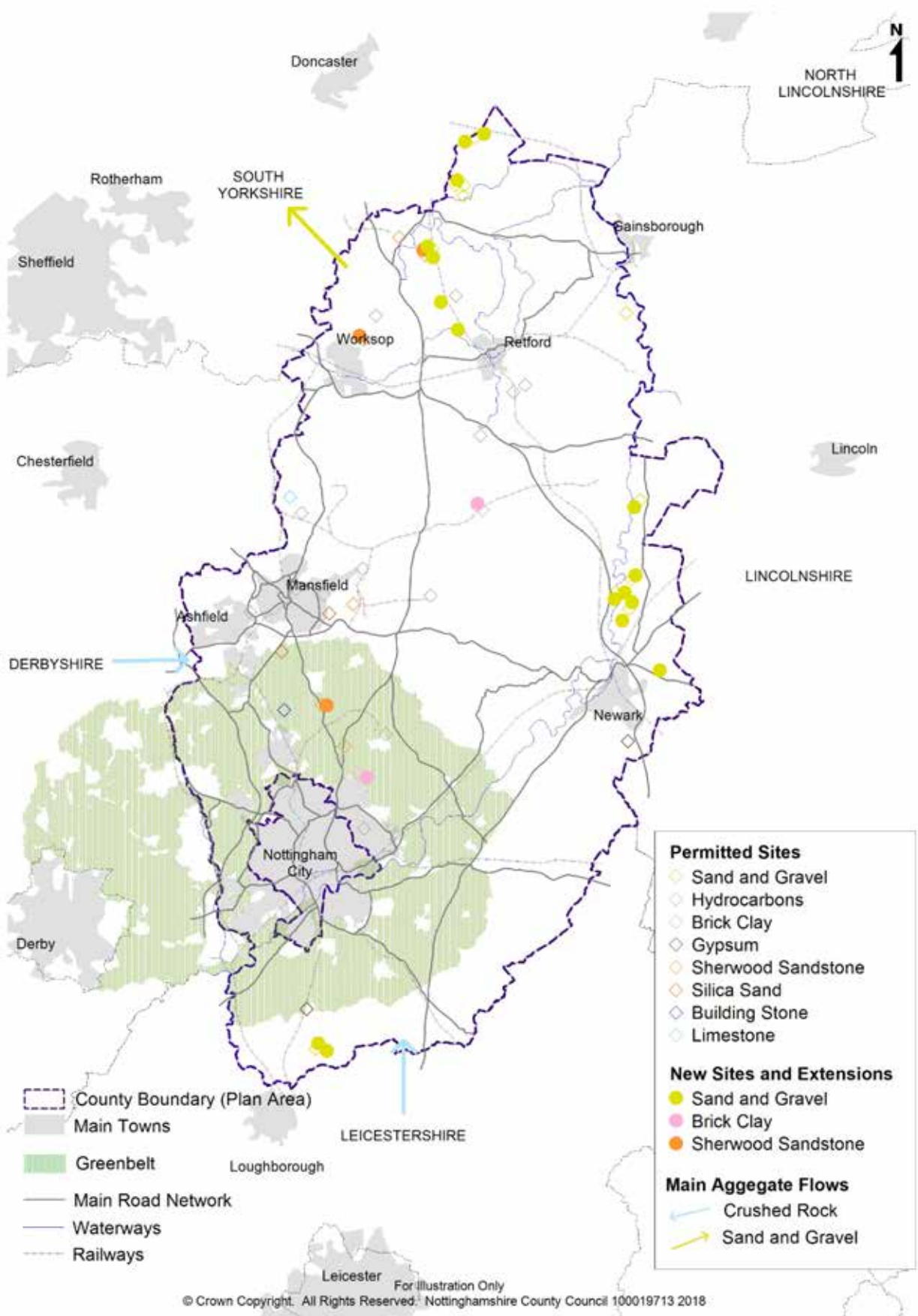
Key Diagram

- 2.31. The components of the spatial strategy are illustrated on the Key Diagram below (Plan 3). It shows the main supply sources for aggregates and the principal constraints.
- 2.32. The Key Diagram is intended to be a diagrammatic interpretation of the Spatial Strategy set out in this document and is not intended to portray any specific site activity or proposal with spatial accuracy.
- 2.33. The remaining sections of the Plan develop the Spatial Strategy's principles and objectives. Specific details relating to the policies are shown on the Policies Map.

Question 1

What do you think to the draft vision and strategic objectives set out in the plan?

Plan 3: Key Diagram



3. Strategic Policies

- 3.1. The strategic policies aim to deliver the vision and strategic objectives for future minerals development in Nottinghamshire and have been prepared to support and encourage sustainable development. They provide the strategic framework to ensure that the right amount of minerals development takes place in appropriate locations, and at the right time, whilst ensuring that amenity as well as the built, natural and historic environment is protected.

What you told us at the Issues and Options stage...

- There was broad agreement with the strategic issues outlined in the issues and Options document.
- Respondents were generally pleased to see restoration and safeguarding of minerals identified as a key strategic issue and that restoration proposals should be addressed at an early stage.
- It is felt that protection of Nottinghamshire's high quality agricultural land should be included
- It was suggested that the strategic issues should be broadened to minimise all adverse impacts of development, including on environmental and heritage features such as biodiversity, landscape, archaeology and communities.
- The importance of minimising the adverse impacts on Nottinghamshire's communities has been highlighted, by protecting resident's quality of life and health impacts from impacts such as traffic, visual impacts, noise and dust.
- Respondents felt that the supply and demand of aggregates must be carefully and transparently assessed,
- Respondents felt that minimising impacts on communities should be a matter of priority.
- Generally, respondents feel that the environment, wildlife and ecosystems should have greater weight in this section
- Hydrocarbon development should be highlighted as a strategic issue.
- Although minimising impacts on communities is raised, no mention is made of flood risk and its potential effects on quality of life.
- The Minerals Safeguarding and Minerals Consultation areas provide a good overall position, however they need to be high on the agenda to ensure District and Borough Councils take account of them in their local plans.

SP1: Sustainable development

Introduction

- 3.2. National Planning Policy Framework (NPPF) paragraph 14 states, that *“at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”*.
- 3.3. Paragraph 15 further continues that *“all plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally”*.

Policy SP1 – Sustainable Development

1. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be permitted wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
2. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in other plans which form part of the development plan) will be approved unless material considerations indicate otherwise.
3. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision the Council will grant planning permission unless material considerations indicate otherwise – taking into account whether:
 - a) Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against policies in the National Planning Policy Framework taken as whole; or
 - b) Specific policies in that Framework indicate that development should be restricted.

Justification

- 3.4. The NPPF sets out the planning policies for England and how these are expected to be applied. It confirms that the purpose of the planning system is to contribute to the achievement of sustainable development along the three dimensions of economic, social, and environmental sustainability. The Framework makes it clear that these roles are mutually dependent and that Local Plans are the key to delivering sustainable development. Local Planning Authorities, when plan-

making, are advised to positively seek opportunities to meet objectively assessed development needs, with sufficient flexibility to adapt to rapid change.

- 3.5. The NPPF indicates that proposed development in accordance with an up-to-date Local Plan should be approved without delay, and proposed development that conflicts with the Local Plan should be refused unless other material considerations indicate otherwise. Policy SP1 above is consistent with the NPPF requirements on decision-taking.
- 3.6. It is a national planning objective that planning, including planning for mineral development supports the transition to a low-carbon economy, taking into account flood risk, water supply and changes to biodiversity and the landscape. All new mineral development proposals will be expected to be planned from the outset to avoid increased vulnerability to the range of impacts resulting from climate change, care will need to be taken to ensure any potential risks can be managed through suitable adaptation measures.

This policy helps meet the following objectives:

SO1: Improving the sustainability of minerals development

Question 2

What do you think of the draft strategic policy for sustainable development?

SP2: Minerals Provision

Introduction

- 3.7. Minerals are essential to support economic growth and quality of life by providing the raw materials to create new infrastructure, buildings and goods as well as providing energy and a source of local jobs. Nottinghamshire is rich in minerals and supplies a wide range of markets both regionally and nationally. In line with national policy, it is important to identify suitable reserves to provide a steady and adequate supply of minerals to meet future needs.
- 3.8. Minerals are a finite natural resource and can only be worked where they are found. It is therefore essential that the best use of available resources is made in order to secure their long-term conservation. Within Nottinghamshire the priority is therefore to extend existing sites, in preference to developing new sites, and to encourage the use of secondary and recycled aggregates far as possible (see Policy MP5) and safeguard important resources from sterilisation (see Policy DM13).

3.9.

Policy SP2 – Minerals Provision

1. The strategy for the supply of minerals in Nottinghamshire is as follows:
 - a) Identify suitable land for mineral extraction to maintain a steady and adequate supply of minerals during the plan period;
 - b) Give priority to the extension of existing sites, where economically, socially and environmentally acceptable;
 - c) Allow for development on non-allocated sites where a need can be demonstrated; and
 - d) Ensure the provision of minerals in the plan remains in-line with wider economic trends through regular monitoring.
2. All proposals for mineral development must demonstrate that they have prioritised the avoidance of adverse social, economic and environmental impacts of the proposed development. Where planning permission is granted, appropriate mitigation and compensation measures will be required.

Justification

- 3.10. To ensure that adequate and steady supplies can be maintained the National Planning Policy Framework sets out specific requirements for the different types of minerals according to their end use and the need to maintain a landbank of permitted reserves for certain minerals. Where the existing level of reserves is not sufficient for the plan period, the Minerals Local Plan must identify suitable land to meet the expected shortfall. As part of preparing this plan, the Council has carried out a detailed assessment of its remaining permitted mineral reserves and

identified where additional reserves should be provided. Therefore, alongside the strategic position set out in policy SP2 above, policies MP1 – MP12 make specific provision for each of the minerals which are likely to be worked in Nottinghamshire during the plan period.

- 3.11. Extending existing sites, where feasible, is considered to be more sustainable than developing new sites. This can be more efficient as the existing site access and processing plant can be used to recover mineral that may not otherwise be worked and the environmental impacts are generally less than those associated with opening up a new site. However it is important that the potential cumulative impacts of continuing minerals development are considered in all cases. All new proposals, whether allocated or otherwise, will need to be assessed in terms of their impact on local communities and the environment including matters such as landscape, heritage, biodiversity and climate, and what contribution they would make to achieving local and national biodiversity targets. These issues are set out in more detail within the detailed development management policies DM1-17 which provide appropriate safeguards for the location, operation, restoration and after-use of future minerals sites.

This policy helps meet the following objectives:

SO2: Providing an adequate supply of minerals

Question 3

What do you think to the draft strategic policy for minerals provision?

SP3: Biodiversity-Led Restoration

Introduction

- 3.12. Nottinghamshire County Council promotes a restoration led approach when considering proposed mineral workings. It is seen as vital that the restoration and future use of the land is addressed at the outset not just at the pre-application discussion stage of preparing planning applications.
- 3.13. The County Council aims to ensure mineral sites are reclaimed in a way that seeks to maintain and significantly enhance the County's diverse environment and biodiversity, in line with Local Plan Strategic Objective 6.
- 3.14. Restoration has to be seen as an integral part of the management of the whole extraction process and phasing. This includes biodiversity, landscape, and recreational opportunities. This does not mean placing an added onus or burden upon the minerals industry, rather it ensures that the right restoration solutions are formulated and opportunities are realised.

Policy SP3 – Biodiversity-Led Restoration

1. Restoration schemes that seek to maximise biodiversity gains in accordance with the targets and opportunities identified within the Nottinghamshire Local Biodiversity Action Plan and Biodiversity Opportunity Mapping Project will be supported.
2. Where appropriate, schemes will be expected to demonstrate how restoration will contribute to the delivery of Water Framework Directive objectives.
3. Restoration schemes for allocated sites should be in line with the relevant Site Allocation Development Briefs contained within Appendix 3.

Justification

- 3.15. The Government's Natural Environment White Paper (2011) places the value of nature at the centre of the choices that are made ensuring that the environment is enhanced and economic growth and personal wellbeing is taken into account. Once minerals extraction sites have fulfilled their primary purpose of providing mineral, the restoration of such sites can have a major environmental benefit. There is considerable potential to create large new areas of habitat and to improve the links between existing fragmented areas of habitat.
- 3.16. The restoration of mineral sites therefore has an important role to play in meeting targets for the creation of new habitat, both nationally and locally. Nationally the RSPB estimates that minerals restoration schemes could meet, or in some cases,

exceed the targets for a number of Habitats of Principal Importance for Conservation in England. These supersede what were previously known as UK Biodiversity Action Plan (UKBAP) priority habitats.

- 3.17. The restoration of mineral voids offers a significant opportunity for the establishment or re-establishment of priority habitats, particularly through providing re-created linkages between fragmented blocks of specific habitat types and with river floodplains, where appropriate, thereby strengthening and enhancing ecological networks.
- 3.18. Whilst new habitat has been delivered in Nottinghamshire through minerals restoration schemes in the past, a more systematic approach offers far greater opportunities. With careful planning at an early stage, the level of high-quality habitat delivered by mineral extraction can be increased, creating valuable places for both wildlife and people and contributing to the delivery of landscape-scale conservation, supporting initiatives such as the RSPB's Futurescapes and the Wildlife Trusts' Living Landscapes.
- 3.19. This landscape-scale approach seeks to look beyond small protected sites to deliver nature conservation on a larger scale across the countryside. The Trent and Idle Valleys are considered to be a key area for such a landscape-scale approach with opportunities for cross-boundary action between Minerals Planning Authorities to enable a coordinated, strategic approach to maximise the restoration potential of individual sites.
- 3.20. By creating new habitats, and contributing to landscape-scale nature conservation, considerable progress can be made towards creating a countryside that is more permeable to wildlife by establishing linkages, stepping stones and corridors of habitat and more coherent ecological networks which are more resilient to future pressures such as climate change and which allow the movement and dispersal of wildlife species.
- 3.21. National targets for the creation of priority habitats are set out in the Government's 'Biodiversity 2020' strategy and these are broken down by the different National Character Areas (NCAs) identified by Natural England. Within Nottinghamshire there are eight NCAs including the Sherwood NCA and the Trent and Belvoir Vales NCA. At the local level, the County Council is a signatory to the Nottinghamshire Local Biodiversity Action Plan (LBAP) that aims to aid the recovery of threatened priority habitats and species.
- 3.22. Minerals extraction, particularly sand and gravel extraction in the Trent Valley, but also the extraction of resources in other parts of the County, can contribute significantly towards meeting these targets and add to the success of existing

wetland restoration schemes. Restoration schemes should be carefully considered so that they can deliver as much LBAP priority habitat as possible and that such habitats are appropriate to the relevant National Character Area. Applicants are therefore encouraged to engage in early discussions with the County Council and other appropriate bodies in relation to restoration proposals.

- 3.23. Priority habitats that should be created or restored/enhanced in the Trent and Idle Valleys are:
- Floodplain Grazing Marsh;
 - Reedbed;
 - Marsh and Swamp;
 - Lowland Fen;
 - Wet Woodland;
 - Other habitats such as Lowland Neutral Grassland and Mixed Ash-dominated Woodland may also be appropriate in some cases, and there are also potential opportunities for Lowland Dry Acid Grassland and Oak-birch Woodland in some eastern areas of the Trent Valley.
- 3.24. Priority habitats that should be created or restored/enhanced in the Sherwood Sandstone area are:
- Lowland Heathland;
 - Lowland Dry Acid Grassland;
 - Oak-birch Woodland;
 - Other habitats such as Marsh and Swamp may also be appropriate in some cases.
- 3.25. Priority habitats that should be created or restored/enhanced in the Magnesian Limestone area are:
- Lowland Calcareous Grassland;
 - Mixed Ash-dominated Woodland;
 - Other habitats such as Marsh and Swamp may also be appropriate in some cases.
- 3.26. LBAP priority habitats in areas where the extraction of clay, gypsum and coal takes place should reflect those habitats occurring in the vicinity and will differ depending on locality. More generally, other habitats, including Ponds and Hedgerows, can be incorporated into most restorations independent of location. It is also expected that Eutrophic Standing Waters will be created as a result of quarrying, although this habitat should be minimised as far as possible in favour of the other habitat types listed above.
- 3.27. As a principle, restorations should also seek to restore more extensive areas of a small number of habitats at any one site, rather than try to create smaller areas of many different habitats, so that the value of restored areas is maximised and

future management is made easier. Habitats should be re-created that are appropriate to that Natural Character Area and optimal use should be made of the edaphic conditions on the site to create priority habitats. Within larger habitat types, there is also the potential for important micro-habitats.

- 3.28. It is recognised that in some cases, restoration for leisure uses or for agriculture may be appropriate. Nevertheless, such restorations can still be 'biodiversity-led', for example by ensuring that agricultural restorations reinstate native hedgerows with wide field margins, and create new areas of species-rich grassland, copses and ponds.

Water Framework Directive

- 3.29. The Humber River Basin Management Plan has been prepared by the Environment Agency under the Water Framework Directive which requires all countries throughout the European Union to manage the water environment to consistent standards. The Humber River Basin District is one of the most diverse regions in England, ranging from the upland areas of the Peak District, South Pennines and the North York Moors, across the Derbyshire and Yorkshire Dales and the fertile river valleys of the Trent and Ouse, to the free-draining chalk of the Wolds. Water supports these landscapes and their wildlife and pressures that the water environment faces need to be considered.
- 3.30. Minerals development can contribute towards meeting Water Framework Directive objectives, including by facilitating improvements to water quality, riverine habitats, floodplain reconnection and improving the status of fish populations, and restoration schemes will be expected to contribute towards these objectives, where appropriate.

This policy helps meet the following objectives:

SO6: Protecting and enhancing natural assets

Question 4

What do you think of the draft strategic policy for biodiversity led restoration?

SP4: Climate Change

Introduction

- 3.31. The Government is committed to tackling the causes of climate change and planning can play a key role in securing reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change. This is central to the economic, social and environmental dimensions of sustainable development. Nottinghamshire County Council is committed to reducing the impact from development on climate change.
- 3.32. All new development, including minerals extraction, should therefore seek to reduce greenhouse gas emissions and avoid increased vulnerability to the impacts of climate change, including flooding, where practicable.

Policy SP4 – Climate Change

1. All minerals development, including site preparation, operational practices and restoration proposals should minimise their impact on the causes of climate change for the lifetime of the development. Where applicable development should assist in the reduction of vulnerability and provide resilience to the impacts of climate change by:
 - a) Being located, designed and operated to help reduce greenhouse gas emissions, withstand unavoidable climate impacts and move towards a low-carbon economy;
 - b) Avoiding areas of vulnerability to climate change and flood risk. Where avoidance is not possible, impacts should be fully mitigated;
 - c) Developing restoration schemes which will contribute to addressing future climate change adaptation, including through biodiversity and habitat creation, carbon storage and flood alleviation.

Justification

- 3.33. The Nottinghamshire Sustainable Community Strategy (SCS) is committed to taking a sustainable approach to planning development that responds to the challenges of climate change and takes wider environmental considerations into account when making decisions about the location, nature and size of new development.
- 3.34. The nature and scale of new minerals development will influence the extent to which climate change resilience measures will be most effective and appropriate. Mineral development can provide a number of opportunities to mitigate and adapt to the impacts of future climate change.

3.35. This could include:

- Restoration of mineral sites and restoration schemes that include measures such as flood water storage, the creation of biodiversity habitats, living carbon sinks, and wider ecosystem services
- The use of on-site renewable energy installations
- The use of energy efficient plant
- The use of sustainable modes of transport, low emission vehicles, travel plans
- Sustainable Drainage Systems (SuDS), water efficiency and adaptive responses to the impacts of excess heat and drought

3.36. Other measures may include the sustainable use of resources through the use of recycled and secondary aggregates in the construction industry.

3.37. This policy does not presume against the future extraction of energy minerals. Indigenous mineral extraction has potential benefits in environmental and climate change terms.

This policy helps meet the following objectives:

SO3: Addressing climate change

Question 5

What do you think of the draft strategic policy for climate change?

SP5: Sustainable Transport

Introduction

- 3.38. Most minerals extracted in Nottinghamshire are currently transported by road, as this often the cheapest and most flexible way of serving a diverse range of markets. Historically some sand and gravel has been transported by barge and there may be potential for some minerals to be moved by water or rail in future.
- 3.39. Minerals development therefore has the potential to generate large volumes of HGV traffic which can have adverse impacts on local communities in terms of noise, air pollution, vibration and dust. Increased levels of traffic can also cause potential safety issues for other road users and increase the level of greenhouse gas emissions impacting on the climate.
- 3.40. When dealing with proposals for future mineral extraction consideration needs to be given to the distances over which minerals need to be transported, how they are to be transported, and assess the likely impacts on the natural and built environment, climate, local amenity and quality of life. In order to minimise any possible transport related impacts, alternative, more sustainable forms of transport will be encouraged.

Policy SP5 – Sustainable Transport

1. All mineral proposals should seek to maximise the use of sustainable forms of transport, including barge and rail.
2. Where it can be demonstrated that there is no viable alternative to road transport, all new mineral working and mineral related development should be located as follows:
 - a) within close proximity to existing or proposed markets to minimise transport movement; and
 - b) within close proximity to the County's main highway network and existing transport routes in order to avoid residential areas, minor roads, and minimise the impact of road transportation.
3. Proposals requiring the bulk transport of minerals, minerals waste/fill or materials/substances used for the extraction of minerals by road will be required to demonstrate that more sustainable forms of transport are not viable.

Justification

- 3.41. Minerals in Nottinghamshire are predominantly transported by road, generating significant HGV movements which can impact on local amenity, environmental quality and climate issues. The National Planning Policy Framework highlights the importance of reducing both greenhouse gases and congestion. Consequently, developments which generate significant movement should be located so as to minimise the need for travel and maximise the use of sustainable means of transport.
- 3.42. Wherever possible therefore, minerals sites should be located close to their end market in order to minimise overall transport distances. However, this will not always be feasible where the site is needed to supply a regional or national market and so the promotion of alternative, more sustainable forms of transport such as barge or rail transport is important.
- 3.43. Sand and gravel is a relatively low cost mineral and is not generally cost effective to transport over long distances. However, it can be transported economically over long distances by water. Barge transport has historically been used to transport sand and gravel along the River Trent to Yorkshire and Humberside from Besthorpe quarry north of Newark. Studies have shown there is potential to increase water-borne freight on parts of the river. However, restrictions on barge sizes upstream of Cromwell Lock may restrict the viability of barging minerals downstream to Nottingham.
- 3.44. Rail transport of minerals is possible, but expensive, and therefore only likely to be viable over very long distances. Its potential use will also depend upon whether there is sufficient infrastructure and capacity on the rail network. Pipelines and conveyors can be used to move minerals on-site from the extraction area to the processing plant reducing the need to use heavy machinery minimising noise and dust. In certain cases it may be possible to use conveyors or pipelines to import fill materials such as power station ash on to quarries as part of the restoration although this is only possible if the source of the material is close by.
- 3.45. Where road transport is necessary, sites should be located close to the main highway network in order to minimise potential impacts on local communities and Nottinghamshire's environment. In line with national policy, proposals should be accompanied by a Transport Assessment or Transport Statement to set out the transport issues associated with the proposed development and what measures will be needed to manage those issues. This may include improvements to the existing transport infrastructure to improve junction visibility or vehicle capacity, or the use of routing agreements to control traffic movement and direct vehicles

away from sensitive areas such as residential areas or important habitats. This can be achieved by the use of planning conditions or legal (S106) agreements where appropriate (see Policy DM11). Policy DM9 considers highway safety and vehicle movements/routeing in more detail.

This policy helps meet the following objectives:

SO1: Improving the sustainability of minerals development

SO3: Addressing climate change

SO5: Minimising impacts on communities

Question 6

What do you think of the draft strategic policy for sustainable transport?

SP6: The Built, Historic and Natural Environment

Introduction

- 3.46. Mineral extraction by its very nature can have a detrimental impact on the natural and built environment, albeit temporary in nature. Nevertheless, mineral extraction can also bring about many environmental benefits. The restoration of worked out quarries can significantly increase biodiversity, provide increased access and recreational opportunities or return the land to agriculture.

Policy SP6 – The Built, Historic and Natural Environment

All mineral development proposals will be required to deliver a high standard of environmental protection and enhancement to ensure that there are no unacceptable adverse impacts on the built, historic and natural environment unless it can be demonstrated that there is an overriding need for a development and any impacts can be adequately mitigated and/or compensated for. The consideration of adverse impacts will include effects upon:

- International, national, regional and local nature conservation sites and priority habitats and species as identified in the Nottinghamshire Local Biodiversity Action Plan;
- Sites of geological interest;
- Heritage assets (designated and non-designated) and their setting, and other cultural assets;
- Landscape and townscape character;
- Best and most versatile agricultural land and soil;
- Flood risk;
- Infrastructure;
- Highways;
- Community amenity; and
- Water quality (including groundwater) and water provision and air quality.

Justification

Nature conservation

- 3.47. The County contains important habitats and species and it is essential these areas are maintained for future generations. The most important areas are protected by international, national or local designations. At present the County has 1 Special Area of Conservation (SAC), 1 National Nature Reserve (NNR), 67 Sites of Special Scientific Interest (SSSI), 64 Local Nature Reserves (LNR), over 1400 Local Wildlife Sites (LWS) (formally known as Sites of Importance for Nature

Conservation (SINCs) and around 130 Local Geological Sites (formally known as Regionally Important Geological Sites (RIGs).

- 3.48. Outside these designated sites, areas of habitat and populations of species of national conservation importance also exist; Habitats of Principal Importance for Conservation in England ('Habitats of Principal Importance') are those identified through Section 41 of the Natural Environment and Rural Communities Act (2006); similarly, this legislation also identifies Species of Principal Importance for Conservation in England ('Species of Principal Importance'). A number of additional species and habitats are also identified as local conservation priorities through their inclusion in the Nottinghamshire Local Biodiversity Action Plan (LBAP).
- 3.49. It is therefore important to ensure that new minerals development is correctly managed and that no adverse impacts occur to designated sites, or priority habitats and species, as far as possible. Policy SP3 promotes a biodiversity-led restoration approach which seeks to maximise the biodiversity gains resulting from the restoration of mineral sites.

Geology

- 3.50. As well as those sites designated specifically for their nature conservation interest, the County also has 130 Regionally Important Geological/ Geomorphological sites (RIGs). Some of these sites have come about as a result of mineral working and it is important that future minerals development conserves and, where possible, enhances such sites.

Heritage and cultural assets

- 3.51. Nottinghamshire is not only rich in minerals, but also has an extensive historic environment. Mineral extraction by its very nature can destroy archaeological sites and features, however, where sites are properly investigated and recorded it can provide major opportunities to understand the County's rich archaeological heritage and what they say about the past.
- 3.52. There are currently over 18,000 archaeological sites and historic features in Nottinghamshire registered on the Historic Environment Record, including:

National designations:

- 3,700 listed buildings
- Over 150 scheduled monuments
- 19 Registered Parks and Gardens
- 1 Battlefield

Local designations:

- 174 Conservation Areas
- Creswell Crags (which straddles the boundary between Nottinghamshire and Derbyshire) is also reorganised for its international importance as this is currently on the UNESCO tentative list for Inscription as a World Heritage Site

- 3.53. Mineral extraction may affect the setting of heritage assets, be they buried remains, buildings, landscapes or places and extraction can cause change in the character of the landscape.
- 3.54. A recent research project looking at aggregate resources in Nottinghamshire and the archaeological remains they contain revealed that discoveries within mineral workings have yielded a wealth of new information about the Iron Age and Roman periods in the Trent and Idle Valleys. The report also highlights the fact that other areas outside the Trent and Idle Valleys are currently poorly understood in archaeological terms due to the lack of archaeological investigation.
- 3.55. The Strategic Stone study for Nottinghamshire (2013) undertaken by the British Geological Survey (BGS) highlighted the wide variety of local stones that have been quarried in the past. These stones are a key component of the County's local distinctiveness and maybe required in the future for historic building repair or to allow sympathetic new development in historic areas.
- 3.56. National policy states that the significance of the most important heritage assets and their settings should be protected, and that balancing the need for development against potential harm to heritage assets needs to be proportionate.

Landscape

- 3.57. The landscape character of Nottinghamshire is complex and has been created from the interaction of natural and man-made influences, such as geology, soil, climate and land use. All landscapes hold value, with some having the potential to be improved and restored. Many mineral developments have the potential to change the landscape, but their restoration can also help to improve landscapes, especially those which may be of a lower quality.
- 3.58. In order to manage future landscape alterations Nottinghamshire County Council has completed a Landscape Character Assessment (LCA) which divides the County into eleven Landscape Character Areas, of which the Trent Washlands is particularly under pressure from minerals development. Each Landscape Character Area has a unique combination of elements and features making them distinct. The LCA can be used to provide special protection to a specific feature,

identify suitable mitigation measures when loss is unavoidable and is valuable in the design of restoration schemes.

Agricultural land and soil

- 3.59. Much of the County's land is in agricultural use. It is a vital natural and economic resource that needs to be protected from unsuitable development.
- 3.60. Minerals development often involves large areas of land and is limited to areas where the mineral naturally occurs and agricultural land quality is often heavily influenced by the underlying geology. This means that a balance has to be made between the need for the mineral and the protection of the agricultural land. Land quality varies from place to place. The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The ALC system classifies land into five grades, with Grade 3 subdivided into Subgrades 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a. The majority of sand and gravel extraction in the Trent and Idle Valleys will result in the substantial permanent loss of agricultural land to wetland which along, with other development pressures, is causing a continuous erosion of the County's finite agricultural resources. However, appropriate management and restoration of mineral workings can secure the safeguarding of best and most versatile soils.

Flooding

- 3.61. Flooding from rivers is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial damage to property and infrastructure. Although flooding cannot be wholly prevented, its impacts can be greatly reduced through good planning and management. Such planning will have to take account of the impacts of potentially more extreme flood events.
- 3.62. National policy requires all local plans to take flood risk into account and where possible to direct development to areas of lower risk. For some minerals, especially alluvial sand and gravel, this may not always be possible and development in the floodplain will be unavoidable, as has occurred on a large scale in the Trent and Idle Valleys. Priority should be given to those options that pose the least risk and/or provide opportunities to improve flood defences and flood storage capacity.
- 3.63. In order to appraise these risks the County Council has undertaken a Strategic Flood Risk Assessment (SFRA). The aim of the SFRA is to map all forms of flood risk and use this as an evidence base to locate new development wherever possible in low flood risk areas.

- 3.64. Major flood risks exist along the Trent Valley and its tributaries and these risks may be increased by climate change.
- 3.65. Future mineral extraction within high risk areas is unlikely to be avoidable but mineral restoration schemes can in some cases provide opportunities to reduce flood risks.

Infrastructure

- 3.66. Nottinghamshire has an extensive physical network of transport, communications, water, energy, and waste infrastructure. Mineral working provides the raw materials to maintain much of this essential infrastructure but it is important that the process of mineral extraction does not compromise the operation of existing or planned future infrastructure. When considering development proposals, consultation with the utility companies, rail operators and other network providers will be required to identify potential risks and to ensure appropriate safeguards and/or mitigation measures. This is likely to include the need for appropriate stand-offs from overhead or underground transmission cables, buried or surface pipelines and rail infrastructure.

Highways

- 3.67. The majority of minerals are transported by road due to the relatively short distances to local or regional markets. Minerals proposals therefore need to take into account the likely impacts upon both the local highway network and nearby communities arising from increased levels of traffic. Potential impacts could include congestion, road safety, noise, dust, and vehicle emissions. National policy requires all development that is likely to generate significant amounts of movement to be accompanied by a Transport Assessment or Transport Statement which should include details of how potential impacts will be minimised. However development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe. Further details in relation to potential impacts on highway safety and vehicle movements are set out in Policy DM9.

Community amenity

- 3.68. Minerals extraction by its very nature can have significant effects on the existing environment and the amenity of those living nearby and visiting Nottinghamshire. It is therefore important that proposals for new minerals development take into account the potential issues to ensure that where possible they are avoided in the first instance. Potential impacts include noise, dust, increased levels of traffic and loss of landscape. Further details in relation to potential impacts on amenity are set out in Policy DM1.
- 3.69. National guidance seeks to ensure that the environmental effects of minerals extraction such as noise and dust should be controlled, mitigated or removed at

source. This includes information on the proximity of minerals workings to communities, dust emissions and noise standards limits.

Water

- 3.70. Minerals development by its very nature will at some point affect surface and or ground water resources. This could be as a result of pumping water from areas where mineral is worked below the water table or where mineral is extracted in the flood plain. These activities could have impacts on a much wider area than just the boundary of the proposal. It is therefore important that these impacts are avoided and reduced through good design and site management.
- 3.71. Under the Water Framework Directive, the environmental objectives for groundwater and surface water bodies are:-
- To prevent deterioration in the status of water bodies, improve their ecological and chemical status and prevent further pollution.
 - Aim to achieve good quantitative and good groundwater chemical status by 2015 in all water bodies. For a groundwater water body to be in overall 'good' status, both its quantitative and chemical status must be 'good'- Implement actions to reverse any significant and sustained upward trends in pollutant concentrations in groundwater
 - Comply with the objectives and standards for protected areas where relevant
 - Hazardous substances must be prevented from entry into groundwater and the entry into groundwater of all other pollutants must be limited to prevent pollution. Water supply and the disposal of sewage and foul water from any site should be discussed with the relevant water company and the Environment Agency to ensure no deterioration of surface water or groundwater quality.
- 3.72. This approach is important for Nottinghamshire as the County is situated on Principal and Secondary Aquifers. These are layers of rock or drift deposits that provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. Secondary aquifers are permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers.

Environmental Impact Assessment

- 3.73. Environmental Impact Assessment (EIA) regulations require an assessment of the likely significant environmental effects of some minerals development. EIA is undertaken by developers as a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects of certain types of minerals proposals.
- 3.74. Where there is a possibility that a proposed mineral development will require an EIA, developers are advised to consult the County Council well in advance of a

planning application, and formally request an opinion on whether an EIA is required and, if so, the scope of such an assessment.

This policy helps meet the following objectives:

SO6: Protecting and enhancing natural assets

SO7: Protecting and enhancing historic assets

Question 7

What do you think of the draft strategic policy for the built, historic and natural environment?

SP7: The Nottinghamshire Green Belt

Introduction

- 3.75. The Nottingham -Derby Green Belt covers the southern part of the County and comprises of an area of more than 43,000 ha and covers land around Greater Nottingham, Nottingham City and rural village areas. The Green Belt was principally designated to prevent coalescence between Nottingham and Derby.

Policy SP7 – The Nottinghamshire Green Belt

Within the Green Belt, minerals developments will be supported:

- Provided that the openness of the Green Belt is preserved; or
- Where very special circumstances can be demonstrated; and
- Where the highest standards of development, operation and restoration will be undertaken to enhance the beneficial use of the Green Belt.

Justification

- 3.76. Minerals can only be worked where they are found, and in the south of the county sand and gravel is predominately found in the River Trent valley. This area of the county is also largely covered by the Nottinghamshire green belt.
- 3.77. National policy states that minerals extraction is not inappropriate provided the openness of the green belt is preserved and where it would not conflict with the purposes of including land in the green belt. The purposes of the Green Belt as defined in national policy include:
- to check the unrestricted sprawl of large built up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- 3.78. In many cases it is likely that suitably designed, landscaped and restored minerals workings can be accommodated in the greenbelt. Where proposals for extraction in the greenbelt are made, applicants should ensure that careful consideration has been given to the potential impact of the development on the openness of the Green Belt and the purposes of the relevant Green Belt designation. This is both the operational phase and could include the location, scale and impact from any associated plant and infrastructure and as part of the restoration scheme to ensure that the site is returned to a use compatible with Green Belt objectives.

This policy helps meet the following objectives:

SO6: Protecting and enhancing natural assets

Question 8

What do you think of the draft strategic policy for the Nottinghamshire Green Belt?

SP8: Minerals Safeguarding, Consultation areas and Associated Minerals Infrastructure

Issues and Options Sustainability Appraisal findings:

- Two options were appraised when considering what approach the plan should take towards the safeguarding of minerals.
- In summary Option A: 'Safeguard all mineral resources' and option B: 'Safeguard economically important mineral resources' were considered to be equal in terms of their sustainability

Introduction

- 3.79. Minerals can only be worked where they are found. In the plan area, potential mineral working areas may be limited by landscape and environmental designations or existing settlements; there may also be competition from non-minerals development. The National Planning Policy Framework requires that known locations of specific minerals be safeguarded from needless sterilisation by non-minerals development (such as built development) and that where it is necessary for non-minerals development to take place, there should be prior extraction of the mineral where practicable and environmentally feasible.

Policy SP8: Minerals Safeguarding, Consultation Areas and Associated Minerals Infrastructure

Safeguarding Areas

1. Economically important mineral resources and associated minerals infrastructure will be safeguarded from needless sterilisation by non-mineral development through the designation of minerals safeguarding areas as identified on the Policies Map.
2. Development within minerals safeguarding areas will have to demonstrate that mineral resources of economic importance will not be needlessly sterilised as a result of the development and that the development would not pose a serious hindrance to future extraction in the vicinity.
3. Where this cannot be demonstrated, and where there is a clear and demonstrable need for the non-minerals development, prior extraction will be sought where practicable.

Consultation Areas

4. District and Borough Councils within Nottinghamshire will consult the County Council as Minerals Planning Authority on proposals for non-minerals development within the designated Mineral Consultation Area, as shown on the Policies Map.

The Minerals Planning Authority will resist inappropriate development within the Minerals Consultation Areas.

Justification text

- 3.80. The Minerals Safeguarding Areas (MSA) identify the mineral resources which are worthy of safeguarding and the Minerals Consultation Area (MCA) identify the areas within Nottinghamshire where the District and Borough authorities are required to consult the Mineral Planning Authority over non-minerals development. The NPPF encourages the prior extraction of minerals before alternative uses are permitted. In Nottinghamshire the safeguarding and consultation areas are identical (with the exception of Colwick Wharf) and as such one map has been produced and is included on the Minerals Policies Map.
- 3.81. The mineral safeguarding approach does not seek to predict how much mineral is likely to be needed over the plan period but safeguards the viable mineral resource. Viability will change over time. With increasing scarcity, resources that are currently considered non-viable will become increasingly viable. However, the entire mineral resource is not safeguarded; it is only the most meaningful and best current estimate of viable resources which has been safeguarded for future assessment and possible use. See Plan 4 below.

3.82. For the purposes of safeguarding, Nottinghamshire has eight distinct mineral resources. These are:

- Sand and gravel
- Sherwood Sandstone
- Alluvial Sand and Gravel;
- Limestone(including building stone);
- Industrial dolomite;
- Brick Clay;
- Gypsum;
- Surface Coal

3.83. Not every non-mineral development proposal within or close to a Minerals Safeguarding and Consultation Areas represents a risk to future minerals extraction. The main risks will arise from proposals to extend built up areas and new development in the open countryside, as such; the following categories of development are exempt from both consultation and safeguarding:

- Development which is in accordance with adopted District/Borough Local Plan allocations which took account of minerals sterilisation and where prior extraction is not feasible or appropriate;
 - Temporary development;
 - Householder planning applications (except for new dwellings);
 - All applications for advertisements;
 - Infill development;
 - Reserved matters; and
- Prior notifications (telecoms, forestry, agriculture, demolition).

3.84. The British Geological Survey Resource Map (2013) provides information on the County's resources but excludes minerals that can only be worked by underground methods, such as deep mined coal, oil and gas and some gypsum deposits.

3.85. It is expected that the developer will carry out the necessary site investigations to prove the mineral resource. These will take into account factors such as the availability of the mineral, its relative scarcity, the timescale for the development going ahead, the possible extraction of the mineral and the viability of such extraction.

3.86. It is accepted that there may be circumstances where prior extraction may not be appropriate. In these cases the County Council would expect the developer to demonstrate that:

- The mineral concerned is no longer of any value or potential value; or
- There is an overriding need for the non-mineral development which outweighs the need for the mineral; or
- The proposed non-minerals development site is located on the urban fringe and mineral extraction would be inappropriate in this location; or
- The non-mineral development is of a minor nature as defined by the exemption criteria in paragraph 5.140.

3.87. Where prior extraction can be undertaken, an assessment should be undertaken to include an explanation of how this will be carried out as part of the overall development scheme.

3.88. Identification of minerals safeguarding areas does not provide a presumption in favour of working the mineral, and is not a guarantee that there is mineral present of viable quantity or quality. The Minerals Safeguarding and Consultation Areas are identified on the Minerals Policies Map and reflected in each Nottinghamshire District/Borough Adopted Local Plan Policies Maps.

3.89. The NPPF states that Mineral Planning Authorities , when preparing their plans should include policies to safeguard:

- Existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail, sea or inland waterways of minerals, including recycled, secondary and marine dredged materials, and
- Existing, planned and potential sites for concrete batching, the manufacture of coated materials and other concrete products, and the handling, processing and distribution of recycled and secondary aggregate mineral.

Wharfs

3.90. Nottinghamshire does not contain any rail heads and rail links to quarries, however, two wharfs are located within the County:

- Besthorpe – this wharf is directly linked to Besthorpe quarry and has been used to transfer sand and gravel by barge to South Yorkshire.
- Colwick – this is a general purpose wharf that has been used as a river dredging transfer facility. It has also been previously identified as a location to land sand and gravel from a previous quarry proposal at Shelford.

3.91. It is not considered appropriate to safeguard the Besthorpe Wharf as it is located in a remote greenfield location and is poorly connected to the road network should sand and gravel cease to be worked in this area in the future. However as Colwick

Wharf is well located close to the built up area and is on an existing industrial estate it is considered necessary to identify it as part of the consultation areas.

Secondary Processing Facilities

- 3.92. Concrete batching plants, coated road stone and other minerals infrastructure provide materials to maintain both existing infrastructure and new developments. In Nottinghamshire these facilities are associated with concrete, mortar and asphalt plants which utilise sources of aggregates to make 'value added' products. The facilities are relatively small in nature and whilst some are located on existing mineral workings, other are stand-alone facilities on industrial estates in urban areas.
- 3.93. Due to the large number of these sites within the County and the majority of these being located on existing industrial estates, which are identified within District/Borough Local Plans, there is no indication that any individual plant is important in its own right. In addition, such plants are also physically relocatable and as such are considered non-strategic and will not be safeguarded by the County Council.

This policy helps meet the following objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing and adequate supply of minerals

SO3: Addressing climate change

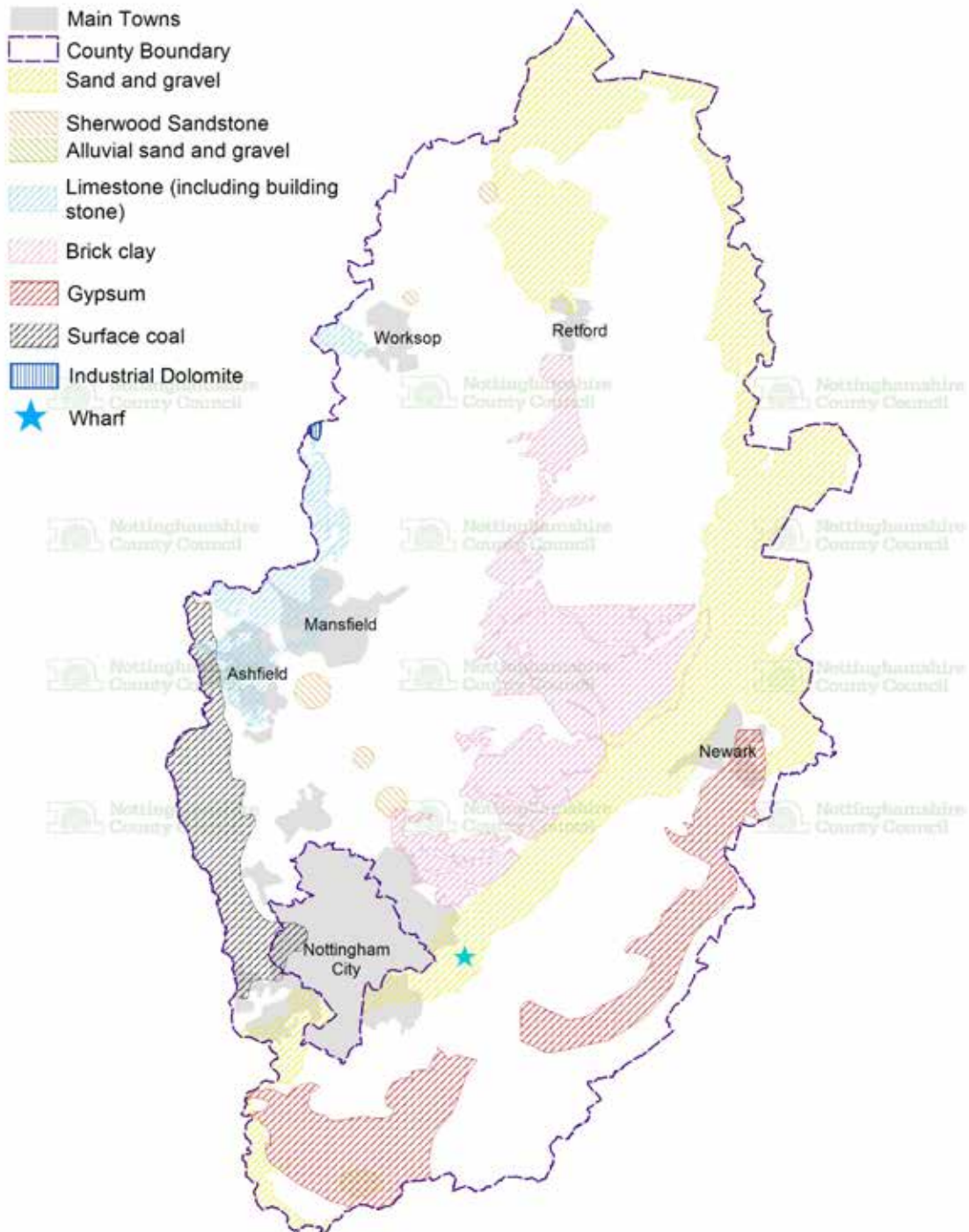
SO4: Safeguarding minerals resources

Question 9

What do you think of the draft strategic policy for Mineral Safeguarding, Consultation Areas and associated minerals infrastructure?

Plan 4: Minerals Safeguarding and Associated Minerals Infrastructure

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British Geological Survey. 2013. Digital Geological Map of Great Britain 1:625 000 scale (DiGMapGB-625) Superficial Deposits data [CD-Rom] Version 1.10. Keyworth, Nottingham: British Geological Survey. Release date 03-07-2013

4. Minerals Provision Policies

- 4.1. As explained in Chapter 3, minerals resources are very important to the County and a steady and adequate supply of minerals to meet future needs has to be planned for. Strategic policy SP4 sets the overall context for future mineral provision whilst the minerals provision policies set out within this chapter identify how and where these needs will be met for the different types of aggregate, industrial and energy minerals.
- 4.2. In most cases, existing sites which have not yet been worked out will meet some of this demand but the policies show where additional provision will be needed to make up any expected shortfall. Where a shortfall is identified, this will be met from a combination of new and/or extended sites although the priority is to extend existing sites wherever possible in line with strategic objective (SO1) to improve the sustainability of minerals development.
- 4.3. In order to identify the range of sites that could be available for mineral extraction over the plan period the council has worked with the minerals industry and local landowners to understand the location of workable mineral resources across the County. In response to a 'call for sites' exercise, mineral operators and landowners submitted a range of sites for which there were inferred minerals resources. This included both new sites and extensions to existing sites.
- 4.4. These sites have been carefully assessed to decide which are the most suitable and realistic options to allocate in the Plan. The sites which are allocated are shown in Policies MP2-12. The justification text following each policy includes more detail about each site and how they relate to any existing permitted site. Full details of this site assessment process can be found in the Site Selection Background Paper.
- 4.5. All of the sites will be subject to site allocation development briefs which will deal with site specific issues, including how the sites should be restored. These individual site development briefs are included in Appendix 3.

MP1: Aggregate provision

What you told us at the Issues and Options stage...

- Feedback regarding the methodology used to identify future demand was split between those who thought the approach was in-line with the NPPF methodology and those who thought the approach significantly underplayed future demand as it is based predominately on recession/austerity sales data.
- Some respondents thought that recycled aggregates should be encouraged to reduce the need for additional primary aggregates.
- It was generally considered appropriate to use the same basic methodology for forecasting demand for all aggregates minerals. However local factors for each of the aggregate types should be applied as these factors could influence the level of demand.
- It was generally agreed that the most suitable approach to site selection (extensions to existing quarries compared to new green field quarries) was to assess all proposals on their individual merits rather than prioritising one over the other.

Issues and Options Sustainability Appraisal findings:

- Four options were appraised when looking at how future demand should be forecast. A: Use the Local Aggregates Assessment (LAA) average 10 year sales figure for all types of aggregates, B: Use an alternative realistic and deliverable methodology for all types of aggregates which produces a lower figure than option A, C: Use an alternative realistic and deliverable methodology for all types of aggregates which produces a higher figure than option A, D: Use different methodologies for different aggregates
- In conclusion option A: 'Use the Local Aggregates Assessment (LAA) average 10 years sales figure for all types of aggregates' was considered the most suitable
- Five options were appraised when considering which approach should be adopted when identifying adequate minerals provision in the plan. A: Prioritise extensions to existing permitted quarries, B: Prioritise new greenfield sites, C: Allocate sites based on their individual merits, D: Use criteria based policy approach for all mineral types, E: Consider on a mineral by mineral basis.
- In conclusion option A: 'Prioritise extensions to existing permitted quarries' was considered to be most sustainable.

Introduction

- 4.6. Aggregates make a significant contribution to the construction industry, accounting for around 90% of the materials used. In England alone, nearly a quarter of a billion tonnes are consumed every year. Sustaining this level of demand is of national concern and raises major planning and environmental issues. All mineral planning authorities are required to plan for a certain proportion of the national demand for all aggregate minerals, known as the local apportionment, and to maintain a certain level of permitted reserves, known as the landbank.
- 4.7. Nottinghamshire has historically been a significant producer of sand and gravel the East Midlands, most of which comes from the Trent and Idle Valleys. This river or 'alluvial' mineral is mainly used in the production of concrete. Building and asphalt sand is produced from the Sherwood Sandstone resource but in much smaller quantities. Nottinghamshire's limestone production is relatively small, accounting for just 0.1% of the regional output, reflecting the County's limited resource of this mineral.

Policy MP1: Aggregate Provision

1. To meet identified levels of demand for aggregate mineral over the plan period (2017-2036) the following provision will be made:
 - 32.30 million tonnes of Sand and Gravel
 - 7.03 million tonnes of Sherwood Sandstone
 - 0.09 million tonnes of crushed rock
2. The County Council will make provision for the maintenance of landbanks of at least 7 years for sand and gravel, 7 years for Sherwood Sandstone and 10 years for crushed rock, whilst maintaining a steady and adequate supply over the plan period.
3. Proposals for aggregate extraction outside those areas identified in policies MP2, MP3 and MP4 will be supported where a need can be demonstrated.

Justification

- 4.8. The National Planning Policy Framework requires MPAs to produce a Local Aggregates Assessment (LAA) on an annual basis. This assesses both the demand for and supply of aggregates based on the average of the last 10 and 3 year sales data. This takes into account all possible supply options including the availability or otherwise of secondary or recycled aggregates as well as land-won sources. It also takes account of any significant local infrastructure projects that are taking place, or planned, and any opportunities or constraints that might influence future aggregate production.

- 4.9. MPAs are also required to work with other local Mineral Planning Authorities through an Aggregate Working Party to ensure that the approaches taken remain consistent and adequate supply is maintained. Nottinghamshire is part of the East Midlands Aggregate Working Party.
- 4.10. Based on the findings of the Local Aggregates Assessment published in October 2017 (December 2016 data) demand over the plan period has been calculated. For this exercise the plan period covers a 19 year period from 2017-2036. Tables 1 and 2 set out the production figures and demand over the plan period.

Table 1 Annual aggregate production (million tonnes)

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Sand and gravel	2.97	2.37	1.27	1.56	1.71	1.55	1.39	1.43	1.52	1.27
Sherwood Sandstone	0.55	0.46	0.32	0.32	0.35	0.36	0.34	0.34	0.38	0.32
Crushed rock	0.03	0.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Table 2 LAA Average Production Figure and Estimated Total Aggregate Demand (million tonnes)

	LAA derived annual production figure	Estimated demand 2017-2036 (19 years)
Sand and gravel	1.7	32.3
Sherwood Sandstone	0.37	7.03
Crushed rock	0.005	0.095

- 4.11. Some of the estimated demand shown in Table 2 above, can be met from remaining permitted reserves (i.e. the mineral that is left in existing quarries that can still be worked). However, for most minerals, this will not be sufficient to cover the whole of the plan period and additional reserves will need to be permitted in order to make up the shortfall.
- 4.12. For each of the minerals (sand and gravel, Sherwood Sandstone and crushed rock) the shortfall has been calculated by deducting the estimated level of permitted reserves from the total amount of aggregate required over the life of the Plan. However it is important to remember that the level of permitted reserves can change over time as minerals operators re-assess the available reserves at each site. The level of remaining reserves will also be affected by any change in the annual output from each site. This highlights the importance of annual monitoring as set out in Chapter 6.

- 4.13. One of the most important indicators for aggregates is to assess how long the current stock of permitted reserves is likely to last. This is known as the 'landbank'. All MPAs are required to maintain a landbank of at least seven years' worth of sand and gravel reserves and ten years' worth of crushed rock reserves. The average production figures set out in the LAA will be compared against the permitted reserves of aggregates to monitor the level of the landbanks. If permitted reserves fall significantly below the required amount this could trigger a review of this section of the plan. Further information is available in the monitoring chapter.
- 4.14. The specific provision policies MP2 – MP4, below, show how the Plan will meet the anticipated shortfalls for each aggregate mineral and how the proposed sites have been selected.

This policy helps meet the following objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 10

What do you think of the draft policy approach towards aggregate provision?

MP2: Sand and Gravel provision

What you told us at the Issues and Options stage...

- Responses were split between those who thought it was important to maintain a geographical spread of minerals. Reasoning given focuses on the need to minimise transportations distances, minimising environmental impacts, providing a steady and adequate supply of resources and ensuring that sites are located in relation to markets and demand (both within and outside the County).
- Other respondents thought that a geographical spread is just one factor that needs to be evaluated due to impacts on local residents, the availability of capacity on the highway network and the availability of recycled minerals in the main urban areas.
- Generally, respondents felt that prioritising specific geographic areas above others would not be appropriate, instead, each site should be judged on its own merits.
- Other suggestions included prioritising sites closest to the market, prioritising those with good transport links/access to barging or those that have the least impact on the local area.
- There was general agreement that the use of barges along the River Trent would provide a sustainable form of transport minimising minerals related HGV's. However there was an equal amount of concern regarding the actual financial viability of setting up the infrastructure needed for river barging particularly over a shorter distances.
- It was highlighted that the East Inshore and East Offshore Marine Plans maybe relevant to the Nottinghamshire Minerals Local Plan.

Issues and Options Sustainability Appraisal Findings:

- Five options were appraised when considering the plans approach to the location of future sand and gravel quarries. Option A: Geographical spread across the County, B: Prioritise specific areas, C: Prioritise locations with potential for transport sand and gravel by river barge, D: Allocate sites based on their individual merits, E: Use criteria based policy approach.
- In summary options A: 'Geographical spread across the County' and C 'Prioritise locations with potential for transporting sand and gravel by river barge' were considered to be the most suitable.

Introduction

- 4.15. In geological terms the sand and gravel resource is extensive, located in the Trent and Idle River valleys. Within the Trent Valley, production has historically been concentrated around Nottingham and Newark. This pattern has developed at least in part in response to a need to be close to the main markets for the mineral (due to sand and gravel being a low cost bulk material, meaning that haulage is a significant element of its cost). Currently between a third to a half of the County's production supplies markets in Yorkshire and Humberside, which the Idle Valley is well placed to serve.

Policy MP2: Sand and Gravel Provision

1. An adequate supply of sand and gravel will be identified to meet expected demand over the plan period from:

- a) The extraction of remaining reserves at the following permitted quarries:

	(Million tonnes)
MP2a Misson West	0.03mt
MP2b Newington South	0.39mt
MP2c Finningley	0.45mt
MP2d Sturton Le Steeple	7.50mt
MP2e Bawtry Road	0.60mt
MP2f Cromwell	2.40mt
MP2g Besthorpe	0.50mt
MP2h Girton	3.56mt
MP2i Langford Lowfields	1.35mt
MP2j East Leake	2.34mt
MP2k Scrooby	0.62mt

- b) The following extensions to existing permitted quarries:

MP2l Bawtry Road west	0.18mt
MP2m Scrooby Thompson Land	0.40mt
MP2n Scrooby North	0.39mt* (0.62mt)
MP2o Langford Lowfields south and west	3.60mt
MP2p Langford Lowfields North	4.70mt* (8.00mt)
MP2q East Leake North	0.75mt

- c) New sand and gravel quarries:

MP2r Botany Bay	2.44mt
MP2s Mill Hill nr Barton in Fabis	3.0mt**

Note: The above sites are shown on the Policies Map

Proposals to extract specialist grey sand reserves will be supported where a need can be demonstrated.

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 3

* Available within the plan period (total estimated reserves in brackets).

**Excludes potential reserves within the Nottingham City administrative area.

Justification

- 4.16. Based on the average production figures set out in the aggregate provision policy MP1, the plan needs to provide an estimated 32.3 million tonnes of sand and gravel over the plan period (see Table 1).
- 4.17. As of December 2016 there were 11 permitted sand and gravel sites (MP2a-k) located around the County containing estimated reserves of 17.5 million tonnes. Whilst these sites will initially help to maintain a seven year landbank and ensure continuity of supplies, there is a need to secure additional reserves over the Plan period.
- 4.18. The estimated sand and gravel shortfall over the plan period will therefore be 14.8 million tonnes of sand and gravel up to 2036.
- 4.19. Given that sand and gravel can only be worked where it is found, a geographical spread of sites has been identified to enable the continued supply of sand and gravel to the different market areas to minimise the wider impacts of HGV transport.
- 4.20. As a result, Policy MP2 allocates 6 extensions to existing quarries (MP2l-q) and 2 new quarries (MP2r-s) which total 15.46 million tonnes.
- 4.21. Table 3 below sets out a summary of the site allocations and how each is expected to contribute towards the sand and gravel shortfall over the plan period. A delivery schedule, which looks at how each of the extensions and new sites will contribute to the shortfall, can also be found in Appendix 2.

Table 3 Contributions to the sand and gravel shortfall over the plan period

Site	Location	Reserves (million tonnes)	Operational period (inclusive)
Extensions			
MP2l Bawtry Road west	Idle Valley	0.18	2026-2031
MP2m Scrooby, Thompson Land	Idle Valley	0.40	2019-2029
MP2n Scrooby North	Idle Valley	0.39*	2023- beyond plan period
MP2o Langford Lowfields south and west	Newark	3.60	2018-2026

MP2p Langford Lowfields north	Newark	4.70*	2026 - beyond plan period
MP2q East Leake north	Nottingham	0.75	2026-2030
New sites			
MP2r Botany Bay	Idle Valley	2.44	2020-2032
MP2s Mill Hill nr Barton In Fabis	Nottingham	3.0**	2018-2033
Total		15.46	

*available within the plan period

** Excludes potential reserves within the Nottingham City administrative area

Misson Grey Sand

- 4.22. Deposits of grey building sand occur erratically in the Misson area, sometimes below the main sand and gravel resource and sometimes at the surface. Historically, this grey sand has been worked on a relatively small scale. This sand is used as grey mortar sand, which has a premium value because most local mortar sands are red and yellow being derived from the Sherwood Sandstone.
- 4.23. Although counted as sand and gravel in planning and landbank terms, it would be inappropriate to treat it as part of the normal sand and gravel resource when assessing 'need'. This is because the grey sand serves a particular niche market which alluvial sand and gravel cannot meet. It is therefore reasonable to allow continued production of this sand, irrespective of the prevailing Countywide sand and gravel landbank.

Site Information

Existing permitted quarries and proposed extensions – Idle Valley

Misson West (MP2a)

- 4.24. The existing permitted site is located 1.5km south west of Misson village and 4km north east of Bawtry. The quarry has permitted reserves which are expected to last until the end of 2018. There are no further extensions possible to this site. (See appendix 4 – inset 2)

Newington South (MP2b)

- 4.25. This existing permitted site is located 2km south west of Misson Village and 3.5km north east of Bawtry. The quarry has permitted reserves which are expected to last

until 2019. There are no further extensions possible to the quarry and it will be restored to low lying wetland. (See appendix 4 – inset 2)

Finningley (MP2c)

- 4.26. The existing permitted quarry is located to the south east of Finningley village and crosses the border between Nottinghamshire and Doncaster Metropolitan Borough Council (MBC). The quarry has a permitted reserves until 2019. No further extensions to the quarry are considered possible. (See appendix 4 – inset 1)

Sturton Le Steeple (MP2d)

- 4.27. The existing permitted area is located to the east of Sturton Le Steeple village, approximately 9km south of Gainsborough. The quarry has planning permission but extraction has yet to commence. The planned output for the site is 450,000 tonnes per annum and has an expected life of 20 years. The quarry will be restored to a combination of nature conservation including wetland, agriculture and forestry. (See appendix 4 – inset 6)

Bawtry Road (MP2e)

- 4.28. The existing permitted quarry is located between Misson to the east and Newington to the south. The quarry is expected to have sufficient permitted reserves until 2026. The quarry will be restored to agricultural land.
- 4.29. The proposed western extension to the quarry (MP2k) covers 3.4 Ha and is expected to be worked towards once existing reserves have been worked in 2026. Output will remain in line with the existing permitted quarry at approximately 30,000 tonnes per annum and will continue to use existing plant site and access. Reserves are expected to last approximately 6 years. (See appendix 4 – inset 2)

Scrooby

- 4.30. Extraction has taken place at Scrooby since the 1930s, working both sand and gravel and Sherwood Sandstone (see policy MP3 for Sherwood Sandstone). An existing permitted Sand and gravel quarry (MP2k) has sufficient reserves until 2023. The existing processing plant remains in use.
- 4.31. Two extensions to this quarry are allocated. Both would utilise the existing processing plant and site access. Need to talk about both extensions
- 4.32. The proposed Thompson Land (MP2m) is expected to be worked from 2019. The quarry would be worked over a 10 year period at a rate of approximately 40,000 tonnes per annum.
- 4.33. The proposed Scrooby north quarry (MP2n) will supplement the Scrooby Thompson Land quarry in 2023 at an approximate output of 15,000 tonnes per annum. (See appendix 4 – inset 3)

Existing permitted quarries and proposed extensions - Newark area

Cromwell Quarry (MP2f)

- 4.34. The existing quarry is located to the north-east of Cromwell village alongside the A1, nine kilometres north of Newark. The quarry is currently being worked and has reserves sufficient for a further 4 years production. Due to the quarry's location close to the A1, mineral can be transported to northern or southern markets.

Besthorpe Quarry (MP2g)

- 4.35. The existing quarry is located to the north west of Besthorpe village near Newark. The quarry has sufficient permitted reserves until the end of 2020. Output at the quarry is approximately 150-200,000 tonnes per annum. Historically a proportion of the sand and gravel produced at the quarry was barged up the river to the Europort at Wakefield. However this has not taken place for a number of years. The site is predominantly being restored to wetland habitats and is being managed by Nottinghamshire Wildlife Trust. (see appendix 4 - Inset 10)

Girton Quarry (MP2h)

- 4.36. The existing quarry is located 8km north of North Collingham and 16km from Newark. The quarry is currently 'mothballed' but has permission until 2036. Sand and gravel is being worked from existing stockpiles at around 50,000 tonnes per annum but this is expected to increase to 100,000 in approximately 2020 when the quarry is expected to re-open. The quarry will be restored back to agriculture and wetland conservation. (See appendix 4 – inset 9)

Langford Lowfields Quarry (MP2i)

- 4.37. The existing quarry is located between Langford and Collingham, north of Newark. A small southern extension to the site was permitted in 2014 extending the life of the site to 2018. Planned output at the quarry is approximately 450,000 tonnes per annum. The quarry is being reclaimed to a major wildfowl/wetland reserve which is being managed by the RSPB. A number of extensions were put forward and after assessing the sites, both have been allocated (set out below). All the proposed extensions would continue to utilise the existing plant site and access on to the A1133. (See appendix 4 – inset 10)

Langford South and West (MP2o)

- 4.38. The southern and western allocation covers an area of approx. 127.2 Ha and would follow on from the permitted quarry, maintaining output at its current level until 2026. A planning application for this area has been submitted to the County Council although a decision has yet to be made.

Langford North (MP2p)

- 4.39. The Northern allocation covers an area of approx. 124 ha and has an expected life beyond this plan period. This area would be worked after the southern and western extension and would maintain output at its current level. (See appendix 4 – inset 10)

Existing permitted quarries and proposed extensions –Nottingham area

East Leake Quarry (MP2j)

- 4.40. The existing permitted quarry is located 1km to the south of East Leake. The quarry has sufficient permitted reserves until the end of 2026 at an output of 180,000 tonnes per annum. The quarry is being restored to agriculture and nature conservation. One extension to the site is allocated which would utilise the existing processing plant and site access.
- 4.41. The northern extension (MP2q) covers approx. ha and has an expected life of 3-4 years. It is expected the extension would be started once the existing site has been worked out. Output is expected to be between 180,000-250,000 tonnes per annum and would continue to utilise the existing processing plant and site access. (See appendix 4 – inset 19)

New greenfield quarries - Idle Valley area

Botany Bay (MP2r)

- 4.42. This is an allocation for a new greenfield allocation located 3km northwest of Retford. The site is being promoted as a replacement for the recent production loss in the Idle Valley particularly through the closure of Finningley expected in 2019/2020. The allocation covers 100ha and has an estimated life of 12 years, with an output of 200,000 tonnes per annum. (See appendix 4 – inset 5)

New greenfield quarries - Nottingham area

Mill Hill near Barton In Fabis (MP2s)

- 4.43. This is a draft allocation for a new greenfield site that is located 6km west of Nottingham. Output from the site would be approximately 280,000 tonnes per annum. The site is expected to be operational in 2019 and would be worked over a 15 year period. The quarry would be restored using a range of habitats including floodplain grazing marsh, reed bed, low land grassland and agricultural land. The draft allocation area contains approximately 3 million tonnes of reserves, however a planning application for a larger site that also covers an area within the Nottingham City administrative area has been received by both the County and City Councils. (appendix 4 – inset 18)

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 11

What do you think of the draft site specific sand and gravel allocations?

MP3: Sherwood Sandstone provision

What you told us at the Issues and Options stage...

- The industry stated that there is a need, where resources exist, to maintain production of Sherwood Sandstone through extensions to existing quarries or new quarries to meet the specific market needs.
- It was highlighted that it was important to protect the sandstone aquifer and that the broad area is in close proximity to areas important for nightjars and woodlarks and that have been identified for inclusion in the Sherwood Forest ppSPA.

Issues and Options Sustainability Appraisal findings:

- Four options were assessed when considering the plans approach to the location of future Sherwood Sandstone quarries. Option A: Prioritise extensions to existing permitted quarries, Option B: Prioritise new greenfield sites, Option C: Allocate sites based on their individual merits, Option D: use criteria based policy approach.
- In summary option A: 'Prioritise extensions to existing permitted quarries' was considered to be the most sustainable.

Introduction

- 4.44. Sherwood Sandstone is a specialist form of sand and gravel that is used primarily as asphalt and mortar sand. It accounts for around a sixth of the County's sand and gravel production. The Sherwood Sandstone resource covers nearly a quarter of the County, occurring as a broad belt between Nottingham and South Yorkshire. This is also a major aquifer and serves as an important water source for a wide area. Different grades and colours of sands (which have varying end uses) are found in the resource, however there is no comprehensive geological information about how these are distributed.

Policy MP3: Sherwood Sandstone Provision

An adequate supply of Sherwood Sandstone will be identified to meet expected demand over the plan period from:

- a) The extraction of remaining reserves at the following permitted quarries:

	(Million tonnes)
MP3a Burntstump	1.88mt
MP3b Bestwood 2	1.30mt
MP3c Carlton Forest	0.07mt
MP3d Scrooby Top	0.60mt

- b) The following extensions to existing quarries.

MP3e Bestwood 2 East	1.44mt
MP3f Bestwood 2 North	0.75mt
MP3g Scrooby Top North	1.68mt* (4.83mt)

Note: The above sites are shown on the Policies Map

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 3

* Available within the plan period (total estimated reserves in brackets).

- 4.45. Based on the Sherwood Sandstone requirement set out in the aggregate provision policy (MP1), the plan needs to provide 7.03 million tonnes of Sherwood Sandstone over the plan period.
- 4.46. As of December 2016 there were 4 permitted Sherwood Sandstone sites which contained estimated reserves of 3.85 million tonnes. Whilst these sites will help to maintain a seven year landbank and ensure continuity of supplies, there is a need to secure additional reserves over the plan period.
- 4.47. Using the annual production figure included in Table 1 and the estimated Sherwood Sandstone reserves from 2016, the plan would need to provide an additional 3.3 million tonnes of Sherwood Sandstone up to 2036.
- 4.48. The plan will therefore have to allocate further reserves to make up the expected shortfall in provision. Policy MP3 therefore identifies proposed extensions at three existing sites as discussed below. The delivery schedule, in Appendix 2 shows how these extensions are expected to contribute towards the shortfall.

Table 4 Contributions to the Sherwood Sandstone shortfall over the plan period

Site	Reserves (million tonnes)	Operational period (inclusive)
MP3g Scrooby Top North	1.68*	2022 - beyond plan period
MP3e Bestwood II East	1.44	2018-2029
MP3f Bestwood II North	0.75	2029-2035
Total	3.87	

*available within the plan period

Site information

Burnt stump (MP3a)

- 4.49. This existing quarry is located 3.5km west of Calverton. The quarry has planning permission until the end of 2021, although given the high level of permitted reserves the operator may apply for an extension of time in the future. Restoration will be to agriculture and woodland. (See appendix 4 – inset 15)

Bestwood 2 (MP3b)

- 4.50. This existing permitted quarry is located 1 mile south of Ravenshead and 6 miles south of Mansfield. The existing quarry has a planned output of 140,000 tonnes per annum and is due to be worked out by 2020. The site restoration will include heathland, marshland and sandstone cliff habitats.
- 4.51. An eastern extension is allocated (MP3e). The allocation will be commenced once the existing permitted reserves have been worked out at the current extraction rate of 140,000 tonnes per annum. The quarry is expected to have a life of 11 years and will utilise the existing processing plant and access. (See appendix 4 – inset 14)
- 4.52. A northern extension is also allocated (MP3f). The allocation will be commenced once the eastern extension has been worked out in 2029. Output will remain at 140,000 tonnes per annum for approximately 6 years. The existing processing plant and access will be used. (see appendix 4 – inset 14)

Carlton Forest (MP3c)

- 4.53. This existing quarry is located 2 miles to the north east of Worksop. The quarry is currently dormant but still has 54,000 tonnes of permitted reserves remaining. The quarry will be restored to agriculture.

Scrooby Top (MP3d)

- 4.54. Extraction has taken place at Scrooby since the 1930s working both sand and gravel and Sherwood Sandstone (see policy MP2 for sand and gravel). Extraction at this site is expected to be adequate until 2022.
- 4.55. A northern extension is allocated (MP3g) The allocation covers 25 ha and will be commenced once the existing permitted reserves are worked out. Output is planned at 120,000 tonnes per annum for 40 years and will utilise the existing processing plant and access. (See appendix 4 – inset 3)

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 12

What do you think of the draft site specific Sherwood Sandstone allocations?

MP4: Crushed rock (limestone) provision

What you told us at the Issues and Options stage...

- It was stated that demand for crushed rock is increasing both at a national and regional level and has returned to pre-recession levels. This trend may increase the need for crushed rock in Nottinghamshire.
- No other issues were forward that may impact on future demand for crushed rock.

Issues and Options Sustainability Appraisal findings:

- Three options were assessed when considering how additional further reserves would be identified if additional demand is required over the plan period. Option A: Allocate site (s), option B: Criteria based policy subject to need for additional provision, option C: Combination of site allocations and criteria based policy (subject to need)
- In summary option C: 'combination of site allocations and criteria based policy (subject to need)' was considered to be the most sustainable.

Introduction

- 4.56. Around 60 million tonnes of limestone are extracted in Great Britain every year making it the largest mineral extractive industry in the Country¹. The majority of this is used as an aggregate, the remainder being used in the cement, chemical, glass, iron and steel industries and agriculture. Limestone is also an important source of building and ornamental stone.
- 4.57. Although the East Midlands is one of the most important limestone producing areas, Nottinghamshire's resources are relatively limited and the only permitted reserves are at Nether Langwith Quarry (currently dormant). Limestone is the only 'hard rock' of any economic interest to be found in the County and by regional standards output is very low.

¹ UK Minerals Statistics Yearbook 2011 British Geological Survey 2012, page 12

Policy MP4: Crushed Rock (limestone) Provision

An adequate supply of limestone will be identified to meet expected demand over the plan period from the extraction of remaining reserves at the following permitted site:

	(Million tonnes)
MP4a Nether Langwith	3.34mt

Note: The above site is shown on the Policies Map

Justification

- 4.58. Based on the limestone requirements set out in the aggregate provision policy (MP1), the plan does not need to provide any further limestone as current permitted reserves at Nether Langwith quarry (see appendix 4 – inset 7) are adequate to cover the plan period. The quarry has planning permission until 2035 at a planned output of 250,000 tonnes per annum, however actual output has been much lower and it has not been worked for a number of years. At this point it would provide the opportunity to review the restoration scheme to ensure it is in-line with policy SP2 Biodiversity-Led Restoration.

This policy helps meet the following strategic objectives:

- SO1: Improving the sustainability of minerals development
- SO2: Providing an adequate supply of minerals

Question 13

What do you think of the draft policy to meet expected crushed rock demand over the plan period?

MP5: Secondary and recycled aggregates

What you told us at the Issues and Options stage...

- Responses were split between those who thought that alternative aggregates had reached a peak, and that recycling levels will rise and fall in line with the level of construction activity and economic conditions.
- And those that thought that a much greater emphasis and commitment to alternative aggregates (and their recycling) should be demonstrated in order to significantly increase levels recycled.
- It was stated that the fall in the availability of certain alternative aggregates such as power station ash and desulphogypsum was likely in the mid-term due to the closer of the coal fired power stations.
- Overall a policy on Alternative Aggregates was welcomed by many respondents.
- The potential to use material from colliery spoil heaps as aggregate was stated as an opportunity that should be investigated.

Issues and Options Sustainability Appraisal findings:

- Two options were appraised when considering how the plan will deal with alternative aggregates. Option A: Include a policy to promote the use of alternative aggregates, option B: Do not include a policy on alternative aggregates.
- In summary option A: 'Include a policy to promote the use of alternative aggregates' was considered to be most sustainable.

Introduction

- 4.59. The terms 'recycled' and 'secondary' aggregate are often used interchangeably. The term 'recycled aggregates' refers to aggregates that have been used previously in construction. Recycled aggregates can comprise construction and demolition wastes, asphalt road planings and used railway ballast.
- 4.60. 'Secondary aggregates' are by-products of other processes, and will not have been used previously as aggregates. They include colliery spoil, china clay waste, slate waste, power station ashes, blast furnace and steel slags, incinerator ashes and foundry sands.

Policy MP5: Secondary and Recycled Aggregates

Development proposals which will increase the supply of secondary and/or recycled aggregates will be supported where it can be demonstrated that there are no significant environmental, transport or other unacceptable impacts.

Justification

- 4.61. Government policy continues to encourage the use of secondary and recycled materials in construction in order to reduce the need for material from traditional sources. There are substantial amounts of these materials that could contribute further to aggregate supply. In order to conserve natural resources, aggregates (and products manufactured from aggregates) should be recycled wherever possible.
- 4.62. Although, there is considerable potential for using certain waste materials as secondary aggregates, large quantities either remain on site or end up in landfill. Making greater use of by-products and other waste materials will therefore also help to meet the Government's aim of reducing waste disposal to landfill. The Nottinghamshire and Nottingham Replacement Waste Local Plan sets out strategic policies to promote both temporary and permanent facilities for recycling aggregates centres.
- 4.63. Where recycled materials are technically, economically and environmentally acceptable as substitutes for primary materials, then they should be used. It is accepted, however, that there may be problems associated with the ability of these materials to meet required British Standard specifications and that their availability or location might make their use disadvantageous in economic terms.
- 4.64. It is recognised that many of the adverse environmental effects resulting from the extraction of primary aggregates apply to the use of secondary materials. This is because the processes are similar involving the generation of noise, dust and visual intrusion, and road transport using heavy goods vehicles. Incorporating recycling and secondary aggregate operations into an existing mineral development could also increase the overall harmful effect that the site has on the amenity of the surrounding area, or could increase the life of the development beyond that which is considered acceptable.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 14

What do you think to the draft policy regarding secondary and recycled aggregates?

MP6: Brick Clay provision

What you told us at the Issues and Options stage...

- There was general agreement that site specific allocations would provide the most certainty for the industry and local community and assist in forward planning. If this was not possible it was considered adequate to rely on a criteria based policy.
- There was general agreement that a criteria based policy to consider potential new brick works was the most appropriate method for the Minerals Local Plan.

Issues and Options Sustainability Appraisal findings:

- Three options were appraised when considering how brick clay reserves and brick works should be identified to ensure a steady and adequate supply over the plan period. Option A: Allocate sites/extensions, Option B: Criteria based policy, Option C: Combination of allocations and a criteria based policy.
- In summary Options A: 'Allocate sites/extensions' and C: 'combination of allocations and criteria based policy' were considered to be the most sustainable.

Introduction

- 4.65. Brick clay refers to the clay and shale used in the manufacture of building and construction materials. In Nottinghamshire the clay extracted is used for facing bricks, pavers, roofing tiles and clay pipes, although nationally other important uses include cement production.
- 4.66. Extraction currently only takes place from the Mercia Mudstone resource to the east and south of the County. Resources do exist within the smaller Edlington Formation and Coal measures to the west of the County, however these have not been worked since the 1970s. No detailed assessment has been completed regarding the areas of the Mercia Mudstone which are best suited to brick manufacture; however the 'Gunthorpe Formation' location close to both of Nottinghamshire's existing brick works has been identified by the current operators as particularly suitable.

Policy MP6: Brick Clay Provision

1. An adequate supply of brick clay will be identified to meet expected demand over the plan period and enable a 25 year landbank per brick works to be maintained from:

a) The extraction of remaining reserves at the following permitted sites:

MP6a Kirton

MP6b Dorket Head

b) The following extensions to existing sites:

MP6c Woodborough Lane

2.7 million cubic metres

Note: The above sites are shown on the Policies Map

2. Proposals for clay extraction outside the sites identified above will be supported where it can be demonstrated that there are insufficient reserves available to meet the 25 year landbank requirement per site and that the identified sites are not deliverable.

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 3

Justification

- 4.67. There is no national demand forecast or local apportionment for brick clay although the National Planning Policy Framework (NPPF) does require a 25 year landbank of permitted brick clay reserves to be identified for each brick works. In Nottinghamshire there are two brick works with associated clay pits operated by two national producers – Dorket Head near Arnold and Kirton near Ollerton. Each site is discussed below:

Kirton (MP6a)

- 4.68. The existing brick pit is located to the east of Kirton village, 3km from New Ollerton and provides both red-firing and cream-firing clays directly to the brick works adjacent. The red-firing clay accounts for about 90% of demand. Reserves of red-firing clay is expected to be adequate until 2044. Reserves of cream- firing clay are located to the east of the brick works within a separate working area and are expected to be sufficient until at least 2030. The existing pits are being restored to agricultural land at a lower ground level. A small proportion of clay is imported from Waingroves quarry in Derbyshire for use as a blending material. (Appendix 4 – inset 8)

Dorket Head (MP6b)

- 4.69. The existing brick pit is located to the north of Arnold, ten kilometres from Nottingham. Clay from the pit is supplied directly to the brick works adjacent with permitted reserves expected to be sufficient until 2030. A planning application for a small southern extension has been submitted to the County Council which would provide an additional 3 years worth clay supply. Part of the site is being restored to agricultural land through a landfill scheme whilst the remainder of the site will be restored to agricultural land and woodland at a lower ground level. (see appendix 4 – inset 16)
- 4.70. An area on Woodborough Lane was put forward by the operator of Dorket Head clay pit as a remote extension and has been allocated. The clay pit would provide additional reserves from the early 2030s for approximately 20 -25 years. This would maintain supplies to the existing brick works. No additional processing plant would be required as the clay would be transported from the extension across the B684 to the existing stockpile within the currently permitted quarry. Restoration would either be to a lower ground level reflecting the existing surroundings or filled with inert materials. This would be considered in further detail at the appropriate time.

New brick works and clay pits

- 4.71. Any applications for new brick works and clay pits would need to have regard to the Strategic and Development Management policies of the plan, but more particularly be considered in light of the need for the development and any potential environmental, social or economic impacts

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 15

What do you think of the draft site specific allocation for brick clay?

MP7: Gypsum provision

What you told us at the Issues and Options stage...

- Having both site specific allocations and a criteria based policy was generally considered preferable. This would enable suitable future reserves to be identified over the plan period.
- The closure of coal fired power stations across the country is likely to increase the demand for natural gypsum to replace the loss of Desulphogypsum.

Issues and Options Sustainability Appraisal findings:

- Two options were appraised to consider how adequate gypsum reserves should be identified to meet demand over the plan period. Option A: Allocate sites/extensions, Option B: Use a criteria based policy approach.
- In summary Option A: 'Allocate sites/extensions' was considered to be the most sustainable.

Introduction

- 4.72. In Nottinghamshire two distinct gypsum resources are worked. The Marblaegis Mine at East Leake exploits the 'Tutbury Gypsum' and supplies an associated plasterboard plant and plaster works. Bantycok Quarry near Balderton, Newark exploits the 'Newark Gypsum'. The lowest seams at this site are very high quality and are the only mineral of this grade to be found in the UK. It is used in specialist plasters and a wide range of other products ranging from dentistry to food additives.
- 4.73. Since the mid-1990s national and local gypsum production has declined due to increased supplies of desulphogypsum (DSG), a by-product of flue gas desulphurisation plants that have been retrofitted at most coal fired power stations, including all three power stations in Nottinghamshire. The long term future of desulphogypsum is uncertain as new emission controls due in the 2020s could see more coal fired power stations close or switch to other fuels. This is likely to increase the demand for natural gypsum.

Policy MP7: Gypsum Provision

1. An adequate supply of Gypsum will be identified to meet demand over the plan period from:

a) The extraction of remaining reserves at the following permitted sites:

MP7a	Marblaegis Mine
MP7b	Bantycok Quarry

b) The following extension to the existing bantycok quarry:

MP7c	Bantycok Quarry South	(Million tonnes) 8.5 million tonnes
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Note: The above sites are shown on the Policies Map

2. Proposals for gypsum extraction outside the permitted sites identified above will be supported where a need can be demonstrated.

Planning applications for site allocations should be made in accordance with the site development briefs set out in Appendix 3

Justification

- 4.74. There is no national demand forecast or requirement to identify a local apportionment figure for Gypsum production and it is up to the industry to identify adequate reserves to maintain production.
- 4.75. Permitted reserves at the Marblaegis Mine (MP7a) are sufficient until at least 2026 and represent the full extent of the mine within Nottinghamshire. (See appendix 4 – inset 22). When these reserves are utilised, mining will move eastwards towards Wymeswold in Leicestershire.
- 4.76. Permitted reserves at Bantycok Quarry are currently expected to be adequate until around 2023 at current rates of extraction. (See appendix 4 – inset 17)

Bantycok Quarry South (MP7c)

- 4.77. A southern extension to the existing quarry is being proposed for allocation which would be worked once the existing permitted quarry has been exhausted. Output is expected to be between 350,000 – 500,000 tonnes per annum giving the quarry an additional 15-24 years. The restoration of the quarry is proposed to be largely back to agriculture in line with the existing quarry restoration.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 16

What do you think of the draft site specific allocation for gypsum?

MP8: Silica sand provision

What you told us at the Issues and Options stage...

- A criteria based policy was considered the most appropriate approach for this important industrial mineral given that there is a requirement to maintain an adequate landbank over the plan period.
- It was suggested that additional text could be included to state that any additional future working at Two Oaks quarry should consider the impact on the Sherwood ppSPA and the nightjar and woodlark populations

Issues and Options Sustainability Appraisal findings:

- Three options were assessed when considering how additional further reserves would be identified if additional demand is required over the plan period. Option A: Criteria based policy subject to need for additional provision, Option B: Identify broad locations, Option C: Rely on development management (DM) policies.
- In summary options A: 'Criteria based policy subject to need for additional provision' and option B: 'Identify broad locations' were considered to be the most suitable.

Introduction

- 4.78. Silica sand is a non-aggregate form of Sherwood Sandstone that is also known as 'industrial sand'. Unlike aggregate sands, which are used for their physical properties alone, silica sands are valued for a combination of chemical and physical properties. It is used in the making of glass and creating molds and castings in industrial processing. This sand is also used in sand blasting, adding texture to slick roads and as a raw material in production of ceramics and sports surfaces. Compared to aggregate sand, silica sand resources are much less widespread. In Nottinghamshire silica sand is found within the 'Nottingham Castle Formation'.
- 4.79. The specialist nature of silica sand products means that the market area is very large and serves local, regional and national requirements. Due to the relatively small volumes of material and the varied destinations all silica sand extracted in Nottinghamshire is currently transported by road.

Policy MP8: Silica Sand Provision

1. The extraction of remaining reserves at the following permitted sites will be utilised to contribute towards the provision of an adequate and steady supply of silica sand sufficient for at least ten years:

MP8a Two Oaks Farm

Note: The above sites are shown on the Policies Map

2. Proposals for silica sand extraction outside the sites identified above will be supported where a need can be demonstrated.

Justification

- 4.80. There is no national demand forecast or local apportionment for silica sand although the NPPF does require a 10 year landbank of permitted reserves to be identified.
- 4.81. A silica sand quarry at Two Oaks Farm (see appendix 4 – inset 11), south of Mansfield has permitted reserves of approximately 12 million tonnes which is expected to be adequate for around 40 years. This satisfies the recommended 10 year landbank per quarry (or 15 years when significant new capital is needed) set out in national policy.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 17

What do you think of the draft policy to meet demand for silica sand over the plan period?

MP9: Industrial Dolomite provision

What you told us at the Issues and Options stage...

- Respondents stressed the importance of protecting heritage assets including Creswell Crags SAM, SSSI and Registered Park and Garden if a quarry proposal was put forward.

Issues and Options Sustainability Appraisal findings:

- Two options were appraised when considering how additional reserves should be identified in the plan if a demand is identified. Option A: Allocate sites, B: Use a criteria based policy approach.
- In summary option A: 'Allocate sites' was considered to be the most sustainable

Introduction

- 4.82. Industrial dolomite is an industrial grade limestone that is mainly used in the iron and steel industry. The resource in the UK is rare and locally is only found in parts of the Magnesian Limestone which is mainly worked for aggregate grade mineral. The end market for industrial dolomite products is international due to the scarcity of this high quality mineral.
- 4.83. No industrial dolomite is currently worked in Nottinghamshire although there are known reserves in a small area near Holbeck village. Just across the County boundary at Whitwell in Derbyshire industrial dolomite is quarried alongside aggregate stone on a large scale. Typically around 1 million tonnes are extracted every year at this quarry with the tonnage being split evenly between the industrial grade and aggregate limestone. The industrial dolomite is processed into a range of refractory and other products in the on-site kilns and then exported to 28 countries spanning 4 continents.

Policy MP9: Industrial Dolomite Provision

Proposals for industrial dolomite extraction will be supported where a need can be demonstrated.

Justification

- 4.84. There is no national demand forecast or local apportionment for industrial dolomite. However, the NPPF states that Minerals Planning Authorities should plan for a steady and adequate supply of industrial minerals. Given the scarcity of the resource and the international market it supplies it will be important to work with Derbyshire County Council in relation to the existing site at Whitwell Quarry, to ensure that this can be achieved.
- 4.85. Existing permitted reserves at Whitwell quarry in Derbyshire are expected to be adequate until 2033 for industrial dolomite and 2040 for aggregate grade limestone, however due to operational requirements further reserves are likely to be needed before this date to maintain future production.
- 4.86. No site specific proposals for Industrial Dolomite were put forward for consideration as part of the evidence gathering process. As a result a criteria based policy is being proposed.
- 4.87. The known industrial dolomite reserve in Nottinghamshire is located close to Creswell Crags which is categorised as a Scheduled Ancient Monument, a Site of Special Scientific Interest and forms part of the Registered Park and Garden of Welbeck Abbey. The Crags are also identified on a short list for a potential future World Heritage Site. Therefore any proposal would require careful consideration of the potential impacts on the historic environment offset against the international need for the mineral.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 18

What do you think of the draft policy to meet demand for Industrial dolomite over the plan period?

MP10: Building Stone provision

What you told us at the Issues and Options stage...

- No evidence was put forward to suggest additional reserves would be required over the plan period or that there were any other issues that needed to be considered.

Issues and Options Sustainability Appraisal findings:

- Three options were appraised when considering how the plan should identify future building stone reserves to meet local demand. Option A: Allocate sites/extensions, Option B: use a criteria based policy approach, Option C: combination of the allocations and criteria based policy.
- In summary Options A: 'Allocate sites / extensions' and C: 'Combination of site allocations and criteria-based policy' were considered to be the most sustainable.

Introduction

- 4.88. The continued quarrying of local building stones play an important role in helping to preserve the historic environment and enhancing the local distinctiveness of an area. Local stone is needed to allow existing historic buildings to be properly repaired and it also means new buildings in historic areas can blend in more effectively. The only permitted building stone quarry in Nottinghamshire quarries Bulwell Stone, a buff coloured limestone used as a building stone and more widely as a walling stone used to front many older properties in Nottingham and its suburbs.

Policy MP10: Building Stone Provision

1. The extraction of building stone at the following permitted site will be utilised to maintain future supply:

MP10a Yellowstone Quarry

2. Proposals for the extraction of building stone outside the permitted site identified above will be supported where it can be demonstrated that extraction will be primarily for non-aggregate use.

Note: The above site is shown on the Policies Map

Justification

- 4.89. National policy is reflected through Strategic Objective 7 (page 15), in that the identification of building stone quarries should be supported to ensure that adequate provision can be made to help conserve the historic built environment and local distinctiveness. Yellowstone quarry at Linby has planning permission to extract building stone but it is currently inactive. If reopened this could provide building stone to serve the local market and is the only such quarry in Nottinghamshire. (see appendix 4 – inset 16)
- 4.90. To date no other sites have been put forward, however demand for a specific building stone could drive the need to develop a new quarry. In this instance criterion 2 in policy MP10 will be used to assess future applications at other sites to ensure that the specialised resource is not used for aggregate purposes. This is in line with national requirements to make the best use of the limited resources to secure long term conservation.
- 4.91. In demonstrating a need, regard should be had to the Strategic Stone Study for Nottinghamshire, which sets out the significant building stones used in historical buildings and the potential quarries which could supply it.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

SO7: Protecting and enhancing historic assets

Question 19

What do you think to the draft policy to meet demand for building stone over the plan period?

MP11: Coal

What you told us at the Issues and Options stage...

- Some respondents suggested that consideration is given to 'softening' planning requirements for coal extraction for power plants that use carbon capture storage.
- Other respondents thought that fossil fuels should be withdrawn and all energies should be put into sustainable and renewable sources of energy.

Issues and Options Sustainability Appraisal findings:

- Two options were appraised to consider how the plan should consider the future requirements for coal provision or the reworking of spoil tips/lagoons. Option A: Use a criteria based policy approach, Option B: Rely on development management (DM) policies.
- In summary Option A: 'use a criteria based policy approach' was considered to be the most sustainable.

Introduction

- 4.92. Most of Nottinghamshire's coal resources are deeply buried and have to be exploited by deep coal mining. It is only in the far west of the County along the Erewash Valley where the coal measures are exposed, that surface (opencast) extraction is possible. The last deep mine in Nottinghamshire located at Thoresby Colliery closed in July 2015. A proposal to work surface mined coal at Shortwood Farm near Cossall has planning permission but has yet to be worked. (see Plan 4).

Colliery tipping

- 4.93. When coal is mined, a considerable amount of waste spoil is removed, which has to be disposed of. Due to the closures of the remaining collieries in Nottinghamshire, it is unlikely that any additional land will be required for spoil disposal over the plan period. If in the future new coal reserves are exploited this may be a significant consideration for any new proposal.

Coal recovery

- 4.94. Historical coal processing was often inefficient and substantial quantities of coal were left in the spoil. At some sites it may now be economic to recover this coal,

which can amount to several hundred thousand tonnes in a single large tip. Coal recovery involves the re-excavation of spoil for processing, the remainder of which is then re-deposited within the original tipping area. The last tip to be worked in this way was Langton Colliery tip near Kirkby in Ashfield, between 2011 and 2013 (see Plan 4).

Policy MP11: Coal

1. Permission for the extraction of coal will only be granted where:
 - a) the proposal is environmentally acceptable, or can be made so by mitigation; or
 - b) the proposal provides national, local or community benefits which clearly outweigh the likely adverse impacts.

Along with the above the following will be taken into account:

Surface mined coal: Incidental mineral extraction

2. Where proposals for surface mined coal are acceptable, proposals for the recovery and stockpiling of fireclays and other incidental minerals will be supported where this does not result in any unacceptable environmental or amenity impact.

Colliery Tipping

3. Proposals for colliery tipping will be supported where:
 - a) a need can be demonstrated; and
 - b) the proposal is environmentally acceptable.

Reworking colliery spoil tips/lagoons

4. Applications will be supported for the reworking of colliery spoil tips/lagoons where the environmental and economic benefits of the development, including addressing the likelihood of spontaneous combustion and substantial environmental improvement of the site, outweigh the environmental or amenity impacts of the development or the loss of established landscape and wildlife features.

Justification

- 4.95. National guidance sets out that permission should not be granted for the extraction of coal unless it can be made environmentally acceptable through planning conditions or if not where local or national benefits outweigh the likely impacts. There are no production targets as the Government believes this is a matter for the markets reinforced by long term policy measures.

- 4.96. Although it is unlikely that additional colliery tipping will be required during the plan period, this activity can have significant impacts in terms of land take and visual prominence. Should proposals for future coal extraction come forward, these will need to be accompanied by details of how the spoil would be managed.
- 4.97. The reworking of colliery spoil tips and lagoons is in principle a sustainable activity as it recovers coal that has been discarded as waste and it can provide an opportunity to properly reclaim old tips/lagoons that may have been left in a poor state. However, it can also have a significant impact on the environment in terms of visual intrusion, traffic movements, noise and dust. These impacts have to be weighed against the benefits, which could include opportunities for landscape or habitat enhancement.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 20

What do you think of the draft policy relating to meet demand for coal over the plan period?

MP12: Hydrocarbon Minerals

What you told us at the Issues and Options stage...

- Generally a single criteria-based policy which covers exploration, appraisal and production stages was considered in line with national policy.
- However the main focus of the responses related to shale gas and 'fracking'. Concerns regarding this type extraction related to impacts on local communities, climate emission reduction, well casing reliability, groundwater protection and gas leakage.

Issues and Options Sustainability Appraisal findings:

- Three options were appraised when considering what approach the plan should take towards hydrocarbons. Option A: Use single criteria based policy approach for all hydrocarbons, Option B: Have separate criteria based policies for each type of hydrocarbon, Option C: Allocate sites.
- In summary Option C: 'Allocate sites' was considered to be the most sustainable.

Introduction

- 4.98. Hydrocarbon minerals comprising oil and gas are the most important energy minerals produced and consumed in the UK. In 2010, 125 million tonnes were produced in the UK, whilst 165 million tonnes were consumed².
- 4.99. Historically, two main forms of hydrocarbons have been worked in Nottinghamshire; oil and mine gas, however other unconventional hydrocarbons such as coal bed methane and shale gas extraction are being developed and could be worked over the plan period. Plan 4 identifies the hydrocarbon resources and sites in Nottinghamshire. Further information regarding the existing permitted sites can be found in the Hydrocarbons background paper on the County Council website.

Oil

- 4.100. Oil has been extracted on a small scale since the Second World War when oil reserves in deeply buried sandstones were identified at Eakring. Since then further oil fields have been identified, mostly in north Nottinghamshire, but also as far south as Rempstone near the boundary with Leicestershire. The oil recovered in Nottinghamshire is of high quality and mainly used in the plastics and chemical

² UK Minerals Statistics Yearbook 2011 British Geological Survey 2012, page 68-69

industries rather than as a fuel. The majority of oil is taken by rail from the central collecting station at Gainsborough to refineries at Immingham, Humberside.

Mine gas

- 4.101. Mine gas refers to the methane that is released from coal seams during deep mining. When mining ceases and ventilation shafts are closed, this gas can fill the mineshafts and other voids and can escape to the surface where it can pose a threat to health and safety in the locality. The situation has become much more prevalent recently because of the number of Nottinghamshire collieries that have closed over the last 30 years. Mine gas can be recovered and burnt to generate electricity.

Coal bed methane

- 4.102. Coal bed methane extraction involves removing methane directly from the coal seam without actually mining the coal. The industry is most developed in the USA, whilst in the UK and Europe it remains in its infancy. Interest is however developing and it could become a significant energy source for the future. In Nottinghamshire a number of proposals for coal bed methane exploration have been granted planning permission. Nearly all of Nottinghamshire overlies a potential coal bed methane resource but the most promising prospects are believed to exist in the eastern half of the County due to the geological formation.

Underground coal gasification

- 4.103. Energy can also be recovered from coal in the ground by a process known as 'underground coal gasification'. This burns the coal underground using steam/water and oxygen to generate hydrogen, carbon monoxide and methane. It generates far more energy than coal bed methane which does not extract any energy from the solid coal itself. This technology has not been applied to any significant extent and the prospect of this technology being developed remains uncertain.

Shale gas

- 4.104. Vast quantities of methane exist in many shale deposits worldwide and recent technological advances have now made it economically possible to exploit them. The technology and exploitation of shale gas is most advanced in the USA where it has gone through a period of very rapid development and is now exploited on a very large scale. The UK also has a significant, but as yet largely untested potential shale gas resource. In Nottinghamshire, potential shale gas resources are thought to exist in deeply buried shale deposits found in the far south and north of the County.

- 4.105. Shale gas extraction is a very intensive activity that involves vertical and horizontal drilling to reach the shale rock formation. A mixture of water, sand and additives is then pumped under high pressure into the bore hole to fracture the rock (a process known as 'fracking'). The gas trapped in the rock is then released and can be collected.

Policy MP12: Hydrocarbon Minerals

Exploration

1. Proposals for hydrocarbon exploration will be supported provided they do not give rise to any unacceptable impacts on the environment or residential amenity.

Appraisal

2. Where hydrocarbons are discovered, proposals to appraise, drill and test the resource will be permitted provided that they are consistent with an overall scheme for the appraisal and delineation of the resource and do not give rise to any unacceptable impacts on the environment or residential amenity.

Extraction

3. Proposals for the extraction of hydrocarbons will be supported provided they are consistent with an overall scheme enabling the full development of the resource and do not give rise to unacceptable impacts on the environment or residential amenity.

Restoration

4. All applications for hydrocarbon development will be accompanied with details of how the site will be restored once the development is no longer required.

Justification

- 4.106. The majority of national production is offshore and one of the biggest energy issues facing the UK is the expected rapid decline in our domestic oil and gas production due to the depletion of these resources. By 2020, the UK could be importing around three quarters of its primary energy needs. This factor, combined with high energy prices and recent technological advances has created a very strong impetus to explore and develop new domestic sources of oil and gas. This includes previously untapped 'unconventional' resources such as coal bed methane and shale gas, both of which are known to exist below Nottinghamshire.
- 4.107. The NPPF states that for oil and gas including unconventional hydrocarbons, minerals planning authorities should develop criteria based policies that clearly distinguish between the three phases of development (exploration, appraisal and production) and to address constraints that apply within licensed areas. It also

encourages the capture and use of mine gas from abandoned mines. National energy policy suggests a broadly positive stance subject to the necessary environmental safeguards would be appropriate.

- 4.108. The Planning Practice Guidance states that existing hydrocarbon developments, along with Petroleum Licence Areas should be identified in local plans (see plan 5). Site specific allocations can be included in the local plan if put forward by the industry, however no such sites were put forward as part of the 'call for sites' exercise undertaken as part of the evidence gathering process.
- 4.109. It is considered that there is no justifiable reason in planning policy terms to separate shale gas from other hydrocarbon development. All hydrocarbon development has the potential to deliver national energy requirements, but should be subject to environmental safeguards. Applied to the local circumstances of the Minerals Local Plan, the assessment of environmental and amenity impact (i.e. the constraints on hydrocarbon development) is covered by and can be delivered through the application of the development management policies.
- 4.110. Petroleum Exploration and Development Licenses (PEDL) are issued by The Oil and Gas Authority under powers granted by the Petroleum Act 1998. The current licensed areas are shown on the policies map.
- 4.111. A UK Petroleum Exploration and Development Licence (PEDL) allows a company to pursue a range of oil and gas exploration activities, subject to necessary drilling/development consents and planning permission.
- 4.112. Planning permission is one of the main regulatory requirements that operators must meet before drilling a well for both conventional and unconventional hydrocarbons. The County Council is responsible for granting permission for the location of any wells and well pads, and will impose conditions to ensure that the impact on the land is acceptable. However it is not the only regulatory body that permission for extraction is required from. They include:
- The Oil and Gas Authority issues PEDL, gives consent to drill under the Licence once other permissions and approvals are in place, and have responsibility for assessing risk of and monitoring seismic activity, as well as granting consent for flaring or venting;
 - Environment Agency (EA) – protect water resources (including groundwater aquifers), ensure appropriate treatment and disposal of mining waste, emissions to air, and suitable treatment and manage any naturally occurring radioactive materials;

- Health and Safety Executive (HSE) – regulates the safety aspects of all phases of extraction, in particular responsibility for ensuring the appropriate design and construction of a well casing for any borehole.

4.113. A hydrological assessment will be required in support of any planning application and water availability may be a limiting factor in any proposal.

4.114. A Frequently Asked Questions (FAQ) document on unconventional hydrocarbons has been produced by the County Council and can be found on the Council's website.

This policy helps meet the following strategic objectives:

SO2: Providing an adequate supply of minerals

Question 21

What do you think of the draft policy to meet demand for hydrocarbon minerals over the plan period?

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5. Development Management Policies

What you told us at the Issues and Options stage...

- The proposed list of development management policies was generally considered appropriate.

Issues and Options Sustainability Appraisal findings:

- Two options were appraised as to how the development management plan should be dealt with in the plan. Option A: Develop specific policies for specific topic areas. Option B: Develop criteria based policies for broad groupings of topic areas.
- In summary Option A: 'Develop specific policies for specific topic areas' was considered to be the most sustainable.

- 5.1. The purpose of development management policies is to help to deliver the strategic policies and objectives by providing the criteria against which future minerals development will be assessed. They relate specifically to individual, site level criteria such as environmental impacts and standards and provide guidance about how planning applications for minerals development in the County will be assessed.
- 5.2. Applicants are advised to discuss proposals for minerals development with the County Council prior to submission of a planning application, as set out in the adopted Statement of Community Involvement (SCI). Such pre-application engagement can enable early identification of potential constraints and has the potential to improve efficiency and effectiveness of the planning system. This approach is encouraged by the Government and more details are set out in the National Planning Policy Framework.
- 5.3. Applications for minerals development should provide sufficient information to allow a balanced assessment to be made. A list of the information that may be required is set out in Appendix 1.

Environmental Impact Assessment

- 5.4. Environmental Impact Assessment (EIA) is often required for major developments that are likely to have significant impacts on the environment. The EIA process is used to identify the likelihood of significant impacts occurring as a result of a development, how these could be mitigated, and alternative ways in which the development could be carried out. Where EIA is required, the findings of this

process must be included in a separate Environmental Statement to be submitted alongside the planning application.

- 5.5. All mineral planning applications that meet the appropriate thresholds and criteria set out in the EIA Regulations (2011) will therefore be screened to determine whether or not EIA is required. Applicants may also request a formal screening opinion from the MPA prior to submitting a planning application. Where EIA is required, applicants may also request a scoping opinion setting out the issues to be addressed within the Environmental Statement.

Review of Mineral Permissions

- 5.6. Mineral planning permissions are subject to periodic review in accordance with the legislative requirements of the Planning and Compensation Act 1991 and the Environment Act 1995. This review process is used to ensure that mineral sites continue to work under modern conditions which reflect sustainability aspirations and offer appropriate environmental protection.
- 5.7. The review process is carried out in a similar way to the processing of a planning application but is focussed on bringing planning conditions up to date. The process cannot be used to remove legal working rights and compensation may be payable if working rights are unreasonably affected. Review submissions may be subject to Environmental Impact Assessment in the same way as a planning application. Applicants submitting review schemes should have regard to the requirements of the policies contained in this document, and ensure that all the environmental issues are satisfactorily addressed.

DM1: Protecting local amenity

Introduction

- 5.8. Minerals extraction by its very nature can have significant effects on the existing environment and the amenity of those living and working nearby. Potential impacts include noise, blasting, dust, increased levels of traffic and visual impact. It is therefore important that proposals for new minerals development take into account potential issues to ensure that, where possible, they are avoided in the first instance. Where this is not possible, adequate mitigation measures should be put in place to minimise the impacts of the development to an acceptable level.

Policy DM1: Protecting Local Amenity

Proposals for minerals development will be supported where it can be demonstrated that any adverse impacts on amenity are avoided or adequately mitigated to an acceptable level. The types of impacts that need to be considered include but are not restricted to:

- Landscape and Visual impacts;
- Noise;
- Blast vibration;
- Dust;
- Mud
- Air emissions;
- Lighting;
- Transport;
- Stability of the land at and around the site, both above and below ground level.

Justification

- 5.9. Ensuring a good standard of amenity for all existing and future occupants of land and buildings is a core planning principle of the National Planning Policy Framework. New and existing development should not contribute to, or be put at risk from, pollution or other sources of nuisance or intrusion which could adversely affect local amenity, particularly in relation to sensitive receptors.
- 5.10. The precise level of impacts will vary according to local conditions and the type, scale, and intensity of development proposed. Factors to be considered will therefore include the local topography, the position of the proposed development in relation to other uses and the degree to which any adverse effects can be mitigated. Depending upon the proximity and sensitivity of surrounding land uses an appropriate stand-off distance may be required between the proposed mineral working area and nearby residential or other sensitive uses. This will be

determined on a case by case basis taking account of any proposed mitigation measures.

- 5.11. The visual impacts of mineral working will vary depending on the scale, duration, and type of operation proposed. It is important that sites are located sensitively in terms of their wider setting and that the detailed site layout is designed to minimise potential impacts. This could include measures such as additional landscape screening; the direction and phasing of site working and reclamation; and the location of fixed or mobile processing plant, buildings, stockpiles and internal haul roads. National guidance suggests that a landscaping strategy should accompany proposals for mineral development which should define the likely impacts and identify appropriate screening and mitigation measures to minimise visual impact and the impact on landscape quality.
- 5.12. In accordance with national policy, all mineral working proposals should ensure that any unavoidable noise, mud, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source. Where appropriate this will include establishing appropriate noise limits for extraction in proximity to noise sensitive properties. Appropriate measures to mitigate potential noise impacts include the use of noise suppression equipment on plant and machinery and acoustic barriers, site specific noise limits and restrictions on site operating hours. Further guidance on noise assessment is provided within the Planning Practice Guidance and Explanatory Note of the Noise Policy Statement for England.
- 5.13. Proposals will also need to demonstrate that they will not have an adverse impact on air quality from dust, plant or vehicle emissions. A dust assessment study may be required to determine the impacts during site construction, operation and restoration. This should include details of appropriate mitigation measures such as relocating potential sources of dust within the site to minimise impacts and the use of dust suppression equipment, limiting on-site vehicle speeds and the temporary suspension of dust-causing activities during unfavourably dry or windy conditions. Dust monitoring may need to be carried out where dust generating activities are to be carried out close to neighbouring sensitive properties. The use of site sweepers and wheel-washing equipment may also be required to limit the spread of dust or mud off-site.
- 5.14. The planning process should ensure, wherever possible, that the potential for air emissions from site machinery and or related transport to occur from new, or changes to, existing development are dealt with through appropriate site layout, design, maintenance and operation.
- 5.15. Good site design is also encouraged in order to limit the impact of light pollution on local amenity, intrinsically dark landscapes and nature conservation. Guidance, such as that from the Institute of Lighting Professionals (Guidance Notes for the

Reduction of Obtrusive Light), should be considered to ensure lighting schemes are suitable for the site location. Factors to consider will include the height and angle of lighting installations, the use of shielding and proposed hours of use.

- 5.16. Potential impacts on local amenity arising from the transportation of minerals include an increase in the number and size of vehicles on the existing road network, damage to roads and verges, vibration, mud, dust and noise. Measures to limit the adverse effects on local amenity could include sheeting of lorries, wheel cleaning facilities; highway improvements and maintenance; and controls over the number of vehicles and hours of working. Policy DM9 contains further measures relating to highway safety.
- 5.17. Mineral development proposals must also take account of existing and potential future site stability issues. National policy is clear that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
- 5.18. Most forms of minerals development are likely to require an Environmental Impact Assessment (EIA) to examine the likely significant environmental effects what is being proposed. EIA is undertaken by developers as a means of drawing together, in a systematic way, an assessment of the likely significant environmental effects of certain types of minerals proposal.
- 5.19. Where there is a possibility that a proposed mineral development will require an EIA, developers are advised to consult the County Council well in advance of a planning application, and formally request an opinion on whether an EIA is required and, if so, its scope.
- 5.20. Where appropriate, avoidance or mitigation measures required to make a minerals development acceptable as a result of this policy will be secured through planning conditions attached to the planning permission. Where measures cannot be secured in this way, planning obligations (also known as Section 106 Agreements) may be used to make the development acceptable in planning terms. See Policy DM11: Planning Obligations for further details.

This policy helps meet the following strategic objectives:

SO5: Minimising impacts on communities

Question 22

What do you think of the draft policy wording for DM1: Protecting local amenity?

DM2: Water resources and flood risk

Introduction

- 5.21. Minerals development by its very nature will at some point affect surface and or ground water resources. This could be as a result of pumping water from areas where mineral is worked below the water table or where mineral is extracted in the flood plain. These activities could have impacts on a much wider area than just the boundary of the proposal. It is therefore important that these impacts are avoided and reduced through good design and management of minerals sites.
- 5.22. The protection of ground and surface water quality is important for both people and wildlife. Proposals for mineral working must therefore ensure that there is no adverse impact on the flow, quantity and quality of surface and groundwater.

Policy DM2: Water Resources and Flood Risk

Water resources

1. Proposals for minerals development will be supported where it can be demonstrated that:
 - a. Surface water flows at or in the vicinity of the site are not detrimentally altered;
 - b. Groundwater quality and levels are not detrimentally altered;
 - c. There are no unacceptable risks of polluting ground or surface waters;
 - d. Water resources, where required, should be used as efficiently as possible.

Flooding

2. Proposals for minerals development will be supported where it can be demonstrated that there will be no unacceptable impact on:
 - a. Flood flows and storage capacity;
 - b. The integrity or function of flood defences or structures acting as flood defences;
 - c. Local land drainage systems.
3. Proposals for mineral extraction that increase flood risk to local communities will not be supported unless the risks can be fully mitigated.
4. Where the opportunity exists, restoration proposals should seek to incorporate flood risk reduction measures e.g. flood plain storage and reconnection, flood defence structures, and land management practices to benefit local communities.
5. Minerals development should include Sustainable Drainage Systems (SuDS) to manage surface water drainage unless it can be shown that it is impracticable to do so.

Justification

- 5.23. Applicants will be required to assess the potential impacts upon the water environment at both extraction and restoration phases, undertaking a hydrological/hydrogeological investigation where necessary. Where appropriate this should include details of how potential impacts from site pumping (de-watering) will be mitigated. Measures will also need to be taken to protect ground and surface water sources from potential contamination from dust or fuel spillage from plant, vehicles and storage tanks.
- 5.24. The Environment Agency is the main authority for safeguarding the water environment; it is responsible for improving and protecting inland and coastal waters ensuring sustainable use of natural water resources, creating better habitats and other factors that help to improve the quality of life. The Environment Agency publishes Information on groundwater vulnerability and the location of source protection zones for water supply.
- 5.25. The Environment Agency's Groundwater Protection: Principles and Practice uses aquifer designations which are consistent with the Water Framework Directive to reflect the importance of aquifers in terms of groundwater as a resource and also their role in supporting surface water flows and wetland ecosystems. Where water abstraction is required as part of the proposed working scheme, applicants should consult with the Environment Agency and refer to the Agency's local Catchment Abstraction Management Strategy.
- 5.26. Applicants must also consider potential flood risk issues at the outset of any scheme. National guidance states that inappropriate development in areas of flood risk should be avoided by directing development away from areas of highest risk. However minerals can only be worked where they are found and extraction is therefore classed as a temporary activity. Due to their specific nature, mineral workings are classified as either Water Compatible or Less Vulnerable development. As such, minerals development can be permitted within Flood Zones 1, 2 and 3a. Sand and gravel quarries are also appropriate in Flood Zone 3b subject to meeting additional criteria. The site selection process for the site allocations identified within the Local Plan has taken account of the Sequential Test, the purpose of which is to steer new development to areas with the lowest probability of flooding.
- 5.27. At the planning application stage, operators may be required to undertake a site specific Flood Risk Assessment where:
- Development sites are located in Flood Zone 2 or Flood Zone 3;
 - The proposed development is classed as a major development (all sites over 1 ha) and located in Flood Zone 1. Since the risk of fluvial or tidal flooding is minimal such assessments should focus on the management of surface water;

- Development sites located in an area known to have experienced flooding problems from any flood source;
 - Where a development site is located within 20m of a Main River.
- 5.28. The national Planning Practice Guidance provides details as to the content of Site Specific Flood Risk Assessments. As a minimum assessments should take account of:
- The areas liable to flooding;
 - The probability of flooding occurring, both during operations and after;
 - The extent and standard of existing flood defences and their effectiveness over time;
 - The likely depth of flooding;
 - The rates of flow likely to be involved;
 - The likelihood of impacts to other areas, properties and habitats;
 - The potential effects of climate change;
 - Identify opportunities to reduce overall flood risk
 - Application of the sequential test at a site level
- 5.29. Mineral extraction within floodplains can temporarily reduce storage capacity, impede flows and therefore increase the risk of flooding elsewhere. Potential obstructions can include soil and overburden mounds and fixed plant. In addition, buildings and hard standing associated with minerals development can lead to an increase in surface run-off and therefore contribute to flooding.
- 5.30. Careful site design at the planning application stage will be required to address potential flood issues and emergency planning, including locating any stockpiles, storage mounds, fixed plant or buildings in the least vulnerable parts of the site and, if it's not possible to locate any essential sleeping or residential accommodation for staff in areas not vulnerable to flooding, to ensure that they are subject to a specific flood warning and evacuation plan. Where appropriate, Sustainable Drainage Systems (SuDS) that are capable of storing and controlling the discharge of water should be incorporated into the design of proposals.
- 5.31. There may also be occasions where site operators are required to provide future flood defence maintenance to ensure the standard of protection is maintained for the duration of site operations.
- 5.32. Multiple environmental benefits can however be delivered through the restoration of mineral workings; simultaneous benefits to flood risk management, habitat creation and Water Framework Directive improvements can be achieved. The restoration of quarries should ensure that opportunities are explored for delivering wider environmental benefits through site restoration schemes. This could include river bank realignment and floodplain reconnection.

- 5.33. A number of different bodies have responsibilities in terms of managing flood risk. The Environment Agency is responsible for managing the risk of flooding from main rivers and reservoirs and coastal areas and prepares national and regional flood risk guidance and strategies.
- 5.34. Nottinghamshire County Council has a strategic role in overseeing the management of local flood risk, flooding from surface water runoff, groundwater and ordinary watercourses and will be working with the Environment Agency and the Water Companies on strategies to tackle this issue. The County Council is developing a Flood Risk Management Strategy in partnership with other organisations including District and Borough Councils, Severn Trent Water, the Environment Agency, Internal Drainage Boards and Nottingham City Council.
- 5.35. Internal Drainage Boards (IDBs) are statutory public bodies and operate in accordance with the Land Drainage Act and other legislation. There are two in Nottinghamshire; The Trent Valley Board's district extends through the Trent Valley from south Nottingham to just north of Gainsborough and part of the Vale of Belvoir. The Isle of Axholme and North Nottinghamshire Water Level Management Board covers the Idle Valley. Their principal role is to manage water levels in connection with flood risk and land drainage. Boards have powers to maintain a selected network of watercourses within their areas. Other watercourses are the responsibility of the landowner but the Boards also have permissive powers to ensure that they are satisfactorily maintained.

This policy helps meet the following strategic objectives:

SO3: Addressing climate change

SO6: Protecting and enhancing natural assets

Question 23

What do you think of the draft policy wording for DM2: Water resources and flood risk?

DM3: Agricultural land and soil quality

Introduction

- 5.36. Most of the County's undeveloped land is in agricultural use. It is a vital natural and economic resource and protecting the highest quality land from development is an important consideration.

Policy DM3: Agricultural Land and Soil Quality

Agricultural land

1. Proposals for minerals development located on the best and most versatile agricultural land (grades 1, 2 and 3a) will only be supported where it can be demonstrated that:
 - a. There is no available alternative and the need for development outweighs the adverse impact upon agricultural land quality; or
 - b. Proposals will not affect the long term agricultural potential of the land or soils; or
 - c. Alternative land of lower agricultural value has considerations which outweigh the adverse impact upon agricultural land quality.
2. Where alternative options are limited to varying grades of best and most versatile land, the development should be located within the lowest grade.

Soil quality

3. Measures will be taken to ensure that soil quality will be adequately protected and maintained throughout the life of the development and, in particular, during stripping, storage, management and final placement of soils, subsoils and overburden arising as a result of site operations.

Justification

- 5.37. Minerals development often involves the use of large areas of agricultural land as extraction is limited to where the minerals naturally occur. The National Planning Policy Framework (NPPF) states that where significant development of agricultural land is considered to be necessary, poorer quality land should be used in preference to that classed as best and most versatile, provided this is consistent with other sustainability criteria.
- 5.38. Where sites are already in agricultural use, it may be desirable for the land to be returned to agriculture following development although other uses may be appropriate provided that the long-term potential of the best and most versatile agricultural land can be maintained.

- 5.39. In keeping with the approach set out in Policy SP5, this could include biodiversity led-restoration schemes as long as the land and soil is maintained in a state capable of supporting agriculture in future, should the need arise.
- 5.40. Where agricultural restoration is the preferred option, this can still deliver significant benefits for 'farmland' biodiversity in the form of hedgerows, ponds small woodlands and other habitat features and, if well designed, thereby delivering a net gain for biodiversity. Moreover, many Habitats of Principal Importance such as Lowland Meadows or Floodplain Grazing Marsh can be compatible with commercial livestock systems, and are dependent upon agricultural management. Water features in agricultural restoration can contribute to agricultural irrigation, biodiversity, flood alleviation and storage, and landscape enhancement in a multi-functional way, and should all be considered.
- 5.41. Soils are an important and valuable restoration material and their proper handling and conservation is essential. The whole soil profile is not just important for agricultural restoration. It can also be important for other uses, such as sports pitches and nature conservation. Mismanagement of the soil resource is likely to seriously prejudice the standard of restoration. The practice of site restoration and returning soil to a good quality can help reduce surface water runoff, via improved infiltration. This can lead to reduced suspended solids running off into local water courses which is beneficial for both the objectives of the Water Framework Directive and flood risk management.
- 5.42. For most sites a detailed soil survey will be required to identify soil types, profiles and depths. Where different soils are recorded, separate stripping, storage and replacement may be required to allow reinstatement of the original or suitable alternative soil profiles. Operators may therefore be required to submit a soil handling scheme as part of their proposals.
- 5.43. In some circumstances the relocation of soils of sufficient quality to ensure better agricultural use elsewhere may be appropriate to protect this important resource. Policy DM12: Restoration, After-use and Aftercare provides further information.

This policy helps meet the following strategic objectives:

SO8: Protecting agricultural soils

Question 24

What do you think of the draft policy wording for DM3: Agricultural land and soil quality?

DM4: Protection and enhancement of biodiversity and geodiversity

Introduction

- 5.44. The importance of biodiversity cannot be underestimated. It consists of the rich diversity of flora and fauna which form a critical part of the earth's ecosystem which humans are a part of and depend on. Biodiversity brings other benefits too. It can be important in flood protection, filter air and waterborne pollutants, cool the urban environment, moderate noise, foster understanding of the natural environment, increase the attractiveness of an area and therefore encourage more people to interact with their local environment and contribute to healthier lifestyles. It is therefore important to ensure that new minerals development is appropriately managed.

Policy DM4: Protection and Enhancement of Biodiversity and Geodiversity

1. Proposals for minerals development will be supported where it can be demonstrated that:
 - a) They will not give rise to any likely significant adverse effects on the integrity of a European site (either alone or in combination with other plans or projects, including as a result of changes to air or water quality, hydrology, noise, light and dust), unless there are no alternative solutions, imperative reasons of overriding public interest and impacts can be fully mitigated;
 - b) They are not likely to give rise to a significant adverse effect on a Site of Special Scientific Interest, except where the benefits of the development clearly outweigh the importance of the site and where no suitable alternative exists;
 - c) They are not likely to give rise to the loss or deterioration of Local Sites (Local Wildlife Sites or Local Geological Sites) except where the need for and benefits of the development in that location outweigh the impacts;
 - d) They would not result in the loss of populations of a priority species or areas of priority habitat, or other irreplaceable habitats including ancient woodland or veteran trees, except where the need for and benefits of the development in that location clearly outweigh the loss.
2. Where impacts on designated sites or priority habitats or species cannot be avoided, then adequate mitigation relative to the scale of the impact and importance of the resource must be put in place, with compensation measures secured as a last resort.

3. Nottinghamshire's biodiversity and geological resources will be enhanced by ensuring that minerals development:
- a) Retains, protects, restores and enhances features of biodiversity or geological interest, and provides for appropriate management of these features, and in doing so contributes to targets within the Nottinghamshire Local Biodiversity Action Plan;
 - b) Makes provision for habitat adaptation and species migration, allowing species to respond to the impacts of climate change; and
 - c) Maintains and enhances ecological networks, both within the County and beyond, through the protection and creation of priority habitats and corridors, and linkages and stepping stones between such areas.

Justification

- 5.45. Nottinghamshire has an extensive network of sites, both designated and non-designated, which are important for their biodiversity and geological interest. At the international level, 'European sites' (also known as the Natura 2000 sites) are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community. These sites consist of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). Ramsar sites are also designated at the international level; however, Nottinghamshire does not currently contain any of these.
- 5.46. Sites of international importance are specifically protected under national legislation and any proposal that would be likely to have a significant effect on a European site, either alone or in combination with other plans or projects, would need to ensure that all impacts can be mitigated. This protection applies to candidate³ sites as well as those that have already been designated. Any development that is not directly connected with the management of any European sites, but likely to have a significant effect on them, will require a Habitats Regulations Assessment to be carried out at the planning application stage to ensure that any such effects can be mitigated.
- 5.47. The Council is aware that a possible Special Protection Area (SPA) is under consideration for part of Nottinghamshire which could therefore become a candidate site. If a Special Protection Area is subsequently identified and sent to the European Commission for designation, the Council will assess the implications of this and what action is necessary to deal with any issues raised. In the meantime the Council will adopt a "risk based" approach, as advised by Natural

³ A candidate site is one which has been put forward for designation but not confirmed.

England, and assess any applications in accordance with the requirements of the Birds Directive.

- 5.48. At a national level, the County contains a number of SSSIs designated and protected under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. Consultation with Natural England will be required for any development likely to affect a SSSI.
- 5.49. Local Sites are designated at a local level and include Local Wildlife Sites (LWSs) and Local Geological Sites (LGSs). Some, but not all, Ancient woodlands are designated as LWSs within Nottinghamshire and are considered to be an irreplaceable habitat. Together, these designated sites form part of the country's irreplaceable natural capital and the Minerals Local Plan will contribute towards their protection and encourage and support opportunities for enhancement.
- 5.50. When determining planning applications, national policy is clear that distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.
- 5.51. Other habitats of conservation importance fall outside of these designated sites, and these are identified as Habitats of Principal Importance for Conservation in England, designated under Section 41 of the Natural Environment and Rural Communities Act 2006, and regarded as conservation priorities in the UK Post-2010 Biodiversity Framework. Similarly, many species in Nottinghamshire that do not receive legal protection are identified as Species of Principal Importance for Conservation in England. Both were formerly known as UK Biodiversity Action Plan (UKBAP) priority habitats or species, and are also listed in the Nottinghamshire Local Biodiversity Action Plan. They have high nature conservation value, contributing to the county's biodiversity and its ecological networks.
- 5.52. Where a site hosts a priority habitat or species, and there is no alternative solution, the only considerations which can justify the grant of planning permission are (a) those which relate to human health, public safety or beneficial consequences of primary importance to the environment or (b) other imperative reasons of overriding public interest agreed by the European Commission⁴.
- 5.53. The National Planning Policy Framework (NPPF) also sets out the so-called mitigation hierarchy, which requires for significant harm from development to be

⁴ Circular 06/2005

avoided, adequately mitigated, or, as a last resort, compensated for, stating that if this cannot be achieved, then planning permission should be refused.

- 5.54. Where compensation is required, this should ensure that there is no net loss of habitat, provide like for like replacements of habitat and make up for any lost connections between habitats. Where significant impacts on species are predicted, compensation schemes should also provide overall habitat improvements, in terms of quality or area, in comparison to the habitat that is being lost.
- 5.55. Biodiversity enhancement should be seen as a cross cutting theme and opportunities to create and improve habitats will be supported in accordance with local and national biodiversity targets. The prevention of fragmentation of existing habitats is key to allow species to respond to the impacts of climate change by making provision for habitat adaptation and species mitigation. Where minerals development adversely affects biodiversity interest, negative impacts should be minimised and mitigation to address these impacts should be provided.
- 5.56. A number of species are protected by law, principally the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations (2010), whilst efforts to support improvements in the population of targeted species are reflected through the Nottinghamshire Local Biodiversity Action Plan.
- 5.57. Biodiversity Opportunity Mapping has been substantially completed for approximately two-thirds of Nottinghamshire, including the Trent Valley. The study should be used to help inform proposals for mineral workings and restoration.
- 5.58. In order to assess biodiversity impacts fully, applicants may be required to carry out an ecological survey as part of their application.

This policy helps meet the following strategic objectives:

SO3: Addressing climate change

SO6: Protecting and enhancing natural assets

Question 25

What do you think of the draft policy wording for DM4: Protection and enhancement of biodiversity and geodiversity?

DM5: Landscape character

Introduction

- 5.59. People value the countryside and its landscape for many different reasons, not all of them related to traditional concepts of aesthetics and beauty. It can provide habitats for wildlife and evidence of how people have lived on the land and harnessed its resources. Landscape has a social and community value, as an important part of people's day-to-day lives. It has an economic value, providing the context for economic activity and often being a central factor in attracting business and tourism.

Policy DM5: Landscape Character

1. Proposals for minerals development will be supported where it can be demonstrated that it will not adversely impact on the character and distinctiveness of the landscape unless there is no available alternative and the need for development outweighs the landscape interest and the harmful impacts can be adequately mitigated;
2. Landscaping, planting and restoration proposals should take account of the relevant landscape character policy area as set out in the Landscape Character Assessments covering Nottinghamshire and, where appropriate, the output of the Biodiversity Opportunity Mapping study.

Justification

- 5.60. National Planning Guidance states that valued landscapes should be protected and enhanced, and requires Local Plans to include criteria based policies against which proposals for any development on or affecting landscape areas will be judged.
- 5.61. Landscapes form an important part of the character of Nottinghamshire and have been created from a complex mix of natural and man-made influences such as geology, soil, climate and land use. This has given rise to a variety of landscapes that continue to evolve over time. All landscapes hold value and some have more potential to be improved and restored than others.

- 5.62. Many activities have the potential to change the landscape and in the case of mineral extraction, this can be significant. Mineral workings can destroy landscape character, but their restoration can also help to improve landscapes, especially those which may be of a lower quality. Priority will be given to minerals developments that provide long term enhancements to landscape character.
- 5.63. In order to manage changes to landscape character, three Landscape Character Assessments (LCA) were published in 2009 (Bassetlaw, Newark and Sherwood and Greater Nottingham including Ashfield and Mansfield), these cover the whole of the County. 11 character areas have been identified and each Landscape Character Area has a unique combination of elements and features that make them distinctive:
- Derbyshire and Nottinghamshire Coalfields (DC);
 - East Nottinghamshire Sandlands (ES);
 - Idle Lowland (IL);
 - Leicestershire and Nottinghamshire Wolds (LW);
 - Magnesian Limestone (ML);
 - Mid Nottinghamshire Farmland (MN);
 - Sherwood (SH);
 - South Nottinghamshire Farmlands (SN)
 - Trent Valley (TV);
 - Trent Washlands (TW);Vale of Belvoir (VB).
- 5.64. The Trent Washlands in particular is identified under pressure from minerals development.
- 5.65. The LCAs identify specific features of the different Landscape Character Areas and this information can then be used to give special protection to the feature or to identify suitable mitigation measures when loss is unavoidable. It is also valuable in the design of restoration schemes.
- 5.66. An Areas of Multiple Environmental Sensitivity Study has been carried out for parts of Nottinghamshire in areas around the River Trent to help inform site allocations, future proposals for mineral workings and restoration schemes. A similar study has also been carried out in Derbyshire (Areas of Multiple Environmental Sensitivity) to inform their future Minerals Local Plan.
- 5.67. To ensure that new minerals development considers existing landscapes and visual impact, a local landscape and visual impact assessment will be required for all proposals to identify potential impacts on the surrounding areas. All landscape proposals for the restoration of minerals sites, such as earthworks, after-use and planting, should reflect the landscape type and character area.

This policy helps meet the following strategic objectives:

SO6: Protecting and enhancing natural assets

SO8: Protecting agricultural soils

Question 26

What do you think of the draft policy wording for DM5: Landscape character?

DM6: Historic environment

Introduction

- 5.68. Nottinghamshire has a rich history and this can be seen in the wide range of historic buildings, settlements, landscapes, parks, gardens and monuments as well archaeological sites and features that contribute to the local identity and sense of place. It is important to protect, conserve and, where opportunities arise, enhance the historic environment of the County.

Policy DM6: Historic Environment

1. Proposals for minerals development will be supported where it can be demonstrated that:
 - a) There will not be an adverse impact on any designated heritage asset or a non-designated heritage asset of archaeological interest that is demonstrably of equivalent significance to a scheduled monument, and/or their settings; or
 - b) Public benefits related to the development outweigh the harm to, or loss of, any designated heritage asset or non-designated heritage asset of archaeological interest that is demonstrably of equivalent significance to a scheduled monument and/or their settings. Where this is the case, the harm or loss should be mitigated as far as possible.
 - c) Proposals directly or indirectly affecting non-designated heritage assets, except those assets listed in point 1, will be supported where it can be demonstrated that the scale of any harm or loss balanced with the significance of the heritage asset affected is outweighed by the public benefits of the development
2. Proposals for minerals development on a site of archaeological importance must ensure that satisfactory mitigation measures are incorporated, including the preservation in situ or the excavation and recording of any affected archaeological remains.
3. The enhancement of specific features of the historic environment, including individual heritage assets or historic landscapes, as part of restoration schemes will be encouraged.
4. No development shall take place within the archaeological resource area at South Muskham.

Justification

- 5.69. Since minerals can only be worked where they exist, their development can lead to a conflict between the provision of essential mineral resources and the protection of heritage assets for the benefit of future generations.
- 5.70. National policy states that the most important heritage assets should be conserved, and that balancing the need for development against potential harm to heritage assets needs to be fully justified. The Council has a duty to protect, conserve and enhance the significance, character and appearance of the area's historic environment when carrying out its statutory functions and through the planning system.
- 5.71. National policy recognises the importance of minimising the impacts on designated and non-designated heritage assets and their settings and requires a distinction to be made between the relative significance of the heritage assets. The NPPF states that, when considering the impact of a proposed development on the significance of a designated heritage asset, 'great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.' It states that substantial harm or loss of designated heritage assets of the highest significance should be wholly exceptional. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the NPPF states that Local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 5.72. The historic environment of Nottinghamshire is vast and ranges from major historic and nationally important buildings and grounds to the many thousands of archaeological sites that lie buried underground. The historic environment, by its very nature, is an irreplaceable resource.
- 5.73. Nottinghamshire contains thousands of archaeological sites and historic features including national designations (including Listed Buildings, Scheduled Monuments, Registered Historic Parks and Gardens and Battlefields), local designations (including Conservation Areas and locally listed buildings and parks) and undesignated assets such as known or unknown buried archaeology. One site, Creswell Crags, is currently on the UNESCO tentative list for Inscription as a World Heritage Site.
- 5.74. It is therefore important to conserve and enhance these assets in a manner appropriate to their significance.

Archaeology

- 5.75. The need for preservation in situ of other sites and remains will need to be assessed against their importance and the impact that their loss would have upon the overall archaeological resource in Nottinghamshire. Although the preservation of archaeological sites is a primary objective, it is clearly impracticable to preserve them all. Equally sites should not be destroyed without careful consideration and, treatment.
- 5.76. Where preservation in-situ is not feasible, sites need to be surveyed, excavated or otherwise appropriately recorded. These provisions can only be assessed after the archaeological characteristics or proposed development sites have been evaluated. An appropriate scheme of treatment is required to be agreed with the County Council prior to any development taking place.
- 5.77. A research project looking at aggregate resources in Nottinghamshire and the archaeological remains they contain revealed that discoveries within mineral workings have yielded a wealth of new information about the Iron Age and Roman periods in the Trent and Idle Valleys.

Archaeological resource area at South Muskham

- 5.78. South Muskham parish contains one of the densest areas of known archaeological remains in the Trent Valley, reflecting a long history of settlement and landscape development. Whilst this area is of major local and regional archaeological importance it is not fully understood. A field walking programme has been undertaken but further studies are still required to ascertain the effect of losing individual sites or features in this area. As such there will be a presumption against mineral extraction within the South Muskham area for the duration of the Plan period. (See appendix 4 - inset 12).

Other Heritage Assets

- 5.79. Nottinghamshire's Historic Environment Record holds information on a large number of Listed Buildings and Conservation Areas and sites of local interest. Nottinghamshire also has a number of parks which are listed on the 'Register of Historic Park and Gardens of Special Historic Interest in England' produced by Historic England and others that are of local interest. A Registered Battlefield is also identified within Nottinghamshire (Stoke Field) which is acknowledged as an important English battlefield. Some Nottinghamshire District/Borough Local Planning Authorities have adopted criteria for the identification of 'non-designated heritage assets' and have, or are producing a local list of these.

- 5.80. The potential direct or indirect impacts on the historic environment from minerals development may constitute harm. This should be avoided, however where public benefits related to the minerals development have been identified and justified, the use of careful design, buffer zones, considered restoration schemes and other mitigation may make it possible to accommodate mineral developments in the vicinity of designated heritage assets.
- 5.81. The role of Policy DM6 is to ensure that the historic environment is afforded the appropriate level of conservation and enhancement in conformity with national policy. As part of the process of preparing planning applications for new development, assessments should be carried out to describe and assess the significance of heritage assets (including significance derived from setting). This should be used by developers to inform the development proposals and, where necessary, including the preparation of a mitigation strategy for proposed minerals development to avoid or mitigate against any impacts.
- 5.82. In cases where it is necessary for an applicant to submit a Heritage Statement and/or Archaeological Evaluation, the scope and degree of detail necessary will vary according to the particular circumstances of each application. The level of detail required should be proportionate to the importance of the heritage asset, the size of the development and the level of its impact on the heritage asset.
- 5.83. As a minimum, the Nottinghamshire Historic Environment Records (HER) should be consulted. Other local heritage strategies and assessments have been prepared for some areas of the County and these should also be consulted, where appropriate. Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, the Council will require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation. It is strongly advised that Heritage Statements and Archaeological Evaluations are compiled by a professional consultant or contractor so as to ensure that an appropriate statement is submitted. Applicants are advised to discuss proposals with the Council prior to submitting an application.

This policy helps meet the following strategic objectives:

SO7: Protecting and enhancing historic assets

Question 27

What do you think of the draft policy wording for DM6: Historic environment?

DM7: Public access

Introduction

- 5.84. Nottinghamshire is a largely rural County and has nearly 2,700km of routes providing access into the countryside for walking, cycling and horse riding. The rights of way network also provides vital links between towns and villages and is increasingly being used as a route to school, work and shops.
- 5.85. The size and location of minerals development can have a significant impact on the rights of way network but it can also provide opportunities to improve and extend existing infrastructure in the countryside.

Policy DM7: Public Access

1. Proposals for minerals development will be supported where it can be demonstrated this will not have an unacceptable impact on the existing rights of way network and its users.
2. Where this is not practicable, satisfactory proposals for temporary or permanent diversions, which are of at least an equivalent interest or quality, must be provided.
3. Improvements and enhancements to the rights of way network will be sought and, where possible, public access to restored minerals workings will be increased.

Justification

- 5.86. National policy states that policies should protect and enhance public rights of way and access. Opportunities to provide better facilities for users, such as adding links to the existing rights of way, should be sought. Where appropriate, manned crossing points will be required to ensure that the existing rights of way network is not compromised during development. Proposals for new rights of way will need to consider how they can best link into the existing rights of way network. All proposals for new or improved rights of way will also need to consider the needs of people with mobility problems and other disabilities and comply with the requirements of the Equality Act 2010.
- 5.87. There are parts of Nottinghamshire that suffer from a poor quality environment and where there is a lack of accessible green space. Therefore efforts to improve public rights of way and access within mineral developments should be targeted to help address deficiencies as well as providing infrastructure.

- 5.88. Reference should be made to the Nottinghamshire County Council Rights of Way Improvement Plan and advice sought from the County Council's rights of way officers regarding temporary or permanent diversions and the opportunities for future improvements in the area.
- 5.89. Consultation with the County Council on any public right of way affected by a proposed minerals development should take place at the earliest possible stage. The statutory process for footpath diversion or closure is separate from the planning process and as such delays or failures to secure any required amendments to the rights of way network could affect the implementation of future minerals development.
- 5.90. Enhancements to the rights of way network will be secured through legal agreements rather than planning conditions to ensure that the enhanced rights of way are available in perpetuity. Similarly, permissive paths will not be considered for temporary or permanent diversions to an existing definitive right of way.

This policy helps meet the following strategic objectives:

SO5: Minimising impacts on communities

SO6: Protecting and enhancing natural assets

Question 28

What do you think of the draft policy wording for DM7: Public access?

DM8: Cumulative impact

Introduction

- 5.91. In some areas of Nottinghamshire the extent of the mineral working may result in a large number of previously worked sites and further applications for extraction. The impacts, both real and perceived, of a concentration of workings close to a community or communities can impact on local amenity, quality of life and the wider environment and landscape character.

Policy DM8: Cumulative Impact

Proposals for minerals development will be supported where it can be demonstrated that there are no unacceptable cumulative impacts on the environment or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

Justification

- 5.92. National policy emphasises the need for cumulative impacts from multiple impacts from individual site and/or a number of sites in a locality to be taken into account.
- 5.93. Proposals for the simultaneous and/or successive working of a number of sites in a wider area of commercially-viable deposits may affect communities and localities over an extended period, depending on the nature, age and size of the site(s).
- 5.94. The capacity of a local area to accommodate minerals development depends upon the proximity of existing development, the type and duration of operations proposed, the phasing of working and the proposed restoration and after-use of the site.
- 5.95. A stage may be reached whereby it is the cumulative rather than the individual impact of a proposal that renders it environmentally unacceptable. Depending on local circumstances, there may also be a need to consider whether there are likely to be cumulative impacts resulting from proposed minerals development in combination with other existing or proposed non-mineral related development.
- 5.96. The plan therefore seeks to ensure that the impacts of a mineral proposal are considered in conjunction with the impacts of other past, present or reasonably foreseeable developments, and that cumulative impact on the environment of an area, or on the amenity of a local community, are fully addressed.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO3: Addressing climate change

SO5: Minimising impacts on communities

SO6: Protecting and enhancing natural assets

SO7: Protecting and enhancing historic assets

SO8: Protecting agricultural soils

Question 29

What do you think of the draft policy wording for DM8: Cumulative impact?

DM9: Highways safety and vehicle movements/routeing

Introduction

- 5.97. All new development proposals need to consider the needs of all road users. Safety and vehicular movements are key issues which must be addressed. The needs of pedestrians, cyclists and people with disabilities must be at the forefront of any considerations.

Policy DM9: Highways Safety and Vehicle Movements / Routeing

Proposals for minerals development will be supported where it can be demonstrated that:

- a) The highway network including any necessary improvements can satisfactorily and safely accommodate the vehicle movements, including peaks in vehicle movements, likely to be generated;
- b) The vehicle movements likely to be generated would not cause an unacceptable impact on the environment and/or disturbance to local amenity;
- c) Where appropriate, adequate vehicle routeing schemes have been put in place to minimise the impact of traffic on local communities;
- d) Measures have been put in place to prevent material such as mud contaminating public highways.

Justification

- 5.98. The vast majority of minerals are transported from quarries to the market via the existing road network due to the flexibility and relatively short distance most minerals are transported. This can cause a significant increase in the level of HGV traffic on the local and wider road networks. It is important that the impact of this traffic is minimised. This can be done through a number of different measures and can include:
- strategic signage for lorry movements;
 - sheeting of lorries;
 - installation of wheel cleaning facilities;
 - highway improvements;
 - hours of working / opening;
 - traffic regulation orders;
 - noise attenuation of reversing beepers, plant and equipment;
 - private haul roads;
 - road safety improvements;
 - traffic management arrangements, including off peak movements.

- 5.99. Highways England is responsible for the trunk road network which, in Nottinghamshire, includes the M1, A1, A46, A52 and the A453. They provide policy advice on other transport issues concerning their function, including the consideration of planning applications.
- 5.100. Nottinghamshire County Council is the Local Highway Authority and is responsible for the implementation of the Nottinghamshire Local Transport Plan. The County Council, as the Local Highway Authority, will require proposals to be accompanied by a Transport Assessment (TA) or Transport Statement (TS). In certain circumstances a Travel Plan may also need to be submitted. As such, planning applications must accord with current standards and other local guidance. In most instances, applicants will be required to attend a pre-application meeting to discuss the transport issues with officers from the Council.
- 5.101. Where a specific highways impact from the development is identified that requires mitigation, the Council will seek developer contributions to enable the necessary works to be completed.
- 5.102. Lorry routing can be a major consideration in assessing the acceptability of a mineral development proposal. Whilst a reasonable route may exist, which the mineral operator may well be willing to use, it may be necessary to control routing through planning conditions or in most instances through a legally binding agreements (known as planning obligations or Section 106 Agreements – see DM10 for more information) between the applicant and the Council.

This policy meets the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO3: Addressing climate change

SO5: Minimising impacts on communities

SO6: Protecting and enhancing natural assets

SO7: Protecting and enhancing historic assets

Question 30

What do you think of the draft policy wording for DM9: Highways safety and vehicle movements/routing?

DM10: Airfield safeguarding

Introduction

- 5.103. Mineral extraction sites that are restored to open water can increase the risk of bird-strike to aircraft if they are located near airfields. Although bird strike is considered to be the main risk to aviation safety from minerals development, the risk of flicker, shadow, glare and the height of any tall buildings or structures may also need to be considered. To help resolve potential conflicts, Airfield Safeguarding Areas (13km/8 mile radius) are designated around airports and civil and military airfields. Within these safeguarding zones, consultation with owners or operators of relevant airfields will be required in order to consider potential bird strike or other hazards.

Policy DM10: Airfield Safeguarding

Proposals for minerals development within the following Airfield Safeguarding Areas will be supported where the applicant can demonstrate that the proposed extraction, restoration and after use will not result in any unacceptable adverse impacts on aviation safety:

- a) East Midlands Airport;
- b) Gamston (Retford) Airport;
- c) Netherthorpe Airfield;
- d) Nottingham City Airport;
- e) Robin Hood Airport Doncaster Sheffield;

- f) RAF Scampton MoD Aerodrome;
- g) RAF Syerston MoD Aerodrome;
- h) RAF Waddington MoD Aerodrome.

Any new safeguarding area notified to the Council during the Plan period will also be safeguarded.

Justification

- 5.104. The purpose of airfield safeguarding is to ensure that the operation and development of civil and military airfields is not inhibited by development that could pose a hazard to aircraft or radar operation. National policy requires mineral working, restoration and after-use proposals to take account of aviation safety. The planning process therefore has an important role in preventing any unacceptable adverse impacts on aviation safety arising from minerals development.
- 5.105. The restoration of minerals sites to open water may lead to the creation of areas that attract roosting or loafing birds such as gulls and geese, especially when

large areas of water greater than 200m across are created. This is potentially dangerous in the vicinity of airports or airfields where any increase in the number of birds can increase the overall risk of birdstrike to aircraft. However, it is possible to have water-based restoration without constituting an unacceptable risk to aviation safety through measures such as the creation of reed beds or fragmented ponds, instead of open water, which generally do not attract the flocking birds that present a bird strike hazard.

- 5.106. It is important to note that this policy applies to all types of mineral site restoration as risks to aviation safety are not solely associated with water-based habitats. For example, some bird species associated with bird strike can also be found on agricultural land.
- 5.107. Other hazards to aviation, although less common in association with minerals development, include tall buildings or structures such as chimneys, masts and pylons. Wind turbines can also cause problems due to the flicker effect of the rotating blades. Reflective surfaces such as solar panels also need to be carefully sited and angled to avoid glare.
- 5.108. This policy does not preclude any specific forms of restoration or after-use but seeks to ensure that aviation safety is fully considered and addressed through appropriate consultation, avoidance and mitigation. Advice Notes on the safeguarding of aerodromes have been produced by the Airport Operators' Association and General Aviation Awareness Council.
- 5.109. There are eight licenced safeguarded airfield areas affecting Nottinghamshire and these are identified on Plan 5. Other, non-licenced, aerodromes may be safeguarded by privately agreed consultation with the Local Planning Authority. This is called 'unofficial' safeguarding and is not obligatory under Statutory Direction. However, the County Council acknowledges the Governments advice that 'aerodrome owners should take steps to safeguard their operations' and as such Policy DM10 will also apply to these 'unofficial' safeguarded areas as recorded by Local Planning Authorities.

This policy helps meet the following strategic objectives:

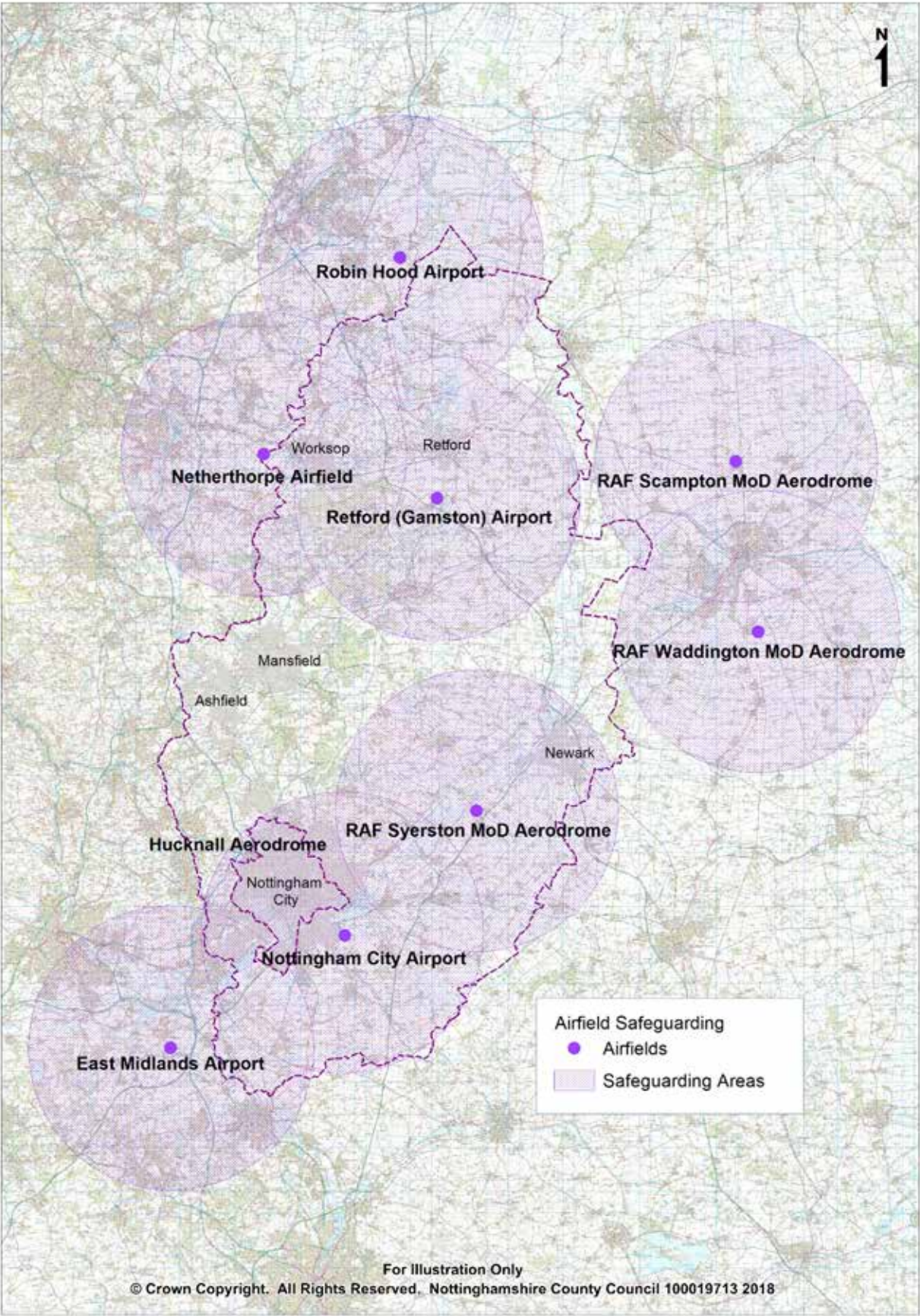
SO1: Improving the sustainability of minerals development

SO5: Minimising impacts on communities

Question 31

What do you think of the draft policy wording for DM10: Airfield safeguarding?

Plan 6: Airfield safeguarding



DM11: Planning Obligations

Introduction

- 5.110. To achieve sustainable development, additional planning requirements may be required to make a proposed development acceptable. The coordinated delivery of adequately funded infrastructure at the right time and in the right place is key to ensuring that local services, facilities and the transport network can cope with any added demand that arises from new minerals development.

Policy DM11: Planning Obligations

The County Council will seek to negotiate planning obligations as measures for controlling mineral operations and to secure sustainable development objectives which cannot be achieved by the use of planning conditions.

Justification

- 5.111. Planning obligations (also known as Section 106 agreement) are private agreements made between local authorities, developers and landowners which can be attached to a planning permission to make acceptable development which would otherwise be unacceptable in planning terms. The obligations set out in Section 106 agreements apply to the person or organisation that entered into the agreement, and any subsequent owner of the land to which the planning permission relates. This is something that any future owners will need to take in to account.
- 5.112. The National Planning Policy Framework provides Government guidance on the use of planning obligations. It contains three tests that planning obligations must meet:
- Necessary to make the proposed development acceptable in planning terms;
 - Directly related to the proposed development;
 - Fairly and reasonably related in scale and kind to the proposed development.
- 5.113. Circumstances where planning obligations may be sought include:
- Provision of off-site works such as highway improvements, landscape treatment and planting;
 - Facilitating the preservation by record of archaeological remains;
 - Contributing towards the delivery of the Nottinghamshire Local Biodiversity Action Plan targets (relevant to the site);
 - Providing long-term site management (where third parties are involved);
 - Flood risk management schemes.

- 5.114. The nature and scale of obligation requirements from a development will reflect:
- The nature and impact the development has upon strategic, local and on-site needs and requirements;
 - Current infrastructure and whether the development can be accommodated by the existing provision;
 - How the potential impacts of a development can be mitigated;
 - Viability. In considering issues of viability the Council will have regard to the quality and value of a scheme in the context of how the development contributed towards the vision, objectives and policies for the area.
- 5.115. Whether obligations will be 'in kind' (where the developer builds or directly provides the infrastructure), by means of financial payments or a combination of both will depend on the nature and circumstances of the infrastructure requirement. The National Planning Policy Framework sets out that development identified in the Local Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. It emphasises that developers and landowners should receive a competitive return to enable the development to be delivered.
- 5.116. Planning obligations can be used to address the unacceptable impacts of minerals developments but cannot be used to provide more general unrelated community benefits. As such Nottinghamshire County Council would encourage negotiated agreements between relevant minerals operators and a community as a source of funding for local benefits. These benefit packages would comprise bilateral arrangements between the main parties. Agreements would be between operators and local bodies such as Parish Councils or residents associations. The County Council cannot be party to such agreements because planning decisions must be impartial and made on planning grounds alone.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO5: Minimising impacts on communities

Question 32

What do you think of the draft policy wording for DM11: Planning obligations?

DM12: Restoration, after-use and aftercare

Introduction

- 5.117. It is essential that mineral extraction and restoration are properly designed at the planning application stage to ensure that both are technically and economically feasible and that the impacts can be fully assessed.
- 5.118. Note: This policy should be considered along-side Policy SP3: Biodiversity-Led Restoration.

Policy DM12: Restoration, After-use and Aftercare

1. Proposals for minerals development will be supported where it can be demonstrated that the scheme includes details to allow an appropriate phased sequence of extraction, restoration, after-use and aftercare which will enable long-term enhancement of the environment.

Restoration

2. Restoration of minerals development should be in keeping with the character and setting of the local area, and should contribute to the delivery of local objectives for habitats, biodiversity, landscape, historic environment or community use where appropriate.
3. Where it is impracticable to submit full restoration details at the planning stage proposals should include:
 - a) An overall concept plan with sufficient detail to demonstrate that the scheme is feasible in both technical and economic terms and is consistent with the County Council's biodiversity-led restoration strategy; and
 - b) Illustrative details of contouring, landscaping and any other relevant information as appropriate.
4. Mineral extraction proposals which rely on the importation of waste for restoration must:
 - a) Include satisfactory evidence that the waste will be available over an appropriate timescale in the types and quantities assumed;
 - b) Provide the optimum restoration solution; and
 - c) Provide evidence that it is not practical to re-use or recycle the waste.

After-use

5. Where proposals for the after use includes habitat creation, applicants will be required to demonstrate how the proposals contribute to the delivery of Local Biodiversity Action Plan targets and have regard to the biodiversity-led restoration approach and the opportunities identified in the National Character Area profile.
6. All proposals will be required to make provision for the retention or replacement of soils, as appropriate, and for any necessary drainage, access, hedges and fences.
7. The after-use will be required to have regard to the wider context of the site, in terms of the character of the surrounding landscape and historic environment and existing land uses in the area.
8. Where opportunities arise, after-use proposals should provide benefits to the local and wider community which may include enhancement and creation of biodiversity and geodiversity interests, linking of site restoration to other green infrastructure initiatives, enhanced landscape character, improved public access, employment, tourism or provision of climate change mitigation measures, including flood plain storage and reconnection.

Aftercare

9. Restoration proposals will be subject to a minimum five year period of aftercare. Where proposals or elements of proposals, such as features of biodiversity interest, require a longer period of management the proposal will only be permitted if it includes details of the period of extended aftercare and how this will be achieved.

Justification

- 5.119. National policy requires local planning authorities to ensure that worked land is reclaimed at the earliest opportunity and that high quality restoration and aftercare takes place.
- 5.120. Although mineral working is a temporary land use, worked sites which are not appropriately restored can result in permanent adverse impacts on the environment. It is essential that the detailed restoration proposals for minerals development are properly considered at the application stage to minimise impacts and ensure long term benefits are secured.
- 5.121. The overall restoration proposal also establishes the long-term potential of the land for a wide range of after-uses that can benefit the local and/or wider community, including employment, conservation and recreation uses as well as improved public access for all users. The phasing of operations to achieve restoration at the earliest opportunity is an important factor influencing the acceptability of minerals extraction to local residents.

Achieving high quality restoration must be integral to any proposals for minerals development. At the national level, Natural England has published a series of National Character Area profiles which suggest where action can be best targeted to conserve and improve the natural environment.

- 5.122. The 'Bigger and Better' document prepared by the RSPB in partnership with other environmental organisations, promotes a strategic, landscape scale approach to biodiversity-led minerals restoration which will help to establish a coherent and resilient network of wetlands across the whole of the Trent and Tame River Valleys. In addition, a more detailed concept plan has been developed for the section of the Trent Valley between Newark and South Clifton which is intended to complement the existing positive approach towards future mineral sites restoration in this area.
- 5.123. The Council's biodiversity-led restoration approach is based on the biodiversity opportunities in Nottinghamshire which assist in maximising the potential value of minerals restoration by carefully planning which habitats can be created, and where. The restoration process will be required to ensure that the priority habitats identified in the Nottinghamshire Local Biodiversity Action Plan are created or enhanced, where appropriate.
- 5.124. Most mineral workings are on agricultural land. In general where the best and most versatile land is taken for mineral extraction, it is important that the potential for land to be returned to an agricultural after-use be maintained through appropriate landform and soil profiles.
- 5.125. The Landscape Character Assessments covering Nottinghamshire identify specific features of the different Landscape Character Areas within the County. This information can then be used to assist in the designing of restoration schemes.
- 5.126. Proposals for minerals development should be accompanied by a restoration scheme that provides comprehensive details of the order and timing of phases of mineral working, restoration and of the final main after uses. Where possible the proposed scheme should incorporate some element of flexibility to take account of changing circumstances during the life of the development and beyond. It should aim to integrate and facilitate the delivery of any relevant mitigation measures, as identified in assessments undertaken to support the planning application. It is strongly advised that these matters are discussed with the Mineral Planning Authority at the pre-application stage, and where possible involve input from relevant key stakeholders to resolve any potential conflicts of interest.
- 5.127. Soils must be adequately protected and maintained throughout the life of the development, particularly if a site comprises land that qualifies as best and most

versatile agricultural land (see Policy DM3: Agricultural land and soil quality). Where necessary, proposals for minerals development should be supported by a site specific Land Classification Survey, undertaken by an independent expert to determine the grading and agricultural value of the proposed site. The survey should incorporate a report/statement of physical characteristics, providing detailed information about the soils, subsoils and overburden within the boundaries of the site. Where the proposed after use is to be one which requires little or no soil, e.g. a lake or a nature reserve requiring impoverished soil resources, it would be better for soils to be removed from site and used beneficially elsewhere.

- 5.128. In some cases, materials (such as inert waste) will need to be imported to ensure that the site can be restored and returned to a beneficial after-use. Phased restoration of a site may require an adequate and timely supply of suitable material in order to ensure that the development can proceed on schedule. However, inert fill material may not necessarily be available in the required quantities and timescales, as the introduction and application of Landfill Tax has reduced the amount of inert material available. In addition, Government encourages the recycling and use of construction and demolition waste as an alternative to primary aggregates. Developers will be required to demonstrate that materials to be imported for restoration purposes are both suitable (based on the advice of the Environment Agency) and are available in sufficient quantity and when needed to achieve the proposed restoration scheme.
- 5.129. It should be noted that whilst a mineral extraction activity in one location may be appropriate, if the restoration/infill scheme intends to use waste material, then this activity may not be appropriate in that location, for example if there are amenity issues for nearby residents. Where waste material is to be imported, an Environmental Permit from the Environment Agency will be required. Where restoration involves the use of extractive waste (i.e. waste produced through the mineral extraction process, not imported) then the operator may be required to apply for a Mining Waste Environmental Permit from the Environment Agency.
- 5.130. Minerals development will be expected to contribute, where appropriate, to the green infrastructure (strategic networks of well-planned, multi-functional spaces) of Nottinghamshire, particularly through the restoration and after-use of minerals development sites.
- 5.131. After the mineral has been extracted and the stripped soils returned, the aftercare period is the time when the site is prepared for the agreed after-use. Aftercare can include the processes of cultivating, fertilising, planting, draining and otherwise treating the land. The minerals operator is normally still responsible for the site at

this time. An appropriate period of aftercare is needed to ensure mineral sites are restored to a standard suitable for their intended after-use.

- 5.132. Different after-uses may require different periods of aftercare. The statutory aftercare period is 5 years or such other maximum period as may be prescribed and some uses such as nature conservation may benefit from an aftercare period of up to 20 years or more, whilst agriculture may only need a 5 year aftercare period. Where possible and where appropriate, voluntary extended aftercare periods will be negotiated for those uses that would benefit from such longer periods and will be secured by condition.
- 5.133. It is important that management responsibilities are identified and agreed between the developer and those taking on the aftercare of the site to ensure that the proposed after-use can and will be delivered. Developers will be encouraged to enter into planning agreements to ensure that the appropriate aftercare provisions remain in effect for the required aftercare period.
- 5.134. All restoration proposals should take into account the relevant District/Borough Local Plans and where appropriate contribute to the delivery of those Plans. Minerals developers will also be encouraged to involve local communities and parish councils when considering options for restoration and aftercare.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO3: Addressing climate change

SO5: Minimising impacts on communities

SO6: Protection and enhancing natural assets

SO7: Protecting and enhancing historic assets

SO8: Protecting agricultural soils

Question 33

What do you think of the draft policy wording for DM12: Restoration, after-use and aftercare?

DM13: Incidental mineral extraction

Introduction

- 5.135. In principle, recovering minerals as an incidental element of another development proposal promotes sustainable development by helping to conserve mineral resources that might otherwise be lost.

Policy DM13: Incidental Mineral Extraction

1. Planning applications for the extraction of minerals as a necessary element of other development proposals on the same site will be supported where it can be demonstrated that the scale and duration of the mineral extraction does not result in adverse environmental impacts and that it brings environmental and other benefits to the development it is incidental to.
2. Where planning permission is granted, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the main development be delayed or not implemented.

Justification

- 5.136. District/Borough Councils within Nottinghamshire should advise the County Council on proposals, such as ornamental lakes and major built development, which involve the excavation and removal of significant quantities of soils, overburden and mineral. Failure to do so may result in planning permission being granted without taking into account potential mineral planning issues. Developers submitting proposals to District/Borough Councils are likewise encouraged to consult the County Council at the pre-application stage where they expect incidental mineral extraction to be necessary.
- 5.137. In many cases the planning application for the main development may be determined by the District/Borough Council, and, except where quantities are very small, the mineral extraction may need to take the form of a separate planning application to be determined by the County Council. In these cases, in order to ensure that both proposals are compatible, it is important to consider both planning applications at the same time. Interim reclamation proposals must be included to ensure that the primary development proposals are not delayed, or fail to be implemented.
- 5.138. Incidental mineral extraction is not precisely defined in terms of quantity of mineral worked or duration. It does not, however, apply to mineral development simply because it is small scale or short term. If mineral extraction is a significant reason for justifying or promoting the development, the proposal will need to be assessed against the relevant policies applicable to the mineral being worked.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 34

What do you think of the draft policy wording for DM14: Incidental mineral extraction?

DM14: Irrigation lagoons

Introduction

- 5.139. Proposals to construct irrigation lagoons within agricultural land can involve the extraction of minerals to create the lagoon. The mineral is usually taken offsite for processing at a nearby quarry. Providing there is evidence of genuine agricultural benefits then the mineral extraction can normally be regarded as incidental.

Policy DM14: Irrigation Lagoons

Proposals for mineral extraction to create or extend irrigation lagoons will be supported where:

- a) There is satisfactory evidence that they will provide significant benefits to agricultural productivity;
- b) They can be worked and reclaimed without any unacceptable environmental impacts;
- c) The irrigation lagoon is landscaped and treated to maximise its potential for enhancing the landscape character and/or biodiversity.
- d) The irrigation lagoon is of a scale or degree that does not impact on the development of permitted or allocated mineral extraction sites.

Justification

- 5.140. The development of irrigation lagoons is often classed as 'permitted development' and would not require planning permission unless the mineral is taken off-site.
- 5.141. Sand and gravel deposits are technically very suited for this purpose because of the normally high water table level and relatively rapid recharge after the water is abstracted for irrigation. The cost of creating the lagoon is also likely to be offset by the value of the mineral. The main planning issues will generally comprise traffic during construction, the impact on archaeological sites, and the long term landscape impact of the lagoon. Wildlife impact is less likely to be an issue, as these lagoons tend to be sited within arable fields.
- 5.142. Whilst the purpose of these lagoons is to provide irrigation, it is important that they are shaped and landscaped to blend in with and, where possible, enhance the landscape character of the area, including biodiversity. The standard rectangular reservoir should be avoided, as this will generally detract from the area.

- 5.143. It should be noted that irrigation lagoons will usually require a water abstraction licence from the Environment Agency. In certain parts of Nottinghamshire, particularly in the River Idle and River Torne catchment areas, no new water abstraction is allowed. Whether abstraction is allowed in the proposed area (and similarly whether the applicant has started to pursue the securing of a licence) could be an indication of a genuine agricultural purpose for the lagoon and thus could be used as evidence referred to in part a) of the policy.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 35

What do you think of the draft policy wording for DM15: Borrow pits?

DM15: Borrow pits

Introduction

- 5.144. The term 'borrow pit' is applied to a temporary mineral working supplying material for use solely in a specific construction project, particularly roads.
- 5.145. Borrow pits are typically located next to the construction site, and in the ideal situation are soon backfilled with waste materials, such as soft clay, that often have to be removed from the construction area – hence the material excavated is 'borrowed'. Normally, large quantities of material, mainly bulk fill, are required over a short time.

Policy DM15: Borrow Pits

Proposals for borrow pits will be supported where:

- a) They are adjacent to or close to the project/s they are intended to serve;
- b) They are time limited to the life of the project and material is to be used only for the specified project;
- c) They can be worked and reclaimed without any unacceptable environmental impacts;
- d) There are overriding environmental or other benefits compared to obtaining materials from alternative sources;
- e) Proposals provide for appropriate restoration measures which include full use of surplus spoil from the project.

Justification

- 5.146. With the exception of small borrow pits developed within the boundary of the construction sites including highways and railways, planning permission is required. Proposals for borrow pits will be treated in the same way as any other mineral extraction scheme. This means that borrow pits must be justified in terms of being the most suitable source of material to meet demand, and that appropriate environmental safeguards covering both working and restoration are included
- 5.147. Advance planning is essential to ensure that the borrow pit can be developed within the timescales required. For example, if archaeological remains are present these may require a full and lengthy investigation before any mineral can be extracted. Submitting proposals after contracts are let is unlikely to allow sufficient time to resolve such complications. Urgency of need cannot be an overriding factor in the treatment of archaeological remains and other similar environmental factors.

- 5.148. It is important to ensure that borrow pits only supply the construction project intended. Therefore in granting planning permission for borrow pits, the County Council will take appropriate measures to control access and routeing, and permission will be time limited to the life of the construction project.
- 5.149. In considering 'need', the quantities and specifications of materials required for the construction project will be assessed in the context of the level and location of existing permitted reserves. Minerals won from borrow pits contribute to the County's aggregate requirements and may help to avoid the use of better quality reserves from established quarries.
- 5.150. In general, it should usually be possible to meet requirements from local established quarries or from waste materials and the use of secondary aggregates. In such circumstances borrow pits can normally only be justified where they offer clear environmental gains over alternative sources of supply.
- 5.151. For example, where borrow pits are adjacent to construction sites the most obvious environmental benefits will be the avoidance of heavy traffic on public highways. There will also be significant economic and energy savings because of the reduced haulage costs.
- 5.152. These short term gains could be offset if the borrow pit is not properly reclaimed, or it is inappropriately located. For example, a water area adjacent to a major highway may have limited recreational potential because of access problems and/or traffic noise. Where possible infilling with waste material from the construction project will normally be the preferred option.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 36

What do you think of the draft policy wording for DM16: Associated industrial development?

DM16: Associated industrial development

Introduction

- 5.153. The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 allows certain types of industrial development associated with minerals activities to be located within mineral workings, subject to the prior approval from the Minerals Planning Authority.

Policy DM16: Associated Industrial Development

Proposals for associated industrial development on or adjacent to mineral extraction sites will be required to demonstrate that they are clearly related to and linked to the life of the site.

Justification

- 5.154. Associated industrial development broadly comprises industrial processes which largely depend on the mineral worked from the related mine or quarry, such as ready mixed concrete plants associated with sand and gravel quarries. Various criteria relating to the height and appearance of buildings and structures and other restrictions may apply. All other industrial development associated with the mine and quarry will require planning permission in the normal way.
- 5.155. Proposals for industrial development that fall outside the scope of the General Permitted Development Order (GPDO) will only be permitted where it can be shown that there are clear overall environmental advantages in a close link between the industrial and extractive operations. Particular regard will be given to environmental and transport implications, and the likely duration of working.
- 5.156. The continued use of such industrial development following exhaustion of the mineral reserve means it will become dependent upon the import of raw materials. This usually involves significant movements of heavy goods vehicles and will therefore normally be resisted.
- 5.157. Any planning permission for associated industrial development will be time limited to expire on the cessation of working from the associated extraction area.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

Question 37

What do you think of the draft policy wording for DM17: Associated industrial development?

DM17: Mineral exploration

Introduction

- 5.158. Exploration is essential to prove the existence and extent of all types of mineral resources. Prior to development, it is necessary to ensure that a resource is economically viable and to determine how it can be worked. Mineral exploration is a temporary activity and certain types and scales of development of this nature are classed as 'permitted development' under the General Permitted Development Order (meaning that planning permission is not required). However, where the mineral exploration is not classed as 'permitted' and planning permission is sought, it is important for safeguards to be in place to minimise the environmental, amenity and long-term impacts of the development.

Policy DM17: Mineral Exploration

Proposals for mineral exploration will be permitted, subject to satisfactory environmental, amenity and restoration safeguards.

Justification

- 5.159. There are three main methods of mineral exploration; geophysical surveys, trial pits and boreholes:

Geophysical surveys

- 5.160. Seismic surveys are the most common type of geophysical survey, especially in the exploration of coal and oil. Whilst these surveys can provide useful information about the underlying geological structure, they do not prove the existence of mineral resources.
- 5.161. Most Seismic surveys have little environmental impact. However, noise and vibration can raise concerns when carried out in sensitive areas. This is especially the case when shot hole drilling is used and/or where surveys are carried out over a prolonged period. A particular concern is the interference to archaeological remains. Operators are encouraged to contact the County Council's archaeologists prior to undertaking surveys.

- 5.162. Most seismic surveys have permitted development rights but there are several exceptions relating to sensitive areas, proximity to buildings, size of the explosive charge and the duration of operations. In these cases, planning permission is required. In any event, operators are encouraged to notify local residents at an early stage, prior to surveys being carried out to allay concerns and unnecessary fears.

Trial pits and shallow boreholes

- 5.163. Trial pits and shallow boreholes are methods of surface mineral exploration which obtain data on the depth, extent and quality of the mineral, the make-up of overburden and hydrological data. After the information is recorded, the pits are backfilled and reinstated.
- 5.164. As with geophysical surveys, concerns are often raised regarding the impact that digging shallow pits may have on the archaeology, however, these pits can provide an ideal opportunity to evaluate the site's archaeology at an early stage and developers are encouraged to involve archaeologists during this exploration phase.
- 5.165. Due to the short duration of these operations, it is very rare that the Minerals Planning Authority will have to be notified, or planning permission be obtained. However, exceptions to this include operations in close proximity to buildings and operations in environmentally sensitive locations. There are also limits on the intensity of drilling, the use of explosives and the heights of rigs. Operations are encouraged to consult the County Council where there are doubts over the planning situation.

Deep boreholes

- 5.166. In Nottinghamshire deep boreholes, are used mainly in the exploration of coal, oil and gas.
- 5.167. A hard base, normally comprising crushed limestone, is required for the drilling rig and associated equipment. Supporting equipment includes mud pits, pipe racks, pumps and cabins. The environmental implications of deep borehole drilling are therefore much greater than those for the other exploration methods noted above.
- 5.168. The main considerations associated with deep boreholes include visual impact, noise, access, water pollution and directional drilling.

This policy helps meet the following strategic objectives:

SO1: Improving the sustainability of minerals development

SO2: Providing an adequate supply of minerals

Question 38

What do you think of the draft policy wording for DM17: Mineral exploration?

Glossary

Aftercare: Action necessary to bring restored land up to the required standard for an agreed after-use such as agriculture, forestry or amenity.

Air Quality Management Area (AQMA): A designation made by a local authority where an assessment of air quality results in the need to devise an action plan to improve quality of air.

Amenity: Something considered necessary to live comfortably.

Ancient Woodland: Woodland that is believed to have existed from at least medieval times.

Annual Monitoring Report: A report prepared by the County Council that monitors the progress of local plan preparation and the implementation of adopted policies.

Areas of Multiple Environmental Sensitivity study (AMES): A local study completed by Nottinghamshire County Council which sought to identify those areas of landscape considered to be of multiple environmental sensitivity relating to ecology, the historic environment and local attributes and thus establish the areas which might be considered most and least vulnerable or sensitive to development related impacts.

Best and most versatile agricultural land (BMV): The Agricultural Land Classification (ALC) provides a method for assessing the quality of farmland to enable informed choices to be made about its future use in the planning system. It helps underpin the principles of sustainable development. The ALC system classifies land into five grades, with Grade 3 subdivided into 3a and 3b. The best and most versatile land is defined as Grades 1, 2 and 3a by policy guidance. This is the land which is most flexible, productive and efficient in response to inputs and which can best deliver future crops for food and non-food uses such as biomass. Where significant development of agricultural land is unavoidable, poorer quality land should be used in preference to that of higher quality, except where this would be inconsistent with other sustainability considerations. Government policy is set out in the National Planning Policy Framework (NPPF).

Biodiversity Action Plan (BAP): A plan that identifies species and habitats that are a conservation priority to the locality and sets a series of targets for their protection and restoration/recreation.

Biodiversity Opportunity Mapping (BOM): A Nottinghamshire wide project led by the Nottinghamshire Biodiversity Action Group to increase understanding about the current distribution of biodiversity and to provide a spatial vision for the development of biodiversity in the long and medium term. It also looks at the most effective ways to re-create habitat networks at the landscape-scale. It is intended to help focus resources, deliver the local contribution to the England Biodiversity Strategy, inform spatial planning and inform other strategies and influence policy makers.

Bird strike: Risk of aircraft collision with birds, which are often attracted to open areas of water and landfill sites containing organic waste.

Climate change: The significant and lasting change in the distribution of weather patterns over periods ranging from decades to millions of years.

Conservation Areas: Designated areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Core Strategy: Under the previous planning system, local planning authorities produced a local development framework which comprised a portfolio of local development documents that together provided the framework for delivering a local authorities' planning strategy. This included a Core Strategy which set out the strategic overview for the plan area. Under changes to the planning system this has been replaced with the production of a single local plan.

Countryside: Areas that are not urbanised.

Cumulative impact: Impacts that accumulate over time, from one or more sources, and can result in the degradation of important resources.

Development Plan: The series of planning documents that form all of the planning policy for an area, it includes Local Plans (District and County) and neighbourhood plans. All documents forming the development plan have to be found 'sound' by a Government Inspector during a public independent examination before they can be adopted.

Environment Agency (EA): A public organisation with the responsibility for protecting and improving the environment in England and Wales. Its functions include the regulation of industrial processes, the maintenance of flood defences and water resources, water quality and the improvement of wildlife habitats.

Environmental Impact Assessment (EIA): Systematic investigation and assessment of the likely effects of a proposed development, to be taken into account in the decision-making process under the Town and Country Planning (Environment Impact Assessment) (England and Wales) Regulations 1999. The process is undertaken for a proposed development that would significantly affect the environment because of its siting, design, size or scale.

General Permitted Development Order (GPDO): Legislation which sets out the classes of development for which a granted of planning permission is automatically given, provided that no restrictive covenant is attached or that the development is exempt.

Green Belt: An area designated to provide permanent separation between urban areas. The main aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important quality of Green Belts is their openness.

Green infrastructure: A network of multi-functional green space, both new and existing, both rural and urban, which supports the natural and ecological processes and is integral to the health and quality of life of sustainable communities.

Greenhouse gas: Gases resulting from various processes which, when emitted into the atmosphere, trap heat from the sun causing rises in global temperatures – a process often referred to as the greenhouse effect.

Groundwater Source Protection Zones: Geographical areas, defined by the Environment Agency, used to protect sources of groundwater abstraction.

Habitats Regulation Assessment (HRA): Statutory requirement for Planning Authorities to assess the potential effects of land-use plans on designated European Sites in Great Britain. The Habitats Regulations Assessment is intended to assess the potential effects of a development plan on one or more European Sites (collectively termed 'Natura 2000' sites). The Natura 2000 sites comprise Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).

Health and Safety Executive (HSE): The national independent watchdog for work-related health, safety and illness.

Health Impact Assessments (HIA): A practical and flexible framework by which the effects of policies, plans or projects on health and inequality can be identified. Such effects are examined in terms of their differential impact, their relative importance and the interaction between impacts. In doing so, HIAs can make recommendations to inform decision making, particularly in terms of minimising negative impacts and maximising opportunity to promote health and wellbeing.

Heavy goods vehicles (HGV): A vehicle that is over 3,500kg unladen weight and used for carrying goods.

Highways Authority: The organisation responsible for the administration of public roads.

Highways England: A government company charged with driving forward England's motorways and major A roads. Including modernising and maintaining the highways, as well as running the network and keeping traffic moving.

Historic England: The public body that looks after England's historic environment. It champions historic places, helping people to understand, value and care for them.

Historic Environment Record (HER): A public record of all aspects of the historic environment of the County.

Landbank: A measure of the stock of planning permissions in an area, showing the amount of unexploited mineral with planning permission for extraction, and how long those supplied will last at the locally apportioned rate of supply.

Landscape character: A combination of factors such as topography, vegetation pattern, land use and cultural associations that combine to create a distinct, recognisable character.

Landscape Character Assessment (LCA): A technique used to identify what makes a place unique in landscape terms. Characterisation involves assessing the physical components of a landscape alongside cultural influences.

Listed Building: Buildings of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Protected under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Nature Reserves (LNR): A statutory designation made (by principal local authorities) under Section 21 of the National Parks and Access to the Countryside Act 1949. They are places of local, but not necessarily national, wildlife or geological importance and also often have good public access and facilities. Local Nature Reserves are almost always owned by local authorities, who often pass the management of the Local Nature Reserves onto County Wildlife trusts.

Local Transport Plan (LTP): A statutory plan detailing the future transport approach in a given area.

Material considerations: A material consideration in the UK is a process in Planning Law in which the decision maker, when assessing an application for development, must consider in deciding the outcome of an application.

Ministry of Defence (MoD): The Government department responsible for implementation of the government defence policy and the headquarters of UK armed forces.

Minerals Consultation Areas (MCA): An area identified to ensure consultation between the relevant District or Borough planning authority, the minerals industry and the Minerals and Waste Planning Authorities before certain non-mineral planning applications made within the area are determined. The Nottinghamshire Minerals Consultation Area covers the same areas as the Minerals Safeguarding Area. (with the exception of Colwick Wharf)

Minerals Safeguarding Areas (MSA): The MSA is defined by minerals and waste planning authorities. They include viable resources of minerals and are defined so that inferred resources of minerals are not sterilised by non-mineral development. The MSA does not provide a presumption for these resources to be worked. The Nottinghamshire Minerals Safeguarding Areas covers the same areas as the Mineral Consultation Areas.

National Nature Reserve (NNR): A nationally important biological or geological site declared by Natural England and managed through ownership, leasehold or a nature reserve agreement.

National Planning Policy Framework (NPPF): The national planning document setting out the Government's planning policies for England and how these are expected to be applied. It acts as guidance for local planning authorities and decision-takers in both drawing up plans and making decisions about planning applications.

Natura 2000 sites: Designated land including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) and Ramsar sites.

Natural England: The government's adviser for the natural environment in England, which helps to protect England's nature and landscape for people to enjoy and for the service they provide.

Permitted development rights: Permitted development rights grant automatic planning permission to proposals for development that is a physical operation, or a material change of use, or both.

Permitted reserves: Mineral resource with planning permission for extraction.

Policies Map: A map on an Ordnance Survey base showing spatial application of appropriate policies from the Local Plan. Also known as a proposals map.

Ramsar Sites: (Wetlands of International Importance): Sites of international importance for waterfowl protected under the Ramsar Convention of the Conservation of Wetlands of International Importance, ratified by the UK Government in 1976.

Recycled aggregates: Materials that have been used previously, including construction and demolition waste, asphalt road planings and used railway ballast.

Regionally Important Geological Sites (RIGS): Sites, designated by locally developed criteria, which are currently the most important sites for geology and geomorphology outside statutorily protected land, such as Sites of Special Scientific Interest (SSSI).

Register of Historic Parks and Gardens of Special Historic Interest: A register held by Historic England established in 1983 which identifies sites assessed to be of national importance. (also referred to as 'registered parks and gardens').

Renewable energy: Energy which comes from natural resources such as sunlight, wind, rain, tides and geothermal heat, which are naturally replenished.

Restoration: The process of returning a site to its former use, or delivering new conditions that will support an agreed after-use, such as recreation or the creation of wildlife habitats.

Rights of Way (RoW): Marked routes which the public have a legally protected right to use.

Scheduled Ancient Monument (SAM): Nationally important archaeological sites included in the Schedule of Ancient Monuments maintained by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979.

Secondary aggregate: Materials that are by-products of other processes, including the production of primary aggregates. They do not meet primary aggregate specifications but can be used instead of them.

Section 106 agreement (S106): The Town and Country Planning Act 1990 allows a local planning authority (LPA) to enter into a legally-binding agreement or planning obligation with a landowner when granting planning permission. The obligation is termed a Section 106 Agreement. These agreements are a way of dealing with matters that are necessary to make a development acceptable in planning terms. They are increasingly used to support the provision of services and infrastructure, such as highways, recreational facilities, education, health and affordable housing.

Site of Special Scientific Interest (SSSI): A national designation for an area of special interest because of its flora, fauna, or geological or physiographical features, selected by Natural England and notified under Section 28 of the Wildlife and Countryside Act 1981.

Sites and Monuments Record (SMR): The National Trust Sites and Monuments Record (NTSMR) is a resource and repository of information about the archaeology and historic landscapes under National Trust care.

Special Area of Conservation (SAC): Areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

Special Protection Area (SPA): An area of importance for the habitats of certain rare or vulnerable categories of birds or for regularly occurring migratory bird species, required to be designated for protection by member states under the European Community Directive on the Conservation of Wild Birds (79/409/EC).

Statement of Community Involvement (SCI): A Local Development Document which sets out the standards the Planning Authority intend to achieve when involving the community in preparing Local Development Documents, or when making a significant development control decision. It also sets out how the Authority intends to achieve these standards. A consultation statement must be produced showing how the Authority has complied with its SCI.

Sterilisation: When a change of use, or the development, of land prevents possible mineral exploitation in the foreseeable future.

Strategic Flood Risk Assessment (SFRA): An assessment of the potential flood risk such as from groundwater and fluvial flood risk, undertaken at the appropriate level (County or district).

Strategic Transport Assessment: An assessment of the likely impact of planning policies (site allocations) on the highway network. The purpose of the Nottinghamshire Strategic Transport Assessment is to describe the HGV impacts upon the Highway network as a result of the proposed MLP sites whilst considering the goals and targets set out in the relevant local and national planning policy documents.

Sustainability Appraisal (SA): In United Kingdom planning law, an appraisal of the economic, environmental, and social effects of a plan from the outset of the preparation process, to allow decisions that are compatible with sustainable development. Since 2001, sustainability appraisals have had to conform to the EU directive on Strategic Environmental Assessment.

Sustainable Community Strategy: A document outlining the local community's wishes and priorities for their area, they can be used as a tool to ensure local government and other services work together to meet local needs.

Sustainable Development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It encompasses five

guiding principles: living within the planet's environmental limits, ensuring a strong, healthy and just society, achieving a sustainable economy, promoting good governance and using sound science responsibly.

Sustainable Drainage Systems (SuDS): A sequence of water management practices and facilities designed to drain surface water in a more suitable way than the conventional practice of routing run off through a pipe to a watercourse.

Townscape: The appearance of a town or city; an urban scene.

Transport Assessment (TA) / Transport Statement (TS): The National Planning Policy Framework requires that all developments that are likely to generate significant amounts of transport movements should include a Transport Assessment or Transport Statement as part of a planning application. Both will examine the transport issues relating to the proposed development and identify measures needed to deal with the impacts, improve accessibility and safety for all modes of transport and promote measures to encourage sustainable transport. The reports are usually accompanied by a Travel Plan that includes measures to encourage use of sustainable transport that will be implemented as part of the development. A Strategic Transport Assessment will cover the same issues, but will look at a range of proposed allocations to assess the potential individual and cumulative impacts of the developments.

Trunk road network: The strategic network of roads used to move people and freight around the country. The Highways England is responsible for its construction and maintenance.

Urban Areas: An area characterised by higher population density and vast human features in comparison to areas surrounding it. Urban areas may be cities, towns or conurbations.

Water Framework Directive: A European directive which became part of UK law in December 2003. It provides an opportunity to plan and deliver a better water environment, focussing on ecology, which will be delivered through river basin management planning.

Appendix 1: Information required in support of planning applications

Sufficient information will be required to enable a balanced assessment of all relevant factors. The County Council's Guidance Note on the Validation of Planning Applications sets out in detailed the information required in support of planning applications. Information required includes:

Statutory national information requirements:

- Planning application form
- Application fee
- Ownership certificates
- Agricultural land declaration
- Location plan
- Site plan
- Other plans
- Updated and superseded plans
- Design and access statement

Local information requirements:

- Supporting planning statement
- Environmental statement
- Transport assessment
- Draft travel plans
- Planning obligations – draft heads of terms
- Flood risk assessment
- Land contamination survey
- Tree survey/arboriculture implications
- Heritage impact assessment
- Archaeological assessment
- Biodiversity and geodiversity assessment
- Noise assessment
- Air quality assessment
- Sunlight/daylighting/lighting assessment
- Statement of community involvement
- Sustainability appraisal
- Right of way
- Landscape and visual impact assessment
- Land stability/coal mining risk assessment

Appendix 2: Delivery Schedules

Sand and gravel delivery schedule

Assumptions/notes

- The figures contained in the delivery schedules should only be treated as an indicative illustration of the predicted output.
- Due to reasons of confidentiality, detailed annual sales data cannot be used on a site by site basis.
- Annual sales data for the existing permitted quarries is therefore gathered from a variety of sources. Where available, data provided by the relevant mineral operators has been used. Where this was not available, figures from the original planning applications has been used.
- Finningley: 2017 is showing zero as output will be in Doncaster.

Key: Existing sites (MP2a-j)

Extensions to existing sites (MP2k-q)

New quarries (MP2r-s)

Site (site code)	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Idle Valley																			
Misson West (MP2a)	15																		
Newington South (MP2b)	100																		
Finningley (MP2c)	160																		
Sturton Le Steeple (MP2d)			50	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Botany Bay (MP2r)				150	150	200	200	200	200	200	200	200	200	200	200	50			
Bawtry Road (MP2e)	40	40	40	40	40	40	40	40											
Bawtry Road West (MP2l)									40	40	40	40	40	40					
Scrooby (MP2K)	40	40	40	40	40														
Scrooby Thompson Land (MP2m)		40	40	40	40	40	40	40	40	40	40								
Scrooby North (MP2n)						15	15	15	15	15	15	15	15	15	15	15	15	15	15
Newark																			
Cromwell (MP2f)	200	200	200	200	200														
Besthorpe (MP2g)	150	150	200																
Girton (MP2h)	0	50	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	200	
Langford Lowfields (MP2i)	250																		
Langford South and west (MP2o)	200	450	450	450	450	450	450	450	200										

Langford North (MP2p)									200	450	450	450	450	450	450	450	450	450	450
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Nottingham																			
Mill Hill near Barton in Fabis (MP2s)		280	280	280	280	280	280	280	280	280	280	280	280	280	280	208			
East Leake (MP2j)	180	180	180	180	180	180	180	180	180										
East Leake north (MP2q)										180	180	180	180						

Sherwood Sandstone Delivery Schedule

Assumptions/notes

- The figures contained in the delivery schedules should only be treated as an indicative illustration of the predicted output.
- Due to reasons of confidentiality, detailed annual sales data cannot be used on a site by site basis.
- Annual sales data for the existing permitted quarries is therefore gathered from a variety of sources. Where available, data provided by the relevant mineral operators has been used. Where this was not available, figures from the original planning applications has been used.

Key: Existing sites (MP3a-d) Extensions to existing sites (MP3e-g)

Site (site code)	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036
Burntstump (MP3a)	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Bestwood 2 (MP3b)	90	40																	
Bestwood 2 east (MP3e)	50	100	140	140	140	140	140	140	140	140	140								
Bestwood 2 north (MP3f)												140	140	140	140	140	140	140	
Carlton Forest (MP3c)	30	30																	
Scrooby Top (MP3d)	120	120	120	120	120														
Scrooby Top north (MP3g)						120	120	120	120	120	120	120	120	120	120	120	120	120	120

Appendix 3: Site Allocation Development Briefs

The purpose of the site development briefs is to identify the key site specific issues that will need to be addressed as part of the detailed planning application process for each of the allocated quarries. The options for biodiversity led restoration have been identified through the development of a biodiversity opportunity mapping project which seeks to identify opportunities for the enhancement, expansion, creation and re-linking of wildlife habitats across the county.

MP2I – Bawtry Road west

Grid reference: 467589, 395160

District: Bassetlaw District Council

Parish: Misson Parish Council

Total mineral resource: 694,000 tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland although it should be noted that the site is adjacent to a former quarry area known as Rugged Butts (SINC/LWS 2/969), which is now a significant area of acid grassland. It may therefore be appropriate to seek to expand this area by creating similar habitats within the restoration at Bawtry Road North. There is also potential for flood risk improvements as part of the restoration.

Location

- South west of Mission and north east of Newington
- See Policies Map Inset 2

Environmental and cultural designations

- Indirect impact on the setting of the designated heritage assets at Austerfield and Misson and on the nearby valuable cluster of LWSs and SSSIs around Newington and Misson should be considered
- Woodland area along disused railway line should be retained
- Hedge planting along northern boundary and eastern edge of the site
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Restore' - actions should encourage the conservation of distinctive features in good condition, whilst restoring elements or areas in poorer condition and removing or mitigating detracting features.
- High potential for the site to contain non-designated archaeology.

Access and transport

- Access on to public highway as per existing site (MP2e - Bawtry Road)
- Lorry routing and signage agreements to avoid the village of Misson to be retained

Amenity

- Misson Byway No.2 (Byrons Lane), which follows the northern boundary of the site should be protected.

Water and flooding

- Potential indirect hydrological links to the Hatfield Moor SAC.

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2n – Scrooby North

Grid reference: 465400, 389809

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 390,000 tonnes available during the plan period.

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of the site should be primarily biodiversity-led, however the higher quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Working should avoid impacts on designated sites in the local area including Scrooby sand pits.
- Gap up hedgerow to north boundary and plant new hedgerow to eastern and southern boundaries
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable.
- Site is within an area with historical records of nightjar and woodlark.
- Potential indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest p SPA.

Access and transport

- Access on to public highway as per existing site (MP3d – Scrooby Top)
- Strategic Transport Assessment advises segregated HGV right-turn into site

- Access through existing areas must not bring about unacceptable restoration delays

Amenity

- Restoration could create a new access from Green Lane (Scrooby Bridleway 4) to Scrooby Bridleway 1

Water and flooding

- Two licensed abstractions lie within the site. If dewatering occurs there is the potential that levels in the lagoon could be lowered, restricting abstraction
- Site lies within Ranskill Brook WFD water body which is currently undergoing a hydrological investigation to ascertain reasons for low flows

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2m – Scrooby Thompson Land

Grid reference: 465749, 388835

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 400,000 tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of the site should be primarily biodiversity-led, however the higher quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Working should avoid impacts on designated sites in the local area including Scrooby sand pits.
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable
- Site is within an area with historical records of nightjar and woodlark.
- High potential for the site to contain non-designated archaeology.
- Potential impacts on the setting of listed buildings at Scrooby Top Farmhouse and Cottages.
- Potential indirect links to the Birklands and Bilhaugh SAC and Sherwood Forest p SPA.

Access and transport

- Access on to public highway as per existing site (MP3d – Scrooby Top)
- Strategic Transport Assessment advises segregated HGV right-turn into site
- Access through existing areas must not bring about unacceptable restoration delays

Amenity

- Potential for creation of permissive or definitive access to restored areas
- Screening should be provided from residential properties to the north west of the site.

Water and flooding

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

MP2r – Botany Bay

Grid reference: 467375, 383389

District: Bassetlaw District Council

Parish: Barnby Moor, Sutton and Babworth Parish Councils

Total mineral resource: 2.44 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of the site should be primarily biodiversity-led, however the high quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Floodplain Grazing Marsh
- Lowland Fens
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland, and should complement existing habitats present at the nearby Daneshill Lakes LNR and Idle Valley Nature Reserve.

Location

- South east of Barnby Moor and north west of Retford
- See Policies Map Inset 5

Environmental and cultural designations

- Potential indirect impacts to the Birklands and Bilhaugh SAC and Sherwood Forest p SPA.
- Protection of nearby Chesterfield Canal, Ranby Hall and Babworth Park and indirect impact on the nearby cluster of LWSs and SSSIs around Sutton and Lound and Daneshill must be considered
- Create stand off to protect vegetation along the canal
- Consideration of Landscape Character Assessment, Policy Zone recommendation: majority of the site is 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable, with the remainder (one field to the north west) 'Conserve and Create' – actions should conserve distinctive

features and features in good condition, whilst creating new features or areas where they have been lost or are in poor condition.

- There is potential for the site to contain non-designated archaeology

Access and transport

- Access on to public highway to north of the site on to the A638

Amenity

- Restoration provides opportunity to link the Chesterfield Canal (Cuckoo Way Long Distance footpath) to Barnby Moor and Sutton cum Lound
- Provide adequate screening to all sides of the processing plant and along the length of the Chesterfield Canal.
- Create stand off to protect vegetation along A638 and Sutton Lane which are important screening features

Water and flooding

- Low groundwater levels may affect ability to provide wetland features
- Ensure that 9m stand off from watercourse that crosses the site would be adequate to withstand any ingress of water into the quarry.

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is within a Source Protection Zone 3 and underlain by a Principal Aquifer.

Other

Take account of the high pressure gas line running across the site in the design and restoration of the site.

MP2o – Langford Lowfields South and west

Grid reference: 481150, 359663

District: Newark and Sherwood District Council

Parish: Holme Parish Council

Total mineral resource: 3.6 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of this site should be biodiversity-led as it has the potential to provide new areas of wetland to increase the overall resource and in doing so contribute to aspirations for this habitat over a 50 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Neutral Grassland
- Floodplain Grazing Marsh
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland

Restoration of this site has the potential to provide significant new areas of wetland habitats to increase the overall resource and in doing so contribute to aspirations for these habitats over a 50 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. The approach to restoration across this site and the other sites in the Collingham and Besthorpe area should ideally be co-ordinated through a Master-planning process, or similar, to ensure that opportunities are maximised.

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland. Given the proximity of the site to Langford Lowfields, Besthorpe and Cromwell quarries, the restoration plan should aim to complement existing and proposed restoration schemes as well as existing habitats to maximise biodiversity gain in the area.

As the site lies within an area of very high multiple environmental sensitivity for ecology, heritage and landscape, the biodiversity-led restoration outlined above should be sensitive to these elements. The site also covers a multiple environmental sensitivity hotspot for heritage (as per the Trent Valley Areas of Multiple Environmental Sensitivity Project).

Location

- South west of Colingham and north east of Holme
- See Policies Map Inset 11

Environmental and cultural designations

- Impact on nearby Scheduled Ancient Monument and listed buildings and their settings, including Church of St Bartholomew, Langford Old Hall, Langford Crossing Gate House must be considered
- High archaeological potential to be managed through appropriate survey methods
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Create and Reinforce' – actions should strengthen or reinforce distinctive features and patterns in the landscape, whilst creating new features or areas where they have been lost or are in poor condition

Access and transport

- Access on to public highway as per existing site (MP2i – Langford Lowfields)
- Existing HGV routing agreement to be maintained

Amenity

- Consideration of impact on Langford footpath 3 and 7, which runs between this extension and the existing site; protection (and stability issues) or rerouting need to be considered
- Restoration provides an opportunity to link Langford footpath 3 with the minor road from Holme East to Langford Church
- Screening from eastern edge of Holme and from Langford Crossing Cottage, to be provided by offsite management of intervening hedgerows

Water and flooding

- No excavation within 45m of the two flood defences or the River Trent
- Ensure the 9m easements from watercourses that form the western, northern and eastern boundaries of the site are suitable to withstand ingress of water into the quarry.
- Site must be designed and constructed to remain operational and safe for users in times of flood, result in no net loss of floodplain storage, not impede water flows and not increase flood risk elsewhere

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Potential impact on the groundwater resource as the site is underlain by a Secondary Aquifer
- Mitigation of potential flooding as part of site lies in Flood Zone 3
- The impact of existing flood defences failing

MP2p – Langford Lowfields North

Grid reference: 481811, 361325

District: Newark and Sherwood District Council

Parish: Collingham Parish Council

Total mineral resource: 4.7 million tonnes available during the plan period

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of this site should be biodiversity-led as it has the potential to provide new areas of wetland to increase the overall resource and in doing so contribute to aspirations for this habitat over a 5-10 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Neutral Grassland
- Floodplain Grazing Marsh
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland

Restoration of this site has the potential to provide significant new areas of wetland habitats to increase the overall resource and in doing so contribute to aspirations for these habitats over a 50 year time frame, as per the Trent Valley Biodiversity Opportunity Mapping Project. The approach to restoration across this site and the other sites in the Collingham and Besthorpe area should ideally be co-ordinated through a Master-planning process, or similar, to ensure that opportunities are maximised.

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland. Given the proximity of the site to Langford Lowfields, Besthorpe and Cromwell quarries, the restoration plan should aim to complement existing and proposed restoration schemes as well as existing habitats to maximise biodiversity gain in the area.

As the site lies within an area of very high multiple environmental sensitivity for ecology, heritage and landscape, the biodiversity-led restoration outlined above should be sensitive to these elements. This is particularly important to the eastern edge where the site is bounded by a multiple environmental sensitivity hotspot for ecology, heritage and landscape (as per the Trent Valley Areas of Multiple Environmental Sensitivity Project).

Location

- South west of Collingham and north east of Holme
- See Policies Map Inset 11

Environmental and cultural designations

- Protection of the nearby Conservation Area of Collingham and its listed buildings. Reference should also be made to the Collingham Conservation Area Character Appraisal (CACA)
- Protection of Horse Pool LWS and Besthorpe Meadow SSSI must be considered
- High archaeological potential to be managed through appropriate survey methods
- Retain existing strong mixed species hedgerows and incorporate into restoration design as far as possible
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Create and Reinforce' – actions should strengthen or reinforce distinctive features and patterns in the landscape, whilst creating new features or areas where they have been lost or are in poor condition
- High potential for the site to contain non-designated archaeology

Access and transport

- Access on to public highway as per existing site (MP2i – Langford Lowfields)
- Existing HGV routing agreement to be maintained

Amenity

- Protection or suitable management of South Collingham footpath 1, Langford footpaths 9 and 10 and footpath 21
- Opportunity through restoration phase to resolve the anomaly of South Clifton footpath 2, which is currently dead-ended
- Provide screening of site from Westfield Farm

Water and flooding

- Ensure the 9m easement from the watercourse along the southern boundary is suitable to withstand ingress of water into the quarry.
- Site must be designed and constructed to remain operational and safe for users in times of flood, result in no net loss of floodplain storage, not impede water flows and not increase flood risk elsewhere

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths
- Mitigation of potential flooding as site lies in Flood Zone 3
- Potential impact on the groundwater resource as the site is underlain by a Secondary Aquifer
- The impact of existing flood defences failing

Other

- The site is crossed by a National Grid high voltage overhead electricity transmission line (4VK route)

MP2s - Mill Hill near Barton in Fabis

Grid reference: 453142, 333775

District: Rushcliffe Parish Council

Parish: Barton in Fabis Parish Council

Total mineral resource: 3.4 million tonnes

Quarry restoration

Restoration should be biodiversity-led, and precise details will be dependent upon landform and substrate characteristics. However, restoration should target the creation of:

- Wet Grassland (Floodplain Grazing Marsh)
- Reedbed
- Marsh and Swamp
- Ponds

Other habitats that may be appropriate for creation include:

- Lowland Neutral Grassland
- Wet Woodland
- Mixed Ash-dominated Woodland (Lowland Mixed Deciduous Woodland)

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland (although there may be limited opportunities for the latter along the bluff on the eastern side of the site), and should complement existing wetland habitat in the vicinity. Opportunities for created habitats to have multi-functional benefits (flood storage) should be explored, and taken where possible.

Location

- North east of Barton in Fabis village and west/south west of Clifton
- See Policies Map Inset 18

Environmental and cultural designations

- Direct and indirect impact on SINC's within and near the site and indirect impacts on Holme Pit SSSI must be considered
- High archaeological potential to be managed, including use of metal detector on conveyor belt
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Enhance' - emphasis should be to improve existing features which may not be currently well- managed or where existing features are of good quality but could be of greater benefit if improved.

Access and transport

- Access on to the public highway to east of the site on to the old A453

Amenity

- Protection or suitable management of Barton in Fabis footpaths FP2, FP69 and BW1

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment as site lies in Flood Zone 3. No excavation within 45m of the toe of any flood defence or the River Trent itself

MP2q – East Leake North

Grid reference: 456767, 325464

District: Rushcliffe Borough Council

Parish: Costock Parish Council

Total mineral resource: Approximately 750,000 tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration of the site should be primarily biodiversity-led, however the higher quality agricultural soils should be taken into account in the final restoration proposal reflecting policy DM3; Agricultural land and soil quality. Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Lowland Neutral Grassland
- Floodplain Grazing Marsh
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Mixed Ash-dominated Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland.

Location

- South east of East Leake, south west of Costock and north west of Rempstone
- See Policies Map Inset 20

Environmental and cultural designations

- High archaeology potential to be managed through appropriate survey methods
- Retain internal hedgerows and hedgerow trees as far as possible
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Enhance' - actions should protect or safeguard key features and characteristics and improve existing features which may not be currently well-managed or where existing features are of good quality but could be of greater benefit if improved.
- Potential impact on the site of Old St Peters Church, the settings of conservation areas (Costock & East Leake) and listed buildings (Grade II listed Rempstone Hall and Grade II* Stanford Hall).

Access and transport

- Possible continued use of existing access (from MP2j – East Leake) on to public highway

Amenity

- Protection of East Leake footpath 1, an important route adjoining a section of the southern boundary of the site
- Provide screening from site to property to the north, west and north-west.

Water and flooding

- Flooding issues downstream require strict control of water discharge from this site.

A Flood Risk Assessment should address:

- Surface and ground water flooding
- Overland flow paths

Potential impact on the groundwater resource as the site is underlain by a Secondary Aquifer.

MP3e – Bestwood 2 East & MP3f - Bestwood 2 North

Grid reference: 457333, 352598

District: Gedling Borough Council

Parish: Ravenshead Parish Council

Total mineral resource: 2.2 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Target restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Marsh and Swamp
- Ponds
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland. Heathland/ Acid Grassland habitats should be priorities for creation; however, Oak-birch Woodland creation may be required to mitigate against the loss of exiting woodland from within Longdale Plantation (SINC/LWS 2/363).

Location

- South of Ravenshead
- See Policies Map Inset 14

Environmental and cultural designations

- The restoration scheme would have to demonstrate that the loss of the LWS could be outweighed by the greater than County need for the development and that high quality habitat, at least equal to that which would be lost, could be established and maintained in the long term
- Indirect impact on the setting of various Scheduled Ancient Monuments, registered parks and gardens, conservation areas and listed buildings (associated with Papplewick Pumping Station, Newstead Abbey and Papplewick Hall) must be considered
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable

Access and transport

- Access on to public highway as per existing site (MP3b – Bestwood 2)

Amenity

- Potential to create right of way links through restoration

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment.
- Assess potential Impact on groundwater and surface water quality through environmental assessment (including impact on Source Protection Zone 3 and the Principal Aquifer).

MP3g – Scrooby Top North

Grid reference: 464999, 389528

District: Bassetlaw District Council

Parish: Scrooby Parish Council

Total mineral resource: 1.68 million tonnes available over the plan period

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Restoration should include agricultural and biodiversity-led elements. Target restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Lowland Dry Acid Grassland
- Lowland Heathland
- Marsh and Swamp
- Reedbed
- Ponds
- Wet Woodland
- Oak-birch Woodland

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland.

Location

- North west of Ranskill
- See Policies Map Inset 3

Environmental and cultural designations

- Impacts on ecological interest of Scrooby Sand Pits must be considered
- High archaeological potential to be managed through appropriate survey methods
- Protect and retain character of existing Green Land (Scrooby BW4) to north and north west of the site.
- Retain existing woodland strips to western edge of site which provide screening from A638 and plant additional mixed species hedgerow to north, east and southern boundaries of the site
- Consideration of Landscape Character Assessment, Policy Zone recommendation: 'Conserve and Reinforce' – actions should conserve distinctive features and features in good condition, and strengthen and reinforce those features that may be vulnerable
- Consideration of historic records of nightjar and woodlark on the site, which are protected under the Birds Directive and the Conservation Regulations 2010.

Access and transport

- Access on to public highway as per existing site (MP3d – Scrooby Top)

Water and flooding

- Assess potential Impact on groundwater and surface water quality through environmental assessment (including impact on Source Protection Zone 3 and the Principal Aquifer).

A Flood Risk Assessment should address:

- Surface and groundwater water flooding
- Mitigation of potential flooding

MP6c Woodborough Lane

Grid reference: 460676, 347019

District: Gedling Borough Council

Parish: Lambley Parish Council, Woodborough Parish Council

Total mineral resource: 2.7 million cubic metres

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Target restoration will depend on landform, hydrology and substrate characteristics. However, priority habitats could include:

- Species-rich neutral grassland (meadows)
- Lowland mixed deciduous woodland
- Ponds
- Hedgerows
- Marsh and swamp
- Reedbed

Restoration should seek to maximise the biodiversity value of the site, the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland, although efforts should be made to retain as many of the mature trees as possible.

Location

- North-east of Arnold, to the south of Calverton.
- See Policies Map Inset 16

Environmental and cultural designations

- None within close proximity to the site. Non-designated heritage assets associated with Arnold Lodge Farm are adjacent to the site's north-west boundary.

Access and transport

- The proposed northern extension will not require haulage along the road network and is proposed to include a crossing point between the northern site and the existing quarry to the south generally in the area indicated circled red on the above. Further details of this crossing point would be needed for further assessment.
- Existing restrictions on HGV movements at the brick works would be carried forward.

Amenity

- Woodborough Footpath No. 9 and Arnold Footpath No. 7, do not fall within the site area, but may be impacted by mineral transport to the Dorket Head site south of the B684 and the brickworks.
- Arnold Lodge Farm is adjacent to the site and Lambley House and Barn Farm, and north-eastern areas of Arnold are within the wider area. Aside from Arnold Lodge Farm these are all at a distance whereby environmental impacts would be unlikely, but should still be investigated and appropriate mitigation proposed where necessary.

Water and flooding

- The proposed site is situated in flood zone 1, with no concern expressed in respect of water protection or flood risk.

MP7c – Bantymock quarry south

Grid reference: 481165, 348611

District: Newark and Sherwood District Council

Parish: Fernwood Parish Council

Total mineral resource: 7.5-8.5 million tonnes

Quarry restoration

All proposals for restoration schemes should be in line with the County Council's approach to Biodiversity-Led Restoration contained within Policy SP3.

Target restoration will depend on landform, and substrate characteristics. However, priority habitats could include:

- Calcareous grassland (on drier areas)
- Floodplain grazing marsh/seasonally wet grassland (on lower areas)
- Marsh and swamp
- Reedbed
- Lowland mixed deciduous woodland
- Wet woodland
- Hedgerows
- Ditches
- Ponds

Restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing, where small areas of lots of habitats are packed into the site. Priority should be given to wetland/open habitats rather than woodland. Restoration involving the return of land to agriculture and nature conservation corridors should complement the approved restoration scheme for the existing quarry to the north, and the Staple Land Quarry landfill to the west.

Any proposed habitats should be appropriate for the Trent and Belvoir Vales National Character Area. Effort should be made to retain as many existing habitat features as possible, especially given the potential loss of Cowtham House Arable LWS and at least partial loss of Shire Dyke, Balderton South LWS.

Location

- South of Newark on Trent, to the south-west of Fernwood.
- See Policies Map Inset 17

Environmental and cultural designations

- The restoration scheme would have to demonstrate that the loss of the LWSs (Cowtham House Arable LWS and Shire Dyke Balderton South LWS are within the site area) could be outweighed by the greater than County need for the development and that high quality habitat, at least equal to that which would be lost, could be established and maintained in the long term.

Access and transport

- Access on to public highway as per existing site to the north (Bantymock Quarry).
- Over time access arrangements will be affected by the Newark Southern Link Road which is currently only partially built.

Amenity

- Potential to create right of way links through restoration, extending those proposed for northern extraction areas and linking into Cotham FP7.

Water and flooding

- Mitigation of potential flooding should be considered through a Flood Risk Assessment.


Appendix 4: Policies Map

Nottinghamshire Minerals Local Plan Emerging Draft Plan Policies Map

July 2018

LEGEND



Features

 County Boundary (Plan Area)

Transport Network


 Railways
 Core Road Network
Waterways
 Navigable
 Other

Environmental Designations

 Special Area of Conservation (SAC)
 National Nature Reserve (NNR)

 Greenbelt

Hydrocarbons




 PEDL Licence Areas

Policies

Mineral Safeguarding and Consultation Areas (DM13)

 Sand and Gravel
 Sherwood Sandstone
 Alluvial Sand and Gravel
 Limestone
 Brick Clay
 Gypsum
 Surface Coal



Sites

 Permitted Sites (MP2-4, 6-8 and 10)
 New Sites and Extensions (MP2,3,6 and 7)
 Archaeological Resource Area (DM6)

Site Codes

SG = Sand and Gravel
SS = Sherwood Sandstone
LS = Limestone
BC = Brick Clay
GY = Gypsum
SL = Silica Sand
BS = Building Stone

Airfield Safeguarding (DM12)




 Airfields
 Safeguarding Areas

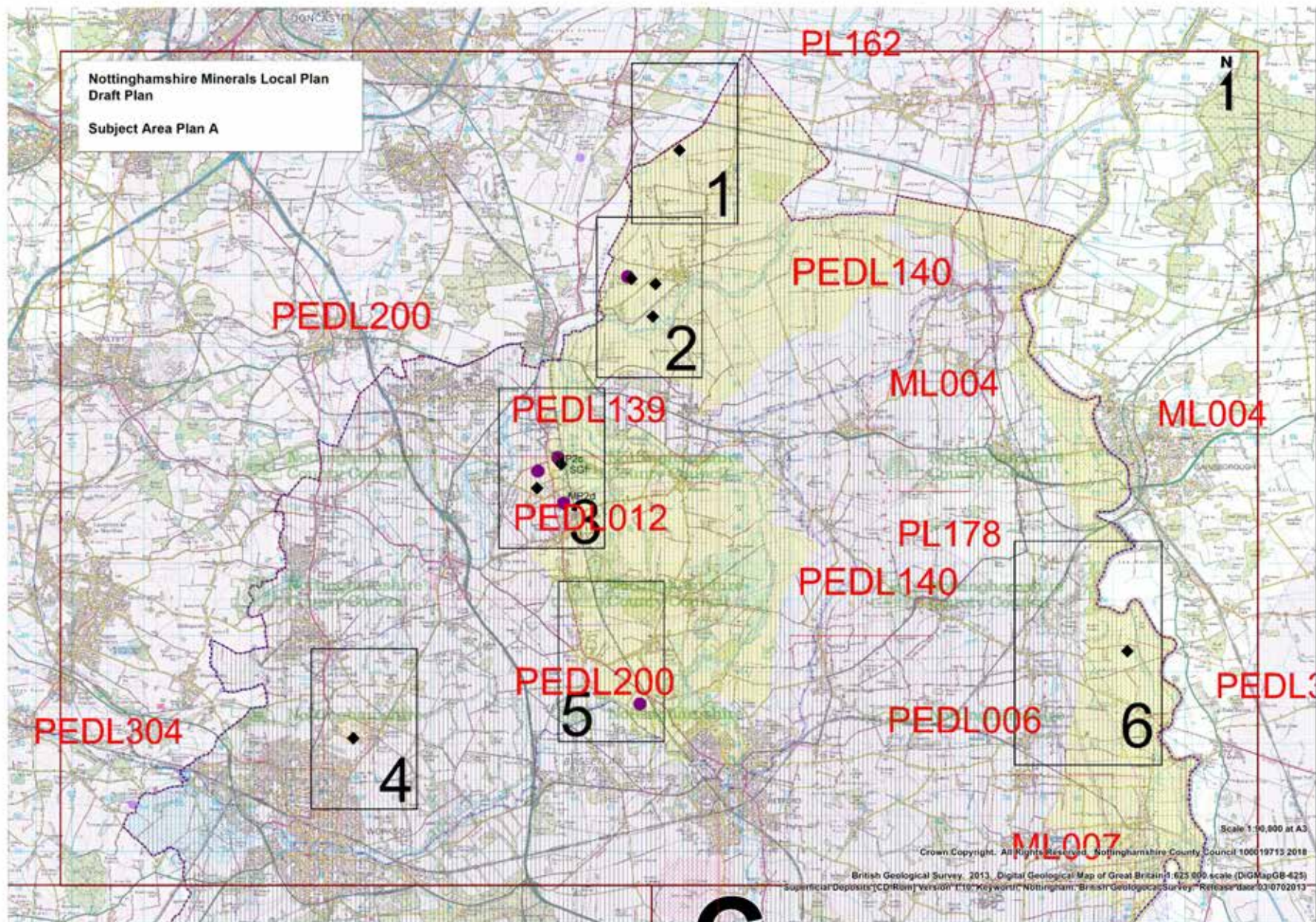
Insets - additional features

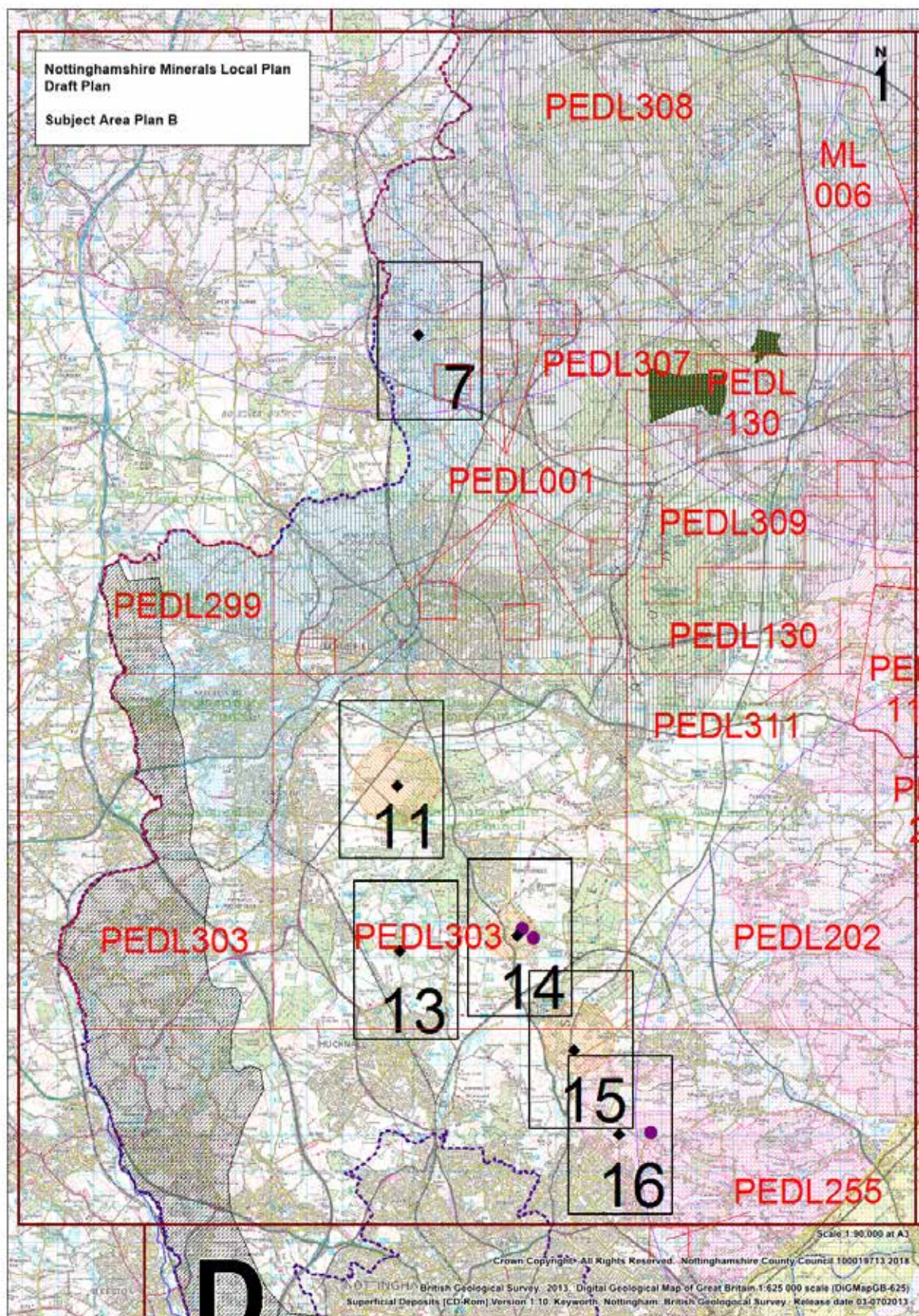
 New Sites and Extensions (MP2,3,6 and 7)

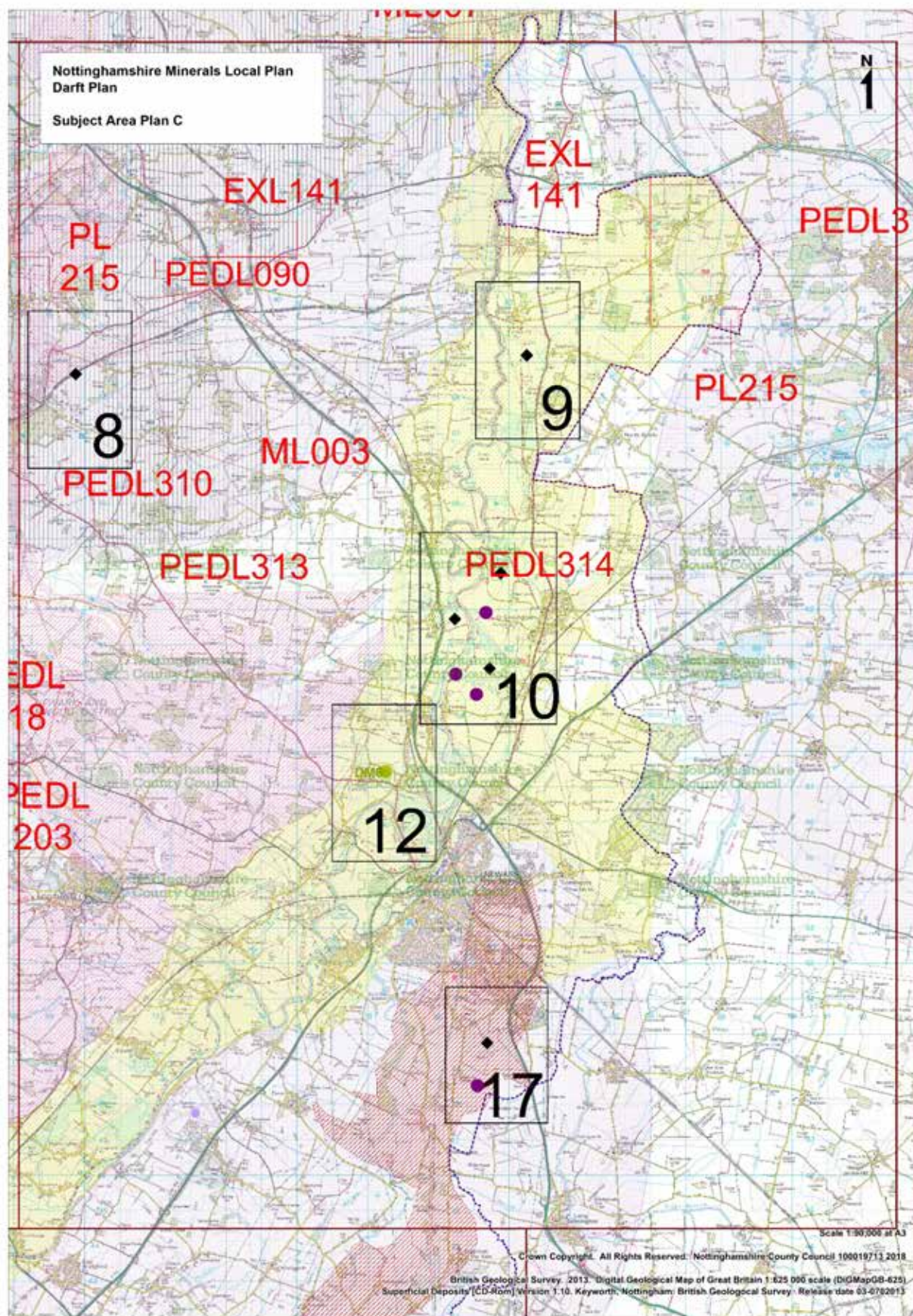
 Archaeological Resource Area (DM6)

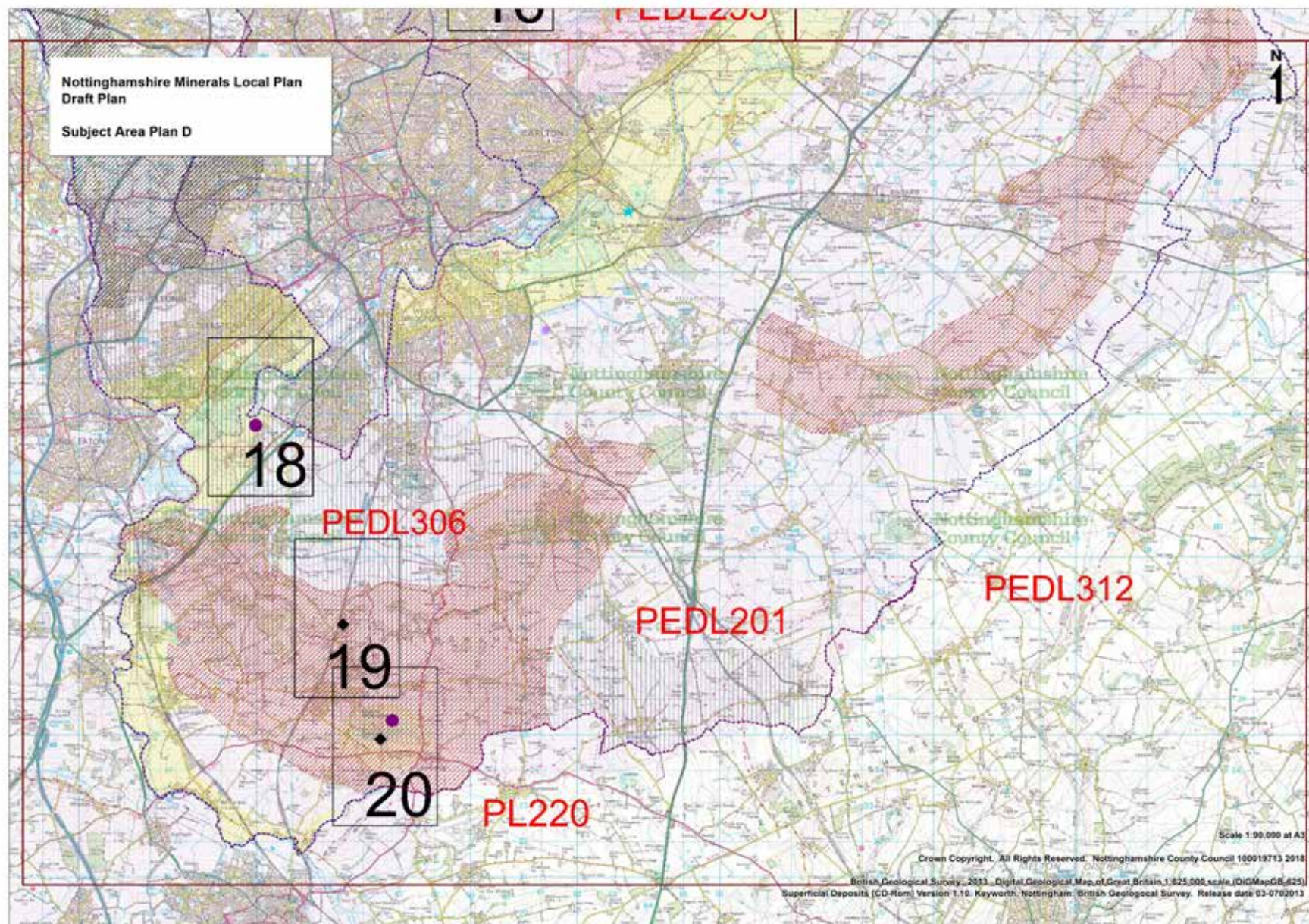
Environmental Designations

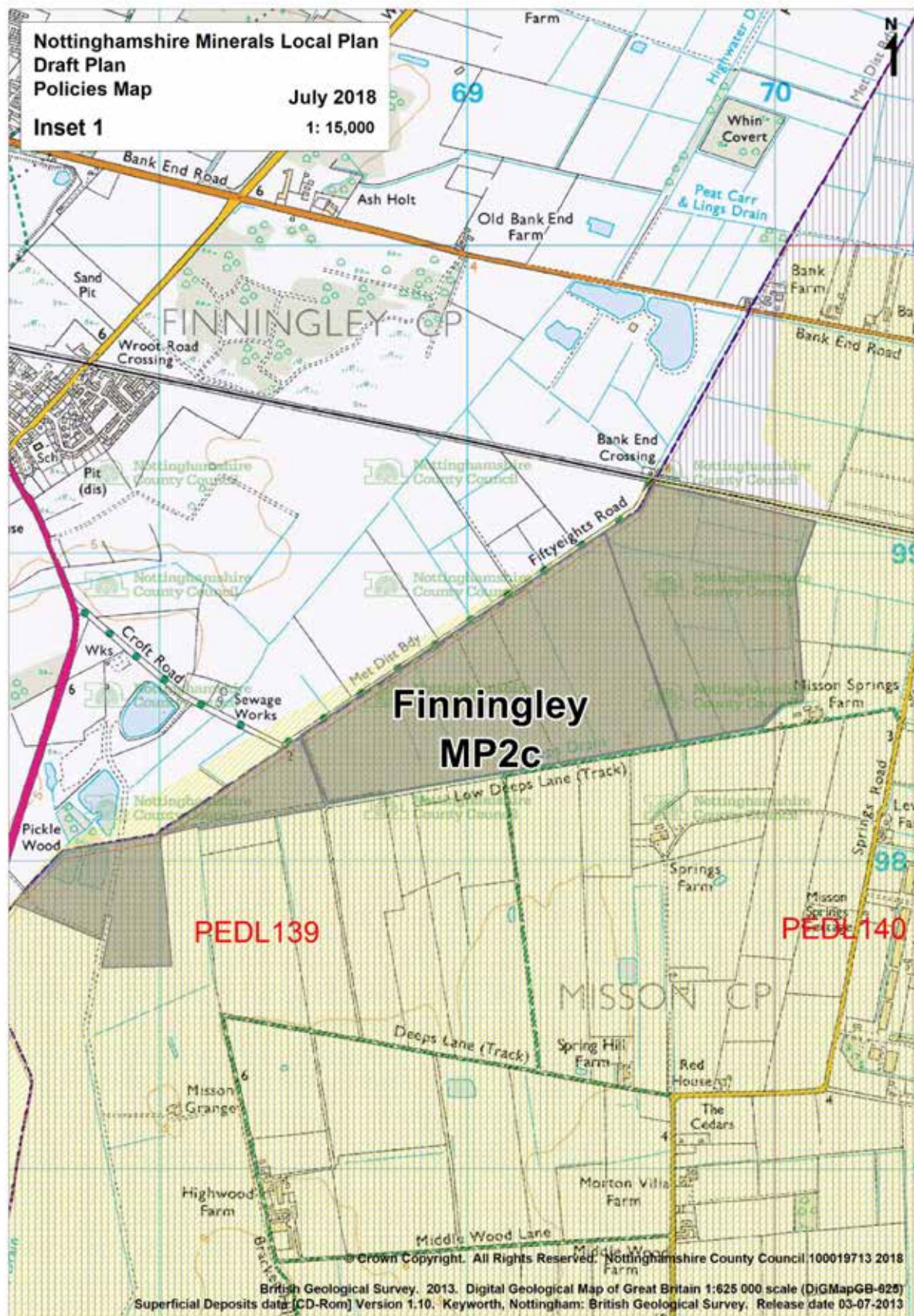
 Site of Special Scientific Interest (SSSI)
 LWS Geo
 LWS Bio

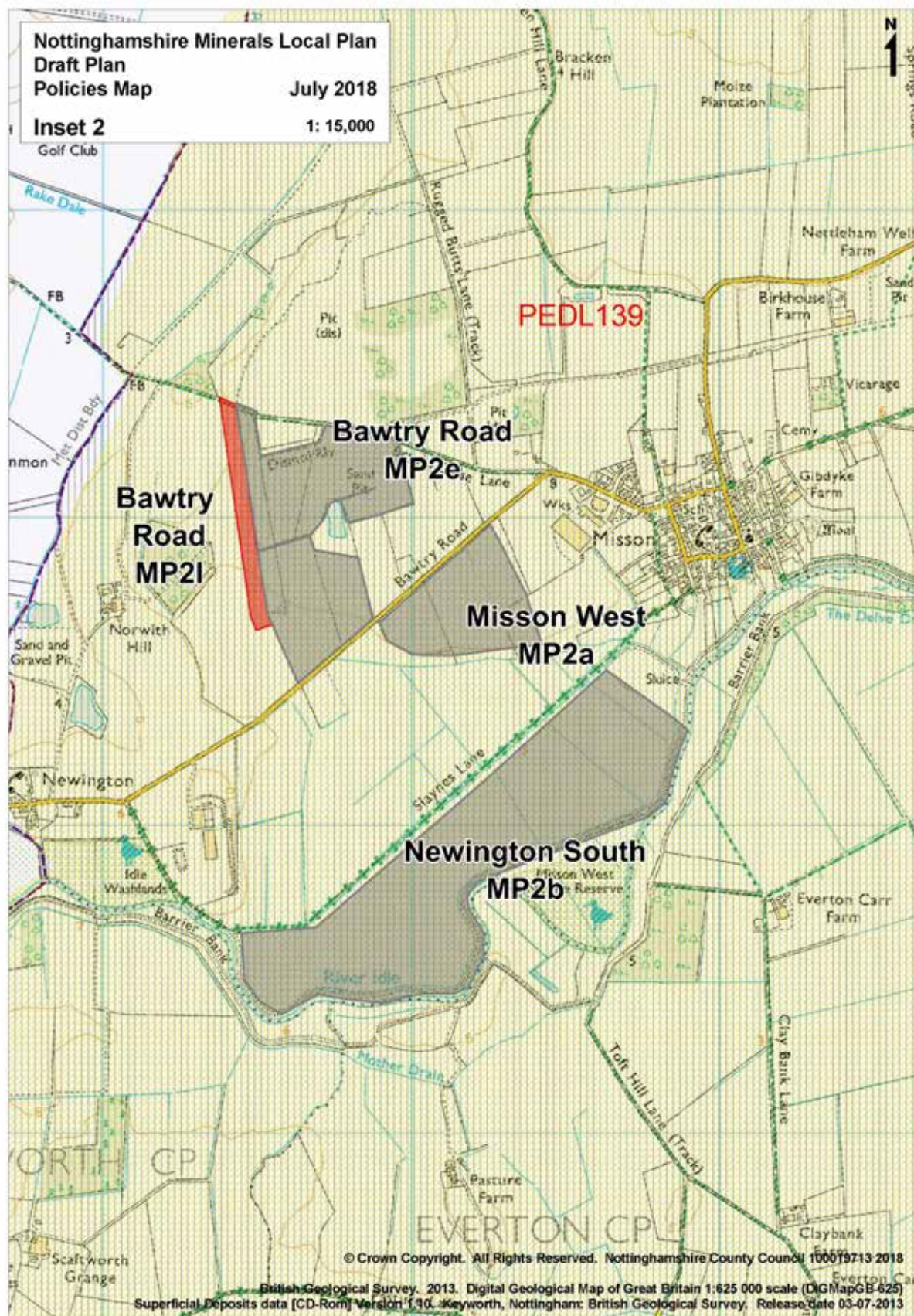


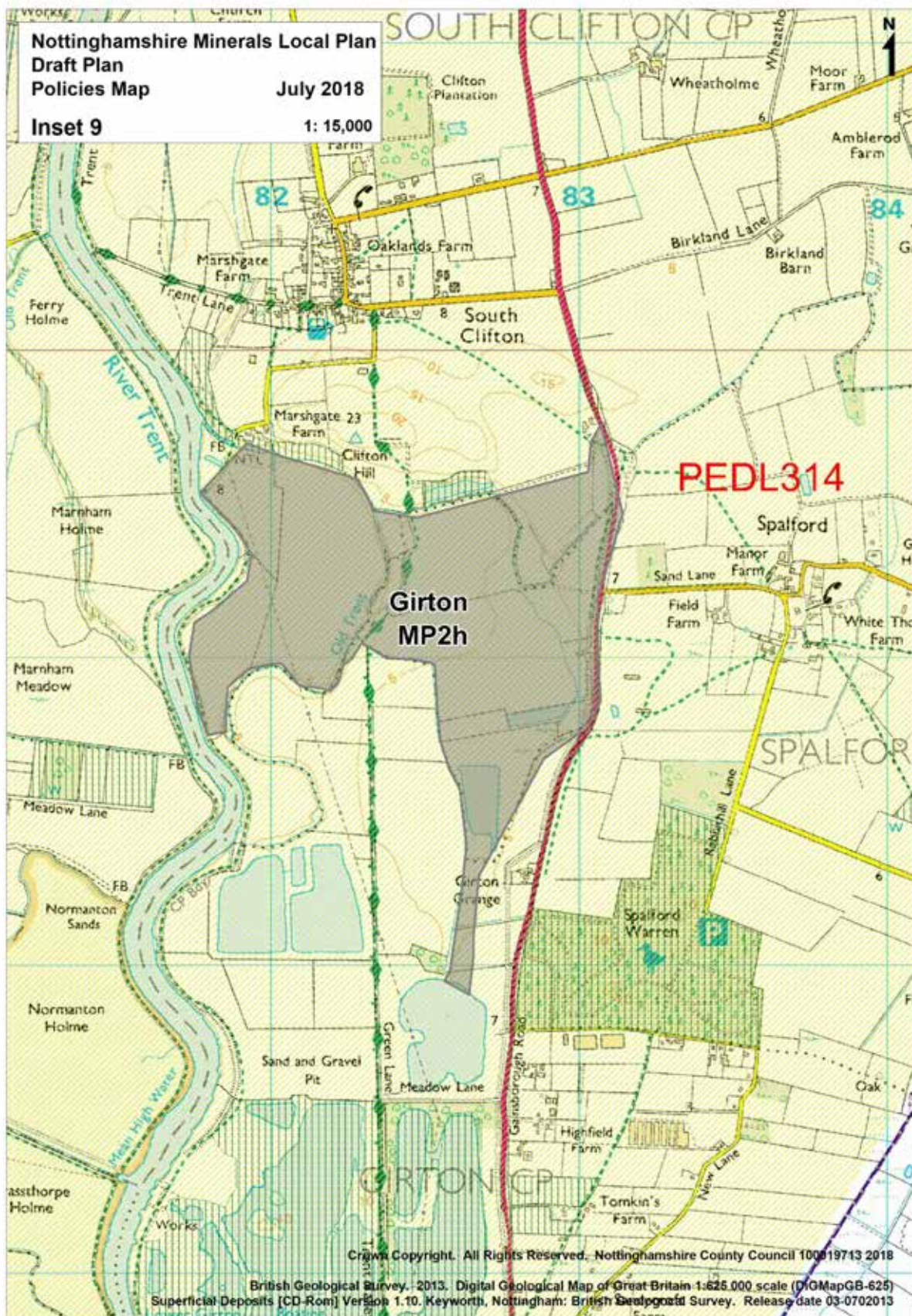


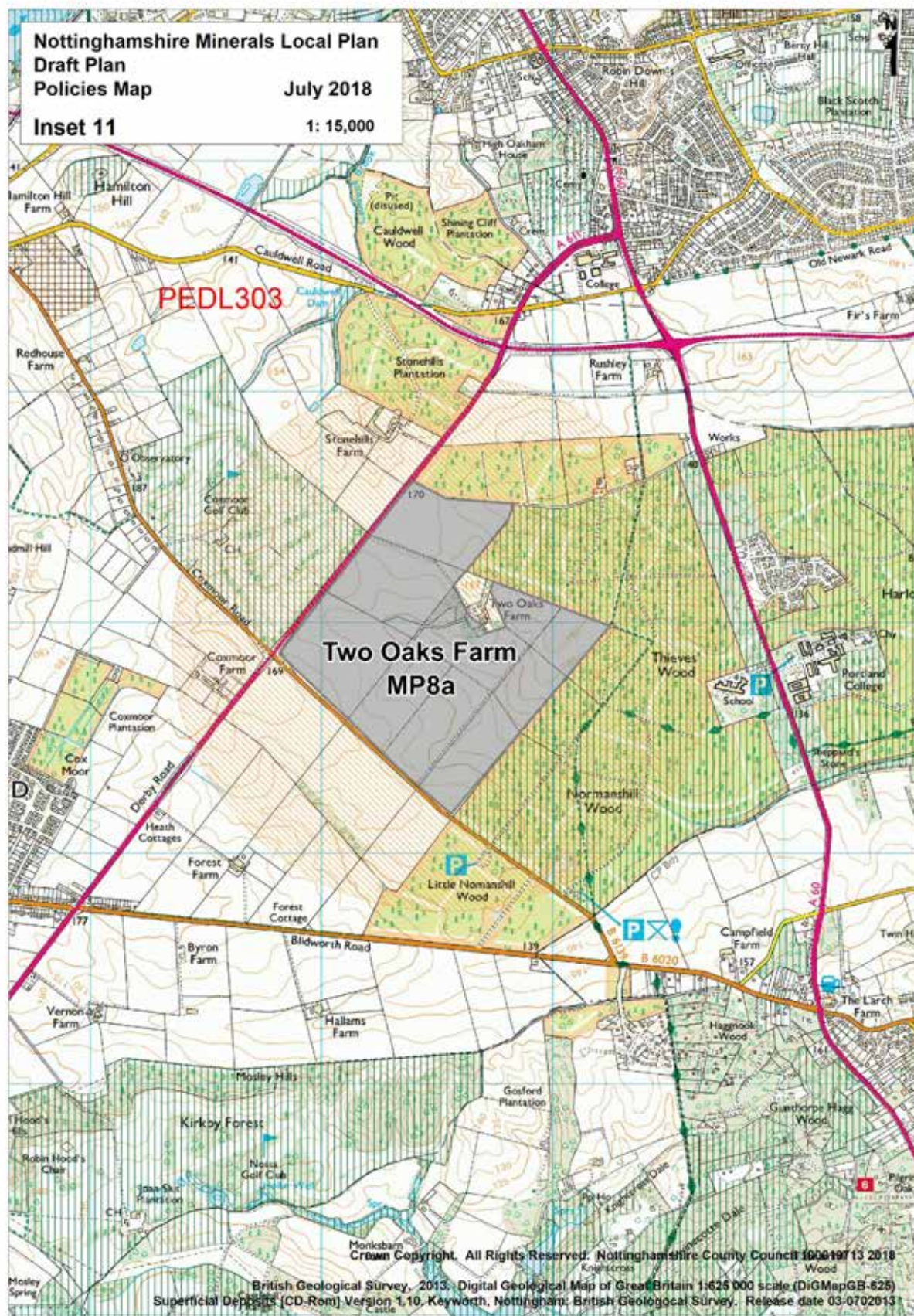


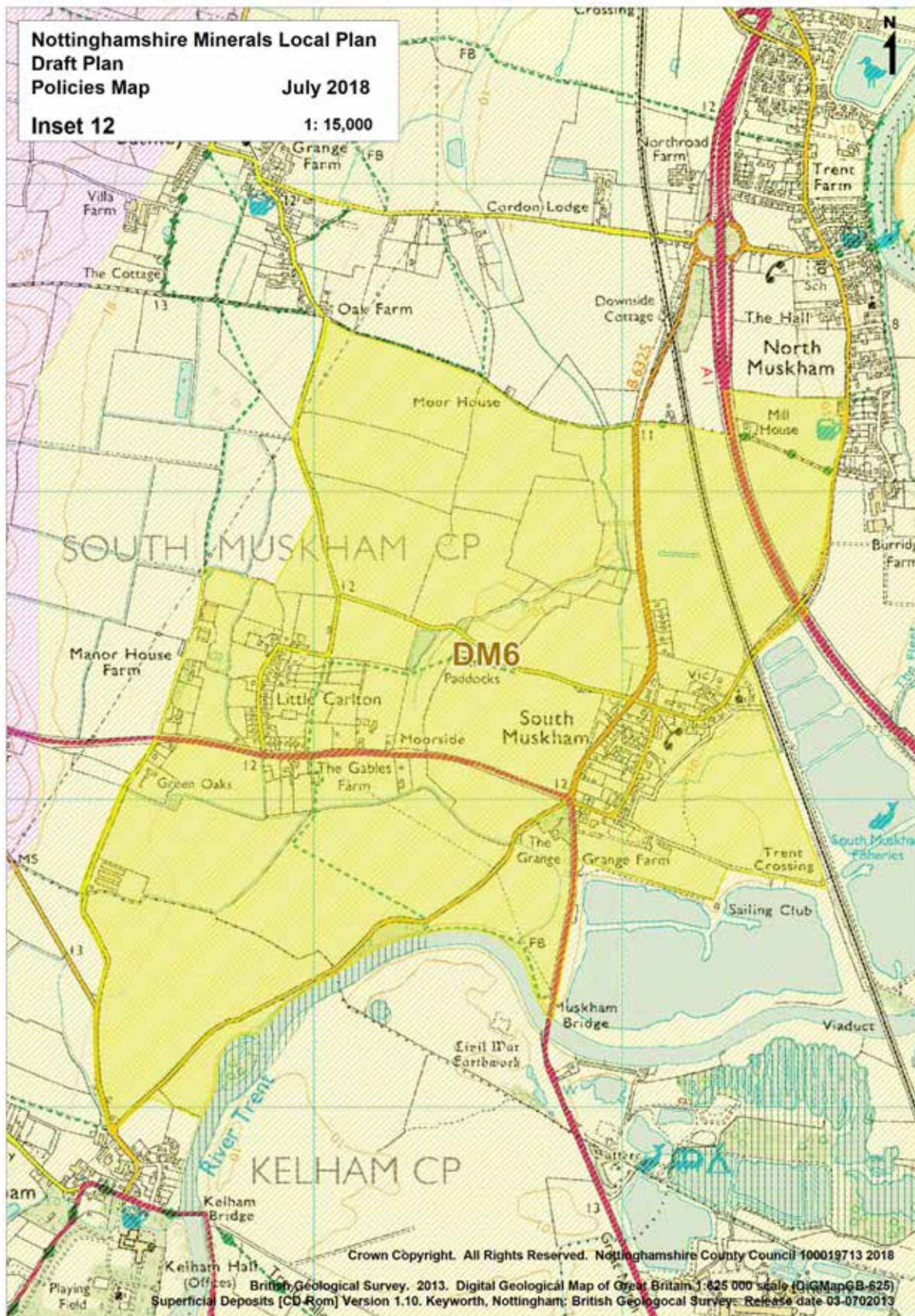


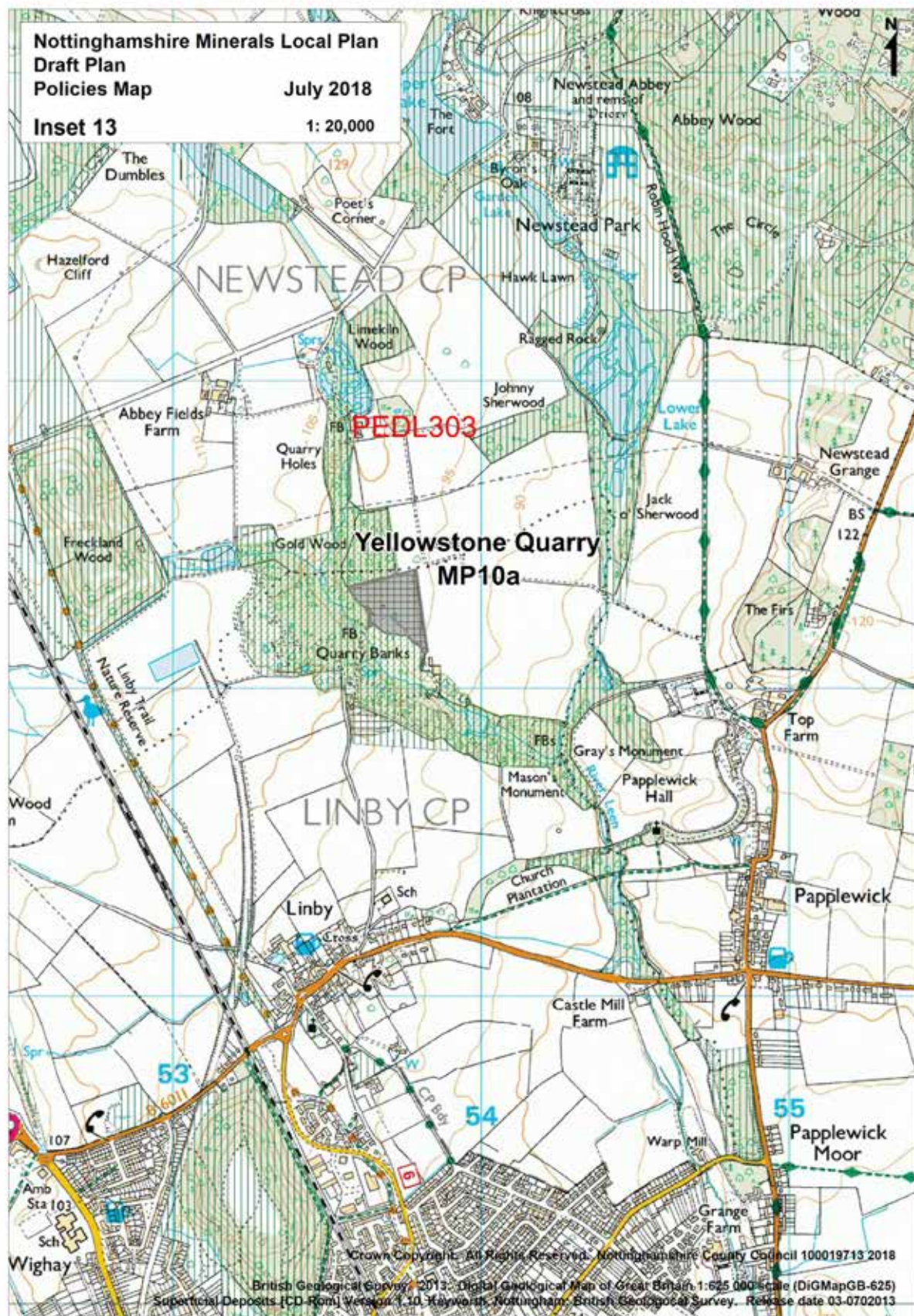


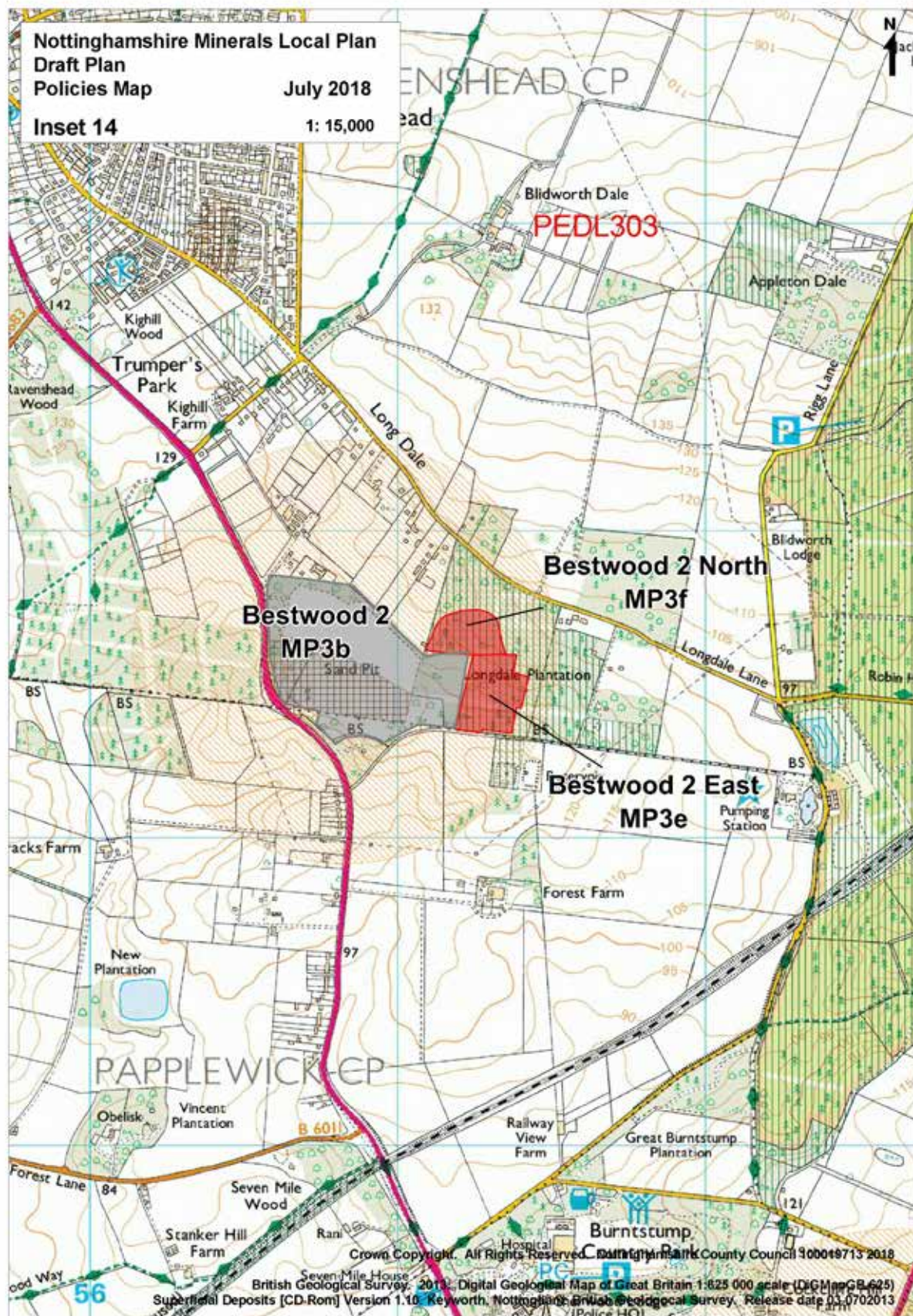


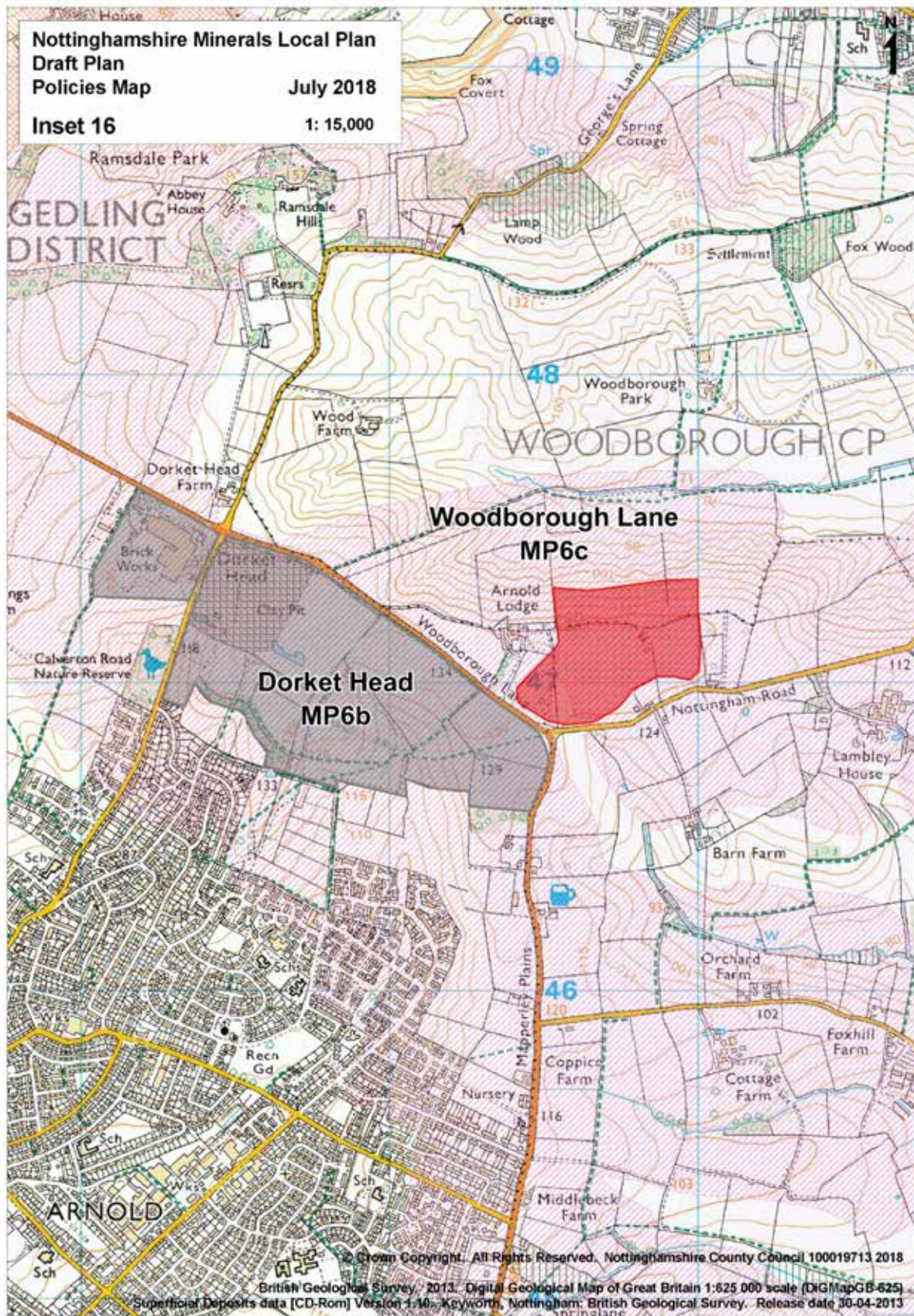


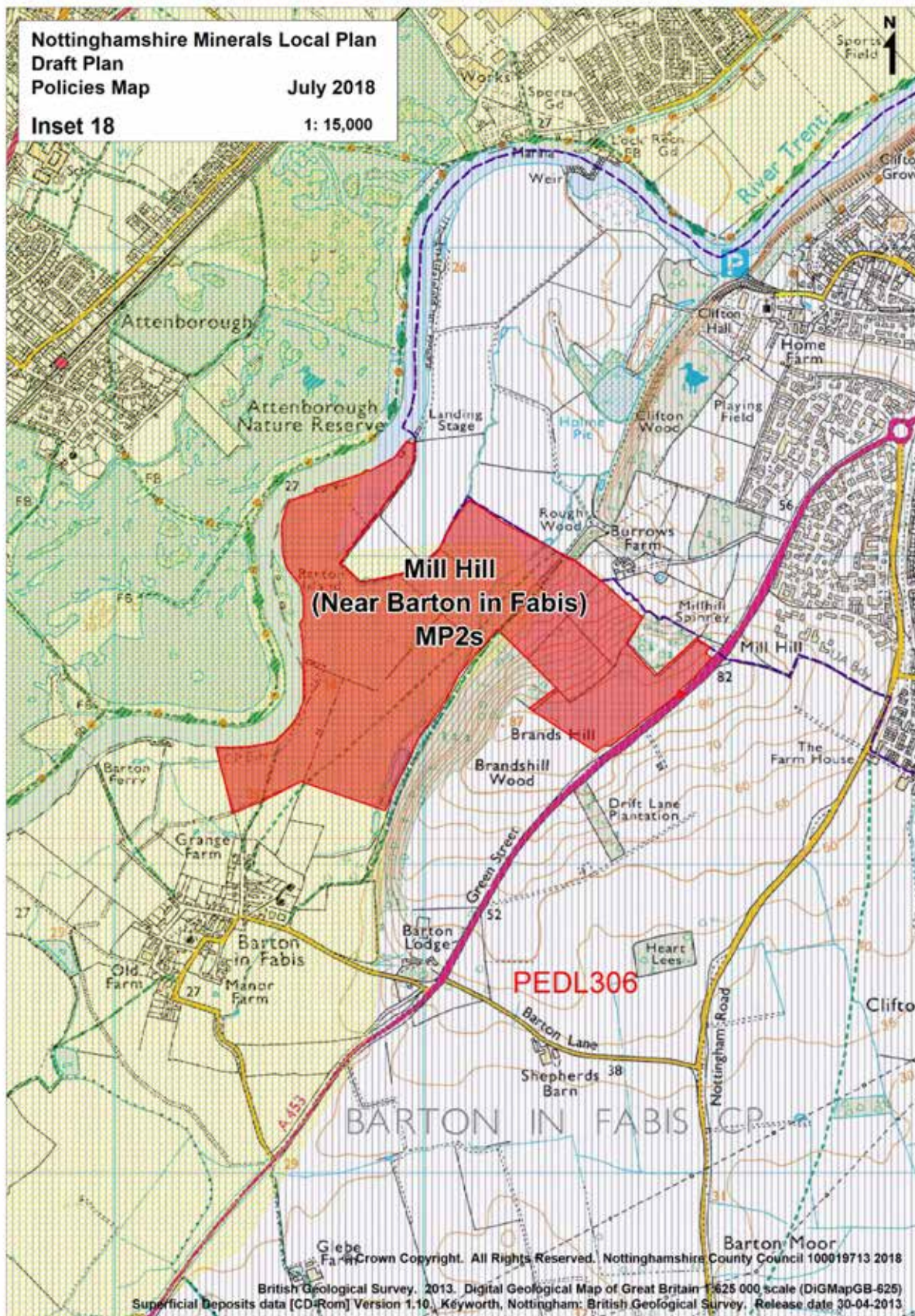


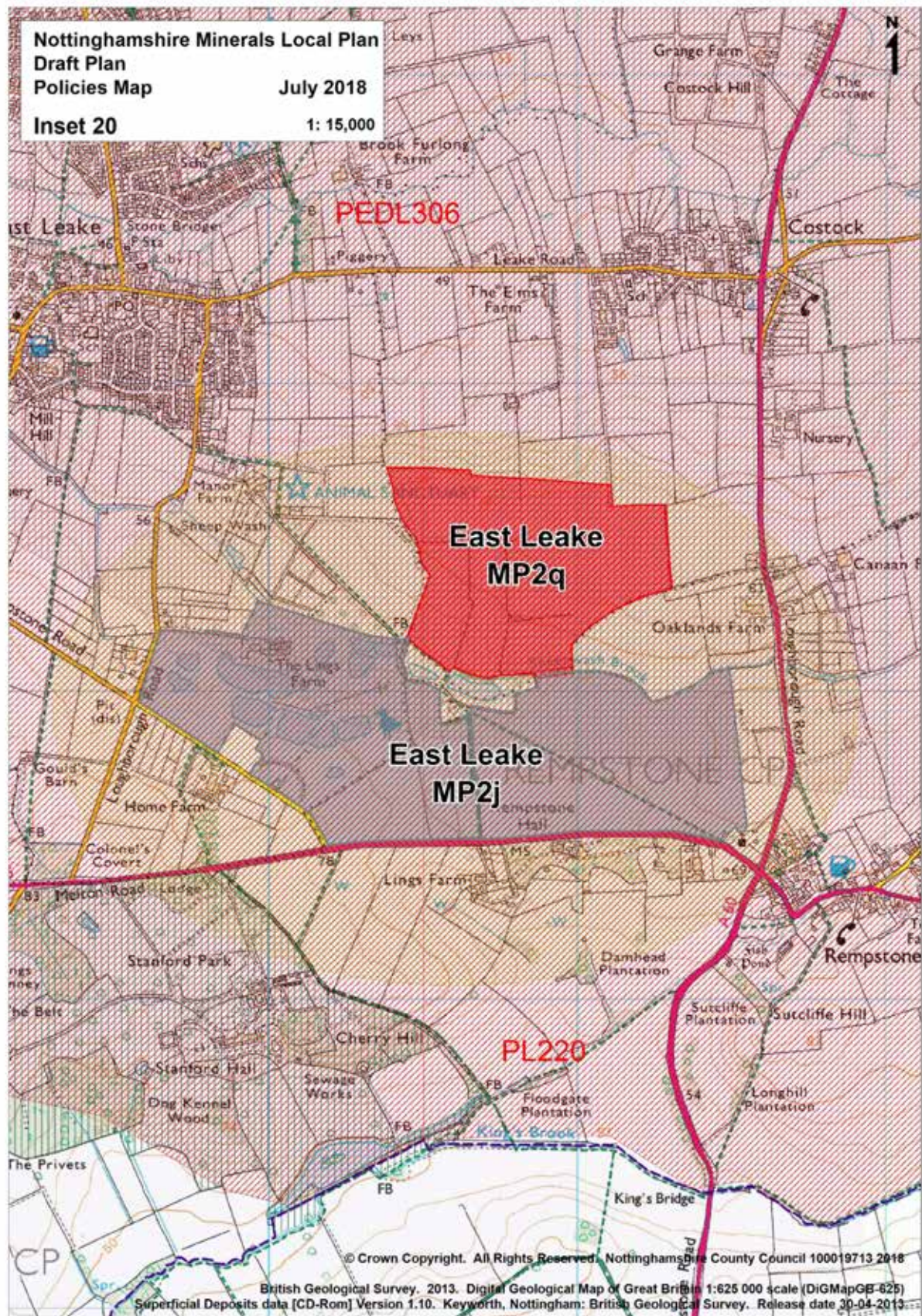












19 July 2018**Agenda Item: 13**

REPORT OF THE CORPORATE DIRECTOR, PLACE STATEMENTS OF COMMON GROUND

Purpose of the Report

1. To advise Members of the requirement for local planning authorities to prepare "Statements of Common Ground" and to seek approval for an approach for Nottinghamshire County Council to respond to statements of common ground prepared by neighbouring authorities.

Information

2. Proposed changes to national planning policy as outlined in the recently issued draft revised National Planning Policy Framework seek to introduce a requirement that planning authorities prepare a "Statement of Common Ground", to evidence the approach to joint planning and liaison across local authority boundaries, in association with preparing Local Plans, which demonstrates how they have fulfilled the statutory "Duty to Co-operate".
3. The draft revised National Planning Policy Framework states that:

"In order to demonstrate effective and on-going joint working, strategic plan-making authorities should prepare and maintain one or more statements of common ground, documenting the cross boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency" (paragraph 29)

4. A Statement of Common Ground is a written record of the progress made by strategic plan-making authorities during the process of planning for strategic matters across local authority boundaries. It documents where effective co-operation is and is not happening, and is a way of demonstrating at examination that plans are deliverable over the plan period and based on effective joint working across local authority boundaries. In the case of local planning authorities (including County Councils), it is also evidence that they have complied with the Duty to Co-operate.
5. The County Council will be asked to be an additional signatory to Statements of Common Ground prepared between authorities in Nottinghamshire in view of the significance of the County Council's responsibilities for transport and education infrastructure, its role in mineral and waste planning and the need to deal with any cross boundary issues with regard to infrastructure provision.
6. The County Council will also need to prepare a Statement of Common Ground when preparing minerals and waste plans. This will reflect how the authority has worked with

neighbouring authorities to address the need for and distribution of, minerals extraction and waste facilities. The District and Borough Councils within the County (and adjoining authorities where relevant) should also be signatories on the Statement of Common Ground for County Council minerals and waste plans as these will have a direct effect on the development strategy of their areas.

7. Some authorities are already anticipating the new policy by preparing Statements of Common Ground already to document the duty to co-operate. The County Council has already contributed to a draft Statement of Common Ground for the North Derbyshire and Bassetlaw Housing Market Area which Bolsover District Council are leading on, to help support their forthcoming Local Plan. This particular Statement of Common Ground raised no major issues in respect of County Council responsibilities and service areas.
8. An approach to how the County Council will endorse future Statements of Common Ground is therefore required prior to the implementation of the revised National Planning Policy Framework, scheduled for later this year.

Key Issues

9. Authorities responsible for the Statement will need to decide early on the governance arrangements for preparing, maintaining and updating the Statement. Depending on what is contained in the Statement, certain statements may require Member-level sign-off whilst others might be delegated to Officers.
10. It is proposed that where Nottinghamshire County Council is asked to be a signatory to Statements of Common Ground prepared by one or more planning authorities, that these in general will be signed off at Corporate or Service Director level (or in their absence, the Planning Group Manager) with appropriate Member briefing, through the chair/ vice chair of Communities and Place Committee), but that:
 - a) if the relevant authority specifically requests Member level sign off, it is signed by the Chair of Communities and Place Committee following consultation with Officers;
 - b) if it is considered that Committee approval is necessary because of the content or implications for the authority or following a request from an elected Member, then the Statement will be reported to the next available Communities and Places Committee to seek approval.
11. The County Council will also need to prepare such a Statement as evidence of the co-operation which has taken place in development of its Minerals and Waste Plans. In general it is anticipated that the content of the Statement in the case of these Plans (covering the approach to mineral planning and matters which are often discussed through the Regional Aggregate Working Party) should be capable of being signed off at officer level. It is proposed that the County Council will require senior officer signatures from the County, Unitary or District Councils which it invites to agree a Statement of Common Ground. As such the County Council itself should sign such at Statement at Corporate or Service Director level (or in their absence, the Planning Group Manager).
12. The Statement of Common Ground will form an important supporting paper to the relevant Local Plan being prepared and it is proposed that the final version of any

Statement which the County Council initiates (such as will be prepared prior to the final publication of the new Minerals Local Plan) will be reported to the Communities and Places Committee to view and endorse.

Other Options Considered

13. To not have an agreed approach in Nottinghamshire County Council being a signatory of Statements of Common Ground, or to have an arbitrary approach to the sign off of Statements of Common Ground. This would not provide other authorities, the public, Councillors and Officers with certainty as to how Nottinghamshire County Council will respond to requests to develop Statements of Common Ground.

Reason/s for Recommendation/s

14. To ensure that the County Council has a clearly set out and agreed an approach to its involvement in the development of Statements of Common Ground prepared by partner authorities. And to the preparation of its own statements of common ground.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment 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:

- 1) The Corporate Director (Place) be given delegated authority in consultation with the the Chair of the Committee to sign off Statements of Common Ground;
- 2) The Committee receives a report on the Statements of Common Ground for the Minerals and Waste Local Plans at the appropriate time.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Robert Portman, Planning Officer, Planning Policy Team, Tel: 0115 977 4291

Constitutional Comments [RHC 14/06/2018]

16. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments [RWK 07/06/2018]

17. There are no specific financial implications arising directly from the report.

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



REPORT OF THE CORPORATE DIRECTOR, PLACE

COUNTY COUNCIL PLANNING OBLIGATIONS STRATEGY - 2018 UPDATE

Purpose of the Report

1. To seek approval of a final version of the County Councils Planning Obligations Strategy – 2018 update following consultation on a Draft version. The Strategy will require subsequent adoption by Policy Committee.

Information

Background

2. The meeting of the Committee on 9 November approved a draft version of a revised Planning Obligations Strategy to enable a period of public consultation on the draft revised Strategy. The County Council Planning Obligations Strategy sets out the approach the County Council takes towards seeking planning obligations to help accommodate the impacts of new development when it is consulted on planning applications by a District Council in Nottinghamshire,. The Strategy also aims to help developers understand at the earliest stage what type and level of planning obligations may be necessary so that relevant costs can be factored into development appraisals.
3. The consultation period attracted responses from District Councils, the development industry and also further comments from various parts of the County Council. A total of 15 organisations and individuals provided a series of comments concerning aspects of the Strategy. The comments have been analysed and responses considered. These are tabled as Appendix A to this report.
4. The Planning Obligations Strategy has subsequently been updated to take account of changes considered necessary and is now presented in Appendix B. The key changes being made following public consultation are as follows:
 - a. Changes to the “tone” of the document which recognise the need to demonstrate robustly why obligations are necessary and to reflect the fact that the District Council is the deciding authority in the majority of cases;
 - b. Amendments to the section relating to the request for information relating to viability issues to clarify the approach taken;
 - c. Amendments to the section on education arising from further consideration and dialogue with NCC pupil place planning;

- d. Amendments to the section on transport arising from dialogue and comments from NCC Highways and Transport officers
5. The Communities and Place Committee is invited to endorse the Planning Obligations Strategy. Since the Obligations Strategy refers to matters of Council policy it will be forwarded to Policy Committee for formal adoption

Other Options Considered

6. The other option would be to continue to use the existing Strategy which was adopted in April 2014, rather than adopt this version. This is not considered appropriate because it will increasingly not comply with national planning policy which has developed further since the document was produced. Some of the cost information for calculating contributions will be out of date which would lead to insufficient sums being collected to deliver the infrastructure which is required.

Reason/s for Recommendation/s

7. To ensure that the County Council continues to be in a strong position to secure the physical and financial contributions for infrastructure which are required to mitigate the impact of development.
8. To ensure that the Planning Obligations Strategy remains up to date and appropriately worded to help set out the County Councils approach to planning obligations.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

10. At the Committee in November, the potential incorporation of Crime and Community Safety in the Planning Obligation Strategy was raised. Officers subsequently met with Community Safety officers at the County Council to discuss further and it was agreed that this matter is best dealt with at District Council level where the relevant community safety officer would be able to comment at the time of specific applications. As such the Strategy does not require to contain reference to Crime and Disorder although this has been considered.

Public Sector Equality Duty implications

11. The equality impact of the Strategy has been considered. The Planning Obligation Strategy relates to how the County Council engages with the planning system and specifically consideration of planning applications which are assessed against Local Plans, the provisions and policies in the National Planning Policy Framework and the Community Infrastructure Levy Regulations. These plans, policies and

regulations are already subject to equality assessment and it is considered that a further equality assessment of the Planning Obligations Strategy is not necessary.

Implications for Service Users

12. The Strategy seeks to ensure that the County Council seeks appropriate funding from development where new development is likely to impact on service provision. As such if planning obligations are not forthcoming, there could be an adverse impact of levels of service provision if other sources of funding are not available.

Implications for Sustainability and the Environment

13. The Strategy outlines the areas and circumstances within which the County Council will seek obligations from developers to mitigate the impacts of new development. The provision of community infrastructure such as sufficient local schools, transport facilities and other services helps to make a sustainable place and as such the Strategy has significant implications for sustainability and quality of environment.

RECOMMENDATION/S

- 1) That the Committee endorses the revised Planning Obligations Strategy (update 2018) attached at Appendix A
- 2) That it be considered by Policy Committee for adoption as Council policy.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Andrew Norton, Planning Obligations Practitioner, Tel: 0115 9939309

Constitutional Comments [RHC 14/06/2018]

14. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments [RWK 07/06/2018]

15. There are no specific financial implications arising directly from the report.

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

APPENDIX A

Nottinghamshire County Council Planning Obligations Strategy - Summary of Responses February 2018

The following table summarises the responses received as part of the consultation which took place on Nottinghamshire County Council's (NCC) Updated Planning Obligations Strategy between 13th November and 22nd December 2017. It also sets out the County Council's response to the comments made and, where appropriate, the changes which it is proposed to be made to the document as a result.

Section	Consultee	Comment	NCC Response / Proposed Change
General Comments	NCC Country Parks and Green Estate	There is nothing in the strategy to cover the impact of development on green infrastructure. There is reference to open space as a district council service in para 1.11 but the County Council is also a service provider of open space and green infrastructure through its country parks, greenways and the green estate. Asks if it is possible to include a reference to this and an accompanying appendix.	Accepted – Appendix 6 Natural Environment has been amended to reflect these comments and the title of the appendix has been amended to "Green Space". It has also been moved and is now appendix 3
	Gedling Borough Council	<p>In general the document provides some useful guidance on the sort of contributions that may be sought by the County Council and may assist developers in estimating the level of contributions likely to be sought. In this context, the Borough Council will give consideration to such requests on a case by case basis provided they are justified by evidence and meet the policy and tests that are helpfully set out in paragraphs 2.3 – 2.5 of the document. However, whilst the Borough Council are happy to take the document into account they could not recommend its formal endorsement by Gedling Borough Council as they have a number of concerns;</p> <p>Concern is expressed about the tone of the document in general and the list of services for which contributions may be sought unnecessarily raises expectations that cannot be</p>	<p>Noted – The County Council have reviewed the comments made and where considered appropriate, amended the document. They request that the amended strategy is endorsed by the Borough Council and that its contents be given consideration when determining planning applications.</p> <p>Accepted – The County Council are aware that requests for contributions need to be based on requirements within the NPPF along</p>

Section	Consultee	Comment	NCC Response / Proposed Change
General Comments continued	Gedling Borough Council continued	<p>delivered in practice. Section 2 setting out the purpose, use and application of planning obligations is more realistic in this regard (reference paragraphs 2.3 – 2.5) but it is unfortunate that this is not reflected elsewhere in the document. The Borough Council would argue that there is an internal conflict within the document between the introduction and the strict tests set out in paragraphs 2.3 – 2.5.</p>	<p>with the 3 statutory tests referred to in paragraph 2.5. The strategy is not intended to be perceived as a “shopping list” of contributions which will be sought on every occasion. To clarify this the following wording has been inserted at the end of paragraph 1.1:</p> <p><i>“It should be noted that contributions will not be requested as a per dwelling payment as a matter of course. It is the impact of each individual proposal that will need to be assessed on a site by site basis to identify what contributions may be needed to make development acceptable.”</i></p>
	Gedling Borough	<p>The response notes that the Borough Council has through negotiation secured a number of planning obligations providing significant contributions particularly towards education, transport and health in recent years which by far tend to take the “lions share” of contributions. Where viability has been an issue in these negotiations, the tendency has been to negotiate with developers a reduction in the affordable housing element whilst meeting the needs identified for other infrastructure such as education and health in full. It is therefore necessary to prioritise contributions in such circumstances and we would request that the County Council acknowledges this and sets out its</p>	<p>Noted – Where contributions are considered to be CIL compliant by district / borough council's but the issue of viability is raised the County Council would look assess the priorities for infrastructure. Paragraph 3.11 of the document has been amended to reflect this. However it is not considered appropriate to provide a list of infrastructure priorities in the Planning Obligations Strategy as these would have to be considered on a case by case basis.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
General Comments continued	Council continued	<p>priorities more clearly in the Planning Obligations Strategy.</p> <p>The Borough Council refer to the progress that has been made with their Local Plan and that infrastructure requirements are identified within the Infrastructure Delivery Plan. Other policies in the Local Planning Document require S106 contributions such as for affordable housing and open space. The infrastructure needs have been identified following consultation with service providers and the Local Plan Viability Appraisal has assumed a reasonable level of developer contributions alongside affordable housing and CIL charges. There is clear and justified policy support for these contributions;</p> <p>The NPPF places an emphasis on plan delivery. Concern is expressed that if the level of contributions being sought is applied to their sites it would make a number of them undeliverable;</p>	<p>Noted – The County Council will continue to work with District / Borough Council's and developers to help identify the infrastructure which will be required to support the delivery of housing and economic growth within Local Plans.</p> <p>The County Council note this concern. They are aware that the NPPF places emphasis on plan delivery. As set out above the obligations strategy is not intended to be perceived as a "shopping list" of contributions. It is not the intention that everyone type of infrastructure referred to in the strategy will be requested on every occasion. Each site will be considered on its own merits and requests will only be made where they are required to mitigate the impact of development make the development acceptable in planning terms.</p>
General	Gedling Borough	The document should provide greater recognition of the role	Accept – Paragraph 1.15 has been amended to reflect this

Section	Consultee	Comment	NCC Response / Proposed Change
Comments continued	Council continued	<p>of the District / Boroughs in determining planning applications and assessing the reasonableness of such requests on the merit of each case against policy in the NPPF and the relevant CIL regulations and having regard to the development plan.</p> <p>It is also important that when making requests following consultation on planning applications, the County provides evidence on the current capacity of services to justify why contributions may be needed to meet additional demand arising from the development.</p>	<p>Noted – When seeking contributions for education a detailed Education Statement is submitted as part of strategic planning comments which are sent to District / Borough Council's. The County Council will seek to ensure that requests for other types of infrastructure are also supported by the appropriate level of justification to help demonstrate that requests are compliant with the CIL Regulations. Bullet point 5 of paragraph 3.25 has been amended to reflect this</p>
	Broxtowe Borough Council	<p>It would be useful if the County Council could rank the different types of infrastructure by order of priority. In addition the Borough Council ask, if viability means that not all contributions can be secured, what would be the most important to seek contributions towards and are there other sources of funding available should there be a delay or inability to secure S106 contributions;</p>	<p>Noted – Where contributions are considered to be CIL compliant by district / borough council's but the issue of viability is raised the County Council would look assess the priorities for infrastructure. Paragraph 3.11 of the document has been amended to reflect this. However it is not considered appropriate to provide a list of infrastructure priorities in the Planning Obligations Strategy as these would have to be considered</p>
General			

Section	Consultee	Comment	NCC Response / Proposed Change
Comments continued	Broxtowe Borough Council continued	<p>In terms of priorities the Borough Council ask if there would be different priorities within different borough's or within different parts of the same borough;</p> <p>Where the County Council are aware of significant existing "pressures" on infrastructure within part of the County it would be useful if these could be referred to in the appropriate appendices to the strategy;</p> <p>It would be useful if more specific / detailed estimates of the levels of contributions which would be sought for each type of infrastructure including actual or typical figures could be provided within the appendices to this strategy. This could include the likely range of financial contributions which may be sought for each type of infrastructure;</p>	<p>on a case by case basis.</p> <p>As stated above, priorities would be considered on a case by case basis. Therefore depending on the situation which is prevalent at the time an application is considered priorities may differ across the same District / Borough and within different District / Boroughs.</p> <p>No change required - The position regarding infrastructure pressures can change over a short period of time, especially in respect to education. Pressures relating to infrastructure should be identified within District / Borough Infrastructure Delivery Plans which are produced in conjunction with the County Council. Therefore whilst it is acknowledged that the Strategy will be a "live document" which can be changed more readily it is not considered appropriate to provide such a list at this time</p> <p>No Change required – It is not considered practical to provide estimates of contributions which may be sought as every case will be considered on its own merits having consideration to the capacity</p>
General			

Section	Consultee	Comment	NCC Response / Proposed Change
Comments continued	Broxtowe Borough Council continued	The Borough consider that the inclusion of supporting information within the relevant appendices would be useful especially in case where this is needed to work out “approximate” levels of contributions. Examples are given in respect of Waste Management and Education. Where data is needed to estimate contributions the greater the information that can be provided the more useful the strategy will be.	of each type of infrastructure. NCC accept the need for as much information as possible to be provided to allow calculations to be made. Where information for calculations is available the document has been amended e.g. libraries.
	Newark & Sherwood District Council	<p>The District Council confirm that NPPF requires LPA’s to factor in viability to a scheme including whether any developer contribution costs are reasonable and allow for a landowner/developer to make competitive returns in delivering a development. The POS needs to acknowledge that in making requests for contributions, these need to be robust and backed by appropriate and up to date evidence to justify the level of contribution being sought. Requests need to be reasonable and wholly related to addressing the impact of any particular development to ensure that they comply with the Community Infrastructure Levy (CIL) Regulations. If a request is made to the District which is not, in our opinion as decision maker, CIL compliant the planning application will be assessed as such. This may result in some contributions not being sought;</p> <p>The formula for any calculations going forward should be clear in terms of the basis for the calculation, how they relate to the costs of the scheme they will be providing / contributing to, and how these fit with any already committed S106 plans. Requests should be backed by up to date factual evidence. A failure to provide such evidence may result in the LPA taking a decision that a request is not</p>	<p>Noted – When seeking contributions for education a detailed Education Statement is submitted as part of strategic planning comments which are sent to District / Borough Council’s. The County Council will seek to ensure that requests for other types of infrastructure are also supported by the appropriate level of justification to help demonstrate that requests are compliant with the CIL Regulations. Bullet point 5 of paragraph 3.5 has been amended to reflect this.</p> <p>Accepted – Where a financial contribution is sought the document seeks to provide clarity as to how this will be calculated. In terms of the provision of evidence see above response.</p>
General			

Section	Consultee	Comment	NCC Response / Proposed Change
Comments continued	Newark & Sherwood District Council continued	<p>CIL compliant and thus unlawful;</p> <p>Where the District Council is satisfied a robust viability argument has been made by an applicant, careful consideration will need to be given as to whether the respective development is still sustainable and that an appropriate level of infrastructure to support the development can still be achieved. This will often mean that the proportionate split of contributions will need to be directed to the infrastructure most required in that location and further emphasises the need for a robust evidence base in support of developer contribution requests;</p> <p>The District Council note that where the level of developer contribution requests are proposed to increase, this will not presently correspond with the figures set out within the District Council's Developer Contributions Supplementary Planning Document. The District Council is currently going through a Review of its Development Plan and a review of its own Developer Contributions Supplementary Planning Document will also take place. The County Council's Planning Obligations Strategy will not form part of the Local Development Framework but will form a material consideration. It is the Council's own Development Contributions SPD which will subsequently put any changes in to force should it be agreed that the triggers and level of contributions are appropriate and can be robustly justified</p>	<p>Noted – Where contributions are considered to be CIL compliant by district / borough council's but the issue of viability is raised the County Council would look assess the priorities for infrastructure. Paragraph 3.11 of the document has been amended to reflect this.</p> <p>It is understood that the cost information contained in the District Council's Developer Contributions SPD relating to contributions such as education is based on information provided by the County Council. As part of the review of the SPD it is requested that the District Council amend these costs to reflect the updated information contained within County Council's Planning Obligations Strategy.</p>
General Comments	Persimmon Homes	Delivering contributions through S106 is a key consideration to ensuring that a proposal is acceptable in planning terms and to mitigate the impact of development. Persimmon Homes recognise this and confirm that they work with relevant bodies to ensure that a fair and reasonable contribution is made;	The commitment to ensuring that fair and reasonable contributions are made is welcomed and supported.

Section	Consultee	Comment	NCC Response / Proposed Change
continued	Persimmon Homes continued	<p>It is noted that there a number of district / boroughs in the County have the Community Infrastructure Levy and others which do not therefore it is important that the strategy covers both scenarios to assist with decision making;</p> <p>Developer obligations are a key part of the viability go sites and therefore key to component commercially on how Persimmon Homes operate. They wish to continue to work with authorities to ensure that homes are delivered and the appropriate infrastructure delivered alongside this.</p>	<p>Noted - Paragraphs 2.10 – 2.12 set out the relationship between S106 obligations and CIL and circumstances where S106 obligations may / may not be sought</p> <p>The commitment to ensuring that homes and appropriate infrastructure alongside this is welcomed and supported.</p>
General Comments	Rushcliffe Borough Council	<p>In general terms, the principle of the strategy is supported as it provides some clarity for the Borough Council and applicants in relation to what scale and type of planning obligations will be sought from new development. The Borough Council does however have a number of detailed comments and observations in relation to the draft revised strategy and which are summarised elsewhere in this document</p> <p>In respect of the trigger points for seeking contributions in the various appendices; the Borough Council note that they have their own Developer Contribution SPD which currently sets a threshold of 25 units for financial contributions, however this threshold is being reviewed as part of the preparation for Part 2 of the Local Plan;</p> <p>Any requests from the County Council for financial contributions will need to be supported by robust evidence to justify the contribution.</p>	<p>Noted – The support for the principle of the strategy is welcomed. Responses to specific issues raised are dealt with throughout the consultation responses document</p> <p>Noted - The County Council support the review of triggers for contributions which are being proposed as part of the preparation of Part of the Borough Councils Local Plan</p> <p>Noted – When seeking contributions for education a detailed Education Statement is submitted as part of strategic</p>

Section	Consultee	Comment	NCC Response / Proposed Change
continued	Rushcliffe Borough Council continued		planning comments which are sent to District / Borough Council's. The County Council will seek to ensure that requests for other types of infrastructure are also supported by the appropriate level of justification to help demonstrate that requests are compliant with the CIL Regulations. Bullet point 5 of paragraph 3.25 has been amended to reflect this
Section 1 Introduction	NCC Pupil Place Planning	<p>Page 1, Para 1.5 – Query the date of the Strategy and ask if this should say 2018;</p> <p>Page 2, Paragraph 1.7 - A question is raised as to how the Planning Obligations Strategy will help ensure that the vision statements within the County Council's four year plan will be achieved</p> <p>Page 2, paragraph 1.14 – Propose deletion of this paragraph</p> <p>Page 3, paragraph 1.15 – Proposes changes to this paragraph regarding the strategies status and the endorsement of the document by LPA's</p>	<p>Noted – The reference to 2017 is deleted and the sentence reworded</p> <p>The Obligations Strategy will provide a steer for the infrastructure which will be required to mitigate the impact of development e.g. education and which will be one aspect of helping meet the objectives of the County Councils strategic objectives</p> <p>No change required – This sentence provides clarification about the status of the document in relation to the 2014 strategy</p> <p>No Change required – The paragraph is solely factual and it is not possible to require LPA's to endorse the document.</p>
	Persimmon Homes	Paragraph 1.2 highlights the NPPF as a key strategy and	Noted - The County Council

Section	Consultee	Comment	NCC Response / Proposed Change
Section 1 Introduction continued	Persimmon Homes continued	<p>supports sustainable development. The document should also recognise that the NPPF supports delivery of viable sites through cooperation with a willing landowner and developer;</p> <p>Page 2, Paragraph 1.10 - Whilst document covers the NCC administrative area and does not include the City Council there should joined up infrastructure plans between the two areas;</p> <p>Page 3, Paragraph 1.15 - It is noted that the document is intended to be a material consideration in the determination of applications. Whilst SPD's do have some weigh the paragraph is onerous on its approach for using the document as a reason for refusal. This is a guidance document that should assist LPA's in their decision making whilst setting a benchmark for planning obligations. If a proposal differs from this it should not be the sole reason for refusal and the appropriate weight should be given to the document relative to other planning policies</p> <p>The document needs to recognise that a plan-led system is in operation where development is planned through the Local Plan process</p>	<p>acknowledge what the NPPF says about ensuring sustainable development is viable. Therefore the first sentence of this paragraph has been amended to say:</p> <p><i>"The Strategy fits with the overall aims of the National Planning Policy Framework by supporting sustainable and viable development."</i></p> <p>NCC acknowledge this and would seek to work with the City Council on infrastructure work through the review of the Greater Nottingham Aligned Core Strategy</p> <p>Accepted – Paragraph 1.15 has been amended and the onus on the strategy being used as a reason for refusal has been deleted.</p> <p>Accept – The following wording has been inserted into this paragraph to form a new fourth sentence:</p>
Section 1 Introduction			

Section	Consultee	Comment	NCC Response / Proposed Change
continued	Persimmon Homes continued		<i>"It is the Local Plan and supporting Infrastructure Delivery Plans which will form the basis for seeking planning obligations that are required to mitigate the impact of allocated sites."</i>
Section 1 Introduction	Rushcliffe Borough Council	<p>Page 1, paragraph 1.3 - It is considered that the strategy can also play an important role in the formulation of policies and proposals within Local Plans. This is particularly the case when assessing plan wide viability, site specific viability and in the development of infrastructure delivery plans. It is important that there is a consistent approach when requesting contributions for infrastructure provision on allocated sites. It is difficult to understand therefore why the document appears to separate out the plan making and decision taking processes in this paragraph as in a plan-led system, normally one flows from the other when it comes to the provision of appropriate infrastructure;</p> <p>Page 1, paragraph 1.3 - Paragraph 113 of the Government consultation 'planning for homes in the right places' states that the Government: 'propose to make clear in the National Planning Policy Framework that where policy requirements have been tested for their viability, the issue should not usually need to be tested again at the planning application stage.'. Whilst the commitment to work with Districts and Borough Councils on infrastructure requirements in local plans is welcomed, the strategy should go further and recognise that Local Plans and their respective IDPs should be used as the starting point for seeking planning contributions when considering planning applications on allocated sites.</p>	<p>Accepted – Paragraph 1.3 has been amended to highlight the role the Strategy can play in the formulation of policies and proposals in Local Plans</p> <p>Accept – The following wording has been inserted into this paragraph to form a new fourth sentence:</p> <p><i>"It is the Local Plan and supporting Infrastructure Delivery Plans which will form the basis for seeking planning obligations that are required to mitigate the impact of allocated sites."</i></p>

Section	Consultee	Comment	NCC Response / Proposed Change
continued	Rushcliffe Borough Council continued	<p>Page 1, Paragraph 1.4 – states that the maximum number of contributions to a single project or type of infrastructure is set at 5. Reference is made to CIL Regulation 123. It is considered that the second sentence in paragraph 1.4 appears to be incorrect, and is not what regulation. 123 says. There is no limit on the number of obligations that can be entered into. The restriction is on how many can be taken into account in deciding whether to grant planning permission.</p> <p>Page 3, Paragraph 1.15 - The paragraph encourages Districts & Borough Council to endorse and use the Strategy, however later on in paras. 3.18 and 3.19 the tone changes to “requires”. Whilst the document may be a material consideration, it has no statutory basis, and the weight given to it will be a matter for plan-makers and decision-takers. It is considered that ‘endorses, advises, or the County Councils approach’ or other similar terminology should be used throughout the document.</p>	<p>No Change Required - The County Council have sought legal advice on this matter. Based on this it is considered that the pooling restriction within the CIL Regulations allows 5 projects.</p> <p>Noted – Paragraphs 3.18 and 3.19 have been amended to reflect this</p>
Section 2 Purpose, Use and Application of Planning Obligations	Gedling Borough Council	Page 5, Paragraph 2.11 – In submitting requests the County should themselves take into account each Regulation 123 list to avoid requesting contributions towards services that may be included on the list.	Accepted – The County Council are aware of the Districts / Boroughs which have an adopted CIL Charging Schedule and supporting Regulation 123 list. When assessing requirements for infrastructure the County Council will give consideration to the Regulation 123 list to ensure that contributions being sought are lawful and that no “double counting” takes place

Section	Consultee	Comment	NCC Response / Proposed Change
Section 2 Purpose, Use and Application of Planning Obligations continued	NCC Pupil Place Planning	Page 4, Paragraph 2.5 – Clarification is sought as to the meaning of the last sentence;	No change required this is a factual statement which clarifies the position about the use of planning obligations
	NCC Pupil Place Planning continued	Page 5, paragraph 2.9 – The insertion of “ <i>through its Place Department</i> ” is suggested in the third sentence after “ <i>In such circumstances, Nottinghamshire County Council</i> ” It is suggested that after paragraph 2.9 a new paragraph should be inserted setting out the consequences should discussions between the developer, LPA and County Council not take place where the issue of viability arises	Accept – Wording of this paragraph has been changed. No change required – The impacts of reduced or zero contributions are set out in paragraph 3.15
	Ashfield District Council	NPPF para 203 to 206 reflect ‘Planning conditions and obligations.’ Therefore, in relation to POS para 2.5 (page 4) add ‘conditions’ so that first sentence says: <i>“The Community Infrastructure Levy Regulations (as amended) and paragraphs 203 – 206 of the NPPF set out information on the use of planning conditions and obligations and the tests which should be applied”</i> Planning Practice Guidance sets out ‘contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).’ (Paragraph: 031 Reference ID: 23b-031-2016111)6. Therefore paragraph 2.7 of the Planning Obligations Strategy should reflect that ‘gross’ relates to gross internal floorspace.	Accepted – Paragraph 2.5 has been amended to reflect this. Accepted – The word internal has been inserted into line 2 of Paragraph 2.7
	Persimmon Homes	Page 4, Paragraph 2.1 – This paragraph highlights that planning law expects contributions from developers. Developers should not be subsidising infrastructure providers; if there are already capacity issues within an area that is proposed for development infrastructure providers	Accepted – The County Council will only seek contributions which are required to mitigate the impact of proposed development and not remedy existing deficiencies

Section	Consultee	Comment	NCC Response / Proposed Change
Section 2 Purpose, Use and Application of Planning Obligations continued	Persimmon Homes continued	<p>should already be working to ensure that this is relieved under their statutory obligations and not be reliant on developers for this;</p> <p>Page 4, Paragraph 2.4 – This identifies that obligations run with the land alongside the planning permission. It needs to be recognised that obligations only become enforceable on implementation of a permission and if it expires the legal obligation can be removed;</p> <p>Pages 4 & 5, Paragraph 2.7 – This paragraph refers to the PPG which gives an indication that contributions should not be sought from minor developments. This should be carried through to the County Council and in such cases contributions should not be sought;</p> <p>Page 5, Paragraph's 2.10 & 2.11 – In respect of the relationship between S106 and CIL; there is a need for cooperation between NCC and LPA's who have a CIL Charging Schedule. This is to ensure that appropriate infrastructure is identified that is cross boundary and that planning obligations are fair and reasonable. There should be a commitment from NCC that they will cooperate in the production of CIL Regulation Lists;</p>	<p>Accept – Paragraph 2.4 has been amended to reflect the comment made.</p> <p>Noted – The County Council will not seek contributions where a development is for 10 dwellings <i>and</i> which has a maximum gross internal floorspace of no more than 1,000sq. Metres. Where a development is for 10 dwellings or more and over 1,000sq. Metres a contribution may be sought.</p> <p>Accepted – Paragraph 2.11 has been amended to include the following wording: <i>“As part of the infrastructure planning and delivery process the County Council will work with CIL Charging Authorities in the production / review of their Regulation 123 List”</i></p>
	Rushcliffe Borough Council	Page 5, Paragraphs 2.10 and 2.11 - The Borough Council recognises that the CIL regulations may change, however this could be a lengthy process and the Budget	Accepted - The following wording has been inserted to create a new third sentence within the paragraph:

Section	Consultee	Comment	NCC Response / Proposed Change
Section 2 Purpose, Use and Application of Planning Obligations	Rushcliffe Borough Council continued	announcement reiterates their commitment to CIL. It would therefore be of benefit to highlight some bullets as to how the County Council will assist District and Borough Councils when developing or revising CIL and S123 Infrastructure List.	<i>"As part of the infrastructure planning and delivery process the County Council will work with CIL Charging Authorities in the production / review of their Regulation 123 List. This will include providing information to District / Borough Councils regarding the types of infrastructure which is required in their area and which would be best suited to delivery through CIL and responding to statutory consultations on Preliminary Draft and Draft Charging Schedules."</i>
Section 3 County Councils Approach to Planning Obligations	Gedling Borough Council	<p>The document seeks a general level of contributions above that identified through the Local Planning Document process and there should be a reference within Section 3 to the primacy of the development plan in identifying key infrastructure requirements;</p> <p>The Borough Council re-emphasise their concern about the risk of the document raising expectations and there is a</p>	<p>Accept – As confirmed in response to a comment from Persimmon Homes regarding section 1 of the strategy; the following wording has been inserted into this paragraph to form a new fourth sentence in paragraph 1.3:</p> <p><i>"It is the Local Plan and supporting Infrastructure Delivery Plans which will form the basis for seeking planning obligations that are required to mitigate the impact of allocated sites."</i></p> <p>Noted as confirmed as part of the response to section 1, the County</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Gedling Borough Council continued	<p>need for a caveat which confirms that contributions can only be justified if they are directly related to the development, necessary and reasonable. There are some items which would be secured as an exception rather than the norm and GBC will only consider requests for infrastructure that are necessary and required as a direct result of the development;</p> <p>Page 6, Paragraph 3.4 – The NPPG refers to planning obligations not being applied to developments of 10 dwellings or less. The requirement should therefore only be applied to developments of 11 dwellings or more;</p> <p>Page 8, Paragraph 3.11 – The Borough Council respectfully comment that it is for the District / Borough Councils to consider viability and to commission independent assessments where they see fit. In this context NCC will be aware the District / Borough Councils are subject to strict targets for the determination of planning applications and the suggested process could lead to unacceptable delays;</p>	<p>Council are aware that requests for contributions need to be based on requirements within the NPPF along with the 3 statutory tests referred to in paragraph 2.5. The strategy is not intended to be perceived as a “shopping list” of contributions which will be sought on every occasion. To clarify this the wording of paragraph 1.1 has been amended</p> <p>Noted – The County Council will not seek contributions where a development is for 10 dwellings <i>and</i> which has a maximum gross internal floorspace of no more than 1,000sq. Metres. Where a development is for 10 dwellings or more and over 1,000sq. Metres a contribution may be sought.</p> <p>Accepted – Paragraph 3.11 has been amended to confirm that it will be the District / Borough Council who consider the viability merits of a planning application. However the ability of the County Council to request visibility of appraisals has been retained. This is to it to gain understanding of the issues raised and to brief senior officers and Members on the implications of</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Gedling Borough Council continued	<p>Page 8, Paragraph 3.12 - The document should include the reference numbers of the appeals being referred to in evidence and we would be grateful if NCC could confirm which appeals are being referred to.</p> <p>Page 8, Paragraph 3.13 - The issue of “claw back” would be considered by the Boroughs/Districts depending upon the merits of a particular case and in particular it may be appropriate to use such provisions in the agreement for affordable housing provision for example, if the housing market improves during the implementation of the scheme.</p> <p>Page 9, Paragraph 3.18 – The Borough Council agree that the County Council being a signatory to the legal agreement is preferable in circumstances where development triggers a County Council infrastructure requirement.</p>	<p>zero or reduced contributions.</p> <p>The first sentence of this paragraph has been deleted</p> <p>Accepted - The County Council accept that it will be for the District / Borough Councils to determine if a “claw back” clause is required and that this may not be appropriate or possible in all cases. The paragraph has been amended to reflect this as well as saying that a “claw back” clause <i>may</i> be requested by the County Council. In addition an additional; sentence has been added to the end of this paragraph which acknowledges that where reviews undertaken there may be circumstances where the level of contribution decreases.</p> <p>It is accepted that the County Council cannot require to be a party where others do not agree. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice and appropriate for them to</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Gedling Borough Council continued	<p>Page 11, Paragraph 3.25 - The commitment to support the Districts/Borough Councils at appeal is noted and welcomed.</p> <p>Paragraph 3.27 – The Borough Council welcome the final sentence referring to the: “various contributions which <u>may</u> be sought” (their underlining) and would suggest adding on a case by case basis.</p>	<p>be a signatory. and the wording of the paragraph has been amended to reflect this</p> <p>Comment Noted</p> <p>Accepted – The words “<i>on a case by case basis</i>” have been added to the last sentence of this paragraph</p>
	Barton Willmore (on behalf of Urban & Civic)	<p>Page 9, Paragraph 3.17 – This has been introduced and relates to serviced site requirements where land is being provided for a new school. This requires: ‘<i>A site remediated to an appropriate standard and without the presence of contamination, ordnance or protected species ...</i>’. However, sites may be remediated and available for use but still have the presence of protected species (e.g. breeding birds or foraging bats along hedgerows), but such issues would have been addressed by a mitigation strategy (e.g. not removing vegetation in the bird breeding season and retaining hedgerows for bats). Therefore, it may be more accurate to state ‘<i>A site remediated to an appropriate standard and without the presence of contamination, ordnance or outstanding protected species issues ...</i>’, or words to that effect.</p>	<p>No Changes required – This paragraph has been considered both in terms of developers and the County Council and it is considered that it sets out the appropriate requirements for the transfer of land and the protection of species.</p>
	Steve Clyne, Educational Facilities Management Partnership Ltd	<p>Paragraph 3.17 – Respondee suggests adding to (including a Sprinkler installation) ‘in case sprinklers become mandatory’. The reason being that a primary school with direct access to the outside from the classrooms does not need them.</p>	<p>NCC disagree with the proposed change. It is felt that sprinklers should be provided in all cases, not only such a requirement becomes mandatory</p>
	NCC Pupil Place	<p>Page 6, Paragraph 3.4 – Query is raised about the use of</p>	<p>The definition is taken from the</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Planning NCC Pupil Place Planning continued	<p>“Major” in the first sentence”</p> <p>Page 7, Paragraph 3.6 – First bullet point, delete “major”</p> <p>Page 7, Paragraph 3.6 – second bullet point, delete reference to 14 days and replace with 15. In addition delete reference to 10 working days which is contained in brackets;</p> <p>Page 7, Paragraph 3.6 – third bullet point, Change “<i>statutory 21 day</i>” to “<i>statutory 20 working day</i>” day and delete reference to 15 working days which is set out in brackets;</p> <p>Paragraph 3.10 Suggests the inclusion of “On rare occasions” at the start of the paragraph</p>	<p>interpretation section of The Town and Country Planning (Development Management Procedure) (England) Order 2010 – No change required</p> <p>No change required – District / Boroughs have a 15 working day timescale for responding to screening and scoping opinions. Therefore it is considered that 10 working days is an appropriate level of time for NCC to respond to such consultations</p> <p>No change required – This is a statutory timescale. In respect of the timescale for internal responses to consultations; a shorter time is give due for the need for strategic planning officers to coordinate the response and, where appropriate seek Member approval.</p> <p>No change required – It is not considered that this would add anything to the content of the document</p> <p>No change required – As noted elsewhere in the document (paragraph 3.15) reduced or zero contributions may impact on development. It is important the</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	NCC Pupil Place Planning continued	<p>Page 8, Paragraph 3.11 – Last sentence, delete all wording after “Members”</p> <p>Page 8, Paragraph’s 3.12 to 3.14 – Delete Paragraphs</p> <p>Page 8, Paragraph 3.15 – Delete majority of paragraph so that it states “<i>There is a significant impact on the delivery of infrastructure where full contributions are not secured</i>” although it is suggested that the impacts referred to could be described;</p>	<p>document provides clarity that where appropriate senior officers and Members will be notified if such circumstances arise</p> <p>No change required – These paragraphs recognises that it will be the district / borough councils who will determine planning applications and decide if the contributions sought are reasonable. Paragraph 3.14 acknowledges that there may be circumstances where viability changes over time which in turn may allow for contributions to be secured. This approach could have benefits to the County Council in terms of the securing of monies for infrastructure which is required to mitigate the impact of development</p> <p>Disagree – It is considered that these paragraphs are still required although they have been amended to reflect comments made from other consultees</p> <p>Noted – For clarity paragraph amended to confirm that reduced or zero contributions will have an impact on the delivery of infrastructure and examples of these impacts are given.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	NCC Pupil Place Planning continued	<p>Page 8, Paragraph 3.15 - A query is raised as to whether NCC still objects to an application where it becomes evident that a reduced or zero contribution will be secured</p> <p>Page 9, Paragraph 3.18 – It is noted that it is not always current practice for NCC to be a signatory to an agreement where development triggers a requirement in respect of County Council infrastructure. Also asks how the requirement for NCC to be a signatory to an agreement would be enforced</p> <p>Page 10, Paragraph 3.19, in respect of the requirement for the developer to notify the County Council when development commences and triggers are reached, it is queried how this would be enforced</p> <p>Page 1, Paragraph 3.25 – It is suggested that the second sentence is changed to say “<i>The County Council will provide Local Planning Authorities with evidence to support questions for contributions for any subsequent appeal...</i>”</p>	<p>Agree – The County Council will not raise an objection where reduced or zero contributions will be secured. Document amended to reflect this.</p> <p>The County Council acknowledges that they cannot require themselves to be a signatory to a legal agreement. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice and appropriate for them to be a signatory. The wording of the paragraph has been amended to reflect this.</p> <p>This is difficult to enforce however where this does not occur there is a risk that developers may be charged interest on late payments</p> <p>No change required – This sentence seeks to confirm that, where appropriate, NCC will support LPA's at appeal where the reason for refusal relates to the provision of NCC infrastructure</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued			
	Ashfield District Council	<p>Planning Practice Guidance sets out <i>'contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 square metres (gross internal area).'</i>' (Paragraph: 031 Reference ID: 23b-031-2016111)6. Therefore paragraph 3.4 of the Planning Obligations Strategy should reflect that 'gross' relates to gross internal floorspace;</p> <p>Page 6, Paragraph 3.5 bullet point 2, add "Supplementary Planning Documents";</p> <p>Pages 6 & 7, Paragraph 3.5 add bullet point "to provide support and appear as necessary at local plan examinations including responses to inspector's prehearing questions and appearing at the Hearings";</p> <p>Page 7, Paragraph 3.6 - It is considered that the timescales set out in the paragraph are reasonable;</p> <p>Page 8, Paragraph 3.11 - Noted that the County Council will ask to inspect copies of viability appraisals where it impacts upon NCC infrastructure. While the District Council considers this as reasonable it needs to be appreciated that some of this information may be commercially sensitive and in such circumstances, developers provide information in confidence. In these circumstance, the District Council will have to obtain the developer's consent to pass on information of this nature;</p>	<p>Agree – The third bullet point has been amended to clarify that gross relates to internal floorspace</p> <p>Agree – Reference to Supplementary Planning Documents added</p> <p>Agree – Additional bullet point added to paragraph 3.5</p> <p>Noted – No action required</p> <p>Accepted – Paragraph 3.11 has been amended. This includes saying that the County Council <i>may</i> ask to view viability appraisal that have been submitted. In addition of the following sentence has been added:</p> <p><i>"The County Council acknowledges that some of this information may be commercially sensitive and in</i></p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Ashfield District Council continued	<p>Page 8, Paragraph 3.13 - paragraph sets out that <i>'In circumstances where Local Planning Authorities do not accept the County Council's full request for developer contributions, a system for reviewing of planning obligations as the development proceeds will be required and will be expected to be incorporated into any agreement.'</i> This will not necessary be practical as it is a matter of judgement by the LPA. Both the Courts and inspectors on appeal have ruled that the inclusion of an overage clause in a planning obligation would add to uncertainty and potentially continue to prejudice the implementation of schemes. Therefore, an overage clause cannot be applied for all applications;</p> <p>The District Council note that viability is a key issue for proposed developments and there is reference to paragraph 173 of the NPPF. They confirm that there are relatively low residential values in the district and that through experience there is a balance to achieve between bringing housing forward, which is a major objective of the Government,</p>	<p><i>such circumstances, developers provide information in confidence. In these circumstances, it is appreciated that District / Borough Councils will have to obtain the developer's consent to pass on information of this nature and it some cases this may not be possible."</i></p> <p>Accepted - The County Council accept that it will be for the District / Borough Councils to determine if a "claw back" clause is required and that this may not be appropriate or possible in all cases. The paragraph has been amended to reflect this as well as saying that a "claw back" clause <i>may</i> be requested by the County Council. In addition an additional; sentence has been added to the end of this paragraph which acknowledges that where reviews undertaken there may be circumstances where the level of contribution decreases.</p> <p>The County Council accept the situation regarding land values in the district and that the District Council will have to consider the need to deliver new homes and infrastructure. Where contributions</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Ashfield District Council continued	<p>(Housing White Paper) provision of affordable housing and infrastructure, which may well include other requirements than NCC infrastructure contributions such as health facilities</p> <p>The Government is proposing to replace the Community Infrastructure Levy with a hybrid system of a broad and low level Local Infrastructure Tariff (LIT) and Section 106 for larger developments. It is also proposing to remove s106 pooling limitation for Authorities with CIL, low values and strategic sites. The Budget identified there will be viability changes to the NPPF in 2018 with a 'simplified approach'. This is likely to have implication for the POS;</p> <p>Page 9, Paragraph 3.18 – The District Council note that it has not agreed to NCC being typically a signatory to S106 agreements;</p> <p>Page 10, paragraph 3.20 – Refer to the Government proposing to move towards a standard application of indexes which will need to be reflected in the Strategy;</p>	<p>are considered to be CIL compliant by district / borough council's but the issue of viability is raised the County Council would look assess the priorities for infrastructure</p> <p>Noted – The Planning Obligations Strategy will be amended as required to reflect changes in National Policy in respect of planning obligations S106 and CIL.</p> <p>The County Council acknowledges that they cannot require themselves to be a signatory to a legal agreement. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice and appropriate for them to be a signatory. Paragraph 3.18 has been amended to say "will request that they be a signatory" and not "requires that it will be a signatory"</p> <p>Accepted – An additional paragraph has been added which notes that the Government are looking at changing the approach to</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Ashfield District Council continued	<p>Page 10, Paragraph 3.23 - It is not clear what is meant by 'Pay the required developer contributions upfront to allow funds to be spent on the identified project.' For the District Council, where sums are typically retained until NCC identify that the projects is proceeding, we would not be in a position to pay the sums 'upfront';</p> <p>Page 10, paragraph 3.24 – The District Council ask if they retains the sums in question would they need to be part of any "Grant Agreement".</p>	<p>indexation and that should this occur the Obligations Strategy will be amended to reflect this. Noted – The wording referred to by the District Council is not meant to imply that they will give contributions to NCC before they are received from the developer. This wording of this paragraph has been amended to reflect this</p> <p>No the District Council would not be part of the Grant Agreement. The monies would be transferred to NCC who would then transfer it to the respective academy. The grant Agreement will include a clause which ensures that monies are used in accordance with the S106 to which it relates</p>
	Persimmon Homes	<p>This section of the document highlights how NCC will respond and identifies the approach. It is considered encouraging that the Council is pro-active and will respond direct to enquiries. Persimmon Homes support this to ensure that all planning obligations are known as early as possible;</p> <p>Page 7, Paragraph 3.6 – This sets out the timescales for responding to applications and these should be adhered to where possible. It notes that the statutory period for response is 21 days. Any delay to responding to consultations can lead to delays to the planning process and deliver of sites. The extension to the statutory period</p>	<p>Support noted and is welcomed</p> <p>The County Council acknowledge that delays in responding to consultations within the statutory time can lead to delays in the planning and development process. A further sentence has been added as a bullet point 3 of paragraph 3.5 which</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Persimmon Homes continued	<p>should also be with the applicants consent alongside the LPA;</p> <p>Viability is a clear concern for NCC and there is a section on this matter which discusses how to manage this. The use of viability appraisals assists in the understanding of this and the level of contributions which can be sustained;</p> <p>Page 8, Paragraph 3.11 – viability appraisals are scrutinised by LPA and potentially an independent surveyor. NCC's request to see these appraisals is not considered necessary or common practice. It is the LPA who determines the planning application and it is they who consider the request for obligations as part of the planning balance including the viability appraisal. Involving NCC in the decision making process is beyond necessary and will delay the planning process</p> <p>Page 8, Paragraph 3.12 makes a sweeping generalisation that the levels of contributions are acceptable. The document has not been tested at an examination and whilst</p>	<p>says:</p> <p><i>"Where it is not possible to respond by a specified date, the County Council will contact the District / Borough to notify them at the earliest opportunity including the reasons why the revised date by which comments will be submitted"</i></p> <p>Comment noted</p> <p>Accepted – Paragraph 3.11 has been amended to confirm that it will be the District / Borough Council who consider the viability merits of a planning application. However the ability of the County Council to request visibility of appraisals has been retained. This is to it to gain understanding of the issues raised and to brief senior officers and Members on the implications of zero or reduced contributions.</p> <p>Accepted – First sentence of the paragraph has been deleted and the second has been amended to say:</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Persimmon Homes continued	<p>it carries some weight this is minor when comment to adopted planning policy that has been consulted on and examined. The statement that <i>“that the general level of contributions outlined in this document are reasonable and in general should be met by the development”</i> should be removed</p> <p>Pages 8 & 9, Paragraphs 3.13 and 3.14 – The County Council request that review mechanisms be placed into legal agreements where contributions are not accepted due them being unreasonable or not viable. This is not pragmatic or reasonable and does not meet the legal tests for planning obligations. A review mechanism could stifle development and to fully assess the scheme under a review would require a new planning application. This is to ensure that the outcome is appropriate and a reflection of the current market context.</p> <p>Page 9, Paragraph 3.15 – Where there is a reduction of contributions to zero this will be made clear in viability appraisals where there is high abnormal costs related to site delivery. It is considered that this paragraph should be revised to make it clear that the County Council will not object to a proposal where there is clear justification for reduced contributions. In addition there should be reference</p>	<p><i>“The County Council request that this document, which indicates what level of contributions are needed, be taken into account in the financial appraisal of proposed development at an early stage, prior to agreement over other negotiable items such as land price.”</i></p> <p>The County Council accept that it will be for the District / Borough Councils to determine if a “claw back” clause is required and that this may not be appropriate or possible in all cases. The paragraph has been amended to reflect this as well as saying that a “claw back” clause <i>may</i> be requested by the County Council. In addition an additional; sentence has been added to the end of this paragraph which acknowledges that where reviews are undertaken there may be circumstances where the level of contribution decreases.</p> <p>Accepted – Paragraph 3.15 has been amended to reflect the point raised including the addition of a new sentence at the beginning which refers to Paragraph 173 of the NPPF.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Persimmon Homes continued	<p>to Paragraph 173 of the NPPF which ensures that the site is deliverable and that the policy constraints placed by planning obligations are not stifling development;</p> <p>Page 9, Paragraph 3.18 – This stipulates that NCC should be a signatory to the legal agreement. This is not considered necessary and should not occur. The contributions secured are collected by the LPA and then transferred to the County Council. There is often significant delays when signing the S106 and the requirement for NCC to be a signatory could add to this. When NCC is a signatory would expect monitoring of the contribution to be done by them;</p> <p>Page 10, Paragraph 3.22 – In respect of legal fee that are required to be paid; this should be reasonable and the paragraph should be amended to reflect this;</p> <p>The document is intended to be a material consideration therefore clarification on the matters raised above. If the document is adopted in its current format further information is required to ensure that there is minimal delay in agreeing contributions. For example the approach the County Council will take to accepting viability appraisals and the level of information required if this is to be accepted.</p>	<p>The County Council acknowledges that they cannot require themselves to be a signatory to a legal agreement. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice and appropriate for them to be a signatory. Paragraph 3.18 has been amended to say “will request that they be a signatory” and not “requires that it will be a signatory”</p> <p>Accepted – The word “reasonable” has been inserted into the first sentence of this paragraph.</p> <p>Noted – The County Council have considered all of the comments made as part of the consultation on the Planning Obligations Strategy and amended the content of the document where considered appropriate</p>
	Rushcliffe Borough Council	Pages 6 & 7, Paragraph 3.5 - The thrust of paragraph 3.5 is welcomed. Whilst throughout this paragraph the document states that the county Council will provide a coordinated	Noted – When seeking contributions for education a detailed Education Statement is

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>response, the experience of the Borough Council is that there is little consideration of the impact of a request from one section on another or the viability of the development. The Borough Council would emphasise the need for evidence and reasoned justification which is compliant with the CIL regulations in support of the County Councils response to planning applications;</p> <p>Page 6 – Footnote 4 - Suggested amendment For “provide” substitute “provided”</p> <p>Page 7, Paragraph 3.5, bullet point 8 - The Borough Council suggest the bullet point should indicate that any response should be ‘timely’ and perhaps refer to payment triggers, etc as part of the heads of terms to be incorporated into the S106 obligations;</p> <p>Page 7, Paragraph 3.6 – This paragraph requests, amongst other things, that the Districts and Boroughs allow 21 days (15 working days) for the County to provide comments on planning applications. The Borough Councils experience is that this is often not achieved and it has to chase for comments. This can lead to delays occurring in dealing with planning applications. Whilst this paragraph is a request to District and Borough Councils, it would be beneficial for the document to include a commitment to respond within 15 working days, and that the County Council, at the earliest opportunity, notify the district or Borough Council where they cannot respond by a particular date, the reasons why,</p>	<p>submitted as part of strategic planning comments which are sent to District / Borough Council’s. The County Council will seek to ensure that requests for other types of infrastructure are also supported by the appropriate level of justification to help demonstrate that requests are compliant with the CIL Regulations. Bullet point 5 of paragraph 3.5 has been amended to reflect this</p> <p>Agree – Amendment made to document</p> <p>Agree – Strategy amended to say that comments will be provided in a timely manner and that Heads of Terms will include reference to proposed triggers.</p> <p>Noted – The County Council are committed to providing responses to consultations in a timely manner. Bullet point 3 in paragraph 3.5 states that the County Council will provide a coordinated response to planning applications within the consultation timeline. However the following sentence has been added at the end of this bullet point:</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>and to set out a revised date to respond by.</p> <p>Page 8, Paragraph. 3.10 - Suggested amendment Insert “to” after “order” in line 4.</p> <p>Pages 7- 9, Paragraphs 3.7 – 3.14 - In the section on viability, the document requires that districts and Boroughs liaise with and take into account the views of the County Council. There does not appear to be a firm commitment or acceptance from the county in this document that, where justified in a viability appraisal, to accept anything less than the full amount requested on all items of infrastructure requested. In a recent case when the Borough Council approached the County to raise issues of viability. The response was not one which would accept lower contributions, the County Council simply provided a raft of information to justify the contributions had requested;</p> <p>Page 8, paragraph 3.11 - Notwithstanding differing views</p>	<p><i>“Where it is not possible to respond by a specified date, the County Council will contact the District / Borough to notify them at the earliest opportunity including the reasons why the revised date by which comments will be submitted”</i></p> <p>Agree – Amendment made to document</p> <p>Accepted – Paragraph 3.11 has been amended to confirm that it will be the District / Borough Council who consider the viability merits of a planning application. However the ability of the County Council to request visibility of appraisals has been retained. This is to it to gain understanding of the issues raised and to brief senior officers and Members on the implications of zero or reduced contributions. In addition paragraph 3.15 has been amended. This refers to Paragraph 173 of the NPPF and the need to ensure that planning obligations do not stifle development. It also confirms that where there is justification for reduced contributions the County Council will not object.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>across the country, at present, the Borough Council does not have guidance or policy in place that requires that viability appraisals are disclosed in full. The Borough Councils current position is that it considers viability appraisals to be confidential/commercially sensitive and that on some occasions, developers or agents are not willing to allow the Borough Council to share such information;</p> <p>Page 8, Paragraph 3.12 - It is the role of the Districts and Boroughs as decision-takers to apply a balanced judgement and determine if the development would be unacceptable if certain contributions are not achieved;</p> <p>Page 8, Paragraph 3.12 - The approach that the planning contributions should simply come off the price paid for the land is incorrect. The NPPF specifies that when considering land values, a competitive return should be factored into any appraisal. The approach supported at numerous planning appeals is that the approach to assess the viability of a proposal is to assume that any uplift in land value between the existing use and the proposed use is split 50/50 between the landowner and to pay for planning obligations;</p> <p>Page 8 Paragraph 3.13 - It is considered that the use of review mechanisms where there are viability considerations</p>	<p>Accepted – Paragraph 3.11 has been amended to confirm that it will be the District / Borough Council who consider the viability merits of a planning application. However the ability of the County Council to request visibility of appraisals has been retained. This is to it to gain understanding of the issues raised and to brief senior officers and Members on the implications of zero or reduced contributions.</p> <p>Accepted - The first sentence of this paragraph has been removed. In addition paragraph 3.11 has been amended to reflect the fact that it will be for the District / Borough Councils to decide if an obligation is CIL compliant as part of the overall planning balance.</p> <p>This comment is suggesting that the Draft Strategy says something which it does not. As a result whilst the first sentence has been removed to reflect a comment from another consultee it is not considered that any further clarification is required on this point.</p> <p>Accepted – The County Council</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>should only be used on schemes that have multiple phases and are likely to take a number of years to complete over different market conditions. Even in these cases, it is the Borough Councils experience that large schemes will take the risk of offering from the outset contributions above what is viable where there is it is a fixed amount at the start, rather than being subject to multiple reviews throughout the development period. In addition, it also has to be recognised that the use of review mechanisms could also lead to the reduction in contributions should market conditions worsen;</p> <p>Page 9, Paragraph 3.17 - Suggested amendment substitute “and” for “&” in lines 2 and 4.</p> <p>Page 9, Paragraph 3.17 – It is unclear whether the paragraph setting out serviced land requirements applies to all land. It is queried as to whether land for free schools or academies have to be passed to the County Council first or can a third party design, build and seek a partner to manage an academy or free school without the transfer of land?</p> <p>Page 9 & 10, Paragraphs 3.18 – 3.20 - Reference is made to the long established and unique arrangement with the County Council for the preparation of Section 106 agreements, so that there is no requirement for the County Council to be a party and the Borough Council collects and holds contributions, committing them to appropriate projects on request;</p>	<p>accept that it will be for the District / Borough Councils to determine if a “claw back” clause is required and that this may not be appropriate or possible in all cases. In addition an additional; sentence has been added to the end of this paragraph which acknowledges that where reviews undertaken there may be circumstances where the level of contribution decreases.</p> <p>Agree – Amendment made to document</p> <p>This paragraph only applies to the provision of new schools and not other types of infrastructure. Land for a new school will initially be transferred to the County Council unless the transfer is taking place between the developer and a Foundation Trust in which case the latter will own the land.</p> <p>The County Council acknowledges that they cannot require themselves to be a signatory to a legal agreement. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>Page 9 & 10, Paragraphs 3.18 – 3.20 – For other District and Borough Councils and in special cases involving Rushcliffe Borough Council it may be helpful to explain in more detail in what circumstances the County Council would wish to be a party with the District/ Borough Council and in what circumstances it may be appropriate for it to enter into a separate Section 106 Agreement;</p> <p>Pages 9 & 10, Paragraphs 3.18 – 3.20 - It would be helpful for the document to mention how the County Council wishes to deal with Unilateral Undertakings in relation to contributions where offered.</p>	<p>and appropriate for them to be a signatory. Being a signatory also ensures direct enforceability of obligations and provides greater transparency all parties in respect of the contributions secured. This should also avoid unnecessary delay in the completion of agreements and the issue of decision notices. Paragraph 3.18 has been amended to say “will request that they be a signatory” and not “requires that it will be a signatory”</p> <p>See response to above point regarding the same paragraphs.</p> <p>Accepted – A new paragraph has been inserted covering Unilateral Undertakings which says:</p> <p><i>“The County Council’s preference is to secure S106 obligations through a bilateral agreement to which they are a party to ensure greater enforceability and transparency. However where a Unilateral</i></p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>Pages 9 & 10, Paragraphs 3.18 – 3.20 - The County Council cannot “require” to be a party to an agreement where other parties do not agree. Paragraph 3.18 does not sit well with para. 3.5, bullet point 8, in that bullet point 8 refers to the County Council providing Districts and Boroughs with heads of terms for them (i.e. the Districts/ Boroughs) to incorporate appropriate clauses into their Section 106 agreements. It is anticipated that any input from the County Council on value and the projects on which contributions will be spent will have been discussed and settled at the heads of terms stage. Maybe further clarity is needed regarding in what circumstances the County Council Legal Services will need to be involved in the detailed drafting of agreements, as distinct from the County Council’s Planning Policy team’s involvement at the heads of terms stage.</p> <p>Page 9, paragraph 3.19 – This section refers to the signing of legal agreements. The established practice for Rushcliffe Borough Council is that agreements include obligations for developers to inform the ‘Borough Council’ when triggers are hit and to pay the money to the Borough Council. The Borough Council will then notify the County when this money has been received;</p> <p>Page 10, Paragraph 3.21 – This is one of the paragraphs</p>	<p><i>Undertaking is put forward the County Council will give consideration as to whether such an approach is suitable to help ensure the delivery of an obligation for County Council infrastructure taking account of the specific circumstances.”</i></p> <p>The County Council acknowledges that they cannot require themselves to be a signatory to a legal agreement. However in such circumstances where NCC infrastructure is to be secured it is considered to be in line with the Duty to Cooperate, good practice and appropriate for them to be a signatory. The wording of the paragraph has been amended to reflect this.</p> <p>It is acknowledged that the Borough Council have an established process however for monitoring purposes it is considered appropriate for the developer to notify the County Council when triggers are reached.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Section 3 County Councils Approach to Planning Obligations continued	Rushcliffe Borough Council continued	<p>which relates to indexation. The Borough Council does not subscribe to the BCIS All-In Tender Price Index or the CPT Cost Index. However, officers of the Borough Council have agreed with officers of the County Council that the County Council will provide the Borough Council with the uplift on contributions when an index has been used that Borough Council do not subscribe to. It is suggested that the paragraph could be clearer in relation to this commitment where Districts or Boroughs do not have access to such cost indexes.</p> <p>Page 10, Paragraph 3.23 – This paragraph relates to the payment of S106 monies. It is not currently the Borough Councils practice for funds to be paid directly to the County Council and the Borough Council cannot give a commitment to change our procedures at this time;</p> <p>Page 10, Paragraph 3.23 - If funds are to be paid to the County prior to completion of a project, the Borough Council would expect the County Council to provide a written guarantee that if the project is not undertaken/completed or the money is not spent on an appropriate project, the county will be expected to pay the money back to the Borough or to the developer if they make a request for repayment of the contribution and it is deemed that the money has not been used for a legitimate purpose and/or the payback period has passed. The document would benefit from further text in this respect.</p>	<p>Accept – Paragraph 3.21 amended to confirm that, where the District / Borough Council does not subscribe to an index being used, the County Council will provide information about the level of uplift to the contribution.</p> <p>Accepted – This paragraph has been reworded and bullet point 2 of this paragraph has been removed.</p> <p>Accepted - A new paragraph has been inserted to reflect this.</p>
Appendix 1 Archaeology	Gedling Borough Council	The Borough Council question the circumstances in which a legal obligation could be required? They see relatively few circumstances in which S106 would be needed to secure a contribution and most situations would be covered by policy	The County Council acknowledge that a majority of requirements set out in this section can be dealt with via condition. However it is felt that

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 1 Archaeology continued	Gedling Borough Council continued	and conditions. The use of a planning obligation would be an exception and we question the need to include this section in the document.	there are certain circumstances including large scale and / or complex schemes where it may be appropriate to seek contributions for some items of infrastructure. The third paragraph of the appendix has been amended to provide more justification as to the need for the County Council to have the opportunity to seek contributions.
	Newark & Sherwood District Council	The District Council is mindful the County Council has recently withdrawn its consultation service and that for future advice on planning applications there would be an associated fee. It is therefore questioned whether the County Council would be able to effectively monitor where such a request might be made, particularly if the District Council chose to obtain independent advice on a development proposal from someone other than the County Council. Furthermore, the areas of work referred to where a contribution might be sought are usually addressed via an appropriately worded condition and therefore the relevance of a section on archaeology within the document is questioned.	Please see above response to Gedling Borough Council
	Ashfield District Council	It is considered that this is typically to be dealt with through a planning condition	Please see above response to Gedling Borough Council
	Rushcliffe Borough Council	The County Council do not provide advice Borough Councils in relation to archaeology as they do not contribute financially to this service.	Whilst not currently responding directly, the County Archaeologist provides comments for inclusion in strategic planning responses to applications in all districts / boroughs in the County.

Section	Consultee	Comment	NCC Response / Proposed Change
		The Borough Council do not generally include requirements in Section 106 agreements for payment of money for archaeological monitoring etc. The Borough Council normally cover this by condition.	Please see above response to Gedling Borough Council
Appendix 2 Education	Steve Clyne, Educational Facilities Management Partnership Ltd	<p>Page 13, suggests that 2nd paragraph is amended to say:</p> <p><i>“The annual Department for Education (DfE) School Capacity (SCAP) Return requires the local authority to include where places are required as a result of new housing developments (increased demand) and to identify where those additional places are covered by s106 agreements or CIL. In addition, there is a requirement to list the new school or school expansion projects funded by Section 106 / CIL education contributions.”</i></p> <p>Page 14, Para 8 – Respondee considers that the content of this paragraph is not true. The ESFA allows for a 2% uplift in each school planning area. In the old days of removing surplus places – 95% occupancy across the authority area – was the benchmark regarding how many places to remove. (Audit Commission publications 1996 – 2002)</p>	<p>Agreed – Document amended to reflect this.</p> <p>Second sentence of the paragraph amended to say:</p> <p><i>“The DfE anticipates that Local Authorities will maintain a margin of 2% to allow for in-year movement between schools.”</i></p>
	NCC Pupil Place Planning	<p>Amend title to say “<i>Statutory Education Provision</i>”</p> <p>Page 13, First Paragraph – Amend to say “<i>The Education Act 1996 states that all Local Authorities have a duty to ensure a sufficiency of school places for all children of statutory school age.</i>”</p> <p>Page 13 - Proposes deletion of paragraph which discusses Early Years provision</p>	<p>Noted – Document amended</p> <p>Agreed – First paragraph amended to reflect national legislation regarding the role of Local Authorities and education provision.</p> <p>It is understood that such contributions may be sought so this is to be retained.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 2 Education continued	NCC Pupil Place Planning continued	<p>Page 13 - Proposes deletion of the wording which refers to the two sources for funding additional school places</p> <p>Page 13 – Where reference is made to the SCAP returns it is suggested that a quote from the SCAP Guidance is inserted</p> <p>Page 13, Last paragraph – Suggests minor amendment to paragraph and inclusion of hyperlink to SCAP</p> <p>Page 14 – Methodology for forecasting school places – suggests deletion of paragraphs 2 to 8 due to the proposed link to the SCAP guidance referred to above;</p> <p>Page 14, Demographic Changes – Suggests amending second and third sentences to say <i>“This has been seen by an increase in numbers at primary schools, and the increase is currently moving into the secondary education phase Historically the County Council has rarely required secondary education contributions, however these are more likely to be required moving forward.”</i></p> <p>Page 14, Demographic Changes – Suggests deletion of second and third paragraphs;</p> <p>Page 15, first paragraph of “Meeting expected demand</p>	<p>No change required – This information is factual and for transparency it is considered that this should be retained Accepted – Link added.</p> <p>Accept changes to sentence as proposed</p> <p>Noted – It is considered appropriate to provide information about the process which is accessible to all. Therefore it is proposed to retain this section however the first paragraph will confirm that more detailed information is available and the link to the SCAP Guidance is provided</p> <p>Accepted – Strategy amended to reflect updated position regarding the need for secondary places to be provided and contributions secured</p> <p>Accepted – Paragraphs deleted</p> <p>Noted – See above response to</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 2 Education continued	NCC Pupil Place Planning continued	<p>resulting from proposed housing developments” suggests amending second and third sentence to say:</p> <p><i>“Seemingly ‘spare’ capacity at a school does not necessarily equate to there being sufficient capacity at that school as it is a DfE expectation that schools should not operate at 100% capacity to accommodate the normal in-year movement. This does not include new families moving into an area as a result of them occupying newly built houses.”</i></p> <p>Page 15, third paragraph of “Meeting expected demand resulting from proposed housing developments” suggests amending last sentence to say:</p> <p><i>“Where a new school is required, the base level of contribution will be an area of land for the required size of school, as outlined by the DfE, plus the cost of building the school.”</i></p> <p>Page 15, suggests deletion of last paragraph of “Meeting expected demand resulting from proposed housing developments.”;</p> <p>Page 15 & 16 – Suggests deletion of all the section entitled “Delivering education places”;</p> <p>Page 16, “What if there is spare capacity at the existing</p>	<p>comment from Steve Clyne</p> <p>Accept – Strategy amended to reflect suggested wording</p> <p>Accept – Paragraph deleted</p> <p>The purpose of this is to provide clarity to LPA’s and developers as to how places, especially new schools will be provided. It is therefore considered appropriate to retain this section however minor changes have been made to ensure clarity</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 2 Education continued	NCC Place Planning continued	<p>catchment schools?" suggests deletion of "and Published Admission Number (PAN)" in the first bullet point;</p> <p>Page 17, "<i>How are the costs calculated and what are they?</i>", suggests changing January 2016 to May 2016;</p> <p>Page 17, "<i>How are the costs calculated and what are they?</i>", suggests deletion of last bullet point;</p> <p>Page 17, Query about the need to include the section entitled "Do any discounts apply";</p> <p>Page 17, Section entitled "What about large developments which generate the need for a new school?" – Amend bullet points to say:</p> <ul style="list-style-type: none"> • <i>Where this is the case, the County Council will require fully serviced land from the developer, plus sufficient monies to build a new school;</i> • <i>The cost of the new school will depend upon its required size, therefore statistics will not be provided. Any relevant building standards requirements and the BB 103 and NCC specific requirements and issues relating to the</i> 	<p>Agree – Strategy amended to reflect comment</p> <p>Agree – Strategy amended to reflect comment</p> <p>It is important that contributions are received at the appropriate time to allow places to be provided (including to allow the undertaking of site investigation and feasibility). However the County acknowledge the point raised by the consultee and note that the strategy already refers to the payment of contributions in phases.</p> <p>No change required – The County Council will not seek contributions on certain types of residential development and this section provides clarification on this and the circumstances when this will occur</p> <p>First bullet point – comments noted minor changes made to the wording;</p> <p>Second and third bullet points – Comments accepted and changes made to the strategy</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 2 Education continued		<p><i>proposed site itself;</i></p> <ul style="list-style-type: none"> <i>The County Council will provide the developer with the option of building the new school, subject to meeting the required DfE and NCC standards.</i> 	
Appendix 2	Newark & Sherwood District Council	<p>Page 17 - It is noted that the cost per dwelling is proposed to increase by circa £460 for Primary Education. The increase in cost needs to be justified. There is also a lack of clarity on the issue of circumstance in which the figure applies or whether one looks at the build cost itself, which is clearly higher. It is accepted that where a development is large enough to generate a full new school on site that a build cost will be appropriate. This cannot be the case where the development is of a size whereby it would only need to provide an extension to a school (either permanent or temporary) in which case there should be some certainty and clarity that the formula figure per dwelling/pupil place will apply;</p> <p>Secondary education within the District will be via the District Council's Community Infrastructure Levy (CIL). The Planning Obligations Strategy needs to reference that in cases where this is the case, requirements may be flagged up but recognition will be given as to whether these are already covered. Consideration also needs to be given to cases where the catchment of a Secondary School spans more than one Local Authority boundary where it is covered by CIL on one side of the boundary but that developer contributions would be required in the neighbouring District and whether there are any implications for the Rule of 5 in terms of contributions being secured;</p> <p>For primary education, justification is required where</p>	<p>The cost per pupil place has risen since the current Planning Obligations Strategy was adopted and therefore the County Council consider that it is appropriate to amend these costs to reflect this. The document has been amended to provide clarity that build cost will only be used when a new school is required. All other contributions will be calculated using formula as set out in the Obligations Strategy</p> <p>The County Councils consider that where a development is in a district or borough where CIL monies are collected for education but the catchment school is located in an adjoining authority which does not have CIL it would be appropriate to seek a planning obligation to mitigate the impact on the catchment school. An additional paragraph 2.12 has been inserted to reflect this and to provide clarification</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Education continued	Newark & Sherwood District Council continued	contributions are sought and it is deemed that the nearest school is at capacity but the next nearest school (possibly out of catchment) is still within walking distance and has capacity. It should be explored as to whether the capacity at the nearest school has been taken by out of catchment pupils for example. The District Council also ask if a developer should be required to make contributions towards the school which is at capacity even if it is reasonable to direct pupils elsewhere.	<p>The statutory obligation is for the provision of places at the catchment school. As a matter of good practice Local Authorities review Planning Areas which will include other school options. If the Local Authority looks at school places beyond 2 miles for primary or 3 miles for secondary there is a revenue cost to the County Council which is not funded by the government.</p> <p>If a school is at capacity the County Council would be obliged to seek contributions to mitigate the impact of development and to make the necessary improvements at this school to accommodate the demand for places generated by the development. Therefore it is considered acceptable to request contributions in such cases even if there is capacity at schools elsewhere.</p>
Appendix 2	Ashfield District Council	<p>Page 16, Table – It is considered that that part entitled “Type and Size of development” repeats (to some extent) that within “Type of facilities”. The District Council question whether the following wording needs to be repeated:</p> <p><i>The contributions will be used for:</i></p> <ul style="list-style-type: none"> • <i>Extending and/or improving existing schools and pre-school provision that serve the development; and/or</i> 	Agreed - document amended to avoid repetition

Section	Consultee	Comment	NCC Response / Proposed Change
Education continued	Ashfield District Council continued	<ul style="list-style-type: none"> <i>Building a new school or pre-school facility where there is a significant housing proposal (see new school costs below).</i> <p>In respect of the number of pupils generated by 100 dwellings (21 for primary and 16 for secondary) the District Council assume that these can be justified if challenged by a developer;</p> <p>In respect of school capacity; the District Council ask if the DfE expectation that schools should not operate at more than 90-95% of their capacity set out on page 14 be repeated in the Table;</p> <p>Page 17 – In respect of costs per school place; a single cost is quoted for primary and for secondary schools in relation to school places. The District Council ask if this cover both the extension of existing schools as well as the provision of new school. They understand that there is typically a higher figure for new schools;</p> <p>Page 17 – In respect of costs; the District Council note that costs are based on DfE figures at January 2016. The figures appear to be up-dated by BCIS All-In-Tender Price Index from the date of the relevant legal agreement. They ask what happens between Jan 2016 and the date of the legal agreement i.e. if the Agreement is signed on Jan 2018 are the figure already two years out of date;</p> <p>Large development – The POS does not appear to cover the Ashfield scenario where there are a number of sites,</p>	<p>The number of pupil places generated is based on the analysis of information provided by the Office of National Statistics. This will vary across the Country.</p> <p>Agree – The sentence referred to (which has been amended to reflect other consultee response) is added to the table in the section entitled “What if there is spare capacity at the existing catchment schools”</p> <p>The document has been amended to provide clarity that build cost will only be used when a new school is required. All other contributions will be calculated using formula as set out in the Obligations Strategy</p> <p>The costs per pupil place set out in the document are the most up to date available and where contributions are sought they will be subject to indexation as set out elsewhere in the document</p> <p>The County Council acknowledge</p>
Appendix 2 Education			

Section	Consultee	Comment	NCC Response / Proposed Change
continued	Ashfield District Council continued	which generate a need for a new school but individually no site is big enough to generate a need for a new school in isolation. A key aspect is the cost of the new school. It is important that that the County Council identify the likely cost of the school required so that appropriate contributions can be identified wherever possible;	the issue raised. They are currently working with the District Council regarding the provision of education over the Local Plan period. Where such circumstances arise the County Council would enter discussions with the Local Planning Authority to discuss options. Where a new school is required as a result of the cumulative impact of smaller sites a proportionate contribution would be requested (based on build cost) from the developments concerned and equalisation agreement entered into to ensure equity of contribution.
Appendix 2 Education	Persimmon Homes	<p>Page 17 - The calculation of education contribution is generally clear however the triggers put forward should be amended. The request for payment of contributions prior to first occupation is considered unreasonable and is unlikely to be in accordance with build programmes for both new schools and expansion of existing schools. In addition the impact on education places will not be apparent until much further into the sites development. In addition the impact from development on school places will not be apparent until much further into the sites development;</p> <p>The delivery of a school using the PFI framework adds a potential 15% to the cost. This is considered unreasonable and not justified. In addition it is not clear when this will apply making it difficult to account for when considering the impact of planning obligations.</p>	<p>It is important that contributions are received at the appropriate time to allow places to be provided (including to allow the undertaking of site investigation and feasibility). The County Council acknowledges the point raised by the consultee but notes that the strategy already refers to the payment of contributions in phases which are linked to the costs of school provision.</p> <p>The costs relating to the provision of places at a school delivered via PFI agreement are more expensive than other contract terms. Therefore</p>

Section	Consultee	Comment	NCC Response / Proposed Change
continued			to ensure that places can be provided in such circumstance it is considered appropriate to include the level of uplift referred to in the document.
	Rushcliffe Borough Council	The Borough Council generally accept that contributions will be required for education provision where requested, however, when making such requests, the Borough Council will expect the County Council to provide robust evidence of need for contributions, e.g. lack of capacity in schools to accommodate additional pupils and a robust feasibility study to demonstrate whether a school is capable of further extension;	The County Council accept that there is a need for evidence to justify the contributions sought. As part of their response to formal applications they provide a detailed education statement which seeks to provide such justification.
	Rushcliffe Borough Council continued	Pages 16 & 17 - The table suggests that contributions would be used to fund equipment. It is assumed that this relates to things like computers. The Borough Council does not necessarily see this as an appropriate use of developer contributions, the contributions are required to meet a shortfall in pupil places, interpreted as classroom space;	Where the need for evidence is required to show if a school can be expanded / extended this would need to be assessed in more detail once there is more certainty as to whether the contribution will be secured
Appendix 2 Education continued		Page 17 - The Borough Council does not agree that contributions should include a PFI uplift where the school was originally built under a PFI contract. The cost of a pupil	Where a new classroom / extension is required to mitigate the impact of development they will also need to include equipment to allow teaching of pupils to take place e.g. interactive white boards. Therefore considered appropriate to request contributions for such items
			The costs relating to the provision of places at a school delivered via PFI agreement are more expensive

Section	Consultee	Comment	NCC Response / Proposed Change
	Rushcliffe Borough Council continued	<p>space should be the same for all developments in all areas;</p> <p>Page 17 - For reasons of viability it is sometimes necessary to phase the payment of contributions and it may not, therefore, be possible to require payment of the full contribution prior to occupation of the first dwelling;</p> <p>In respect of the trigger point, the Borough Council note that they have its own Developer Contribution SPD which currently sets a threshold of 25 units for financial contributions, however this threshold is being reviewed as part of the preparation for Part 2 of the Local Plan</p>	<p>that other contract terms. Therefore to ensure that places can be provided in such circumstance it is considered appropriate to include the level of uplift referred to in the document.</p> <p>It is important that contributions are received at the appropriate time to allow places to be provided (including to allow the undertaking of site investigation and feasibility). However the County acknowledge the point raised by the consultee and note that the strategy already refers to the payment of contributions in phases. In addition the document has been amended to delete reference to phased development. This in recognition that some developments may be done in one phase over a longer period.</p> <p>The County Council acknowledge that the Borough Council have a different threshold for seeking contributions and as such they will not seek contributions from residential developments of less than 25 dwellings.</p> <p>In addition the County Council</p>

Section	Consultee	Comment	NCC Response / Proposed Change
			support the Borough Council's proposal to amend their trigger for seeking contributions as part of the production of their Local Plan and would request that the new threshold be set as 10 dwellings or more
Appendix 3 Flood Risk Management	Gedling Borough Council	<p>As appendix 1, the Borough Council query the value of this section as in most situations this would be covered by condition;</p> <p>The text refers to the scope for contributions which could provide a catalyst for delivering wider flood alleviation benefits. However, the policy requirement is to grant planning permission subject to it being safe from flooding and that the development does not increase the risk of flood risk elsewhere and contributions to schemes delivering wider benefits are unlikely to be justified. The Borough Council also point out that wider flood alleviation schemes are largely the remit of the Environment Agency who are responsible for main river courses.</p>	Having reflected further on this element of infrastructure the County Council have considered all the comments made and it is felt that matters relating to Flood Risk Management can be addressed through good design and planning conditions. It is therefore considered that appendix 3 should be deleted from the document.
	Barton Willmore (on behalf of Urban & Civic)	In the interests of transparency, consistency and fairness, it is considered that guidance should be provided on the adoption and maintenance regimes for drainage schemes. This should include maintenance costs for dry and wet areas on a £ per sq. m basis, and should set out the maintenance period that any commuted sum is to cover. It is considered that the maximum maintenance period should be 20 years as this should provide sufficient support before its inclusion in other funding streams;	The County Council do not adopt surface water drainage systems. As a result further detail on this matter is not required in the strategy. Further guidance on the adoption and maintenance of surface water systems should be sought from the Local Planning Authority
	Newark & Sherwood District Council	Paragraph 5 of this section is questioned in respect of whether new development could provide the catalyst for delivering wider flood alleviation benefits to existing	See above response to comment from Gedling Borough Council.

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 3 Flood Risk Management continued		communities and in these situations a contribution towards such works may be sought. Having regard to the CIL regulations any request for a contribution would still need to be wholly related to the development and clear justification would need to be presented. NCC would need to demonstrate that the development places further pressure on the flood risk of the area (in which case one would question the principle of its acceptability) and demonstrate that contributing to wider flood mitigation is the only reasonable and proportionate way to address such harm.	
	Ashfield District Council	The District Council note that the text is descriptive. They ask if it should require contributions towards site-specific flood risk management schemes where the development is anticipated to contribute towards the risk of flooding;	See above response to comment from Gedling Borough Council.
	Persimmon Homes	Obligations in legal agreements relate generally to transfer of land and monies which is outside the scope of planning conditions. It is considered that further justification is required as to why this should be included as part of a legal agreement. Further clarification should be provided where the County Council appears to be seeking contributions for flood risk betterment above the impact of the proposal	See above response to comment from Gedling Borough Council.
	Rushcliffe Borough Council	Page 18 - The document states that, <i>"In certain areas, new development could provide the catalyst for delivering wider flood alleviation benefits to existing communities and in these situations a contribution in the form of a planning obligation from developers towards such works may be sought."</i> Contributions can only be required to make the development acceptable, not to address existing issues or deliver 'wider flood alleviation benefits' to existing communities. It is accepted that this may be appropriate only where the development may impact on, for example, exiting surface water flooding issues by increasing surface water flooding, although the Borough Council is required to	See above response to comment from Gedling Borough Council.

Section	Consultee	Comment	NCC Response / Proposed Change
		ensure that developments provide appropriate sustainable drainage systems to limit surface water run off to existing greenfield rates with an allowance for climate change.	
Appendix 4 Highways and Transport	NCC Development Control	<p>Respondee considers that the Draft POS is less helpful than current strategy. Would rather have more prescriptive information as to how NCC charge developers for highway works e.g. per area of land or per dwelling;</p> <p>The proposed document does not give any indication as to where NCC should take the value of works from as a starting point in negotiations with the developer. With no information how to calculate highway works required NCC it open for the developer to claim that they had no idea how much they would be charged and then claiming that the scheme is not viable, etc. which might lead to the LPA not requesting the money or requesting a reduced value in order to push the development forward;</p> <p>The document does not address the implications of cumulative impact of a number of sites. One isolated site may not make much difference on the highway network and is unlikely that NCC will be able to collect any monies for a smaller development. However a number of smaller development by different developers could have significant highway implications</p> <p>It is unclear in the proposed document how any highway improvements are to be calculated and justified in order for them to be safeguarded at planning stage. There seem to be a great push for the bus stop improvements and not</p>	<p>The Highways and Transport section has been amended to ensure that it is balanced to consideration to all types of transport infrastructure</p> <p>NPPF does not allow for any assumed starting point for negotiation. All costs will be calculated on a case by case basis.</p> <p>Where LPA's operate a CIL policy then the cumulative impact of all qualifying development would be catered for.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 4 Highways and Transport continued	NCC Development Control continued	<p>much else.</p> <p>The proposed wording of the proposed POS 2017 is very “wishy-washy” when it comes to highway improvements and developers would argue every single matter in order not to pay any highway contributions or pay absolute minimum and get away with it. It seems that as long as developers pay for new bus stops it is all fine as they have ticked the box to create a sustainable development.</p> <p>If the section for highway improvements is left as proposed in POS 2017 draft, the County Council runs a risk of getting none of very little highway contributions from new developments except for bus stop improvements. We need a document that is prescriptive with clear information what is expected from the developers for Local Highways Authority and developer’s sake.</p> <p>Respondee requests that the word “monitoring” is removed from the final paragraph of page 19 and the first box on page 21 in favour of “management and review”</p>	<p>The table in this appendix has been revised to cover all types of transport and not just bus infrastructure. Whilst it does not give a specific calculation, the document does give a steer on the County Councils approach</p> <p>It is accepted that the 2017 Draft strategy placed significant emphasis on bus infrastructure however the document has been amended to provide a balance between the various types of transport infrastructure</p> <p>Noted – Following review this paragraph has been amended however the reference to “monitoring” has been retained</p>
	Gedling Borough Council	<p>Bottom of Page 19 - Should read “travel plan monitoring to pay a separate reasonable fee”;</p> <p>Page 20 - Consideration will be given to requests for public transport infrastructure on a case by case basis which meet the tests set out in the regulations. It would be helpful if the public transport section was categorised into larger major developments (for example 100 plus homes) and smaller</p>	<p>Accept – The document has been amended to confirm that a separate fee will be paid in proportion to the size of the development.</p> <p>Accept- The document has been rewritten to reflect a range of public transport infrastructure measures. Each application will be dealt with on a case by case basis dependent</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 4 Highways and Transport continued	Gedling Borough Council continued	<p>schemes, as the latter are unlikely to merit such requirements for example, new bus stops. The Borough Council's experience is that there have in the past been requests for improvements to bus stops for very small developments including for example along the A60 corridor, which they have not accepted as reasonable;</p> <p>Page 21 – The threshold should be 11 dwellings or more;</p> <p>Public transport contributions – larger developments will be subject to a transport assessment which should identify mitigation and whether contributions to public transport should apply;</p> <p>Page 23 Form in which contributions should be made – For bus stop improvements a condition is not suitable but rather set out in an S106 as in it will be in the form of a financial contribution.</p>	<p>upon need.</p> <p>Noted – The County Council will not seek contributions where a development is for 10 dwellings <i>and</i> which has a maximum gross internal floorspace of no more than 1,000sq. Metres. Where a development is for 10 dwellings or more and over 1,000sq. Metres a contribution may be sought.</p> <p>Noted – A new, final paragraph has been inserted which emphasis that the size of contribution will be proportionate to the particular characteristics of the development</p> <p>Agree – The part of the table entitled "Form in which contributions should be made" has been amended to confirm that contributions for transport infrastructure will be through a S106 agreement unless the infrastructure is to be delivered by CIL as set out on a Local Authorities CIL Regulation 123 list.</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 4 Highways and Transport continued	Newark & Sherwood District Council	Any request for contributions need tying down to being directly related to the impact of the development for example where requests are made towards off-site public transport and cycling / walking measures. This must include the scheme which is required and its overall cost which can be tied at the point of issuing a planning permission.	Accept – The draft document acknowledges that the Local Planning Authority may only require a developer to make a contribution to a highway improvement or sustainable transport facility where the requirement for it is both a direct consequence of the development proceeding and that without it the development could not function properly. The level of contribution will be based on outline designs of appropriate transport measures as it is not feasible to have fully costed information available.
	Newark & Sherwood District Council continued		
	Ashfield District Council	While the introduction text (page 19) identifies that off-site transport and cycling / walking measures may be required no indication, is set out as to how these may be derived;	Accept- The document has been rewritten to reflect a range of transport infrastructure measures. Each application will be dealt with on a case by case basis dependent upon need.
	Persimmon Homes	It is recognised that the impact of highways is often the most contentious locally with development proposals and wish to ensure that there is a strong strategic road infrastructure which is operating within capacity for all new developments. However requests for contributions have to be fair and reasonable. Reference is made to paragraph 32 of the NPPF which highlights that if the proposal tips the highway network into severe that it should be refused. It is noted that further improvements can only be undertaken if they are cost effective. If a highway is already at capacity	The Highway Authority may only expect the Local Planning Authority to require a developer to make a contribution to a highway improvement or sustainable transport facility where the requirement for it is both a direct consequence of the development proceeding and that without it the development could not function

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 4 Highways and Transport continued		<p>and in the “severe” category it is often the case that development proposals will not change the situation much. This needs to be made clear within this section to ensure the current framework is identified for which contributions will be sought;</p> <p>The cost for monitoring fees, particularly for Travel Plans, should be removed and not be sought. Reference us made to the 2015 High Court case (Oxfordshire CC v SoSCLG) which made it clear that these fees were not enforceable under the legislative framework</p>	<p>properly.</p> <p>NCC is aware of the High Court Case but legal advice has been sought re the collection of fees. These fees are required to support the development to achieve its specified targets.</p>
	Rushcliffe Borough Council	<p>The Borough Council does not always rely on S106 to collect contributions for highway improvements, where appropriate these may be subject to conditions and money collected through the Section 278 process. The document should acknowledge this alternative approach.</p> <p>It is accepted that contributions for public transport may be justified on a case by case basis, however, when requests are made for such contributions, the Borough Council considers that they should be supported by robust evidence.</p>	<p>The document deals with fees as a block. These could be through either CIL, S106, or S278 etc.</p> <p>The County Council will seek to ensure that requests for other types of infrastructure are also supported by the appropriate level of justification to help demonstrate that requests are compliant with the CIL Regulations.</p>
Appendix 5 Libraries	Gedling Borough Council	<p>The Borough Council express concern about the inclusion of this section. They emphasise their comments made elsewhere about the 3 statutory tests which need to be met. The Borough Council would wish to see evidence of the overuse in a particular library within the catchment;</p>	<p>Noted – Justification for library contributions will be provided where these are sought. As set out in the document, the need for a contribution will be established by comparing the current capacity of the library and population it serves against the number of people likely to be generated by the new</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 5 Libraries continued	Gedling Borough Council continued	<p>Do not consider that the application of population ratios to library floorspace which was used as a proxy for demand in the 2014 document is adequate to measure actual demand which is likely to arise from development. This also applies to library stock;</p> <p>The threshold of 50 dwellings for triggering a contributions is considered far too low and the point about the need for the County Council to be clear on infrastructure priorities is reiterated</p>	<p>development. Where the existing library's capacity would be exceeded, a contribution will be required;</p> <p>No change required - The County Council has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA).</p> <p>Noted – The trigger for seeking contributions is considered reasonable however as stated above, contributions will only be sought where it can be demonstrated that the existing library capacity would be exceeded. In terms of priorities this will be considered on a case by case basis</p>
	Newark & Sherwood District Council	A building cost figure of £202.10 per dwelling (based on 2.4 occupants per dwelling) was previously given and this is included within the District Council's Developer Contributions SPD. It is noted that no such figure is included within the County Council's Draft Planning Obligations Strategy update. Whilst it is accepted that building costs can often be difficult to justify (on the basis that physical expansion is rare and refurbishment is difficult to justify as a direct consequence of the development proposed), is this intentional? If so, is there a danger that if in future on those rare occasions were significant expansion or replacement of a Library is required, this will be difficult to justify?	<p>Noted – The draft strategy seeks to allow for the provision of a new library / extension to an existing facility where this will be required to mitigate the impact of development. As stated in the document this will be based on buildings costs linked to the RICS Tender Price index and will be subject to negotiation with the developer.</p> <p>In addition document has been</p>

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 5 Libraries continued	Newark & Sherwood District Council continued	Despite numerous previous requests for an evidence base to justify contributions showing why a development will place an impact which cannot be reasonably absorbed by the existing infrastructure, such evidence is still lacking in consultation replies.	amended to confirm that build costs will be subject to negotiation with the developer See response to similar comment from Gedling BC
	Ashfield District Council	Given the other infrastructure requirements the District Council whether such contributions can be justified.	Noted – As stated above the County Council will only seek contributions where this can be fully justify based on existing library capacity
	Rushcliffe Borough Council	<p>Pages 24 & 25 - As with the comment relating to equipment made against the education section, the Borough council does not necessarily see this as an appropriate use of developer contributions, the contributions should be required to meet a shortfall in accommodation.</p> <p>Pages 24 & 25 - In addition the multiplier of 2.4 persons per dwelling is higher than the average household size in Rushcliffe, which was assessed as 2.3 persons per dwelling in both the 2001 and 2011 census. It is recommended that the multiplier applied should be based on district specific household sizes for robustness.</p>	<p>Noted - The County Council consider that it is appropriate to seek contributions for library stock to help meet its statutory duty to provide a comprehensive and efficient library service for all persons desiring to make use thereof.</p> <p>Noted – The number of people per dwelling has been amended to reflect the 2011 census figure which is 2.3 people per dwelling.¹ In addition the document has been amended to provide a new cost per</p>

1

<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/bulletins/populationandhouseholdestimatesfortheunitedkingdom/2011-03-21>

Section	Consultee	Comment	NCC Response / Proposed Change
			dwelling figure of £35.24 to reflect this.
Appendix 6 Natural Environment	Gedling Borough Council	It is considered that the requirements set out in this section can all be dealt with satisfactorily by the use of conditions unless a management agreement is to be secured and again this will be the exception rather than the norm.	The County Council acknowledge that a majority of requirements set out in this section can be dealt with via condition. However it is felt that there are certain circumstances including large scale and / or complex schemes where it may be appropriate to seek contributions for some items of infrastructure. Therefore appendix 6 has been redrafted to reflect this and renamed "Green Space"
Appendix 6 Natural Environment continued	Gedling Borough Council continued		
	Newark & Sherwood District Council	The areas of work referred to where a contribution might be sought are usually addressed via an appropriately worded condition particularly if mitigation of impact is on the natural environment within the application site. The relevance of this section within the document is therefore questioned. In circumstances where a development proposal has an impact on the natural environment outside the site, robust evidence on how a development is having a direct impact and how the level of contribution has been calculated would need be given.	See response to Gedling BC above
	Ashfield District Council	The District Council note that is typically dealt with via a planning condition	See response to Gedling BC above
	Rushcliffe Borough Council	Pages 26 & 27 - The triggers that are identified are effectively on a case by case basis, which is supported. The Borough Council also has its own internal consultees in respect of some aspects of the natural environment and on landscape matters where advice on mitigation measures may be provided.	The Borough Council's comments are welcomed. The Borough Council's comments are noted

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 7 Waste Management and Recycling	Gedling Borough Council	It is considered that the request for such contributions towards waste recycling are only likely to be justified for very large strategic sites. The worked example in some respects helps illustrate the point as it is quite a complicated example and unique to an area. Consequently as a rule of thumb it is not that helpful. The threshold of 200 homes is rather low and appears very arbitrary with no justification. The Borough Council would suggest that this section is removed.	The County Council have given consideration to the level of housing which is proposed across the County and it is clear that this will put pressure on existing facilities. As such it is considered appropriate to seek contributions from new development to mitigate the impacts that this will have. It should be noted that contributions will not necessarily be sought on from all development above the 200 dwelling threshold. Consideration will be given to the level of existing provision and contributions will only be sought when development would generate a level of waste which would mean existing capacity. This will vary by District / Borough. When responding to planning applications the County Council will provide evidence to support their request for a contribution.
Appendix 7 Waste Management and Recycling continued	Gedling Borough Council continued		
			In respect of the threshold for seeking contributions. This is considered appropriate. Due to the variety of housing allocation sizes across the districts / boroughs, NCC need a threshold figure that is going to capture what it considers significant housing across the

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 7 Waste Management and Recycling continued	Gedling Borough Council continued		County. Whilst some districts / boroughs will have several major developments such as Rushcliffe and Bassetlaw, there are others, particularly Ashfield, where individual developments tend to be much smaller and a 200 dwelling development is on the larger side. Based on the above the County Council consider that the ability to request contributions to mitigate the impact of development is appropriate and as such it is proposed that this section of the document is retained.
	Newark & Sherwood District Council	Any request for a contribution would need to be appropriately evidenced and justified. The scale of residential development referred to that would necessitate a contribution towards a new or improved recycling facility is that of large residential schemes. The District Council would query whether a more strategic approach should be taken towards such provision through the Plan process.	Please refer to above response to Gedling Borough Council.
	Rushcliffe Borough Council	The Borough Council considers that this has not been applied consistently in the past. If this is to be applied to development over 200 units, in the case of Rushcliffe, there would be a significant shortfall in the contributions to cover the £2.5M cost of a new facility. How is the shortfall to be funded?? What is the certainty of the facility being delivered if no land is identified for such provision, for instance.	Please refer to above response to Gedling Borough Council In terms of delivery; the Nottinghamshire and Nottingham Replacement Waste Local Plan Part 1: Waste Core Strategy identifies broad locations which may be suitable for a range of waste management facilities, including Household Waste Recycling Centre

Section	Consultee	Comment	NCC Response / Proposed Change
Appendix 7 Waste Management and Recycling continued	Rushcliffe Borough Council continued		provision, where required. This also sets out general site criteria highlighting the types of locations where such facilities would generally be supported. The County Council will continue to work with District / Borough Councils through the planning and infrastructure delivery process to help ensure the suitable provision of waste management facilities
Appendix 8 Mineral Development	No comments were received on this section	N/A	N/A
Appendix 9	No comments were received on this section	N/A	N/A



Planning Obligations Strategy

July 2018

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1 Introduction

The purpose of the Strategy

- 1.1 This document is the third edition of Nottinghamshire County Council's Planning Obligations Strategy and replaces the April 2014 document. As with previous editions, it details the scope and range of contributions towards infrastructure which Nottinghamshire County Council may seek when consulted on planning applications in order to make development acceptable in planning terms, including how these contributions will be calculated.
- 1.2 The Strategy fits with the overall aims of the National Planning Policy Framework (NPPF) by supporting sustainable and viable development. By promoting a consistent and transparent approach to likely obligations, developers and landowners will be able to take into account the potential costs of a proposed development at the earliest stage. They can be assured that they are making a fair contribution to the infrastructure needed to support growth, and local residents can understand how proposed development in their area will be accommodated.
- 1.3 The County Council does not determine applications for housing and commercial development which often require planning obligations – these are a matter for District and Borough Councils in Nottinghamshire. The Strategy aims to assist District and Borough Planning Authorities in the formulation of policies and proposals within Local Plans along with making decisions on planning applications. The County Council will separately work with District and Borough Councils on Local Plans and where appropriate, local groups in preparing Neighbourhood Plans to identify the overall level of infrastructure needed to support proposals. It is the Local Plan and supporting Infrastructure Delivery Plans which will form the basis for seeking planning obligations that are required to mitigate the impact of allocated sites. The aim of the County Council is to ensure that infrastructure is delivered in a timely manner and thereby ensure that new development does not have a negative impact upon the quality of life in Nottinghamshire.
- 1.4 Since the previous edition of the Strategy, Community Infrastructure Levy (CIL) Regulations which came into effect in April 2015 limits the number of contributions which can be 'pooled' to finance a single infrastructure project, or type of infrastructure. That maximum has been set at five contributions agreed since April 2010. The requirements of the CIL Regulations is taken into account.
- 1.5 The Government is currently reviewing the Community Infrastructure Levy and the Strategy may be amended further to take into account any changes to CIL arising from this review.

County Council Objectives

- 1.6 The County Council's strategic objectives are set out in its four year plan "Your Place, Your Nottinghamshire 2017 – 2021". The Plan is based around four vision statements:
 - A great place to bring up your family;
 - A great place to fulfil your ambition;
 - A great place to enjoy your later life; and
 - A great place to start and grow your business.

- 1.7 By providing a mechanism for supporting the County Council's responsibilities for enabling the provision of new schools, libraries, waste and recycling and other services, when dealing with the impact of new development, the Planning Obligations Strategy will help to ensure that these vision statements are achieved.
- 1.8 The County Council is the responsible body for minerals and waste planning in the County. Potential obligations for mineral and waste development are included in Appendices 8 and 9 of this document. The County Council is the Lead Local Flood Authority and Local Highway Authority and obligations which could arise from the latter responsibilities are set out in Appendix 3.
- 1.9 The County is also responsible for improving the general health of people in Nottinghamshire. The Nottinghamshire Health and Wellbeing Board has endorsed the document [Spatial Planning for the Health and Wellbeing of Nottinghamshire](#) (2016) and a Planning and Health Engagement Protocol (2017) between local planning authorities and health partners in Nottinghamshire. Whilst planning obligations are unlikely to be required in most cases, County, District & Borough Planning Authorities and the NHS should consider the impact of local plans and development applications on health and wellbeing.

Infrastructure this Strategy covers

- 1.10 The Strategy covers the administrative area of Nottinghamshire County Council. Nottingham City Council is a unitary authority outside Nottinghamshire and therefore its area is not covered by this Strategy.
- 1.11 The Strategy does not cover services provided by lower tier authorities (District and Borough Councils), such as affordable housing or open space, or contributions that may be sought by other infrastructure providers, such as the NHS or the Police. It solely deals with services provided by the County Council.
- 1.12 The services for which the County Council may seek contributions are:
- Archaeology
 - Education
 - Highways and Transport
 - Library Provision
 - Natural Environment
 - Waste Management and Recycling
 - Mineral Development
 - Waste Development.

- 1.13 Further information on these requirements can be found in Appendices 1 to 8.

Status of the Strategy

- 1.14 This Planning Obligations Strategy is a revision of the document which was adopted in 2014.
- 1.15 District / Borough Councils are responsible for determining planning applications and assessing the reasonableness of planning contributions sought taking account of the CIL

Regulations and policies in the NPPF and the Development Plan. Whilst this document will have no statutory status, it is intended to give guidance to Local Planning Authorities when making these decisions and to set the benchmark for obligations which may be sought in respect of County Council infrastructure. The County Council encourages District and Borough Councils to endorse the Strategy and use it in determining planning applications.

- 1.16 The County Council recognises that the key basis for determination of planning applications is the relevant Local Plan and Neighbourhood Plan (where this exists). The County Council will provide necessary evidence at the time of Plan making about what infrastructure is needed to support Plan proposals in order to provide the framework for future contributions from development towards County Council services. Where Local Planning Authorities have Supplementary Planning Documents (SPDs) covering planning obligations, this document will inform the preparation or review of any such SPDs by the Local Planning Authorities.
- 1.17 The Planning Obligations Strategy will in future be published as an online resource on the County Council's [Planning Obligations Strategy web page](#), which will be updated as required to reflect changes to national policy guidance and updated figures for calculating obligations. Where changes are made notification of this will be given to Local Planning Authorities. Where significant changes are intended, these will be subject to re-consultation before being adopted.
- 1.18 This document should be read in conjunction with relevant Local Plan Policies and any Supplementary Planning Documents (SPDs) produced by the County Council and District / Borough Councils.

2 Purpose, Use and Application of Planning Obligations

- 2.1 Planning law and policy recognises that it is reasonable to expect that developers should contribute towards the costs of services, infrastructure or resources that would not have been necessary but for their development.
- 2.2 The 1990 Town and Country Planning Act (as amended by the Planning and Compensation Act 1991) established the statutory framework for developer contributions in the form of Section 106 planning obligations. The Act provides that a planning obligation may:
- Be unconditional or subject to conditions;
 - Impose any restriction or requirement for an indefinite or specified period; and
 - Provide for payments of money to be made, either of a specific amount or by reference to a formula, and require periodical payments to be paid indefinitely or for a specified period.
- 2.3 The National Planning Policy Framework (NPPF)¹ and the Planning Practice Guidance² are the Government's overarching national planning guidance and define planning obligations as being *"A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal."*
- 2.4 Legal agreements and any planning contributions run with the land in the same way that a planning permission does. This means that, once the permission is implemented they are enforceable against the developer who originally entered into the agreement and any subsequent person acquiring an interest in that land. These legal agreements must be registered as a land charge and will form part of the planning register, available for public inspection. Where a planning permission expires the planning obligation can be removed.
- 2.5 The Community Infrastructure Levy Regulations (as amended) and paragraphs 203 - 206 of the NPPF set out information on the use of planning conditions and obligations and the tests which should be applied. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. However, planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Planning obligations should only be sought where they are:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 2.6 The NPPF seeks to ensure that obligations allow development to proceed in a viable manner, taking into account market conditions.
- 2.7 The Planning Practice Guidance states that local authorities should not seek contributions from developments of 10 units or less, and which have a maximum combined gross internal floorspace of no more than 1,000sq metres. Where the County Council is consulted or are made aware of such developments, unless there is clear evidence available that the

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework-2>

² <https://www.gov.uk/guidance/planning-obligations>

application is below this threshold, the County Council may seek a contribution where a need for this is required to mitigate the impact of development. It should be noted that contributions will not be requested as a per dwelling payment as a matter of course. It is the impact of each individual proposal that will need to be assessed on a site by site basis to identify what contributions may be needed to make development acceptable.

- 2.8 If a legal agreement makes provision for a commuted sum to be paid to the Local Planning Authority (LPA), the money must be spent within a reasonable time frame. This period is usually five years but may be longer, if deemed appropriate. If the money is not spent within the agreed period, the developer should be reimbursed with the outstanding amount, together with any interest accrued, unless the agreement is varied.
- 2.9 This Strategy sets out the likely level of planning obligations which may be sought in relation to Nottinghamshire County Council's functions and services. However, it is acknowledged that planning obligations may have an impact on the overall financial viability of development. In such circumstances, Nottinghamshire County Council, through its Place Department would encourage open discussions with the developer and the LPA (which will include the County Council for Minerals and Waste planning applications) to achieve the most satisfactory outcome, without an undue burden being placed on either the developer or the County Council .

Relationship between Section 106 Obligations and the Community Infrastructure Levy

- 2.10 The Community Infrastructure Levy (CIL) is a funding mechanism intended to help fund major infrastructure to support the development of a wider area, rather than to make individual planning applications acceptable in planning terms. In Nottinghamshire, Bassetlaw District Council, Gedling Borough Council and Newark and Sherwood District Council have each introduced a CIL. In such areas developers and land owners may be liable to pay the Community Infrastructure Levy and enter into a Section 106 Agreement.
- 2.11 Where a Community Infrastructure Levy is in place, Local Planning Authorities are required to set out in a 'Regulation 123 List', the types of infrastructure or individual projects they will use the Community Infrastructure Levy to fund. The items on the Regulation 123 list cannot then be funded by Section 106 obligations. As part of the infrastructure planning and delivery process the County Council will work with CIL Charging Authorities in the production / review of their Regulation 123 List. This will include providing information to District / Borough Councils regarding the types of infrastructure which is required in their area and which would be best suited to delivery through CIL and responding to statutory consultations on Preliminary Draft and Draft Charging Schedules. Applicants are advised to consult the relevant District / Borough Council to ascertain the current Regulation 123 list which applies in the area concerned.
- 2.12 Where a development is proposed in an area which has a CIL Charging Schedule and Primary and / or Secondary education are on the Council's Regulation 123 list but the catchment school where contributions would be spent is located in an area without a CIL Charging Schedule, the County Council may seek a S106 obligation. Such requests will be made having consideration to the pooling restrictions which apply.

3 County Council approach to Planning Obligations

- 3.1 It is important that the County Council, District / Borough Councils, developers and their agents work together to identify and negotiate the contributions which may be sought to mitigate the impact of development.
- 3.2 The County Council's Planning Policy team within the Place Department will provide a single point of contact for developers and LPAs regarding planning obligations related to the County Council's services. It can be contacted via planning.policy@nottscc.gov.uk or 0300 500 80 80. The team provides advice on planning applications sent to the County Council for comment and will provide to the local planning authority following internal consultation:
- Advice on planning obligations sought;
 - Liaison concerning the drawing up of legal agreements; and
 - Information on the receipt and use of all planning contributions received by the County Council in order that a clear audit trail can be established.
- 3.3 In addition to the above:
- The County Council as Highway Authority will continue to assess any development which is likely to result in a material increase in the volume of traffic or material change in the character of traffic entering or leaving a classified road or proposed highway and seek local highways and transport contributions; and
 - The County Council Flood Risk Management Team will work closely with Districts / Boroughs and developers to secure suitable, feasible and sustainable drainage solutions for new developments that are sympathetic to wider flooding issues in an area.
- 3.4 The County Council will normally only seek planning obligations from 'major' developments which are defined as follows³:
- Residential development for 10 dwellings or more where the provisions of the Planning Practice Guidance are met (see paragraph 2.7 above);
 - Residential development on a site in excess of 0.5 hectares where the phasing of developments will add up to 10 dwellings or more;
 - Non-residential development of 1,000 square metres or more gross internal floor space;
 - Non-residential development on a site of at least 1 hectare.
- 3.5 When considering infrastructure and potential planning obligations requirements, the County Council will:
- Act in accordance with relevant planning policies and other policy documents including the Government's National Planning Policy Framework (NPPF);
 - Provide a coordinated response regarding infrastructure implications to the

³ Unless these differ from locally adopted policies

District / Borough Council consultations on all Local Plans, Supplementary Planning Documents (SPD's), Neighbourhood Plans, development briefs, planning applications and informal enquires;⁴

- Provide a coordinated response⁵ to planning applications, within the consultation timescales, unless otherwise agreed with the relevant District or Borough Council. Where it is not possible to respond by a specified date, the County Council will contact the District / Borough to notify them at the earliest opportunity including the reasons why the revised date by which comments will be submitted;
- On the occasions that the County Council is approached directly by a landowner, developer or agent requesting information on likely developer contributions, the County Council will provide the advice but copy correspondence to the relevant local planning authority;
- To ensure that infrastructure and contributions sought are compliant with the CIL Regulations, provide evidence and reasoned justification based on planning policies for requests for developer contributions;
- Identify a named individual to coordinate the County Council's response;
- Assess the capacity of existing infrastructure and services and particular area needs in areas planned for growth in District / Borough Local Plans and the infrastructure and service needs of any specific development proposal;
- Provide its coordinated response to the relevant District and Borough Councils and developers in a timely manner, and will provide draft heads of terms, including proposed triggers for incorporation into Section 106 obligations;
- Attend meetings with the relevant District and Borough Councils, applicants and their agents when requested and justified by the Local Planning Authority to discuss draft Section 106 heads of terms;
- Consult District / Borough Councils on County planning applications that it receives (in accordance with its statutory duty);
- Where requested by the relevant local planning authority, support the provision of evidence for planning appeals, including hearings and inquiries where the decision is supported;
- Provide support and appear as necessary at Local Plan examinations including responses to inspector's prehearing questions and appearing at the Hearings; and
- Participate in District / Borough Council's Development Team meetings when requested.

3.6 As part of an approach of working together to deliver sustainable development which provides the supporting infrastructure for the community the County Council asks that District and Borough Councils:

- Consult the County Council on scoping opinions, pre-application proposals and applications for planning permission for 'major' development (as defined on page 6);
- Allow a 14 day period (10 working days) for baseline information requests for all screening/scoping opinions and pre-application consultations;

⁴ Where a pre-application submission is made the County Council will provide an "in principle" response which sets out whether contributions are likely to be sought. Detailed information about the value of contributions will be provided should the proposal move forward to a formal application.

⁵ The Highways Authority and Flood Risk Management Teams may respond separately to consultation requests on a case by case basis, in these cases they will endeavour to meet statutory deadlines.

- Allow a statutory 21 day period (15 working days), excluding bank holidays or public holidays⁶, for responses on all consultations on planning applications, extended by agreement;
- Notify the County Council of proposed developments that are likely to involve County Council requirements at the pre-application stage;
- Inform the County Council as soon as practicably possible of any subsequent amendments to the proposal if the County Council's requirements are affected.

Viability

- 3.7 As required by the National Planning Policy Framework, in pursuing sustainable development local planning authorities must in determining planning applications, take into account the infrastructure requirements arising from a development and the viability of that development. In making such determinations, local planning authorities are encouraged to liaise with, and take the views of, the County Council into account and this will be balanced with local matters and available evidence.
- 3.8 The County Council notes that there is increased use of viability assessments to justify reduced or nil planning obligations. At the same time there has been a significant reduction in the level of public funding available to deliver necessary infrastructure. The result of these pressures has been that two key new issues are fundamental to any planning decision: sustainability and viability.
- 3.9 It is clear that a balance needs to be struck between supporting economic growth and ensuring that new developments do not have an adverse impact on existing and future communities.
- 3.10 The County Council will work with developers and Local Planning Authorities to help achieve planning obligations whilst being sensitive to the needs of development, e.g. by considering the use of flexible trigger points for payment of contributions in order to help ensure development proposals remain viable.
- 3.11 It is acknowledged that it will be the District / Borough Councils who will determine whether an obligation requested is CIL compliant and that they will consider the request for an obligation as part of the planning balance including viability. Where a viability appraisal is submitted by a developer, District / Borough Councils may carry out an independent assessment of the appraisal and this will be used to determine if the level of contribution is reasonable. Where the County Council has submitted what the District / Borough Council consider to be a CIL compliant request for a contribution but the issue of viability is raised (and which could lead to a reduced or zero contribution being secured); the County Council may ask to view copies of viability appraisals which have been submitted to the District / Borough Council. This is to allow the County Council to gain an understanding of the issues faced and, where necessary, brief senior officers and Members on what the implications of this will be on delivering the infrastructure required to mitigate the impact of development. The County Council acknowledges that some of this information may be commercially sensitive and in such circumstances, developers provide information in confidence. In these circumstances, it is appreciated that District / Borough Councils will have to obtain the

⁶ public holiday means Christmas Day, Good Friday or a day which under the Banking and Financial Dealings Act 1971 is a bank holiday in England

developer's consent to pass on information of this nature and in some cases this may not be possible. Where the issue of viability is raised and accepted by the District / Borough Council, the County Council will assess their infrastructure priorities and where requested provide clarification about what these will be in respect of the planning obligations sought as part of the planning application which is being considered.

- 3.12 The County Council request that this document, which indicates what level of contributions are needed, be taken into account in the financial appraisal of proposed development at an early stage, prior to agreement over other negotiable items such as land price.
- 3.13 The County Council recognises that it is the District and Borough Councils who will determine most planning applications and consider the obligation(s) requested in light of the viability of the development. In circumstances where Local Planning Authorities do not accept the County Council's full request for developer contributions, the County Council may request that a system for reviewing of planning obligations as the development proceeds be incorporated into an agreement. The methods for this will differ on a case by case basis and it will be the District / Borough Council who determine whether an overage clause should be included within the legal agreement. Where such reviews are undertaken it is acknowledged that this could lead to a reduction in contributions e.g. where market conditions worsen.
- 3.14 For larger scale developments where some degree of phasing is likely, it may be that whilst full policy compliant requirements cannot be met at the time when any Viability Assessment is undertaken, positive changes in market circumstances over time may allow additional contributions to be made whilst maintaining the economic viability of development. The County Council will work with Local Authorities in seeking to achieve such Contingent Deferred Obligations, when the County Council's full request for developer contributions is not accepted.

Impact of Reduced or Zero contributions

- 3.15 Paragraph 173 of the NPPF seeks to ensure that the sites are deliverable and that the policy constraints placed by planning obligations are not stifling development. There may be certain circumstances, e.g. due to viability, where a developer may put forward a case for reduced or zero contributions. This will have a significant impact on the delivery of infrastructure, especially where there are no other funding sources available which could lead to a shortfall in monies to fund infrastructure projects. Where there is clear justification for a reduced contribution the County Council will not object to a proposal.

Land for infrastructure

- 3.16 There will be some developments where land will be requested to help deliver infrastructure which is required to mitigate the impact of development, e.g. new schools / land to allow future extension of a school. The County Council will liaise with District / Borough Councils and developers and their agents in respect of the amount of land required and the timescale for its transfer to the County Council.
- 3.17 The following sets out the serviced site requirements where land is being provided for a new school:

A site remediated to an appropriate standard and without the presence of contamination, ordnance or protected species with all necessary and safe access and rights of access (including free and uninterrupted construction access and to enable the secure passage of people on opening), gas, electricity, potable water, foul and storm drainage, telecommunications, broadband internet and any other services or infrastructure appropriate (to adoptable standard where applicable) to the extent necessary to supply a Primary School (including a Sprinkler installation). Surface water drainage shall be provided to accommodate the 1 in 30 year design flow with attenuation up to 1 in 100 year plus climate change provided within the overall development site, where the utility is to be adopted with an executed agreement (if required) with the relevant body and transferred with confirmation that the infrastructure will be adopted without further payment to the relevant body.

Unilateral Undertakings

- 3.18 The County Council's preference is to secure S106 obligations through a bilateral agreement to which they are a party to ensure greater enforceability and transparency. However where a Unilateral Undertaking is put forward the County Council will give consideration as to whether such an approach is suitable to help ensure the delivery of an obligation for County Council infrastructure taking account of the specific circumstances.

Signing of Legal Agreements

- 3.19 Where the proposed development triggers a County Council requirement in terms of infrastructure, the County Council will request that they be a signatory to the agreement. As part of the process for preparing the legal agreement, District and Borough Councils should consult the County Council on the content of the draft document. This is to allow the County Council to provide input regarding the value of the various contributions (or in the case of land area and transfer requirements), the projects on which monies will be spent and the triggers for payment or provision of land. It will also help ensure that obligations on the developer are directly enforceable by the County Council and that obligations on the County Council are directly enforceable by the signatories of the agreement.
- 3.20 In addition, where a legal agreement includes a requirement for monies or a physical contribution to be made to the County Council, the developer will be required to notify the County Council Planning Department in writing of when development commences and when triggers for payment or provision of infrastructure are reached.

Indexation

- 3.21 In order to ensure that planning obligations provide for the actual costs of the infrastructure for which they are levied, all financial contributions agreed in legal agreements will be index-linked appropriately to reflect increases in build costs between the date the agreement is signed and the actual delivery date of the service or facility.
- 3.22 The indexation which will be used for County Council obligations will be the BCIS All-In Tender Price Index published by the Office for National Statistics contained in the monthly Digest of Statistics (or contained in any official publication) or such other index as may from time to time be published in substitution. Where local bus service contributions are secured the County Council will use the CPT Cost Index. Where a District / Borough does not

subscribe to these indices, the County Council will provide information about the level of uplift to the contribution so that the amount to be paid by the developer can be confirmed.

- 3.23 The County Council are aware that the Government are considering changes to the approach to indexation which may lead to a move away from BCIS to an index based on property or land value. Should such changes occur this document will be amended to reflect this.

Legal Fees

- 3.24 The County Council will recharge the developer its reasonable legal costs incurred in agreeing planning obligations for its services. These costs are payable for work done regardless of whether agreements are ultimately completed. Legal fees will be recharged on a time expended basis.

Payment of monies

- 3.25 Where agreed by District / Borough Councils, funds payable in relation to the County Council's requirements will be paid directly by the developers to the County Council. In other cases, the sums will be forwarded by the District / Borough Councils to the County Council when the terms and conditions set out in the Section 106 agreement are met and the monies have been received by the District/Borough Councils. In these cases the County Council will expect the District / Borough Council to commit to the payment of developer contributions to identified County Council projects, as set out in the S106 agreement. (once monies have been received by the District / Borough Council for those identified projects).
- 3.26 Where obligations are paid after the trigger has been reached, the County Council expects that the District/Borough Council will charge and recover interest on late payments which will be passed to the County Council with the contribution.
- 3.27 Where funds are to be paid to the County prior to completion of a project, the County Council will provide a written guarantee that if the project is not undertaken / completed or the money is not spent on an appropriate project within the time agreed within the legal agreement, the County Council will pay the money back to the District / Borough or to the developer.

Transfer of monies

- 3.28 In certain cases, in particular relating to education requirements, there may be occasions where S106 monies will need to be transferred to other organisations, e.g. The School Academy Trust. Where this occurs the County Council will enter into a Grant Agreement which will set out:
- The conditions of the grant;
 - The party to whom the monies are to be paid;
 - The amount of monies to be transferred and how this will be paid;
 - The project for which it will be used to deliver; and
 - The clawback period for spending the monies and the process for recovering it in the event that it is not spent in the time period specified.

Appeals

- 3.29 In the event that planning applications are refused by the Local Planning Authority, representations pertaining to infrastructure need may be recorded as objections and thereby set out as reasons for refusal. The County Council will assist Local Planning Authorities in defending such reasons for refusal at any subsequent appeal, and where considered appropriate, will submit a Planning Obligations Position Statement to the Inspector setting out the various contributions sought and how these requests comply with the three statutory tests. Clearly, Section 106 agreements may be entered into prior to the appeal to overcome the need for Nottinghamshire County Council to raise such objections with the appeal inspector.
- 3.30 Where an appeal is submitted to the District Council, the County Council requests that it is notified. This is to ensure that it has sufficient time to consider the need to submit additional information to the Planning Inspector and, if being determined by a Public Inquiry, whether it needs to attend to set out its position on the planning obligations sought.
- 3.31 The County Council will work with District / Borough Councils, developers and their agents in respect of all aspects relating to the provision of infrastructure that is required to mitigate the impact of development as set out above. The following sections of the document set out in detail the various contributions which may be sought on a case by case basis by the County Council.

ARCHAEOLOGY PROVISION

In its role as advisor in relation to archaeology, the County Council seeks to increase awareness of the importance of archaeological assets, and to protect them wherever possible. Whilst there are over 8,000 known archaeological sites and historic features across the County, new sites continue to be discovered, most frequently as a result of development activities. It is therefore important that measures are taken when planning permission is granted to investigate, record, analyse and protect this non-renewable asset.

Additional information on the location and types of archaeological sites and historic features throughout Nottinghamshire can be accessed via the County Council's Historic Environment Record (HER)⁷. For more information, please contact the Historic Environment team on 0300 500 80 80.

Whilst many issues relating to archaeology can be subject to a planning condition, it is felt that there are certain circumstances including large scale and / or complex schemes where it may be appropriate to seek a planning obligation to secure a preferred programmes of archaeological work.

Current guidance	<ul style="list-style-type: none"> National Planning Policy Framework (NPPF); Historic Environment Good Practice Advice in Planning Notes 1,2 and 3
Type of facilities for which obligation may be required	<ul style="list-style-type: none"> Archaeological consultants and contractors for investigation, recording, analysing, conserving archiving and reporting on archaeological structure or remains; Provision for site management, interpretation schemes and public access; and Provision of open space, to protect archaeological remains that are of sufficient importance to warrant preservation in situ, and the maintenance of the open space to prevent any form of ground disturbance in the future.
Type of development which may trigger need	<ul style="list-style-type: none"> All development which may have an impact on archaeologically sensitive structures or locations. (The extent of the interest must be located and defined through archaeological field evaluation)
Form in which contributions should be made	<ul style="list-style-type: none"> Commissioning of relevant programmes of work; Safeguarding of archaeological interest or provision for excavation, recording and archiving.
Does a threshold apply?	<ul style="list-style-type: none"> No threshold. Where sensitive sites are affected, it applies to all development proposals.
Location for application	<ul style="list-style-type: none"> Throughout Nottinghamshire (detailed information on sensitive areas can be provided by the County Archaeologist).

⁷ <http://www.nottinghamshire.gov.uk/whats-on/heritage/historic-environment-record>

GREEN SPACE

Accessible green space and green infrastructure contributes significantly to the health and wellbeing of local communities, as well as providing important habitats for wildlife. It also makes places more attractive to live, and contributes to an uplift in property prices.

Whilst matters relating to green space are usually subject to a planning condition, there may be circumstances where a legal agreement is required, e.g. large scale and / or complex schemes or where mitigation is required to deal with impacts on an off-site location.

Nottinghamshire County Council will seek contributions for the maintenance and upkeep of green space and green infrastructure under its ownership and / or management where development adjacent to or in the vicinity of such sites is likely to increase costs on the authority due to:

- additional wear and tear on site infrastructure;
- a change in the intensity of management caused by additional usage of the site;
- a requirement for tree safety works or improvements to site access and security due to the proximity of the development; and
- additional drainage provision

Additional information on the location and types of designated sites throughout Nottinghamshire can be accessed via the County Council's Nature Conservation team. For more information, please contact the team on 0300 500 80 80.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework (NPPF); • “Nature Nearby” Accessible Natural Green Space Guidance (NE265 October 2011) • National Planning Practice Guidance (NPPG) – Natural Environment;
Measures for which provision may be required	<p>To mitigate against and / or compensate for unavoidable impacts on the green space including natural environment, caused by development the County Council may seek the following measures to include, but not limited to, the following:</p> <ul style="list-style-type: none"> • Upkeep and maintenance of drainage, paths and access infrastructure, boundaries and security; • Tree and vegetation maintenance; • Waste bins; • Signage and interpretation; • Habitat protection, enhancement , restoration and creation (off and on site); • Landscaping - on site or strategic landscaping solutions; • Site management
Type of development	<ul style="list-style-type: none"> • All development which may have an impact on green space ; • Specific locations will need to be assessed individually.

which may trigger need	
Form in which contributions should be made	<ul style="list-style-type: none"> • All capital costs of implementation, mitigation or compensation measures; and • Maintenance costs for a period to be agreed (for example, up to 10 years).
How are the costs calculated?	<ul style="list-style-type: none"> • Contributions will be calculated on a case by case basis depending what is being requested.
Does a threshold apply?	<ul style="list-style-type: none"> • No thresholds apply (If sensitive features or sites are affected, it applies to all development proposals)
Where does this apply?	<ul style="list-style-type: none"> • All County Council green space and green infrastructure

HIGHWAYS AND TRANSPORT

One of the core planning principles in the National Planning Policy Framework (NPPF) is to actively manage patterns of development growth to make the fullest possible use of public transport, walking and cycling which can also have positive outcomes for health & wellbeing, and to focus significant development in locations which are or can be made sustainable. The transport system should be balanced in favour of sustainable and healthy transport modes, giving people a real choice about how they travel. All planning applications that propose developments that generate significant amounts of movement must be supported by a Transport Statement or Transport Assessment prepared in accordance with current Department for Transport guidance.

As the Local Highway Authority, the County Council will view the highway / transport elements of any applicable proposals with a view as to their suitability, sustainability, connectivity and acceptability in mitigating any adverse effects of the development on the local highway network using guidance contained within the NPPF and other relevant guidance. In those instances where the proposals made by the developer do not allow the adverse effects on the highway / transport network to be mitigated or where the development would be considered unsustainable in transport terms, the County Council will seek opportunities in co-operation with the Local Planning Authority for the introduction of transport improvements funded by the developer.

A hierarchical approach to these improvements will be taken to ensure the delivery of sustainable transport networks to serve any new developments provide (in order of preference):

- area wide travel demand management (measures to reduce travel by private car and incentives to use public transport, walking and cycling for appropriate journeys);
- improvements to public transport services, and walking and cycling facilities;
- optimisation of the existing highway network to prioritise public transport and encourage walking and cycling; and
- major highway capacity enhancements to deal with residual car demand.

It should be noted that current Government guidance means that the Highway Authority may only expect the Local Planning Authority to require a developer to make a contribution to a highway improvement or sustainable transport facility where the requirement for it is both a direct consequence of the development proceeding and that without it the development could not function properly.

Developers will be required to submit and agree with the local highway authority a travel plan and commit to future travel plan monitoring. Developer's will be required to pay a separate fee to cover the County Council's travel plan monitoring costs proportionate to the size of the development and the likely staff time involved. Contributions will be sought in all cases where it is necessary to make the development acceptable in planning terms.

Developer contributions for highways/ transport are an important source of funding to mitigate the impact of new housing developments on the transport network as follows. The level of funding contribution requested will be subject to the particular characteristics of the development site.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework; • Nottinghamshire County Council Strategic Plan; • Departmental Place Strategy; • Nottinghamshire Local Transport Plan (LTP); • LTP Implementation Plan; • Local Bus Strategy; • Integrated Passenger Transport Strategy and Delivery Plan- • Spatial Planning for the Health & Wellbeing of Nottinghamshire, Nottingham City & Erewash; • Rights of Way Improvement Plan
Type of facilities for which provision may be required	<ul style="list-style-type: none"> • Cycling & Walking measures, including infrastructure improvements for accessibility and upgrading of public rights of way. • Public Transport including bus infrastructure contributions to provide bus stop facilities, information (including real time information) and bus priority measures, including bus stop clearways and enforcement measures; • Local bus service contributions . For more details please refer to the document “Public Transport Planning Obligations Funding Guidance for Prospective Developers” (<i>link to be provided when published online</i>) • Travel Plan monitoring fee • Intelligent transport systems. • Highway capacity improvements.
Type and size of development which trigger need	Developer contributions will be generated primarily by residential and industrial development. Requests for contributions will generally be considered for all residential developments of 10 dwellings and above (where the provisions of the Planning Practice Guidance are met). However, contributions are also requested for employment and retail developments, for the equivalent scale of development.
How are the costs calculated?	All costs will be calculated on a case by case basis, including consideration of location, impact of the development, and the existing local infrastructure / services / facilities. The level of contribution will represent the cost of providing the necessary highway improvement(s) and transport services. as well as the relevant travel plan monitoring fee. Details of the monitoring fee (banded by size of development) are included in the “Annual charges for Highway Services” report. However in some circumstances the County Council may consider it more appropriate to seek a contribution instead.
Form in which contributions should be made	The contribution will be in the form of a S106 Agreement unless the infrastructure is to be delivered by CIL as set out on a Local Authorities CIL Regulation 123 list. It is the Council’s preference that funds are paid to the Council who will manage and co-ordinate provision of the agreed services and facilities enhancements in line with their role as the Local Highway Authority

LIBRARY PROVISION

The County Council has a statutory responsibility under the terms of the 1964 Public Libraries and Museums Act, to provide “a comprehensive and efficient library service for all persons desiring to make use thereof”.

In Nottinghamshire, public library services are delivered through a network of library buildings and mobile libraries, under contract with Inspire, a non-profit organisation. These libraries are at the heart of the communities. They provide access to books and DVDs; a wide range of information services; the internet; Wi-Fi and opportunities for learning and cultural activity.

The County Council has a commitment to maintain and develop a strong libraries network across the County and confirms the purpose of libraries as being places that aim to be at the heart of Nottinghamshire’s community life and that offer facilities to:-

- Inspire the enjoyment of books and reading;
- Create knowledge through access to learning, information and local heritage;
- Stimulate and encourage cultural activities; and
- Offer excellent and inclusive customer service for all every time.

The County Council has a clear vision that its libraries should be:

- Modern and attractive;
- Located in highly accessible locations; and
- Of suitable size and standard for intended users.

Therefore contributions from developments which place demand on library services are required in order to maintain this statutory responsibility and vision for libraries.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework (NPPF);
What contributions could pay for	<ul style="list-style-type: none"> • Construction and fit out costs of extensions / alterations to existing libraries; and • Stock costs.
Type and size of development which may trigger need	<ul style="list-style-type: none"> • Residential (including student accommodation) of over 50 dwellings may trigger a requirement for a contribution; • Where new development generates a need for additional library provision, a contribution will be required; • The need for a contribution will be established by comparing the current capacity of the library and population it serves against the number of people likely to be generated by the new development; • Where the existing library’s capacity would be exceeded, a contribution will be required;

	<ul style="list-style-type: none"> • The capacity of the library is determined based on a service requirement of 30m² of public library space per 1,000 population, based upon the current model of delivery and found in the Museums, Libraries and Archives (MLA) advice; • The catchment population of the library is identified by the home addresses of customers who borrow from that library using data from the Library Management System. For any postcode where the majority of customers use a specific library, that library will include that postcode in its catchment area.
How are the costs calculated and what are they?	<ul style="list-style-type: none"> • Where new development places demands on the library above its physical capacity, i.e. a new library or an extension to an existing facility is required the following standard build cost charges will be applied: • Building Costs (including stock): <ul style="list-style-type: none"> ○ Building costs linked to the RICS BCIS Tender Price Index and new build prices; ○ Fitting out costs including furniture and technology based upon current fitting out costs of new provision in Nottinghamshire. <p>Where such a contribution is required the cost will be determined at the time of the planning application and will be subject to negotiation with the developer</p> <ul style="list-style-type: none"> • Stock costs only: <ul style="list-style-type: none"> ○ Where a library building is able to accommodate the extra demand created due to a new development but it is known that the stock levels are only adequate to meet the needs of the existing catchment population, a “stock only” contribution will be sought; ○ The National Library Standard upper threshold cites a recommended stock level of 1,532 items per 1,000 population. At an average price of £10.00 per stock item (based on Askews Library Services book prices at September 2017). Thus costs for the provision of stock only is as follows: <ul style="list-style-type: none"> ○ £35.24 per dwelling (based on 2.3occupants per dwelling).⁸ <p>When contributions for stock are sought they will be calculated as follows:</p> <ul style="list-style-type: none"> • Number of dwellings x 2.3 per per dwelling = Number of people generated by the development • Number of people generated by development x 1.532 (items per 1,000 population) x £10.00 (cost per stock item)
Form in which contributions should be made	<ul style="list-style-type: none"> • Land, where required, and either the costs of construction of buildings to the County Council’s specification and fitting out costs including initial book stock and IT; or • Contributions towards stock increases.

STATUTORY EDUCATION PROVISION

Planning to meet increasing demand for school places

The Education Act 1996 states that Local Authorities have a duty to secure school places for all children of statutory school age who are resident in the Authority and whose parents want them to be educated in a state-funded school. Whilst subsequent Education Acts have amended various aspects of School Organisation, this obligation on Local Authorities has not changed.

In addition the County Council has a statutory duty to ensure a sufficiency of pre-school places (e.g. Play Group and/or Nursery provision) for children aged three and four. There is also a duty to ensure places for certain 2 year olds. Since 2017, the government has also delivered a policy to allow access to an additional 15 hours to working parents of 3 and 4 year olds. Contributions for nursery and pre-school provision may be required either for existing pre-schools or purpose built new facilities on a separate site, possibly shared with a school. Existing playgroups and nurseries (including private facilities) will be taken into account.

Funding for the provision of additional school places is derived from two sources:

1. An allocation from the Department for Education (DfE) to meet demand from the existing population; in this case an increasing demand for places is a direct result of either rising birth rates or a net inward migration; and
2. Developer education contributions which are required to mitigate the impact of new housing developments on infrastructure.

The annual Department for Education (DfE) School Capacity (SCAP) Return requires the local authority to state clearly where places are required as a result of new housing developments (increased demand) and, in addition, there is a requirement to list the new school or school expansion projects funded by Section 106 / CIL education contributions. Guidance for Local Authorities preparing their SCAP return is available at: <https://www.gov.uk/guidance/school-capacity-survey-2017-guidance>

Methodology for forecasting the demand for school places

The methodology employed by the County Council for forecasting pupil numbers is validated annually by Central Government through its SCAP process. Information about the methodology is set out below and more detailed information can be found at www.gov.uk/guidance/school-capacity-survey-2016-guide-for-local-authorities

The County Council groups schools (both primary and secondary) across the County into 'planning areas'.

Population profile data is aggregated to postcode and age group, which enables the numbers of children in each cohort to be mapped against school catchment areas. In turn, this data is aggregated to the planning areas. This provides the number of young people living in each planning area organised by National Curriculum Year.

The statutory school census data for an individual school for each of the past 3 years is compared to the corresponding population profile data for the planning area in which the school is located. This results in a 3 year period percentage intake from the planning area. These 3 percentages are averaged; however, the average is weighted towards the more recent census year. This percentage is then applied to the appropriate population profile data for the next 5 years to create a first admission and infant to junior projection for the following 5 years.

There is a degree of movement into and out of schools throughout the year and this may produce a 'cohort flux' – for example, losses or gains between one school year and the next. The average cohort flux for each year group over the past 3 years is calculated for the school and then applied to each cohort projection to project numbers for the following year.

The same methodology is employed to forecast the demand for secondary school places.

It should be noted that School Planning Areas are not static. As required by the DfE, the County Council are currently reviewing the planning areas and this may have an impact on future education requirements.

If a school has been delivered through the private Finance Initiative (PFI) the cost of delivering pupil places is increased by a factor of approximately 15%. This will be due to the terms of the legal agreement which will have been signed at the time the school was delivered.

Demographic Changes

In line with the underlying national trend, Nottinghamshire has seen an increase in birth rates across the County since 2007. This has been seen by an increase in numbers at primary schools, and the increase is currently moving into the secondary education phase. Historically the County Council has rarely required secondary education contributions, however these are more likely to be required moving forward.

Meeting expected demand resulting from proposed housing developments

The County Council's consideration of whether or not developer contributions towards education provision are required will be informed by the projected demand for places compared with the known capacity figures. *Seemingly 'spare' capacity at a school does not necessarily equate to there being sufficient capacity at that school. The DfE anticipates that Local Authorities will maintain a margin of 2% to allow for in-year movement between schools. This does NOT include new families moving into an area as a result of them occupying newly built houses.*

The projected demand for places, taking into account the proposed development, is calculated during the planning application process using the formulae described in the County's Planning Obligations Strategy. This is translated into a funding requirement which is detailed in the Strategy as a per pupil place cost. Any costs to be paid to the County Council will be index linked through the Section 106 agreement.

Where a new development is proposed in an area with sufficient projected capacity, no financial contribution will be required; where the proposed development would result in insufficient projected capacity, a contribution will be required. There may be a requirement, in some cases, for the provision of a completely new school. This is likely to be the case if the proposed development is in an area where all schools have already been expanded to reach their site capacity, or where

the development is large enough to sustain its own school. Where a new school is required, the base level of contribution will be an area of land for the required size of school, as defined by the DfE, plus the cost of building the school.

Delivering Education Places

The roll out of academies does not change the County Council's legal duty to ensure sufficient school places are available. Therefore when providing school places developers / agents should contact the County Council to discuss how these will be provided.

When a new school is required to mitigate the impact of development(s) this will be achieved through the Free School presumption process.

This approach requires the approval of the Regional Schools Commissioner acting on behalf of the Secretary of State.

Further information about these processes is available [here](#).

Where financial contributions are made to allow the delivery of new school places these will either be paid direct to the County Council or to the District / Borough. Where the latter occurs the County Council will submit a claim to allow the monies to be transferred to the County Council. Where monies will be used to deliver additional places at an academy, a Grant Agreement will be prepared by the County Council and sent to the Academy Trust for signing. This will set out the level of contribution to be transferred, how this will be paid, what the monies will be used for and the conditions for spend including circumstances which will see monies repaid to the County Council. Further information about these agreements is set out in paragraph 3.28.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework (NPPF); • Department for Education Strategy Overview 2015-20 • Policy Statement – Planning for schools development (DCLG 2011) • Schools Admissions Code (latest update 2014)
Type of facilities for which provision may be required	<ul style="list-style-type: none"> • Sites for new schools; • Construction costs of new schools; • Contributions towards additional classrooms; • Other building provision at existing schools (including additional grass / artificial turf sports pitches); where this releases additional capacity;
Type and size of development which may trigger need and what contributions will be used for	<ul style="list-style-type: none"> • Developer contributions will be generated by residential development, which create extra demand at local schools (subject to a lack of existing capacity at the local catchment schools). Requests for contributions will be made for all residential developments of 10 dwellings and above (where the provisions of the Planning Practice Guidance are met). When building a new school the County Council will consider the wider community use of both the school buildings and playing fields.

<p>The numbers of children generated by new developments</p>	<ul style="list-style-type: none"> • A development of 100 dwellings can be expected to generate 21 children of primary school age and 16 children of secondary school age (Calculated on the numbers of children of primary and secondary school ages which developments can be expected to generate. This is based on information provided by the Office of National Statistics); • The impact of individual developments on pupil numbers will be based pro-rata on the above figures to help calculate the appropriate level of planning contributions required.
<p>What if there is spare capacity at the existing catchment schools?</p>	<ul style="list-style-type: none"> • Contributions will be required for every pupil place required in excess of the projected capacity (if calculations indicate that spare places will exist in the catchment primary and / or secondary school by the time the development can reasonably be expected to generate new demand for places, the requirement will be adjusted accordingly). • Projected capacity will be calculated on the basis of: <ul style="list-style-type: none"> - the school's existing net capacity - any planned changes to the school building stock affecting the school's net capacity calculation (a revised net capacity); - pupil projections (revised annually); - Infant Class Size legislation, which limits the size of key stage one classes to 30 per teacher; and - development(s) with planning permission which will generate a need for pupil places (and which may itself have been subject to a contribution) which will have been factored into the assessment of available capacity for new applications; • It should be noted that the DfE anticipates that Local Authorities will maintain a margin of 2% to allow for in-year movement between schools.
<p>How are the costs calculated and what are they?</p>	<p>The approach to calculating the cost of obligations to enable provision of the extra school capacity made necessary by development will depend on the size of the development proposed.</p> <p>For smaller developments of less than 150 dwellings, the level of contribution will be based on the formula of "cost per pupil place" derived from the levels of funding provided by the Government to Nottinghamshire to provide extra school places. These cost multipliers are provided to the County Council by the Department for Education (DfE), at a price base of May 2016. They are the per pupil funding amounts used by DfE to calculate the Basic Need funding allocation awarded to local authorities and are adjusted to account for regional building cost variations.</p> <ul style="list-style-type: none"> • The costs per school place are: <ul style="list-style-type: none"> - £ 13,656 for primary education; and - £ 17,753 for secondary education. • These figures will be updated as and when the DfE produces updated information or through changes to building costs using the appropriate BCIS indexation. These figures are index-linked from the date of the

	<p>relevant legal agreement relating to the granting of planning permission to the BCIS All-In Tender Price Index.</p> <ul style="list-style-type: none"> • For developments of over 150 dwellings, contributions will be based on the anticipated build cost of the project required to deliver increased places which will take the form of extensions to schools or new schools. This will be calculated by the number of pupil places generated for which there is no forecast available capacity multiplied by the cost per pupil place created by the project • The education contribution sought, for development under 150 dwellings will be calculated based on the number of pupil places generated for which there is no forecast available capacity multiplied by the cost per pupil place based on the latest DfE cost multipliers. • If a school has been delivered through the Private Finance Initiative (PFI) the cost of delivering pupil places is increased by a factor of approximately 15%. This will be due to the terms of the legal agreement which will have been signed at the time the school was delivered.
<p>What are the triggers for payment?</p>	<p>Whilst obligations need to relate to the impact of development proposed across time, it is important that funding is available in advance to ensure that the necessary investment can be made in order to deliver school places when actually needed. It typically can take at least 2-3 years to deliver a project to expand school places in any one locality. As such the County Council will work to the following triggers in negotiating each obligation:</p> <p>Developments of 50 or less dwellings (Small Project) 50% on commencement of development 50% within 1 year of commencement of development or the completion of the development whichever is the sooner. NB: Contributions based on formula index linked</p> <p>Developments of over 50 or up to and including 150 dwellings (Medium Project) 50% on commencement of development 50% at completion of 50% of the development or within 2 years of the commencement of the development whichever is the sooner. NB: Contributions based on formula index linked</p> <p>Developments of over 150 or less than 300 dwellings (Large Project) 50% on commencement of development 50% at completion of 50% of the development or within 3 years of the commencement of the development whichever is the sooner. NB: Contributions based on build costs index linked.</p> <p>Developments of 300 dwellings and over (Major Project)</p>

	Triggers will reflect the complexity of the agreed solution which could include a new school. However it can be assumed as in all the above projects that 50% will be required on commencement of the development.
The cumulative effect of a number of developments	<ul style="list-style-type: none"> • When assessing the impact of new development on school places and the need for obligations, the County Council will take into account permitted development expected to deliver new homes in the next five years and any outstanding applications. Where one application does not justify obligations owing to spare capacity in local schools but a further application would result in capacity being exceeded, the County Council will seek to ensure that obligations are requested and shared between all eligible applications. • The cumulative effect of several developments in an area will sometimes determine if a group of small/medium projects become a large or major project and contributions will change from being based on formula to being based on build costs. • At Local Plan stage it may often be assessed that there needs to be a single solution to provision of increased school capacity caused by the demand for school places resulting from development of a number of proposed housing sites. The County Council and relevant District / Borough Council will work together to agree an approach to securing land where needed for school provision and ensuring that all developments fund provision on an equitable basis, taking into account where one site provides the land .
Do any discounts apply?	<ul style="list-style-type: none"> • The costs are calculated on the basis of a mix of housing types and are not discounted unless the development proposed is solely for apartment developments which are unsuitable for families, or specialist units, such as those for the elderly; • Where a development is solely for apartments, the contribution will be discounted for the 1 bed unit element of the development – the County Council will not require a contribution for these units; • There is no discount for developments which are solely or wholly for affordable / social housing, as evidence shows that these can reasonably be expected to generate at least as many children as private housing, and often more.
What about large developments which generate the need for a new school?	<ul style="list-style-type: none"> • Where a new school is required to mitigate the impact of development(s), taking into account capacity in existing schools, the County Council will require fully serviced land to accommodate the school from the developer(s) , plus sufficient monies, which will be based on build cost (which will be different to the cost per pupil referred to above) to deliver a new school taking into account any relevant building standards requirements and the BB 103 and NCC specific requirements and issues relating to the proposed site itself; • The cost of the new school will depend upon its required size. The current estimated cost of a 210 pupil primary is £4 million pounds so the cost per pupil will be a minimum of £19,048 (£4m divided by 210).

	<ul style="list-style-type: none"> • It is County Council policy that no new schools smaller than a 210 primary will be planned. In cases where developments will not fund a 210 primary or the future demand for places is unlikely to materialise in the area, creative solutions will required. • The County Council will provide the developer with the option of building the new school, subject to meeting the required DfE and NCC standards.
Form in which contributions should be made	Land where required, and financial payment either based on the costs of construction of buildings or work in kind, to the County Council's specification or through the formula approach.

WASTE MANAGEMENT & RECYCLING

Meeting additional demand on waste facilities

Several of Nottinghamshire's Recycling Centres are now at or close to capacity and with significant house building in their catchment area will no longer be fit for purpose. Where significant additional housing is planned and a catchment site is at or close to capacity it may be necessary to seek developer contributions to support the construction of a new or expanded Recycling Centre site.

District and Borough Councils publish their Local Plans which set out the expected housing growth over the coming years. This predicted rise in housing will be used to formulate how large a contribution any one housing development will be expected to make. In April 2015 regulations were amended which limited the pooling of developer contributions to no more than 5 obligations, therefore it is important that only the largest of housing developments will be expected to make a contribution should a new or improved waste facility be required due to increased population within the catchment area.

Large housing developments will generate significant levels of additional waste, with each household in Nottinghamshire on average taking 250kg of waste to the County's Recycling Centres each year. In addition to this, there are a number of additional factors that influence the need to replace or upgrade recycling centre sites, these include:

- Additional new users at many recycling centres may lead to an increase in queuing times and congestion in the area;
- Additional site usage and therefore waste may mean an increase in vehicles needing to access the sites to remove waste. This can mean public access to the sites is further restricted whilst the waste is removed; and
- The site no longer being acceptable with regards to public usability such as not being split level for ease of disposing of waste and therefore can present accessibility and health and safety issues with the public having to use steps and ramps to access skips.

Contribution Model

In order to ensure a fair contribution request is made the following model has been developed that works out a contribution per household. The contribution per household will vary from district or borough to district based upon the expected housing in the area as well as land purchase or lease costs.

The 'per household contribution' will be determined as follows:

A = Contribution per household

B = Capital costs associated with construction of new or extended site

C = Saleable assets of old site where appropriate
D = Land lease costs per annum
E = Length of lease in years
F = Existing households in the catchment area/borough/district
G = Expected additional housing as set out in relevant Local Plan/s.

$$A = (B - C + (D * E) / (F + G))$$

Example

A proposed development of 2,000 houses would require the development of a new Recycling Centre. The capital costs for a new site are £2,500,000 and the existing site has £500,000 of saleable assets. The new site will be on a lease of 25 years at a cost of £50,000 per annum. The current catchment of the area is 40,000 with the Local Plan setting out a further 5,000 new homes over the coming years. The developer contribution sought would be £144,440 based on a 'per house contribution' of £72.22.

$$(2,500,000 - 500,000 + (50,000 * 25) / (40,000 + 5,000)) = £72.22 \text{ per household}$$

Contribution Threshold

Any proposed development of 200 new dwellings may trigger the need for a developer contribution to support the development of a new or improved recycling centre capable of serving the expected additional demand in the area. Any request for contributions will be based on the need for a new or improved recycling centre and the overall expected housing development in the area.

Land as Contributions

In cases where a new site is required it may be possible for a developer to gift land that is deemed to be in a suitable location for the construction of a new Recycling Centre. Any agreement of land to be used can contribute to part or all of what would otherwise be a financial contribution. Any offers of land as a contribution will be considered on a case by case basis.

Mineral Development

All mineral development, including both extraction and associated processing, could give rise to issues including highways, flood risk, landscape character and archaeological and ecological impact.

There are many areas where mineral extraction will continue to affect local communities. In order to ensure that a balance is struck between society's needs for minerals and the need to protect the local environment, measures need to be secured through legal agreements associated with planning permissions for minerals developments.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework (NPPF); • National Planning Practice Guidance (NPPG) – Minerals • Nottinghamshire Minerals Local Plan, Adopted Dec 2005 • Emerging Nottinghamshire Minerals Local Plan
Measures for which provision may be required	<ul style="list-style-type: none"> • Highway improvement and reinstatement works, lorry routing arrangements, off-site highway safety works; • Off-site provision of landscaping, screening, noise attenuation measures, flood mitigation measures etc.; • Off-site monitoring of noise, dust, blasting impact; • Financial guarantees for site restoration; • Provision for extended aftercare; • Long term management of restored sites; • Archaeological consultants and contractors for investigation, recording, analysing, archiving and reporting on archaeological structure or remains; • Off-site provision for habitat protection, enhancement, restoration and creation; • Safeguarding protected species and species of local biodiversity interest; • Public access; • Associated community facilities and projects; • Transfer of land ownership and associated management provisions.
Type of development which may trigger need	<ul style="list-style-type: none"> • All minerals development, including both extraction and associated processing (including emerging technologies such as shale gas development); • Proposals which give rise to issues in respect of impacts on highways and residential amenity, visual landscape and ecological impact; • Site restoration which provides an opportunity for creation of habitats and features of landscape and ecological interest.
Form in which contributions should be made	<ul style="list-style-type: none"> • Commuted sums (for highways works);

	<ul style="list-style-type: none"> Establishment of trust funds (for long term management of restored sites, for example Quarry Products Association have a Restoration Guarantee Fund).
Does a threshold apply?	<ul style="list-style-type: none"> No threshold – obligations apply to all development proposals and will depend on specific circumstances.
Where does this apply?	<ul style="list-style-type: none"> All areas containing workable minerals reserves in Nottinghamshire.

WASTE DEVELOPMENT

All waste development proposals could give rise to issues including highways, flood risk, landscape character and archaeological and ecological impact.

There are many areas where the treatment of waste will affect local communities. In order to ensure that a balance is struck between society's needs for waste infrastructure and the need to protect the local environment, measures need to be secured through legal agreements associated with planning permissions for waste developments.

Current guidance	<ul style="list-style-type: none"> • National Planning Policy Framework; • Waste Management Plan for England; • National Planning Policy for Waste (Oct 2014); • Planning Practice Guidance – Waste
Type of facilities for which provision may be required	<ul style="list-style-type: none"> • Highway improvement and reinstatement works, lorry routeing arrangements, off-site highway safety works; • Off-site provision of landscaping, screening, noise attenuation measures etc.; • Off-site monitoring of noise, dust, groundwater, landfill gas migration – provision of leachate/landfill gas control measures; • Provision for extended aftercare; • Archaeological consultants and contractors for investigation, recording, analysing, archiving and reporting on archaeological structure or remains; • Long term management of restored sites; • Habitat creation, enhancement and protection; • Safeguarding protected species and species of local biodiversity interest; • Transfer of land ownership and associated management provisions.
Type of development which may trigger need	<ul style="list-style-type: none"> • All waste management development though arrangements for leachate and landfill gas controls and extended restoration provisions are normally associated with landfill sites only.
Form in which contributions should be made	<ul style="list-style-type: none"> • Commuted sums (for highways works); • Establishment of trust funds (for long term management of restored sites); • Off-site leachate/landfill gas control measures usually implemented directly by the operator.
Does a threshold apply?	<ul style="list-style-type: none"> • No threshold – obligations apply to all waste development proposals and will depend on specific circumstances.

**Where does this
apply?**

- All areas of Nottinghamshire.

REPORT OF THE CORPORATE DIRECTOR, PLACE

RIGHTS OF WAY MANAGEMENT PLAN FOR NOTTINGHAMSHIRE (2018-2026)

Purpose of Report

1. To report the outcome of the consultation on Nottinghamshire's Draft Rights of Way Management Plan (2018-2026), to approve the proposed revisions and to incorporate them in the final document for consideration and adoption by the Authority's Policy Committee.

Information

2. 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.
3. 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.
4. The County Council is required, in exercising functions under the Highways Act, to have regard to provisions within its ROWIP. It is also required to revisit its ROWIP at intervals not longer than every 10 years and, if it is to be amended, to publish a revised plan.
5. 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 plan more focused on the management of the network rather than the focus on more 'aspirational' improvements contained within the inaugural ROWIP.

6. Following approval by the Authority's Communities and Place Committee on 7th December 2017, the draft ROWMP was placed on public deposit for a 12-week period between 18th January and 12th April 2018.
7. Consultees were asked to complete an online questionnaire which consisted of 10 questions (see **Appendix 1**). The form had open and closed questions and the opportunity to make general observations. Consultees were also invited to prioritise on the actions detailed in the Plan's Statement of Action. A summary report has been produced highlighting each comment and the County Council's response (see **Appendix 1**).

Consideration of Responses

8. During the consultation period, 34 comments were received from organisations and individuals. 32 completed online forms were received. Other general comments were presented by e-mail and letter.
9. In summary, 97% of those who replied on the comments form 'supported the general principles of the ROWMP.
10. The County Council has considered each of the comments. Nottinghamshire Local Access Forum (LAF) has also contributed to the production of the Plan, as required by statute.
11. As a result of the consultation, a small number of modifications to the Draft Plan are proposed. Many of the comments received focused on small text changes and factual updates.

Nottinghamshire's ROWMP

12. 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 and it recognises the interests of agriculture, forestry and other land occupiers in the management of rights of way.
13. Public rights of way and countryside access have a key role in helping deliver and complement the Council's key priorities in the County Council's Strategic Plan (2017-2021), the Place Department Strategy and the Local Transport Plan (2011-2026). The ROWMP will serve as the over-arching focus for the protection, creation and, where possible, enhancement of responsible countryside access in Nottinghamshire.
14. 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. In paragraph 8 of the previous report to this Committee, it was stated that an Equality Impact Assessment (EqIA) would be undertaken during the period of public consultation. However, in order to ensure that the EqIA took into account any comments received as part of that consultation and of this Committee's consideration of the draft ROWMP, officers will now undertake an EqIA before the draft ROWMP is considered by Policy Committee.
15. A draft Executive Summary is included as **Appendix 2** and the final draft document as **Appendix 3**.

What happens next?

16. If approved by Communities and Place Committee, the Plan will be presented to the Authority's Policy Committee in September 2018 for final approval and adoption.
17. An annual report will be produced highlighting the progress of the actions as set out in the Plan's Statement of Action.
18. The adopted Rights of Way Management Plan covers an eight year period up to 2026 and will be reviewed in line with the next Nottinghamshire Local Transport Plan (2026).

Other Options Considered

19. None – the County Council is required by law to hold and to revise its ROWMP.

Reason/s for Recommendation/s

20. 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

21. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Public Sector Equality Duty implications

22. As per paragraph 14 above an Equality Impact Assessment (EqIA) will be undertaken prior to the ROWMP being presented to the Authority's Policy Committee in September 2018.

Implications for Sustainability and the Environment

23. Public rights of way and wider countryside access can play a key and important role in providing access to both essential services and recreational facilities providing wider physical and mental health benefits.

RECOMMENDATIONS

It is recommended that Committee:

- 1) Approve the proposed revisions to the draft Consultation Rights of Way Management Plan as set out in **Appendix 3**.
- 2) Approve the submission of the final draft Plan to Policy Committee for consideration and adoption.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Neil Lewis, Team Manager Countryside Access, Tel: 0115 9773169

Constitutional Comments [SJE – 19/06/2018]

24. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for policy development in relation to the planning, management and maintenance of highways has been delegated, with the relevant regulatory functions referred to in the draft 'Rights of Way Management Plan' currently delegated to the Planning & Licensing Committee. Formal approval of the final 'Rights of Way Management Plan' is reserved to Policy Committee.

Financial Comments [DJK 09.07.2018]

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

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.

Nottinghamshire's Rights of Way Improvement Plan 2007
Draft Nottinghamshire Rights of Way Management Plan 2018 - 2026

Electoral Division(s) and Member(s) Affected

All

Rights of Way Management Plan 2018 – 2026

Draft ROWMP consultation

Summary of comments

APPENDIX 1

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1.0 Nottinghamshire's ROWMP consultation January to April 2018

As part of the consultation process for Nottinghamshire's draft Rights of Way Management Plan, consultees were asked to complete an online comments form which consisted of ten questions. The form included open and closed questions including the opportunity to make general observations. Consultees were also invited to prioritise on the actions detailed in the draft Plan's Statement of Action.

2.0 Summary of results from consultation

Question	Response
Q1. Do you support the general principles of the Plan?	Yes - 97%
Q2. Do you think research in support of the draft ROWIP included an adequate assessment of users needs?	Yes - 93%
Q3. Any comments relating to Q2?	Yes – 23%
Q4. Do you think an adequate assessment of the rights of way network in Nottinghamshire was made in producing the draft ROWIP?	Yes - 97%
Q5. Any comments relating to Q4?	No
Q6. A question asking respondents to prioritise on the six key aims of the ROWIP.	-
Q7. Do you agree with the policies and procedures outlined in chapter 6 of the draft ROWIP?	Yes - 90%
Q8. Any comments relating to Q6?	Yes - 38%
Q9. A question asking respondents to prioritise on the actions in the Statement of Action.	-
Q10. Are there any other issues you would like to see covered in the ROWIP?	Yes - 53% added additional comments (see attached)

3.0 Question 3 – additional comments relating to the assessment of user needs

Comment made by:	Comments summary	NCC response	Text amended
	<p>Section 4.3 dog walkers, I live near the tram route I have lost a lovely walk which used to be the old tram route.</p> <p>Your ROWMP would help if it could feed the suggestion for an off lead dog parks in Nottingham be established. Your plan is helpful and knowledgeable but could do more.</p> <p>Your appendix 1 shows that land managers have highlighted fowling dogs as their top priority. Yet you have no solutions, bins are difficult to manage,</p> <p>Section 7. 1.4 your aims first bullet point could be addressed if you provide well thought out Off-secure areas for dog walkers, funded by membership which could address another one of your bullet point for funding. If you need help with this point I'd be happy to join you as I am a resident of Rushcliffe and need a safe place for my dogs.</p>	<p>Noted.</p> <p>Noted. Willing to discuss issues with respondent and District Council.</p>	<p>No</p> <p>Yes</p>
	Sorry, surely you could have come up with a shortened version, who has time to read 148 pages!	Executive summary available.	No
	Very likely, although it is hard to tell. There does not seem to have been much publicity locally.	Noted	No
	More could be done to create safe off road walking or cycle paths to encourage more children and inexperienced walkers/cyclists to exercise safely and in a healthy environment away from traffic fumes	Noted	No
	Parts of Nottinghamshire have very poor bus links even in the week. Shamefully the villages north of, Collingham had better bus links back in the 1980's than to-day! this is just one example	Noted	No
	Results were based on existing statistics. How many users were actually quizzed on their opinions and use of the Rights of Way	Extensive surveys and research were undertaken in the Pilot Plan and the 1 st Plan. Recent surveys background	No

		information has been gleaned from users groups, the Local Access Forum and general correspondence to NCC's Countryside Access Team.	
	<p>The Plan says the "The most popular activities are cited as walking and cycling although horse riding continues to be a popular activity...".</p> <p>Whilst cycling is a more popular activity than horse riding many cyclists only ride on the road network. Horse Riding may well be a more popular activity than cycling on the PROW network.</p> <p>Your plan needs to reflect that reality. That is certainly the impression I get from using the bridleways in the county. Elsewhere the plan refers to the "prevalence of Mountain bikes". I don't think mountain bikes are prevalent over road bikes. In recent years there has been a relative decline in mountain bike sales as against road bikes.</p>	<p>Mountain biking is wide spread throughout the County but is particular popular in the former Dukeries estates.</p> <p>Agreed road bikes are very popular but this Plan focus is on countryside access.</p>	No

4.0 Question 5 – additional comments relating to the network assessment

<i>Comment made by:</i>	<i>Comments summary</i>	<i>NCC response</i>	<i>Text amended</i>
	No comments received for this question.		

5.0 Question 6 – a question asking respondents to prioritise on the ROWIP’s six key aims

<i>Ref.</i>	<i>Aim</i>	<i>Ranking</i>
Aim 1	To protect, maintain and seek to enhance the network for all lawful users	1
Aim 2	To improve access to the network for all, including those with visual impairment and mobility problems, by adopting the principle of the least restrictive option	3 (joint)
Aim 3	To improve the safety and connectivity of the metalled road network with the rights of way network	4
Aim 4	To increase awareness of the network 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
Aim 5	To provide a revised and updated definitive map and statement, with particular reference to the resolution of map anomalies and support for the ‘Lost Ways’ project	2
Aim 6	To enhance and increase community involvement in managing and improving the network	3 (joint)

6.0 Question 8 - additional comments to relating to policies and procedures

Comment made by:	Comments summary	NCC response	Amend text
	An online version of the Definitive Map and Statement would be useful. If it is, publicising it may encourage more people to use the network.	The Definitive Map is a hard copy kept at County Hall and is available to view by appointment. A working non-definitive copy is available to view online at www.rowmaps.com	Yes
	Many walkers are of the senior age. It would help all senior people if a reliable and regular bus service into and around Nottinghamshire (at least) connecting all major towns with the most popular walking areas. This would aid the fitness and wellbeing of this growing band of people to be less reliant upon the NHS etc. The connectivity of buses from Newark for example is very poor.	Noted.	No
	Although the enforcement of policy A1-9 has seemed very poor.	Noted.	No
	This section is very overwhelming and not accessible to a lay person.	Noted.	No
	The plan says nothing, it just states the Status Quo.	This section of the Plan clarifies the NCC position on a number of important Row issues.	No
	You are asking for a yes/no answer to 28 pages of policies and procedures?! How is it possible to agree or disagree with all of them!	Noted. Additional comments section to be used for individual policy comments.	No
	A new by-pass/road can open up, new opportunities. This normally equates to more housing/industry/traffic. However, sometimes the countryside and the wildlife are incorporated, to some degree. Many demands are made of the land. farming-quarrying-housing-industry-extraction [gas/oil] sometimes I fear for the land has we humans over ride are needs and in doing so lose part of nature and sadly part of our self's.	Noted.	No
	I find the barriers a real	Noted, see Para	No

	<p>nuisance. I cycle along the canal between Butler and QMC, and spend a large amount of time negotiating staggered barrier obstructions. I don't understand what purpose they serve, and they are a real nuisance to cyclists. If the intention is to slow down the cyclist on road approach, then that can be done without having to dismount, although it seems odd that in a dangerous area the slow user is asked to slow down, surely the fast user should be slowed?</p> <p>The barriers are also a deterrent to wheelchair users, and parts of the canal (e.g. Cotgrave Park) are now nicely surfaced as an accessible route. In addition, there are barriers along the route that serve no purpose at all, being placed in the middle of nowhere and not at a junction with main road (e.g. new barrier inside Cotgrave Park along the canal, and another along the canal between Shephards road and Basingfield).</p> <p>I could see the point of barriers if the stop dogs or children running onto road (I have a dog and a closed gate would be useful), but the staggered crossing is the worst of both worlds, forcing cyclists to dismount and preventing wheelchair access whilst doing nothing for the safety of dogs and children. Either no barrier or a closed gate would be better than the staggered barrier.</p> <p>Stiles are a problem for less able people.</p> <p>There is also a massive problems with access across fields. Farmers largely ignore rights of way where I walk, with fields ploughed, obstructed by crop, hedges overgrown, and fallen trees blocking for years. I appreciate that farmers cannot act on obstruction immediately, but around me there are public rights of way that are permanently obstructed.</p>	6.5.5 of the Plan.	
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	<p>I had emailed you about this (several times), and the landowners were notified, but nothing has changed. There must be a way of enforcing these routes. I appreciate farmers won't bother if a route isn't used, that's fine (although it probably isn't used because it's obstructed), but if they are notified, then they MUST act. They have not acted when I reported it before. This must be enforced, with penalties that could support the cost of enforcement."</p>	Noted, see section 6.7 of the Plan.	No
	<p>Signage should reflect the Character of the land through which the path is passing.</p> <p>Stiles should NOT be used - footpaths are particularly important to encourage exercise amongst those with limited mobility, and stiles are very difficult for those with limited movement of knees and hips.</p> <p>Maintenance and Enforcement We are particularly supportive of the lengthmans schemes and that it continues. They should be an integral part of the strategy</p> <p>Processing applications takes far too long - e.g. discussions on reopening the Southwell racecourse access has been ongoing for 6 years without success despite agreement by all parties.</p> <p>Deviation required by new developments should not where possible be on roads or pavements as a first option. Alternatives should be researched.</p> <p>Opportunities - Further and continued development of interconnection of existing paths with other local and national networks should be undertaken."</p>	<p>Noted.</p> <p>Noted, as per the Plan the Authority encourages Farmers to replace their stiles with gates.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted, see xx of the Plan.</p> <p>Noted and ongoing where resource allows.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>
	<p>Policy A5 8 is strongly supported. This is a way of making the network suitable for current recreational needs. Creation orders and agreement should be used more often. The council needs to use the powers that it has to create a suitable</p>	Noted.	No

	<p>network and reduce road accidents.</p> <p>Policy A1 13 it is not clear whether the bullet points are ""stand alone"" or ""conjunctive"" they should not be considered ""conjunctive""; The use of the word ""or"" after each point would clarify this issue.</p> <p>Policy A1 14 The council needs to confront the Canal and River Trust on the equestrian access to towpaths and to make creation agreements or orders on such routes where suitable. This has already been done on part of the Grantham Canal where a kilometre of public bridleway has been created. There is no good reason why this could not be further extended to other sections of the canal and other suitable canals. This would have safety benefits for the public.</p>	<p>Noted and amended.</p> <p>Noted. The length of bridleway on the Grantham Canal was added to the Definitive Map by way of a Definitive Map Modification Order not a Creation order.</p>	<p>Yes</p>
	<p>Maintenance – 6.2.1: the standard and frequency of maintenance of PRowS seem to have improved dramatically since the advent of ViaEM. It is likely that, at least in the shorter term, the number of defect reports will rise given the perception that they will result in effective remedial action being taken; then probably decline over time as the general maintenance standard improves. The effect of this on resources is only partially recognised in 6.2.2.</p>	<p>Noted.</p>	<p>No</p>
	<p>I particularly support the council using its to create routes to make good gaps in the network and to reduce road accidents especially for horse riders. The council needs to take active steps to ensure all suitable cycle tracks are open to horse riders including those on canal towpaths. This would improve public safety as there is a great deal of evidence of injury and death on the roads caused by interaction of horses with traffic but NO evidence that horses pose a risk to other non-motorised users.</p> <p>I strongly support the policy A5</p>	<p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p>

	<p>8. This is the only realistic way a safe and viable network for horse riders is likely to develop in some areas. It should apply where there obvious gaps in the network and were road safety issues would otherwise exist.</p> <p>The policy should be applied to insure all appropriate cycle routes should be developed to allow horse riding including appropriate lengths of canal tow path. The Canal and River Trust need to be challenged about this.</p>		
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7.0 Question 9 – a question asking respondents to prioritise on the actions in the Statement of Action

<i>Action ref. No.</i>	<i>Ranking</i>
SOA1.2	77
SOA1.3	70
SOA1.5	70
SOA1.1	67
SOA1.4	66

<i>Action ref. No.</i>	<i>Ranking</i>
SOA2.3	70
SOA2.6	69
SOA2.2	68
SOA2.5	65
SOA2.1	63

<i>Action ref. No.</i>	<i>Ranking</i>
SOA3.3	69
SOA3.1	67
SOA3.2	67

<i>Action ref. No.</i>	<i>Ranking</i>
SOA4.1	62
SOA4.2	57
SOA4.4	57
SOA4.3	56
SOA4.5	53

<i>Action ref. No.</i>	<i>Ranking</i>
SOA5.1	73
SOA5.6	72
SOA5.2	71
SOA5.3	69
SOA5.5	63
SOA5.4	58

<i>Action ref. No.</i>	<i>Ranking</i>
SOA6.1	67
SOA6.2	67

8.0 Question 10 – Are there any other issues you would like to see covered in the ROWIP?

Comment made by:	Comments summary	NCC response	Text amended
	Enhance existing rights of way with secure off lead dog parks. Hold farmers accountable when they shot dogs that were not doing anything wrong.	Noted	No
	A more detailed policy covering working with community groups	Noted, individual discussion will take place with partners.	No
	There is nothing about: creating alternative; quiet way"" routes between locations; the linking of existing dead-end PROWs to create a better network; working with central government on opening up access of PROWs to more users; working with agencies (such as Sustrans) to facilitate the above I am very disappointed in the direction this plan has taken. As you state up front, all the aspirational goals have been removed, so it comes across as a bit of a tick boxing exercise.	Disagree, references are made to connectivity, anomalies, and partnership working with all stakeholders. Noted.	No
	Does 5.7 above exist? I didn't see any reference to the safety of pedestrians v cyclists. In the area where I live many of the ROW have been opened to cyclists and there is only one path still dedicated as a footpath. Some of the path/tracks are not wide enough for dual use, others have been tarmacked allowing the cyclists to move at high speed especially in the rush hours. A collision with a cyclist is very painful.	No, typo on consultation questionnaire. Reference to surfacing is recognised in the Plan. Cyclists have a right to use bridleways but the law states they must give way to walkers and riders.	No
	I would like to encourage the council to work with volunteers on e.g. path maintenance as much as possible and to work in partnerships with local groups, as a way of keeping costs down and getting the best local knowledge about how the rights of way network is performing. Also waymarking, as much as possible, should not just state whether it's a public ROW, but also that waymarks should state destinations/distances/directions to nearby locations. It also could be a miss to only produce a plan to maintain but not to improve, as enhancing ROW brings increased benefits in terms of public health, sustainable transport, tourism and the local economy.	Noted. See Aim 6. Noted. Local destinations will be considered where circumstances dictate and resource allow. Noted, there will continue to be improvements.	No No No

	Greater common sense in linking up circular bridleway routes, (many are dead ends, or continue as footpaths)	Noted. Work continues on dedications, creations and claims for higher rights.	No
	<p>I wonder if SOA 2.6 is correct - Work with the Local Access Forum. 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, including where resources allow, publicising barrier free routes and encouraging land-owners to replace approved stiles with kissing gates.</p> <p>I understood that even kissing gates were quite restrictive and a two-way opening, self-closing gate was the preferred option.</p>	Noted, kissing gates are stock proof while allowing step free access.	No
	What options there are/should be when proposals appear to be fragrantly ignored, as for example with Racecourse Road in Southwell remains gated. My understanding was that agreement had been reached a long time ago to reopen it to walkers	Noted, Racecourse Road isn't a recorded public right of way. However, positive discussions have taken place with the landowner to provide public access.	No
	<p>Encouraging the council to work with volunteers on e.g. path maintenance as much as possible and to work in partnerships with local groups (such as Ramblers), as a way of keeping costs down and getting the best local knowledge about how the rights of way network is performing.</p> <p>Waymarking, as much as possible, should not just state whether it's a public ROW, but also that waymarks should state destinations/distances/directions to nearby locations.</p> <p>It's a shame the council is producing a plan to maintain but not to improve, as enhancing ROW brings increased benefits in terms of public health, sustainable transport, tourism and the local economy</p>	<p>Noted. See Aim 6.</p> <p>Noted. Local destinations will be considered where circumstances dictate and resource allow.</p> <p>Noted, there will continue to be improvements.</p>	<p>No</p> <p>No</p> <p>No</p>
	Either future generations will have the countryside to enjoy or one will see more projects like, Lindhurst (housing) eat the land making much of, Nottinghamshire, into housing and industrial estates, with just a few park areas.	Noted. Reference is made in the Plan with reference to working with Planners and developers.	No
	<p>We have seen the submission from Notts Ramblers and endorse their comments.</p> <p>We support the main aims and policies of the ROWMP but note that it has deliberately been made less ambitious compared to its previous incarnation. We hope this reflects a realistic intention to implement the plan.</p>	<p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p>

	<p>We welcome the intention to keep the Definitive Map up-to-date and free of errors. As a Society we have been concerned about some lack of compatibility between the DM and OS maps. This makes it particularly important that paths are properly way-marked on the ground to avoid trespass and problems for walkers who rely on OS maps. When new paths are added to the DM we hope that these become certified and way-marked as soon as possible so that they are available on the ground.</p> <p>We understand the need to prioritise path issues based on health and safety and frequency of use. However, we consider it extremely important that lesser used paths are not neglected. Users have a right to expect that if a path is on the map it should be available. Neglect of paths soon makes them unwalkable and a vicious circle is created. We are concerned that a fairly large number of paths in the County are often difficult to walk because of under and overgrowth, obstruction by crops and difficult stiles.</p> <p>We hope that the policy of replacing stiles by kissing gates can become more assertive. Where stiles are retained we hope there can be an insistence that they conform to BS standards where possible.</p> <p>We hope that the work of the Countryside Access team can be assisted with volunteers with a firm commitment given to this. Activities such as surveying and vegetation clearance spring to mind,</p> <p>In general, NFPS welcomes the Management Plan and looks forward to the (continued) implementation of its policies. We greatly value the dedicated work of the Countryside Access and Via teams and fully understand the resource restraints under which it operates. However, we hope that the County Council fully recognises (in addition to its statutory obligations) the importance (from a leisure and health perspective) of access to the wide network of rights of way within Nottinghamshire.</p>	<p>Noted.</p> <p>Agreed and noted.</p> <p>Agreed and noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>
	<p>The use of road verges as a way of linking public bridleways needs to include the erection of barriers between motor traffic and the users. This has been done on the A5 in the Peak District where a promoted route uses a short length of A classified road.</p>	<p>Noted.</p>	<p>No</p>
	<p>Mountain bike riders – 4.6.8 & 4.6.11: the Plan recognises the different needs of rural cyclists, but has no solution for their apparently irreconcilable preferences. I would suggest that, where possible, the aim for the majority of PRoWs available to cyclists should be to make them usable by most cyclists; mountain bikers wanting more challenging surfaces could then use these routes to access specific areas offering appropriately rough terrain such as Sherwood Pines, Manton Pit Wood, etc.</p> <p>Funding – 4.6.4: the challenge of improving cycling</p>	<p>Noted. There are a number of cyclists who enjoy riding routes due to their antiquity not for the challenge and wouldn't enjoy the artificial environment of purpose built trails.</p> <p>Noted. See</p>	<p>No</p> <p>No</p>

	<p>provision on limited budgets is recognised, but little connection seems to be made with infrastructure and/or funding being obtained from developers and other major projects. Every such opportunity should be grasped as a matter of consistent practice.</p> <p>Priority routes: given the above, key routes should be identified on which the limited resources available for each District may be concentrated for maximum benefit. These could follow the principles set out in the Cycling Strategy, i.e. linking centres of population both within the County and in neighbouring authority areas.</p> <p>DMMOs – if the process could be simplified, pro-active measures could be taken to divert in particular those PRowWs crossing cultivated fields so as to reduce the need for and cost of the reminder and enforcement processes mentioned in section 6.7.</p> <p>Minor points:-</p> <p>National Cycle Network: in addition to those Routes identified in section 4.6.3, the County also hosts Routes 48 (Hickling – Newark), 645 (Southwell – Bilsthorpe - Sherwood Pines/Vicar Water), 647 (Clumber South Lodge – Tuxford - Harby) and 648 (Shirebrook – Budby). The Dukeries Trail therefore comprises Routes 648, a section of 6 and 647.</p> <p>The Cyclists Touring Club (CTC) mentioned in section 4.6.10 is now known as Cycling UK.</p> <p>“Dumbles” referred to in section 6.18.4 (item 1) need to be defined, as this word is not in dictionaries.</p>	<p>Policy A1-11.</p> <p>The Deregulation Act 2015 introduces a number of changes to Row legislation aimed at simplifying the DMMO process.</p> <p>Noted and amended.</p> <p>Noted and amended.</p> <p>Noted and amended. It's a geographical feature – deep narrow banks of a watercourse.</p>	<p>No</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>The plan correctly identifies that the recording of a footpath on the definitive map and statement does not mean that higher rights for cyclists and horse riders do not exist. Given that position I find it a matter of concern that the council has chosen to spend money on some footpaths to erect signs saying no Horse riding and no cycling. By definition there can be no certainty that those signs are accurate. Further even if they are accurate it is not for the county council to seek to obstruct the development of higher rights by way of long usage. The Landowner of course has that power but the council should not seek to prevent the organic development of the higher rights network. The Law provides for such development. The council should not try to work against the spirit of the law.</p>	<p>Noted.</p>	<p>No</p>
	<p>I am pleased to see the plan makes clear that the inclusion of a footpath on the definitive map does to preclude the existence of higher rights. However I am aware of cases where the council has chosen to erect no horse riding and no cycling signs at the point where footpaths leave the road. It should not be the role of the council to erect such signs which have the effect of preventing the acquisition of such higher rights and the appropriate evolution of the network as provided for by</p>	<p>Noted.</p>	<p>No</p>

	the law.		
	<p>We welcome the thoughtful analysis of the problems and opportunities related to our ROW network and look forward to working with the Council to implement many of the policies suggested in the document.</p> <p>We agree that a well-used and well-maintained ROW network will bring many benefits to health and tourism in Nottinghamshire.</p> <p>We are glad that the importance of the following topics has been highlighted:</p> <p><i>Cooperation rather than confrontation with landowners in implementing change</i></p> <p><i>Upgrading the definitive map and streamlining procedures for modification</i></p> <p><i>Improved signage and waymarking</i></p> <p><i>Speedy resolution of ploughing/cropping issues</i></p> <p><i>Lack of publicity on permissive paths</i></p> <p><i>Difficulties crossing major trunk roads and railway lines</i></p> <p><i>Maintenance of roadside verges</i></p> <p>The following caused us some concern:</p> <p><i>We note the aspirational tone of the document but also note that no extra funds are to be allocated to the Highways Department</i></p> <p><i>There is some mention of using volunteers but this is significantly downgraded from the 2007 plan which mentioned volunteer "training days" and "task days"</i></p> <p><i>"Vegetation encroachment" is a major problem and needs greater priority. Overgrown paths are a major source of complaint to us. Does the Farm Partnership Scheme need reviewing? Children will absolutely refuse to walk through a patch of nettles and thistles. It is not enough to mow the grass once a year - ask any gardener!</i></p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>There still is a commitment to continue to work with volunteers inc. surveying and suitable tack days.</p> <p>Over half of the Row budget is spent on cutting up growth because this is seen as a priority. Paths are cut twice a year and popular paths are cut three times a year.</p> <p>The Farm Partnership scheme has been reviewed (Spring 2018).</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

	<p>Suggestions</p> <p>Ramblers has long been interested in volunteering to help with ROW maintenance. This is well-established in other areas of the country and we are constantly asked "Why not in Nottinghamshire?"</p> <p>This does not necessarily have to be "heavy lifting". The Management Plan contains mention of surveying. We can help with the programme of inspections of bridges and grass verges. We can also help with checking the accuracy of published NCC walks.</p> <p>Waymarking and signage need attention. As The ROWMP shows, this is a low priority for landowners. A ROW that is clearly marked out will minimise unintentional trespass, crop damage, etc. Is this something we can help with?</p> <p>A "mowing survey" similar to the present ploughing and cropping survey would be very useful. We would be happy to get involved.</p> <p>We are often asked if any action has been taken on reported problems. People also want to know if a problem has already been reported. A central website register, open to the public, would be helpful.</p> <p>Conclusion</p> <p>The ROWMP is an impressive and potentially very useful document. Thank you for seeking our opinion and we look forward to working with the County Council so that the objectives of the plan can be fulfilled.</p>	<p>Thank you. Discussions are ongoing with the Ramblers' and other user groups to look at efficient ways for volunteers to assist the County Council on its statutory functions.</p> <p>Noted. A reporting system is in place with the Ramblers'.</p> <p>Thank you and noted.</p>	<p>No</p> <p>No</p> <p>No</p>
	<p>Although our work as a cycle campaign group focuses mainly on the urban areas of Greater Nottingham we are also very keen both to see cycling promoted widely, because of its very strong environmental and health attributes, and also to achieve improved and more coherent links between rural and urban areas, particularly good quality and well-maintained traffic-free paths, with safe road crossings, to help attract a wide range of users, including less experience and confident cyclists and people who are new to cycling and likely to be most intimidated by cycling on routes shared with motor traffic.</p> <p>Pedals therefore much welcomes the Rights of Way Management Plan as the overarching focus for the protection, creation and enhancement of countryside access in Nottinghamshire and the role of the County Council continuing 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.</p> <p>To start with in our response we would like to comment on some of 6 key aims;</p> <p><i>To improve access to the network for all by adopting the principle of the least restrictive option (and section 4.10).</i></p>	<p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p>

	<p><i>We strongly endorse this aim since any kind of barriers, especially those of the A-frame and K-frame type, are very off-putting for cyclists (as well as other groups like tricycles, pushchair and wheelchair users as well as bikes with child trailers on the back), particularly when there are several of them close together. We are therefore very keen to see these barriers removed, or at least modified, wherever possible, and not just to see no new ones installed. For further information on this see Appendix A which includes the Policy on off-road path barriers which Pedals adopted in 2017 and which can be found at: http://pedals.org.uk/policy-on-the-use-of-barriers/</i></p> <p><i>To improve the safety and connectivity of the metalled road network with the rights of way network.</i></p>	Noted.	No
	<p><i>Cyclists often use a combination of roads and off-road paths for their journeys, especially for recreation and much appreciate coherent safe and well-signed routes, with as much priority as possible over motorised travel.</i></p> <p><i>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.</i></p>	Noted.	No
	<p><i>With the recent further publicity about the dangers of increased obesity and the role of active travel in helping to combat this and a range of other conditions such as coronary heart disease and Type 2 Diabetes, the role of cycling and walking, both as an everyday active means of travel and as a form of regular recreation have become all the more important. We also welcome the recognition of this in the recently revised County Health and Wellbeing Strategy. (paras 3.5.2 and 3.5.3)</i></p> <p><i>To enhance and increase community involvement in managing and improving the network, where resources allow.</i></p>	Noted.	No
	<p><i>We recognise the increasing difficulties in managing and improving the network arising from financial cutbacks but still think that this should be mainly up the County Council as local Highway Authority, working in close partnerships with other organisations. This could be helped by clearer and better publicised outlets, of various kinds, for reporting problems and suggesting improvements.</i></p> <p><i>Tapping a wider range of resources for rights of way improvements (para 4.6.4).</i></p> <p><i>At a time of greatly increased local authority financial cutbacks it is very important that every effort is made to harness contributions for rights of way improvements from other sources, including section 106 developer contributions, the Canal and River Trust, and Highways England funding in the case of schemes related to trunk roads, etc. Among the possible projects where</i></p>	Noted.	No

	<p>HE funding will be particular important is the Pedals proposal to provide a much safer route across the A52 (Gamston-Lings Bar road) between Tollerton and Edwalton, including the upgrading of existing rights of way on both sides of the A52. This would be of great value in the wider context of encouraging more walking and cycling between the existing (West Bridgford and Nottingham) urban area and the new housing areas to be developed in the Tollerton-Bassingfield areas, as well as providing an improved route to serve vulnerable road users from villages further out.</p> <p>The use of developer contributions (section 106 funds) for path improvements related to major new housing areas is also very important, not just in the Tollerton-Bassingfield areas but also in the Sharp Hill-Edwalton area and in the major new housing development which recently got planning consent for Fairham Pastures, south of Clifton. This will also need improved links to and from nearby villages such as Gotham and Ruddington as well as to routes within Clifton, Wilford and elsewhere in Nottingham City. Paths that connect across council boundaries must include consistent signing, including consistent use of destination and symbols on destination signs. Having specific destinations makes the paths that much more useful than when they just state 'public footpath' or 'public bridleway', etc.</p> <p>In the Sharp Hill-Edwalton area upgrading of the subway under the A52 south of Sharp Hill (a designated public footpath but with plenty of room for upgrading to shared use) is of particular importance, not just in terms of the new housing to the north of the A52 and around the A606 (Melton Road) but also to and from Ruddington to the south, including Ruddington village and Country Park. This needs close collaboration between the County and Borough Councils and Highways England, including attention to upgrading the approach paths / routes on both sides of the A52.</p> <p>With resources now being often increasingly limited it seems to us to make sense not only to maximise the use of such other funding sources but also to concentrate resources for improvements on paths in the vicinity of the main urban areas, particularly where major new housing development are proposed, because these are likely to have higher levels of usage and levels that are likely to grow considerably if improvements are made.</p> <p>The need for this wider harnessing of funds does not seem to be mentioned much in the draft Plan which also does not mention the new DfT system of Local Cycling and Walking Infrastructure Plans (LCWIPS), introduced in 2017, which aims, in close consultation with a variety of stakeholders including LEPs (such as D2N2), Local Access Forums and User Groups, to produce a 30-year vision, a framework of an aspirational network, with short term priorities, and then used as a basis for seeking to obtain finance.</p> <p>In this area very important opportunity to get funding</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p> <p>No</p> <p>Yes</p>
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	<p>for a scheme that could do much to improve the connectivity of the rights of way network in Nottinghamshire with that in Derbyshire and Leicestershire is offered by the plans for the extension of the HS2 railway from Birmingham to Leeds, particularly the possibility of providing a shared path on the new HS2 bridge to be built between Redhill / Thrumpton in Nottinghamshire, and Cranfleet Lock / Long Eaton in Derbyshire. This is a scheme which Pedals strongly supports, particularly as it would connect with several other important cycling and walking routes on both side of the Trent, including Routes 6, 15 and 67 of the Sustrans National Cycle Network, the Trent Valley Way and the Erewash Valley Trail.</p> <p>Below, in Appendix B, are the detailed comments which Pedals made in 2014 with regard to the HS2 plans in this area, at a time when the DfT were planning to include an HS2 cycleway within a 5km corridor alongside it. Although this wider project was dropped by the DfT in 2018, we still think that the provision of a shared path on the new HS2 bridge over the Trent would in itself be a must useful addition to the local network, with consequent major health and environmental benefits.</p> <p>Surfaces on Bridleways (paras 4.4.13, 4.4.14, 4.6.8, 6.6)</p> <p>While we appreciate that the type of surface used on bridleways, and other multi-user paths, must take account of different user needs and preferences and that this means that tarmac will often not be suitable, we do think it important that bridleways, being accessible by pedal cyclists as well as walkers and horseriders, must have a minimum level of hard and well-drained surface or they may well not be rideable by most cyclists (other than mountain bikers), at least during the winter when it can be very hard on such paths to remain relatively clean. This means that using the paths is much less enjoyable, especially if the usable width is also inadequate.</p> <p>An example is the stretch of bridleway immediately west of the Rushcliffe / City of Nottingham boundary between Barton Fabis and Clifton Woods which is often too muddy to be usable in wet periods. It needs a drainage channel on the south side of the path to catch water coming downhill and this work needs to be coordinated with the stretch of path in the City immediately to the east which appears to suffer a similar problem, although perhaps to a lesser extent.</p> <p>Circular routes (4.13.1)</p> <p>We are glad to see this acknowledgement of the importance of circular routes, the popularity of which was also evident in the most recent responses to Nottingham City Council's Rights of Way Improvement Plan. The opening up of more circular routes options in the River Trent area of Greater Nottingham, along with improving and extending riverside paths on both banks</p>	<p>Noted and thanks.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>
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	<p>of the Trent, is one of the main justifications for the proposed new foot-cycle bridge between Lady Bay and Trent Basin which Pedals is pursuing with several other local organisations, working closely with the County and City Councils, and Sustrans, and the need for which received the support of the Leader of Nottingham City Council, Cllr Jon Collins, in November 2017. Work is now in progress on the finalisation of the exact site revised north and south landings, the completion of our feasibility study, and stepping up the search for sources of funding.</p> <p>On the south bank of the Trent, as well as connecting to the Trent Valley Way and Route 15 of the Sustrans National Cycle Network, and many local routes, this bridge would also connect both to many new housing areas and important leisure attractions. As well as the NFFC City Ground, and Trent Bridge Cricket Ground these include Holme Pierrepont Country Park and Water Sports Centre, the Nottinghamshire Wildlife Trust Skylarks Nature Reserve, the Grantham Canal towpath and the new Cotgrave Greenway, due for completion in April 2018. With growing use of ebikes this facility could encourage longer trips, both for leisure and commuting, including to and from Gedling Country Park, especially if the current plans for access improvements are pursued. Use of bikes in hillier area is likely to be that much easier and therefore more popular.</p>	Noted.	No

9.0 Copy of draft ROWMP consultation form

Rights of Way Management Plan

2018 – 2026

Draft Executive Summary



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 public rights of way network will be managed for the next eight years. This document constitutes the amended plan and hereafter will be referred to as the Rights of Way Management Plan 2018-2026, 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 ROWMP 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 2018 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 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 public 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 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?

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 regarding 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 in 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 2018 to XX of XXXX 2018. 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 Planning and Licensing Committee of the County Council on the XX of XX 2018 and formally adopted by the Policy Committee of the County Council at its meeting on the XX of XXXX 2018.

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 and cause problems for land managers.

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 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 (and later the De-regulation Act 2015) sets a deadline of 1st 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 a 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 to manage and maintain rights of way, which can assist both the Council with its responsibilities and help farmers and landowners with theirs. In working with volunteers, the Council must consider both the resources that are required to effectively manage volunteers and the 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 2018-2026 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 2018-2021 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 addresses the rights of way network as an integral part of urban and rural transport systems and in contributing 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.¹

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

¹ 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 Authority².

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 2018-2026 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.

² 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'

19 July 2018**Agenda Item: 16**

REPORT OF SERVICE DIRECTOR, GOVERNANCE AND EMPLOYEES WORK PROGRAMME

Purpose of the Report

1. To consider the Committee's work programme for 2018-19

Information

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, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

Other Options Considered

5. None.

Reason/s for Recommendation/s

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

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, 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.

RECOMMENDATION/S

- 1) That the Committee's work programme be agreed, and consideration be given to any changes which the Committee wishes to make.

Marjorie Toward

Service Director, Customers, Governance and Employees

For any enquiries about this report please contact: Martin Gately, Democratic Services Officer on 0115 977 2826

Constitutional Comments (HD)

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

Financial Comments (PS)

9. There are no 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.

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

Electoral Division(s) and Member(s) Affected

All