

**6 December 2018****Agenda Item:6**

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

### **NOTTINGHAMSHIRE HIGHWAY DESIGN GUIDE**

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

1. To seek authorisation to consult with stakeholders and interested parties on a draft Nottinghamshire Highway Design Guide.

#### **Information**

##### **Resignation from the 6Cs Board**

2. Committee will recall that at its meeting the 19<sup>th</sup> April 2018 it resolved that:
  - (i) delegated authority be granted to the Corporate Director (Place) to make the necessary arrangements to resign the County Council's membership of the 6C's Board including refund of any surplus held by the 6C's Board;
  - (ii) the Authority continue its use of the existing 6C's Highway Design Guide following resignation (rebranded as the 'Nottinghamshire County Council Highway Design Guide';
  - (iii) delegated authority be granted to the Corporate Director (Place) to investigate and initiate opportunities to work in collaboration with Leicestershire County Council and the Midlands Highway Alliance on the development of a revised Highway Design Guide.
3. It is confirmed that the County Council resigned its membership of the 6Cs Board in September of this year and is now using the rebranded Highway Design Guide. Having investigated opportunities for collaborative work with Leicestershire County Council and the Midlands Highway Alliance on the development of a revised Highway Design Guide it can be reported that at the moment there are not any opportunities that exist. Therefore officers have worked to develop a draft guide specifically for Nottinghamshire.

##### **The Nottinghamshire Highway Technical Design Guide**

4. The original 6Cs Guide and its revision contained a great deal of information on the architectural concepts of designing a development with much of it being a repetition or reinterpretation of existing national guidance contained in such documents as Manual for Streets. As previously reported, the inclusion of this type of material within the Guide, whilst relevant to high density housing in urban areas within a city environment, made the document confusing and open to varying interpretations to all who used it.
5. The draft revised guide, however, has been written to provide a simple and to the point guide that gives developers the information they need to design and build roads that are to standards that provide a safe and attractive environment for Nottinghamshire residents to live in and that can be adopted by the Highway Authority without it taking on undue liabilities that can adversely

affect the public purse. This approach will help to ensure that issues related to the interpretation of advice contained within the Guide is minimised meaning that all parties involved in the processes of designing and building roads in developments should be able to do so in a more effective and efficient manner. The original 6Cs Guide is 300 plus pages of content whilst the draft Nottinghamshire Guide is 77 pages. The draft Nottinghamshire Guide is attached as Appendix A.

### **Adoption as Policy and the Necessary Process Required To Do So**

6. The original 6Cs Design Guide was adopted as policy by the County Council in 2009. Its use by the Highway Authority and Local Planning Authorities within the County has ensured that there is a consistent approach on highway matters within planning proposals and the process of determining these. It has also ensured that decisions and recommendations made by the Highway Authority to Local Planning Authorities can be justified and evidenced should there be a need to appear before a Government appointed Planning Inspector if a planning decision is challenged on highway grounds.
7. Given the above it is therefore essential that a revised Guide is also adopted as policy. As part of the process involved in it being adopted as policy, it is both necessary and correct that the draft Guide is subject to consultation with stakeholders (both internal and external to the Authority) as well as with interested external bodies and organisations.
8. The County Council has existing procedures for consultation and public engagement and it is therefore requested that authorisation is given to consulting on the draft Guide in line with these to enable the views and comments of those who will be affected by the Guide to be sought and, where practicable, incorporated into the final Guide. Once that is completed it is intended to bring the final draft of the Guide to Committee in mid-2019 for its approval and for the Guide to be then taken to Policy Committee for formal adoption as policy.

### **Other Options Considered**

9. Consideration has been given to the County Council continuing to use the rebranded original 6Cs Guide but the contents of this are now dated and in many instances causing confusion and issues with interpretation.

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

10. The Highway Authority needs to revise its guidance on the highway aspects of new developments and for this guidance to be adopted as policy by the County Council. This will ensure that the Highway Authority can robustly deal with developers to ensure that highway infrastructure within new developments is both safe and attractive for Nottinghamshire residents and is not a future maintenance liability for the Authority. For the draft Guide to become policy it is both necessary and appropriate to formally consult with interested parties...

### **Statutory and Policy Implications**

11. 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**

12. No negative impacts and the Authority is saving £6,600 pa from not having to pay membership fees to the 6Cs Board.

### **Implications for Service Users**

13. The eventual adoption of a new Highway Design Guide as County Council policy will assist in ensuring that developments have a safe and attractive highway infrastructure that is not a future maintenance liability. It will also assist those developers designing and building their highway infrastructure to do so with a Guide that gives them the information that they need in a simple and concise format.

### **RECOMMENDATION/S**

It is recommended that Committee:

- 1) Approve the consultation on the draft Nottinghamshire Highway Design Guide in accordance with the County Council's policy and procedure on such matters and that any necessary publicity also be carried out.

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

**For any enquiries about this report please contact:** Clive Wood, Team Manager Highway Development Control, Tel: 0115 9774585

### **Constitutional Comments [SJE 02/11/2018]**

14. 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 and residents' parking schemes) has been delegated. Formal approval of the final 'Nottinghamshire Highway Design Guide', as a policy to support a strategic vision for Nottinghamshire, is reserved to Policy Committee.

### **Financial Comments [RWK 05/11/2018]**

15. The financial implications are set out in paragraph 12 of 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.

- Current Highway Design Guide
- Draft Nottinghamshire Highway Design Guide.

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

- All