

Communities and Place Committee

Thursday, 05 September 2019 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 Noel McMenamin (Tel. 0115 977 2670) 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	4th July 2019 (commencing at 10:30 am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

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

Pauline Allan	Richard Jackson
Boyd Elliott	John Knight
Glynn Gilfoyle	Bruce Laughton
Kevin Greaves	David Martin
Vaughan Hopewell	John Ogle

OTHER COUNCILLORS IN ATTENDANCE

Richard Butler
Jim Creamer
Maureen Dobson
John Longdon
Rachel Madden
Gordon Wheeler

OFFICERS IN ATTENDANCE

Mick Allen	-	Place Department
Doug Coutts	-	VIA
Mark Croston	-	Place Department
Peter Gaw	-	Inspire
Sally Gill	-	Place Department
Cathy Harvey	-	Place Department
David Hennigan	-	Place Department
Neil Hodgson	-	VIA
David Hughes	-	Place Department
Gareth Johnson	-	Place Department
Pete Mathieson	-	Place Department
Helen Moffatt	-	RSPB
Andrew Penn	-	Place Department
Kevin Sharman	-	Place Department

Adrian Smith - Place Department
Gary Wood - Place Department

Noel McMenamin - Chief Executive's Department

1. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 6th June 2019 having being circulated to all Members, were taken as read and were signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Councillor Boyd Elliott replaced Councillor John Handley for this meeting only.
Councillor Richard Jackson replaced Councillor Bruce Laughton for this meeting only.
Councillor David Martin replaced Councillor Tom Hollis for this meeting only.

3. DECLARATIONS OF INTEREST

None.

4. ANNUAL UPDATE - SHERWOOD FOREST COUNTRY PARK

The Committee received a presentation from Helen Moffat of the Royal Society for the Protection of Birds on its operation of Sherwood Forest Country Park.

RESOLVED 2019/059

That:

- 1) the report and presentation updating the Committee on the recent and future developments at Sherwood Forest Country Park be considered;
- 2) no further actions be required.

5. REVIEW OF LIBRARY OPENING TIMES

RESOLVED 2019/060

That the revised pattern of library opening hours, as outlined at Appendix 1 to the report, be approved and implemented in September 2019.

6. UPDATE ON KEY TRADING STANDARDS AND COMMUNITIES MATTERS

Andrew Penn, Trading Standards Manager, undertook to provide a written response to members on the increase in Proceeds of Crime (POCA) activity carried out by the Service.

RESOLVED 2019/61

That:

- 1) The updates on Trading Standards and Communities matters be ratified;
- 2) The update on progress in raising additional income in the Service be ratified;
- 3) The update on the work of the Safer Nottingham Board be ratified;
- 4) The proposed changes to the Trading Standards staffing structure as summarised in paragraphs 30 and 33 of the report be approved;
- 5) The launch of the 2019-2020 round for Talented Athletes in September 2019 be approved.

7. INTRODUCTION OF STREETWORK PERMIT SCHEME

RESOLVED 2019/062

That:

- 1) The commencement of a formal consultation with utility companies on the proposal to introduce a Streetworks Permit Scheme in Nottinghamshire be approved;
- 2) A further report be presented to Committee subsequent to the consultation process.

8. A617 MANSFIELD ASHFIELD REGENERATION ROUTE – ROAD WIDENING FEASIBILITY STUDY UPDATE

RESOLVED 2019/063

That:

- 1) Approval be given to consult with the Local Planning Authorities, landowners and other key stakeholders with a view to formally safeguarding a corridor of improvement;
- 2) Further scheme assessment and preparation of a strategic outline business case for the widening of the Mansfield Ashfield Regeneration Route to a minimum 4 lane carriageway standard be approved;
- 3) No further actions be required in relation to recent progress on the A617 Mansfield Ashfield Regeneration Route-widening engineering feasibility study and next steps in project development, as detailed in the report.

9. A611 MAJOR ROUTE NETWORK - SCHEME UPDATE AND FEASIBILITY STUDY

RESOLVED 2019/064

That:

- 1) The update on the A608/A611 corridor feasibility study and the next steps in project development as set out in the report be approved;
- 2) Public consultation and the carrying out of any appropriate associated publicity on the scheme options be approved, and that, following consultation, a report be presented on a preferred scheme for consideration at a future Committee meeting.

10. GEDLING ACCESS ROAD – PROGRESS REPORT

RESOLVED 2019/065

That:

- 1) The update on the current progress of the Gedling Access Route as contained in the report be endorsed;
- 2) The County Council entering into contract with Balfour Beatty to deliver the Gedling Access Road be approved, with a requirement that a further be brought to a future Committee meeting, confirming final target costs prior to the formal contractual instruction being given to commence works on site.

11. LOCAL BUS UPDATE AND BUS STRATEGY

RESOLVED 2019/066

That

- 1) The information related to local bus support to connect Nottinghamshire communities to employment, training health and leisure facilities, and the opportunities afforded by the Abbey Road fleet relocation be endorsed;
- 2) Approval be given to develop alternative local bus pilots including: Demand Responsive Transport, Interconnect and Taxibus as outlined in paragraphs 11 to 18 of the report to maintain and improve access to employment and other important destinations;
- 3) Approval be given for the development of a Bus Strategy following the transport review to guide future investment in local bus and infrastructure.

12. THE NOTTINGHAMSHIRE COUNTY COUNCIL (THE SPINNEY AND VARIOUS ROADS IN BESTWOOD VILLAGE) (PROHIBITION OF WAITING AND NO STOPPING ON ENTRANCE CLEARWAYS) TRAFFIC REGULATION ORDER 2019 (7212)

RESOLVED 2019/067

That the Nottinghamshire County Council (Broad Valley Drive, Coronation Road, Hill Road, Keepers Close, Moor Road, Park Road and The Spinney, Bestwood) (Prohibition of Waiting and No Stopping on Entrance Clearways) Traffic Regulation Order 2019 (7212) be made as advertised, subject to the following amendment, and the objectors informed accordingly:

- Reduce the length of single yellow line (Vehicles prohibited from waiting Monday to Friday 8-9.30am and 3-4.30pm) on the north-west side of The Spinney from the property boundary between No.s 6 and 7 in a north-easterly direction from a distance of 39 rather than 44 metres. New extents are as shown on drawing number H/JAB/3106/01A.

13. THE NOTTINGHAMSHIRE COUNTY COUNCIL (WATER MEADOWS, WORKSOP) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2019 (1234)

RESOLVED 2019/068

That the Nottinghamshire County Council (Water Meadows, Worksop) (Prohibition of Waiting) Traffic Regulation Order 2019 (1234) be made as advertised and the objectors be informed accordingly.

14. THE NOTTINGHAMSHIRE COUNTY COUNCIL (THE PARK AND WILDFLOWER RISE, MANSFIELD) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2019 (2220)

RESOLVED 2019/069

That:

- 1) The Nottinghamshire County Council (The Park and Wildflower Rise, Mansfield) (Prohibition of Waiting) Traffic Regulation Order 2019 (2220) be made as advertised, subject to the following amendment, and the objectors advised accordingly:
 - Reduce the length of 'No Waiting At Any Time' restrictions on The Park outside 'The Cottage' by 6 metres as shown on drawing H/JMR/2888/02.

15. LOCAL IMPROVEMENT SCHEME: CAPITAL FUND 2019-2020

In view of comments made during discussion about the transparency of the current process and the Scheme's current underspend, the Chair agreed to consider taking

a further report on the operation of the Local Improvement Scheme to the appropriate Committee.

RESOLVED 2019/070

That the recommended Local Improvement Scheme awards, as set out in the appendix to the report, for applications of up to £50,000, be approved.

16. WORD PROGRAMME

RESOLVED 2019/071

That, subject to including a report on Proceeds of Crime (POCA) for consideration at a future meeting, the Committee's work programme be agreed.

The meeting concluded at 12:20 pm

Chairman

REPORT OF THE SERVICE DIRECTOR FINANCE, INFRASTRUCTURE & IMPROVEMENT

PLACE CORE DATA SET COMMUNITIES AND PLACE PERFORMANCE FOR QUARTER 1

Purpose of the Report

1. To provide the Committee with an update of performance for Communities and Place for quarter 1 2019/20 (1 April 2019 to 30 June 2019).

Background

2. The Council's Planning and Performance Framework establishes the approach that the Council takes to planning and managing its performance to deliver effective and responsive services.
3. The Council has agreed that the key measures of its performance will be defined through a number of core data sets which are detailed in its Council Plan and each of its Departmental Strategies. Performance against these core data sets is reported to committee every three months (quarterly) to support the performance management of the delivery of services.

Information and Advice

4. The full Core Data Set is included in Appendix A, and when considering the appendix it should be noted that:
 - The previous figures are for the preceding quarter (quarter 4 2018/19) or financial year (2018/19), although in some cases this is highlighted as not applicable where the data is unavailable for the previous quarter/annual.
 - The appendix also indicates whether the measure is
 - a cumulative measure (C) which shows performance from 1 April 2019 to 30 June 2019,
 - a measure which is reported annually (A),
 - or a measure which only includes the value for the individual quarter

5. The report highlights those core data set measures which have been identified as a risk in the appendix based on the latest performance figures. In addition to reviewing the core data set, each quarter of 2019/20, the report will focus on a specific commitment within the Council Plan and deep dive into the various activities and projects, and their successes in relation to that particular area.
6. A number of Council services are delivered through external parties, these include:
 - Via East Midlands, a company owned by the County Council (NCC) who deliver the Highways Service for the benefit of the County's residents, visitors, businesses and highways users, with some key strategic functions retained by NCC.
 - Veolia Environmental Services (VES), who have a long term Private Finance Initiative (PFI) contract (to 31 March 2033) with NCC to manage the bulk of the Local Authority Collected waste. This includes providing the recycling network and operating and maintaining the Material Recovery Facility (MRF) at Mansfield. It also includes arranging composting services and waste disposal through subcontractors for the production and processing of Refuse Derived Fuel (RDF) from residual waste, and for the use of the Sheffield Energy Recovery Facility (ERF) with Veolia Sheffield. Two other significant contracts are also used to manage waste streams in the County.
 - Inspire, who commenced provision of a range of cultural and learning services from April 2016, including the Council's library services. Supported by the Council, Inspire has implemented a programme of investment to modernise public libraries and develop a range of cultural and learning services on behalf of the Council.
 - Arc Partnership, a joint venture developed by NCC and Scape Group, who work closely with local communities, providing value for money, treating people fairly and creating a better built environment for everyone. Arc's services include design & project management, construction services and repairs & maintenance.

Core Data Set

Waste Services

7. The percentage of household waste sent to reuse, recycling and composting reported at year-end is 43% which is below the target of 45.5%. This is due to the significant effect of the prolonged drought, which affected the entire country last summer and had adversely affected all local authorities' composting performance. The service is currently in discussions with Mansfield District Council on their proposal to introduce kerbside glass collections.

Registration Services

8. The General Register Office (GRO) sets a national target of 90% for deaths registered within five days, however due to the geographical area the service manages, an internal authority target of 78% has been set. The percentage of deaths registered within five days for April, May and June were 71%, 79% and 70%, respectively, which resulted in a quarter 1 outcome of 73%. While lower than the target of 78%, this was expected due to the number of bank holidays in April and May, resulting in an overall loss of 6.25% working days for quarter 1.

Trading Standards

9. The retail value of illicit tobacco seized in quarter 1 2019/20 was £12,750, which was to be expected due to work carried over from the previous quarter. In quarter 4 2018/19, and as a result of targeting further up the supply chain, the service made a large seizure of tobacco with a total retail value of £513,823. Due to the quantity of the seizure, along with the complexity of the joint operation with the HMRC, the resulting legal follow up work was prioritised during the current period.
10. The Service's approach to product safety enforcement, as with other areas of our work, is intelligence led based on the threat risk and harm posed to our communities. Whilst the value and number of products removed from the market was relatively low this quarter at 923 (value £4,050) the products involved were locally manufactured high risk baby and children's products, which posed serious potential choking hazards.
11. The growth in the number of Friends Against Scams has been relatively slow this quarter. The service takes every opportunity it can to actively promote the scheme, such as the annual national Scams Awareness 2019 campaign which ran in June 2019 and promoted www.friendsagainstscams.org.uk via media and social media. The impact of which should be reflected in next quarter's figures.

Commitment 7 - People live in vibrant and supportive communities

12. This quarter's deep dive will focus on Commitment 7: People live in vibrant and supportive communities. The Place department has a number of achievements and milestones that support this commitment, which have been highlighted in this section.
13. **Safer Nottinghamshire Board Strategy:** In May managers from Nottinghamshire Trading Standards and Rushcliffe Borough Council gave a presentation at the Nottinghamshire Safeguarding Adults Board partnership event about the new Safer Nottinghamshire Board (SNB) Strategy: "Tackling Fraud against the Vulnerable". The strategy and resulting action plan both recognise the importance of engaging a wide range of agencies working with older people to reduce the incidence and impact of fraud and scams against the vulnerable in the County.
14. **Friends Against Scams:** Scam Marshals are members of the public who have registered to send in their unwanted post for intelligence purposes to the National Scams Team. We currently have 42 Scam Marshals within Nottinghamshire and this is the 3rd highest in the country and the highest amongst authorities in the East Midlands. The County currently has 877 "Friends" and 29 SCAMchampions and 3 SCAMBassadors. More information about the scheme is available at: www.friendsagainstscams.org.uk
15. **Doorstep Crime:** In 2017 a male in his 80's who lives in Bassetlaw, and had been recently widowed, was the victim of a doorstep crime. The male withdrew £24,500 from his bank to pay rogue traders. An Officer from Trading Standards assisted the resident at the time and put in a complaint to the Financial Ombudsman Service who, after a lengthy case, have now decided that the bank should refund the male £24,500. This will have a huge impact on the resident's quality of life, following what was a very distressing incident.

16. **Community Friendly Approach:** As part of a Community Friendly Approach, the Communities Service ran five Community Organising training workshops; three Introduction to Community Organising and two Listening Skills for Community Organising. Following the training a number of groups were set up by residents to tackle issues of importance within their own communities. Some examples of these groups include:
- The Beeston Breakers - A group set up by a local man who is using break dancing and other popular dancing genres to engage young teenagers to reduce knife crime and other anti-social behaviour. Working with local police, his aim is to set up groups across the county and to organise dancing battle events.
 - 'Bee Friendly' - A group set up by 3 people who have a shared passion for saving bees. The groups aim is to educate everyone about the importance of bees in protecting the ecosystem.
17. Additional projects as part of the Community Friendly Approach, seeking to support Health & Wellbeing have either been set up or are in the process of doing so:
- Eat, Bake, Sing – A project that uses community baking, social eating and music to bring people together to learn new skills and improve their mental wellbeing.
 - A Trauma Support Group.
 - An Idaya group to set up a sensory garden.
18. **The Local Improvement Scheme:** The Local Improvement Scheme (LIS) Capital Fund provides opportunities for communities to apply for capital funding for assets that meet the funding criteria. Projects should seek to contribute to the LIS strategic aims, which are to encourage and support local communities to be strong, vibrant and resilient, to encourage and support volunteering, and to seek wider funding opportunities. Applications for the second round of funding closed in February 2019 and saw 196 applications being received, totalling to a sum of approximately £3.5m. This is an increase of 8% in the number of applications compared with previous year, with an increase of 16% in the total amount of funding requested.
19. Of the applications received 187 were eligible for funding, of which 11 were for gateway signs, 88 were for awards of £10,000 and under, and the remaining 88 were for awards of over £10,000. Applications for up to £10,000 (including all gateway sign applications) were prioritised for assessment. At the Communities and Place committee in June 2019, funding for 80 projects up to a maximum of £10,000 were approved (which included gateway signs), with the total value of these awards being £0.358m, leaving £0.974m remaining.
20. At the Communities and Place committee in July 2019, 45 applications were recommended for approval, totalling to £581,785. A further 47 applications were not recommended due to a variety of reasons, however the service would provide applicants with support and guidance. Outstanding applications are expected to be taken to the Communities and Place committee in September 2019.

21. **Mental Health Awareness Week:** In support of Mental Health awareness week Inspire promoted a number of services, some which include:
 - The reading well service to help residents understand and manage their health and wellbeing, using recommended books available from the library.
 - The Reminiscence resources to encourage interaction and communication between people living with dementia, their families, friends and carers, and recommended reads.
 - Recommended Reads, a series of booklists covering dementia, autism, mental health, and mood boosting.
22. **Home Cooked Heritage project:** The project, organised by Inspire, consisted of a series of talks, workshops and touring exhibitions took place across Nottinghamshire, which involved residents working with a performer and a visual artist to explore the heritage of recipes from the past, unearthed in Nottinghamshire Archives.
23. **Creatures creative art programme:** Also ran by Inspire, the Little Creatures creative art programme, which consisted of a number of workshops for 2-5 year olds, led by professional artists, aiming to help early years' children learn new skills and have multi-sensory creative experiences.
24. Performance reports for the remainder of the year 2019/20, will focus on the following commitments:
 - Quarter 2 – Commitment 5: Nottinghamshire is a great place to live, work, visit and relax
 - Quarter 3 – Commitment 11: Nottinghamshire is a well-connected county
 - Quarter 4 – Commitment 1: Families prosper and achieve their potential

Other Options Considered

25. This report is provided as part of the Committee's constitutional requirement to consider performance of all areas within its terms of reference on a quarterly basis. The departmental strategy was agreed on 24 January 2018 and the format and frequency of performance reporting were agreed by Improvement and Change Sub Committee on 12 March 2018. Due to the nature of the report no other options were considered appropriate.

Reason/s for Recommendation/s

26. This report is provided as part of the Committee's constitutional requirement to consider performance of areas within its terms of reference on a quarterly basis.

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.

RECOMMENDATION

- 1) That Committee considers whether there are any actions it requires in relation to the performance information on the Council's services for communities and place for the period 1 April 2019 to 30 June 2019.

Nigel Stevenson

Service Director for Finance, Infrastructure & Improvement

For any enquiries about this report please contact:

Matthew Garrard

Performance, Intelligence & Policy Team Manager

T: 0115 9772892

E: matthew.garrard@nottsc.gov.uk

Constitutional Comments (EP 30/07/2019)

2. The Communities and Place Committee is the appropriate body to consider the content of the report. If Committee resolves that any actions are required, it must be satisfied that such actions are within the Committee's terms of reference.

Financial Comments (SES 01/08/19)

3. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents







The performance measures included within appendix A are measures which have previously been included within the performance section of committee reports. These committees are as follows; community safety committee, culture committee, environment and sustainability committee, personnel committee, planning and licensing committee, transport and highways committee.

Electoral Division(s) and Member(s) Affected

All



Key Performance Indicators	Latest	Target	Previous	Period	Risk
Highways and Transport					
Supports Commitment 2 - Children are kept safe from harm					
Number of children and young people seriously injured/killed in road traffic accidents	5	34	15	Q1 19/20	
Supports Commitment 5 - Nottinghamshire is a great place to live, work, visit and relax					
Number of properties with enhanced levels of flood Protection as a result of NCC schemes (C)	8,322	426	426	Q1 19/20	
% of street lighting faults under the control of the Highway Authority repaired within response time – 7 days	93%	85%	82%	Q1 19/20	
Waste Services					
Supports Commitment 5 - Nottinghamshire is a great place to live, work, visit and relax					
% of household waste sent to reuse, recycling or composting	43.2%	45.5%	42.5%	Q4 18/19	
% of Household Waste diverted from Landfill	95.2%	94.0%	95.5%	Q4 18/19	
Place Commissioning - Libraries					
Supports Commitment 5 - Nottinghamshire is a great place to live, work, visit and relax					
Number of visits to libraries (C)	603,489	2,500,000	2,538,441	Q1 19/20	
Registration Services					
Supports Commitment 5 - Nottinghamshire is a great place to live, work, visit and relax					
% of deaths registered within five days (with Medical Certificate of Cause of Death present and no coronial involvement)	73%	78%	77%	Q1 19/20	
Trading Standards & Communities Service					
Supports Commitment 5 - Nottinghamshire is a great place to live, work, visit and relax					
Number of volunteer hours per year contributing to the delivery of those services or activities receiving Local Improvement Scheme support	888,912	800,000	-	Q1 19/20	
Supports Commitment 6 - People are healthier					

Key Performance Indicators	Latest	Target	Previous	Period	Risk
Retail value of illicit tobacco seized	£12,750	£600,000	£579,000	Q1 19/20	
Number and value of unsafe items/products removed from or prevented from entering the supply chain. (C)	923 (value £4,050)	5000	-	Q1 19/20	
Supports Commitment 7 - People live in vibrant and supportive communities					
Growth of Friends Against Scams Schemes (C)	32	500	351	Q1 19/20	
Number of Vulnerable Individuals with Nominated Neighbours (C)	27	50	51	Q1 19/20	
% of victims of doorstep crime, scams or other frauds who feel safer in their own homes following tailored interventions.	-	100%	-	Q1 19/20	
Number of doorstep crime, scam, or fraud vulnerable victims assisted (C)	70	450	432	Q1 19/20	
Key: (C) = cumulative measure updated from 1 April to end of reporting quarter Risk Key: (R) = Red, (A) = Amber, (G) = Green					

5 September 2019**Agenda Item:5****REPORT OF THE CORPORATE DIRECTOR, PLACE****NOTTINGHAM GO ULTRA LOW PROGRAMME****Purpose of the Report**

1. The purpose of this report is to update Committee on the introduction of electric vehicle charge points, and to seek Committee approval for officers to continue work with partners to deliver, the different elements of the Nottingham (with Nottinghamshire & Derby) Go Ultra Low programme.

Information

2. The County Council (along with Nottingham and Derby City Councils) is a partner in the successful £6.1m Nottingham (with Nottinghamshire & Derby) Go Ultra-Low 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 'Nottingham Go Ultra-Low' 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
 - 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 Nottingham Go Ultra-Low programme, as detailed below.

Public electric vehicle charging infrastructure

5. The Council's approach to the installation of electric vehicle charge points was considered and approved at 18 July 2018 Policy Committee and subsequently at 19 July 2018 Communities & Place Committee.
6. £2m of the available £6.1m Nottingham Go Ultra-Low 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. 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 initial contract period is 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).
7. 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. At the time of writing 91 publicly accessible electric vehicle charge points have been installed in the county in twelve different locations as shown in the table below

Site	No. of chargers	Completed
Cliffe Hill Avenue car park - Stapleford	8	February 2019
Victoria Street car park - Kimberley	4	February 2019
Morris Street car park - Netherfield	6	February 2019
Frederick Avenue car park - Carlton	8	March 2019
Portland Street car park - Beeston	8	March 2019
Clifton South Tram Park & Ride	11	April 2019
Victoria Street car park - Eastwood	8	April 2019
Hucknall Station Tram Park & Ride	8	April 2019
Toton Tram Park and Ride	11	May 2019
Haywood Road car park - Mapperley	1	May 2019
Rushcliffe Arena car park - West Bridgford	8	May 2019
Newgate Street car park - Worksop	8	June 2019
County Hall car park - West Bridgford	2	July 2019
TOTAL	91	

County Council electric vehicle fleet

8. Two rapid electric vehicle charge points have recently been installed in the County Hall public car park. 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). Several potential County Council sites have been identified for the installation of charge points and these will be assessed for feasibility in due course.

Grants and loans for businesses and public sector organisations

9. Nottinghamshire businesses and public/voluntary sector organisations may be eligible for financial support to help pay for the installation of electric vehicle charge points for the private use of their staff and/or visitors (i.e. not publicly available). Grants of up to £25,000 are available for their installation through the County Council's 'workplace travel grant' scheme. To date grants have been awarded to two organisations in the county (Nottinghamshire Fire & Rescue and Nottinghamshire NHS) to install electric vehicle charge points in their private car parks as part of Nottingham/Nottinghamshire area-wide bids. More information on the grants (including the application forms) can be found on the County Council's Travel Choice webpage.

Business and public sector organisation fleet reviews and electric vehicle loans

10. The 'ULEV Experience' element of the Go Ultra Low programme is offered to support businesses and public sector organisations to understand, trial and implement low emission vehicle technology. To help local businesses and organisations decide whether electric vehicles are suitable for their operations prior to investing in them, electric vehicle loans and fleet reviews (to help identify what elements of their fleets could benefit from switching to electric vehicles) are available.
11. Following a procurement exercise undertaken by Nottingham City Council, in Summer 2018 Cenex were awarded the contract to deliver fleet reviews, vehicle loans and promotional events associated with the Nottingham Go Ultra Low programme. The contract runs until 31 March 2020 with the actual delivery of these three elements undertaken by a consortium led by Cenex, alongside their partners Automotive Comms, CleanTech Business, DriveElectric, Energy Saving Trust and RideWise.
12. Businesses/public sector organisations who are eligible for an ultra-low emission vehicle loan can select from a range of vehicles. The loans are offered for a period of between two and four weeks depending on commitment by the business/public sector organisation to transition to ultra-low emission vehicles within its fleet.
13. Similarly, fully funded reviews of existing fleets are available to businesses/public sector organisations to help assess the case for low emission vehicles specifically within an organisations fleet, identifying where they might be able to reduce both costs (e.g. through lower fuel, tax, servicing and repair bills) and emissions.
14. To date seven businesses/public sector organisations located in the county have contacted Nottingham City Council to express an interest in electric vehicle loans; and three public sector organisations have expressed an interest in fleet audits. The City Council has confirmed that there is currently sufficient funding available for these elements to be made available to eligible Nottinghamshire businesses/organisations that express an interest in them and funded from the Nottingham Go Ultra Low programme (at no cost to the County Council). It is therefore proposed that the loans of electric vehicles and fleet reviews are made available to Nottinghamshire businesses/public sector organisations that express an interest in them (subject to eligibility and funding being available for their delivery); and that the loans and fleet reviews will be delivered to these businesses through the existing Nottingham City contract arrangements.

Further Scheme/Programme Development, Design and Consultation

15. 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 consultation. Non-statutory consultation, or information provision (i.e. informing people that works/programmes will take place) will also be undertaken with households and businesses immediately adjacent to schemes that fall wholly within the highway boundary.
16. The Go Ultra Low programme involves pro-active engagement with businesses to promote the grants 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.
17. The project manager responsible for the delivery of each individual scheme will ensure that affected 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

18. The other option to consider is to withdraw support for the programme or some of the services available to residents and businesses contained within it. This option has, however, been rejected as it would impact on delivery of the Council's objectives and would be detrimental to Nottinghamshire residents and businesses.

Reason/s for Recommendation/s

19. The County Council's long-term transport strategy is set out in the Nottinghamshire Local Transport Plan (LTP). The LTP includes measures to deliver a number of corporate objectives relating to the economy, environment, health and transport. Continuing to support the Go Ultra Low programme will help accelerate delivery of County Council objectives relating to promoting electric vehicles and their environmental benefits, leveraging in external funding to do so, thus bringing the best and most efficient benefits to Nottinghamshire residents and businesses.

Statutory and Policy Implications

20. 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

21. There are no financial implications resulting from the recommendations of this report. Should the County Council wish to install electric vehicle 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

22. 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.
23. The Concessionaire, as part of the public electric vehicle charging infrastructure 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

24. 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. It is not possible to state the direct environmental impact (or any quantifiable target) resulting specifically from the Go Ultra Low programme as its elements form part of the Council's wider strategy to improve air quality (which also includes programmes of infrastructure improvements, travel planning, retro-fitting buses, traffic management, etc.). Improvements in air quality therefore result from a combination of the different programmes delivered directly by the County Council, measures being introduced nationally (e.g. emissions standards for vehicles, etc.) and measures being introduced by neighbouring highway authorities.

RECOMMENDATION/S

In addition to noting the delivery of the programme to date, it is recommended that Committee approve:

- 1) The ongoing delivery of the Go Ultra Low programme elements that help businesses and public sector organisations transition to electric vehicles as set out in this report, including County Council officers working with partners to;
 - i) promote and offer grants to businesses and public sector organisations to install electric vehicle charging infrastructure in their private car parks
 - ii) deliver electric vehicle loans to eligible businesses and public sector organisations in Nottinghamshire as set out in this report

- iii) deliver vehicle fleet reviews with eligible businesses and public sector organisations in Nottinghamshire as set out in this report.

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 - 29/07/2019]

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

Financial Comments (SES - 29/07/2019)

26. There are no specific financial implications arising directly from the report. The general financial implications are set out in paragraph 21 of this report. Where any works are to be undertaken by the County Council approval to amend the Capital programme will need to be sought from the 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 – 18 July 2018 Policy Committee report
- Electric Vehicle Charging Infrastructure – 19 July 2018 Communities & Place Committee report
- Place Departmental Strategy – January 2018
- Nottingham (with Nottinghamshire & Derby) 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) – 8 October 2015 Transport & Highways Committee report
- Go Ultra Low Nottingham Bid to the Office of Low Emission Vehicles (OLEV) – 17 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 – 20 October 2016 Transport & Highways Committee report.

Electoral Division(s) and Member(s) Affected

- All



REPORT OF THE CORPORATE DIRECTOR, PLACE

FLOOD RISK MANAGEMENT SECTION 19 REPORT ARNOLD – 12 JUNE 2019

Purpose of the Report

1. This report sets out the County Council's duties as the Lead Local Flood Authority to report on flooding incidents under Section 19 of the Flood and Water Management Act 2010 and to present its report in relation to the flooding in Arnold on 12th June 2019, for members approval and endorsement.

Information

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

2. Where an authority carries out the above investigation it must:-

- (a) Publish the results of its investigation.
- (b) Notify any relevant RMAs.

6. It should be noted that the purpose of a Section 19 Report is to outline what happened during a flooding incident and whether the relevant RMAs have exercised or will exercise their responsibilities - it does not identify specific measures to prevent future flooding. It is up to the LLFA if it wishes to then carry out further investigation into possible flood prevention and protection measures that could be implemented.
7. At Transport and Highways Committee on 31 October 2013 it was approved that Section 19 Reports should be undertaken where NCC is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).

Section 19 Report summary for Arnold

8. As a result of the flooding in Arnold on 12th June 2019 the LLFA, working with partners, carried out investigations and is now able to present its Section 19 Report as contained in Appendix A.
9. The report identifies that following a prolonged period of heavy rainfall, a surface water attenuation area upstream of the area which subsequently flooded had reached full storage capacity. On the evening of 12th June 2019 and following an increase in rain intensity the attenuation area broke its banks allowing water to flow downstream. This flood water resulted in 24 residential properties and 20 businesses suffering from significant internal flooding.
10. As part of the investigations NCC officers liaised closely with Severn Trent Water and Gedling Borough Council who have both worked closely with the community to assist affected households. They have also carried out investigations into the mechanism of this flood event through checking the working efficiency of their relevant assets.
11. The area that the report considers forms part of the wider Upper Day Brook catchment; a catchment which has been the focus of an in depth study led by NCC and drawing on the expertise available from Severn Trent Water and Gedling Borough Council.
12. The report also identifies that all relevant RMAs carried out, and continue to carry out their respective duties.

Reason/s for Recommendation/s

13. The report delivers a duty defined within the Flood and Water Management Act 2010 and in line with approved County Council Policy.

Statutory and Policy Implications

14. The County Council has a number of statutory duties and powers under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009 including preparation of Section 19 Reports.

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. The cost of the wider Day Brook study will be contained within existing budgets. The amount is £99k Local Levy that the County Council secured and there is no NCC investment.
17. Since becoming an LLFA NCC has worked in collaboration with colleagues, risk management authorities, partners and local communities to help reduce the risk of flooding in Nottinghamshire.

Implications for Sustainability and the Environment

18. It is anticipated that this collaborative work will ultimately result in delivery of sustainable project that reduce flood risk across the county whilst also reducing the negative impacts the flooding has on the environment.

RECOMMENDATION/S

It is recommended that:

- 1) The Committee approves the publishing of the Section 19 report Appendix A in line with Section 19 of the Flood and Water Management Act 2010 and our LLFA responsibilities.
- 2) The Committee endorses the work outlined in the report.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

Gary Wood – Group Manager, Tel: 0115 9774270
Sue Jaques – Flood Risk Manager, Tel: 0115 9774368

Constitutional Comments (SJE – 26/07/2019)

19. 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 flood risk management scrutiny has been delegated.

Financial Comments (SES 27/08/19)

20. The financial implications are set out in paragraph 16 of the report. The cost of the Daybrook study will be financed from the Environment Agency revenue grant funding.

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

Arnold North:

- County Councillor Michael Payne
- County Councillor Pauline Allan

Arnold South:

- County Councillor John Clarke
- County Councillor Muriel Weisz

APPENDIX A

SECTION 19 REPORT – ARNOLD – JUNE 19

Introduction

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

1. On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate:
 - (a) Which Risk Management Authorities (RMAs) have relevant flood risk management functions.
 - (b) Whether each of those RMAs has exercised, or is proposing to exercise, those functions in response to the flood.
2. Where an authority carries out an investigation under subsection (1) of Section 19 it must:-
 - (a) Publish the results of its investigation.
 - (b) Notify any relevant RMAs.
3. The objective of this report is to investigate which RMAs had relevant flood risk management functions during the flooding in June 2019 and whether the relevant RMAs have exercised, or propose to exercise, their risk management functions (as per section 19(1) of the Flood and Water Management Act 2010).
4. The RMAs for this area of Nottinghamshire are the Environment Agency (EA) Gedling Borough Council (GBC), The Nottinghamshire County Council (NCC) as Lead Local Flood Authority (LLFA), VIA as Highways Authority on behalf of (NCC), Severn Trent Water Ltd. (STW) and Nottinghamshire Fire and Rescue.
5. It should be noted that this duty to investigate does not guarantee that flooding problems will be resolved and cannot force others into action.

Background

6. Arnold is a market town and suburb of the city of Nottingham, it is situated to the north-east of Nottingham's city boundary. Arnold's town centre is the largest in the borough of Gedling with a population of approximately 37,700 people.

On the evening of 12th of June 2019 at around 10:30pm and following a prolonged period of heavy rainfall, parts of Arnold suffered a significant flood event. 24 Residential Properties and 20 Businesses were subject to internal flooding with many more suffering flooding to gardens and outbuildings. The areas affected were Hall Drive, Brook Gardens, Bentwell Avenue, Bonnington Drive, Brookfield Road, Gedling Road, Front Street, Market Place and Arnot Hill Road.

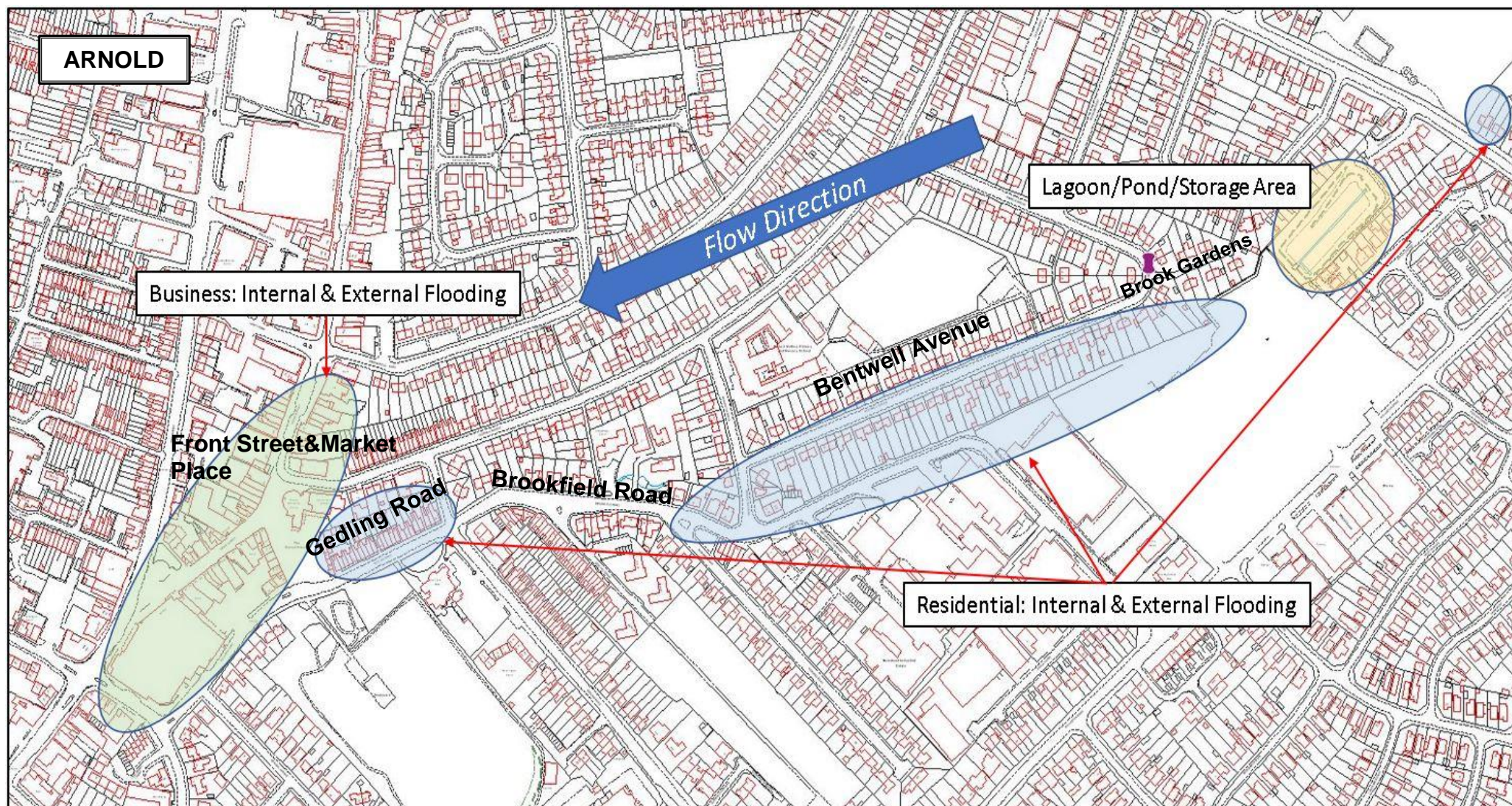


Figure 1. Arnold, sub-catchment of the wider Day Brook Catchment

Summary of flooding and its causes

- Between the 10th and 12th of June a significant amount of rain was recorded as falling on the Arnold area. The nearest EA rain gauge at Lambley recorded 92mm over the three days, with 59mm falling on the 11th alone. The average rainfall for the month of June in Nottingham is 64mm. This excessive rainfall resulted in 24 residential properties and 20 businesses experiencing significant internal flooding. Figures 2 and 3 describe the source of the flood water and the history of the area. Figures 4, 5 and 6 highlight in more detail the areas affected.

Figure 2 is a plan showing a surface water attenuation area situated between Malin Close to the North East and Brook Gardens to the South West. Immediately to the South of the attenuation area is the Rolleston Drive Highway Depot. The attenuation area is maintained by GBC with a STW surface water sewer permitted to flow into and out of it. When functioning correctly the attenuation area collects water from the STW surface water network upstream and discharges that water back into the STW surface water network downstream but at a controlled rate.

On the evening of the 12th of June, the attenuation area was already at full capacity following the previous days rainfall (see photo adjacent). The storage area then broke its bank allowing the excess surface water to run overland, eventually finding a natural valley along the rear gardens of Bentwell Avenue. This channelled the water downstream at a gradually increasing rate causing extensive damage along its path. The water was following a natural route described on page 4.

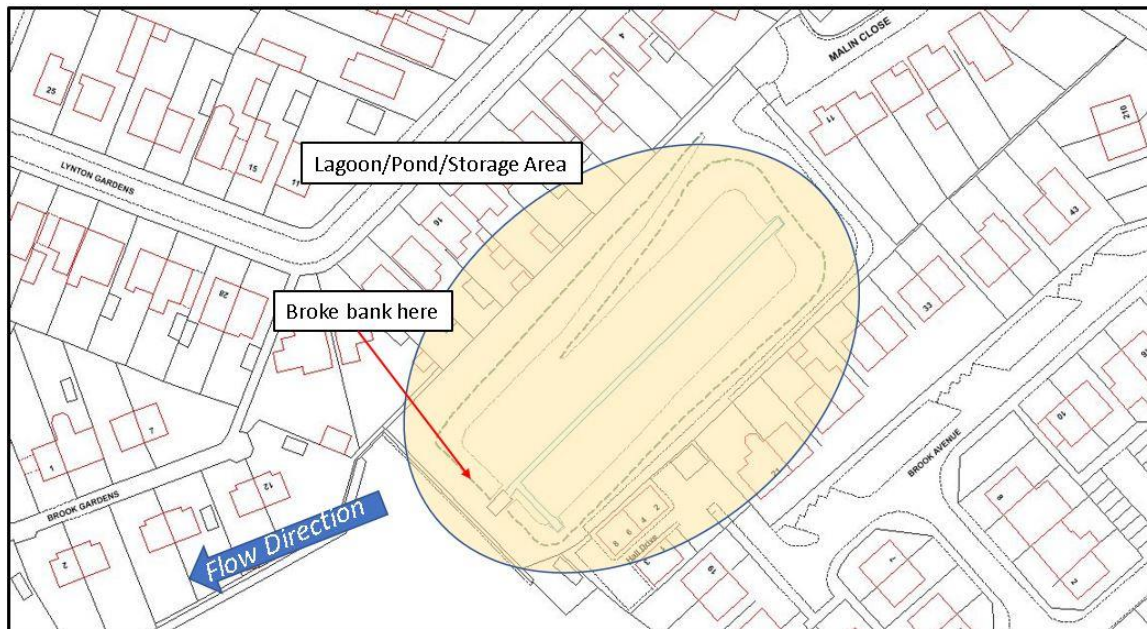
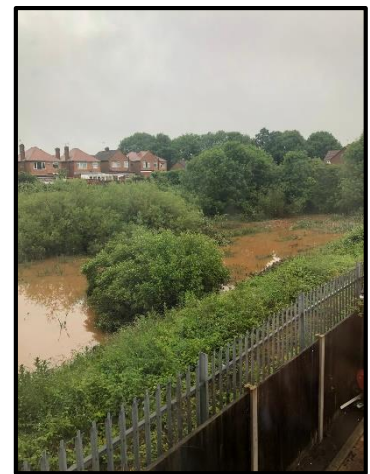


Figure 2. Plan showing location of storage attenuation area

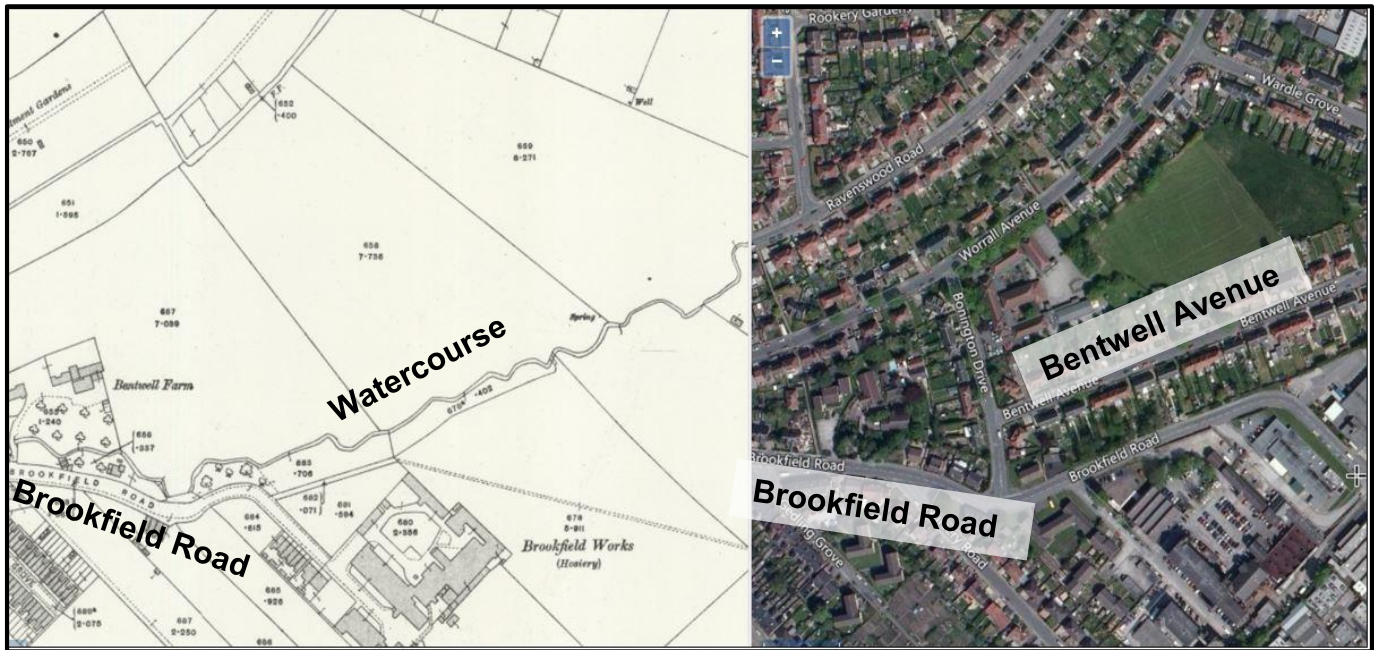


Figure 3. Historic map showing line of original watercourse.

Figure 3 has to the left an historic map which shows the line of the original watercourse meandering towards Brookfield Road, and the aerial photo to the right clearly shows that now Brook Gardens and Bentwell Avenue are on that historic route. This area of Arnold has flooded along this route on a number of occasions with previous documented events in 1998, 1999, 2006, 2010 and 2013.

This observation is illustrated further by Figure 4 the surface water map of the area provided by The Environment Agency which shows predicted flow routes during periods of heavy rain. As you can see the flow route follows the line of the historical water course now Bentwell Avenue and other residential areas.

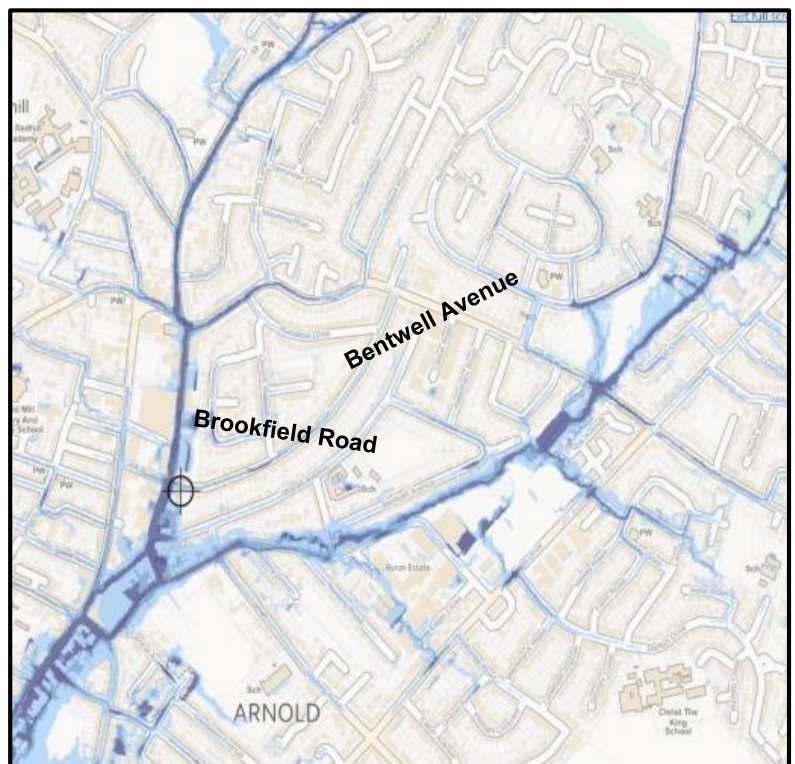


Figure 4. Surface Water Flood Map

Over many years the watercourses serving the area have been culverted and altered, with some lengths shown as public sewer and some as ordinary watercourse. This historic situation can lead to complications in ownership and maintenance responsibilities.

The area that this report considers forms part of the wider Upper Day Brook catchment, a catchment which has been the focus of an in depth study led by NCC and drawing on the expertise available from STW and GBC. After securing £99k of Local Levy in January 2018 the study sets out to deliver the following key outputs:

- An understanding of how the complex surface water system and assets operate and interact.
- Provide evidence to allow the partners to consider rationalising / clarifying the ownership and maintenance responsibilities of the various assets.
- Provide data to update mapping systems and records
- Identification of areas where there may be potential to improve the effectiveness of the system
- Secure data to update the hydraulic model

This study is due to be completed by October 2019.

Once the water in the storage attenuation area had broken bank it began to flow along the route shown in figure 5, channeling the water through rear gardens and into some houses along Brook Gardens, Bentwell Avenue and Bonnington Drive. At some points the water depth was observed to be up to 4ft in depth.

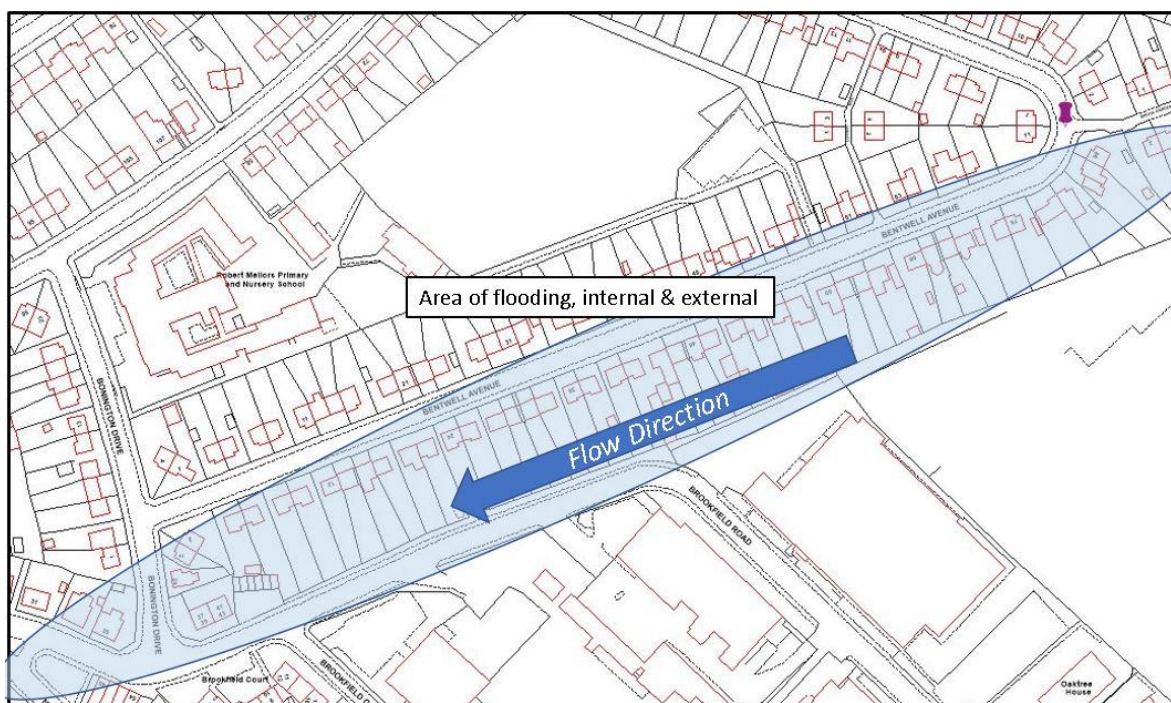


Fig 5. Bentwell Avenue and surrounding area.

Using Brookfield Road as a channel the water continued to flow along Gedling Road and along the frontages of the terrace houses, shown in figure 6. The water was of sufficient depth at this point to enter some of these houses through the front doors. The photo between Figures 4 and 5 above shows damage to slabs along a raised sloping bank, indicating flow depth.

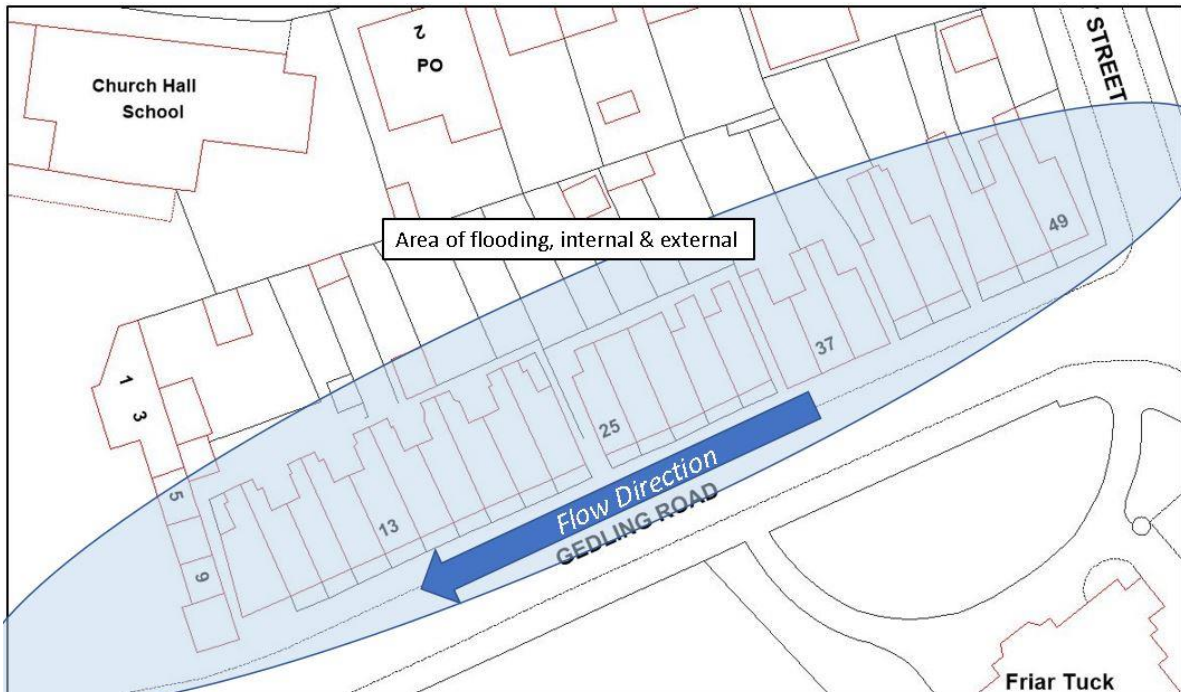


Fig 6. Gedling Road and surrounding area.

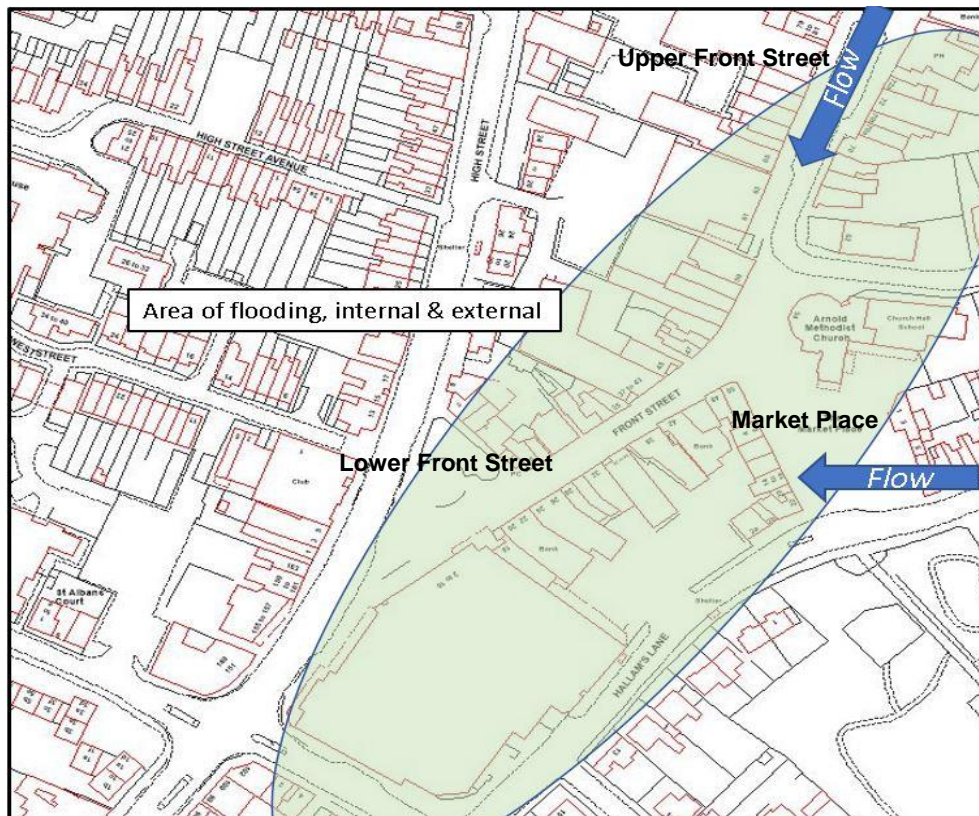
The lower end of Front Street and the Market Place are at the bottom of an urbanised natural valley, so flood water flowed to this point, ponded and flooded a number of businesses. The adjacent photo looks down at the flooding on Lower Front Street and the Market Place.

Evidence suggests that surface water flowed from upper Front Street using the road as a channel, the road was closed to traffic over night for safety.



The flow route mentioned previously also channeled water towards the Market Place where it collected with water from Front Street adding to the flooded area.

The Highway Drainage at this low point is not designed to cope with this amount of water so was simply overwhelmed and could not drain to the Surface Water Sewer quickly enough. The water simply had nowhere to go until the rain began to subside, it was then observed to clear quite quickly.



Risk Management Authorities and their responsibilities

1. The Nottinghamshire County Council

a) Lead Local Flood Authority

- i. Investigate significant local flooding incidents and publish the results of such investigations.
- ii. Play a lead role in emergency planning and recovery after a flood event.
- iii. LLFAs also have 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.
- iv. By working in partnership with communities, LLFAs can raise awareness of flood risks.
- v. LLFAs should encourage local communities to participate in local flood risk management.

b) Emergency Planning

- i. If a flood happens, all local authorities are 'category one responders' under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency.

c) Highway Authority (NCC/VIA)

- i. Maintenance of the public highways including highway drainage assets.
 - ii. Provided site-based presence and investigations immediately following the event.
- 2. Severn Trent Water Ltd.
 - a) Maintenance of the public sewerage system.
- 3. Gedling Borough Council
 - a) Category one responder under the Civil Contingencies Act. This means they must have plans in place to respond to emergencies and control or reduce the impact of an emergency.
- 4. Nottinghamshire Fire and Rescue Service (Adapted from page 91 of LRF Flood Response Plan)
 - a) Save life (in conjunction with East Midlands Ambulance Service and Nottinghamshire Police)
 - b) Implement water rescue operations
 - c) Conduct search and rescue operations
 - d) Carry out essential damage control operations, such as pumping floodwater (using high-volume pumps) and salvage works
 - e) Assist Nottinghamshire Police in the recovery of casualties

Risk Management Authority Responses to Flood

- 5. The following lists the actions taken by each RMA in response to the flooding both in the immediate aftermath as well as in the longer term:
 - a) The Nottinghamshire County Council:
 - i. Initiated and led the S.19 Flood Investigation.
 - ii. Initiated and co-ordinated Emergency Planning procedures.
 - iii. Continues to work in partnership with STW to survey the wider Day Brook catchment.
 - iv. Provided Highways response team to close Front Street during flood and investigate highway drainage issues.
 - b) Severn Trent Water Ltd:
 - i. Actively engaged in S.19 Flood Investigation.
 - ii. Provided site-based presence and investigations immediately following the event.
 - iii. Inspected and confirmed that the flow control device on the pond was working effectively.
 - iv. Work in partnership with NCC to survey the wider Day Brook catchment.
 - c) Gedling Borough Council
 - i. Provided emergency response support in management of flooding event.
 - ii. Inspected condition of pond immediately following the event
 - iii. Actively engaged in the S.19 Flood Investigation.
 - d) Nottinghamshire Fire and Rescue (Adapted from page 91 of LRF Flood Response Plan)
 - i. Were first responder on site

- ii. Implemented water rescue operations
- iii. Conducted search and rescue operations
- iv. Carried out essential damage control operations, including pumping floodwater

Additional information.

6. This area was also subjected to a similar flood event in 2007 after which STW commissioned some work to install a new foul water tank the aim of which was to alleviate the risk of foul water being mixed with surface water. There was no evidence of foul water being present during this event, so the tank worked effectively.
7. The Upper Daybrook catchment is served by a complex system of surface water assets and is an area with known flooding history. In January 2018 NCC secured £99k Local Levy to carry out a study into these assets. The study is a significant piece of work that has drawn on and been supported by the expertise and knowledge available across NCC, STW and GBC and is due to be completed in October 2019.
8. The study will deliver the following outputs:
 - a. An understanding of how the complex surface water system and assets operate and interact.
 - b. Provide evidence to allow the partners to consider rationalising / clarifying the ownership and maintenance responsibilities of the various assets.
 - c. Provide data to update mapping systems and records
 - d. Identification of areas where there may be potential to improve the effectiveness of the system
 - e. Secure data to update the hydraulic model
9. Information from the study was incredibly useful in the preparation of this report.

Future Actions

10. GBC and STW will carry out a joint investigation into how the pond operated during the flood event.

NCC and STW will look at how the Highway Drainage system works with the Public Sewer system at the Front Street and Market Place area.

NCC and STW with input from GBC will continue the partnership project into the operation of the wider Day Brook catchment.

5th September 2019**Agenda Item:7****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****MOTION TO FULL COUNCIL – SINGLE USE PLASTICS****Purpose of the Report**

1. To update Members on the progress of actions agreed in the motion on single-use plastics at Full Council in March 2018 and;
2. Seek approval from Committee for future updates on the motion to be delivered through the development of the corporate Environment Strategy

InformationBackground

3. Full Council agreed the following motion on single-use plastics (SUP) in March 2018 for Nottinghamshire County Council: -
 - supports the growing national campaign to highlight the dangers of single-use plastics to our environment, especially our oceans;
 - commits to continue to work with our waste management partners to maximise the amount of plastic and other materials which can be recycled subject to negotiation;
 - commits to review and reduce our reliance on single-use plastic products such as bottles, cups, cutlery and drinking straws throughout the Council's services and facilities, wherever alternative materials will not increase, and ideally can reduce costs to the council taxpayer;
 - will encourage our facilities users and local businesses and other public bodies to make the same commitment to reduce their use of SUPs;
 - agrees that a report should be brought to Communities & Place Committee every six months to update Members on progress towards this objective.
4. This report gives a high-level overview of the actions County Council services have taken so far, as well as proposing how updates on progress towards these actions will be reported going forward.

Update on progress

5. Council services have already implemented a number of changes which have reduced reliance on SUPs. These are briefly outlined below.

Council / Committee meetings

6. SUP water bottles are no longer used for any Council or Committee meetings. Instead jugs and glasses are offered, which is estimated to have saved approximately 2,000 plastic bottles per year.

Catering

7. Reusable cups are offered in Council catering outlets. These are sold on a cost recovery basis only. Year on year this has resulted in a reduction in cup and lid usage of approximately 13,000.
8. Biodegradable takeaway cartons are now used for hot food and PET recyclable salad boxes are also in use.
9. Wooden stirrers for all hot drinks are provided, reducing the reliance on plastic spoons.

Facilities Management

10. Water machines within staff areas no longer have plastic cups available. Facilities have ensured that there is enough glassware for this. Based on last year's usage this will result in reducing the usage of plastic cups by 40,000.

To be implemented

11. Facilities are currently awaiting samples on a biodegradable cup that will be available in all public meeting rooms. Furthermore, all take away cutlery is to be biodegradable by the end of July 2019.

Waste Management Partners and Contracts

12. Discussions continue with Veolia and Waste Collection Authority partners to minimise the impact of SUP and maximise the opportunities for recycling of suitable plastics through kerbside collections.
13. Veolia operate their own closed loop plastic recycling operations in the UK and Europe where targeted plastics get recycled into raw materials for the manufacture of recycled plastic products.
14. Low grade plastics, and products which have unsustainable end markets or are uneconomic to recycle are not targeted within the kerbside recycling collections, however around 95% of all waste collected in the County is now diverted from landfill, with the majority or residual waste now sent for energy recovery
15. Veolia operate within strict legislative parameters and have a full "Duty of Care" audit trails on all waste handled, ensuring that no plastic (or other waste) is released into the environment.

Environment Strategy

16. In May 2019 the following motion was tabled and agreed at Full Council:

17. To that end, this Council resolves to: -

- Welcome current plans to bring proposals to the next Policy Committee to develop a new Corporate Environment Strategy, which will consider the recent Intergovernmental Panel on Climate Change report and other relevant information. This will include working through the evidence base, with the intention of setting a carbon neutral target date for Nottinghamshire County Council, and our governance structure will ensure close monitoring of progress and outcomes.
- Integrate this commitment into the Nottinghamshire County Council Four Year Plan 'Your Nottinghamshire, Your Future'.
- Continue to include and strengthen the assessment of the implications for sustainability and the environment in all relevant reports to committees.
- Communicate this commitment with residents, businesses and all strategic partners across Nottinghamshire, and provide ongoing information to residents about how local action can make a difference.

18. Officers briefed Corporate Leadership Team (CLT) in June, and a fully encompassing Corporate Environment Strategy for the County Council was endorsed.

19. A report is currently being developed on the principles and scope of the Corporate Environment Strategy and will be taken to Policy Committee in Autumn 2019, with a strategy itself being approved and implemented by Summer 2020.

20. It is proposed all further updates to Communities and Place Committee regarding the SUP motion are to be delivered through the comprehensive Corporate Environment Strategy to save replication of work.

Other Options Considered

21. To continue to update committee every 6 months as agreed in the SUP motion, however this will duplicate work which will also be delivered through the Corporate Environment Strategy.

Reason/s for Recommendation/s

22. Since the SUP motion was agreed, another motion has been agreed by Full Council. The work carried out on the SUP can be updated through the delivery of the Corporate Environment Strategy which will reduce replication and therefore save on resources.

Statutory and Policy Implications

23. 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

24. There are no direct financial implications contained within the report.

RECOMMENDATION/S

That Committee:

- 1) Agree for further updates on the Single Use Plastics (SUP) motion from March 2018 to be delivered through Committee Reporting on the development of the Corporate Environment Strategy.

Derek Higton
Service Director, Place and Communities

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

Constitutional Comments (SLB 29/07/2019)

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

Financial Comments (SES 01/08/2019)

26. There are no financial implications arising from 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.

Electoral Division(s) and Member(s) Affected

- All

05 September 2019**Agenda Item:8****REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES****UPDATE ON KEY EMERGENCY PLANNING AND REGISTRATION MATTERS****Purpose of the Report**

1. To provide an update on recent key activities and events in the work of the Emergency Planning Team and of Registration and Celebratory Services, and to seek approval for the introduction of the European Union Settlement Scheme service on a cost recovery basis.

Information**Emergency Planning**Emergency Plans

2. The emergency planning team has continued to maintain a comprehensive set of emergency plans arising from an assessment of risks and hazards affecting the County. Some plans are exclusive to County Council services, others are made in collaboration with Local Resilience Forum (LRF) partners to ensure multi-agency coordination of emergency response. The plans are maintained by means of routine reviews, staff training and various types of simulation exercises. Some plans address specific risks, such as flooding, others are generic for use in any emergency and address common needs such as public information, transportation and accommodation.

UK Terrorist Threat Level

3. At time of writing, the threat level for international terrorism in the UK is at 'Severe,' meaning that an attack is highly likely. This is the second highest level of alert behind 'Critical'. An escalation to the highest level would mean an attack is expected imminently. Consequently, in line with other key agencies, the County Council maintains a specific emergency plan to guide decisions that may need to be taken by Nottinghamshire County Council should the UK Terrorism Threat level be raised to 'Critical'. Officers involved in this work are able to link with Special Branch through the LRF Severe Threats Group and the Risk Advisory Group.

4. The emergency planning team is contributing to preparations for a set of interrelated counter-terrorism response exercises taking place later this year and early next year. In addition, security considerations are embedded within the team's work on safety at sports grounds.

Safety of Sports Grounds – Inspections

5. Satisfactory annual pre-season audit and safety inspections have been completed for the City Ground (Nottingham Forest) and the One-Call Stadium (Mansfield Town Football Club). Both took place on 9th July.
6. The programme of during-performance safety inspections included the final home fixtures of the 2018 – 2019 season for Nottingham Forest and Mansfield Town Football Clubs. The Nottingham Forest game was against Bolton Wanderers on 5th May, and Mansfield Town played Newport County on 12th May. No significant safety issues were found at either match.
7. Satisfactory during-performance inspections were completed at Trent Bridge Cricket Ground prior to and during Cricket World Cup fixtures at the ground.
8. Details of inspections at Southwell Racecourse are given in the following section.

Safety of Sports Grounds – Regulatory Activity

9. The Safety of Sports Grounds Act, 1975, places a responsibility on all local authorities to issue a safety certificate to designated sports grounds and regulated stands, and enforce to its conditions. Regulatory action was taken in November 2018 following identification of shortcomings in the safety culture at senior management level at Southwell Racecourse. This related to how maintenance and development projects had been managed over the preceding months. The outcome of an assessment and consultation process was that the permitted spectator capacity of the racecourse was reduced by 10% from 3,380 to 3,056. The racecourse managers have now completed specific actions required of them and the full capacity has been restored.

Mansfield Town Football Club - Proposed Public Spaces Protection Order

10. Local elected members have been approached, seeking their support for a proposed 'Public Spaces Protection Order' at Mansfield Town Football Club's One Call Stadium. This will assist in preventing crowd disorder and antisocial behaviour by limiting a public right of way through the car park at the ground on match days. Supporting documents outlined why this is a reasonable and proportionate measure which will enhance public safety. As Safety at Sports Grounds falls within the remit of Communities and Place Committee, the Chair of that Committee has been briefed on this topic and has lent his support to the proposal.

The City Ground – Re-development

11. The emergency planning team is now engaged in work to support Nottingham Forest Football Club in work to re-develop the City Ground and surrounding area. The team will monitor the plans as they develop to ensure they adhere fully to Safety and Sports Grounds requirements. Central to the re-development will be the replacement of the current Main Stand (dating from 1964) and improvements to the Trentside area. It is anticipated that, in addition to seating, the new Stand will include a museum, club shop, hospitality lounges, restaurants and

executive boxes. The club are hopeful that building work will commence at the end of the 2019-20 season with first use of new facilities during the 2021/22 season. The work will see The City Ground's capacity rise from 30,000 to 38,000.

Exercises

12. On Tuesday 11th June, an exercise took place to test the off-site emergency response plan for the Misterton Petroleum Storage Depot. The County Council is required to maintain this plan under the Control of Major Accident Hazard (COMAH) Regulations, 2015. The scenario for the exercise involved a multi-vehicle crash leading to a large explosion, fatalities, road and school closures and environmental contamination. The exercise brought to light a number of useful lessons regarding road closures, information to the public and access to buildings. This learning will be incorporated in amendments to the plan.
13. The emergency planning team contributed to a Severn Trent Water exercise to test their plans for responding to a major incident, with a specific objective to increase their understanding of key stakeholders needs. The LRF Critical Infrastructure Group took the opportunity to take part and test the LRF Disruption of Water Supplies plan and Vulnerable Peoples Directory. This highlighted some minor areas for improvement.

LRF Cyber Group

14. The County Council's emergency planning team has facilitated the establishment of a new LRF Cyber Resilience Group. The team (as LRF Secretariat) organised and chaired a first meeting of the group on 1st May and a second on 10th July. This has been an interim arrangement to ensure that the group was established and that work was being progressed while a group chair was being identified. Health partners have indicated that they hope to be able to provide a suitable nominee to lead the group in the future.
15. The group have assessed local arrangements against the National Standard for Cyber Incident Preparedness. A very positive overall picture emerged and work has been initiated to make improvements where possible.

REPPIR Regulations 2019

16. Revised Radiation Emergency Preparedness and Public Information (REPPIR) Regulations, 2019, came into effect on 22nd May 2019. The Emergency Planning Team was briefed on these by the Health and Safety Executive and the Office for Nuclear Regulation. At present, we are awaiting an assessment report from the one (non-nuclear) operator in the County that has been identified as falling under REPPIR. The operator has a four-month period in which to complete their assessment and then the County Council has until 21st May 2020 to finalise its' work to comply with the regulations.

Corporate Alert System

17. The Corporate Alert System is designed to inform senior managers of emergencies and business continuity incidents by sending an SMS or voice message to their work mobile phone. Messages are sent using a web-based system called Esendex Echo. The system was introduced in March 2018 and a successful first test took place on Wednesday 4 July 2018. A second test took place on Monday 24 June 2019

18. Eighty senior managers. Include all members of the Risk, Safety & Emergency Management Board, are registered on the system, and here are 104 telephone numbers in total as some people have given consent for personal mobile numbers to be added. Analysis of the results of the recent test indicated that 95 voice messages (91%) and 91 text messages (88%) were received successfully. Reasons for failure of the remaining 9 voice messages and 13 text messages included that staff away on leave or handsets did not receive the message. Each case was checked individually to ensure all contact details on the system remain accurate.

Recent incidents

19. A period of heavy rain led to surface water flooding in parts of the county on 12th and 13th June. Significant highway flooding was experienced parts of Gedling, Newark and Sherwood, and Rushcliffe, and there was property flooding in Gedling and in Rushcliffe. The emergency planning Duty Officer responded to calls during the evening of 12th June and was joined by two other team members during the early hours of 13th June. They participated in multi-agency telephone conferences led by Nottinghamshire Police that allowed agencies to highlight issues and agree response requirements. It was not necessary to activate Local Resilience Forum major emergency processes on this occasion.
20. Trained community volunteers in Woodborough, Southwell and Thurgarton activated Flood Signage and Road Closure schemes to close roads where specific trigger points had been reached and the roads had become dangerous. Similar schemes currently established in Bleasby, Collingham and South Muskham were not required on this occasion, but elsewhere flood water and the emergency services closed roads in Arnold, Lambley and Coddington.
21. By coincidence, the emergency planning team (joined by ViaEM and Fire Service colleagues) had delivered a refresher training session and community briefing in Woodborough 48 hours before the scheme was used to close roads there.

Registration and Celebratory Services

Law Commission Review on Marriage Reform

22. The current legislation covering civil marriage is expected to change in the coming years, subject to the outcome of a national consultation and the availability of parliamentary time. The Government announced a review of civil marriage legislation in 2018 and this has begun with the Law Commission publishing the principles and scope for a public consultation. Once this has been completed they will make recommendations to the Government on how the law can be reformed. The aim of the review is to provide couples with greater choice, within a simple, fair and consistent legal structure that fits the needs of all couples and religious faiths.
23. The review will look at legal preliminaries, the content of a wedding ceremony, where weddings can take place, who can solemnize a marriage and how marriages should be registered. The Commission will also consider options for how marriage law could be extended to non-religious belief groups. The Government has said that a separate piece of work will explore what can be done to deliver interim reform within the existing system for certain civil ceremonies. In particular, the Government intends to consider if the regulations

governing approved premises can be reformed to allow outdoor locations for civil ceremonies, whilst maintaining the requirement that venues be seemly and dignified.

Wedding Planner

24. The Registration Service is looking to improve services for wedding customers through the introduction of an online ceremony planner. The public will benefit as the online element of the planner will meet increasing demand for contact outside normal working hours. Payments and ceremony preferences will all be possible at the customers preferred time, knowing that they will get instant acknowledgement that the request has been processed. It is believed that use of planner will generate more visits to the Nottinghamshire County Council website from people in our local communities but also outside and provide greater exposure of the range of services we offer
25. Frontline registration staff will be able to direct customers to a single point of access, where a variety of services can be provided, rather than through multiple paper copies of documents, emails and website links. The planner will enable all registration staff to increase productivity by focussing more time on statutory duties and for marketing the additional services on offer.

75th Anniversary of VE Day

26. Registration Managers have taken steps to address the impact on wedding bookings arising from the government's announcement that the early May bank holiday in 2020 will move from Monday 4th May to Friday 8th May, to mark the 75th anniversary of V.E. Day. Some weddings had already been booked on the dates affected. There were couples who had booked for the Bank Holiday that won't be one now, and others who have booked for the Friday not expecting that it would become a Bank Holiday. Customers have been understanding of the change, and appreciative of registration service help to re-arrange ceremonies.

European Union Settlement Scheme

27. The EU settlement Scheme (EUSS) enables European Economic Area and Swiss citizens living in the UK, and their family members, to obtain the UK immigration status they will require to live, work and study in the UK after the 30th June 2021 (or after 31st December 2020 if there is a no-deal exit from the EU).
28. The EUSS has been available to the public since 30th March 2019 and a growing number of local authority registration services are offering the service (normally on a cost-recovery basis if £14 per appointment. The Home Office is encouraging more authorities to become involved, as there is a large number of the foreign workers that have yet to apply for settled or pre-settled status. A EUSS appointment will be a 15 minute interview with a registrar or registration support officer. In order to offer the service it will be necessary to purchase handheld devices at a cost of £170 each, and have WIFI or 3G mobile data available. It is anticipated that local authorities will draw on Brexit funding made available by the government to cover the start-up costs for the service. Based on the experience of local authorities already offering this service, it is anticipated that demand will be modest and will be accommodated within current registration staffing resources.
29. The Registration Management Team recommends that the Committee approves the introduction of the EUSS service, on a cost recovery basis, charging £14 per appointment.

Civil Partnerships for opposite sex couples

30. The Civil Partnerships, Marriages and Deaths (Registration Etc.) Act, which received Royal Assent on 26 March 2019, contained provisions for regulations to be made to extend eligibility for forming a civil partnership to opposite sex couples. The registration service is now accepting bookings for these, however couple are made aware that the implementation date for the legislation has not yet been confirmed. Based on the current position, the earliest date for giving a notice of the intended formation of a civil partnership is 31 December 2019, with formation able to take place 29 days later.
31. It is possible that the implementation date could be earlier. This means that notices can be given ahead of 31 December, but any bookings taken for earlier dates are provisional, and cannot be guaranteed and will be subject to the terms and conditions of our booking policy. A civil partnership does not require a ceremony and couples can choose to simply sign the schedule in front of two qualified witnesses.

Brochure and Marketing

32. The registration team have been working with the County Council's digital team to produce a new registration service brochure to promote our services to audiences across the Midlands area. This contributes to the County Council's work to promote Nottinghamshire as a destination. Advertising space is being sold to offset the costs of the brochure production. The brochure will be distributed in our offices, at our wedding fayres, to relevant local businesses and libraries. A pdf version which will also go on to our website.
33. It has been recognised that in order to develop our service, further work is required on the current website for the service. This work is in its infancy but managers are working Communications and Marketing colleagues to rebuild the registration webpages and create new opportunity for more commercial activity and interaction with customers.

Other Options Considered

34. None

Reason/s for Recommendation/s

35. To update the Committee on this area of work contained within its remit.

Statutory and Policy Implications

36. 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

37. There are no financial implications for Emergency Planning or Registration budgets as the costs associated with provision of the European Union Settlement Scheme will be found from the Brexit-specific funding provided to the County Council by central government. Also, based on the experience of other local authorities, it is anticipated that the service will be accommodated within current staffing resources.

RECOMMENDATION/S

That the Committee:

- 1) Ratifies the updates given regarding key Emergency Planning and Registration matters;
- 2) Approves the introduction of the European Union Settlement Scheme service, on a cost recovery basis, charging £14 per appointment.

Derek Higton
Service Director, Place and Communities

For any enquiries about this report please contact: Robert Fisher, Group Manager for Emergency Planning and Registration

Constitutional Comments (SLB - 29/07/2019)

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

Financial Comments (SES - 21/08/2019)

39. The financial implications are set out in paragraph 37 of the report. EU Exit funding for local government totalling £175,000 has been received from the Ministry of Housing, Communities and Local Government.

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 Divisions and Members Affected

- All

5 September 2019**Agenda Item: 9****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, including progress to raise additional income in the Service.
2. Ratify the update given regarding the progress of raising additional income in the Service.
3. To seek approval for decisions on 2 Local Improvement Scheme 2019/20 Capital applications.
4. To approve the opening of a new capital funding round for 2020/21 in November 2019.

Information**TRADING STANDARDS**

5. **Nominated Neighbour** – In May, Officers from the County Council, Nottinghamshire Police and Rushcliffe Borough Council came together to visit residents in a supported living complex in West Bridgford.
6. The Nominated Neighbour Scheme was implemented in 27 properties, with the Scheme Manager taking the role as the Nominated Neighbour. The scheme helps protect more vulnerable residents from unwanted doorstep callers. Residents were also given advice on wider crime prevention and scams avoidance.
7. **Doorstep Crime** - In 2017, a recently widowed Bassetlaw man in his 80's became the victim of doorstep criminals. The resident was deceived into withdrawing £24,500 from his bank to pay over. An Officer assisted the resident at the time and put measures in place to ensure he did not become victim again.
8. A complaint was made to the Financial Ombudsman Service regarding the bank processes which allowed the victim to withdraw £25,000 in two months which was very unusual and should have raised suspicions.
9. Once the bank did realise what might be happening, they called the Police and Trading Standards and stopped any further loss. After a lengthy case, in the Ombudsman recently decided that the bank should refund the victim £24,500. This will have a huge impact on the resident's quality of life, following what was a very distressing incident.

10. **Illicit Tobacco** – Officers continue to apprehend those individuals who sell and distribute illicit tobacco products.
11. A long-standing investigation regarding a Mansfield shop recently employed a directed surveillance operation. Evidence obtained supported the suspicion of a criminal conspiracy involving four persons and resulted in the interception of a delivery of illicit products into the County.
12. Working with Police and HM Revenue and Customs, £9,030 of illicit product was seized, plus a vehicle which will be the subject of a forfeiture order. Three persons have been interviewed with regards to criminal conspiracy. The fourth has left the area and has been flagged as wanted on national Police systems.
13. A complaint was recently received of illegal tobacco sales in Worksop. Our officers supported by the Police located a male conveying tobacco from a car to the shop. He was arrested, and £1,400 in cash seized, which has been authorised by Magistrates to be retained. £3,540 worth of counterfeit tobacco product was also seized. The male has been interviewed.
14. Following a prolonged period of disrupting the sales from a shop in Stapleford, which culminated in several prosecutions, the shop now remains closed and the individuals have ceased offending in Nottinghamshire. Officers continue to monitor the situation.
15. **Illicit Tobacco – Repeat Offending** – In response to a previous Committee question, some individuals can be victims themselves, having been targeted by organised crime groups exploiting the fact that they have no right to work in the UK due to their immigration status. These individuals are making little to no personal financial gain from the criminal activity. Some individuals are modern day slavery victims.
16. The main offenders are often difficult to trace due to the tactics they employ. Trading Standards do work closely with the Police, HMRC and other local authorities to share intelligence, and develop new tactics to identify and apprehend those ultimately responsible, as illustrated in the Mansfield and Stapleford shops cases above.
17. The Service also targets the owners of premises being used for illegal activity, for example by working with District Councils on closure orders, or by reminding owners of Money Laundering provisions.
18. **E-cigarettes** – officers have previously worked with e-cigarette manufacturers ensuring that they were fully aware of legislative requirements and have previously been part of an Office of Product Safety & Standards (OPSS) project, visiting numerous e-cigarette sellers to check compliance.
19. All complaints and intelligence reports received are reviewed and acted upon on a case by case basis. Trading Standards also works with any on-line selling companies to ensure that unsafe products are removed from the marketplace.
20. **Animal Health** – In June, representatives of the Thailand Department of Livestock Development (DLD), were invited by DEFRA, to visit the UK to examine the production chain of rendered animal by-products, with a view to opening trade routes in associated products.

21. Included in their itinerary was a visit to a Nottinghamshire plant. An Officer supported DEFRA during their visit to the plant. As part of their response DLD said that they were confident of the risk controls in place, giving added assurance to the product.
22. A Northamptonshire farmer has been prosecuted for repeated disease control breaches, including illegal sheep movements to Newark Livestock Market. Our staff assisted Northamptonshire Trading Standards in gathering the evidence. Livestock keepers are responsible for ensuring that they move their livestock according to the requirements - failure to do so puts all livestock at risk from serious diseases such as foot and mouth.
23. **Income update:** The Service is currently on target to meet its income target for 2019-20, with £250k secured as at end of July, slightly ahead of profile. The Service is confident it will exceed the annual target of £729k for 2019-20.
24. Officers continue to work with Rushcliffe Borough Council to provide businesses with a single point of access to Primary Authority regulatory advice and support. The Service intends to extend this offer by linking with other regulatory services such as Fire & Rescue.
25. To cater for businesses affected by Welsh regulatory responsibilities, officers are in discussion with several Welsh authorities to establish a seamless single point of contact for businesses through the Primary Authority Partnership (PAP) scheme.
26. Trading Standards has been working with one of its Co-ordinated PAP's involved in flame retardancy of textiles, to help devise an auditable industry standard for their members'. We have embarked on a series of trial audits of some business within the association to test out the effectiveness of the standard.
27. The aim is to have a finalised standard that all members of the association can work to and be measured against, giving confidence to their clients that they are dealing with a company that is working to the high standards required.
28. The Service has recently made proposals for partnerships with two separate associations that represent manufacturers and fitters within the kitchen and bathroom industry. It is hoped that by the time that this Committee meeting, that these associations will be formally recognised as Co-ordinated PAPs on the official Office of Product Safety & Standards (OPSS) PAP register.
29. **Food Standards Agency Regulating Our Future Program:** officers recently met representatives from the Food Standards Agency (FSA) who came to see how the Service used an intelligence-led approach, using the Management of Risk in Law Enforcement (MoRiLE) based scoring system, to help assist it in deploying limited resource based on prioritised risk.
30. The FSA are looking at whether they could use such a system to produce national priorities which are ultimately disseminated to shape the work of Trading Standards and Environmental Health Services. This work forms part of the Regulating our Future (RoF) program which is the FSA national strategic review programme to modernise the way food businesses are regulated.

31. Other developments within the RoF program, is an online registration system for Food Business Operator (FBO) premises and reviewing the various recognised premise risk-based assessments that authorities use to devise inspection programs. The aim of the new business risking system is to create a single more appropriate system that everyone can use.
32. The new system will create a uniformity of approach based more on the actual risk of the business activity as opposed to simple premise type. It will consider local knowledge and confidence in the management systems that are in place at a business. It will also be aimed at being flexible to changes in technologies and markets that may affect the level of risk in a particular food product or market sector.
33. **Takeaway Foods - Allergens** - recent well publicised tragic cases have highlighted the vital importance of takeaway food suppliers providing accurate information to customers about allergens within the meals provided.
34. Trading Standards and Environmental Health Services work together to enforce these key requirements to protect residents who have severe allergies to ingredients such as peanuts, mustard and egg. To assess the level of compliance, officers conducted a survey at 21 selected takeaway premises.
35. Posing as customers, officers requested certain meals declaring that they needed to avoid a specific allergen due to a severe allergy. 8 out of the 21 businesses refused the order, as they advised that the meal requested either contained or could contain traces of the specific allergen.
36. 13 businesses provided the requested meals, which were subsequently sampled and submitted for analysis to test for presence of the allergen. Issues were identified with some of the 13 premises who sold a meal. Enforcement activity is ongoing with the businesses involved to secure future compliance.
37. **Proceeds of Crime incentivisation** – through successful asset recoveries, the Authority currently has a balance of £142k of recovered criminal assets.
38. As the Committee will be aware, when a crime has been committed and a financial investigation is undertaken, a figure will be calculated representing the amount of money that the criminal can be shown to have 'benefitted' from his or her crime. The financial investigation then identifies how much of this benefit figure remains available.
39. The Court will usually make a confiscation order for the recovery of that available (remaining) amount. This figure is usually significantly lower than the benefit figure.
40. The Court can also order how any recovered funds are used. Generally, where victims are identified in a case, the Court will order that the funds recovered are first used to compensate victims for their losses. Where there are no identified victims, or where the recovered amount exceeds the losses of victims, the remaining balance is paid to the Home Office.
41. The Home Office keeps 50% of the amount recovered after victims have been compensated, but then splits the remaining 50% between the Prosecutor, the Financial Investigation agency, and Her Majesty's Courts Service. Because the County Council both prosecutes and undertakes the financial investigation, it receives 37.5%.

42. Once a benefit figure has been calculated and an order made for a lower amount, Investigators will revisit the order over time to assess the level of available assets the criminal has. Where new assets can be identified, they can also be subsequently be recovered until the full value of criminal benefit is met.
43. The £142k currently held therefore only represents a very small proportion of the criminal property identified and recovered by Trading Standards investigations. Financial investigations and asset recoveries remain a very potent weapon in ensuring crime does not pay, by compensating victims and putting the criminal's funds into the criminal justice system.
44. Incentivisation funds received by the Council are restricted use and can only be used for crime and disorder reduction. The existing balance of £142k will therefore be used to contribute towards the salaries, professional accreditation, and ongoing training of our 3 Accredited Financial Investigators.
45. **Regional Investigations Team (RIT) - Operation Comfort - Crown Court Trial.** On 25th March, the trial commenced into an organised group responsible for targeting small businesses. The group promised businesses the recovery of overpayments and VAT from UK energy suppliers, but these recoveries never occurred. The fraud is estimated to have netted the group in the region of £2.6m.
46. 11 defendants were brought before the Court. Following a challenging 15-week trial, 4 defendants were found guilty of charges of Conspiracy to Commit Fraud, and Fraudulent Trading. One defendant was severed from the trial, to face trial later in the year.
47. A Proceeds of Crime investigation has been running alongside the substantive criminal investigation, and restraint orders on key assets are in place in relation to relevant defendants.
48. Having attended throughout the trial, the key defendant failed to appear to hear the jury's verdict. His whereabouts remain unknown. An arrest warrant has been issued.
49. Sentencing will take place at the Nottingham Crown Court on 30th August.
50. **Legal Update - Doorstep Crime** – James Eaton pleaded guilty at Nottingham Crown Court on the 21 Jan 19 to 7 counts of fraud for false representations and poor-quality work carried out at vulnerable victims' properties. He was sentenced on the 30 May 2019 to 2 years and 4 months in prison. A proceeds of crime investigation has now commenced.
51. A further defendant has been charged with fraud offences for making false representations to customers about building work. He appeared in Crown Court in November 2018 and pleaded not guilty to 8 counts. His trial is listed for the 7th December 2019.
52. **Animal Health** – A man has been charged with the illegal landing of a puppy. He was due to appear in the magistrate's court on the 18th January 2019, failed to attend, and an arrest has been issued. He is charged with offences under the Rabies Act and fraud.
53. A Lincolnshire farmer has been charged with theft of sheep, animal by product breaches, and failure to maintain records of animal movements. He has pleaded not guilty and his trial has been put back until March 2020

COMMUNITIES

54. **Local Improvement Scheme – Capital 2019/20.** Two further applications received have now been evaluated. Committee are asked to approve the following decisions:

- a. **Scrooby Parish Council** – approve the award of £1,000 to create and install a Pilgrim Fathers interpretation panel in the Old Vicarage, Chapel Lane.
- a. **Nottinghamshire Wildlife Trust** – not approve the funding requested as it does not sufficiently meet Council priorities, and alternative funding sources are available.

55. **Capital Fund - 2020/21** Committee are further asked to approve the opening of a new capital funding round for 2020/21 in November 2019. The scheme is currently being reviewed following learning from previous rounds.

Other Options Considered

56. **Local Improvement Scheme – Capital Fund 2019/20** - All applications received have undergone the Council's assessment and moderation process.

Reason/s for Recommendation/s

57. **Local Improvement Scheme – Capital Fund 2019/20** - The applications recommended meet the published criteria and priorities for the Local Improvement Scheme Capital fund 2019-20 and therefore contribute to the strategic priorities of the County Council and have the support of a relevant County Councillor.

Statutory and Policy Implications

58. 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.

Data Protection and Information Governance

59. **Local Improvement Scheme – Capital Fund 2019/20** The Fund has been administered in line with the General Data Protection Regulation (GDPR). The Nottinghamshire County Council Local Improvement Scheme Privacy Notice (as published on the Council's website), explains how the Council uses information about grant applicants and how we protect their privacy. As part of the application form, applicants were asked to confirm that they have read and accept the Local Improvement Scheme Privacy Notice.

Financial Implications

60. **Additional Income** – The Service is on track to exceed the target set for 2019-20, with £250k secured for the period to the end of July, ahead of profile.

61. **Proceeds of Crime incentivisation** – a balance of £142k of recovered criminal assets is currently held in a restricted use reserve that can be used by the County Council.

62. **Local Improvement Scheme – Capital Fund 2019/20** – the two applications under consideration can be met from the balance on this year's Capital Fund. The 2019-20 LIS programme which totals £1.332m is already approved within the Communities and Place capital programme.

RECOMMENDATION/S

That the committee:

- 1) Ratifies the updates given regarding Trading Standards and Communities matters;
- 2) Ratifies the update given regarding the progress of raising additional income in the Service; and
- 3) Approves the two decisions regarding Local Improvement Scheme 2019/20 Capital Applications as set out in the body of the report.
- 4) Approves the opening of a new capital funding round for 2020/21 in November 2019

Derek Higton
Service Director, Place and Communities

For any enquiries about this report please contact: Mark Walker, Group Manager Trading Standards & Communities, Tel: 0115 977 2173

Constitutional Comments (KK 29/07/2019)

63. The proposals in this report are within the remit of the Communities & Place Committee.

Financial Comments (SES 01/08/2019)

64. The financial implications are set out in paragraphs 64 -66 of the report. The net budget for the Trading Standards service in 2019/20 is £932,000. A further £142,000 following the Proceeds of Crime Act for the use of NCC is held in a reserve.

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 1

REPORT ON INCOME PERFORMANCE OF THE TRADING STANDARDS AND COMMUNITIES SERVICE

Purpose of the Report

1. To provide a quarterly update on the progress made by Trading Standards following the Services involvement in the Authority's commercial development programmes.
2. This report covers the period up to and including Quarter 1 of 2019-20.

Information and Advice

3. **Cumulative Overall Income** - Because commercial income is only one part of the total income generated by the Service, this report gives detail of both commercial income and total income.
4. The Service has already secured commercial contracts for the full year of £280k. Total income required for the year is £729k.
5. Total income earned in the period 1/4/19 to 31/7/19 amounted to £250k, putting the service slightly ahead of profile (£243k) for this point in the year.
6. **Packages for Small and Medium Enterprise's (SME's)** – During the current climate it can be difficult for businesses to budget for and access affordable business advice.
7. To offer appropriate support to local businesses the Service has developed some discounted packages of business advice for SMEs based within Nottinghamshire. These packages will not only provide benefit to the businesses but also the local economy as it will support investment and growth.
8. **One Stop Regulatory Support** - The collaboration with Rushcliffe Borough Council to provide businesses with single point access to "Primary Authority" (PA) regulatory advice and support across both Trading Standards and Environmental Health continues to develop well.
9. As previously reported, one joint-partnership has been established with a trade association for the pest control industry and we are in discussion with several other organisations that are interested in a concept that is clearly appealing to businesses.
10. The first partnership is acting as a proving ground for the processes of how the combined offer will work in practice. We also are looking to include other regulatory functions in the arrangement and to find a suitable authority in Wales to work with to cater for devolved regulatory responsibilities that impact the businesses that we are working with.
11. **Business Feedback** – In order to ensure that we are offering the best possible services for the businesses we support, we recently sought feedback from our existing PA partner businesses by means of a questionnaire. Approximately a third of businesses responded.

12. All felt they were getting the appropriate frequency of contact to meet their needs and almost all felt that we delivered the right standard of work. All businesses saw the formal advice that we offer as being a key benefit, with almost all seeing our expertise and availability when needed, as being other main benefits.
13. The questionnaire does however suggest that we can do more to understand the plans businesses have and the commercial issues they face. We believe this will enable us to further improve our services.
14. **Office for Product Safety and Standards (OPSS)** – OPSS is a division with the Department for Business Energy and Industrial Strategy (BEIS) which is the government department with responsibility for most Trading Standards legislation. Apart from its responsibility for consumer safety matters, OPSS administers the Primary Authority Partnership (PAP) scheme and is effectively its custodian.
15. Ministers had set an ambitious and challenging target for OPSS to grow the number of organisations that are in a PA partnership. Improving our links to OPSS has seen us benefit from being put forward by OPSS as a suitable potential partner for organisations that are seeking to join PAP.
16. Recent new partnerships include trade associations in the pest control sector (as mentioned above) the construction sector and the kitchen and bathroom installation sector as well as partnerships with individual businesses in the angling and on-line dating sectors. We are also waiting to hear more on potential partnerships in the funeral care sector and retailing.
17. OPSS operates a group for participants in PAP that is attended both by local authorities and businesses. It is intended to enable all parties to share experiences, issues and best practice with the aim to shape the development of the scheme. As a major player in PAP, Nottinghamshire is invited to its meetings.
18. The most recent meeting included a presentation from another authority, that is also strongly committed to the PAP scheme, on that authority's charging model. This provided a useful opportunity to validate our own charges and the approach that was adopted in our CDU process.
19. OPSS is keen to share understanding in this area as it has concerns that some authorities' PAP charges may not truly reflect their full cost in delivering the service, or is in some cases, based on arbitrary reference points such as the charges private consultants might levy

5th September 2019

Agenda Item:10

REPORT OF CORPORATE DIRECTOR, PLACE**BUS LANE ENFORCEMENT – NUTHALL BUS GATE****CONSIDERATION OF REVISION OF HOURS OF OPERATION AND
INTRODUCTION OF PERMITS****Purpose of the Report**

1. The purpose of this report is to seek approval to commence consultation on modifying the existing permanent Traffic Regulation Order relating to a Bus Gate on Nottingham Road in Nuthall to provide an exemption for vehicles registered to residents of the nearby Horsendale estate area and to change the operational times of the restriction from the current 4pm – 6pm Monday to Friday, to instead being in force 'At All Times'.

Information

2. There has been ongoing representation from local residents to County Councillor Owen requesting modifications to the existing Bus Gate on Nottingham Road in Nuthall (Nuthall Bus Gate). This restriction consists of a short section of road which provides direct access to the A610 Nuthall roundabout from the junction of Nottingham Road and Roland Avenue at the edge of the Horsendale residential area. The current arrangement is shown in drawing H/JAB/2166/01.
3. The existing restriction prohibits the use of this section of road in a westbound direction between 4pm and 6pm Mondays to Fridays by all vehicles other than buses and pedal cycles. This prevents vehicles using Nottingham Road as an alternative route to the A610 when trying to avoid any congestion along the primary route and also reduces intrusive traffic along Nottingham Road.
4. The current restriction means that vehicles exiting the Horsendale Estate between 4pm and 6pm Mondays to Fridays who are travelling towards the M1 or wishing to use the A6002 are having to travel down Nottingham Road towards the city and join traffic on the A610 at the junction which was installed to mitigate the effects of the bus gate on residents of the Horsendale Estate by enabling them to join the traffic via the slip road between the soft play centre and public house. It is acknowledged that this does have, however, the effect of placing them at the rear of a queue on the A610 at busy times.
5. The current restriction came into force on 14 December 2015, following an amendment to change the times of operation from 4pm – 6.30pm Monday to Friday to 4pm - 6 pm Monday to Friday with the restriction not operational on Bank Holidays and Christmas Day. The

change of time brought the timings in line with existing bus lanes between Nottingham city centre and Nuthall.

6. The westbound entry onto the Nuthall Island from Nottingham Road is not signalised and operates as a Priority junction. All other arms onto the roundabout are controlled permanently 24/7 by traffic signals. At this specific location on the roundabout there are 3 different approaches controlled by signals and this is the limiting factor to the overall performance of the Nuthall Island.
7. In response to representations, Via East Midlands were briefed by the County Council to consider the feasibility of the requests and to provide recommendations on changes that could be made. The feasibility study looked at the practical and legal implications of the changes, benefits of modifications and considered the implementation of a permit scheme on the current restrictions and on a modified restriction to be in operation at all times. The point of the permit scheme being to allow residents to access the roundabout directly rather than travelling South to join the A610 as described above.
8. This report provides details of the outcome of this feasibility study and includes a recommendation to consider consulting upon a potential change to the current restriction for the bus gate so that it is in operation at all times but with an exemption for vehicles registered to residents of the Horsendale estate area in Nuthall.

History

9. The Nuthall Bus Gate was initially introduced in 2003, by way of a 12-month Experimental Traffic Regulation Order (TRO) with the aim to prevent peak period “rat running” through the residential area and also to provide priority for westbound buses at the A610 Nuthall roundabout during weekday evening peak periods with the aim of improving journey times and enabling some services, which had been diverted due to the congestion, to become viable once more.
10. Following its introduction, bus operators welcomed the bus gate but for many years reported significant delays due to a large number of vehicles contravening the restriction and requesting that enforcement was undertaken to ensure the bus gate operates as intended. The restriction was originally signed with ‘flying motor bike’ signs forming a gate on the through-route of Nottingham Road.
11. In 2010, NCC was designated as an approved local authority for enforcement of bus lanes. On 8 February 2012 the Council approved modifications of the Nuthall bus gate and installation of an enforcement camera. In early 2013, in preparation for camera enforcement, the restriction was made more conspicuous by the introduction of a mini-roundabout at the Nottingham Road / Roland Avenue junction and the alterations of all associated signs, thus creating a decision point for drivers previously using Nottingham Road as a through route.
12. The alterations to existing signage was done to adopt the use of Bus Lane signs in preference to the flying motor bike signs as these are considered to be more readily understood by drivers.
13. The approach to the bus gate is comprehensively signed to provide advance warning to drivers and to advise of the appropriate route to take.

14. On 21 March 2013, the Transport and Highways Committee approved the use of the enforcement camera at the Nuthall bus gate, set the penalty charge for bus lane contraventions and recommended that Full Council approve participation in the joint arrangements for adjudication services (which is a legal requirement for authorities undertaking civil enforcement). Full Council approved this on 25 April 2013 but also resolved that “the existing TRO be referred to the Transport & Highways Committee with a recommendation for residents of the Horsendale Estate to be an exempted class under the Order and to action this accordingly, subject to the necessary external approvals”.
15. Further work was undertaken at considering the use of exemptions and on 9 January 2014, Transport and Highways Committee approved the commencement of bus lane enforcement at Nuthall Bus Gate, without an exemption for residents. Exemptions for residents was previously considered when the bus gate was introduced but this was discounted and an additional signal-controlled junction, as referred to in paragraph 4 above, was specifically provided as part of the overall package of measures, to address residents’ concerns.

Legal & Statutory Framework

16. The current restrictions are signed as a bus gate (for the period of operation) and no permits are provided. There are a number of exemptions that are standard for this type of restriction.
17. Clarification has previously been sought from the Traffic Penalty Tribunal (TPT) who declined to comment or provide an opinion on the proposed exemption. The role of the TPT is to determine individual PCNs on a case by case basis and do not offer advice on the legality of the TRO. However, if the TPT finds that one or more PCNs that have been issued have no basis in law then the consequences could seriously undermine the entire scheme.
18. Regardless of the sign and wording used, the visual effect of a large number of private vehicles legitimately using the bus gate during its times of operation could mask authorised use and be likely to prompt unauthorised vehicles to use it too. However, it is considered that this risk is reduced if the existing restriction is extended to all times as it will reduce the overall amount of local non-residential traffic from using Nottingham Road as an alternative to the A610.
19. Bus lane offences are not decriminalised in the same way as parking offences and may also be enforced by the police as a criminal offence as well as through the Council’s civil procedure. The Police have previously advised in 2013 that they would be unable to support an exemption for Horsendale residents as they consider that it would make the bus gate unworkable and unenforceable. This view was based on the current restriction in the evening peak time and further clarification from them on whether their view is different for the ‘at all times’ proposal would be sought before proceeding with statutory consultation.
20. The law on traffic regulation is tightly prescribed and any exemption enabling vehicles other than buses to use a bus lane requires the vehicles to be “...defined or described by reference to any characteristics of the vehicles or traffic or to any other circumstances whatsoever”. Legal advice has indicated that this definition means that those classes are not limited to the characteristics of the vehicle but can be extended to include activities for which the vehicle may be being used e.g. loading / unloading. However, it is not settled that this widening of the definition of the class extends further than just to activities, and there is therefore a risk that the TPT could decide that it may not be able to be extended to the address at which a vehicle is registered (having the consequences referred to in paragraph 17 above).

21. Furthermore, the DfT's Statutory Guidance (Provisional Guidance on Bus Lane (including Tramway) Enforcement in England outside London) states, in paragraph 2.7, that "Regulations banning some or all motorised road users from bus lane [sic] should be clear, well-signed and easy to understand. Without these measures the resentment felt by some motorised members of the public towards bus lanes may increase and the policy fail to win public support."
22. Allowing a very large number of vehicles through the bus gate could be considered contrary to this as the specific exemption for residents may not have wider public support. Not only would these factors defeat the purpose of the restriction, but they are likely to lead to a large number of appeals against any Penalty Charge Notices (PCNs) issued.
23. Additionally, to exempt vehicles registered to "residents of the Horsendale Estate" it is necessary to precisely define the geographical area of the "Horsendale Estate". This term refers to a historic area which it is somewhat difficult to define and whilst it would be possible to define it by specifically listing streets and house numbers, it is in a built-up urban area and so there are significant risks of one person being within the 'exempted zone' but not their neighbour. It is estimated that any exemption would be for a maximum of approximately 1,500 vehicles if the option was taken up across the estate. The suggested approach would be to append a plan to the Order. This approach has been used by the County Council on other types of restrictions elsewhere, such as the height restriction to an area of land classed as public highway in Huthwaite.
24. Any change to the current TRO would require consultation with the Police and it is recommended that further dialogue is undertaken with the Police as part of formal consultation.

Preferred Scheme

25. The current regulations have been in place since 2015 and camera enforcement since 2014. The general trend is that contraventions at the Nuthall bus gate are reducing, and this is appearing to reach a plateau of contraventions. This is expected given that it is likely that there would remain a minimum amount of contraventions from commuters who are unfamiliar with the route and camera enforcement. Whilst there is a baseline level of contraventions, the County Council has generally been successful in defending any TPT appeals so far.
26. On the basis of risk of challenge, it is considered higher if a permit scheme was introduced on the current evening peak restriction as there is a risk that other vehicles (without a permit) will see the 'exempted' vehicles going through the bus gate and not understand why they cannot also use the bus gate. Data shows that Nottingham Road is used as an alternative to the A610 throughout the day with this reducing when the bus gate is operational. With a 'peak-time only' restriction it is considered likely that a large number of 'exempted' vehicles using the 'bus gate' at peak times would encourage non-exempted vehicles to follow as well as increasing congestion at the junction. Also, upon prosecution, the offending vehicles are likely to appeal on the basis that they should also be let through and that signage is unclear. As an example, a regular appeal from Blue Badge holders is that 'permit' includes the blue badge which is not the case.
27. The feasibility study concluded that providing exemption for residents based on the current timings was impractical and likely to cause confusion to road users, increased

contraventions and create challenges through the appeals process. An exemption during peak-time only operation was not previously supported by the Police and this conclusion is consistent with advice previously provided to Members on this subject.

28. The feasibility study concluded that if a 24-hour restriction was introduced this risk is reduced as no traffic should be using Nottingham Road unless a legitimate resident or visitor to the Horsendale Estate. Also, the prescribed signing and lining options contained within the Traffic Signs Regulation and General Directions 2018 (TSRGD) enables a 24/7 bus lane to have road markings to accompany the signage and there are options around installing red surfacing to highlight the restrictions and length of the bus lane. It is considered that this would ensure the restriction is conspicuous and help with compliance. All other signing (including advanced signing on Nottingham Road and the A610 would need to be changed). Drawing H/JAB/2166/03 shows the signage and lining changes that would be required.
29. Traffic data shows that outside of the current restriction (4pm and 6pm Mondays to Friday) there is an increase in traffic using Nottingham Road and accessing the A610 adjacent to the Horsendale Estate. Currently this is permitted, and not unexpected as vehicles do use this route as an alternative route to the A610. In the hour (3 – 4pm) before the bus gate is in operation data shows around 130 vehicles using Nottingham Road as an alternative to the A610. The 24/7 restriction would prevent this through-traffic legally using this as an alternative route without contravening the bus lane. The existing camera enforcement would remain the measure used to manage the restriction. By keeping non-residential traffic on the A610 it is considered that this considerably reduces the risk of implementing a permit scheme.
30. TSRGD allows the use of “Except authorised vehicles” as a supplementary plate added to the bus gate signing, an example is shown below.



31. This is a lawful sign, but consideration should also be given to whether it is robust and makes it unambiguous to those not exempt.
32. The Council is required to obtain authorisation for any traffic signs used where they are not in a form already prescribed in the Traffic Signs Regulations, this would include for example “and Horsendale Estate Permit Holders” or “Permit Holders”. However, it is considered unlikely that special authorisation would be obtained, and no special authorisation has thus been sought. It is clear that wording such as “Authorised Vehicles” has historically been the only form of wording approved by DfT. This is because the framework on bus lanes/gates

and their signage relates to use by buses and pedal cycles only and permitted variations are currently limited to the exemption of taxis and motor cycles.

33. Through the British Parking Association, a question was asked to obtain experience and issues from other traffic authorities. One example was found, which was to provide access for vehicles to use a bus gate to gain access to an area that had no alternative entry points. This is not the case at the Nuthall Bus Gate as an alternative route is available via the A610, albeit that is a longer route. One issue raised was that the use of authorised vehicles is widely accepted to mean Private hire vehicles which are not proposed to be exempted at this location. Mitigation could therefore include having a policy that cancels a private hiree's first offence and advising them of the restriction for future contraventions.

34. In December 2018, the bus operator Trent Barton was approached to provide an update on the service, specifically in terms of reliability, patronage growth and customer feedback. This feedback was as follows:

- **Reliability Concerns**

Despite the benefits of the bus gate, service reliability caused by congestion has significantly deteriorated in the last three years and was identified as a major cause for patronage decline in 2017 and the first two quarters of 2018. A Market Research exercise in October 2017 identified 'Being on Time' as the most important thing to customers with over 20% rating the service reliability as Poor or Very Poor.

- **Investment**

Following the feedback and in a bid to halt the patronage decline, Trent Barton in July 2018 took the decision to invest £300k per annum to add two additional buses into the cycle and provide an additional ten minutes to the timetable at Peak Times. Trent Barton confirmed that this appears to have helped halt the decline but there hasn't been any significant increase in patronage.

- **Impact of Bus Gate**

A driving time report has been undertaken between Temple Drive and Nottingham Road, considering the two stops either side of the bus gate. In summary, throughout the day, it takes services considerably longer than the schedule allows to get through the plug whilst it is open to all other road traffic, in some instances up to a minute per trip more on average. However, when the bus gate is in operation between 4pm to 6pm, services are passing through within the timings that are expected – particularly when travelling away from Nottingham.

35. The feedback suggests that the bus gate is having the desired effect when in operation and it is considered that extending the hours of operation of the bus gate would be of greatest benefit during the morning peak as the largest variances are displayed during this period.

36. As part of the feasibility study, consideration was given to modifying traffic signals on the A610 Nottingham Road roundabout and to further signalise the Nottingham Road entry onto the A610 Nuthall roundabout. These have been discounted, however, as they would have a detrimental impact on the performance of the entire junction at all times.

37. During the evening peak there is an added issue that congestion from the A610 towards the M1 motorway backs up across the Nottingham Road exit resulting in wider congestion and delay. The actual green time on all legs varies throughout the day as it depends upon traffic flows, and in the evening greatest priority is given to traffic travelling along the A610 towards the M1.

38. There is now a dedicated traffic lane onto the M1(S) from the A610, which it is anticipated will help reduce congestion and traffic queues at the A610 / M1 roundabout junction. This improvement will result in an improvement to the A610 Nuthall roundabout, although benefits will only be realised once the works are completed and journey time checks completed.
39. The observations taken as part of the feasibility study suggest that opening up the traffic restrictions on Nottingham Road to residents of the Horsendale Estate is not likely to have a significant detrimental effect on bus dwell times, based on the likely flows from the Horsendale Estate and current traffic signal layout at Nuthall Island (10-20 per hour suggested).
40. It should be noted that by introducing the 24/7 restriction that this will increase traffic on the A610 that is already busy at times, this is reflected in traffic using Nottingham Road as an alternative route during the day.

Permits - Practical Implications

41. The current system, where residents' vehicles are not excluded, is largely self-enforcing and relatively efficient to enforce.
42. If a permit system is introduced, there is still a risk of challenge from visitors to the area and a key decision is the eligibility for a permit. It is considered that the standard approach would be to exempt vehicles registered with the DVLA to eligible addresses. This is the same system used for resident parking permits. For example, it is anticipated that this would not extend to temporary hire cars used by residents, works vehicles not registered to the residents' home address, services visiting residents, close family member visiting residents etc.
43. In practical terms it is considered that permits should be restricted to vehicles registered at the home address within the area shown on drawing H/JAB/2166/10 and this plan appended to the Order. This approach has been used by the County Council for other type of restrictions elsewhere, such as the height restriction to an area of land classed as public highway in Huthwaite.
44. Currently an exemption list is used by NCC as part of bus lane camera enforcement. This includes a list of vehicle registration mark (VRMs) of buses that are exempt. This has been created for buses as they are readily identified from the images generated by the camera, especially as bus operators typically use the same bus on the same route every day; the VRM is then recorded, manually added to the list, and ignored by the system thereafter. This process works equally efficiently in relation to taxis and private hire vehicles at other locations (where these are also exempt) since they are readily identifiable from the image. The camera software checks against this list before processing an image that is then validated prior to issuing a Penalty Charge Notice (PCN).
45. This exemption list would need to be extended to include VRMs of those vehicles registered with the DVLA at an address on the Horsendale Estate who have applied for permits, subject to a permit system being introduced. For the estimated 1,500 vehicles considered to be eligible, the above methodology would prove challenging to setup and maintain in the long term though it is possible. There is also a potential risk that any exemption list would just grow and grow as residents may not notify the County Council that they no longer own certain cars or have moved out of the area etc.

46. Under a permit system, it would be necessary to have a list of all vehicles owned / used by residents of the 'Horsendale Estate' and this list would need to be monitored and maintained throughout the lifetime of the TRO, perhaps by way of a time limited registration system (such as a 12-month permit) in order to manage a turnover in vehicles. Each application would need to be processed and the details checked creating a potential appeal issue for those who claim to have forgotten to renew.
47. As such, an exemption for residents would have substantial resource implications as the level of traffic flow through the bus gate during its times of operation directly affects the levels of monitoring and also the number of appeals against enforcement. While expenditure can be recouped from enforcement / charging for permits, no detailed costings managing the exemptions has been carried but it is considered that it would be in excess of £5,000 per annum and could be greater when factoring in costs of rising appeals.
48. It is evident that no mechanism could completely avoid issues arising from the sale of vehicles, residents moving, company vehicles, courtesy cars, borrowed vehicles and visitors to residents, and these factors would likely lead to a large number of appeals as well as resource implications in monitoring and maintaining the proposed exemption.
49. There is no permit system used in Nottinghamshire for bus lanes or bus gates specifically for private vehicles and therefore there is no specific policy that covers this.
50. Since 2010 it has been Nottinghamshire County Council policy to charge (£25 in 2018/19) for the issuing of permits within a Resident Permit Scheme (RPS). Residents within the permit area who are over 75 or blue-badge holders are supplied with permits without charge. The amount is to cover the administrative costs and requires the resident to renew on an annual basis, this helps provide some ownership and puts a greater onus on the resident to advise on changes of vehicles, circumstances etc if they want to continue to gain the benefit of a permit. Also, depending upon the type of RPS, residents can also obtain a single visitor permit.
51. It is recommended that if a permit scheme is proposed to introduce an exemption for local residents then a charge should be made for the issuing of permits. This will offer consistency with other permit schemes, cover administrative costs and provide some ownership from the person applying. It should be noted, however, that when implementing an RPS, the County Council often receives objections regarding the cost of permits.
52. When implementing an RPS, questionnaires are sent to residents eligible for a permit. For a scheme to proceed, the results need to exceed the criteria used by the County Council to progress a scheme of 35% response rate with 65% of respondents in support. A period of 21 days is usually given for the return of the questionnaires. It is recommended that a similar approach is adopted, should a scheme proceed, to confirm the appropriate level of local support.

Next Steps

53. In order to implement the changes recommended from the feasibility study to amend the times of operation from 4pm – 6pm Monday to Friday to the proposed At All Times and to implement the proposed permit scheme a statutory consultation and formal advertisement of the Traffic Regulation Order will need to be undertaken. Based on previous history of the site, it is likely that this will raise objections to the advertised Orders. There are procedures in place to consider objections, and, it is expected that a future report will be brought before Communities & Place Committee to seek approvals to implement the revised TRO.
54. The costs for implementing the Order and changes to the lining and signage is estimated to be £10,000. Currently there is no approved scheme in the highway programme for construction. Subject to satisfactory responses and further approval(s), it is recommended that the Scheme could be added to the highway programme for delivery within 2019/20.

Other Options Considered

55. Exemptions for residents were considered when the bus gate and camera enforcement was introduced in 2014 but this was discounted and an additional signal-controlled junction was provided instead as part of the overall package of measures to address residents' concerns. The proposals within this report are considered to offer a reasonable balance to those locally affected whilst also providing improvements for bus services.

Comments from Local Members

56. No formal consultation has taken place, but Councillor Owen has been briefed on the recommendations and supports this being taken forward.

Reasons for Recommendations

57. Effective implementation of bus priority measures is integral to and supports the Council's transport and highways objectives. Any vehicle irrespective of its origin can cause delay to buses causing bus services to be cancelled / diverted away from areas where they are needed due to congestion.
58. It is imperative that arrangements are highly robust and that enforcement is not only done successfully, but is also subject to public support and high visibility, rather than ambiguity, in order to ensure that the bus gate is able to fulfil its objectives.
59. It is intended that bus gates should be cost-neutral in terms of enforcement. A simpler traffic restriction is clearer and less susceptible to accidental contravention than a more complicated system of exemptions.
60. The recommendation is considered to minimise concerns raised previously about enforcement and contraventions providing greater certainty for drivers and enabling a robust lining and signage scheme to be amended to support the changes.

Statutory and Policy Implications

61. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, 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.

Crime and Disorder Implications

62. Nottinghamshire Police have not yet been consulted on the recommendation for permit exemption of some 1,500 vehicles for a revised 24/7 operation bus gate. Previously they were not supportive of permit exemptions for the evening peak restriction and Nottinghamshire Police will be consulted as part of the formal Order process, if consultation is approved.

Financial Implications

63. The costs for implementing the Order and changes to the lining and signage is estimated to be £10,000. Currently there is no approved scheme in the highway programme for construction. Subject to satisfactory responses and further approval(s), it is recommended that the Scheme could be added to the highway programme for delivery within 2019/20.

Human Rights Implications

64. 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

65. 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.

66. 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.

Implications for Sustainability and the Environment

67. The proposed changes are considered to have a positive benefit for bus services using this route that will help may encourage modal shift to sustainable modes of transport. The changes would also reduce through traffic on the unclassified Nottingham Road that would improve the environment for vulnerable highway users, such as pedestrians and cyclists,

RECOMMENDATION/S

It is recommended that:

- 1) Committee approves the commencement of consultation on a proposal to modify the existing permanent Traffic Regulation Order Bus Gate on Nottingham Road in Nuthall to
i) allow exemption for vehicles registered to residents of the Horsendale estate via a chargeable permit system and ii) change operational times from 4pm – 6pm Monday to Friday to At All Times

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact:

Mike Barnett – Team Manager (Major Projects and Improvements) Tel: 0115 977 3118

Constitutional Comments (SJE – 15/08/2019)

68. 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 traffic management has been delegated.

Financial Comments (GB 25/7/19)

69. It is proposed that the costs involved in this scheme (£10,000) are funded from within the 2019/20 Integrated Transport Measures capital budget. This capital budget totals £7.1m and is already incorporated within the approved 2019/20 capital programme.

Background Papers

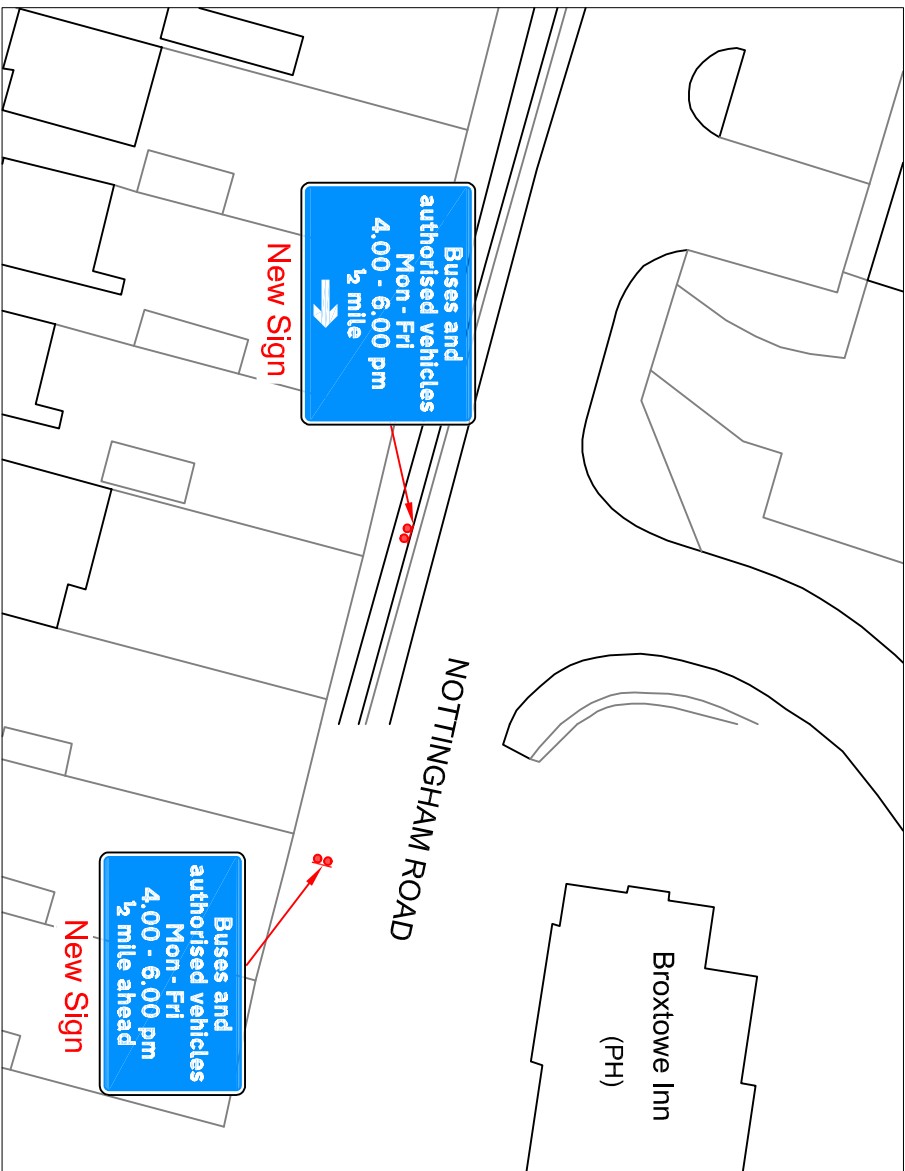
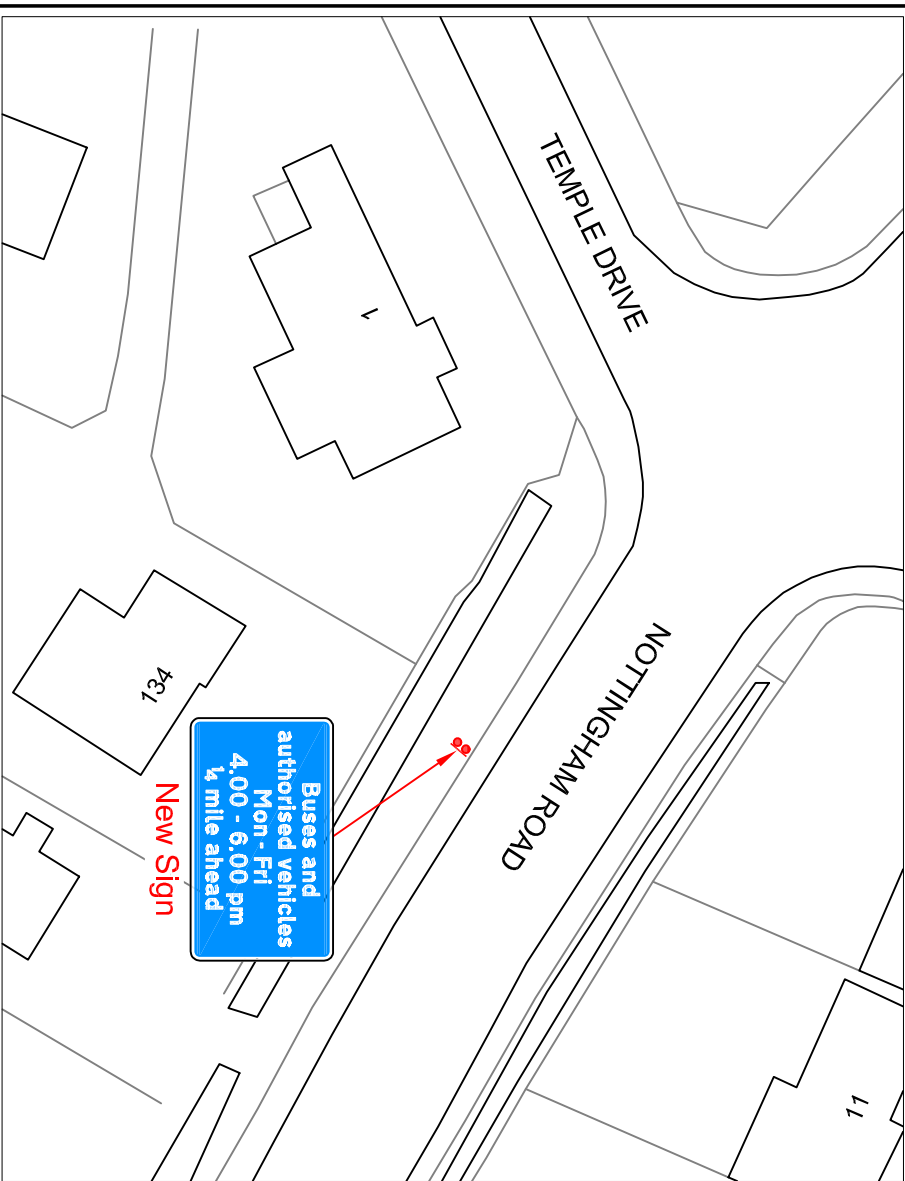
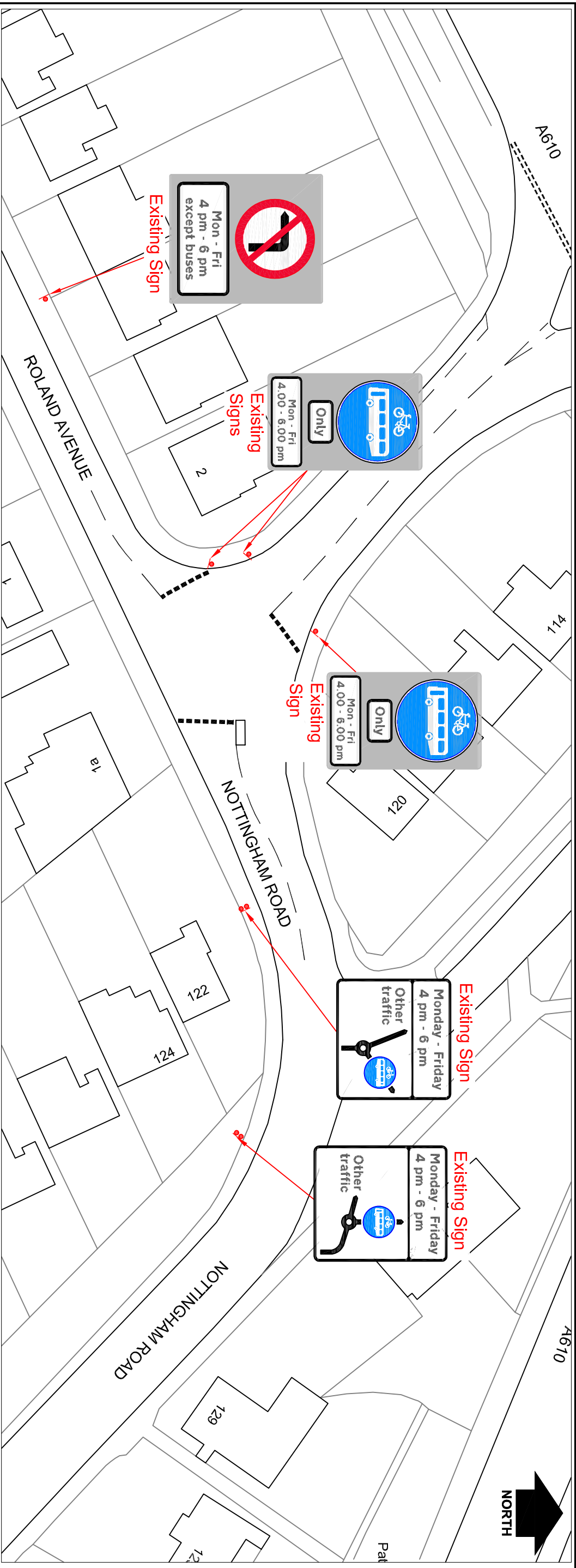
All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

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

Nuthall and Kimberly ED

Councillor Philip Owen



Rev	Description	Drawn	Chkd	Auth	Date
1	Nottingham Road, Nuthall Bus Plug Existing Layout	J.A.B.			Dec. 18

Status	Project No.

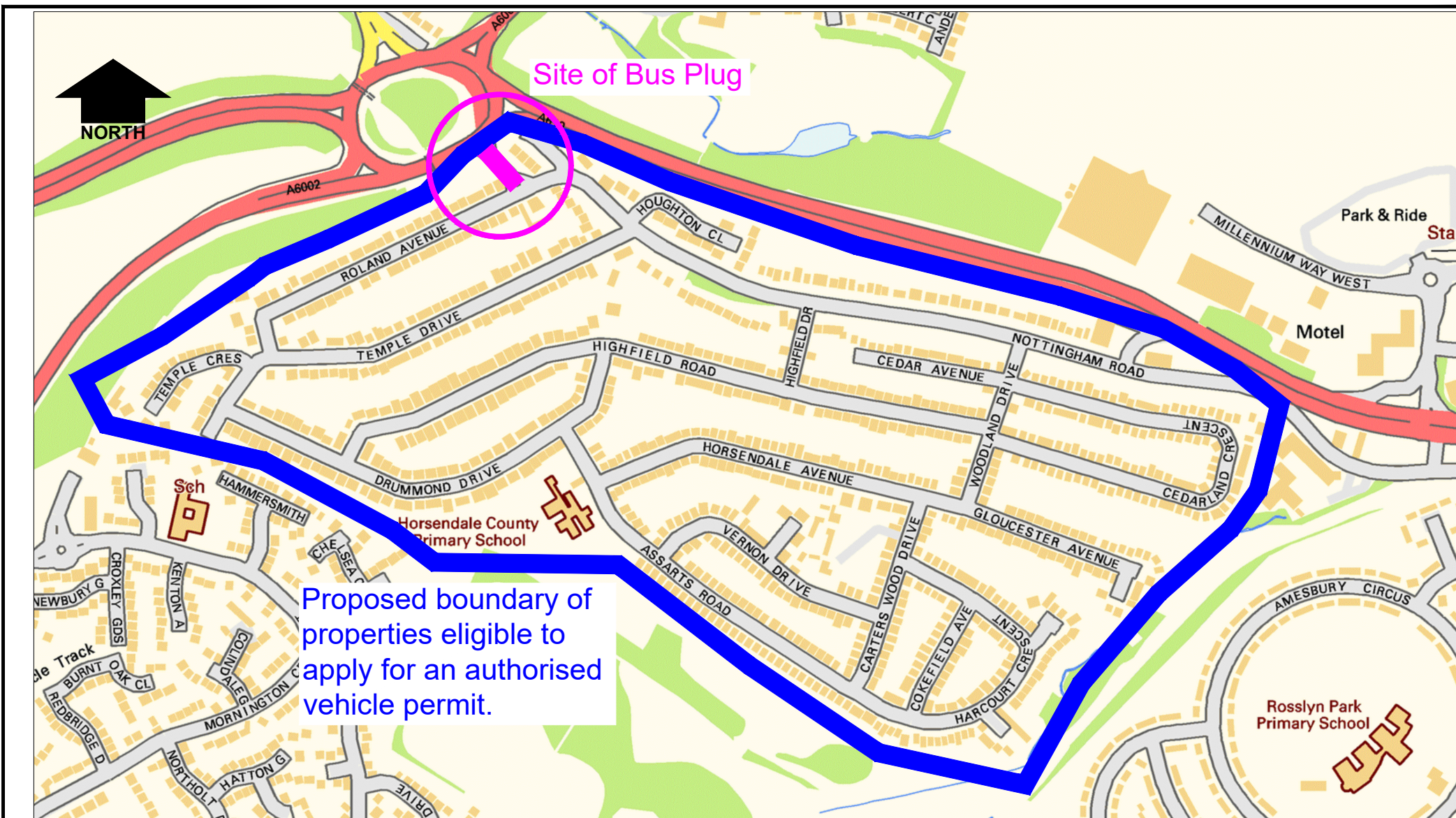
Title
Plan

Scale	Drawn	Chkd	Auth	Date
1:500	J.A.B.	M.B.		Dec. 18

Drawing No.	Rev
H/JAB/2166/01	

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Proposed boundary of properties eligible to apply for an authorised vehicle permit.



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Bilthorpe Depot, Bilthorpe Business Park, Bilthorpe,
Nottinghamshire, NG22 8ST

				Rev.	Description	Drawn	Ch'kd	Auth	Date
Project				Project		Drawn	Date		
Nottingham Road, Nuthall - Bus Plug						J.A>B.	Mar.19		
Status	Project No.					Ch'kd	Date		
						M.B.	Mar.19		
Drawing Title						Auth		Traced	
Proposed properties eligible to apply for a vehicle permit - PLAN									
Drawing No.						Rev.		Scale	
H/JAB/2166/10								N.T.S.	

5th September 2019**Agenda Item: 11****REPORT OF CORPORATE DIRECTOR, PLACE****THE NOTTINGHAMSHIRE COUNTY COUNCIL A6005 BYE-PASS ROAD,
CHILWELL AND NOTTINGHAM ROAD, ATTENBOROUGH (RESTRICTED
ROAD) ORDER 2019 (5261)****CONSIDERATION OF OBJECTIONS****Purpose of the Report**

1. To consider objections received in respect of the above Restricted Road (30mph) Order and whether it should be made as advertised.

Information

2. The A6005 Bye Pass Road is a street-lit, main distributor road comprising of residential and some commercial properties most of which have off-street parking. The stretch of the A6005 considered in this report is subject to a 40mph speed limit and it extends north-eastwards from a point near to Eldon Road / Ransom Road to where the road becomes dual carriageway, as shown on plan H/SLW/2920/01. There are a number of junctions along this section of the A6005, three of which are traffic signalled. A secondary school and 6th form centre is located to its north-eastern, near the end of the proposed change in speed limit.
3. During the period 01/01/2016 to 28/02/19 there have been 8 reported road injury accidents, 3 of which were serious, along this length of road. On average, the road carries over 22,000 vehicles a day and speed survey data taken during June 2019 show the 85th percentile speed is 35.7 mph and the mean speed is 29.4mph.
4. Nottinghamshire County Council have received requests to improve safety for pedestrians and road users along this part of the A6005 at Chilwell.
5. In response to the above it is proposed to introduce a speed limit order on A6005 Bye-Pass Road, Chilwell to reduce the existing speed limit from 40mph to 30mph. The proposed 30mph speed limit extends approximately 250 metres north-east of its junction with Swiney Way in a north-easterly direction to approximately 120 metres south-west of its junction with Queens Road West, at the pedestrian bridge. The residual extents of the existing 40mph speed limit along the A6005 will remain unchanged. There are currently speed cameras within the proposed area, and these would be reprogrammed to reflect the new speed limit.

6. The statutory consultation was undertaken between 2nd January and 25th January 2019, a public notice was published in the Nottingham Post on 2nd January 2019 and notices were put up along the route.

Objections received

7. During the consultation period 16 responses were received, of which 12 supported or made comments on the proposals, comments included: -
- Requests for the remainder of the A6005 and other local distributor roads to become 30mph;
 - A comment that reducing the speed limit is better for both drivers and pedestrians;
 - Query regarding whether the safety cameras would be retained; and
 - Requests for additional cycle facilities, formal crossings and a review of road markings.
8. Four responses are considered outstanding objections to the proposals.
9. Objection – No justification for the lower speed limit
Four respondents objected on the grounds that they considered the speed limit reduction to be unnecessary and unjustified. Responses included statements that the scheme did not offer value for money and the budget would be better spent enforcing the existing 30mph areas. One respondent stated that the presence of vulnerable users travelling to the school was not a valid reason for the scheme, as a footbridge and formal crossing points were available to cross the road.
10. Response – No justification for the lower speed limit
The speed limit has been proposed in response to requests received by the County Council to improve safety for pedestrians and other vulnerable users in the area.
11. This section of the A6005 Bye-Pass Road, as it passes through Chilwell, is a street-lit residential area with frontages on both sides of the road. The route is used by vulnerable users, such as pedestrians and cyclists. During the period 01/01/2016 to 28/02/19 there have been 8 reported road injury accidents, 3 of which were serious, along this length of road. The standard speed limit in urban areas is 30 mph, which represents a balance between mobility and safety factors. The proposed 30mph speed limit will make this section consistent with sections further west, which have similar characteristics.
12. Reports produced by the Department for Transport demonstrate a clear link between vehicle speeds and the volume of road accidents and their severity. Higher speeds mean that drivers have less time to identify and react to what is happening around them, and it takes longer for the vehicle to stop.
13. Nottinghamshire County Council use a number of factors when determining appropriate speed limits; these are based on the Department for Transport's guidance "Setting Local Speed Limits" and include existing traffic speeds (the Department for Transport states that the mean speed should be used as a guide to setting appropriate speed limits), history of collisions (including frequency, severity, types and causes), road purpose/function, population size, expected vulnerable road users and environmental affect. The proposed

30mph speed limit has been deemed as the most appropriate speed limit for the road as it is the closest speed limit to the recorded average speeds for the A6005.

14. The enforcement of any speed limit is the responsibility of the Police, who have the necessary powers and prioritise sites for enforcement independently. The proposed speed limit will be reinforced by appropriate signage along the route.
15. Crossing facilities, such as a pedestrian bridge and pedestrian phases at the traffic signalised junctions, are provided to encourage pedestrians to cross safely. However, their use is not mandatory, and it is recognised that some pedestrians will nevertheless cross away from these facilities. The proposed speed limit will help to make the road safer for both those using the formal surface-level crossing facilities and those crossing informally at other locations. The reduced limit will also benefit other vulnerable road users such as cyclists and motorcyclists.
16. Objection – Reduced speed will increase congestion / reduce safety
Two respondents objected on the grounds that lower speeds will increase journey times that they consider will inconvenience drivers and have a detrimental effect on businesses and create delay for emergency vehicles. Respondents also commented that accidents were the result of bad driving habits and the presence of speed cameras, which made drivers brake suddenly or erratically when they became aware of the camera. One respondent suggested a lower speed limit would be detrimental to air quality and would increase parking on the road which could affect pedestrian safety and traffic flow. Another respondent suggested that it would be harder to enter or egress from their driveway in a lower speed limit area, as there would be fewer breaks in the traffic flow.
18. Response - Reduced speed will increase congestion / reduce safety
Journey time surveys undertaken in 2017 indicate that at peak times average vehicle speeds are significantly below 30mph and during intra-peak periods average speeds are around 30mph and it is considered that the proposed reduction of the speed limit to 30mph is not expected to increase congestion or extend journey times on this route.
17. The presence of safety cameras on the A6005 is well signed in advance and the cameras themselves are bright yellow in colour and have been in place for a number of years. The safety cameras have been effective in reducing contraventions to the existing 40mph speed limit and have not been identified as a causal factor in any accidents. The lower speed limit gives all drivers longer to perceive and to act when encountering hazards on the highway and this has been shown to contribute to reducing road traffic collisions.
18. Emissions are at their lowest when vehicles are driven at a constant speed as the main increases in emissions result from engine loading, acceleration and braking. The current average mean speed of vehicles travelling along this section of the A6005 is 29.4mph (28.4mph south-eastbound; and 30.3mph north-eastbound). Therefore, as the proposed speed limit reflects the average speed of traffic it is not expected that air quality will be impaired as the limit will encourage drivers to travel at a consistent speed and reduce the amount of accelerating and braking along this section.
19. It is not anticipated that the lower speed limit will detrimentally affect the size or number of gaps in the traffic; these are created by the traffic signals and vehicles holding up the flow of traffic when manoeuvring into junctions or driveways. It is also not anticipated that

parking patterns will alter as a result of the change in speed limit; the use of the highway for parking is prohibited at all times on the section between Attenborough Lane up to the dual carriageway and on peak hours on the western section.

Other Options Considered

20. The other options considered relate to the most appropriate limit for the route, which could have been lower or higher. The proposed 30mph speed limit aligns with Government guidance on setting speed limits and was considered the most appropriate speed limit for this stretch of road.

Comments from Local Members

21. Councillor Eric Kerry supported the reduction in speed limit but requested that the accident record, traffic volumes and speeds on the adjacent network be monitored.
22. Councillor Richard Jackson did not make any comments during the consultation period.

Reason/s for Recommendation/s

23. The proposed 30mph speed limit aligns with Government guidance on setting speed limits and will facilitate the operation of the highway, in accordance with the Authority's duty to ensure the expeditious, convenient and safe movement of all traffic.

Statutory and Policy Implications

24. 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 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

25. Nottinghamshire Police stated they had no objection to the proposals and noted that the reduced speed limit had the potential to reduce road traffic collisions and also make the environment safer for pedestrians who are considered as potentially vulnerable road users, especially where they cross the carriageway.

Financial Implications

26. This scheme is being funded through the Local Transport Plan ITM budget for 2019/20 with an estimated cost to implement the works and traffic order of £7,500.

Human Rights Implications

27. 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

28. 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.

29. 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

30. The proposals are intended to have a positive impact on all highway users however, by promoting sustainable transport modes by implementing lower vehicle speed limits near a school they may particularly help to safeguard and promote the welfare of children.

Implications for Sustainability and the Environment

31. The proposed speed limit is designed to facilitate the safe operation of the 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 A6005 Bye-Pass Road, Chilwell and Nottingham Road, Attenborough (Restricted Road) Order 2019 (5261) is made as advertised and the objectors informed accordingly.

Adrian Smith
Corporate Director (Place)

Name and Title of Report Author

Mike Barnett - Team Manager (Major Projects and Improvements)

For any enquiries about this report please contact:
Helen North (Improvements Manager) 0115 977 2087

Constitutional Comments (SJE – 29/07/2019)

32. 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 (xxx)

33. The estimated cost to implement the works and traffic order outlined in this report is £7,500. This will be funded from the 2019/10 Integrated Transport Measures capital budget which totals £7.1m and is already approved as part of the Communities and Place capital budget.

Background Papers and Published Documents

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

- 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

- | | |
|-----------------------------|-----------------------|
| • Chilwell and Attenborough | Councillor Eric Kerry |
| • Chilwell and Attenborough | Richard Jackson |

5 September 2019**Agenda Item: 12****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 presented to the County Council.

Information**A. Speeding issues on Chewton Street, Eastwood (Ref:2018/0351)**

2. A 21-signature petition was submitted to 16 May 2019 meeting of the County Council by Cllr Tony Harper on behalf of residents requesting that the County Council addresses speeding issues on Chewton Street between Linwood Crescent and Newthorpe Common in Eastwood.
3. The County Council is limited with regards to the measures that can be undertaken to address speeding issues as enforcement is an issue for the police and therefore such concerns should be referred to them. However, the County Council has undertaken a survey to determine whether an interactive speed sign would be appropriate on this section of road.
4. The survey suggests that speeds are not sufficiently high for an interactive sign to be considered appropriate. The 85th percentile speed (the speed at which 85% of traffic travels at or below) is significantly below the threshold set for intervention. This level is 35 mph; however, the survey confirmed that 85th percentile speeds are no higher than 29 mph. As a result, this location will not be considered for inclusion in a future year's programme of works.
5. The petition also requests that accesses are constructed on the grassed areas on either side of the road to enable residents to park off-street. Unfortunately, the Council is not able to consider this as it is not public highway.
6. It is recommended that the lead petitioner is informed.

B. Removal of yellow parking lines – Selby Lane, Keyworth (Ref:2018/0352)

7. A 22-signature petition was submitted to the 16 May 2019 meeting of the County Council by Councillor John Cottee on behalf of residents requesting that the parking restrictions on Selby

Lane, Keyworth be reviewed. Residents feel that the lengths of restrictions on both sides of the road are no longer required and can be removed to allow them to park outside their homes. The restrictions are single yellow lines in force from 8am to 6pm on Monday to Saturday.

8. The existing parking restrictions are thought to have been put in place some time ago when there was a bus depot on the road. That depot is no longer present and it is felt that the majority of the parking restrictions are subsequently redundant.
9. Trent Barton, who operate bus services along Selby Lane, were asked for their initial view in March 2019. They stated that they would have no objection against the section between Elm Avenue and Windmill Court being derestricted, and this is where there are residential dwellings which do not have driveways. However, they added that buses had already encountered obstruction on Selby Lane west of Elm Avenue, often in conjunction with events held at the nearby church.
10. It is felt appropriate to consider removing the single yellow lines on both sides of Selby Lane, east of Elm Avenue. Short lengths of parking restrictions directly adjacent to the junctions of Elm Avenue and Windmill Court would be retained and upgraded to double yellow lines as a safety measure. As the 2019/20 highway programme of such measures has been finalised this will be considered for inclusion in the 2020/21 highways programme.

C. HGV weight restriction on Wilford Lane (Ref:2019/0354)

11. A 327-signature petition was submitted to the 11 July 2019 meeting of the County Council by Councillor Gordon Wheeler on behalf of residents requesting an HGV weight restriction on Wilford Lane.
12. Highways England are proposing to undertake major junction and roundabout improvements on the A52 between Clifton Bridge and Bingham between 2020 and 2025. During these works there will inevitably be increased journey times for vehicles using the routes and drivers may consider using Wilford Lane, Loughborough Road and Radcliffe Road as alternative routes that avoid the works and associated queues at the A52 Nottingham Knight and Wheatcroft roundabouts.
13. The petitioners ask Nottinghamshire County Council, in conjunction with Highways England, to impose a weight restriction during the period of the construction works, in both east and west bound directions between Ruddington Lane traffic signals and Loughborough Road traffic signals, to prevent heavy goods vehicles from travelling along Wilford Lane other than to make deliveries to premises on Wilford Lane.
14. Highways England held a number of public information exhibitions in January 2019 to explain the proposed improvements to both the A52 Nottingham Knight and Wheatcroft junctions. These events were designed to engage with key stakeholders and members of the public on the current plans for the junctions. This was not a formal consultation and no deadline was set for receipt of comments and observations.
15. Highways England has subsequently received a number of letters/emails of views and now intend to carry out further safety, traffic, engineering and environmental assessments to continue to develop the scheme design to the point where a preferred scheme can be

announced for each junction. The preferred route announcement is expected in late 2019/early 2020. Following the announcement of the preferred route the County Council will respond formally to the proposals via Committee.

16. As is common practice for Highways England schemes, it is anticipated that any works affecting traffic flow will be undertaken at night when flows are lowest. This approach ensures that congestion and delays are minimised, thereby mitigating the transfer of traffic.
17. Construction of the Nottingham Knight and Wheatcroft schemes is anticipated to start in 2022, prior to which there will be detailed discussions between the authorities involved. This will include reference to the construction methods and sequences, and the associated traffic management methods at which time the anticipated traffic impacts will be established. Therefore, it is only at this stage that alternative routes will be known and predictable; and consequently, it is not currently feasible to establish whether there would be grounds for use of temporary powers to impose any weight restrictions.
18. In the meantime, County Council and ViaEM officers will continue to work closely with Highways England to make sure that the final proposals meet the County Council's requirements and adequately safeguard the adjoining county road network. This will also include liaison with Nottingham City Council which is responsible for the section of Wilford Lane west of the tram crossing.
19. It is recommended that the lead petitioner be informed accordingly.

D. Urgent action to repair Grove Road, Bingham (Ref:2019/0355)

20. A 150-signature petition was presented to the 11 July 2019 meeting of the County Council County by Councillor Francis Purdue-Horan on behalf of residents requesting that Grove Road, Bingham be repaired.
21. Grove Road is a local road in Bingham fronted by residential properties. This road does feature on the 'candidate list' which is a list of those streets countywide which are being considered for maintenance works. Currently this road has not, however, been included in a future maintenance programme, but it is recognised that the road needs to be resurfaced in its entirety and this is the treatment that will be associated with future programming.
22. The road is monitored through the highway planned inspection regime and this site was initially identified by the local Highway Inspector as a site requiring more substantial repairs. The ongoing use of small-scale pothole and other repairs to keep the surface safe will continue until the required resurfacing is undertaken.
23. It is recommended that the lead petitioner be informed accordingly.

E. Restrictions on High Street parking – Ruddington (Ref:2019/0356)

24. A 113-signature petition was presented to the 11 July 2019 meeting of the County Council by Councillor Reg Adair on behalf of residents requesting that the current parking restrictions on High Street are modified. The petition does not request a particular change but, instead, offers signatories three options: retain the existing 2-hour limited waiting restriction or reduce the waiting time to either 30 minutes or an hour.

The preferences specified were as follows:

- 30 minutes 21 (19%)
- 1 hour 74 (65%)
- 2 hours 16 (14%)
- No preference 2 (2%)

25. There is a clear majority in favour of reducing the waiting period to one hour, so it is assumed that the petition is requesting this change.
26. Reducing the allowed waiting time can have impacts on certain businesses (for example, hair dressers) where customers require a longer parking time. However, it can also benefit businesses by freeing up spaces more quickly, thus allowing more customers to park for short periods.
27. In order to determine whether a reduced waiting time is appropriate, a parking survey will be undertaken to quantify the level of demand for two-hour parking. If it is considered appropriate to reduce the waiting time, this request will be considered for inclusion in a future year's programme of works.
28. It is recommended that the lead petitioner be informed accordingly.

F. Stop burning commercial waste causing life threatening diseases (Ref:2019/0357)

29. A 24-signature petition was submitted to the 11 July 2019 meeting of the County Council by Councillor Sue Saddington on behalf of residents requesting the cessation of the burning of commercial waste at PA Freight, Farndon Road, Newark. The petition claimed that toxic fumes resulting from the burning of waste was getting into people's homes, causing health hazards and reducing their quality of life and amenity.
30. Monitoring and Enforcement Officers in the County Council's Development Management Team have discussed this matter with the Environmental Health Department at Newark and Sherwood District Council which has confirmed that they have investigated complaints about nuisance from burning wood at the site. The Environmental Health Officer has confirmed that development on the PA Freight site includes the manufacture of wooden pallets and freight crates. The wood offcuts from this process are burnt in an incinerator located on the site. The wood is burnt under a registered exemption from the Environment Agency and is understood to take place on an infrequent basis. PA Freight has been advised to only burn wood when prevailing winds do not risk blowing smoke over nearby residential properties. They have also been advised to only burn clean wood off-cuts and not plywood, advice to which they are understood to be adhering.
31. The nature and extent of material being burnt has led officers to conclude that it does not constitute a waste management operation which would fall under the planning remit of the County Council, but is instead ancillary to the industrial development taking place on the land. Officers at Newark and Sherwood District Council and the Environment Agency will continue to monitor the site as part of their statutory functions and any concerns from residents should be directed to either of those organisations.
32. It is recommended that the lead petitioner be informed accordingly.

G. Residents parking, Waverly Avenue, Beeston (Ref:2019/0358)

33. A 42-signature petition was presented to the 11 July 2019 meeting of the County Council by Councillor Kate Foale on behalf of residents of Waverley Avenue, Beeston. The petition requests that a residents' parking scheme is introduced on the road due to the impact on amenity and inconsiderate parking causing access problems and blocking driveways.
34. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and rely on the availability of on-street parking to access their properties. Schemes are introduced where they won't negatively affect nearby streets and town centres, or increase rat running or traffic speeds. Requests are prioritised based on the level of non-resident parking throughout the day.
35. A residents' permit scheme would not be prioritised on Waverley Avenue because most properties (92%) have access to off-street parking. Additionally, it is expected that such a scheme would merely relocate the problem to other nearby streets.
36. It is also considered that a residents' permit scheme is not the most appropriate response to the problems set out in the petition. It is increasingly commonplace for drivers to park on both sides of many residential roads and this is not, in itself, justification for a permit scheme. Permit schemes do not automatically stop this practice as where they are installed they can often greatly reduce the amount of parking spaces available to residents.
37. If residents find that their driveways' access is being obstructed, they can purchase an advisory white H-bar marking from the Council to help highlight them. While there has been a recent Parliamentary Inquiry into 'pavement parking' this currently remains something which can only effectively be enforced by the police, although they will only act if substantial physical obstruction is occurring.
38. It is recommended that the lead petitioner be informed accordingly.

Statutory and Policy Implications

39. 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 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 (SJE – 30/07/2019)

40. This decision falls within the Terms of Reference of the Communities & Place Committee to whom responsibility for the consideration of petitions concerning matters falling under the remit of that Committee and the reporting back to Full Council in relation to the same has been delegated in accordance with the County Council's Petition Scheme.

Financial Comments (SES - 01/08/2019)

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

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- Eastwood – Councillor Tony Harper
- Keyworth – Councillor John Cottee
- Worksop North – Councillor Alan Rhodes
- West Bridgford West - Councillor Gordon Wheeler
- Bingham East – Councillor Francis Purdue-Horan
- Leake and Ruddington – Councillor Reg Adair
- Leake and Ruddington – Councillor Andrew Brown
- Farndon and Trent – Sue Saddington
- Beeston and Central Rylands – Kate Foale

5 September 2019**Agenda Item:13**

REPORT OF SERVICE DIRECTOR, GOVERNANCE AND EMPLOYEES WORK PROGRAMME

Purpose of the Report

1. To consider the Committee's work programme for 2019-2020

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 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.

Marje Toward
Service Director, Governance and Employees

For any enquiries about this report please contact: Noel McMenamin, Democratic Services Officer on 0115 993 2670

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.

- None

Electoral Division(s) and Member(s) Affected

- All

COMMUNITIES & PLACE COMMITTEE

WORK PROGRAMME – SEPTEMBER 2019–MARCH 2020

Report	Description	Lead Officer	Report Author
5 September 2019			
TRO5261 A6005 Bye Pass Road 30mph		Derek Higton	Gary Wood/Helen North
Nuthall Bus Gate		Derek Higton	Gary Wood/Mike Barnett (Via)
Go-Ultra Low Programme		David Hughes	Sean Parks
Update on Key Emergency Planning & Registration Matters		Derek Higton	Robert Fisher
Flood Risk Management Section 19		Derek Higton	Graham Smith
Update on Single-use Plastics		Derek Higton	Rachel Fowler
Update on key Trading Standards & Communities Matters		Derek Higton	Mark Walker
Petitions Report		Derek Higton	Sean Parks
3 October 2019			
Winter Service Preparation		Derek Higton	Gary Wood/Martin Carnaffin/Via
ROW Management Plan - Progress Update		Derek Higton	Gary Wood

Ticketing and Transport Digitalisation programme.		Derek Higon	Pete Mathieson
Ceramics Collection – Sale		Derek Higon	Peter Gaw/Mick Allen/Mark Croston
Joint Waste LP Reg 18 consultation	To approve for publication a document to involve people in the scope and form of a Local Plan for Waste.	David Hughes	Sally Gill/Nina Wilson / Stephen Pointer
Highways & Transport Capital Programme Update		Derek Higon	Gary Wood/Sean Parks/Via
Nottinghamshire Highway Design Guide	Outcome of consultation and approval of final document	David Hughes	Sally Gill/Clive Wood
Abbey Road Depot relocation		Derek Higon	Pete Mathieson
7 November 2019			
Highways & Transport Draft Capital Programme		Derek Higon	Gary Wood/Sean Parks/Via
Flood Risk Management Update		Derek Higon	Gary Wood/Sue Jaques
5 December 2019			
Concessions scheme notice		Derek Higon	Pete Mathieson
9 January 2019			
NET Handover Update			Gary Wood
2 March 2019			

Highways & Transport Final Capital Programme		Derek Higon	Gary Wood/Sean Parks/Via
Congestion management		Derek Higon	Pete Mathieson
Transport and Highways charges report		Derek Higon	Pete Mathieson

