



Policy Committee

Wednesday, 13 January 2021 at 10:30

Virtual meeting

AGENDA

1	Minutes of the last meeting held on 9 December 2020	1 - 8
2	Apologies for Absence	
3	Declarations of Interests by Members and Officers:- (see note below) (a) Disclosable Pecuniary Interests (b) Private Interests (pecuniary and non-pecuniary)	
4	Support for Nottinghamshire Small to Medium Enterprises Impacted by Coronavirus (COVID-19)	9 - 20
5	Nottinghamshire Highway Design Guide	21 - 116
6	Local Enforcement Plan Update	117 - 150
7	Supporting Nottinghamshire Young People as they make Key Choices about their Future	151 - 156
8	Proposed Lease Arrangements of The Mill Adventure Base	157 - 162
9	Supporting a Bid for an East Midlands Freeport	163 - 170
10	Operational Decisions Annual Review and Quarterly Update September - November 2020	171 - 174
11	Outside Bodies Register Update	175 - 182

12	Use of Urgency Procedures	183 - 186
13	Work Programme	187 - 190

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 Keith Ford (Tel. 0115 977 2590) 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 **POLICY COMMITTEE**

Date Wednesday 9 December 2020 (commencing at 10.30 am)

membership

Persons absent are marked with 'A'

COUNCILLORS

Mrs Kay Cutts MBE (Chairman)
Reg Adair (Vice-Chairman)

Chris Barnfather
Richard Butler
John Cottee
Kate Foale
Stephen Garner
Glynn Gilfoyle
Tony Harper
Richard Jackson
John Knight

Bruce Laughton
Rachel Madden
David Martin
Philip Owen A
John Peck JP
Mike Pringle
Alan Rhodes
Muriel Weisz

SUBSTITUTE MEMBERS

Tracey Taylor

OFFICERS IN ATTENDANCE

Anthony May Chief Executive's Department
Nigel Stevenson
Marjorie Toward
Mark Davies
Angie Dilley
Keith Ford
David Hennigan
Anna O-Daly-Kardasinska
James Silverward

Melanie Brooks Adult Social Care and Public Health Department
Colin Pettigrew Children & Families Department
Marion Clay
Claire Wilcoxson

Adrian Smith Place Department
Neil Gamble
Derek Higton
Matthew Neal

1 MINUTES

The Minutes of the last meeting held on 11 November 2020, having been previously circulated, were confirmed and signed by the Chairman.

2 APOLOGIES FOR ABSENCE

Councillor Philip Owen submitted an apology for absence due to other reasons and Councillor Tracey Taylor attended the meeting as his substitute.

3 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS.

Councillor Reg Adair declared a personal interest in agenda item 4 – Via East Midlands and Cheesecake Energy Partnership as a County Council appointed Director of Via East Midlands Limited, which did not preclude him from speaking or voting on that item.

4 URGENT ITEM – NOTTINGHAMSHIRE SCHOOL ADMISSION ARRANGEMENTS 2021-22 - REVISION

The Chair of the meeting agreed that this item, although not included on the agenda, should be considered as a matter of urgency in accordance with Section 100(b)(4)(b) of the Local Government Act 1972, in view of the special circumstances relating to the timing of the School Adjudicator's Decision in relation to the schedule of Children's and Young People Committee dates and the need for the published admission arrangements to be amended at the earliest opportunity.

RESOLVED: 2020/106

That the admission arrangements for Nottinghamshire's voluntary controlled schools that use faith criteria be revised as detailed in the committee report and appendix 2.

5 VIA EAST MIDLANDS AND CHEESECAKE ENERGY PARTNERSHIP LIMITED

In moving the recommendation, Councillor Cutts moved an additional recommendation as follows:-

That the Committee receives a progress report in 6 months and an annual report thereafter, outlining progress and financial implications.

RESOLVED: 2020/107

- 1) That the emerging partnership between Via East Midlands and Cheesecake Energy Limited to demonstrate a world first energy storage system at Bilsthorpe Depot be supported.
- 2) That the Committee receives a progress report in 6 months and an annual report thereafter, outlining progress and financial implications.

6 CORPORATE ENVIRONMENT STRATEGY UPDATE

RESOLVED: 2020/108

- 1) That the progress made to date on the Corporate Environment Strategy be noted.
- 2) That the creation in the Place Department of a new post of Environment Manager (1 FTE Hay Band D subject to job evaluation), subject to the appropriate procedures, be approved.
- 3) That the required revenue and capital funding to support the new post be approved and a Green Investment Fund be established, the terms and governance of which would be subject to further approval by Policy Committee in spring 2021.

**7 GREEN HOMES GRANT LOCAL AUTHORITY DELIVERY SCHEME
PHASE 1b**

In response to a request from Members, officers agreed to provide an update to Members on the total amount of funding which had been bid for.

RESOLVED: 2020/109

- 1) That the recent submission of a bid to the Green Homes Grant Local Authority Delivery Scheme Phase 1b in partnership with E-ON be supported.
- 2) That, subject to the bid being successful, the Capital Programme be amended as appropriate to reflect the amount of funding awarded.

8 SOCIAL HOUSING DECARBONISATION FUND DEMONSTRATOR

RESOLVED: 2020/110

- 1) That the recent submission of a bid to the Social Housing Decarbonisation Fund Demonstrator be supported.
- 2) That, subject to the bid being successful, the Capital Programme be amended as appropriate to reflect the amount of funding awarded.

**9 PROPERTY TRANSFORMATION PROGRAMME CLOSURE REPORT AND
CORPORATE LANDLORD MODEL**

RESOLVED: 2020/111

- 1) That the achievements of the Property Transformation Programme be noted and the Programme's closure be approved.
- 2) That progress towards the development of an operating model for delivery of corporate landlord facilities management services be noted, with a further report brought to a future Policy Committee meeting for implementation.

**10 INVESTING IN NOTTINGHAMSHIRE: UTILISING THE COUNCIL'S
PROPERTY ESTATE TO DELIVER ENVIRONMENTAL, ECONOMIC AND
FINANCIAL BENEFITS IN A POST-COVID WORLD**

RESOLVED: 2020/112

- 1) That the progress made to date in completing feasibility work, developing a new smarter working vision and undertaking the review in light of COVID-19 be endorsed.
- 2) That the principles and benefits set out in paragraphs 4 and 6 of the committee report be supported.
- 3) That the development of a full feasibility associated with the essential and recommended works to County Hall to enable the further consolidation of the Council's offices and reduction in the Council's carbon footprint in the light of changed working practices, be supported.
- 4) That a full feasibility study associated with the proposal at Sherwood Energy Village be supported with a view to consolidating staff into Thoresby House, further reducing the Council's office footprint.
- 5) That a full feasibility study associated with the proposal at Byron House be supported with a view to consolidating staff into alternative Council premises.
- 6) That the development of feasibility work to provide accommodation for Small and Medium Enterprises (SMEs) in the Mid-Notts area across Meadow House, Top Wighay and at Sherwood Energy Village be approved.
- 7) That the Capital Programme be varied to decrease it by £0.712m to reflect the efficiencies found within the Investing in Nottinghamshire Capital Programme.

11 ICT STAFFING STRUCTURE

RESOLVED: 2020/113

That the ICT Staffing Structure, as set out in Appendix 1 to the committee report and consequent actions required for implementation as outlined in the report, be approved.

12 EAST MIDLANDS DEVELOPMENT CORPORATION – INTERIM VEHICLE – THE ESTABLISHMENT OF EM DEVCO LIMITED – COMPANY LIMITED BY GUARANTEE

RESOLVED: 2020/114

- 1) That the establishment of the Interim Vehicle (EM Devco Limited), to support the aspirations of the business case that is to be submitted to Government, in the form of a company limited by guarantee at the earliest opportunity in 2021 with a view to becoming fully operational by 1 April 2021, be approved.
- 2) That the proposed Governance arrangements, including the board membership, voting arrangements and consent matters as set out in the committee report and its exempt appendix be approved.
- 3) That the Council's budgetary contribution of £0.5m per annum over 3 years, to be reviewed at the end of year 1 and 2 against progress and relevant milestones in the Company's Business Plan, with this funding allocation subject to funding contributions from the other affected Local Authorities, be approved.
- 4) That the Council's participation as a founding member in the Interim Vehicle Company, its role as host authority and the current content of the Articles of Association and Members Agreement, as summarised in the executive summary legal report in the exempt appendix to the committee report, be agreed and authority be delegated to the Corporate Director for Place, in consultation with the Section151 Officer and the Group Manager for Legal and Democratic Services, to negotiate and finalise the details of those documents and authority to enter into them and all company or other documentation necessary to give effect to the proposals, provided that they remain within the approved budgetary envelope and consistent with the risk profile referenced in the committee report.
- 5) That EM Devco Limited be added to the Council's Outside Bodies Register and the Ruling Group Business Manager make the required Member appointments to the Oversight Authority and authority be delegated to the Chief Executive to make the required Officer appointments to the Board of Directors.
- 6) That periodic progress reports regarding the Company business plan and establishment of the longer-term statutory Development Corporation be brought to the relevant Committee as appropriate.

13 PROPOSED SALE OF LAND AT BRAMCOTE PARK TO WHITEHILLS PARK FEDERATION TRUST

RESOLVED: 2020/115

- 1) That approval be given to the conditional sale of the Council's freehold interest in the land identified as plots 1 and 4 on the attached plan on the terms and subject to the safeguards outlined in the committee report and exempt appendix and subject to receipt of Section 77 consent, consent under paragraph 4 of Schedule 1 of the Academies Act 2010 and consent of the Secretary of State for Housing, Communities and Local Government in respect of the disposal at an undervalue.
- 2) That authority be delegated to the Service Director, Investment and Growth in consultation with the Group Manager for Legal Services to negotiate and approve detailed terms of the necessary legal documentation to give effect to the decision in accordance with the safeguards set out in the committee report and exempt appendix.

14 WORK PROGRAMME

RESOLVED: 2020/116

That the Work Programme be agreed and revised to include the six monthly update on the Via East Midlands and Cheesecake Energy Partnership as agreed earlier in the meeting.

15 EXCLUSION OF THE PUBLIC

RESOLVED: 2020/117

That the public be excluded for the remainder of the meeting on the grounds that the discussions were likely to involve disclosure of exempt information described in Schedule 12A of the Local Government Act 1972 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

16 EAST MIDLANDS DEVELOPMENT CORPORATION – INTERIM VEHICLE – THE ESTABLISHMENT OF EM DEVCO LIMITED – COMPANY LIMITED BY GUARANTEE – EXEMPT APPENDIX

RESOLVED: 2020/118

That the information contained in the exempt appendix be noted.

17 PROPOSED SALE OF LAND AT BRAMCOTE PARK TO WHITEHILLS PARK FEDERATION TRUST – EXEMPT APPENDIX

RESOLVED: 2020/119

That the information contained in the exempt appendix be noted.
The meeting closed at 1.09 pm.

CHAIRMAN

REPORT OF THE LEADER OF THE COUNCIL

SUPPORT FOR NOTTINGHAMSHIRE SMALL TO MEDIUM ENTERPRISES IMPACTED BY CORONAVIRUS (COVID-19)

Purpose of the Report

1. To provide members with an overview of the approach to support Nottinghamshire small and medium sized enterprises (SMEs) impacted by coronavirus (COVID-19) and the availability of funding.
2. To seek approval for a contribution of £10,000 to support a programme of activities designed to enable Nottinghamshire's businesses to realise the contracting opportunities available via national infrastructure projects and larger scale contracts.

Information

3. The four-year Council Plan 'Your Nottinghamshire, Your Future' (2017 to 2021) sets out a vision of how the Council will promote the conditions that will help businesses thrive and prosper. Investment in housing, transport and public realm, alongside employment, education and skills support, all contribute to creating a thriving working environment. The Council considers such interventions as essential for good growth and a vibrant local economy.
4. According to the Office for National Statistics (ONS) United Kingdom (UK) most recent business count (2020), Nottinghamshire has 26,930 enterprises operating over 31,695 places of work (be that a factory, shop or branch). With only 110 large enterprises, 99.5% of all Nottinghamshire businesses are classed as small to medium sized enterprise (SMEs) by employment size band (i.e. between 0 and 249 employees). To June 2020, there were 423,100 economically active people, of which 15% (i.e. 63,500) were self-employed.
5. SMEs are the engine of economic development in Nottinghamshire. Keeping money in the county is vital as the economy suffers in the wake of the pandemic and cashflow has never been more important. Throughout this pandemic, people across Nottinghamshire have been seen to come together and help others, as evidenced by the success of the Nottinghamshire Coronavirus Community Support Hub, as established by the Council.
6. Local shops and businesses need collective help more than ever and amid the coronavirus pandemic, the Council understands the concerns of businesses across Nottinghamshire. In September 2020, the COVID-19 Resilience, Recovery and Renewal Committee approved an ambitious two-year economic recovery action plan to set out how the Council and the County can recover from the COVID-19 pandemic.
7. Since the first lockdown measures were put in place in the UK 296 days ago, businesses have been working hard to survive. In full acknowledgement that this is an unsettling period, during the November 2020 Policy Committee meeting, members requested an update be brought to today's meeting to highlight the support available for SME businesses.

8. As Nottinghamshire County Council aims to lead by example, the remainder of the report sets out the approach the authority is taking to support SMEs, followed by an overview of the funding available to eligible firms and concludes with a proposal to establish a supply chain opportunities programme.

THE COUNCIL LEADING BY EXAMPLE

9. In December 2019, Policy Committee approved the Council's Procurement Strategy 2019 - 2023. This Strategy sets out the framework for the procurement of all goods, works and services and outlines how procurement will use the Council's spending power to pursue key objectives. The Strategy drives the delivery of social value. Social value is the term used to describe the additional value created in the delivery of a service contract which has a wider community or public benefit. This extends beyond the social value delivered as part of the primary contract activity. For Nottinghamshire, the Strategy outlines how the Council will address economic, social and environmental considerations.
10. To date, progress against the Strategy performance indicators has been strong. Targets have been set through contracts for agreed social value indicators to track local spend, spend with SMEs and local employment opportunities. The table below shows delivery against the targets so far.

Indicator	Percentage (of total live contracts)	Target
Contracts awarded to local suppliers	57%	50%
Contracts awarded to SMEs	59%	50%

Engagement with SME suppliers

11. The procurement team, alongside colleagues in Growth and Economic Development organise 'Meet the Buyer' events. These are typically held in Partnership with the East Midlands Chamber. During 2019/20, two events were held; one in Mansfield the other in Ashfield. These were free events, focused on public procurement processes and sought to boost the confidence of smaller organisations in Nottinghamshire to tender for locally-available work. The sessions included other public sector partners, including the local universities and the NHS. The sessions aimed to clarify processes involved, showcase where the opportunities are to be found, including the support available and share examples of best-practice. Additionally, suppliers were provided with the know-how to identify contract opportunities, along with a greater understanding of what you should and should not do when tendering.
12. These events were a great success, with over 70 SMEs based in the Mansfield, Ashfield, Bassetlaw and Newark & Sherwood area in attendance. The positive performance, as illustrated in the table above, is directly attributable. Further virtual events are planned for social care providers and SMEs in 2021.
13. In addition, the Procurement team alongside Commissioning officers, held market engagement events and bidder days for specific procurement projects. This enabled providers to feed into the development of the service model and ask any questions on the tendering

process. These also were successful and enabled SMEs to engage with the commissioning and procurement process.

14. An update on the Procurement Strategy was taken to Finance and Major Contracts Management Committee on 30 November, where the social value indicators were reported.

Business Support

15. Growth Hubs are a national initiative designed as one-stop-shops for all business support needs and operate in tandem and across the same boundaries as the Local Enterprise Partnerships. In Nottinghamshire, the County Council is the only public sector partner to support the Growth Hub, working alongside the East Midlands Chamber. The County Council operates a Business Support offer through its partnership with the Derby Derbyshire, Nottingham and Nottinghamshire Growth Hub (D2N2 Growth Hub).
16. The D2N2 Growth Hub operates a website (<https://www.d2n2growthhub.co.uk/>), several support programmes and a Business Investment Fund (BIF). The D2N2 Growth Hub also runs events and workshops and promotes the availability of national government and local support offered by others and has proved vital over recent months given the significant impact of COVID-19 on the local economy.
17. All calls from Nottinghamshire businesses to the D2N2 Growth Hub are referred to the Council's two Business Advisers and a Business Monitoring Officer. The two experienced advisers were recruited in Spring 2020 just before the first COVID-19 lockdown and over the first two quarters to September 2020, supported over 200 businesses with detailed advice and guidance both around COVID-19 and growth ambitions. Further details on impact across Nottinghamshire (to date), along with other national guidance can be found at **Appendix A**.
18. Businesses seeking to recruit and to invest in the skills of their workforce are also supported by the Council's Business Advisers, linked in with the support available via further and higher education establishments, providers and the wider Growth and Economic Development Team support. Including for example, the promotion of the Council's Apprenticeship Levy and the Kickstart initiative. An update on youth employment support in Nottinghamshire was taken to the COVID-19 Resilience, Recovery and Renewal Committee on 14 December 2020.

FUNDING AVAILABLE TO ELIGIBLE NOTTINGHAMSHIRE FIRMS

Business Grants

19. This section of the report begins with an overview of the government support available to businesses and concludes with a proposal to support a programme of activities designed to enable Nottinghamshire's businesses to realise the contracting opportunities available via national infrastructure projects and larger scale contracts.
20. Further assistance available from the Government included the Bounce Back Loan Scheme (BBLS), which enabled smaller businesses to access finance more quickly during the coronavirus outbreak; and the Future Fund, which provides government loans to UK-based companies, for which application deadlines have now been extended to 31 January 2021. The British Business Bank reported a BBLS total of £292,274,984 was loaned to Nottinghamshire businesses.
21. On 9 September 2020, ministers announced businesses in England that are required to shut because of local COVID-19 interventions will now be able to claim up to £1,500 per property

every three weeks. The scheme provides a safety net to further protect jobs where a business is required to close. The largest businesses will receive £1,500 every three weeks they are required to close and smaller businesses will receive £1,000.

22. Payments were triggered by a national decision to close businesses in a high incidence area. Each payment will be made for a 3-week lockdown period. Each new 3-week lockdown period triggers an additional payment.

23. On 3 November 2020, government announced a second round of business support grants, (as before) to be administered by district and borough councils, to provide cash grants for businesses during the November to December 2020 national lockdown and period of local restrictions.

24. The five grants available and administered by district and borough councils were:

Local Restrictions Support Grant (Open)	Relates to Tier 2 restrictions. Discretionary grant aimed at hospitality, hotels, bed and breakfast and leisure businesses who were open during Tier 2 restrictions but whose trade suffered as a result
Local Restrictions Support Grant (Closed)	Relates to Tier 3 restrictions. Aimed at business such as wet pubs, soft play centres, adult gaming centres etc. Business who were subject to government mandated closure during Tier 3 restrictions
Local Restrictions Support Grant (Closed) Addendum	Relates to national lockdown. Aimed at retail, hospitality and leisure sectors forced to close due to the national lockdown enforced from 5 th November 2020
Local Restrictions Support Grant (Sector)	Aimed at nightclubs, casinos and sexual entertainment venues who have been under mandated closure since March 2020
Additional Restrictions Grant	Discretionary grants aimed at supporting businesses affected by reduced trading conditions experienced during national lockdown. Focusing on the hospitality, accommodation, beauty, leisure and non-essential retail sectors and their supply chains

25. On 1 December 2020, government announced that wet-led pubs in tiers 2 and 3 were able to claim a Christmas Support Payment of £1,000. The scheme closed on 29 December 2020, with final applications having to be received by district and borough councils by 31 January 2021. However, whilst Government expected local authorities would provide pubs with the grants as soon as possible, it also stated it will be no later than 28 February 2021 – two months after Christmas.

26. The Nottinghamshire district and borough councils received notification of the funding available under the Government Christmas Support Payment Scheme for Wet-Led Pubs. Application forms were sent directly to businesses the district and borough council believed may meet the eligibility criteria based upon information provided under the Tier 3 Restrictions Grant.

27. The tables at **Appendix B** illustrate the cumulative position each Nottinghamshire local authority received from central government and distributed to SMEs. The data in Tables 1 and 2 cover the three coronavirus grant schemes which closed in August 2020:

- Small Business Grants Fund (SBGF)
- Retail, Hospitality and Leisure Business Grants Fund (RHLGF)

- Local Authority Discretionary Grants Fund (LADGF)

28. Tables 1 and 2 combined show £147,071,638 has been paid to 12,860 Nottinghamshire. This equates to 90% of the identified eligible funding:

- £140,095,000 for SBF and RHLGF
- £6,922,638 for LADGF

29. Table 3 shows the Local Restrictions Support Grants (LRSG) and Additional Restrictions Grant (ARG). To week ending 6 December 2020, a total of £12,845,509 has been paid to 4,274 Nottinghamshire businesses.

30. On the 31 December 2020, the Government announced that Nottinghamshire would move into Tier 4 restrictions. On 4 January 2021, the Prime Minister announced a national lockdown and instructed people to stay at home to control the virus, protect the NHS and save lives. On 5 January 2021, the Chancellor announced:

- Businesses in the retail, hospitality and leisure sectors are to receive a one-off grant worth up to £9,000.
- A further £594 million will be made available for Local Authorities and the Devolved Administrations to support other businesses not eligible for the grants, that might be affected by the restrictions.

31. At the time of writing, further guidance is awaited as to how businesses should apply for the grants, although it is probable this will be routed via the district and borough councils in line with the previous approach adopted.

Proposed Supply Chain Opportunities Programme

32. The Council is steadfast in ensuring Nottinghamshire is a well-connected County. Instrumental to plans for substantial regional growth in Nottinghamshire and the East Midlands is the development of key sites for new employment and housing opportunities, improvement to roads and rail travel (particularly to nearby cities and airports) and maximising the broader benefits of major infrastructure investment.

33. Several Nottinghamshire companies are already engaged with national infrastructure projects and larger scale contracts. Encouragingly, many additional opportunities remain available at a smaller scale, ideal for SMEs. Subject to member approval, it is proposed that a supply chain opportunities programme is designed to enable Nottinghamshire businesses to engage with national infrastructure projects (such as High Speed 2) and to prepare them for future more localised opportunities as they emerge.

34. The supply chain opportunities programme will comprise of sessions on:

- The opportunities available, the processes and timescales
- Tender readiness – what works and best practice, including input from successful tenderers
- Sustainability and environmental best and expected practice
- Optimising employment and training opportunities
- Equality, diversion and inclusion expectations and policies
- Cyber / Digital essentials
- Health and safety and well-being

35. Delivery will be managed and co-ordinated by the East Midlands Chamber of Commerce alongside the Council's Growth and Economic Development Team. The sessions would be led by specialist organisations including the Advisory, Conciliation and Arbitration Service (ACAS), the East Midlands Cyber Resilience Centre, local universities and tender development advisers. Nottinghamshire businesses will be actively targeted through established relationships, appropriate communication routes and through links with Nottinghamshire business groups and the D2N2 Growth Hub.
36. The sessions will be delivered through well-established and practiced on-line webinars, whilst retaining the possibility of face-to-face events pending the evolving position with COVID-19. It is estimated that the programme (run at least twice over a 6-month period) will deliver sessions to over 450 Nottinghamshire businesses.

Other Options Considered

37. Since the outbreak of COVID-19, Nottinghamshire County Council has worked tirelessly to keep services running during the crisis and supporting residents and businesses. It is important that elected members receive an overview of the SME business support being undertaken during this difficult time. Given the many and significant opportunities available via national infrastructure projects and larger scale contracts, the 'do-nothing' option was discounted.

Reasons for Recommendations

38. At Policy Committee's November 2020 meeting, elected members requested an update on contemporary information in relation to support and availability of funding for SMEs.
39. As Nottinghamshire County Council continues to invest in much-needed infrastructure to future-proof communities and boost economic growth, there remains an expectation that schemes and interventions are transformative, with benefits for the community that reach beyond the build. The Council has every right to expect that as much as possible of the public money invested in infrastructure locally, is spent where it can deliver the greatest benefit to local communities. This proposed supply chain opportunities programme prioritises the use of local SMEs and locally sourced labour, goods and services. This will maximise local spend and help build business capacity and supplier networks for the communities the Council serves.

Statutory and Policy Implications

40. 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

41. In July 2018, Policy Committee approved an allocation of up to £193,561 over the period 2019-2022 towards the £11.7 million Growth Hub European Union funding bid. This match funding contributes directly to helping businesses improve their competitiveness and productivity to

drive economic growth across Nottinghamshire. The Council's match funding is met from the Growth and Economic Development Initiatives budget as follows:

Financial Year	Amount
2019-2020	£59,433
2020-2021	£66,553
2021-2022	£67,575
TOTAL	£193,561

42. In collaboration with partners, the proposed supply chain opportunities programme can be delivered within a maximum budget of up to £10,000. Subject to member approval, the cost can be met by the 2020/21 Growth and Economic Development initiatives budget.

RECOMMENDATIONS

It is recommended that Policy Committee:

- 1) Approve an allocation of up to £10,000 from 2020-21 Growth and Economic Development initiatives budget to support a programme of activities to help Nottinghamshire's businesses maximise the contracting opportunities available via national infrastructure projects and larger scale contracts.
- 2) Continues to monitor the effectiveness of business support and officers continue to seek feedback from Nottinghamshire SMEs to ensure that the Council's services continually improve in line with their needs.

COUNCILLOR MRS KAY CUTTS MBE
Leader of the Council

For any enquiries about this report please contact: Nicola McCoy-Brown, Growth and Economic Development ext. 72580

Constitutional Comments (KK 10/12/2020)

43. The proposals in this report are within the remit of the Policy Committee.

Financial Comments (RWK 10/12/2020)

44. The report proposes that a sum of up to £10,000 be allocated from the 2020-21 Growth and Economic Development initiatives budget to support the proposed programme of activities outlined within the body of the report. The committee's 2020-21 revenue budget includes an allocation of £515,036 for the Growth and Economic Development initiatives 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.

- *Update on Youth Employment Support in Nottinghamshire*, report to COVID-19 Resilience, Recovery and Renewal Committee, published on 14 December 2020
- *Labour Market Profile – Nottinghamshire*, published by the Office for National Statistics and available online at:

<https://www.nomisweb.co.uk/reports/lmp/la/1941962811/report.aspx#tabelnact>

- *COVID-19 Crisis Economic Recovery Action Plan 2020 to 2022*, published on 15 September 2020 and available online at:
<https://www.nottinghamshire.gov.uk/policy-library/78888/covid-19-crisis-economic-recovery-action-plan-2020-to-2022>
- *Procurement Strategy 2019 – 2023*, approved by Policy Committee, published on 13 November 2019 and available online at:
<https://www.nottinghamshire.gov.uk/policy-library/67041/procurement-strategy-2019-2023>
- *Update on Procurement and Contract Management*, report to Finance and Major Contracts Management Committee, published 30 November 2020
- *D2N2 Growth Hub 2.0 – Partnership and Match Funding Approval to April 2022*, report to Policy Committee, published 18 July 2018

Electoral Divisions and Members affected

- All

APPENDIX A: COVID-19 BUSINESS SUPPORT

Nottinghamshire Business Support Summary

1. A further 250 businesses across Nottinghamshire have been supported to access the on-line webinar programme since the pandemic began. These webinars have covered a broad spectrum of subjects from finance and business funding, growth, preparing a response to the environment after a financial and trading crisis to managing change and business resilience in an uncertain world.

🔗 <https://www.d2n2growthhub.co.uk/covid-19/#Webinar Programme>
2. The advisers are working with Nottinghamshire business seeking to expand by supporting the development of applications to the Business Investment Fund. The BIF offers grants and to date, 43 Nottinghamshire businesses are due to or have already benefited from its investment. The Council's advisers support businesses in drafting their applications and advise on the criteria.

🔗 <https://www.d2n2growthhub.co.uk/grow/managing-finance/funding-for-your-business/access-to-local-finance/d2n2-business-investment-fund/>
3. The promotion of wider specialist support available is being maintained via a close relationship with partners, particularly with our local universities, finance providers and business intermediaries.
4. The Council has developed close working relationships with a range of business groups across the County, from the larger ones such as the East Midlands Chamber of Commerce, the Federation of Small Businesses (FSB), the Confederation of British Industry (CBI), Institute of Directors (IoD) and the Nottinghamshire Manufacturing Network through to more local groups. Always reinforcing messages from the Growth Hub as to the support available and taking feedback on issues impacting on their members.
5. The adviser team has built working relationships with procurement, trading standards, children and young people (supporting childcare providers) and adults (supporting care providers) where local businesses may need help or support in accessing opportunities.
6. The Growth Hub is now in receipt of additional COVID-19 related grant funding to support key sectors including visitor economy businesses and the team worked to promote its availability to Nottinghamshire businesses and to date, nearly half of the resources has gone to eligible Nottinghamshire businesses.
7. In addition, through these same resources, a facilitated mentoring programme is also under development designed to help the mutual development of successful strategies for stability and for growth. The programme is developed with input from the Council and when ready, they will again be promoted to businesses across the County. Best practice indicates that mentoring can have a significant impact on recovery, growth and success, learning from each other's plans.

8. Wider, the Council has worked with the East Midlands Chamber on a series of EU Transition sessions and supported the development of a business conference with partners on 26 November, alerting businesses to the new requirements and the trading environment coming into operation from January next year.

🔗 <https://www.emc-dnl.co.uk/enabling-international-trade/business-readiness-events-and-brexit-support/brexit-events2/?VariantID=4012>

9. Plans are also underway for a series of sessions on helping businesses access supply chain opportunities from HS2, part of wider work on procurement and supply chains.

10. The Council's active participation in the Growth Hub has allowed for its influence to be felt on strategy and direction of support to businesses, influenced by links with partners and most crucially with intelligence drawn from data, from businesses groups and businesses directly.

National business support guidance

Restaurants, pubs, bars and takeaway services

On 9 November, the government updated guidance for people who work in or run restaurants, pubs, bars, cafes or takeaways (hospitality venues like restaurants, bars and pubs in England that had to close from 5 November but can still provide takeaway and delivery services. Sale of alcohol is permitted via pre-order for collection or delivery services only).

🔗 <https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/restaurants-offering-takeaway-or-delivery>

Venues required to enforce rule of six, NHS QR code posters and contact logs

Hospitality venues in England were, from 18 September, legally required to enforce the rule of 6 or face a fine of up to £4,000. Regulations come into force to ensure that businesses comply with the 'rule of 6' and maintain social distancing between customers. Businesses failing to comply could be issued with fines of up to £4,000. Designated venues also had a legal requirement to maintain records of customer contact details and display an official NHS QR code poster.

🔗 <https://www.gov.uk/government/news/venues-required-to-enforce-rule-of-6-nhs-qr-code-posters-and-contact-logs>

APPENDIX B: COVID-19 BUSINESS GRANTS

Table 1: Small Business Grants Fund (SBGF) and Retail, Hospitality and Leisure Business Grants Fund (RHLGF): total payments to businesses by Nottinghamshire Local Authority

Local Authority	Initial Allocation	Number of properties that the local authority identified may be in scope to receive a grant	Value of in scope properties identified by the local authority as at 30 Sept	Number of grant payments made as at 30 Sept	Value of payments (£)
Ashfield District Council	£22,284,000	1,646	£18,440,000	1,646	£18,440,000
Bassetlaw District Council	£28,836,000	2,180	£25,250,000	2,158	£24,895,000
Broxtowe Borough Council	£17,914,000	1,451	£17,240,000	1,445	£17,195,000
Gedling Borough Council	£17,914,000	1,407	£16,380,000	1,350	£15,615,000
Mansfield District Council	£20,310,000	1,715	£19,925,000	1,625	£19,025,000
Newark & Sherwood District Council	£28,752,000	2,272	£26,650,000	2,272	£26,650,000
Rushcliffe Borough Council	£19,746,000	1,583	£18,275,000	1,583	£18,275,000
TOTAL	£155,756,000	12,254	£142,160,000	12,079	£140,095,000

Source: <https://www.gov.uk/government/publications/coronavirus-grant-funding-local-authority-payments-to-small-and-medium-businesses>

Table 2: Local Authority discretionary Grant Fund (LADGF); Total Payments to businesses by Nottinghamshire local authorities

Local Authority	LADGF Initial Allocation	No. of grants paid as at 30 September	Value of grants paid as at 30 September
Ashfield District Council	£1,078,750	91	£845,637
Bassetlaw District Council	£1,177,500	148	£1,178,000
Broxtowe Borough Council	£883,250	92	£883,250
Gedling Borough Council	£987,250	158	£896,250
Mansfield District Council	£944,500	78	£944,500
Newark & Sherwood District Council	£1,237,500	126	£1,202,751
Rushcliffe Borough Council	£972,250	88	£972,250
TOTAL	£7,281,000	781	£6,922,638

Source: <https://www.gov.uk/government/publications/coronavirus-grant-funding-local-authority-payments-to-small-and-medium-businesses>

Table 3: Local Restrictions Support Grants (LRSG) and Additional Restrictions Grant (ARG): total payments to businesses by Nottinghamshire local authorities. Cumulative position to week ending 6 December 2020

Local Authority	No. of grant types paid	Value of grants paid	Actual No. of individual businesses paid	Actual No. of businesses declined grant to date
Ashfield District Council	1522	£2,152,259	600	40
Bassetlaw District Council	2055	£2,427,907	829	314
Broxtowe Borough Council	1249	£1,535,730	553	69
Gedling Borough Council	645	£967,291	205	88
Mansfield District Council	658	£793,917	616	99
Newark & Sherwood District Council	2388	£3,046,083	922	226
Rushcliffe Borough Council	1174	£1,922,322	549	72
TOTAL	9,691	£12,845,509	4,274	908

Source: Local Resilience Forum Finance Cell

REPORT OF THE CHAIR COMMUNITIES AND PLACE COMMITTEE

NOTTINGHAMSHIRE HIGHWAY DESIGN GUIDE

Purpose of the Report

1. To seek authorisation to adopt the draft Highway Design Guide as County Council policy.

Information

2. At its meeting on 3rd December 2020 Communities and Place Committee endorsed the draft Nottinghamshire Highway Design Guide and recommended it to Policy Committee for adoption as Council policy.

The Nottinghamshire Highway Design Guide Consultation

3. The original 6Cs Design Guide was adopted as policy by the County Council in 2009. Its use by the Highway Authority and Local Planning Authorities within the County has ensured that there is a consistent approach on highway matters within planning proposals and the process of determining these. It has also ensured that decisions and recommendations made by the Highway Authority to local planning authorities can be justified and evidenced should there be a need to appear before a Government appointed Planning Inspector if a planning decision is challenged on highway grounds. Given the above it is essential that any revised guide is adopted as policy. As part of the process involved in the Guide being adopted as policy, it is both necessary and correct that the draft Guide was subject to consultation with stakeholders (both internal and external to the Authority) as well as with interested external bodies and organisations.
4. Communities and Place Committee, at its meeting of the 19th April 2018, resolved that delegated authority be granted to the Corporate Director (Place) to resign the County Council's membership of the 6Cs Board and that the Authority continue to use the regional '6Cs Highway Design Guide' following resignation but rebranded as the 'Nottinghamshire County Council Highway Design Guide';
5. Members will also recall that at the Communities and Place Committee of the 6th December 2018 it was resolved that delegated authority be granted to the Corporate Director (Place) to consult on a new draft Nottinghamshire Highway Design Guide in accordance with the County Council's policy and procedures on such matters.
6. Consultation was carried out between 13th December 2018 and 31st January 2019. A further consultation was carried out between 17th July 2020 and 7th August 2020 following amendments to the draft document as a result of updates to national guidance and comments submitted in response to the earlier consultation. The latest draft Nottinghamshire Highway Design Guide is attached at Appendix A.

The Nottinghamshire Highway Technical Design Guide

7. The original 6Cs Highway Design Guide and its revisions forming the Nottinghamshire Highway Design Guide contained over 300 pages of information which fundamentally was based on Leicestershire County Council's former highway design guidance. Much of the document was a repetition or reinterpretation of national guidance some of which is now outdated and other parts of the documents required updating to take into account more recent national publications such as Manual for Streets.
8. In the absence of other national or regional highway design guidance applicable to the non-strategic road network (trunk roads), the new draft replacement Nottinghamshire Highway Design Guide has been written to provide up to date, simple, concise, and to the point guidance in under 90 pages. It provides developers with the information they need to design and build streets that are to standards that provide a safe and attractive environment for Nottinghamshire residents to live, work and travel that can be adopted by the Highway Authority without it taking on undue liabilities that can adversely affect the public purse. This approach will help to ensure that issues related to the interpretation of advice contained within the Guide is minimised meaning that all parties involved in the processes of designing and building streets in developments should be able to do so in a more effective and efficient manner.
9. The focus of the document is on the design of residential streets with a design speed restricted to up to 20mph. However, the scope of the document also includes main streets that have a wider movement function between destinations where the design speed may be up to 30mph except in close proximity to schools or other areas of above average pedestrian activity where the design speed will be expected to be no more than 20mph. The document also includes the design of roads serving commercial or industrial development.
10. The document also provides updated guidance on the design and maintenance requirements for highway drainage systems including Sustainable Urban Drainage (SUDS) systems and infiltration drainage.
11. The Authority will be able to introduce regular updates to the document that consider new or updated national guidance and changes in the County's best practice and procedures without the complication of reaching regional consensus with other parties.

Reason/s for Recommendation/s

12. The Highway Authority needs; an up to date design guide to be able to consistently consider the highway aspects of new developments; to be in a position to update the guide as made necessary by changes to national guidance, best practice and procedures; and for this guidance and subsequent revisions to be adopted as policy by the County Council. This will ensure that the Highway Authority can robustly deal with developers to ensure that highway infrastructure within new developments is both safe and attractive for Nottinghamshire residents and is not a disproportionate maintenance liability for the Authority. It is therefore recommended that the draft Guide and its future revisions are accepted as County Council policy.

Statutory and Policy Implications

13. 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

14. Adoption and use of the design guide will ensure that that highway infrastructure within new developments is both safe and attractive for Nottinghamshire residents and is not a disproportionate maintenance liability for the Authority

Implications for Service Users

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

RECOMMENDATION/S

It is recommended that Committee:

- 1) Approve the draft Nottinghamshire Highway Design Guide and adopt as County Council policy and procedure;
- 2) Grant delegated authority to the Corporate Director for Place to be able to make minor changes to the document when required, with any subsequent updates published via the Council's website.

Councillor John Cottee

Chairman of the Communities and Place Committee

For any enquiries about this report please contact: Jan Witko, Team Manager Highway Development Control, Tel: 0115 9774364

Constitutional Comments (KK 04/01/2020)

16. The proposals in this report are within the remit of the Policy Committee.

Financial Comments (RWK 04/01/2021)

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

Background Papers and Published Documents

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

- Communities and Place Committee Report, 3rd December 2020, Agenda Item 7.

Electoral Division(s) and Member(s) Affected

- All



Draft Highway Design Guide

For Committee Approval V5 dated 02/11/20



Index

- 1.1 [Introduction](#)
- 1.2 [Road Network Policy](#)
- 2.0 [Hierarchy and Well-connected Streets](#)
- 3.0 Design
 - 3.1 [Geometry of Residential Streets](#)
 - 3.2 [Geometry of Commercial & Industrial Developments](#)
 - 3.3 [Visibility Splays & Stopping Sight Distances](#)
 - 3.4 [Vertical Curves](#)
 - 3.5 [Speed Restraint](#)
 - 3.6 [Shared Surfaces Guidance](#)
 - 3.7 [Quality Audit Guidance](#)
 - 3.8 [Headroom, clearances, structures and obstacles on, in, and over the highway](#)
- 4.0 Parking
 - 4.1 [Residential Parking](#)
 - 4.2 [Commercial Parking](#)
- 5.0 Materials
 - 5.1 [Materials General](#)
 - 5.2 [Drainage](#)
 - 5.3 [Utilities](#)
 - 5.4 [Structures](#)
- 6.0 [New Streets, APC, & Section 38](#)
- 7.0 [Off-site Highway Works, Junctions & Section 278](#)
- 8.0 [Commuted Sums](#)
- [Appendix A – Changes Log](#)
- [Appendix B – SUDS Check List](#)



Introduction

Part 1.1

1.1.1 The County Council's vision statements

The Council Plan 2017 - 2021 'Your Nottinghamshire, Your Future' is focused around four vision statements. These are to make Nottinghamshire; '*a great place to bring up your family*', '*a great place to fulfil your ambition*', '*a great place to enjoy your later life*' and '*a great place to start and grow your business*'. The purpose of this document is to assist in achieving these goals by promoting good street design through development.

1.1.2 Document Status

The document has been prepared by the Council following two consultations on the draft and updated draft document between December 2018 and January 2019 and July 2020 and August 2020 respectively. The final consultation invited comments from; 35 developers; 85 transport consultants, architects, town planners, urban designers, associations or professional institutions; and 18 local authorities either within or neighbouring Nottinghamshire; amongst others. The draft document was also published for consultation on the County Council's website. Following the final consultation, the document was updated and subsequently endorsed by Communities and Place Committee on ##### and was approved by Policy Committee and became County Council policy on ####

1.1.3 A changes log can be viewed at Appendix A in order to provide an audit trail of material changes to the document following the final consultation.

1.1.4 Should you have a query with respect the content of the document, please call 0300 500 80 80 or email hdc.north@nottsscc.gov.uk

1.1.5 Introduction

There is already national guidance encouraging the creation of high-quality development and distinctive places such as Manual for Streets which is endorsed by the County Council. However, since the abolition of Design Bulletin 32, there is no national technical guidance that includes a comprehensive set of dimensions that can be used as reference when designing non-strategic road and street layouts that adequately accommodate people and places. Therefore, rather than replicate what is available nationally, this document's aim is to provide transport consultants, architects, town planners, urban designers, and developers with straight-forward highway design technical guidance and specifications for street works. National guidance is only repeated where it is necessary within this context. This document is not an urban design guide so can be read as a companion guide to the likes of Manual for Streets. It should not be seen as an alternative to Manual for Streets principles or other national guidance that is available or becomes available in the future. Engineering judgement will be applied when considering any submission but any relaxation to the guidance presented here will be considered with the discretion of the County Council and may need to be justified.

1.1.6 When considering proposals, the County Council will be mindful of the Equality Act 2010 and the public sector equality duty by having due '*regard to advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it*' including elderly people, disabled people, people of different gender, and children, and the Health and Public Care Act 2012 duty to improve public health by seeking to improve air quality and general public health and wellbeing.

1.1.7 The aim of the document is to achieve low speed neighbourhoods, that are safe, particularly for young children, that encourage a model shift away from the private car, and in doing so, promote a healthy life style by encouraging walking and cycling.

1.1.8 Where street works are proposed outside of the scope of this document, these should be designed in accordance with the Design Manual for Roads and Bridges (DMRB) published by Highways England unless agreed otherwise. Should DMRB standards apply, the Council will adopt the role of the overseeing organisation.

1.1.9 It should be emphasised that works which directly affect the Strategic Road Network (SRN) will need to be considered separately by Highways England and are as such not bound by the contents of this document. The SRN both borders and runs through the County and certain locations interface directly with the Local Road Network. Highways England should be contacted at an early stage, on any proposals which will impact on the SRN (Trunk Roads and Motorways).

[End]



Road Network Policy

Part 1.2

1.2.1 Principles of access to the highway network

In order to facilitate new development, the County Council supports the need for limited improvements to 'A' and 'B' class roads, whether in improving or extending existing capacity, or providing new links, to address clearly identified significant strategic or local needs. In assessing proposals that would increase traffic, and/or provide new streets and junctions, the following criteria should be taken into account:

- the contribution to sustainable development and regeneration including improved connectivity;
- how conditions for pedestrians, cyclists, public transport users, freight and local residents can be improved;
- how safety for all is improved;
- the extent of any additional traffic and any effects it may have on the locality, and the extent to which congestion can be reduced; and
- how a net benefit to the environment can be provided.

1.2.2 Proposals should show, overall, a net benefit across these criteria when taken as a whole. All proposals must show how any dis-benefits will be mitigated.

1.2.3 New accesses for vehicles and the increased use of existing accesses on other classified and unclassified roads will normally be supported where:

- the needs of pedestrians, cyclists, public transport users, freight and local residents can be addressed;
- there is not a road safety problem or where a road safety problem can be removed;
- the route is suitable or can be suitably upgraded to carry the additional traffic and type of traffic from the development.

1.2.4 If access to a development can be gained off a minor or side street, you should normally consider this option as preferable (with improvements to the junction of the minor side street with the main road as necessary).

1.2.5 Need for Transport Assessments, Transport Statements, and Travel Plans

The National Planning Policy Framework 2019 (NPPF) covers the current national policy for promoting sustainable transport.

NPPF states that:

"Planning policies should support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities".

1.2.6 The preparation of a Transport Assessment in support of a proposed development is identified as a key document in encouraging the use of more sustainable modes of transport. The NPPF goes on to say:

"All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed";

1.2.7 Government guidance on the preparation of Transport Assessments, Transport Statements, and Travel Plans is provided in Planning Practice Guidance (PPG) 'Transport evidence bases in plan making and decision taking'. The PPG states that

"Where the transport impacts of development are not significant, it may be that no Transport Assessment or Statement or Travel Plan is required. Local planning authorities, developers, relevant transport authorities, and neighbourhood planning organisations should agree what evaluation is needed in each instance".

1.2.8 The 'Guidance on Transport Assessment' (GTA) (DfT, March 2007) was archived in October 2014. However, in lieu of any detailed replacement guidance being published, the County Council requires Transport Assessments and Statements to be prepared in accordance with the PPG and GTA, particularly where significant changes in traffic may occur.

1.2.9 In general, the County Council will seek a Transport Statement or a Transport Assessment and Travel Plan based on the following thresholds. These equate to development scenarios which would typically generate greater than 30 two-way peak hour vehicle trips. This threshold will also be used to establish the scope of the assessment in terms of main junctions to be included. However, there may be specific circumstances where the threshold requires adjustment both upwards and downwards. The scope of a Transport Assessment should therefore be agreed at an early stage. Lorry movements should be converted to Passenger Car Units (PCU) if likely to be material.

1.2.10 Where a proposed development meets the below thresholds but a change of use or change in access arrangements would not represent a material change in the level of traffic generation, the submission of a Technical Note may be sufficient in support of a planning application.

Table T1.2

Land use	Use/description of development	No assessment	Transport Statement	Transport Assessment and Travel Plan
Food retail	Retail sale of food goods to the public – food superstores, supermarkets, convenience food stores.	<250sq.m	>250<800sq.m	>800sq.m

Land use	Use/description of development	No assessment	Transport Statement	Transport Assessment and Travel Plan
Non-food retail	Retail sale of non-food goods to the public; but includes sandwich bars – sandwiches or other cold food purchased and consumed off the premises.	<800sq.m	>800<1,500sq.m	>2,500sq.m
Dwelling houses	Dwellings for individuals, families of up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.	<50 units	>50<80 units	>80 units
Business	Offices other than financial and professional services, research and development – laboratories, studios, light industry.	<1,500sq.m	>1,500<2,500sq.m	>2,500sq.m
General industrial	General industry other than 'Business'.	<2,500sq.m	>2,500<4,000sq.m	>4,000sq.m
Storage or distribution	Storage or distribution centres – wholesale warehouses, distribution centres and repositories.	<3,000sq.m	>3,000< 5,000sq.m	>5,000sq.m
Mixed Development/Sui Generis	Sui generis - For example: petrol filling stations, vehicle hire, vehicle sales, builders' yards, garden centres, scrap yards, waste disposal.	Discuss with highway authority		

Land use	Use/description of development	No assessment	Transport Statement	Transport Assessment and Travel Plan
Financial and professional services	Financial services – banks, building societies and bureaux de change, professional services (other than health or medical services) – estate agents and employment agencies, other services – betting shops, principally where services are provided to visiting members of the public.	<1,000sq.m	>1,000<2,500sq.m	>2,500sq.m
Restaurants and cafes	Restaurants and cafés – use for the sale of food for consumption on the premises, including internet cafés.	<300sq.m	>300<2,500sq.m	>2,500sq.m
Drinking establishments	Use as a public house, wine-bar or other drinking establishment.	<300sq.m	>300<600sq.m	>600sq.m
Hot food takeaway	Use for the sale of hot food for consumption on or off the premises.	<250sq.m	>250<500sq.m	>500sq.m
Hotels	Hotels, boarding houses and guest houses, development falls within this class if 'no significant element of care is provided'.	<75 bedrooms	>75<100 bedrooms	>100 bedrooms
Residential institutions- hospitals, nursing homes	Used for the provision of residential accommodation and care to people in need of care.	<30 beds	>30<50beds	>50 beds
Residential institutions - residential education	Boarding schools and training centres.	<250 students	>50<150 students	>150students

Land use	Use/description of development	No assessment	Transport Statement	Transport Assessment and Travel Plan
Residential institutions - hostels	Homeless shelters, accommodation for people with learning difficulties and people on probation.	<250 residents	>250<400 residents	>400 residents
Non-residential institution	Medical and health services – clinics and health centres, crèches, day nurseries, day centres and consulting rooms (not attached to the consultant's or doctor's house), museums, public libraries, art galleries, exhibition halls, non-residential education and training centres, places of worship, religious instruction and church halls.	<500sq.m	>500<1,000sq.m	>1,000sq.m
Assembly and leisure	Cinemas, theatres, dance and concert halls, sports halls, swimming baths, skating rinks, gyms, bingo halls and casinos, other indoor and outdoor sports and leisure uses not involving motorised vehicles or firearms.	<500sq.m	>500sq.m<1,500sq.m	>1,500sq.m

1.2.11 Highway Adoption

We will encourage developers to create residential street layouts that are to an adoptable standard and that will be offered for adoption to protect residents' interests. We will not normally adopt access to developments of five or less dwellings. We will discourage the use of private streets serving in excess of five dwellings, and will consider whether the use of the Advanced Payment Code, Highways Act 1980 is appropriate to secure adoption in each case. In exceptional circumstances we may consider private streets serving in excess of five dwellings subject to the Authority being indemnified from the cost of making-up streets and private maintenance arrangements being put in place.

1.2.12 For employment and commercial developments, we will not normally seek to adopt road layouts purely of an industrial or commercial nature unless a through route with wider strategic transport benefits.

[End]



Hierarchy and Well-connected Streets

Street Hierarchy

2.1 Levels of multimodal movement will vary throughout a place. Higher levels of activity would normally be expected near shops, schools, community facilities and around major corridors, whereas lower levels of activity might occur in minor residential streets and less formal areas. The standard of highway infrastructure should reflect this. Wider corridors will be required to accommodate wider footways around schools and shops, to incorporate cycling facilities, bus routes, and frequent lorry movements.

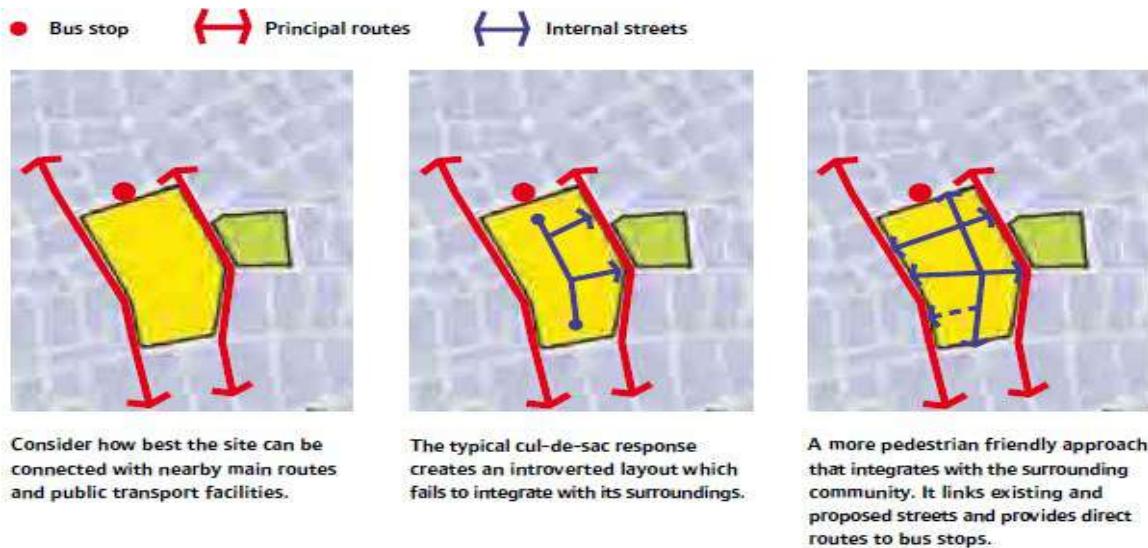
2.2 The preparation of plans are required to comply with the policies set out in the National Planning Policy Framework (2019) which says development should:

- a) *give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

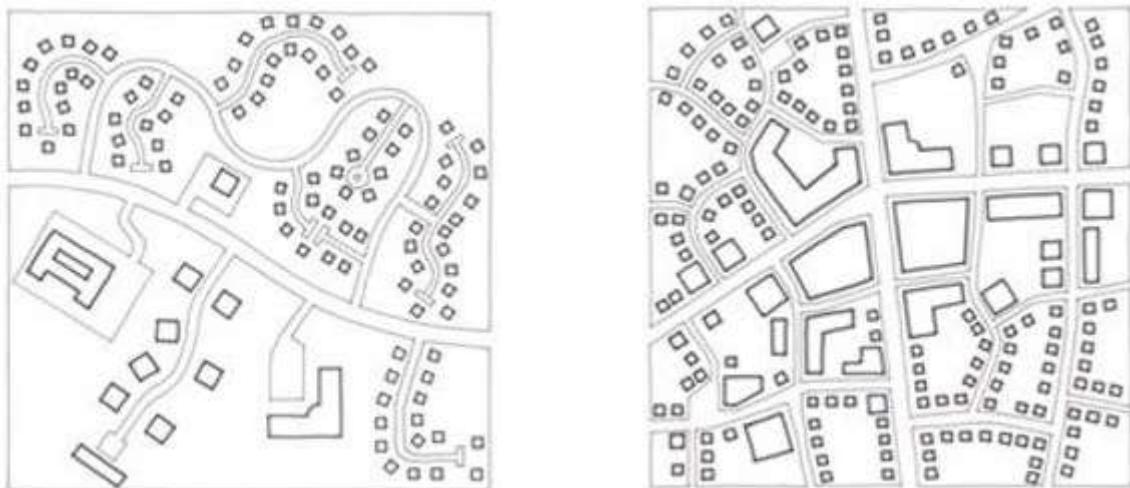
Account should be taken of advice contained within *Planning Practice Guidance: Planning should promote safe, connected and efficient streets* (Paragraph: 008). The Urban Design Group's document Building for a Healthy Life principles are encouraged.

2.3 One of the main principles promoted by Manual for Streets (MfS) is to create networks of streets that provide permeability and connectivity to main destinations with a choice of routes. It is particularly important that the routes for walking and cycling are clear and direct and that bus routes do not become overly protracted. The overall hierarchy must therefore give priority to these modes of transport and consider the level of usage. The principle is to ensure that new development enhances the existing movement framework of an area rather than disrupting or severing it. MfS suggests that internal permeability is

important but that the area also needs to be properly connected with adjacent street networks because a development with poor links to the surrounding area creates an enclave which encourages movement to and from it by car rather than by other modes. MfS recommends that pedestrians and cyclists share streets with motor vehicles as this generally provides a more secure environment than connecting pathways as streets can more easily be designed to be overlooked with active frontages. Connected or permeable networks also lead to a more even spread of motor traffic throughout the area and so avoid the need for distributor roads with no frontage development. Furthermore, the avoidance of cul-de-sacs reduces the concentration of traffic on a smaller number of dwellings, negates the need for turning heads which are wasteful in land terms and lead to additional vehicle travel and emissions, particularly by service vehicles.



Integrating new development into the existing urban fabric is essential



Dispersed and car-dependent versus traditional, compact and walkable layout

Well-connected streets

2.4 New residential streets should be designed to form part of a well-connected street network (block structure). Well-connected street networks have significant advantages as:

- a shorter route can be used to cover a given area;
- reversing may be avoided altogether;

- they minimise land-take by avoiding the need for wasteful turning areas at the ends of cul-de-sacs;
- they encourage more people to walk and cycle to local destinations, improving their health while reducing motor traffic, energy use and pollution;
- more people on the streets leads to improved personal security and road safety. Research shows that the presence of pedestrians on streets causes drivers to travel more slowly;
- for utility companies – they provide space for service provision and alternative service routes;
- for highway and utility maintenance operations - traffic can be routed around a point closure if it is necessary to excavate the carriageway for maintenance.

2.5 Developers should aim to provide multiple points of vehicular access onto the wider highway network where land availability and where the external road network permits. These access points should be to adoptable standards and available for general public use. Where multiple points of vehicular access are not provided, the reasons for not doing so must be justified within the submission.

2.6 Cul-de-sacs may provide the only practical solution for developing awkward sites where the site is linear in nature, has difficult topography, boundary or other constraints and where through routes are not practical. Wherever possible cul-de-sacs should be avoided. However, it is accepted that they do have a role to play in some locations. Where this is the case, the opportunity to provide alternative more direct pedestrian and cycle routes should be explored in order to form a walkable neighbourhood. This would be characterised by having a range of facilities within 10 minutes' (up to about 800 m) walk.

2.7 If there is a likelihood that adjacent land will come forward that can be practically served through the development in the future, suitable ransom free connections should be provided to maintain and enhance the movement framework.

Bus Routes

2.8 Larger developments must make provision for an efficient bus routing strategy as identified by way of Transport Assessment. We would support a bus route that serves the greatest majority of dwellings well (in excess of 80%) rather than one that serves all homes poorly with an indirect service. Affordable housing, and higher-density residential development should all be located within 400m of a bus stop, and preferably closer.

Emergency Access

2.9 We will not normally seek emergency accesses because of:

- enforcement problems arising from their misuse;
- potential difficulties that could be encountered by the emergency services;
- maintenance issues and vandalism of access-control equipment; and
- general crime and anti-social behaviour problems.

2.10 Where there are valid reasons why at least two points of access cannot be achieved, and where the development proposal is otherwise acceptable to us, we may be prepared to consider an emergency access as long as:

- the emergency link is also of strategic benefit for pedestrians and cyclists;
- highway safety is not compromised and the access is not likely be a source of crime or anti-social behaviour problems;
- there are appropriate means of controlling its use;

- you have fully consulted the emergency services and the proposals are acceptable to them;
- the access is designed to accommodate safely all vehicles likely to use it; and
- long-term maintenance responsibilities are clearly defined and secured;
- A general width of 3.7m (minimum 3.1m at gates) is achievable, there is sufficient turning space for a fire appliance to manoeuvre, there is a minimum height clearance of 4.0m, and the weight carrying capacity is a minimum of 12.5 tonnes and 17 tonnes over structures (see Building Regulations – Fire Safety).

[End]



General Geometry of Residential Streets

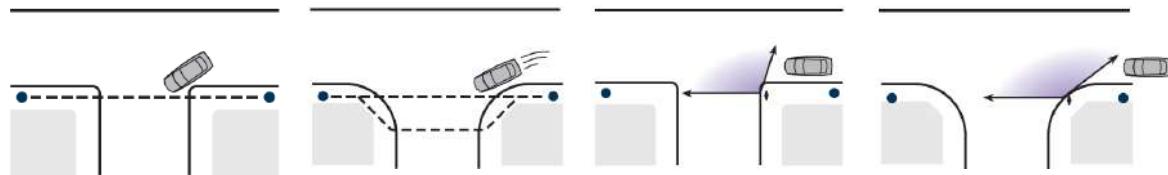
3.1.1 The guidance contained in this part is intended to help you design street layouts within a development where people wish to live, work, play, and feel safe doing so. You should select and assemble the design elements in table T3.1.1 that provide for the safe and free movement of all street users, including pedestrians, cyclists, bus passengers, and motorists, and which meet their movement requirements. Vehicle dominance should be restrained with the aim of creating an environment that is safe for everyone and that encourages people to walk, cycle, and use public transport.

Table T3.1.1

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive
Function (Consult the highway authority with respect higher category roads)	Provides access from higher category roads or other Main Streets with at least two points of access to and from routes suitable for buses, forms the primary arterial access through a development, provides for the main conveyance of traffic within the development including commercial areas, designed to accommodate a bus route (Enviro 300 12.2m body on a SCANIA 'KUB' chassis), includes segregated provisions for cyclists.	Can connect to Main Streets or higher category roads and adjacent residential neighbourhoods with multiple points of access, provides links to the integrated public transport system, forms part of a block structure when within large developments.	Connect to streets with a design speed of up to 20mph only provide access to homes fronting the street with no wider motorised movement function, forms part of a block structure where practicable, not normally a cul-de-sac, does not provide access to land with the potential for further development outside of a walkable neighbourhood.	Private access, no wider movement function.	

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive		
Number of dwellings	No limit subject to Transport Assessment where applicable.	No limit provided part of a Walkable Neighbourhood subject to Transport Statement / Assessment where applicable.	Typically no more than 200 dwellings / 800m in total from local services, employment, and or 400m from bus stop(s). Forms part of a Walkable Neighbourhood.	Maximum 5 dwellings.	Normally a single dwelling but may serve two dwellings if street has no wider motorised movement function.		
Minimum carriageway width	6.2m subject to vehicle tracking increasing to 6.5m passing schools, shops, and other areas of increased activity with an additional width of 2.5m for car parking or 2.75m for loading if on street parking is likely to occur (<i>CIHT 'Buses in Urban Developments' 2018</i>).	Minimum of 5.5m unless also serving schools, shops, other areas of increased activity or on a bus route then refer to 'Main Street' dimensions.	Minimum of 5.0m or 5.5m if accessed from a Main Street or higher category road with a design speed in excess of 20mph.	4.8m width within 8.0m of the highway plus 0.5m clearance on both sides, additional width for bin storage.	Minimum 3.0m (3.6m if bound by walls) plus additional width for bin storage if serving two dwellings.		
	A 9.0m minimum carriageway width will be required on bus routes where only a single point of access is available into a brownfield site from higher category roads. The internal layout should form a loop(s) at which point the carriageway may reduce as above.						
	Note: Where a street is to be narrowed, for example to help control vehicle speed, the minimum carriageway width (kerb to kerb) is 3.7m. The minimum lane width at a restriction, such as a pedestrian refuge in the middle of the road is 3.2m.						
Quality Audit	If a departure from guidance.		If a departure from guidance or shared surface (See Part 3.6 Shared Surfaces).	If a departure from guidance.			
Access to schools	Yes via a 'Residential Street'. No direct frontage access.	Yes, but not in a cul-de-sac.	No.				
Target speed	Up to 30mph (20mph near schools, within residential areas, parks and other areas of above average pedestrian activity particularly children).	Up to 20mph	Up to 15mph	N/A			

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive														
Turning Heads	Should not be necessary in a well-connected network.		Required for cul-de-sacs in excess of 20m in length (see examples below) and always when accessed from a 'Main Street'.	Required.	Likely to be required on 'A' and 'B' class roads, high frequency bus routes, and other busy streets.														
Carriageway centre-line radius	Residential streets serving more than 25 dwellings that curve through more than 10 degrees.			N/A															
	<table border="1"> <thead> <tr> <th>Radius (m)</th><th>20</th><th>30</th><th>40</th><th>50</th><th>60</th><th>80</th></tr> </thead> <tbody> <tr> <td>Min. widening (m)</td><td>0.6</td><td>0.4</td><td>0.35</td><td>0.25</td><td>0.2</td><td>0.15</td></tr> </tbody> </table> <p>Widening should be on both sides of the curve, or on the inside for the length of the curve. Otherwise to be defined by tracking.</p>					Radius (m)	20	30	40	50	60	80	Min. widening (m)	0.6	0.4	0.35	0.25	0.2	0.15
Radius (m)	20	30	40	50	60	80													
Min. widening (m)	0.6	0.4	0.35	0.25	0.2	0.15													
Junction radii/dropped kerbs	Usually 10m to be confirmed by vehicle tracking.	Usually 6.0m increasing to 10m on a bus route to be defined by tracking.	Usually 6.0m.	Dropped kerb the width of the access plus 2 kerbs 1:14 max gradient (7%).	Dropped kerb the width of the access or plus 2 kerbs if on a classified road or bus route 1:14 max gradient (7%).														
				Where width allows, a 900mm level surface should be provided at the back of the footway to aid mobility.															

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive
Tight junction radii	Tight radii are acceptable in most circumstances subject to vehicle tracking. Goods vehicles and buses will normally be expected to be able to access and egress the side street without entering the opposing lane at busy junctions.	 <p>Pedestrian desire line (--) is maintained</p> <p>Pedestrian desire line deflected</p> <p>Pedestrian does not have to look far behind to check for turning vehicles</p> <p>Pedestrian must look further behind to check for fast turning vehicles</p> <p>Vehicles turn slowly (10-15 mph)</p> <p>Detour required to minimise crossing distance</p> <p>Vehicles turn faster (20-30 mph)</p>	<p>Pedestrian desire line (--) is maintained</p> <p>Pedestrian desire line deflected</p> <p>Pedestrian does not have to look far behind to check for turning vehicles</p> <p>Pedestrian must look further behind to check for fast turning vehicles</p> <p>Vehicles turn slowly (10-15 mph)</p> <p>Detour required to minimise crossing distance</p> <p>Vehicles turn faster (20-30 mph)</p>	N/A	
Junction spacing and driveway position	To be addressed by way of Transport Assessment.	Not normally within the visibility splay of an adjacent junction/access or within the visibility splay distance of a T-junction when in regular use. A crossroads would usually only be considered in a lightly trafficked area and will be treated as a special feature within a layout, opposite side roads should normally be staggered by at least 15m centres, and right/left staggers are preferable to left/right so as to reduce conflicting movements in areas of higher vehicle movement.		Not normally within twice the length of the junction radii on a Main Street or otherwise on radii (corners), at bus stops or lay-bys, close to refuges, close to traffic calming features, pedestrian crossings, or close to street furniture.	
Junction approach	Normally 90 degrees to priority road for at least twice the kerb radius length along the street centreline.		Never connects to a street of less than 5.5m width.	Normally 90 degrees to priority road.	
Carriageway crossfall	1:40 (2.5%)			N/A	

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive
Carriageway longitudinal gradient	Flexible surfacing: minimum 1:100 (1%) maximum 1:20 (5%). Never to exceed 1:25 (4%) for the first 10m of a junction.		Flexible surfacing: minimum 1:100 (1%). Block surfacing: minimum 1:80 (1.25%). Maximum 1:20 (5%). Never to exceed 1:25 (4%) for the first 10m of a junction.	Preferably ≤ 1:20 (5%) Maximum 1:12 (8%) up to 5 dwellings else see Residential Access way.	
	Prior approval will be required to vary these gradient parameters where it can be demonstrated that they are not feasible on particularly challenging sites. A relaxation may be acceptable where an alternative pedestrian route is available.				
Carriageway vertical curves	See: Vertical Curves				N/A
Visibility splays at junctions, 'Y' distance also applicable on bends and vertical crests	Minimum 2.4m (X) x 47m (Y) or 2.4m (X) x 27m (Y)	Minimum 2.4m (X) x 25m (Y) or 27m (Y) if on a bus route.	Minimum 2.4m (X) x 17m (Y).	See road type.	
	Visibility splays to be kept clear within an envelope between a height of 0.6m and 2.0m above carriageway level. For existing streets and roads (see: Visibility Splays). Forward visibility splays are usually only required on bus routes and on higher category roads.				

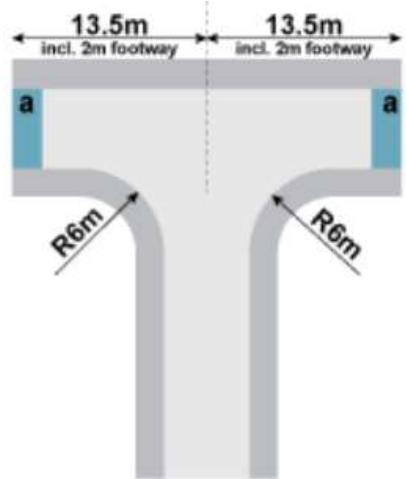
Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive
Service strips	2.0m usually combined with footway (see verges).	2.0m in footway.		N/A	
Carriageway margins	Only acceptable where there is no frontage development, no pedestrian desire line and/or a route required for utility services. Minimum 0.6m increasing to 0.75m if containing street lighting.			N/A	
Verges	To be assigned to dwellings. Not normally on flank frontages. To be located to the rear of foot or cycle ways. Minimum 1.0m wide minimum 10sq.m otherwise hard paved. Minimum of 2.0m if containing services.			N/A	
Footway width	Usually 2.0m minimum width on both sides of the carriageway. Minimum 3.0m outside schools and bus stops (0.5m minimum clearance between bus shelters and carriageways). Minimum 4.0m in shopping areas.	Usually 2.0m minimum width on both sides of the carriageway.		N/A	
Footway gradients	Longitudinal Gradient Minimum 1:100 (1%). Longitudinal Gradient Maximum 1:20 (5%). Maximum cross-fall 1:35 (2.85%), Maximum 1:14 (7%) at driveways with a 25mm kerb upstand. Where the width allows vehicular crossings should include 900mm of footway with a maximum 1:35 (2.85%) cross-fall. Prior approval will be required to vary these gradient parameters where it can be demonstrated that they are not feasible on particularly challenging sites. A relaxation may be acceptable where an alternative pedestrian route is available.			N/A	
Walkable neighbourhoods	Appropriate pedestrian provision to local services, and areas of employment with a typical catchment of around 800m, or a 10 minute walk (CIHT ' <i>Planning for Walking</i> ' 2015).				
Pedestrian visibility splays at accesses see: Visibility Splays – Part 3.3	Minimum 2.0m x 2.0m adjacent footways where the footways are ≤ 3.0m or within 50m of schools, shops, areas of high pedestrian activity.	Minimum 2.0m x 2.0m when within 50m of schools, shops, areas of high pedestrian activity, and from shared private drives where the footways are ≤ 3.0m else not required.	Not required.	As per road type.	
	Pedestrian visibility splays may be required where footways are absent.				

Street Type	Main Street	Residential Street	Residential Access Way(s)	Shared Private Drive	Single Private Drive				
Crossings	The normal basic requirement is to provide dropped kerbs with buff coloured tactile paving. Where a refuge in the middle of the road is required, this must be 2.0m wide for pedestrian only use or 2.5m wide where it will be used by cyclists. The refuge must allow 3.2m carriageway clearance on both sides. In large developments it may be necessary to consider some form of light-controlled crossing such as a Zebra, PELICAN or TOUCAN.			N/A					
Bus service	Required subject to Transport Assessment.	May be a bus route.	Not suitable for buses.	N/A	N/A				
Bus access	Bus stop locations between 250m and 400m maximum walking distance with 300m to 400m intervals between stops.	80% of dwellings to be within 250m to 400m maximum walking distance of a bus stop location where there is an existing or to be secured route (See Part 2.0 Hierarchy).			N/A				
	In rural areas the walking distance should not be more than 800m								
	Single points of access should be avoided when bus access is required. Where this is not possible and the development is otherwise deemed acceptable, a minimum carriageway width of 9.0m is required to maintain access during essential maintenance.								
Bus Stops	To include real time bus stop poles & displays including associated electrical connections, shelters, lighting and timetable cases and bus stop clearways. 180mm raised kerbing height for 4m min. 3m min. footway width. Lay-bys only where many people will want to board. To be suitably located to minimise the effect of any vertical deflection traffic calming on passenger entering/leaving a bus to/from a seated position.	N/A		N/A					
Bus Frequency	Target every 30 minutes minimum day time services, evenings and weekends minimum hourly. The service frequency and days/times of operation will depend upon the local network including the demand for travel, the commercial status of the service, and the potential for the service to become financially sustainable.				N/A				
Cycleway	Yes	Yes if part of wider internal network.	No but may require pedestrian / cycle links.	No					
	Must comply with Department for Transport LTN1/20 'Cycle Infrastructure Design'.								

3.1.2 Turning Heads

Where cul-de-sacs are unavoidable, entrances to premises or private drives should be located at the ends of turning heads in order to discourage parking. The size of the turning head should be determined by the expected type of vehicles. In a residential area, this would usually be sufficient to accommodate a full sized dust cart 11.5m – 12m long (see figure below). The turning head may be contained within a street junction when not a Main Street. The blue shaded areas in the below diagrams are required for vehicle overhang and must be included as part of the highway. These can form all or part of a footway. Where larger vehicles are likely to be frequent, it may be necessary to incorporate a larger turning head. It is not necessary to construct the turning head in the precise shape shown in these diagrams, or even to distinguish it by means of surface demarcation. It is simply necessary to demonstrate that the space provided is appropriately laid out to accommodate the size of vehicle consistent with the type of development by way of vehicle tracking. Turning heads can be ‘disguised’ to avoid them becoming a dominant presence in a street.





Turning heads are currently subject to vehicle tracking.

[End]



General Geometry of Commercial and Industrial Estates and Premises

Part 3.2

3.2.1 The guidance contained in this part is intended to help you design industrial and commercial street layouts that provide for the safe and free movement of all street users, including pedestrians, cyclists, bus passengers, and motorists, and which meet their movement requirements. You should select and assemble the design elements in table T3.2.1 with the aim of creating an environment that is safe for everyone and that encourages people to walk, cycle, and use public transport.

Table T3.2.1

Geometry Requirements for Industrial/Commercial Roads											
Road type	Major industrial access road	Minor industrial access road	Access to Premises								
Function	Large Retail (supermarkets), General Industry, Warehouse / Distribution	Offices / Light Industry and Assembly and Leisure	All								
Size	No limit subject to Transport Assessment (TA). Must include multiple points of access with provision for cyclists and buses.	No limit subject to TA provided all employment units are within a 400m maximum walking distance of a bus stop.	Usually a single point of access subject to TA depending on scale								
Target speed	30mph	25mph	N/A								
Minimum carriageway width	7.3m	6.0m for offices and assembly and leisure uses 6.75m for light industry.	N/A								
Carriageway centre-line radius and widening on bends	55m minimum <table border="1"><tr><td>Radius (m)</td><td>55 to 74</td><td>75 to 89</td><td>90 to 150</td></tr><tr><td>Min. widening (m)</td><td>1.2</td><td>0.7</td><td>0.6</td></tr></table> Widening should be on both sides of the curve, or on the inside.	Radius (m)	55 to 74	75 to 89	90 to 150	Min. widening (m)	1.2	0.7	0.6	N/A	
Radius (m)	55 to 74	75 to 89	90 to 150								
Min. widening (m)	1.2	0.7	0.6								

Geometry Requirements for Industrial/Commercial Roads			
Road type	Major industrial access road	Minor industrial access road	Access to Premises
Junction radii	See Design Manual for Road and Bridges CD123 Else subject to vehicle tracking.		Usually a minimum 10m wide entrance 15m dropped kerb when across a 2.0m wide footway. Else radius kerbs
Junction spacing	90m on the same side of the road that maybe reduced to 60m if the priority road is speed restrained unless it can be demonstrated by way of speed-readings that short stagger distance would remain adequate. 40m on opposite sides.		Not within twice the junction radii
Junction approach	Wherever possible 90 degrees to priority road for at least twice the kerb radius length along the centreline.		Wherever possible 90 degrees to priority road.
Turning heads	Not normally required if more than one point of access.	In accordance with Freight Transport Association publication 'Designing for Deliveries'.	
Carriageway crossfall	1:40 (2.5%)		N/A
Carriageway/access longitudinal gradient	Flexible surfacing: minimum 1:100 (1%) maximum 1:20 (5%) Not to exceed 1:25 (4%) for the first 10m of a junction		Not to exceed 1:25 (4%) for the first 10m of a junction
Carriageway vertical curves	See: Vertical Curves		N/A
Visibility splays at junctions, 'Y' distance also applicable on bends and vertical crests	Minimum 2.4m (X) x 59m (Y)	Minimum 2.4m (X) x 47m (Y)	As per road type from 2.4m minimum setback (X distance) Speed-readings may be required from existing roads to establish visibility splay length.
Service strips	2.0m usually combined with footway (see verges)		N/A

Geometry Requirements for Industrial/Commercial Roads			
Road type	Major industrial access road	Minor industrial access road	Access to Premises
Carriageway margins	0.5m increasing to 0.75m if containing street lighting (Development on opposite side of the road only)		N/A
Verges	Not normally acceptable in the highway		N/A
Footway width	Usually 2.0m minimum width on both sides of the carriageway		N/A
Footway pinch points	Minimum 1.2m for a maximum length of 6.0m		N/A
Footway gradients	Minimum 1:100 (1%), Maximum 1:20 (5%) Maximum crossfall 1:35 (2.85%) Maximum 1:14 (7%) at accesses		
Pedestrian visibility splays at access	2.0m x 2.0m		
Bus stops	To include real time bus stop poles & displays including associated electrical connections, shelters, lighting and timetable cases and bus stop clearways. 300m – 400m interval 180mm raised kerbing height for 4m min. Lowered kerbs for access 3m min. footway width To include shelters, lighting, real-time displays, timetable cases, & bus stop clearways		N/A
Bus frequency	Target every 30 minutes minimum day time services, evenings and weekends minimum hourly		
Cycling facilities	To comply with Department for Transport LTN 1/20		

[End]



Stopping Sight Distance (SSD)

Part 3.3

SSD is calculated using the following equation:

$$SSD = vt + (v^2/2(d+0.1a))$$

v = speed (or velocity) (m/s) (85%ile wet-weather measured speed)

Note: Dry-weather speeds can be converted by adding 4kph

t = driver perception-reaction time (s)

t = 1.5s if \leq 37 mph (60 kph) 85%ile wet-weather measured speed

t = 2.0s if \geq 37 mph (60 kph) 85%ile wet-weather measured speed

d = deceleration (m/s^2)

d = 4.41 m/s^2 if < 5% HGVs

d = 3.68 m/s^2 if > 5% HGVs or bus lane

d = 2.45 m/s if \geq 37 mph (60 kph) 85%ile wet-weather measured speed

a = longitudinal gradient (%) (+ for upgrades and – for downgrades)

Example <5% HGVs

37mph measured wet weather speed \times 2.237 = 16.54m/s velocity

$$16.54 \times 1.5 = 24.81$$

$$16.54^2 = 273.58$$

$$2 \times 4.41 = 8.82$$

$$8.82 + (0.1 \times 5) = 9.32 \text{ (5% uphill gradient)}$$

$$273.58 \div 9.32 = 29.35$$

$$24.81 + 29.35 = 54.16$$

$$54.16 + 2.4 = \underline{\underline{56.56m}} \text{ (visibility splay adjusted for bonnet length)}$$

3.3.1 Speed is either a design parameter or a measured value. Deceleration depends on the road surface and weather conditions as well as the braking capabilities of motor vehicles. Reaction times may increase on higher speed roads because there are usually fewer visual influences. It is inappropriate for designers to ‘experiment’ with these values without this being supported by credible rationale and risk assessment. It follows that for design purposes it is only speed (v) and gradient (a) that really need to be considered as variables in the SSD equation.

Stopping sight distance guidance table for speeds < 60km/h

Speed	kph	16	20	24	25	30	32	40	45	48	50	60
	mph	10	12	15	16	19	20	25	28	30	31	37
SSD adjusted for bonnet length nil gradient ('Y' & 'V' Distance (m))		11	14	17	18	23	25	33	39	43	45	59
SSD adjusted for bonnet length nil gradient > 5% HGVs ('Y' & 'V' Distance (m))		12	15	19	21	25	27	37	43	47	50	65

Stopping sight distance guidance table for speeds > 60km/h

Speed	kph	70	85	100	120
	mph	43	53	62	75
SSD ('Y' & 'V' Distance (m))		120	160	215	295

Visibility Splays

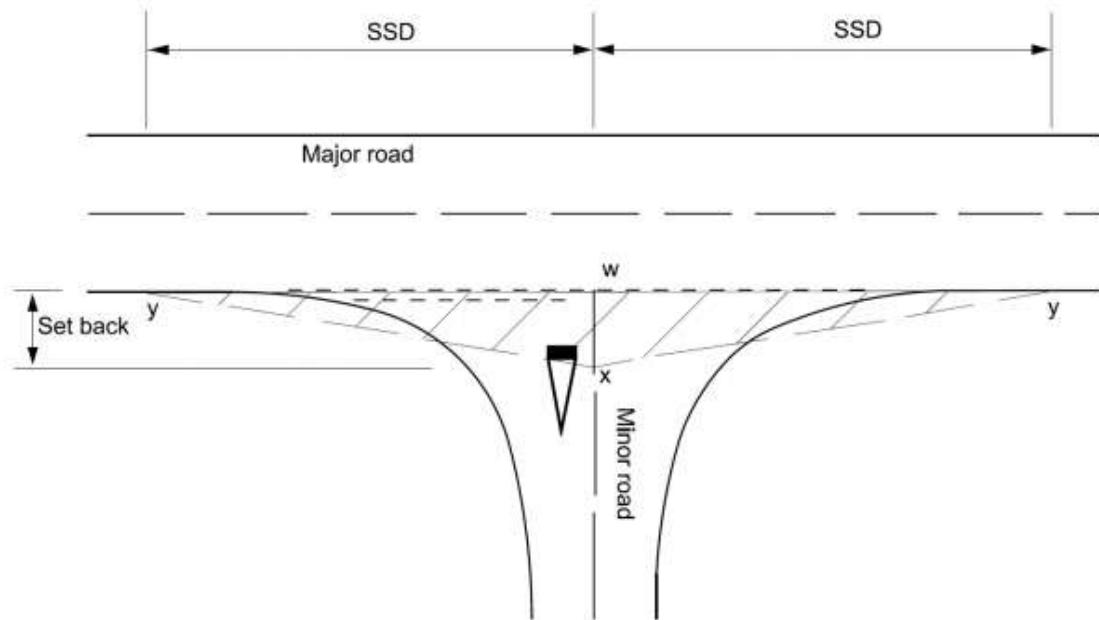
Visibility Splays at Junctions

3.3.2 SSD is the 'major road distance' for junction visibility (Y-distance). The minimum 'minor road distance' is 2.4m in a built-up area based on drivers being able to see along the street without their vehicles intruding into the carriageway (X-distance). Nothing shall be planted within 1.0m of the visibility splays if there is potential for the visibility splays to be encroached upon by vegetation during periods of rapid growth.

3.3.3 Where speed exceeds 60 km/h, the minimum X-distance is 2.4m for simple priority junctions. For all other priority junctions, the X-distances is 4.5m. The X-distance, from which the full Y-distance visibility is provided, shall not be more than 9.0m, as this encourages high minor road approach speeds into the junction, and leads to excessive land take.

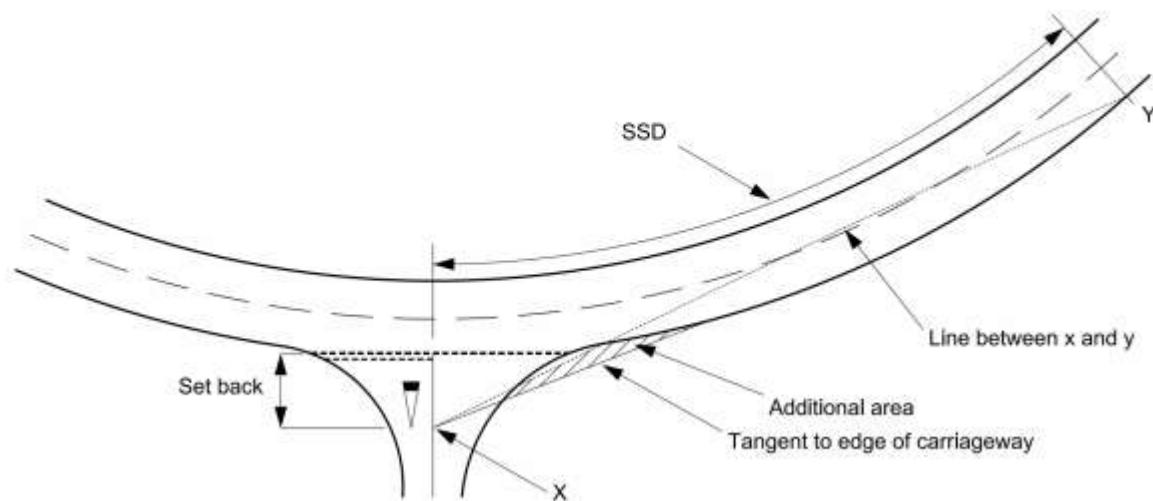
Note: Visibility splays must be either within the public highway or over land in the control of the developer to ensure that they remain free from obstruction whilst ever the development remains in existence.

Visibility Splay at Junctions and Direct Accesses



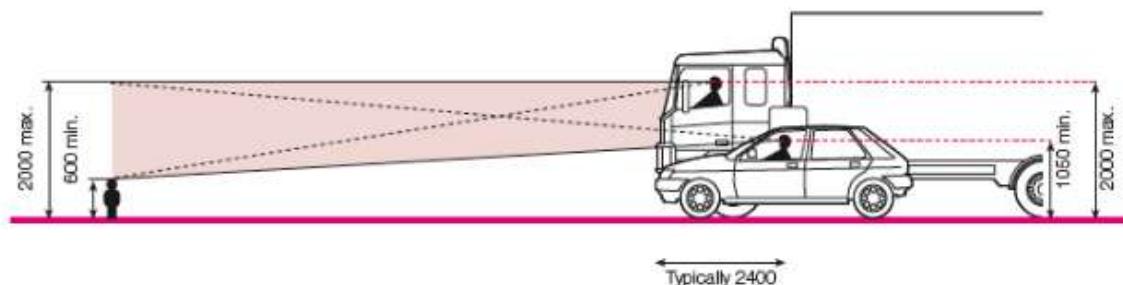
Note: 'W' corresponds to the intersection point between the minor road or access centreline and the major road edge of carriageway

Visibility Splay for a Junction or Direct Access on the Outside of a Bend

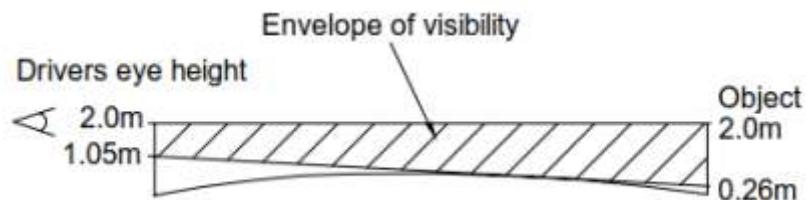


Where the line between points X and Y falls partially within the major road carriageway, an additional area shall be added to the visibility splay formed by drawing a line from X to a point tangential to the nearer edge of the major road running carriageway.

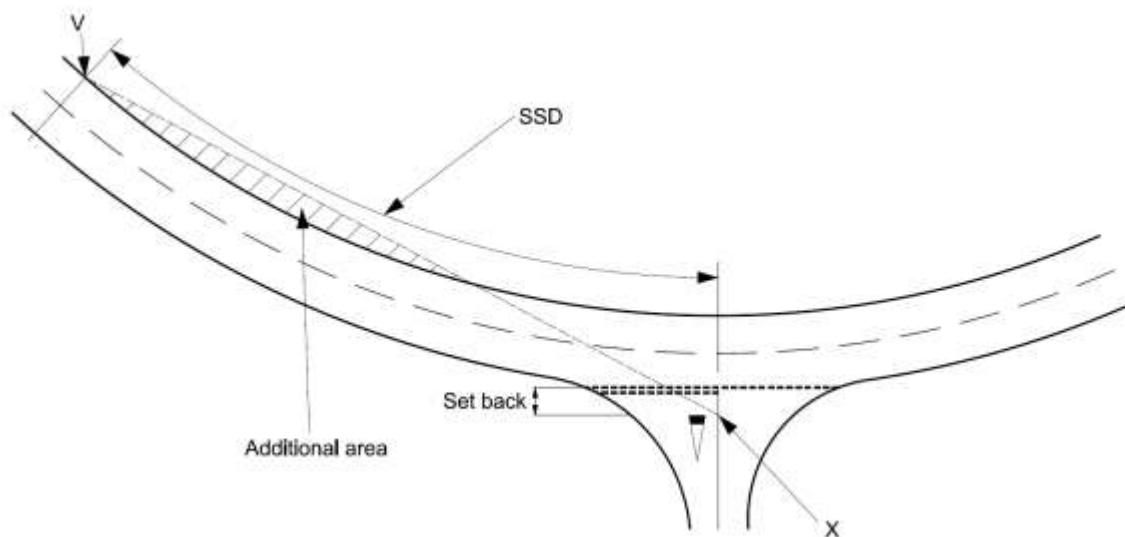
Vertical Visibility Envelope



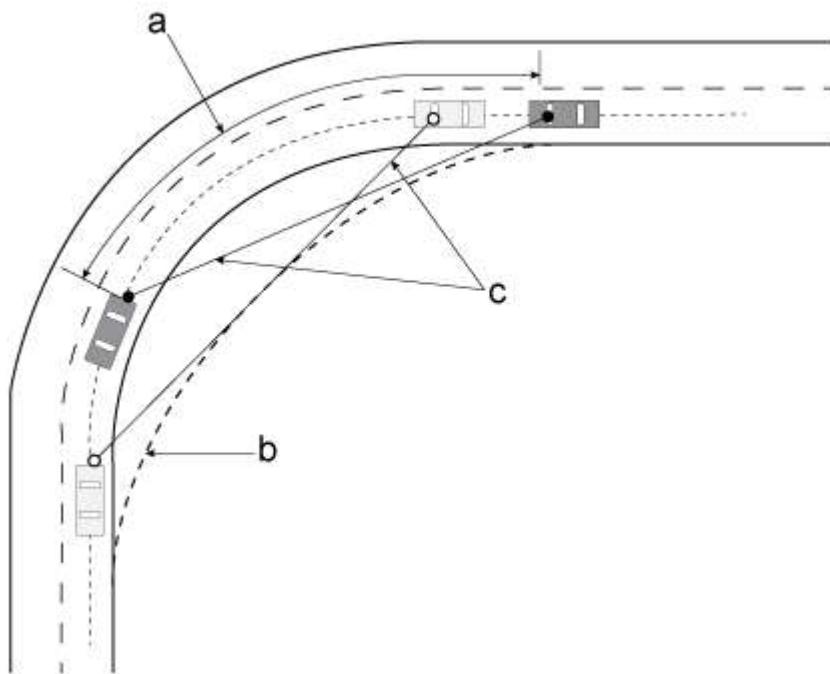
3.3.4 To enable drivers to see a potential hazard in time to slow down or stop comfortably before reaching it and to have sufficient visibility of oncoming vehicles from side streets and accesses, it is necessary to consider the driver's line of vision, in both the vertical and horizontal planes. A height of 600mm should be available above which unobstructed visibility should be provided wherever the potential exists for conflicts between motorists, and motorists and pedestrians. This will reduce to 0.26m where the speed of traffic is >60kp/h.



Priority junction and direct access offside visibility splay on a curved major road



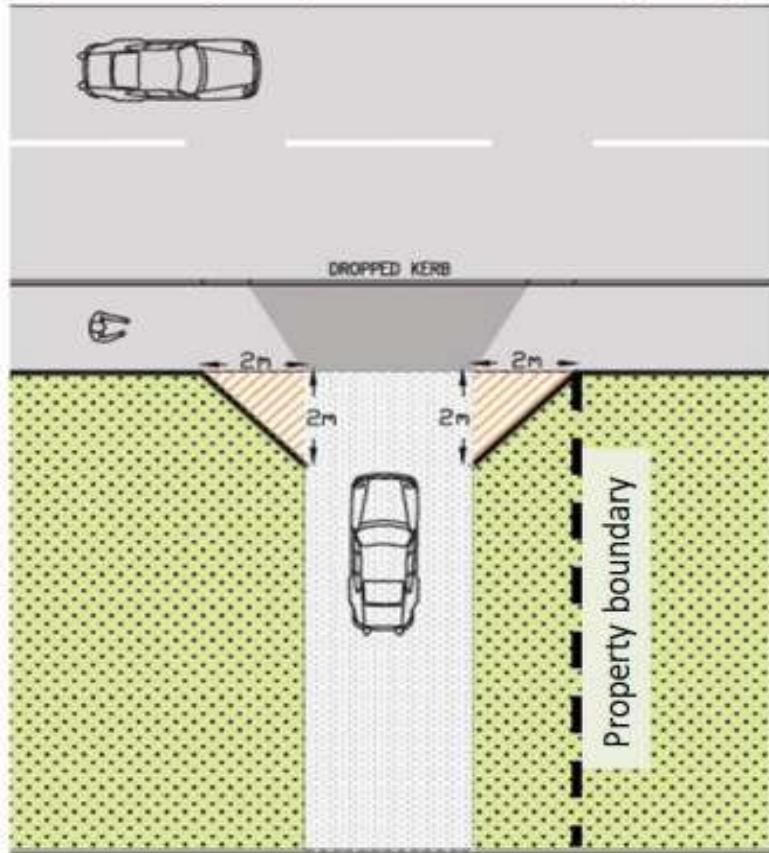
Forward Visibility Splays



3.3.5 Forward visibility is the distance a driver needs to see ahead to stop safely to avoid an obstruction in the road. The minimum forward visibility required is equal to the minimum SSD. It is checked by measuring between points on a curve along the centreline of the inner traffic lane where 'a' is the forward visibility measured along the centre of the inner lane, 'b' is the visibility splay envelope, and 'c' is the visibility splays.

Pedestrian Visibility Splays

3.3.6 Pedestrian visibility splays will commonly be required adjacent private accesses in areas of moderate to high pedestrian activity. This is usually achieved by setback walls or fences.



A vehicle emerging from a driveway at the back edge of a footway will require the driver to consider the possible presence of pedestrians. The absence of pedestrian visibility splays may encourage drivers to emerge more cautiously. Consideration should be given as to whether the absence of splays is appropriate, taking into account the frequency of vehicle movements, the amount of pedestrian activity, and the width of the footway.

[End]



Vertical Curves

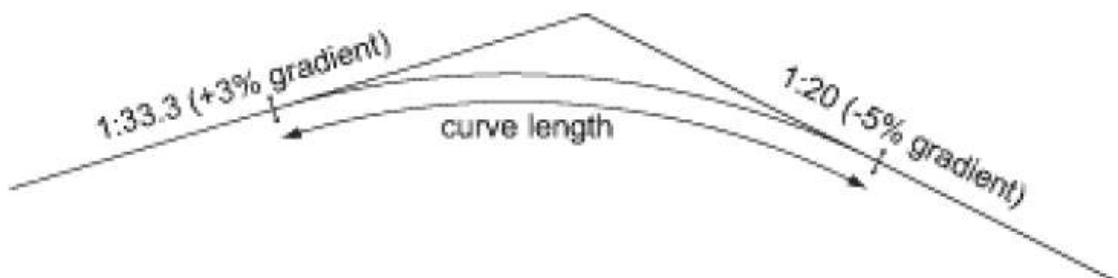
Where changes in gradient occur, vertical curves will be required at sags and crests.

Except where indicated in the following notes, curve lengths should normally be either:

- the sum $K \times A$, where K is given in below table and A is the algebraic difference of the gradients expressed as a percentage; or
- the minimum length for appearance stated in the table;

whichever is the higher.

Example of a vertical curve calculation



Gradient exaggerated for illustrative purposes

Calculation

For a 20mph design speed $K = 3$ (from table)

Algebraic difference of gradients expressed as a percentage (A)

$$= 3 \text{ minus } -5.0 \text{ (from diagram above)}$$
$$= 8$$

Curve length

$$= 3 \text{ (from table)} \times 8$$
$$= \underline{\underline{24m}}$$

(greater than minimum length for appearance from table (20m))

Table T3.4.1 - Vertical curves for all internal roads

85 th %ile design speed (mph)	Minimum length of vertical curve (K)	Minimum length of vertical curve for appearance (metres)
30	6.5	30
25	4	25
20	3	20
15	2	20

Notes

- You should hold early discussions with us for large, flat sites to ensure that the vertical alignment is acceptable. In some cases, it may be necessary to provide combined kerb and drainage units to ensure both an acceptable alignment and drainage of the highway.
- For crests, it may be necessary to increase the length of vertical curve derived in order to achieve the required forward visibility distance.
- We may accept shorter curve lengths where there are exceptional difficulties in achieving the length normally required.
- To avoid stretches of road where water gathers, do not apply the minimum length where **A** is less than five on any sag curve that results in a low point on the road.
- Speeds on new residential development roads should normally be restricted to 20mph or less.

[End]



Speed Restraint

Part 3.5

3.5.1 In accordance with the requirements of Part 3.1 of this guide, 'Geometry of Residential Streets' we will require all new streets to achieve target design speeds of between 15 and 30mph depending on their classification.

In order to achieve the required target speeds we would in the first instance encourage traffic calming through good design by the omission of long straights, large radius curves, large forward visibility splays, and limiting the lengths of street.

The use of vertical displacement measures (cushions/humps) should only be considered as a last resort. Due to resultant problems with errant parking, the County Council would not usually accept the use of chicanes as traffic calming features.

Maximum distance between traffic calming features		
Target Speed		Maximum distance (m)
kph	mph	
50	31	150
40	25	100
30	19	60
25	16	40

Speed control humps

3.5.2 Other than on bus routes, speed control humps must be flat topped humps or junction tables with a minimum plateau length of 7m and height of 75mm. Approach ramps should normally have a gradient of 1 in 13. Where the carriageway has a longitudinal gradient approaching the maximum allowed then the "uphill" ramp gradient should be 1 in 15 and the "downhill" ramp gradient should be 1 in 13.

3.5.3 Humps and tables must be constructed in bituminous material (unless used on a block-paved carriageway or shared surface where they should be constructed in the same material as the carriageway), using 55%/10mm medium temperature asphalt to BS 594 column 3/4 unless otherwise agreed.

3.5.4 We will require the payment of commuted sums to cover the future maintenance of speed control humps and similar vertical traffic calming measures.

Public consultation

3.5.5 The addition of speed restraints within the existing public highway is likely to require a public consultation exercise for which you will be responsible for the cost of the consultation. The successful outcome of consultations is not guaranteed and therefore may dictate a redesign.

Entry ramps

3.5.6 Entry ramps should normally have a gradient of 1 in 13 and a height between 75mm and 100mm. Granite set rumble strips will only be considered in exceptional circumstances due to problems associated with noise and maintaining integrity.

Bus routes

Any vertical deflection traffic calming must be suitably located to minimise the effect on passenger entering/leaving a bus to/from a seated position.

[End]



SHARED SURFACE OR SHARED SPACE STREETS AND SQUARES

Foreword

3.6.1 The provision of shared surface streets has been inspired by documents such as 'Manual for Streets' where the emphasis has been on achieving an improved 'place' function. The County Council will adhere to the principle that street design needs to be inclusive to meet the requirements of all users. This may be best achieved by providing safe corridors for pedestrians. For many years this has been successfully achieved by providing footways. This document is not intended to endorse or encourage any other approach.

Concept

3.6.2 In traditional street layouts, footways and carriageways are separated by a kerb. In a street with a shared surface, this demarcation is absent so pedestrians and vehicles can share the same space. Shared surface schemes work best in calm traffic environments with the following key aims:

- to encourage low vehicle speeds;
- to create an environment in which pedestrians can walk, or stop and chat without feeling intimidated by motor traffic;
- make it easier for people to move around; and
- to promote social interaction.

3.6.3 Department for Transport Local Transport Note 1/11 (currently

suspended) defines a shared space as:

"A street or place designed to improve pedestrian movement and comfort by reducing the dominance of motor vehicles and enabling all users to share the space rather than follow the clearly defined rules implied by more conventional designs".

Design principles

3.6.4 Whilst the County Council would consider a shared surface street layout whether a road is to be adopted or not, this is not the same as providing a road but omitting a footway or footways. Should the applicant wish to pursue the principle of a shared surface street, the County Council will require the application to be supported by a Quality Audit^(a) as outlined in Manual for Streets, Manual for Streets 2: Wider Application of the Principles, Local Transport Note 1/08 and Traffic Advisory Leaflet 5/11 demonstrating that the requirements of non-motorised users have been considered and satisfactorily addressed.

3.6.5 Shared surface arrangements must be designed such that they are suitable for blind or partially-sighted people because conventional kerbs are commonly used to aid their navigation. The absence of a conventional kerb may pose them problems as this feature is often used to find their way around. It is therefore important that shared surface schemes include an alternative means for

visually-impaired people to navigate by.

3.6.6 When designing shared surface schemes, careful attention to detail is required to avoid other problems, such as:

- undifferentiated surfaces leading to poor parking behaviour;
- vulnerable road users feeling threatened by having no space protected from vehicles; and
- the positioning and quantity of street lighting, street furniture and other features creating visual clutter.

3.6.7 Subject to making suitable provision for disabled people, shared surface streets may be considered:

- in short lengths, or where they form cul-de-sacs; and
- where parking is controlled, or it takes place in designated areas.

Types of shared surface streets

3.6.8 Shared surface streets may have physically demarcated pedestrian routes or protected zones for pedestrians or a level surface.

Shared surface streets with designated pedestrian routes

3.6.9 Shared surface streets with a designated pedestrian route are those where the separation between carriageway and footway is reduced and the difference between the vehicle track, where vehicles are permitted, and the area set aside for pedestrians only is less physically distinct than a standard footway and carriageway separated by a kerb.

3.6.10 In these streets it will be necessary for part of the street to be kept free of traffic and hence for the sole use of pedestrians. This protected zone can be defined by a range of measures subject to agreement with the County Council. Typical measures include kerbs, textured surface and colour contrast providing a continuous demarcation between the shared zone and the protected zone to aid navigation for people with a visual impairment and helping to control vehicle movements. A range of other features may be considered to supplement and support the function of the protected space. All are likely to be subject to payment of a commuted sum.

The designated pedestrian route should be free from car parking and adequately provide way finding methods which are suitable for the blind and partially sighted.

Shared surface streets without a protected zone

3.6.11 Level Surface Streets are a kind of shared space where there is no vertical differentiation thereby providing a single shared surface. Level surface streets are only appropriate for short stretches in locations with low to very low vehicle flows and speeds which should be self-enforcing through good design.

3.6.12 The needs of different groups of people need to be considered, including disabled people (e.g. mobility impaired, blind / partially sighted, hearing impaired), children, and elderly people. This street type is not suitable to serve developments predominantly housing older or disabled people, e.g. housing for over 55s and supported or sheltered housing.

Notes

a) Quality Audit

Each application that includes a shared surface street will require supporting by a quality audit. The scope of the audit should be agreed with the County Council and potentially the local planning authority should they wish the audit to address planning matters. Depending on the nature of the development, the quality audit is likely to be required to include the following;

- a review of the function of the street;
- a road safety audit including risk assessment (DMRB GG119);
- an access audit including emergency service vehicles, deliveries, and access for maintenance (Traffic Signs Manual Chapter 8 - Traffic Safety Measures and Signs for Road Works and Temporary Situations);
- walking, cycling and horse-riding assessment and review (DMRB GG142);
- materials audit;
- equality impact assessment;
- parking audit;

b) Tactile Paving

Tactile paving is required at crossing points regardless of whether kerbs are dropped or the carriageway is raised to footway level. Other tactile information may be required to compensate for kerb removal elsewhere. Where tactile delineators are used to segregate protected zones, care must be taken to ensure these are detectable by the visually impaired whilst not hindering the movement of the mobility impaired.

c) Surface Treatment

MfS: *Shared surface streets are often constructed from pavements rather than asphalt, which help emphasise their difference from conventional streets. Research for MfS has shown that block paving reduces traffic speeds by between 2.5 and 4.5 mph, compared with speeds on asphalt surfaces.*

Shared surface streets should differ in colour or texture (preferably both) from that of adjoining streets, and must always be entered via a gateway feature.

Making Provision for Utility Services

There are no statutory obligations governing the position or depth at which apparatus should be laid within the highway. On new development sites where utility apparatus is to be installed, the NJUG guidelines for the positioning and colour coding of underground apparatus should be followed. Any deviation from these guidelines should only be conducted with the agreement of the prospective asset owners and the County Council. With the exception of essential road crossings, mains utility services should not be located in the carriageway unless the carriageway is a shared surface designed with an area to accommodate utility apparatus.

In shared surface streets, apparatus will normally be accommodated within 2.0m minimum width service strips. Services will usually be laid on the side of the street with the most properties with branch crossings serving properties on the opposite side. It will not normally be necessary to provide a 2.0m service strip on both sides of the street. It is the developer's responsibility to provide cross carriageway ducts.

It is essential that only planting with a shallow root system (usually grass) is located within service strips. Where a service strip is to accommodate existing vegetation it must be wide enough to avoid damage to existing route systems. Banks or mounds should not encroach onto service strips and levels should not be altered over existing apparatus without prior consent from the respective undertakers affected.

Mains services must be provided in a manner whereby repair and maintenance can be carried out without obstructing passage. Service strips must be appropriately delineated and developers must make it clear to purchasers that the service strip is not conveyed to the property. However, the maintenance responsibility for service strip planting may be assigned to individual properties in their deeds.

Where the provision for services is not well defined, the street layout should be agreed with the County Council at pre-planning application stage to avoid unnecessary delay to the planning process and potential redesign.

[End]



Quality Audit

Part 3.7

Purpose

3.7.1 A quality audit is intended to be a consistent method in reaching agreement on how a proposal complies with the principles of design guidance. Its aim is to allow innovative design without compromising safety.

3.7.2 The audit is a collection of assessments prepared by a professional team appointed by the developer. Specialists will consider a proposal in accordance with relevant guidance relating to their subject area. The grouping of assessments will then make it easier for the team to identify compromises in the design to be considered and rectified as necessary collaboratively. The design should be discussed openly and be agreed with the County Council at pre-application stage, planning submission, and during the section 38/278 technical approval process.

3.7.3 The content of the quality audit may vary between projects and the aim of the proposal. This should be made clear in a project brief that sets out the vision of the development. The quality audit should not be a tick box exercise but could simply be a sequence of checks to inform the design process depending on the scale of the development. A typical audit must address the following:

- a review of the function of the street
- a Road Safety Audit
- an inclusive access audit
- a walking audit
- a cycle audit
- a materials audit
- a parking audit; and
- maintenance audit.

3.7.4 The scope of the audit should be agreed with the County Council such that the decision making process delivers a balanced high

quality development to the benefit of all its users.

Design Stage

3.7.5 A quality audit report should be produced to summarise the steps undergone as part of the design process which should be updated through each level of approvals. It should highlight what considerations have been given to all key areas and provide an audit trail of the decision making process where compromises or departures from normal standards have been made.

3.7.6 For the quality audit to be fully understood, it should include the project brief and plans and particulars that detail the extent of the proposal.

The Report

3.7.7 The quality audit report will be required to sum up under separate headings how the following is achieved:

Street Hierarchy:

- Places pedestrians first and is inclusive
- Integrates with surrounding networks
- Contains good connectivity for all modes and users
- Allows good navigation
- Configured to allow walkable access to amenities; and
- Is integrated with public transport

Street Layout:

- How reduced vehicle speed is encouraged
- How pedestrians are given priority
- How parking needs have been met flexibly
- How service and emergency vehicles are accommodated

Detailed design:

- How SUDS techniques are proposed and how they are to be managed
- How accommodation is provided for utility services
- How landscaping features are to be integrated into the proposal
- How a contextual, distinctive, durable and maintainable pallet of materials is to be used
- How street clutter is to be minimised

Summary of Additional Information as made necessary by the project:

Transport Assessment (TA)

3.7.8 Sum up matters in the TA or Travel Plan that have influenced the street design

Road Safety Audit

3.7.9 Append audit and sum up safety issues

Other Audits

3.7.10 Append as necessary where they impact on overall quality of street design and summarise findings

Accessibility and Equality

3.7.11 Provide details of key features that ensure that the scheme will be functional for people with impaired mobility or other disabilities. Demonstrate that the scheme complies with the Equalities Act 2010.

Quality Audit Summary & Conclusion

3.7.12 Summarise the decision-making process where conflicts have occurred between different areas of the audit and the proposed solution. Append a balanced risk assessment of the most significant risks and their likelihood and severity.

3.7.13 Conclude with a judgement of overall street quality.

Reference Documents

The Design Manual for Roads and Bridges – GG119 Road Safety Audits

Equality Act 2010

Manual for Streets

Manual for Streets 2: Wider Application of the Principles

Local Transport Note 1/08

Traffic Advisory Leaflet 5/11

[End]



Headroom, clearances, structures and Part 3.8 obstacles on, in, and over the highway

Vertical clearance

3.8.1 Where it is proposed to construct a bridge, building or gantry over the carriageway a minimum vertical clearance of 5.3m or 5.7m should be maintained over the full width of the street including footways, verges and any central reserves in accordance with Department for Transport Standard CD127.

3.8.2 The normal minimum vertical clearance of a projection over a footway or footpath should not be less than 2.6m increasing to 2.7m over a cycleway but not within 0.5m of a carriageway. When any projection over the highway is proposed in a pedestrianised street with service vehicle access or an emergency link, the vertical clearance should be increased to 5.3m above the walkway.

Horizontal clearance

3.8.3 Buildings should generally be set back a minimum of 0.5m from the edge of highway boundary to allow private soil pipes, guttering, eaves, and opening widows etc. to project from the building but not encroach into the street.

3.8.4 Street furniture, signs, bollards, guardrail, above ground utility apparatus etc. should be a minimum distance of 450mm from the edge of carriageway.

Licence

3.8.5 Section 177 of the Highways Act 1980 says it is an offence to construct a building, or alter a building such that it projects over an existing public highway without a licence being granted under that section by the County Council. Developers should be aware that it is also an offence under Section 153 of the Act for doors, windows and gates etc. to open into the public highway without prior consent from the County Council.

3.8.6 The County Council is unlikely to permit projections over the highway. Development that includes simple projections such as oriel

windows, outward opening fire exits, externally mounted air con units, projecting signs, balconies, and canopies etc. should be suitably set back unless there are exceptional circumstances.

3.8.7 Should the County Council consider a proposed private structure appropriate to be covered by a licence whether in, over, or under a street, the terms of the licence will require the design of the structure to be approved, a structural inspection every two years, and public liability insurance.

Ramps

3.8.8 A disabled ramp intended to access a building should be located inside if it cannot be fully accommodated beyond the limits of the street. Only in exceptional circumstances would the County Council consider a private ramp in the highway. The need for the ramp must be greater than the need for the walkway it was to occupy, sufficient walkway must remain such that the ramp would not create an obstruction or cause a bottleneck, and it must be demonstrated that no other solution is feasible. The cost of making alterations to a building is not a material consideration in this respect.

Pavement Cafés

3.8.9 Pavement cafés may be permitted under S115E licence subject to certain conditions including the need to maintain a minimum clear footway width of 2.1m in town centres and 1.8m elsewhere between the boundaries of the pavement café and any street furniture or carriageway. In a Pedestrianised area there must be at least 3.5m of unobstructed space in front of the pavement café so that large vehicles such as delivery lorries and fire appliances can pass. The pavement café shall not obscure sight lines for any highway user, interfere with drainage or conflict with pedestrian crossing points.

Bin Storage

3.8.10 Where a single dwelling has the benefit of a driveway, it will not normally be necessary to provide a bin storage area.

3.8.11 Where a driveway or entrance is intended to provide access to multiple dwellings, a bin storage area will be required typically L75cm x D100cm per bin. This should take into account whether the bin store is a temporary location for collection days only or whether the bin store is intended to permanently house both general waste and recycling bins.

3.8.12 Purpose-built multiple-occupancy dwellings such as flats and student halls of residence should be provided with a communal waste storage and collection system using large containers housed in one or more enclosed bin storage area.

3.8.13 It will not normally be appropriate for developments to be reliant on bins being left on footways or within areas that would likely obstruct the visibility splays from adjacent accesses or junctions.

3.8.14 The collection point will nearly always be at the edge of the property where it meets the highway/footway.

[End]



Residential Parking

Part 4.1

4.1.1 Residential car parking standard

Where the district or borough council has not adopted its own parking standard, parking should be provided as follows:

Table T4.1.1

Dwelling Size (all dwelling types)	Allocated car parking spaces (minimum)
1 bedroom	≥1 space per dwelling
2 to 3 bedrooms	≥2 spaces per dwelling
4 or more bedrooms	≥3 spaces per dwelling

Where a lower level of parking provision is proposed this must be justified by calculating parking demand in accordance with DCLG '**Residential Car Parking Research (2007)**' or by local surveys.

The minimum parking requirements for retirement homes, sheltered accommodation, and extra care housing, shall be individually assessed within a Transport Statement or Transport Assessment to be submitted in support of a planning application. Houses in multiple occupancy (HMO) will be required to provide parking in accordance with the above table or local standard unless evidence is provided that demonstrates a lower parking provision is appropriate on a case by case basis.

Residential developments will not be supported should they be likely to result in excessive on street parking that would:

- impair road safety;
- obstruct access for vehicles, including for service vehicles, the emergency services and buses; and
- obstruct footways and be a hazard to cyclists and pedestrians, including those with mobility or visual impairments.

Garages may only be counted as parking spaces if they have the following internal dimensions. Car ports, which are unlikely to be used for storage purposes, may be counted as parking spaces provided these minimum dimensions are also achieved.

- Standard single = 6m x 3.0m, with minimum door width of 2.286m (7'6")
- Use by disabled = 6m x 3.3m with minimum door width of 2.286m
- Double = 6m x 6m, with minimum door width of 4.267m (14')

4.1.2 Driveway lengths

Table T4.1.2

Garage door type	Minimum distance from highway boundary
No garage	5.5m
Roller-shutter, sliding, or inward opening	5.5m

Up-and-over	6.1m
Hinged, outward opening	6.5m

4.1.3 Parking space widths

When designing off street parking spaces, it will be necessary to consider the space requirements of the user i.e. a parent getting a baby out of a car or installing a child's car seat, the elderly or mobility impaired, clearance to allow a wheelie bin or a bicycle passed a vehicle etc.

The minimum single driveway width is 3.0m or 3.6m when access is needed to both sides of the vehicle. A width of 3.6m is also appropriate if a driveway is located between two dwellings or other width restriction. A further 3.0m is required for a double width driveway with no physical separation between spaces and then a further 2.4m for each additional vehicle to be parked at 90 degrees to the carriageway side by side. Additional width may be required for disabled access. Typically, right angled spaces require a 6.0m minimum aisle width for reasonable manoeuvring.

For shared driveways see Part 3.1 General Geometry of Resident Streets. Additional width may be required to allow access by refuse vehicles and fire appliances to be defined by vehicle tracking should access be required within the site.

Table T4.1.3

Number of spaces	Minimum parallel parking space width	
	Open plan	Adjacent buildings, fences, and other physical boundaries
1 st space	≥3.0m	≥3.6m (≥3.3m if bound on one side only)
2 nd space	+3.0m	+3.0m (6.6m ÷ 2 = 3.3m each)
>2 spaces	+2.4m/space	+2.4m/space

4.1.4 Tandem parking

Where driveway lengths are extended to provide tandem parking, driveway lengths should be extended by 5.0m (a full car length) to avoid vehicles overhanging the highway and obstructing footways (see para. 4.1.5 Long driveways).

4.1.5 Long driveways

Long driveways intended to provide parking for multiple cars may only be counted as 2 spaces if vehicles would be blocked from exiting by other vehicles.

Manual for Streets suggests that residents should not be required to relocate bins more than 30m to a collection point and expects waste collection vehicles to be able to get to within 25m of a collection point. However, waste collection authorities may adopt their own standards. Most would expect bin storage areas to be directly accessible from the roadside. If this is not feasible, the local authority waste collection service should be consulted. Where a development is situated more than 45m from the highway, access may be required for a fire appliance in order to comply with Building Regulations.

Where a driveway exceeds 25m in length, adequate internal turning provision will be required for a van of up to 3.5 tonnes to avoid the need for the majority of deliveries to have to reverse long distances. A similar provision may be required on driveways of shorter lengths where it is not possible or appropriate to stop on-street.

4.1.6 Communal parking areas

See Commercial Parking - Dimensions for car parking spaces

4.1.7 Gates

Gates should never be hung to open outward over the highway, S153 Highways Act 1980. On classified roads, bus routes, and busy minor streets, gates will usually be set back 5.5m to allow a vehicle to clear the public highway.

4.1.8 Cycle parking

Cycle parking shall be provided in accordance with the district or borough council's guidance. Where they do not have their own guidance, cycle parking shall be provided at a rate of 1 space per bedroom. Sheltered/elderly housing or nursing homes shall provide parking at a rate of 0.05 spaces per bedroom. Staff parking shall be provided at a rate of 1 space per 5 members of staff with a minimum of 1 space. Spaces must be secure and undercover in all instances.

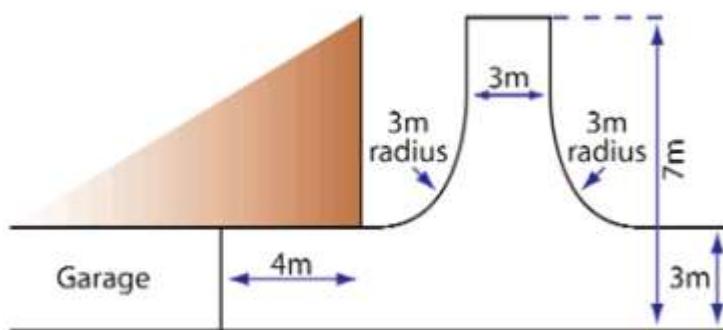
4.1.9 Mobility scooters and motorcycle parking

Mobility scooter parking is likely to be required within a residential development usually within garages or secure gardens. Where this cannot be accommodated, say within an apartment complex, separate provision will be required where scooters are able to be locked to an immovable stand with access to a charging facility at a rate of 1 space / 4 dwellings. This should include a shed structure to provide additional security if not within a building or communal garage space. Any parking area should be well positioned in terms of surveillance from residents, well lit, easily accessible, and able to accommodate mobility scooters up to 1.3m long x 0.85m wide with additional space for manoeuvring.

Similar provision will be required for motorcycle parking at a rate of 1 space / 10 dwellings. Parking spaces should normally be 2.5m x 1.5m with a 1m space between each bike. A secure ground anchor point is required for each space. It may be possible for the area to be shared with the mobility parking area.

4.1.10 Residential turning heads

Normally to be provided on 'A' and 'B' class roads, high frequency bus routes, and other busy routes.



The area required for turning should not form part of the overall space required for parking. Driveway width subject to change, see Driveway widths above. Larger turning areas may be required if it is necessary to accommodate delivery vehicles.

4.1.11 Surfacing and drainage

Driveways to be surfaced in a bound material (not loose gravel) within 5m of the highway and must be drained to prevent the unregulated discharge of surface water onto the highway. This is to prevent the transportation of gravel into the street which may present a hazard and to ensure that highway drainage remains capable of dealing with highway water only. Alternative permeable surfacing is likely to be acceptable subject to approval.

4.1.12 Driveway approach

In a conventional layout driveways should be angled perpendicular to the carriageway. Only in exceptional circumstances would a driveway that is located at an acute angle be acceptable, for instance at the end of a cul-de-sac where there is ample space to manoeuvre in order to exit the street in a forward direction. Parallel parking immediately at the back of a footway is unlikely to be acceptable due to the potential conflict with pedestrians.

4.1.13 Electric vehicle charging

Table T4.1.4

Residential Development	EV charging requirement	Charging point specification	Power requirement
Houses	1 fast charge socket per house	7kw Mode 3 with Type 2 Connector	230v AC 32 Amp single phase dedicated supply
Flats/Apartments	20% of spaces to be fitted with a fast charge socket plus	7kw Mode 3 with Type 2 Connector	
C2 Care/Nursing Home	20% infrastructure only	plus feeder pillar or equivalent permitting future connection.	
C3 Elderly (Sheltered)			

Charging points should avoid the need for cables to span footways, paths, and vehicle routes

[End]



Commercial Parking

Part 4.2

4.2.1 Where the district or borough council has not adopted its own parking standard, parking should be provided as follows:

4.2.2 Normal minimum parking standards

Use	Spaces / m ² (GFA unless otherwise stated)	Minimum requirement
Food retail	One space / $14m^2 \geq 100m^2$	Min 4 spaces / Unit
Non-food retail inc. financial and professional services	One space / $20m^2 \geq 100m^2$	Min 4 spaces / Unit
Offices	Urban town* centre or edge of centre; One space / $60m^2$	Min 2 spaces / Unit
	Rest of Urban town*; One space / $35m^2$	
	Rural town centre or edge of centre; One space / $40m^2$	
	Rest of rural town; One space / $30m^2$	
	Out of any town; One space / $30m^2$	
Light and General industry	Urban town* centre or edge of centre; One space / $130m^2$	Min 2 spaces / Unit
	Rest of urban town*; One space / $80m^2$	
	Rural town centre or edge of centre; One space / $90m^2$	
	Rest of rural town; One space / $65m^2$	
	Out of any town; One space / $55m^2$	
Storage and Distribution	Urban town* centre or edge of centre; One space / $300m^2$	Min 2 spaces / Unit
	Rest of urban town*; One space / $180m^2$	
	Rural town centre or edge of centre; One space / $200m^2$	
	Rest of rural town; One space / $150m^2$	
	Out of any town; One space / $120m^2$	
Restaurants, cafés	1 space per $5m^2$ of public area plus 1 space per 2 f/t equivalent staff	Min 2 spaces / Unit

	members	
Public houses, licensed clubs	1 space per 2.5m ² of net bar area plus 1 space per 2 f/t equivalent staff members	Min 2 spaces / Unit
Pub restaurants	1 space per 10m ²	Min 2 spaces / Unit
Take-away hot food shops (excluding fast food drive-thru restaurants)	1 space per 5m ² of public area plus 1 space per 2 f/t equivalent staff members	Min 2 spaces / Unit
Food & Drink - Fast food drive-thru restaurants	1 space per 8m ²	Min 2 spaces / Unit
Cinemas and conference facilities	One space / five seats	N/A
Assembly and Leisure excluding cinemas, conference facilities and stadia	One space / 22m ²	N/A
Higher and further education	One space / two staff plus one space / 15 students	N/A
Stadia	One space / 15 seats	N/A

*Urban towns – Nottinghamshire

Arnold, Beeston, Carlton, Hucknall, Stapleford, West Bridgford, Eastwood, Kimberley, Mansfield, Mansfield Woodhouse, Warsop, Sutton-in-Ashfield, Kirkby-in-Ashfield. Everywhere else should be considered to be a rural town.

4.2.3 Departures from standard

Where a lower level of parking provision is proposed this must be justified within a Transport Assessment or Statement. Commercial developments will not be supported should they be likely to result in excessive on street parking that would:

- impair road safety;
- obstruct access for vehicles, including for service vehicles, the emergency services and buses; and
- obstruct footways and be a hazard to cyclists and pedestrians, including those with mobility or visual impairments.

4.2.4 Normal minimum disabled parking standard

Car park use	Car park size	
	Over 4 spaces up to 200 spaces	Over 200 spaces
Employees and visitors to business premises	One bay or 5% of total parking spaces whichever is greater	Six bays plus 2% of total parking spaces
Shopping, recreation and leisure	Three bays or 6% of total parking spaces whichever is greater	Four bays plus 4% of total parking spaces

Schools and higher and further education	At least one bay regardless of car park size	At least one bay regardless of car park size
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4.2.5 Minimum servicing provision

Description of land use	Normal servicing provision
Shops	Stores above 5,000m ² - One goods bay space / 1000m ²
	Stores between 3000m ² to 5000m ² - One goods bay space / 750m ² ;
	Stores between 300m ² to 3000m ² - You must make provision within the site for service and delivery vehicles to be loaded and unloaded clear of the highway.
Restaurants, cafes and drinking establishments	You must make provision within the site for service and delivery vehicles to be loaded and unloaded clear of the highway.
Light industry, Research and development	One lorry space for every 500m ²
General industrial	One lorry space for every 400m ²
Storage and distribution	One lorry space for every 400m ²

All commercial premises must include adequate servicing provision regardless of scale. As well as complying with the above standards, the design of commercial premises should include access for the movement and parking of goods vehicles that are compatible with the Freight Transport Association publication '***Designing for Deliveries***'.

4.2.6 Parking for motor cycles

The parking standard for motorcycles and mopeds is one space, plus an additional space for every 10 car parking spaces. Parking spaces should normally be 2.5m x 1.5m with a 1m space between each bike. A secure ground anchor point is required for each space.

4.2.7 Minimum cycle parking provision

Use class	Sub-category	Short stay requirement (obvious, accessible, and close to destination)	Long stay requirement (secure and covered)
All	Parking for adapted cycles for disabled people	5% of total capacity co-located with disabled car parking	5% of total capacity co-located with disabled car parking.
Retail	Small (<200m ²)	1 per 100m ²	1 per 100m ²
	Medium (200-1,000m ²)	1 per 200m ²	1 per 200m ²
	>1,000m ²	1 per 250m ²	1 per 500m ²
Employment	Office/Finance (A2/B1)	1 per 1000m ²	1 per 200m ²
	Industrial/Warehousing (B2/B8)	1 per 1000m ²	1 per 500m ²

Use class	Sub-category	Short stay requirement (obvious, accessible, and close to destination)	Long stay requirement (secure and covered)
Leisure and Institutions	Leisure centres, assembly halls, hospitals and healthcare	Greatest of: 1 per 50m ² or 1 per 30 seats/capacity	1 per 5 employees
	Educational Institutions	-	Separate provision for staff and students based on Travel Plan mode share targets. Minimum: Staff: 1 per 20 staff Students: 1 per 10 students

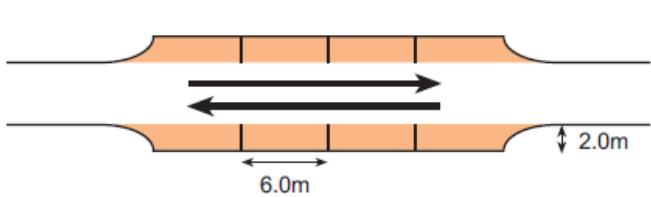
4.2.8 Electric vehicle charging

Commercial development	EV charging requirement	Charging point specification	Power requirement
Retail	Minimum of 1 space up to 25 spaces plus 10% of spaces thereafter to be fitted with a fast charge socket plus a further 10% infrastructure only	7kw Mode 3 with Type 2 Connector plus feeder pillar or equivalent permitting future connection.	230v AC 32 Amp single phase dedicated supply
Business	Minimum of 1 space up to 10 spaces plus 10% of spaces thereafter to be fitted with a fast charge socket plus a further 10% infrastructure only	7kw Mode 3 with Type 2 Connector plus feeder pillar or equivalent permitting future connection.	230v AC 32 Amp single phase dedicated supply
Assembly and Leisure	Minimum of 1 space up to 25 spaces plus 10% of spaces thereafter to be fitted with a fast charge socket plus a further 10% infrastructure only	7kw Mode 3 with Type 2 Connector plus feeder pillar or equivalent permitting future connection.	230v AC 32 Amp single phase dedicated supply
Sui generis use	To be individually assessed minimum of 1 space	7kw Mode 3 with Type 2 Connector plus feeder pillar or equivalent permitting future connection.	230v AC 32 Amp single phase dedicated supply

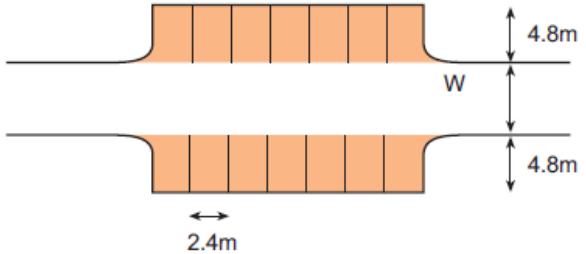
4.2.9 Dimensions for car parking spaces

- Absolute minimum of 2.4m wide by 4.8m long.
- Desirable 2.5m wide by 5.0m long.
- End spaces require a minimum width of 3.3m where there is a physical boundary.

Parallel parking arrangement



Perpendicular parking arrangement

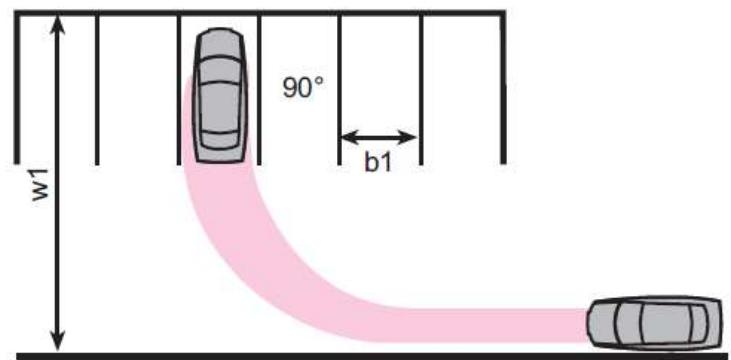


The width (W above) needed to access echelon or perpendicular spaces conveniently, depends on the width of the bay and the angle of approach. For a 2.4m wide bay, these values are typically:

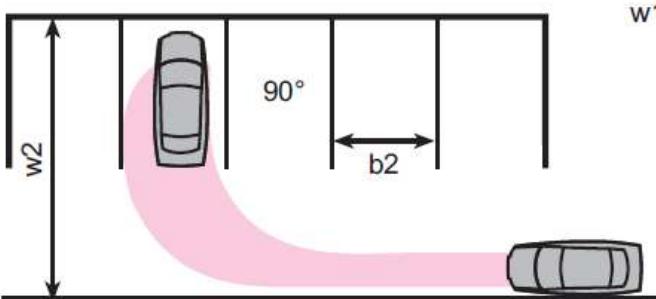
- at 90 degrees, $W = 6.0\text{m}$;
- at 60 degrees, $W = 4.2\text{m}$; and
- at 45 degrees, $W = 3.6\text{m}$.

The width requirements can be reduced if the spaces are made wider. Swept-path analysis can be used to assess the effect of wider spaces on reducing the need for manoeuvring space, as illustrated in the diagrams below.

Tracking assessment



$$\begin{aligned} b_1 &< b_2 \\ w_1 &< w_2 \end{aligned}$$



[End]



Materials

Part 5.1

5.1.1 Specification

All highway works must normally be in accordance with the 'Specification for Highway Works' published by Her Majesty's Stationery Office as Volume 1 of the Manual of Contract Documents for Highway Works (MCHW) and comply with the 'Notes for Guidance on the Specification for Highway Works' published as Volume 2, 'Sewers for Adoption' published by WRc plc where stated, as well as our specification and standard drawings. Where these vary from the 'Specification for Highway Works' our documents should prevail. If your proposals are not covered by the standard drawings, you will need to submit scheme-specific drawings to us for approval.

5.1.2 Site surveys, tests and investigations

You must arrange any site surveys, tests and investigations that we need before you submit your design to us. These must cover:

- a land survey including features such as watercourses, ditches, existing drainage systems and outfalls; and services and existing foundations;
- a survey of existing trees and other soft landscape features including the condition of each tree, its size and form and details of tree preservation orders and so on;
- nature-conservation surveys;
- details of how surface water run-off will be dispersed;
- consultation with the Environment Agency, Internal Drainage Board, and Lead Local Flood Authority as appropriate;
- the depth of the water table and perched water tables;
- the impact on adjacent developments and land;
- a risk assessment of chemical contamination;
- the presence of hazardous materials;
- the stability and acceptability of earthworks;
- an assessment of subgrade strength;
- the frost susceptibility of subgrade;
- the suitability of subgrade soils for lime or cement stabilisation (if required); and
- the possible recycling of on-site materials.

5.1.3 Sampling and testing goods and materials

You must arrange and pay for all the sampling and testing outlined in our Specification. You must also submit one copy of these test results to our Engineer. Our Engineer reserves the right to carry out any sampling and testing deemed necessary to confirm that the goods and materials meet with the Specification including core samples. If we find the work does not meet the Specification, you will be required to pay for the associated costs to the authority. A list of the likely samples of goods and materials required can be found in the Specification.

5.1.4 Marking the highway boundary

It is important that there is clear demarcation between public and private space. You must define the highway boundary by continuous 50mm x 150mm edging type EF to BS7263 unless we agree otherwise.

5.1.5 Fencing and barriers

We will not adopt any fencing erected on the highway boundary unless it is provided as a safety feature at the top of any highway structure, or is a safety or noise barrier. A commuted sum would likely apply in all instances.

Safety fences and barriers must comply with Section 2 of 'Highway Construction Details' published by Her Majesty's Stationery Office as Volume 3 of the Highways Agency's Manual of Contract Documents for Highway Works. Safety Fencing should not generally be included within residential developments.

5.1.6 Existing boundaries

You must make it clear to purchasers of individual property at the time of sale that you are transferring ownership and responsibility for existing highway boundaries to them. The lack of maintenance and cutting back of hedges is a common problem for us, particularly where the hedge had enclosed farmland or had not been regularly maintained previously. If you erect new fencing to the inside of existing hedges and fences the purchaser may mistakenly believe that the original hedge or fence is our responsibility. Access to hedges should be available to both sides for maintenance.

5.1.7 Pedestrian barriers

It may sometimes be necessary to introduce barriers to pedestrian movement. Where they are required, consideration should first be given to amending the layout or the use of features that can guide pedestrian movement whilst also contributing to the amenity of the street.

5.1.8 Pedestrian guardrails

Where it is not possible to avoid the use of barriers by design and where using a staggered barrier is not appropriate at the ends of footpaths, you must provide an agreed length of pedestrian guardrail which runs parallel to the edge of the street, leaving a clearance of 450mm from the carriageway. You may need to widen the footway to maintain the standard footway width past the guardrail. You must use guardrails where the number of pedestrians makes it necessary for you to channel them to the appropriate crossing point. You should take care to make sure that the guardrails do not interrupt visibility. You should normally use high visibility pedestrian guardrail.

5.1.9 Noise fencing

Unless we agree otherwise, noise fencing should be subject to a private maintenance agreement. However, it must meet the design requirements for a highway structure. Where it is necessary to adopt as a highway structure, you must pay us design checking fees and a commuted sum for its future maintenance.

5.1.10 Earthworks

All earthworks must comply with Series 600 (MCHW) and Appendices 6/1, 6/2, 6/7 and 6/8 of our Specification. Embankments and other areas of fill must be formed of acceptable material excavated from within the site or imported on to the site, meet the requirements of Appendix 6/1 of

our Specification for use in the permanent works, and have the approval of our Engineer to be used in that particular location.

Street pavements

5.1.11 Constructing the site access and roads external to a development

The design and construction of works on classified roads and other roads (existing or proposed) not covered by this design guide must normally comply with the 'Design Manual for Roads and Bridges' published by Her Majesty's Stationery Office.

5.1.12 Internal development streets

Listed below are the street types covered by this design guide. The construction varies according to the street type. It is essential that you mark the street category clearly on the plans you submit for approval in line with the abbreviations in the table.

Table T5.1.1

Street & Road category	Abbreviation
Residential Street	RS
Residential access way	RAW
Major industrial access road	MajIAR
Minor industrial access road	MinIAR

5.1.13 Subgrade assessment

For design purposes, you must establish the CBR before you begin construction. You should notify us in advance of site tests to establish the subgrade strength and give us the opportunity to be present at such tests. You should provide the County Council with copies of all test results.

You should use soil-classification tests to give the types of soil and 'Equilibrium CBR' based on material type, using the table below unless we agree otherwise. That is the soil strength when the material is neither gaining or losing moisture (equilibrium moisture content (EMC)).

Table T5.1.2

Type of soil	Plasticity index	Equilibrium CBR%
Heavy clay	50 or greater	Less than 2
Heavy clay	40 to 49	2
Heavy clay	30 to 39	2
Silty clay	20 to 29	3
Sandy clay	10 to 19	4
Silt	Less than 10	1
Sand (poorly graded)	Non-plastic	20
Sand (well graded)	Non-plastic	40
Gravel (poorly graded)	Non-plastic	40

Sandy gravel (well graded)	Non-plastic	60
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5.1.14 Carriageway sub-base and capping layer

Table T5.1.3

Use the table below to find the thickness of capping and sub-base you need to use.

CBR Value	Materials within 450mm of surface must not be frost susceptible					
	Residential Street (250mm Bituminous layer thickness)		Residential Access Way (200mm Bituminous layer thickness)		Industrial Road (300mm Bituminous layer thickness)	
	Capping	Sub Base	Capping	Sub Base	Capping	Sub Base
< 2%	550	200	500	250	600	150
2%	400	200	350	250	450	150
3%	300	200	250	250	350	150
4%	250	200	200	250	300	150
5% to 15%	200	200	200	250	250	150
> 15%		200		250		150

The foundation design should not vary frequently along the street. You should select an appropriate value for each significant change in the subgrade properties. Where the equilibrium CBR falls between values in the above table, you should round down the value to the lower value. When the subgrade CBR is sufficiently below 2% that capping with sub-base is not sufficient to support the pavement, special measures will be required to be approved by the County Council. Note that the use of geo-textile will only be acceptable in certain situations. You can find advice in DMRB IAN 73/06 Rev 1.

5.1.15 Capping materials

You will need approval for each site for the capping layer which must comply with our specification Table 6/1, Type 6F2 or 6F3. You must test the capping layer as necessary to demonstrate that it has an in-situ CBR of 15% (or equivalent test result). We may approve other materials as long as you have previously demonstrated to us that they will achieve an in-situ CBR of 15% (or equivalent test results).

5.1.16 Sub-base

Sub-base must be Type 1 to Series 800 MCHW, Clause 803.

5.1.17 Surface, binder courses and bases

The table below gives the required minimum design thicknesses and options you have for the flexible and modular (block) materials you should normally use for different development street types.

Table T5.1.4

Road carriageway construction materials depth													
	Residential street				Residential access way and shared surfaces				Industrial access road				
	Bituminous			Block	Bituminous			Block	Bituminous				
		Notes						Notes		Notes			
Surface course	40mm	SMA 10 surf 40/60 (PSV 55)	1.2	80mm	40mm	SMA 10 surf 40/60 (PSV55)	1.2	80mm	50mm	HRA 35/14 F surf 40/60 des (20mm pre-coats)	1		
	40mm	HRA 55/10 Type F surf 40/60 des	2		40mm	HRA 55/10 F surf 40/60 des	2						
	40mm	AC 10 Close surf 100/150	2		40mm	AC 20 dense bin 100/150 rec	2						
Binder course	60mm	AC 20 dense bin 100/150 des		30mm sand 60mm AC20 dense bin 100/150 rec	60mm	AC20 dense bin 100/150 rec		30mm sand 110mm AC20 dense bin 40/60 rec	60mm	AC20 dense bin 40/60 rec			
									60mm	AC20 HDM bin 40/60 des			
Base	150mm	AC32 base 40/60 rec		100mm AC32 base 40/60 rec	110mm	AC32 base 40/60 rec			190mm	AC32 base 40/60 rec	3		
									190mm	AC32 HDM base 40/60 des	3		
1	Polished stone value (PSV) of course aggregate in surfacing course shall be determined from table of investigatory levels, see DMRB Part 1 HD36/06 but not less than 55												
2	HRA 50/10 bin 40/60 (material ref REG1) may be used for hand laying speed tables												
3	Subgrade assessment for capping layer and sub-base design are covered above												
4	Any binder course material laid as a running surface prior to the final surface course being laid must have a minimum PSV of 55 and an AAV (aggregate abrasion value) of 7. This includes under block paved surfaces in carriageways												

Higher category roads not covered by the above table should be designed on a site-by-site basis to Design Manual for Roads and Bridges, Volume 7. Where it is necessary to alter or improve an existing road to serve a development, in most cases the minimum depth of surface course, binder course and base layer should normally not be less than that of the site access road unless otherwise agreed. For example, if you are widening a road to serve a housing development accessed by a 'residential street', then the material depth should not be less than 250mm - equal to 40mm+60mm +150mm. It may be necessary to overlay the existing carriageway to achieve the required depth.

We will not usually accept the use of block-paving for industrial roads.

5.1.18 Concrete-block paving

Where we agree that it is appropriate, you may lay concrete-block paving to carriageways, shared surfaces and other areas used by vehicles. This should be laid instead of the surface course and binder course on the standard thickness and materials for the sub-base and base layers for the street type in question. Note that a binder course will be required as per above table and the concrete block paving must comply with and be laid in accordance with our Specification. Commuted sums pay be payable.

5.1.19 High Friction Surfacing

You are required to provide high friction surfacing on the approaches to signal controlled junctions, roundabouts and pedestrian crossings unless we agree otherwise. This will be either hot applied (thermoplastic) or cold applied (thermosetting) and must be in accordance with our Specification.

High friction surfacing must be applied for a minimum length of 50m ahead of the stop line on streets subject to a 30mph limit, but an increased length may be required due to the approach speed, accident record, average queue length, proximity of side streets and mix of traffic. Outside 30mph limits you should provide a minimum length equal to the stopping distance for the approach speed plus 10 m. On approaches to pedestrian crossings the high friction surfacing must be continued past the stop-line to the first line of crossing studs.

5.1.20 Coloured Surfacing

This will be either hot applied (thermoplastic) or cold applied (thermosetting) and must be in accordance with our Specification. We will require the payment of commuted sums to cover the future maintenance of such surfacing.

5.1.21 Alternative materials for footways, cycleways, carriageways, and shared surface areas

Where for aesthetic, environmental, or other such reasons you propose to use an alternative surfacing material, we will be prepared to consider its use so long as we have agreed its use at an early stage, the material meets the requirements of quality, durability, maintainability and sustainability, and in the interest of highway safety the material must meet specification requirements. To ensure that the surface can be kept safe and durable, we will need you to pay a commuted sum to cover the excess maintenance costs of most alternative materials and surfaces.

5.1.22 Resurfacing carriageways at junctions with existing roads and widening existing roads

Where a new carriageway meets an existing county road or an existing county road is widened and the construction joint falls within the running lane of the existing county road or involves any changes to the county-road carriageway, including additional areas of carriageway, you must

overlay or resurface the whole of the altered or widened carriageway unless we agree otherwise. At junctions, you must carry this out over the length from tangent point to tangent point of the junction radii. However, if the junction includes acceleration and deceleration lanes on the main carriageway, the full overlay or resurfacing of the whole carriageway must also include the full length of the lanes, unless we agree otherwise.

5.1.23 Kerbs, footways, footpaths, cycleways and other similar paved areas

The construction should be in line with the two tables below. You should also refer to the standard drawings and our Specification.

Table T5.1.5

Residential Footways – construction materials and depths				
	Bituminous		Block Paving	
Surface Course	25mm	AC6 dense surf 100/150	90mm	60mm blocks on 30mm bedding sand (compacted)
Binder Course	90mm	AC20 dense bin 160/220 rec	90mm	AC dense bin 160/220 rec
Sub-base	225mm (see note below)	Granular Type 1	225mm (see note below)	Granular Type 1

Note: The sub-base thickness is to increase to 270mm if likely to be parked on or over-run by lorries and to 365mm if CBR values are 2% or less.

Table T5.1.6

Footway construction at vehicular accesses serving greater than 5 dwellings			
		Access serving less than 25 dwellings	Access serving more than 25 dwellings
Bituminous	Surface course CGM	30mm	40mm
	Binder course DBM	85mm	60mm
	Base DBM	-	150
	Sub-base & Capping	270mm Type 1 GSB (see note above)	See CBR table
Block Paving	Blockwork	60mm	80mm
	Bedding sand (compacted)	30mm	30mm
	Base DBM	90mm	150mm
	Sub-base & Capping	270 Type 1 GSB	See CBR table

5.1.24 Concrete-block paving

Where we agree that it is appropriate, you may lay concrete-block paving to footways and other paved areas. The concrete block paving must comply with and be laid in line with the requirements of our specification for concrete-block paving in footways. If you use block paving you may need to pay a commuted sum.

5.1.25 Pedestrian deterrent paving

You may use approved pedestrian-deterrent paving in areas where pedestrians are to be discouraged.

5.1.26 Footways and other hard-paved areas on industrial access roads

The construction should be in line with the below table. Where a footway crossing is to be used to access an employment or commercial development, the footway crossing must be constructed in line with industrial access road requirements.

Table T5.1.7

Footway and paved areas on industrial access roads - construction		
	Bituminous	
Surfacing	40mm	HRA 55/10 F surf 100/150 des
Binder course	75mm	AC20 dense bin 160/220 rec
Sub-base	270mm increasing to 365mm for CBR values of 2% or less	Granular Type

Where there is a likelihood of regular parking on hard-paved areas or areas that would otherwise be grassed, you should use high-relief contour paving to deter vehicles.

5.1.27 Flush dropped pedestrian and cyclist crossing points

You must provide these at all points where pedestrians and cyclists cross or join a carriageway (including any access more than a simple vehicular footway crossing). These crossing points will normally be constructed to our standard drawing.

5.1.28 Tactile paving surfaces

You should construct tactile paving surfaces at all controlled and uncontrolled crossing points in accordance with the government publication 'Guidance on the use of Tactile Paving Surfaces' and our standard drawings.

5.1.29 Widening existing footways, footpaths and cycleways

You must overlay or resurface full width any existing footway, footpath or cycleway that is widened, unless we agree otherwise.

5.1.30 Traffic signs, road markings, studs and traffic signals

All traffic signs you use (including bollards, retro-reflecting road studs and road markings), whether permanent or temporary, must be the size, shape, colour and type prescribed in the Traffic Signs Regulations and General Directions, and the Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions.

5.1.31 Traffic signs

You must show the details of individual traffic signs, including their posts and foundations to our standard drawings and specification including the making out of traffic sign schedule sheets.

5.1.32 Traffic Regulation Orders

Traffic regulation orders are required for cycleways and may be required for footpaths, to stop motor vehicles or cyclists using them. They may also be required for certain traffic signs and road markings. The successful making of an order is not guaranteed. But, you must pay any costs we incur in making these orders or alterations to existing orders, whether or not the order is successfully made.

Before we make a TRO we have to carry out a public consultation. This gives members of the public the opportunity to raise objections. Because of this, the time it takes to complete the process can vary. You must pay any costs we incur carrying out these consultations whether or not the making of an order is successful.

5.1.33 Changes to original road layout

You must provide signs warning of a new road layout in accordance with the Traffic Signs Regulations and General Directions on all approaches to all permanent alteration to the original road layout as soon as it is brought into use. You must maintain these signs for three months and remove them at the end of that time.

5.1.34 The electricity supply to illuminated traffic signs

Most illuminated signs are to be fed by an electricity company supply. However, certain signs must be fed by a County Council private supply, for example, a bollard on a traffic island in the middle of the road.

Your layout plan must show the location of all signs and bollards that need illumination so that we can identify the requirements for the electrical supply. These will require incorporating into the street-lighting design.

You are responsible for arranging for the electricity company to provide the electricity supply to the illuminated signs or arranging for a County Council private supply, providing test certificates in accordance with British Standards and paying for all aspects of the works including paying energy charges and maintenance of the illuminated signs before we issue the final certificate.

5.1.35 Bulk clean and lamp change' charges

Before we issue the final certificate of completion, you must undertake or meet the cost of a 'bulk clean and lamp change' for street lighting, illuminated signs and bollards if more than 3 years have elapsed since installation. .

5.1.36 Road markings

You must provide road markings in accordance with the Traffic Signs Manual and the Traffic Signs Regulations and General Directions. You must show the location, colour and type of permanent road markings on your drawings which must comply with our Specification.

5.1.37 Road studs

You must provide road studs in accordance with the Traffic Signs Manual, show the locations and positions of road studs on your drawings. These shall be cored and filled with white thermoplastic at

pedestrian, cyclist and equestrian crossings to form marks as shown in the Traffic Signs Regulations and General Directions.

5.1.38 Street name plates

You are required to apply to the district council as the street-naming authority for names to be given to any new lengths of road. The district council will specify the details that they require, and you may be able to submit suggested names for consideration. The district council will advise you of the names chosen, following the necessary consultations. It is your responsibility to arrange the erection of the street name plates which the district council has chosen. Any street name plates on private drives or unadopted ‘roads’ should clearly state that the road or drive is ‘private’ or ‘unadopted’.

5.1.39 Traffic signal equipment

We will normally design the traffic signals within the highway works based on detailed road layout drawings you have supplied. We will normally supply and install all permanent traffic-control equipment to be installed as part of the highway works. You must pay the reasonable cost to us for designing, supplying and installing the equipment including a commuted sum towards the future maintenance of the traffic-signal equipment. You must allow us access at all reasonable times to any part of the site on which cables, pipes, ducts or other apparatus associated with the traffic-signal equipment is to be installed or is located so we can carry out any works we need to do to install and maintain the cables, pipes ducts or other apparatus.

5.1.40 Street lighting

The street lighting design will require technical approval as part of a Section 38 or Section S278 designed submission unless undertaken by us as well amendments or removal of existing street lighting. This shall be produced in accordance with the British Standard and Manual of Contract Documents for Highways Works. Ducts to be adopted by the County Council should be orange, have a nominal internal diameter of 100mm, and be solid. You should contact the Electricity Distribution Network Operator to determine their requirements.

You are responsible for ensuring that the street lighting design is undertaken, ensuring that the specification of equipment is in accordance with our specification, marking the exact position of the street lights on site for the street lighting contractor, arranging for the electricity company to provide the electricity supply to the street lights, providing up to date test certificates in accordance with the British Standard, and paying for all aspects of the works including paying energy charges and maintenance of the street lights before we issue the final certificate of completion.

5.1.41 Alternative street lighting

The street lighting specification we provide will use ‘standard’ galvanised steel columns with road-lighting lanterns of the appropriate height and luminance. The use of heritage or other non-standard street lighting columns and lanterns will require our approval at an early stage and will attract a commuted sum to cover the increased costs of maintenance and replacement associated with this type of equipment.

Street lights may be mounted on buildings provided the necessary wayleave is secured for the lifetime of the development at no cost to the Council. In many settings, this may offer a better solution than providing columns and reduce street clutter.

5.1.42 Street furniture and street art

It is important to establish at an early stage (and certainly before any planning application) what street furniture and so on is proposed within areas that are intended to be adopted as publicly-maintained highway, and who would be responsible for it. You may need to include this as part of a concept proposal that you are required to prepare for your proposed development. Details will be required as to who is to accept future maintenance responsibility. A commuted sum is likely to be payable for any assets not essential for highway purposes but to be maintained by us. The County Council does not adopt public art.

5.1.43 Landscaping

Streets, footways, footpaths, cycleways, grass, shrubs, and trees should complement the appearance of the development and the character of the surrounding area. The appropriate use of a variety of soft and hard landscaping materials, and the incorporation of existing trees and other features should be an integral part of the initial design.

Developers need to recognise that planted areas for adoption should be designed for minimal maintenance and may not be considered appropriate for highway purposes. Therefore the overall use of materials, planting and landscaping of any new development should be discussed at an early stage with the local planning authority and us. However, it is important for developers to appreciate that the issue of planning consent does not imply that all proposed landscaping will be accepted for adoption by the County Council.

In residential and industrial areas environmental features such as planting boxes, public open spaces, grassed areas, existing trees, hedges and fences and landscaped areas will not normally be adopted by the County Council. Where such features are proposed, the developer must agree with the local planning authority future maintenance arrangements.

5.1.44 Hard Landscaping

It may be preferable to use hard landscaping rather than grass or ground cover planting in small areas of verge and within visibility splays particularly if this is more appropriate for example in an urban setting.

5.1.45 Grass

Grass is the normal acceptable treatment for service strips, verges, and rural visibility splays either by way of grass seeding or the laying of turf in accordance with our specification.

The use of verges between carriageways and footways will require careful consideration as grass at the side of a road can make it difficult for some people to alight from cars, restricts pedestrian crossing movements, can become rutted due to on street parking, and can obstruct sight lines from junctions and accesses particularly when trees are incorporated within the verge. If verges are proposed, these may be located at the back of footways where they may cause issues if located at the edge of the carriageway and then can be maintained either by the frontages or by a management company. When highway adoption is considered appropriate, the County Council is likely to seek a commuted sum for future maintenance.

5.1.46 Trees

Trees on or next to the highway can be severely damaged by construction and maintenance work to streets and footways. Wherever possible, our policy is to retain, preserve and protect existing healthy highway trees when carrying out street construction. Protection measures must always be

thorough. You should put them in place before the works begin and maintain them until the works are finished.

Tree roots need to absorb oxygen to survive, so most of a tree's root system is found in the aerobic (oxygen-rich) soil within the 600mm immediately below the surface. The tree's roots absorb nutrients and moisture from the soil and can extend well beyond the area taken up by its crown.

Highway construction and maintenance design should allow for all healthy existing trees and where appropriate, the planting of new trees. You should involve our forestry officer or your consultant arboriculturalist who should advise at the planning and design stage on retaining existing trees and planting new specimens. You should consider the potential growth of retained trees, their future compatibility with new and existing highway features and how near new and existing service runs will be. You should identify an appropriate protection zone around the trees you are retaining and, wherever possible, you should exclude this area from the construction site. All necessary tree maintenance work, both before and after construction, should be carried out by trained operatives in consultation with our forestry officer.

We will adopt trees that have been successfully retained or have been planted in verges and other highway related land. We will not adopt any tree retained within a development if we know that it has been damaged by poor practices during construction and the appropriate protection measures have not been employed.

Trees should avoid sight lines from junctions and accesses and all new trees to be located in the highway should be within tree pits.

5.1.47 Bird nesting season

You must not remove or carry out work to existing or planted trees, shrubs, hedges and other vegetation during the bird nesting season. This is generally considered to be from March until the end of July but can cover a longer period. You should check for the presence of active nests outside that period.

[End]



Drainage

Part 5.2

5.2.1 Highway Drainage

We will ensure that developments that include streets to be adopted as highway provide satisfactory adoptable highway drainage arrangements. This should normally be achieved by one of the following methods:

- All highway water should be drained direct into a piped system vested or to be vested to a water company. This is the method we prefer.
- If the above method is not possible, water should be drained by a piped highway drainage system (minimum pipe size 225mm) running to a public sewer vested in a water company or outfall to a ditch or watercourse agreed by the Lead Local Flood Authority (LLFA), Environment Agency (EA), or Internal Drainage Board (IDB) as appropriate and supported by written evidence accordingly. We will normally insist that the street drainage system is adopted where we are adopting the street.

We will not adopt a street unless its associated drainage is to be adopted either by a water company or by us.

5.2.2 Easements

All highway drains should be located within land that we are adopting. Only in exceptional circumstances will we permit them in land that is to remain private. You must cover any adoptable highway drain outside the limits of the adoptable highway by an easement. The land must be easily accessible and not be in areas that would cause an unreasonable level of disturbance during maintenance such as private gardens or private driveways.

5.2.3 Alternative drainage systems and SUDS

We may consider alternative highway-drainage systems, including infiltration systems, flow attenuation (reduction) or retention systems (including oversized pipes) and so on, on a site-by-site basis provided this would not present us with a significantly increased maintenance liability when compared to a piped system.

Where SUDS techniques are to be deployed, we will require additional measures to ensure the system can be cleaned easily, accessed for maintenance purposes, and can be drained down in the event of a blockage or failure. Such measures may include upstream desilting measures, drain down measures such as penstocks and an emergency overflow to a sewer or other suitable discharge point.

In order to minimise the risk of failure, SUDS features should be distributed across the site. The use of a single feature as an outfall for the entire highway drainage system at the lowest point of the site will not generally be accepted.

All alternative drainage systems will be subject to a commuted sum payment.

5.2.4 Infiltration Systems

Provided there is no reasonable prospect of securing a positive drainage system in the manner described above to be demonstrated by evidence, infiltration may be considered in appropriate ground conditions. That is where adjacent soils have an infiltration rate greater than 10mm/hr and subject to the payment of a commuted sum and where the soakaway can be located at least 1.0m above the highest recorded groundwater level considering seasonal variances.

Infiltration systems must be located outside of the carriageway. Where this is not possible, and only in exceptional circumstances, their location must not prevent or severely restrict passage during maintenance. Structural

calculations may be required to show that anticipated loading on the system can be tolerated without detriment.

Infiltration systems should be located a minimum of 5m from buildings. Where they are proposed to be located outside of the highway, they should comply with the easement requirements above. Easements may also be required to ensure that no building is subsequently located within 5m of an existing infiltration system such that the dispersal of water would not impair the stability of the structure.

Infiltration system locations must be considered at planning application stage to ensure there is enough space.

The design and installation of soakaways should be in accordance with Building Research Establishment (BRE) Digest 365 'Soakaway Design' and Construction Industry Research & Information Association (CIRIA) Report 156 'Infiltration Drainage – Manual of Good Practice'.

Where you are proposing SUDS, you must hold discussions with all relevant parties at an early stage (and certainly before any planning application) to agree ownership and responsibility for the facility.

We will require any application for adoption to be accompanied by completed Infiltration assessment which can be found at Appendix B.

5.2.6 Private Drainage

We will not accept the drainage of non-adopted assets into a highway drainage system either adopted or to be adopted by us. In general, the drainage of most other areas of a development are matters for water companies. You should normally design these drainage systems in line with the water companies' specifications and requirements (which you may treat as complementary to this document) and they should be adopted by them.

Where necessary private development should provide cut-off drainage often in the form of linear drains or ditches to prevent the

unregulated discharge of surface water onto adjacent streets.

5.2.7 Outfall design

Where a piped system discharges into an existing ditch or watercourse, the pipe invert (bottom of the inside of the pipe) must not be lower than the level of the base flow in the ditch or watercourse and it should always be at least 150mm above the ditch or watercourse invert. You must direct the end of the pipe so it discharges at an angle less than 60 degrees to the direction of flow in the ditch or watercourse. The end of the pipe must have a headwall and apron which supports the bank above and adjacent to the pipe and prevents any scouring underneath the pipe. You must protect the banks of the ditch or watercourse from scouring, and you must meet any requirements laid down by the LLFA, EA, and IDB.

If the outfall is to an existing highway drain, you will have to prove its capacity and condition before we can approve the connection. For all works incorporating highway drainage you will need to carry out and provide a copy of a CCTV survey and report. You must carry out any improvement works found necessary, all at your expense.

The discharge of adopted highway drainage to privately maintained drainage systems will not be accepted.

5.2.8 Existing drainage systems

You must deal with any existing drainage systems within the development site, including any land drains, ditches, watercourses, outfalls or drainage systems from adjacent land, to our satisfaction and that of the LLFA, EA, and IDB as appropriate and the owners of the systems.

You must have consent to pipe an existing ditch or watercourse, in accordance with Section 23 of the Land Drainage Act 1991.

5.2.9 The hydraulic design of adoptable highway drains

The hydraulic design of adoptable piped highway drains must meet the requirements of the current edition of 'Sewers for Adoption' published by WRc plc.

You must submit calculations using the specified method of calculation and format. We will accept output from an approved computer programme using the specified method and parameters.

5.2.10 Hydraulic design – protection against flooding

The system must be designed to meet the requirements of the current edition of 'Sewers for Adoption' published by WRc plc.

The system should be designed not to flood any part of the highway or site in a 1 in 30 year return period design storm or any other return period that is set out in any latest version of 'Sewers for Adoption'.

Your design should also show the line and extent of flow paths and the potential effects of flooding if storms are greater than those allowed for by your design.

5.2.11 Minimum pipe size

The minimum pipe diameter for adoptable highway drains, other than gully connections, is 225mm. The minimum size for a road gully connection is 150mm.

5.2.12 Use of combined kerb and drainage systems

You must consider a combined kerb and drainage system where the minimum longitudinal carriageway gradient is less than 1 in 100 for flexible surfaces and less than 1 in 80 for block paved surfaces. We will normally require you to pay a commuted sum to cover any additional maintenance where a combined drainage system is used.

5.2.13 Approving drainage structures

Any drain, pipe or box culvert, sewer or drainage structure that has a clear span or internal diameter of greater than 900mm or any headwall greater than 1.5m retained height, will be classified as a highway structure and be subject to the specific requirements that apply to highway structures.

5.2.14 Catchpits

Unless otherwise specified, you must use catchpits and not manholes on adoptable highway drainage systems. Soakaway structures (typically over-sized chambers and cover slabs which are greater than 1050mm in

diameter), even if they are to be adopted by the relevant water company, must still be designed to the relevant standards for retention within the highway (BS EN 1991-2:2003 Eurocode 1: Actions on structures - Part 2: traffic loads on bridges). You will need to demonstrate to us that this has been achieved.

You must provide a catchpit (an access chamber, with sump, on a drainage system) where there is any discharge into an existing ditch or watercourse.

On all drainage runs we are to adopt where the pipe diameter is 900mm or less, you must provide a catchpit at:

- every change of alignment or gradient;
- the head of all main pipelines;
- every junction of pipelines except for single-gully connections;
- every change in pipe diameter; and
- a maximum spacing of 90 metres.

5.2.15 Catchpit and manhole positions

You should normally locate catchpits or manholes within the verge, and not the carriageway, on classified roads and other roads with a higher status than a residential street or industrial access road. The outside of catchpits and manholes should be at least 500mm from the kerb line or the edge of the carriageway. Any catchpits or manholes within a carriageway must be located so that they can be accessed while providing the necessary safety zones and without preventing traffic from passing. This will generally mean that you should not site them at or near the centre of the carriageway or within a width restriction. You should also take care when locating catchpits or manholes within junctions or roundabouts, based on the same criteria.

5.2.16 Positioning and alignment of highway drains and storm and foul sewers

Highway drains must be laid:

- in straight lengths;
- to straight grades between catchpits; and
- within the carriageway or verge.

You must not lay drains and sewers and their associated catchpits or manholes in footways as this space is required for other utility apparatus.

5.2.17 Gullies

All gullies should be trapped and the maximum length of gully connection should not be more than 15m. It will not normally be acceptable to connect one gully connection directly into another. Gully spacing should be calculated from below table and accompanying notes:

Table T5.2.1

Carriageway Gradient	1/100	1/80	1/60	$\geq 1/40$
Area drained including footways etc.(m^2) assuming 1/40 crossfall	44 (126)	49 (141)	56 (162)	68 (196)
The figures in brackets are appropriate for rural areas only. That is country lanes with no frontage development or footways.				

- When calculating the areas drained, you must make allowance for all footways, footpaths, paved areas and verges that fall towards the carriageway;
- Flow width of 0.5m and 0.75m are appropriate in built up and rural areas respectively;
- Gullies must not be spaced more than 40m apart, irrespective of the areas drained, except at summits where the first gully should not be more than 40m from the high point;
- Double gullies must always be provided at sag points and low points and each must have its individual connection to the main sewer or highway drain.

In footpaths, footways and cycleways separated from carriageways, you must provide gullies or channels connected to the highway drainage system where surface water would otherwise discharge onto adjacent property or cause flooding of footpaths, footways or carriageways.

You should site gullies upstream of the tangent point at road junctions so that surface water in the channel does not flow across the junction. You should take care to avoid ponding near

the mid-point of radius kerbs. Where the road is super-elevated, you should site a gully just before the point where the adverse camber is removed to prevent water in the upstream channel flowing across the carriageway.

You should take care to avoid ponding in the transition length, when the longitudinal gradient is flat or where there are traffic islands, central reserves or traffic-calming measures. You must not site gullies within pedestrian crossing points. Where possible, locate them directly upstream of the crossing point.

You should not site gullies where traffic would be prevented from passing while they are being emptied, for example within a carriageway width restriction.

You will need to provide us with a contour plan to show that gullies are located in the correct position as part of your design submission for works under Section 38 or Section 278 agreements.

5.2.18 Providing sub-soil drainage

You should generally construct a system of sub-soil drainage to a suitable outfall all to our satisfaction unless otherwise agreed where:

- the winter height of the water table is within 600mm of formation level; or
- the sub-soil is unstable because of being waterlogged; or
- there is a likelihood of water running from or out of adjacent ground; or
- springs, land drains or watercourses are present; or
- the finished road is below existing ground level, regardless of the water table; or
- the sub-grade is likely to be altered due to groundwater.

5.2.19 Backfilling trenches

You must backfill all drainage, utility and other trenches in the highway for industrial and commercial premises up to formation level with GSB type1 granular sub-base material.

Backfill on residential sites should be a granular material to the approval of the highway authority (acceptable material will

typically include GSB type 1 or material graded to 6F1).

[End]



Utility Services

Part 5.3

5.3.1 Making Provision for Utility Services

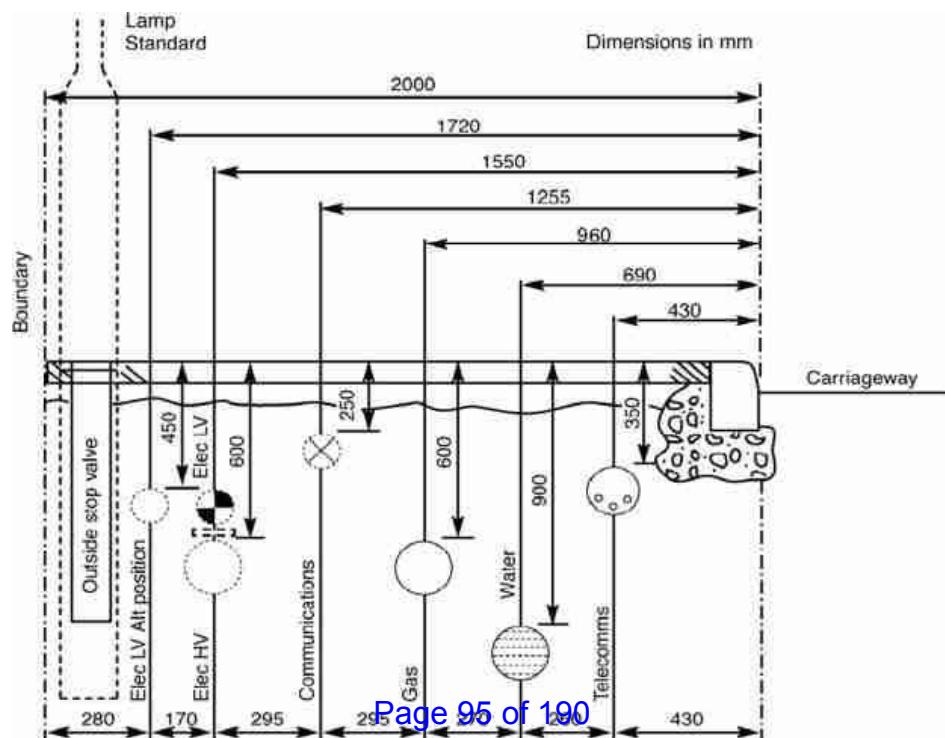
There are no statutory obligations governing the position or depth at which apparatus should be laid within the highway. On new development sites where utility apparatus is to be installed, the NJUG guidelines for the positioning and colour coding of underground apparatus should be followed. Any deviation from these guidelines should only be conducted with the agreement of the prospective asset owners and the County Council. With the exception of essential road crossings, mains utility services should not be located in the carriageway unless the carriageway is a shared surface designed with an area to accommodate utility apparatus (see guidance on shared surfaces).

It is essential that only planting with a shallow root system (usually grass) is located within service strips. Where a service strip is to accommodate existing vegetation it must be wide enough to avoid damage to existing root systems. Banks or mounds should not encroach onto service strips and levels should not be altered over existing apparatus without prior consent from the respective undertakers affected.

Mains services must be provided in a manner whereby repair and maintenance can be carried out without obstructing passage. Service strips must be appropriately delineated and developers must make it clear to purchasers that the service strip is not conveyed to the property. However, the maintenance responsibility for service strip planting may be assigned to individual properties in their deeds.

Where the provision for services is not well defined, the street layout should be agreed with the County Council at pre-planning application stage to avoid unnecessary delay to the planning process and potential redesign.

5.3.2 NJUG guidelines on the positioning of underground utilities



5.3.3 Backfilling trenches

You must backfill all drainage, utility and other trenches in the highway for industrial and commercial premises up to formation level with GSB type1 granular sub-base material.

Backfill on residential sites should be a granular material to the approval of the County Council (acceptable material will typically include GSB type 1 or material graded to 6F1).

[End]



Structures

Part 5.4

Specification

5.4.1 All highway works must normally be in accordance with the 'Specification for Highway Works' published by Her Majesty's Stationery Office as Volume 1 of the Manual of Contract Documents for Highway Works (MCHW) and comply with the 'Notes for Guidance on the Specification for Highway Works' published as Volume 2, as well as our specification and standard drawings. Where these vary from the 'Specification for Highway Works' our documents should prevail. If your proposals are not covered by the standard drawings, you will need to submit scheme-specific drawings to us for approval.

Definition

5.4.2 Highway related structures will normally include bridges, tunnels, retaining walls, corrugated-steel buried structures, reinforced soil and anchored earth structures, reinforced clay brickwork retaining walls of pocket-type and grouted-cavity construction, crib wall retaining walls of concrete or timber construction, environmental barriers (including noise barriers and fencing), and all drains, piped and box culverts, sewers and drainage structures, other than bridges, that have a diameter or clear span of more than 900mm.

5.4.3 A highway related structure is either any structure built in, under, or over, the highway; or any retaining wall or structure which supports the highway and where the structure, or any retaining wall is built within 3.65m of the highway boundary where the retained height above the adjacent highway is 1.4m, or more, S167 Highways Act 1980.

Note: The definition of 'highway' used above includes the carriageway, footway and all verges.

Design

5.4.4 All highway related structures, whether we are to adopt them or not, must be designed and

constructed in accordance with the current relevant codes of practice and technical memoranda. The design will be subject to the technical-approval procedure set out in the Department for Transport Design Manual for Roads and Bridges 'CG 300 Technical approval of highway structures' except that the Technical Approval Authority will be us.

5.4.5 You must employ a chartered civil or structural engineer with experience in highway structures and approved by us to carry out the design and oversee construction.

5.4.6 Before construction begins, you must provide a programme of supervision for our approval. The programme must give details of the level and amount of supervision that will be provided so we are confident that the structure will be built in accordance with the design and specification. The programme must also contain proposals for materials testing.

5.4.7 At regular intervals, we will audit the supervision of a scheme to make sure that you are meeting the agreed programme of supervision. However, it is the developer's responsibility to keep us informed of the proposed programme. Before adoption, you must give us copies of approved design calculations (if not already received), inspection certificates, material-testing certificates, digital photographs (*.JPG or *.BMP format), as-built drawings preferably in an electronic form, (for example PDF file), maintenance manuals and a Construction Compliance Certificate in accordance with the Design Manual for Roads and Bridges. This information should be submitted in advance of a request for a final certificate of completion to the County Council (full adoption certificate). Failure to accord to the approved design and insufficient collation of the required evidence will jeopardise the ability of the County Council to adopt structures.

5.4.8 You will have to pay the additional design checking and inspection fees for any highway structure. This is charged at 'actual' rate and we will give you an indication of the likely fee at our earliest opportunity. You must pay a commuted sum for future maintenance of any highway structure to be adopted.

[End]

Part 6.0

New Roads, the Advance Payments Code, and Section 38

6.1 The Advance Payments Code (“the Code”) Section 219 to 225 Highways Act 1980 (“the Act”)

In accordance with Section 220 of the Act, all new buildings that would face a private street are liable for the cost of the private street works unless specifically exempt by way of Section 219 or a Section 38 agreement has been previously entered into. Otherwise we are required to serve notice on the person who submitted plans for building regulations approval seeking payment of our estimated cost of the streets works.

WARNING - If works start on any building without paying the sum specified in the notice, the landowner will be committing an offence, and we may take them to court.

Once payment has been made, this will be returned if a Section 38 agreement has been entered into or the works are finished to a standard that we judge will provide a durable road construction and being satisfied that there is no prospect of the road requiring further private street works in the future. Note that completing this process does not mean that the road will be of an adoptable standard, in which case, it will remain private and we will not be maintain it at public expense. A fee will apply similar to a Section 38 agreement if you wish the detailed design of the road and works construction to be approved by us to allow future adoption.

We and most builders prefer the Section 38 agreement route to highway adoption as it offers more certainty with respect future road adoption and the return of the security sum.

6.2 Private Roads

If you clearly indicate that you would not wish for a street to be adopted, you must submit a plan to us under Section 31(6) of the Act identifying the extent of the private street, enter into a legal agreement under Section 106 Town and Country Planning Act to indemnify us against future petitioning by residents to adopt their street under Section 37 of the Act and to secure future private maintenance arrangements for the street. We may then be in a position to exempt the development from the Code once completed if we deem this to be appropriate.

6.3 Section 38 agreements

Section 38 of the Act is the mechanism used to ensure most roads constructed as part of development become highways maintainable at public expense (adopted) by way of entering into a Section 38 agreement. Parties to the agreement must include all landowners as well as the developer if different.

6.4 Approvals

Before carrying out any technical approval checks, we will require payment of our costs for any checking of the design. This will usually be circa 50% of the total fee. The balance of the

administration and inspection fee will be payable on signing of the agreement. Additional fees may apply.

The following information is required before the Section 38 check can be processed:

6.5 Layout:

- Plans indicating the areas of proposed highway offered for adoption;
- Plans indicating the position of all carriageways, footways, footpaths, cycle ways, verges service strips, visibility splays, traffic calming features, surface water drainage including gully positions, position of dwellings, gradients of driveways, garaging and/or parking spaces with vehicular crossings, traffic signs, road markings, structures, bus stops, and bus stop infrastructure;
- For layouts not conforming to normal HA standards, a drawing and schedule indicating different materials proposed together with appropriate areas for use in the calculation of commuted sums;
- Drawings in pdf format will be printed and distributed as required;
- Quality Audit if required.

6.6 Vertical Alignment:

- Longitudinal sections of the carriageway showing existing and proposed levels for the centre line, channel, gradients and vertical curves with the appropriate horizontal road layout drawn below this section;
- Longitudinal sections must also indicate surface and foul water sewer profiles including the position of manholes, gradients, pipe sizes etc.

6.7 Standard Details:

- Typical cross sections showing carriageway, footway and verge construction including details of kerbs and edgings (as per standard drawings)
- Typical construction details of footways, footpaths, cycle ways, vehicular accesses and pedestrian crossing points kerbs, manholes and pipe bedding (as per standard drawings);

6.8 Ground Conditions:

- A geotechnical report, including CBR test results at formation.

6.9 Drainage:

- Details of existing and proposed surface and foul water drainage, including a highway gully layout;
- Calculations of surface water run-off, ‘micro drainage’ etc;
- A manhole schedule;
- Details of deeds of easements and discharge consents.

6.10 Landscaping:

- Details of planting and additional maintenance proposals.

6.11 Other Features:

- Any specialist information regarding bridges, culverts, headwalls and retaining walls supplied on separate drawings.

6.12 Street Lighting:

- Street lighting layout and specification in accordance with BS5489, together with details on any impact on the existing lighting system.

6.13 S38 Plan

We will only issue technical approval after all additional information and requested amendments have been received.

The design will require accompanying by a plan to be inserted in the Section 38 agreement coloured up as follows:

- Site boundary - red
- carriageway – grey
- footways, footpaths, cycle ways and other hard-surfaced areas – yellow
- shared-surface roads – brown
- traffic-calming features – brown
- verges – green
- highway drainage – blue
- additional highway structures – pink
- special surfacing – purple
- Street lighting - red

6.14 Section 38 plan example



We will prepare all documentation for the Section 38 agreement. Details to be provided at this time include:

- the name and address of the landowner;
- your name and address as the developer;
- the name and address of any bondsman or confirmation of cash deposit;
- the name and address of the solicitor;
- proof of ownership of the land; and
- proof of an intention to enter into a Section 104 agreement and any deeds of easements.

Our solicitor will seek an undertaking from your solicitor confirming that our legal fees will be met.

6.15 Pre-commencement

You must not begin construction unless and until:

- we have given you technical approval;
- the Section 38 agreement has been completed and signed and an appropriate surety is set in place;
- you have notified the Health and Safety Executive that you are client for the works for the purposes of the Construction (Design and Management) Regulations;
- all necessary fees have been paid to us;
- you have complied with the New Road and Street Works Act minimum notification periods;
- the contractor (including any subcontractor) has been approved;
- You have demonstrated that £5m public liability insurance is in place including indemnity to principal;
- a pre-start meeting has been held.

6.16 Site inspection

You are responsible for the day-to-day supervision of the road works construction. We will only inspect the works to check that they are being constructed in accordance with the approved drawings and our requirements. You must give our representative access to the works in progress at all times. If problems arise, we will be happy to discuss possible solutions with you, but it will still be your responsibility to instruct your contractor and make sure that the works are satisfactorily completed in accordance with our requirements.

6.17 Substantial completion

We will issue the first certificate of completion once:

- you have substantially completed the road works to our satisfaction;
- you have completed all street lighting to our satisfaction;
- any new planted landscaping areas, grassed areas, trees, shrubs and so on that we are to adopt have been fully planted and established;
- the works (including any existing and new planted landscaping areas and so on) have been jointly inspected (that is by us, you and your contractor) and no significant defects have been identified, or where they have, you have agreed to remedy them to our satisfaction; and
- where required, any stage 3 safety audit has been completed and all changes that we require have been made satisfactorily;
- You must provide us with ‘as built’ drawings, preferably in an electronic form.

When we issue a first certificate, the amount of bond excluding the commuted sums element can be reduced, usually to 40% of the original amount. The exception to this is where you are paying us a commuted sum in which case the bond cannot be reduced to a value less than the commuted sums that we have calculated.

You will then be responsible for maintaining the roadworks for a minimum period, usually twelve months. This allows any defects in the works to become apparent after they are brought into use.

6.17 Final Completion

We will issue a second certificate of completion when the following actions have taken place:

- You must contact us at the end of the maintenance period to arrange a further joint inspection of the road works (including any landscape planting, trees, grassed areas and so on). We will issue you with a list of any outstanding remedial works we require you to do, which you must then complete to our satisfaction;
- You must have maintained the road works to our satisfaction during the maintenance period;
- You must provide us with a copy of the provisional certificate of adoption for the drainage and sewers, as issued by the relevant water company;
- You must pay us any commuted sums and outstanding charges that are required;
- You must provide us with the health and safety file in an electronic form produced in line with the Construction (Design and Management) Regulations.

After all of the above has been done to our satisfaction, we will:

- issue a second certificate of final completion;
- inform you that the bond can be cancelled; and
- adopt all areas dedicated within the Section 38 agreement as highway to be maintained at public expense.

[End]



Off-site Highway Works, Accesses, Junctions, and Section 184 and 278

Part 7.0

7.1 Vehicular crossing - Section 184 approval

To get your vehicle from the road and onto your drive you will need a properly constructed 'vehicular crossing', also known as a 'dropped kerb'. This is to prevent damage to the pavement and/or verge and to protect underground pipes and cables. You will require our approval and you may also need to get planning permission from your local district council, for instance if you live on a classified road.

You may employ a contractor of your choice to carry out these works, subject to them meeting certain requirements. Your contractor will need to apply to us for a permit to alter the highway outside your property and we will inspect the work to ensure that it meets our specification. A fee will apply.

7.2 Section 278 agreements, Highways Act 1980 ("the Act")

We use this section of the Act to allow you, the developer, to employ a contractor and for that contractor to work on the existing public highway in the same way as if we, the County Council, were carrying out the works instead usually to facilitate development. You are normally responsible for all aspects of the works on the public highway, from their design, through supervising construction and ensuring that the works are fully completed to our satisfaction.

It should be emphasised that works which directly affect the Strategic Road Network (SRN) will need to be considered separately by Highways England and are as such not bound by the contents of this document. The SRN both borders and runs through the County and certain locations interfaces directly with the Local Road Network.

For the avoidance of doubt all works which affect the SRN shall be designed fully in accordance with the Design Manual for Roads and Bridges (DMRB) and specified in accordance with the Manual of Contract Document for Highway Works (MCHW). Highways England should be contacted at an early stage.

7.3 Approvals

Before carrying out any technical approval checks, we will require payment of our costs for any checking of the design. This will usually be circa 50% of the likely total fee. The balance of the administration and inspection fee will be payable prior to the signing of the agreement. Additional fees may apply.

The following information is required before the Section 278 check can be processed:

7.4 General

- 1:1250 plan showing scheme extents, and existing road network. (An alternative scale may be used to suit nature/size of scheme);

7.5 Detailed design layouts 1:500 Plans showing:

- Site clearance details;

- Drainage layout: Pipe runs, manhole and gully positions. Pipes intended for adoption should be highlighted;
- Earthwork details;
- Carriageway and footway construction details indicating areas of different pavement types areas of overlay, reconstruction, planing etc.;
- Kerbing and edging details;
- Traffic sign positions and road markings. Each sign should have an accompanying schedule giving post sizes, mounting heights illumination details, foundation details etc.;
- Landscaping proposals;
- Road lighting positions;
- Fencing proposals showing highway boundary positions and visibility splays;
- Safety fence layout;
- Structures position and orientation;
- Electrical works i.e. trenches and cabling;
- Bus stop locations and bus stop infrastructure;

7.6 Vertical design

- Longitudinal sections showing centreline and channels in relation to existing ground levels;
- Proposed gradients and k values for sag and crest of curves, horizontal schematic showing curve radii, transitions;
- Cross sections showing proposed levels and profile in relation to existing levels and proposed/existing;
- Boundaries.

7.7 Junction design

7.7.1 Roundabouts:

- Provide 1:200 or 1:500 plan showing proposed spot levels, contours and crown lines;
- Provide design checklist to ensure geometric compliance with DMRB – CD 116 Geometric Design of Roundabouts;
- Provide existing, generated & forecast turning flows for the morning and evening peak periods;
- Provide traffic reserve capacity calculations for the AM & PM peak periods using the latest version of ARCADY;
- Demonstrate deflection;
- Show visibility lines;
- Provide segregation for cyclists and pedestrians as required.

7.7.2 Priority junctions:

- Provide 1:200 or 1:500 plan showing proposed spot levels, contours and crown lines;
- Provide design checklist to ensure geometric compliance with DMRB – CD 123 Geometric design of at-grade priority and signal-controlled junctions;
- Provide existing, generated & forecast turning flows for the morning and evening peak periods;
- Provide traffic reserve capacity calculations for the AM & PM peak periods using the latest version of PICADY; Justification for the chosen specific layout;
- Provide suitable routes for pedestrians and cyclists as required

7.7.3 Traffic signal junctions:

- Provide a 1:500 or 1:200 plan on a topographical base showing signal heads, pole position, ducting etc.;
- Provide existing, generated and forecast turning flows for the morning and evening peak periods;
- Provide appropriate traffic reserve capacity calculations for AM and PM peak periods using LINSIG;
- Ensure that design complies fully with DMRB – CD 123 Geometric design of at-grade priority and signal-controlled junctions;

7.7.4 Pedestrian crossing facility

- Provide a 1:500 or 1:200 plan on a topographical base, showing signal heads, pole position, ducting etc.;
- Ensure that design complies with the following standards/advisory notes (as appropriate):
 - Traffic Advisory Leaflet – 1/02 The Installation of Puffin Pedestrian Crossings;
 - Traffic Advisory Leaflet – 04/98 Toucan Crossing Development;
 - Traffic Advisory Leaflet – 10/93 ‘Toucan’ An unsegregated Crossing for Pedestrians and Cyclists;
 - Statutory Instruments – 1997 No.2400- Road Traffic – The Zebra, Pelican and Puffin Pedestrian Crossings Regulations & General Directions 1997;
 - Design Manual for Roads and Bridges (DMRB) – TD 101 Traffic Signalling Systems
 - DMRB (Vol 8) – TA 15/07 – Pedestrian Facilities at Traffic Signal Installations;
 - DMRB (Vol 6) – TA 86/03 – Layout at Large Signal Controlled Junctions;
 - DMRB – CD 143 Designing for Walking, Cycling and Horse-Riding;
 - DfT Guidance on the use of Tactile Paving Surfaces

7.8 Statutory Undertakers (for example gas, water, cable TV)

Plans showing existing apparatus along with any diversion/protection proposals.

7.9 Structures

Design must comply with agreed Approval in Principle (AIP). All design/check certificates in accordance with DMRB CG 300 Technical Approval of Highway Structures shall be supplied for us to endorse.

The following drawings are required:

General arrangement:

- Detail design – details should include: dimensions, levels, materials and finishes, drainage and service ducts, parapet details, earthwork details, foundation details;
- Reinforcement details showing – cover to steel and reinforcement details in accordance with BS 8666:2005 incorporating amendment No.1.

Geotechnical Information:

- Initial ground investigation proposals;
- Desk study information including preliminary deep borehole work;

- Ground investigation including detailed proposals with borehole locations, schedules, long sections and laboratory testing philosophy;
- Factual report;
- Interpretative report including calculations;
- Earthworks design including drawings and specification;
- Structural foundation design

'Buildability':

- Does the design allow for the contractor's input?
- Provide evidence that construction issues have been addressed in the design, for example 'Beany' blocks constructed to default radii, manholes positioned out of the carriageway.

Traffic management:

- Are road closures required?
- Provide information for both local and heavy diversion routes (where appropriate);
- Give evidence on the provisions made for local transport services during the construction phase.

Drainage design:

- Drainage design calculations/output;
- Gully spacing design output;
- Provide information on the depths of cover of lines;
- Provide invert and chamber sizing of access chamber;
- Provide discharge calculation at the outfalls;
- Provide details of retention storage;
- Provide calculations and information on mechanical elements e.g. pumps and throttles;
- Provide information on petrol interceptors.

Landscaping:

- Provide information on planting strategy;
- Provide drawing of planting areas;
- Provide planting specifications;
- Give information on the preparation works and also soil types to be used;
- Provide listing of all species of plants and density;
- Provide maintenance regime.

Construction Design and Management Regulations:

- Provide all risk assessment and a copy of the pre-tender health and safety plan;
- Provide a copy of F10.

Other Supporting Information Required:

- Traffic flows;
- Carriageway construction design calculation;
- CCTV videos of any existing drainage used as outfall/connection;
- Sign schedules;
- Autotrac plots for HGV manoeuvres at appropriate locations;
- Stage 2 safety audit problems, recommendations and designer's responses where appropriate;
- Standard drawings should be used except where no appropriate detail covers the proposal.

7.10 Technical Approval

We will only issue technical approval after all additional information and requested amendments have been received.

We will prepare all documentation for the Section 278 agreement. Details to be provided at this time include:

- the name and address of the landowner (if a highway dedication is required);
- your name and address as the developer;
- the name and address of any bondsman or confirmation of cash deposit;
- the name and address of the solicitor; and
- proof of an intention to enter into a Section 104 agreement and any deeds of easements (if required).

Our solicitor will seek an undertaking from your solicitor confirming that our legal fees will be met.

7.11 Pre-commencement

You must not begin construction unless and until:

- we have given you technical approval;
- the Section 278 agreement has been completed and signed and an appropriate surety is set in place;
- you have notified the Health and Safety Executive that you are client for the works for the purposes of the Construction (Design and Management) Regulations;
- all necessary fees have been paid to us;
- you have complied with the New Road and Street Works Act minimum notification periods;
- the contractor (including any subcontractor) has been approved;
- You have demonstrated that £5m public liability insurance is in place including indemnity to principal; and
- a pre-start meeting has been held.

7.12 Site inspection

You are responsible for the day-to-day supervision of the road works construction. We will only inspect the works to check that they are being constructed in accordance with the approved drawings and our requirements. You must give our representative access to the works in progress at all times. If problems arise, we will be happy to discuss possible solutions with you, but it will still be your responsibility to instruct your contractor and make sure that the works are satisfactorily completed in accordance with our requirements.

7.13 Substantial completion

We will issue the first certificate of completion once:

- you have substantially completed the road works to our satisfaction;
- you have completed all street lighting to our satisfaction;
- any new planted landscaping areas, grassed areas, trees, shrubs and so on that we are to maintain have been fully planted and established;
- the works (including any existing and new planted landscaping areas and so on) have been jointly inspected (that is by us, you and your contractor) and no significant defects have been identified, or where they have, you have agreed to remedy them to our satisfaction; and

- a stage 3 safety audit has been completed and all changes that we require have been made satisfactorily.

When we issue a first certificate, the amount of bond excluding the commuted sums element can be reduced, usually to 40% of the original amount. The exception to this is where you are paying us a commuted sum in which case the bond cannot be reduced to a value less than the commuted sums that we have calculated.

You will then be responsible for maintaining the roadworks for a minimum period, usually twelve months (soft landscaping is usually subject to 3 year maintenance period). This allows any defects in the works to become apparent after they are brought into use.

7.14 Final Completion

We will issue a second certificate of completion when the following actions have taken place:

- You must contact us at the end of the maintenance period to arrange a further joint inspection of the road works (including any landscape planting, trees, grassed areas and so on). We will issue you with a list of any outstanding remedial works we require you to do, which you must then complete to our satisfaction;
- You must have maintained the road works to our satisfaction during the maintenance period;
- You must provide us with a copy of the provisional certificate of adoption for any drainage and sewers, as issued by the relevant water company;
- You must pay us any commuted sums and outstanding charges that are required;
- You must provide us with 'as built' drawings, preferably electronically or on CD;
- You must provide us with the health and safety file, electronically or on CD, produced in line with the Construction (Design and Management) Regulations 2015 (CDM).

After all of the above has been done to our satisfaction, we will:

- issue a second certificate of final completion;
- inform you that the bond can be cancelled; and
- adopt all areas to be dedicated within the Section 278 agreement as highway to be maintained at public expense.

[End]



Commututed Sums

Part 8.0

Introduction

8.1 In the context of this guidance commuted sums are financial contributions made by third parties to the County Council as compensation for taking on the future maintenance responsibility for newly created highways or highway improvements. They are typically secured through legal agreements made with developers and landowners under Sections 38 and/or 278 of the Highways Act 1980 ("the Act").

8.2 The calculation of the commuted sum is the subject of individual agreements. This note sets out our common approach as to how the commuted sum is calculated. This Authority has adopted the Adept (formerly County Surveyors Society) guidance document 'Commutted Sums for Maintaining Infrastructure Assets'.

Legal Background

New roads adopted under Section 38

8.3 Section 38 of the Act is a power allowing highway authorities to adopt newly constructed roads by agreement with landowners and developers. Section 38(6) states as follows:

"An agreement under this section may contain such provisions as to the dedication as a highway of any road or way to which the agreement relates, the bearing of the expenses of the construction, maintenance or improvement of any highway, road, bridge or viaduct to which the agreement relates and other relevant matters as the authority making the agreement think fit".

8.4 The Court of Appeal has emphasised the wide and unqualified nature of the Section 38(6) powers. There are no limitations as to how the commuted sum should be calculated (Redrow Homes Ltd v Knowsley MBC [2015]) and this need not be limited to "extra over" costs.

Existing roads improved under Section 278

8.5 Section 278 of the Act is a power allowing highway authorities to secure improvements to existing roads by agreement with landowners and developers.

8.6 Section 278(3) states as follows:

"The agreement may also provide for the making to the highway authority of payments in respect of the maintenance of the works to which the agreement relates and may contain such incidental and consequential provisions as appear to the highway authority to be necessary or expedient for the purposes of the agreement".

8.7 Section 278 is therefore drafted in the same wide and unqualified terms as Section 38 of the Act.

Application

8.8 The need for paying commuted sums can be divided into four broad categories.

- The cost of maintaining areas and construction which, under our normal design guidance are not required for the safe and satisfactory functioning of the highway. Examples are additional areas of carriageway, such as a 'square' surrounding a turning head, hard landscaping, grass verges, and so on.
- The cost of maintaining some features of the adoptable works which can be considered as extra over. Examples include highway structures, public transport infrastructure, landscaping, trees, shrubs and so on, additional or non-usual street furniture and noise fencing. These costs represent an increase in our future maintenance liability which will be more than the anticipated normal funding generated by the development.

– The additional cost of maintaining permitted alternative materials and

features which are extra over. Examples include surfacing materials and street lighting equipment. These additional costs are in excess of what we would have incurred if the materials and features used had been to the standard specification.

- Sustainable drainage systems (SUDS), for example, flow-attenuation devices, swales and storage areas.

Note: Where you are proposing SUDS, you must hold discussions with all relevant parties at an early stage (and certainly before any planning application) to agree ownership and responsibility for the facility.

8.9 This is not an exhaustive, detailed list. It is only intended to illustrate broad principles. Cases where commuted sums will normally be required are set out in other parts of this document. You should always discuss with us where commuted sums might be required at the earliest possible opportunity and certainly before any planning application.

Calculating commuted sums

8.10 We work out the cost your maintenance obligation using this formula:

$$\text{Commuted sum} = \sum Mp / (1+D/100)^T$$

Mp = Estimated periodic maintenance cost

D = Discount rate (effective annual interest rate) (%)

T = Time period before expenditure will be incurred (years)

Maintenance unit costs (Mp)

8.11 Maintenance unit costs are based on contract rates current at the time of calculation and the frequency of treatment or intervals of replacement, based on planned frequencies or historic information. A sum of 10% of the works costs will be added to cover our design and supervision costs.

Discount rate (D)

8.12 The discount rate (effective annual interest rate) is worked out as follows:

$$D = (1.045/1.0225) - 1 \\ = 2.2\%$$

Where 1.045 is the interest rate (4.5% based on long-term neutral base rate) and 1.0225 is the inflation rate (2.25% based on RPI-X that is RPI excluding mortgage payments)

Time period (T)

8.13 There is a case for using a time period equal to the expected life of the development in the case of development roads. However, for the time being, a time period of 60 years will be used to calculate the commuted sums, with the exception of highway structures when a 120-year period will apply, in accordance with the standard design life requirement.

Agreement, Bond, & Timing

8.14 You will be required by the relevant agreement with us to pay us a commuted sum. Any commuted sums you must pay will be included in the bond required under the Section 38 or Section 278 agreement. The commuted sum will be payable before we issue the final certificate.

8.15 For Section 278 works we will not normally apply commuted sums for the existing area of carriageway unless replaced with a non-standard material (in that case the commuted sum would be the difference between the commuted sum for the standard and non-standard material). A full commuted sum would be required for any additional carriageway created (e.g. a right turn lane), or any new feature created (e.g. refuge/splitter island, additional lighting, bollards etc). This is because the additional carriageway and features created above those already existing are only required to provide the access for the new development, and therefore it is reasonable to require a commuted sum to maintain them in the future.

Commutted sum example

Annual maintenance cost for example £100

Replacement cost for example £500

Design life for example 20 years

Discount rate 2.2% (0.022)

Calculate for each year up to 60 years including replacement cost as required:

$$\text{Year 1} - \text{£100} \div (0.022\% + 1)^1 = \text{£97.85}$$

$$\text{Year 2} - \text{£100} \div (0.022\% + 1)^2 = \text{£95.74}$$

$$\text{Year 3} - \text{£100} \div (0.022\% + 1)^3 = \text{£93.72} \text{ and so on up to year 20}$$

$$\text{Year 20} - \text{£500} \div (0.022\% + 1)^{20} = \text{£323.56}$$

$$\text{Year 21} - \text{£100} \div (0.022\% + 1)^{21} = 63.32 \text{ and so on up to year 40}$$

$$\text{Year 40} - \text{£500} \div (0.022\% + 1)^{40} = \text{£209.38}$$

$$\text{Year 41} - \text{£100} \div (0.022\% + 1)^{41} = \text{£40.97} \text{ and so on up to year 60}$$

$$\text{Year 60} - \text{£500} \div (0.022\% + 1)^{60} = \text{£135.49}$$

Each value for each year is then summed.

[End]



Appendix A

Changes log

Published Date	Chapter / Paragraph(s) affected	Description of change
7/8/20	Part 1.0 now Part 1.1 & 1.2	Intro & Policy split into separate chapters, paragraphs numbers added
6/8/20	1.1.3	Document status and changes log added, Chapter 1.0 paragraphs renumbered, contact details added.
6/8/20	1.1.6	Aims added
5/8/20	1.1.7	Highways England requirements added
12/08/20	1.2.10	Possibility of Technical Note added to deal with minor changes to large development
6/8/20	1.2.5	NPPF version updated
6/8/20	2.2	Building for Life reference and NPPF version updated
6/8/20	2.5	Clarified
11/8/20	2.8	Walking distance to stops updated
11/8/20	T3.1.1	Bus stop locations and infrastructure updated, cycling facilities added
11/8/20	T3.2.1	Bus stop locations and infrastructure updated
19/8/20	3.2.1	Purpose of table added
12/8/20	T3.1.1	Access way definition updated
12/8/20	T3.1.1	Main Street 20mph vis splay added
12/8/20	T3.1.1	Cycle provision to comply with LTN1/20
12/8/20	T3.1.1	Clarification on forward splays added
12/8/20	T3.2.1	Vis 'X' distances added
19/8/20	T3.1.1	Street function updated
19/8/20	3.1.1	Purpose of table added
11/8/20	3.3	SSD calculation example added
5/8/20	3.3	DMRB visibility splay formula deceleration constant corrected
12/8/20	3.3	Wet weather conversion added, DMRB references removed, splays to be in the control of developer added.
12/8/20	3.3.2	Setback for vegetation wording amended
6/8/20	3.8	Paragraph numbers added to bin storage

11/8/20	4.1.1	Parking requirement for HMOs, retirement homes, sheltered accommodation etc. added and option to survey
12/8/20	4.1.1	Garage door dimensions amended
12/8/20	4.1.13	Cables not to obstruct footways etc. added
6/8/20	4.2.6	Table update considering LTN 1/20
6/8/20	4.1.8	Narrative updated considering LTN 1/20
6/8/20	5.1.13	Equilibrium CBR clarified
6/8/20	5.1.17	Binder course thickness increased from 50mm to 60mm
6/8/20	5.1.45 & 5.1.46	Adoption of trees and verges clarified
12/8/20	5.1.40	Clarity added to street lighting requirements
11/08/20	6.5	Bus stop details added
11/08/20	7.5	Bus stop details added
6/8/20	Throughout	Table references added
11/8/20	8.0	Commutted sum example added
8/9/20	1.2, 3.2, 4.2	Use class references removed
22/9/20	1.8	Use of DMRB added, paragraphs renumbered
30/9/20	1.1.7	Added to encourage walking and cycling
22/10/20	5.2.4 & T5.2.1	Infiltration rates added & gully spaces corrected
2/11/20	5.2	SUDS/Soakaways advice revised

[End]

Table B.6 Infiltration assessment checklist

Requirements	
Site ID	
Asset ID	
Infiltration component location	
Infiltration component type	

Infiltration capacity	Details	Acceptable submission?	Further requirements
Confirm that infiltration test results have been provided, along with trial pit records with soil/rock descriptions of the materials in which the test has been completed in accordance with BS EN ISO 14688-1:2002+A1:2013 or BS EN ISO 14689-1:2003			
Confirm that the infiltration tests have been undertaken at the location, depth and with a head of water that replicates the proposed design			
Confirm that infiltration tests state which stratum the results are appropriate to and any limitations in the test. For example, has the infiltration rate been estimated by assuming water only infiltrates into one particular stratum such as a discrete layer of limestone?			
Confirm that the infiltration tests follow BRE (1991) or Bettess (1996) as far as is relevant to the design. If not, state what variations have been made to the test and why			
Confirm that the head of water in the infiltration test falls to less than 25% of the initial head of water. (Note: if this does not occur the results should not be extrapolated – the results should state “Infiltration test cannot be determined.”)			
Confirm that account has been taken of the soil descriptions and an assessment of the likely impact of water on the soil and long-term infiltration rate has been included (eg high initial infiltration rates in dry mudstone may not be representative of long-term values when soaking water has caused weathering)			
Confirm what measures are necessary to prevent construction activities (especially compaction) changing the infiltration characteristics			
Confirm that the test infiltration capacity is likely to be representative of the wider ground mass (eg the test has not been undertaken in a limited extent of sand within a mass of clay)			
Groundwater levels			
Confirm that evidence has been provided of groundwater levels and seasonal variations (eg via relevant groundwater records or on-site monitoring in wells)			

Infiltration capacity	Details	Acceptable submission?	Further requirements
Confirm that the maximum likely groundwater levels are >1 m below the base of the infiltration device			
Ground stability			
Confirm that it has been demonstrated that infiltration will not cause significant risk of instability (eg retaining walls, slopes, solution features or loosely consolidated fill) or movement that could adversely affect any nearby buildings or other structures. Where infiltration is proposed closer than 5 m to the foundations of buildings or structures that this assessment should be approved by a suitably qualified professional such as a registered ground engineering adviser. The BGS Infiltration SuDS Map is a useful source of information. Some local authorities have solifluction maps			
Confirm that an assessment has been taken of the potential for subsidence due to infiltration			
Ground contamination			
Confirm that an assessment of the potential for deterioration in groundwater quality due to infiltration, such as due to mobilisation of contamination, has been undertaken. Note: this assessment should be undertaken by a qualified geo-environmental engineer or similarly qualified person, and may require a site investigation with contamination testing. The BGS Infiltration SuDS Map can provide useful preliminary information			
Confirm that a suitable treatment train has been provided before the runoff reaches the soil (to reduce risks of groundwater contamination to an acceptable level) – see National SuDS Standards and this manual			
Flood risk			
Confirm that an assessment has been undertaken of the potential effect of infiltration on groundwater levels local to any infiltration component and the potential wider impact of multiple infiltration components within the site, with respect to groundwater flood risk			
Confirm that an assessment has been undertaken of the risk of springs developing in layered geology/stEEP topography due to the proposed infiltration			
Confirm that details of overflows or additional discharge points if total infiltration cannot be relied on for all return period events have been provided			
Combined sewer risk			
Confirm that an assessment has been undertaken of the risk of groundwater leakage into any local combined sewers			

REPORT OF THE CHAIR OF THE PLANNING AND LICENSING COMMITTEE

LOCAL ENFORCEMENT PLAN UPDATE

Purpose of Report

1. To seek Members' approval of the proposed updated Local Enforcement Plan and its adoption as County Council policy as a formal replacement to the existing Local Enforcement Plan.

Information

2. At its meeting on 24th November 2020 Planning and Licensing Committee endorsed the updated Local Enforcement Plan and recommended it to Policy Committee for adoption as Council policy.
3. The Council's Local Enforcement Plan was adopted in May 2015 and therefore its review and update are considered timely. The version appended to this report (Appendix 1) represents the proposed update and, if approved by Members of Policy Committee, will be adopted as Council policy and will replace the existing document. The Local Enforcement Plan sets out what site monitoring and enforcement service businesses and the public can expect from Nottinghamshire County Council as a Local Planning Authority. The Plan also sets out the Council's approach to dealing with alleged breaches of planning control and its proactive role in periodic inspection of minerals and waste sites within the County. The Local Enforcement Plan is published on the Council's website and so the new version will replace the existing one if approved by Members.
4. The Plan has been published in response to the National Planning Policy Framework (NPPF) which states that "Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate."
5. Additionally, the national Planning Practice Guidance states that "the preparation and adoption of a local enforcement plan is important because it:
 - allows engagement in the process of defining objectives and priorities which are tailored to local circumstances;
 - sets out the priorities for enforcement action, which will inform decisions about when to take enforcement action;
 - provides greater transparency and accountability about how the local planning authority will decide if it is expedient to exercise its discretionary powers;
 - provides greater certainty for all parties engaged in the development process."

Key Changes and Updates

6. The main changes to be incorporated within the updated Local Enforcement Plan are as follows:

- Revised text from the National Planning Policy Framework (latest version 2019) and the Planning Practice Guidance have been incorporated into the proposed Plan.
- Wording amended to clarify maximum fines payable in relation to Enforcement Notices, Stop Notices and Temporary Stop Notices. This now states, "*A person found guilty on summary conviction or conviction on indictment shall be liable to a fine, the amount of which is determined by the Court and shall have, among other matters, regard to any financial benefits which have accrued or are likely to have accrued as a consequence of the offence*". The revised Plan also confirms the provisions under the Proceeds of Crime Act which may be used in planning enforcement cases to deal with those who flout valid enforcement notices for financial gain.
- The revised Plan introduces the possibility of the County Council using drones in connection with its monitoring and enforcement functions. This may include inspecting and monitoring sites to ensure compliance with planning permissions, including conditions, and to gather evidence in relation to possible breaches of planning control. The Plan confirms that the County Council will ensure that it fully complies with relevant regulations, including registration with the Civil Aviation Authority, notifying landowners and properties it is intending to fly over and compliance with the Data Protection Act and any other statutory requirements.
- The revised Plan provides further information about how to report a potential breach of planning control, what information will need to be provided by the complainant and confirmation that personal information will not be shared and will be treated in accordance with the Council's Development Management Privacy Notice.
- The revised Plan makes reference to the resourcing of monitoring and enforcement work and confirms that officers undertake a wide variety of work from site inspections, complaint investigation and formal enforcement action. The Plan confirms that the staff and financial resources allocated to the monitoring and enforcement work is constantly under review to ensure that the resources are commensurate with the duties undertaken. Some officers in the Development Management Team split their workloads between monitoring and enforcement and planning application work based on the needs of the team at any particular time.
- In terms of monitoring minerals and waste sites the Plan contains details of the current level of monitoring fees which are £397 for active/partially active sites and £132 for dormant sites. These fees are nationally set and have increased from £331 and £110 respectively.
- The schedule of the monitoring and enforcement legislative and policy framework in the Plan has been updated.
- The revised Plan confirms that a report will be brought to Planning and Licensing Committee every twelve months which will provide Members with the detail of all monitoring and enforcement work undertaken in the preceding 12 months.

Other Options Considered

7. The alternative to not adopting this Local Enforcement Plan is that the County Council's existing protocol would not be updated in line with the NPPF recommendation and not reflect the latest changes to the enforcement regime.

Reason for Recommendation

8. To inform Members of the need to update the current Local Enforcement Plan in the light of changes that have come into effect since it was published and to seek Members' approval of the updated Local Enforcement Plan to enable it to become Council policy.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, the safeguarding of children and adults at risk, service users, smarter working, and 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. There are no crime and disorder, financial, human resources, public sector, safeguarding of children and adults at risk, smarter working implications or implications for sustainability and the environment.

Data Protection Implications

10. The County Council has comprehensive procedures in place, including redacting personal data or sensitive information which accompanies any enforcement complaints, such as details of complainants, to ensure that information is kept securely and confidentially.

Financial Implications

11. There are no direct financial implications arising from the publication of the Local Enforcement Plan. However, to properly carry out the monitoring and enforcement service set out in the Plan requires the retention of Monitoring and Enforcement officers in the Development Management Team and the provision of appropriate training and development.

Human Rights Implications

12. The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial), Article 8 (Right to a private and family life) and Article 14 (Prohibition of discrimination) are relevant when considering enforcement action. Planning Practice Guidance advises that there is clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether to take enforcement action Nottinghamshire County Council will, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

Implications for Service Users

13. It is considered that the proposed updated document will assist users by containing more current and accurate information.

RECOMMENDATIONS

- 1) That Members approve the updated Local Enforcement Plan as set out in the Appendix to this report and agree its adoption as County Council policy.
- 2) That the updated policy be promoted via the Council's website and shared with relevant partner agencies and Councils as appropriate.

Councillor Chris Barnfather
Chairman Planning and Licensing Committee

For any enquiries about this report please contact: Jane Marsden-Dale, Senior Planning Officer, Tel: 0115 99325786

Constitutional Comments (RHC 07/12/2020)

14. Policy Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

Financial Comments (SES 05/01/2021)

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

Background Papers and Published Documents

- Report to Planning and Licensing Committee dated 24 November 2020.

Electoral Division(s) and Member(s) Affected

- All

LOCAL ENFORCEMENT PLAN

Nottinghamshire County Council's Guide to
Monitoring and Enforcement

Adopted May 2015- updated 2021



CONTENTS

Chapter 1 – Introduction

Chapter 2 – Overview

- key points on planning enforcement
- human rights implications of enforcement action
- possible breaches of planning control/time limits
- enforcement powers
- monitoring and enforcement team
- Use of drones

Chapter 3 – Monitoring

- liaison
- monitoring programme
- fee regime
- frequency of inspections and criteria
- rights of entry
- legal requirements

Chapter 4 – Complaints

- complaints procedure
- local liaison committees
- corporate complaints

Chapter 5 – Enforcement Procedures

- Planning Contravention Notices
- referral to other bodies
- regularising planning applications
- service of notices
- Member notification
- planning register
- appeals

Chapter 6 – Member involvement in monitoring and enforcement work

Chapter 7 – Involvement of Legal Services in monitoring and enforcement work

- legal advice
- notices

- injunctions
- prosecutions
- liaison meetings

Chapter 8 – Monitoring and Enforcement Legislative and Policy Framework

Chapter 9 – Monitoring and Enforcement Policy Statement

Chapter 10 – Useful Contacts

- Monitoring and Enforcement Team and other useful contacts

CHAPTER ONE – INTRODUCTION

- 1.1. Nottinghamshire County Council is firmly committed to delivering an effective and proportionate development management service which is fair and transparent to applicants and the wider community alike. This Local Enforcement Plan has been prepared in accordance with the guidance set out in the National Planning Policy Framework (February 2019) which states:

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate.”

- 1.2. This Local Enforcement Plan has been prepared to meet the recommendation of the National Planning Policy Framework and the associated Planning Practice Guidance and replaces the County Council's previous Local Enforcement Plan which was adopted in May 2015.
- 1.3. The Local Enforcement Plan sets out what enforcement and site monitoring service that businesses and the public can expect from Nottinghamshire County Council as Local Planning Authority. The Plan sets out the Council's approach to dealing with alleged breaches of planning control and secondly, its proactive role in periodic inspection of minerals and waste sites within the County. The Plan is an electronic document which may be viewed and downloaded from the County Council's website by following the link below:

<http://www.nottinghamshire.gov.uk/thecouncil/democracy/planning/monitoringand enforcement/>

CHAPTER TWO – OVERVIEW

Key points on planning enforcement

- 2.1 Monitoring and enforcement are key elements of County Council development management. The long-term and potentially intrusive nature of minerals and waste development requires specialist monitoring and control. The County Council has a statutory responsibility for enforcing planning control in the public interest, in order to protect public amenity, and to ensure protection of the environment. There are some key factors relating to enforcement work which are set out below:
- enforcement action is a discretionary power available to the Council and the decision to take formal action must always be well founded. Enforcement powers are only used by the County Council where it is expedient and in the public interest to do so, having regard to the development plan and other material considerations.
 - any action taken will be proportionate to the scale of the breach of planning control. The approach will be based upon the specific circumstances of the individual case, taking into account damage or potential damage to the natural or built environment, public amenity and safety.
 - enforcement is one of the most complex areas of the planning system and often breaches of planning control can take many months, or even years, to fully resolve.
 - notwithstanding regular monitoring by the Council, the public including local groups have a vital role to play in reporting potential problems to us to be investigated further.

Breaches of planning control are not a criminal offence unless the breach relates to works to a listed building, a protected species or involves the failure to comply with a statutory notice.

Human Rights implications of enforcement action

- 2.2 The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol (Protection of property), Article 6 (Right to a fair trial), Article 8 (Right to a private and family life) and Article 14 (Prohibition of discrimination) are relevant when considering enforcement action. Planning Practice Guidance advises that there is clear public interest in enforcing planning law and planning regulation in a proportionate way. In deciding whether to take enforcement action Nottinghamshire County Council will, where relevant, have regard to the potential impact

on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.

Possible breaches of planning control

- 2.3 Planning permission is required for most types of development with certain exceptions. Sometimes work commences without planning permission or is not carried out in accordance with the conditions of a planning permission. The County Council will investigate all complaints concerning potential breaches of planning control regarding minerals and waste development and those relating to its own developments. Breaches of planning control include the following:
- work undertaken without planning permission,
 - an unauthorised change of use of a building or piece of land,
 - non-compliance with plans approved by a planning permission,
 - non-compliance with conditions attached to a planning permission.
- 2.4 If a breach of planning control is confirmed, the County Council will initially try to resolve the issue by negotiation and informal action with the land owner, developer or other relevant party. Where appropriate, this may include inviting a retrospective planning application. Where a satisfactory outcome cannot be reached through negotiation formal action may be pursued. Paragraphs 2.6 – 2.16 below set out the various enforcement tools available to the Council.

Time limits for taking enforcement action

- 2.5 In certain instances, the Council is unable to take any action when too much time has elapsed since the unauthorised work or change of use was carried out. There are two time limits laid down in Section 171B of the Town and Country Planning Act, 1990. These are as follows:
- a four-year limit applies to “unauthorised operational development” which includes building works, engineering, mining or other operations and
 - a ten-year limit applies to all other development, such as a change of use or a breach of condition.

If it can be shown that a breach has continued for the above time period, and no enforcement action has been taken within that time, then the development will be immune from enforcement action. However, in cases relating to “concealment” the Council is able to take action even after the above time limits have expired under provisions which were introduced in

2012 under Section 124 of the Localism Act. Paragraph 2.16 below sets out this provision in more detail.

Enforcement powers

- 2.6 There are a variety of enforcement and regularising powers available to the Council to deal with breaches of planning control under the Town and Country Planning Act 1990. In all instances the most appropriate action will be chosen based upon the specific circumstances of the breach. Enforcement action will be proportionate to the breach of planning control and will only be taken when it is expedient to do so. Where relevant this will involve prior liaison with the Council's legal advisers. A summary of the main powers is listed below, which are, with the exception of retrospective planning applications, only applicable to minerals and waste activity. For breaches of planning control in respect of the Council's own development, appropriate action will be taken through internal Council procedures.
- 2.7 **Retrospective Planning Applications** - Unauthorised development can sometimes be made acceptable by the granting of planning permission, usually involving the imposition of planning conditions, where the unauthorised development is in line with the development plan. Where appropriate, the Council may invite a retrospective planning application to regularise the unauthorised work (made under Section 73 A of the Town and Country Planning Act, 1990). The planning process follows the same procedures as a normal planning application and the development is publicised and consulted upon in the standard way. However no prior guarantee can be given that planning permission will be forthcoming. An Enforcement Notice may also be issued in relation to elements of the development. The Localism Act 2011 brought in a reduction in the options available to anyone who has undertaken unauthorised development. Regularising unauthorised development can either be by the submission of a retrospective planning application OR by means of an appeal against an enforcement notice on the grounds that planning permission ought to have been granted or the condition or limitation concerned ought to be discharged (known as a ground (a) appeal). Under the new provisions the Council now has the power to decline to determine a retrospective application if an enforcement notice has been issued for the same development. Subsection (4) limits the right of appeal against an enforcement notice after a retrospective application has been submitted, but before the time for making a decision has expired.
- 2.8 **Certificates of Lawfulness of Existing Use or Development** - Where development has taken place without planning permission Section 191 of the Town and Country Planning Act, 1990 allows for the issuing of a Lawful

- Development Certificate if certain conditions can be met. This enables the owner to obtain a statutory document confirming that the use, activity or other development is lawful for planning control purposes at that particular time. The issue of the certificate depends entirely on factual evidence about the activities which have taken place on the land, the planning status of the site and on the interpretation of relevant planning law. Whether the use is acceptable in planning terms is irrelevant - what is important is the factual evidence. There are factors which must be satisfied for such certificates to be issued in terms of the length of time a use or development has existed uninterrupted. The onus is on the applicant to provide evidence to support any application.
- 2.9 **Planning Contravention Notice (PCN)** - Service of this notice under Section 171C of the Town and Country Planning Act 1990 does not constitute formal enforcement action but is used where the Council suspects that a breach of planning control may have occurred. This notice enables the Council to obtain relevant information relating to any use of, or activities being carried out on, land and other relevant facts to ascertain whether a breach of planning control has occurred, and if so, whether enforcement action is appropriate. Failure to complete or return a notice within 21 days is an offence, as is providing false or misleading information on the notice.
- 2.10 **Breach of Condition Notice (BCN)** – A breach of condition notice served under Section 187A of the Town and Country Planning Act 1990 requires compliance with the terms of one or more planning conditions attached to a planning permission as specified by the notice. It can be served on any party carrying out the development on the land and/or any person having control of the land. The BCN will set out the necessary steps to ensure compliance with the condition(s) being breached with a minimum of 28 days for compliance. Following the end of the period for compliance a “person responsible” who has not ensured full compliance with the conditions will be in breach of the notice and guilty of an offence under S187A (8) and (9) of the Town and Country Planning Act 1990. Summary prosecution can be brought in the Magistrates’ Court for the offence of contravening a breach of condition notice. This can result in a fine of up to £2500. There is no right of appeal to the Secretary of State against a BCN, although it can be challenged by applying to the High Court for a judicial review.
- 2.11 **Enforcement Notice** - Under Section 172 of the Town and Country Planning Act 1990, the County Council has the discretionary power to issue an Enforcement Notice where it appears to the Council:
- that there **has** been a breach of planning control **and**,

- that it is **expedient** to issue the notice having regard to the development plan and other material considerations.

The notice is served on the owner(s) and occupier(s) of the land to which it relates and any other party with an interest in the land which is materially affected by the notice. The notice must specify exactly what, in the Council's view, constitutes the breach of planning control; and secondly what steps are necessary to remedy the breach of planning control. This may require activities to cease and the land to be restored to its condition before the breach took place. There is a right of appeal to the Secretary of State against an Enforcement Notice. The appellant must submit their appeal to the Planning Inspectorate before the effective date specified in the enforcement notice. If an appeal is lodged the terms of the notice are suspended until the appeal is determined. If no appeal is made, then the notice takes effect and all the requirements of the notice must be met. It is an offence not to comply with an Enforcement Notice, once the period for compliance has elapsed, and there is no outstanding appeal. A person found guilty on summary conviction or conviction on indictment shall be liable to a fine, the amount of which is determined by the Court and shall have, amongst other matters, regard to any financial benefits which have accrued or are likely to have accrued as a consequence of the offence. The Council has the powers under Section 178 of the Town and Country Planning Act 1990 to enter enforcement notice land and carry out the requirements of the notice itself (known as Direct Action). It is an offence to willfully obstruct anyone who is exercising those powers on the Council's behalf. The Council is able to recover from the owner of the land any expenses reasonably incurred by them in undertaking this work (Regulation 14 Town and Country Planning General Regulations 1992). The Council will consider such action in appropriate cases. The enforcement notice is registered as a local land charge and will therefore be made known to any potential purchaser of the land. Where appropriate, the provisions under the Proceeds of Crime Act 2002 (POCA) will be used for non-compliance with Enforcement Notices and other relevant breaches. Provisions under POCA may be used in planning enforcement cases to deal with those who flout validly served enforcement notices for financial gain.

- 2.12 **Stop Notice** - These are used in the most urgent or serious cases in conjunction with Enforcement Notices where it is considered expedient that an activity must cease before the expiry of the period for compliance specified in the associated enforcement notice. The Council will specify in the Stop Notice when it is to take effect, this is normally no less than 3 days after the service unless special reasons exist for an earlier date. This is usually on grounds of public safety or to prevent serious irreversible harm

to the environment. There is no right of appeal against a Stop Notice and it will take effect even if the accompanying Enforcement Notice is appealed. A person found guilty on summary conviction or conviction on indictment shall be liable to a fine, the amount of which is determined by the Court and shall have, amongst other matters, regard to any financial benefits which have accrued or are likely to have accrued as a consequence of the offence. An appeal can be made against the accompanying Enforcement Notice and where this is successful the Council may be liable to pay compensation in certain circumstances. Consequently, the use of stop notices will always be carefully assessed by the Council.

- 2.13 **Temporary Stop Notices (TSNs)** - This power available to local planning authorities was introduced by the Planning and Compulsory Purchase Act 2004 (inserting sections 171E to 171 H into the Town and Country Planning Act, 1990). These are similar to Stop Notices in that they require the immediate cessation of an activity or use but TSNs do not need to be served in conjunction with an enforcement notice. They take effect immediately they are displayed on a site and last for up to 28 days. This enables the Council to decide on whether further enforcement action is appropriate and also what form it should take. Temporary Stop Notices will prohibit only what is essential to safeguard amenity or public safety or prevent serious or irreversible harm to the environment. Before serving the Notice, the Council, where practicable, may discuss whether there are alternative means of production or operation which would overcome the objections to it in an environmentally and legally acceptable way. It is an offence to contravene a TSN and a person found guilty on summary conviction or conviction on indictment shall be liable to a fine, the amount of which is determined by the Court and shall have, amongst other matters, regard to any financial benefits which have accrued or are likely to have accrued as a consequence of the offence. Any person affected by a TSN can make representations to the Council to challenge the notice however there is no right of appeal to the Secretary of State against the prohibitions in a TSN, although the validity of a decision can be judicially reviewed, and compensation be payable for financial loss if development is held lawful by granting a Certificate of Lawfulness.
- 2.14 **Injunctions** - Applications can be made by the Council to the High Court or County Court for an injunction to restrain an actual or apprehended breach of planning control where it is expedient to do so. Local Planning Authorities can apply for an injunction whether or not it has exercised any other powers to enforce planning control. However, injunctions are generally used as a last resort for the most serious cases where there have been persistent breaches of planning control over a long period and/or other enforcement options have been ineffective. Courts may grant an

injunction against a person whose identity is unknown. Failure to comply can lead to unlimited fine or imprisonment. Councils will be required to provide evidence of their inability to ascertain the identity of the person and the steps taken in attempting to do so.

- 2.15 **Prosecution** – The option of pursuing prosecution is open to the Council if a formal notice has not been complied with within a specified period. This involves an evidential test and would need to satisfy a public interest test.
- 2.16 **Planning Enforcement Orders** - The Localism Act 2011 introduced planning enforcement orders (PEOs) to tackle breaches of planning control, both unauthorised uses and development that are deliberately concealed. Planning enforcement orders enable Councils to take enforcement action after the usual time limits for taking enforcement action (as referred to in paragraph 2.5 above) have expired. Councils must have sufficient evidence of the apparent breach to justify applying for a PEO which must be made within 6 months of becoming aware of the breach. The application for a PEO must be made to a Magistrates' Court and a copy served on the owner and occupier of the land and anyone with an interest who would be materially affected by the enforcement action. The applicant and those affected have the right to appear before and be heard by the court. The effect of the PEO is that the Council can take enforcement action during the “enforcement year” which does not begin until the end of 22 days starting with the day of the Court’s decision to make the Order or when an appeal against the order has been dismissed. Planning Enforcement Orders will focus on the worst cases of concealment and can only be made where the developer has deliberately concealed the unauthorised development rather than merely refraining from informing the Council about it.

Monitoring and Enforcement Officers

- 2.17 The Monitoring and Enforcement Team form part of the Development Management Team within the Planning Group. Currently the Team comprises the Senior Practitioner - Monitoring and Enforcement, a Senior Enforcement Officer together with three Monitoring and Enforcement Officers whose work is split with planning application work. Their work involves regular liaison with internal and external legal advisers. The staff and financial resources allocated to the monitoring and enforcement work of the County Council is periodically reviewed to ensure that the resources are commensurate with the duties undertaken.
- 2.18 Monitoring and Enforcement Officers form part of the Development Management Team within the Planning Group. These officers undertake a

wide variety of work from site inspections, complaint investigation and formal enforcement action. Their work involves regular liaison with internal and external legal advisers. The staff and financial resources allocated to the monitoring and enforcement work of the County Council is constantly under review to ensure that the resources are commensurate with the duties undertaken and a number of officers split their workloads between monitoring and enforcement and planning application work based on the needs at any particular time.

Use of drones

- 2.19 In future the County Council may use drones (unmanned aerial vehicles UAVs) in connection with its monitoring and enforcement functions. This may include inspecting and monitoring sites to ensure compliance with planning permissions, including conditions, and to gather evidence in relation to possible breaches of planning control. In the event that a drone is used the County Council will ensure that such use complies with relevant Council policies and procedures, legislation and regulatory requirements, which may include registration with the Civil Aviation Authority [and where appropriate, notification regarding land and property it is intending to flyover]. Any personal data collected will be stored and retained and disposed of in accordance with the Council's Data Protection policies/ Retention schedule and this is referenced in the Planning Service Privacy Notice which can be found here <https://www.nottinghamshire.gov.uk/planning-and-environment/planning-applications/development-management-privacy-notice>

CHAPTER THREE – MONITORING

- 3.1 The County Council has responsibility for monitoring minerals and waste sites and the County's own developments. Monitoring is undertaken for two reasons firstly, to ensure compliance with the terms of planning permissions including conditions and legal agreements and secondly, to ensure that unauthorised developments are regularised or removed.
- 3.2 Regular monitoring is an essential tool for controlling development and activity. This proactive approach enables the Council to anticipate and resolve breaches of planning control often before they occur. It is through effective monitoring that the public's perception of the quality of development is often established.
- 3.3 Planning permissions for minerals and waste sites and for some of the larger County Council developments are often complex, sometimes with many conditions and legal agreements attached. These may require the submission of further details, e.g. schemes to be agreed, phasing details, landscaping schemes or compliance with time limits or other requirements. The responsibility for submitting details and complying with time limits required by the permission lies with the applicant and / or the site operator. However, the County Council will, wherever possible, remind applicants of the need to submit details required by a planning permission or the need to renew a temporary permission. For the larger minerals and waste sites, which are often subject to several separate planning permissions, this can be achieved by Site Audits where the terms of relevant planning permissions and associated legal agreements are regularly reviewed with the applicant/operator.

Liaison

- 3.4 Where appropriate, liaison with other bodies such as District Councils or the Environment Agency will take place to co-ordinate monitoring arrangements and share data where appropriate.

Monitoring Programme

- 3.5 Once planning permission has been granted systems are put in place to ensure adequate monitoring of the decision. The nature of minerals and waste development requires specialist monitoring often over a considerable period of time. However, these sites operate at a high level of activity at certain times; whilst at other times are active only intermittently.
- 3.6 The monitoring programmes need to be based upon a number of factors
Page 135 of 190

including the level of activity, the stage the development has reached, and the nature of the operations involved. All new sites are entered into a database with appropriate monitoring files established.

Fee Regime

- 3.7 Since April 2006 Minerals and Waste Planning Authorities (MWPA) have been able to recover costs incurred in the routine monitoring of minerals and landfill sites under the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2013. This does not apply to other forms of waste management such as recycling plants or composting sites. The liability to pay the fee is the responsibility of the primary operator (or split on joint / multi operator sites); in default this would rest with the freehold landowner.
- 3.8 The period over which the fees must be paid covers the full duration of the planning permission from implementation through to final completion of aftercare. At present the national fee set by Government is £397.00 per inspection for active/partially active sites and £132.00 for dormant sites.
- 3.9 The County Council will continue to monitor all relevant sites, irrespective of whether they are able to recover the cost of monitoring, to ensure compliance with the terms of planning permissions and encourage good practice.

Frequency of inspection

- 3.10 The decision on the appropriate number of inspections for each site rests with the MWPA, although Government guidance restricts inspections to a maximum of eight in any charging year and suggests an average of four per year for an active site.
- 3.11 Visits made in response to a complaint are outside the agreed number of visits and are not chargeable, even if the complaint is substantiated. However, in these circumstances it is likely that an increased frequency of monitoring will be needed in the subsequent year to more closely review the problem area(s).
- 3.12 The mechanism for overcoming a disagreement between the Council and the operator regarding visit frequency is through the Council's complaint procedure and ultimately the Local Government Ombudsman.

Criteria for determining frequency of monitoring visits

- 3.13 The County Council decides the monitoring site visit frequency on a site-specific basis, taking into account the following factors: type of site, size, number and complexity of conditions, number of conditions requiring monitoring, stage of development, progressive nature of working, breaches of planning control observed, complaints received and previous history.
- 3.14 A generic set of criteria has been adopted by the Council to determine the site visit frequency. This is set out in Appendix 2. The criteria have been established to reflect guidance that on average a site should expect four chargeable visits per year, with scope to revise this figure in the light of improved / worsened performance and changes in the circumstances regarding the site type or phase of the development.
- 3.15 Provision is also made for unannounced inspections within these in order to retain scope for unscheduled reviews of operations thereby addressing a concern sometimes raised that operations observed on scheduled visits are unrepresentative of routine day to day operations.

Rights of entry

- 3.16 Generally, access to sites will be part of the established monitoring routine. Monitoring staff will have regard to health and safety requirements, and operators are encouraged to nominate a representative who can act as the main point of contact. However, because of the nature of enforcement work it will often not be prudent or possible to give advance notice of the intention to visit a site.
- 3.17 Authorised officers have a statutory right of entry for enforcement purposes¹. This right is limited to what is regarded as reasonable, in the particular circumstances for effective enforcement of planning control. The legislation specifies the purposes for which entry to land maybe authorised. They are:
 - to ascertain whether there is, or has been, any breach of planning control on the land, or on any other land;
 - to determine, whether any of the LPA's enforcement powers should be exercised in relation to the land, or any other land;
 - to determine how any such power should be exercised; and
 - to ascertain whether there has been compliance with any requirement arising from earlier enforcement action in relation to the land, or any other land.

(The inclusion of the words "any other land" means that, if necessary,

neighbouring land can be entered, whether or not it is owned or occupied by the person whose land is being investigated).

Legal Requirements

- 3.18 Officers visiting sites will carry their identity cards with them at all times and, where relevant, will produce evidence of authorisation and state the purpose of the visit before entering the land.
- 3.19 When visiting sites for enforcement purposes, officers will seek the cooperation of the owner or occupier. If entry to a site is denied, subsequent visits may involve the assistance of the Police to accompany members of staff. Refusal to allow entry can be regarded as “wilful obstruction” and the owner/occupier could be prosecuted under Section 196C of the Town and Country Planning Act 1990.
- 3.20 The County Council will follow relevant legislation in relation to gathering of evidence² and how investigations leading to potential prosecutions are structured³.

¹ Sections 196A, 196B and 196C of the Town and Country Planning Act 1990 as amended.
² Page 138 of 190

- 2 Police and Criminal Evidence Act, 1984 and Protection of Freedoms Act 2012.
- 3 Criminal Procedure and Investigations Act, 1996 (subject to subsequent amendments).

CHAPTER FOUR – COMPLAINTS

- 4.1 Minerals and waste activity can be seen as harmful to amenity, destructive to the environment or as a nuisance. Both new and ongoing development can give rise to complaints. It is the responsibility of the County Council to deal with complaints relating to alleged breaches of planning control on minerals and waste sites and for those relating to the County's own developments.
- 4.2 Complaints may be reported directly to the County Council either by telephone, in writing or by email to planning.enforcement@nottsc.gov.uk. When a complaint is made as much information regarding the alleged breach should be supplied and should include the following: the address of the land or property where the breach occurred, details of the development or activity breaching planning control and the date the breach occurred or began. The complainant's contact details should be provided. Personal information will not be shared and will be treated in accordance with the Council's Development Management Privacy Notice which may viewed at <https://www.nottinghamshire.gov.uk/planning-and-environment/planning-applications/development-management-privacy-notice>.
- 4.3 Complaints are sometimes made to other agencies such as District Councils, Parish Councils and the Environment Agency. It is important that close liaison is maintained with such outside bodies to ensure that the correct organisation can follow up the complaint with the appropriate action.

Complaints Procedure

- 4.4 Complaints about alleged breaches of planning control referred to the Team will be dealt with in accordance with the following procedures:
- All complaints will be entered onto the Monitoring and Enforcement Team's Complaints Register.
 - The identity of complainants will be kept confidential (in the event of legal proceedings complainants may be asked to appear in court as witnesses).
 - All complaints will be acknowledged within 3 working days informing the complainant of the case officer dealing with the complaint.
 - The site operatives or owners (where known) will, where appropriate, be advised of the nature of the complaint within 3 working days of the complaint being received.
 - Where appropriate, an initial investigation will be undertaken within 3 working days of the complaint being received.
 - The complainant will receive a written response within 15 working

days* of the complaint being made, confirming the outcome of the investigation and any action the Council proposes to take. If no action is proposed, or investigations are ongoing the reasons will be explained.

- Where a breach of planning control is established the person responsible for the breach will be informed and notified what action should be taken to correct it. A time limit will be given and the consequences of not taking the appropriate action will be explained.
- Where there is no breach of planning control, but the complaint is nevertheless considered a problem, the Council will seek the co-operation of the operator in solving or mitigating the effect of the problem.
- Liaison with other agencies, e.g. Environment Agency, District Councils etc. will take place where the nature of the complaint may be relevant to them.

**This target is an internal performance indicator against which the Development Management Service is measured on a quarterly basis.*

Local Liaison Committees

- 45 For large sites or those operating over a long period of time, arrangements are often made for the establishment of a Local Liaison Committee which meet on a regular basis. The Liaison meetings aim to achieve an open, transparent and constructive relationship between operators and the local community. This practice is encouraged as it provides a forum where representatives of the County Council, Parish Council, site operatives, other regulatory bodies, elected members and members of the local community can discuss issues which concern them. Whilst some matters can be resolved through these Committees or by local people dealing directly with an on-site contractor, some complaints need to be referred to the Monitoring and Enforcement Team to investigate further.

Corporate Complaints

- 46 The County Council has a corporate complaints procedure. Anyone dissatisfied with the way in which the Council has handled any matters relating to monitoring or enforcement can pursue a complaint through this procedure. Complaints may be made on-line, by Freephone, in writing or in person. Further details can be found on the County Council website at www.nottinghamshire.gov.uk

5 CHAPTER FIVE – ENFORCEMENT PROCEDURES

- 5.1 Enforcement action will be taken in accordance with the following procedures.
- 5.2 Once sufficient information regarding an alleged or actual breach of planning control is available the site operator and land owner will be sent a letter setting out the County Council's concerns. The letter may contain a request to cease the unauthorised activity or remedy the breach by a particular deadline.

Planning Contravention Notices

- 5.3 The letter may be accompanied by the service of a Planning Contravention Notice⁴ which may only be served when it appears to the LPA that a breach of planning control may have occurred. The service of PCNs does not constitute formal enforcement action and are used to determine site ownership or other relevant information relating to the alleged breach of planning control⁵. Failure to comply with a PCN within 21 days or the supply of false information is a summary offence.
- 5.4 Details of the PCN are entered onto the Monitoring and Enforcement database and a copy of the notice entered onto the Planning Contravention Notice Register.
- 5.5 Where appropriate, a Land Registry search of the land and/or a Company search will be carried out in order to ascertain whether the site is registered land and to obtain ownership details.
- 5.6 Within 5 working days of the expiry of the deadline or upon receipt of a written explanation from the site operator or land owner, a decision will be made on the appropriate action to be taken. This decision may be taken following consultation with Legal Services.
- 5.7 If no further action is warranted a written note of explanation will be placed on the file, and the site operator and/or land owner notified in writing.

⁴ PCN's are served under Sections 171C and 171D of the Town and Country Planning Act 1990, as amended.

⁵ Other legislation is also sometimes used to obtain information including Section 16 of the Local Government (Miscellaneous Provisions) Act, 1976 as subsequently amended / extended and Section 330 of the Town and Country Planning Act, 1990.

Referral to other bodies

- 5.8 If other authorities, such as the district council, or agencies such as the Environment Agency, are responsible for further action, the site operator and/or the land owner will be notified within ten working days of the deadline that the County Council has passed on all relevant information to the appropriate body.

Regularising planning applications

- 5.9 If it is considered appropriate for a planning application to be sought to regularise any breach the site operator / landowner will be informed within ten working days of the deadline.
- 5.10 If the breach continues and no satisfactory agreement can be reached with the site operator and landowner on an acceptable course of action, following consultation with Legal Services they will be notified in writing that formal proceedings are being instigated. Chapter 2 sets out the enforcement tools available to the County Council and the most appropriate course of action will be chosen based on the particular circumstances of the breach of planning control.

Service of notices

- 5.11 If it is considered expedient to do so an Enforcement Notice, Breach of Condition Notice or, in more serious cases, a Stop Notice (or Temporary Stop Notice) will be served on all relevant landowners, occupiers or any other parties having an interest in the land to remedy a breach of planning control. The appropriate notice will be served following consultation with Legal Services.
- 5.12 The notice will identify the land; specify the nature of the breach, the steps necessary to remedy the breach and the timescale for compliance. It is essential that all information on the notice is correct to ensure the notice is not a nullity and that it can be defended if appealed.
- 5.13 All notices will be signed by an appropriately authorised officer.

Member notification

- 5.14 Following the service of a notice the Chairman and Vice-Chairman of Planning and Licensing Committee and the Divisional Member(s) will be notified in writing within 3 working days of the service of the notices.

Planning Register

- 5.15 Within five working days of service a copy of the relevant notice will be sent to the relevant District Council with a request that the notice be entered on the Planning Register and Land Charges Register. District Councils have a statutory duty to place all notices on the Planning Register and declare such details in subsequent search enquiries.

Appeals

- 5.16 Anyone served with an Enforcement Notice can lodge an appeal before the notice takes effect to the Planning Inspectorate. (There is no right of appeal against Breach of Condition Notices, Stop Notices or Temporary Stop Notices). Parties served with Enforcement Notices are informed of their rights of appeal and advised of the procedures. In the event that an appeal is lodged, subsequent action will then follow the appeals process.

6 CHAPTER SIX – MEMBER INVOLVEMENT IN MONITORING AND ENFORCEMENT WORK

- 61 Under the Council Constitution all enforcement functions are delegated to the Corporate Director, PLACE and other authorised officers. Notwithstanding this delegation of power, Members will continue to be involved in monitoring and enforcement issues in a number of ways.
- 62 Firstly, reports will be presented to Planning and Licensing Committee every twelve months. The reports provide Members with the detail of all monitoring and enforcement work undertaken in the preceding 12 months. The following information will be contained within the reports:
- number of site inspections for both County matter and County Council development, including details of the amount of any fees generated by monitoring inspections.
 - number of complaints received and investigated and the extent to which those investigations have met local performance indicators. A breakdown of complaints by District will be provided.
 - number of notices served, and other action taken together with the reasons for their service.
 - an update on the current status of all outstanding enforcement cases.
- 63 Secondly, outside the above report dates some individual cases will be reported to Committee including those which raise specific enforcement issues or involve breaches of planning control likely to have significant impact. These reports will include the following details:
- breach of control
 - the steps necessary to remedy it
 - the type of action recommended
 - the period for compliance
 - the reasons why it is expedient to take enforcement action
 - request for authority for other appropriate action (e.g. legal action) so as to avoid repeated reports to Committee.
- 64 Member endorsement will also be sought for all enforcement action which may give rise to liability to pay compensation, such as the service of Temporary Stop Notices and Stop Notices. The agreement of the Chairman and Vice Chairman of Planning and Licensing Committee will be sought prior to the service of these notices.

CHAPTER SEVEN - INVOLVEMENT OF LEGAL SERVICES IN MONITORING AND ENFORCEMENT WORK

7.1 Involvement of legal services occurs in the following ways:

Legal advice

7.2 Informal and formal requests for information or advice will be sought from Legal Services as required.

Notices

7.3 The advice of Legal Services will be sought prior to the service of all notices, except Planning Contravention Notices. Requests for advice will include the following information:

- planning history and investigations to date
- details of the alleged breach
- ownership details
- copies of draft enforcement notices and plans
- a summary of potential grounds of appeal
- an assessment of the Human Rights issues
- a cost benefit analysis (in the event a Stop Notice or Temporary Stop Notice is to be served)
- a review of the authority to serve.

7.4 Once drafted the notice will be signed by an appropriately authorised officer.

Injunctions

7.5 Within requests for advice concerning injunctions the above information will be sent to Legal Services together with necessary witness statements. In these cases, the Group Manager- Planning or in their absence the Team Manager of Development Management will sign the request.

7.6 Following receipt of the above information Legal Services will be responsible for advising on the suitability of an injunction and for the drafting and service of relevant documents to the courts and other parties. Legal Services will conduct proceedings in Court or be responsible for instructing an outside partner. Officers from the Monitoring and Enforcement Team will give evidence and be cross-examined as required. The Monitoring and Enforcement Team will be responsible for collecting evidence of compliance and advising Legal Services accordingly.

Prosecutions

- 7.7 In the event of a prosecution, this will be initiated by a memo to Legal Services signed by the Group Manager Planning or in their absence the Team Manager of Development Management. This will include details of the notices, the alleged offence, evidence collected and a review of the potential weaknesses/strengths of the case. Legal Services will then advise on any further evidence which may need to be collected and subsequently prepare the case, produce and serve the information and conduct the legal case.

Liaison Meetings

- 7.8 Regular liaison meetings will continue to take place between officers from planning and legal services.

CHAPTER EIGHT – THE MONITORING AND ENFORCEMENT LEGISLATIVE AND POLICY FRAMEWORK

Statutory Background:

8.1 Enforcement is a complex area of planning law. All enforcement and monitoring action will be undertaken in accordance with current legislation and guidance.

Enforcement policy guidance is contained within:

- National Planning Policy Framework 2019
- Planning Practice Guidance
- The Planning Inspectorate Guides - Procedural Guide – Enforcement Appeals- England - March 2016
- Procedural Guide - Certificate of Lawful use or development appeals – England - March 2016
- Guide to taking part in enforcement appeals and lawful development certificate appeals proceeding by an Inquiry – England - September 2019
- Local Government Ombudsman - Fact sheet 7 - Complaints about planning enforcement April 2019
- Planning Portal - Enforcement Appeals <https://www.planningportal.co.uk>

Local policies are contained within:

- Nottinghamshire Minerals Local Plan (to be replaced by the New Minerals Local Plan and other Minerals Development Documents)
- Nottinghamshire County Council and Nottingham City Council Waste Core Strategy adopted December 2013 and other waste site specific and development management policies (forming the second part of the replacement Waste Local Plan)
- Nottinghamshire and Nottingham Waste Local Plan (Saved Policies) – adopted 2002
- Statement of Community Involvement – adopted 2018
- Various Local Plans produced by District and Borough Councils in Nottinghamshire.

The above legislative and policy framework has been taken into account in preparing this Local Enforcement Plan and are relevant to the monitoring and enforcement work of the County Council.

CHAPTER NINE – MONITORING AND ENFORCEMENT POLICY STATEMENT

- 9.1 In dealing with the enforcement of planning control the County Council will have regard to the provisions of the Development Plan, current legislation, government guidance and any other material considerations.
- 9.2 The County Council, in carrying out its enforcement duties, will be professional, consistent, transparent and fair with all parties, including those who are alleged to be responsible for unauthorised activity and those who have reported any alleged breach of planning control.
- 9.3 Investigations and action undertaken as part of the enforcement responsibilities of the County Council will be publicly available in Planning and Licensing committee reports.
- 9.4 The details of all monitoring and enforcement work will be regularly reported to Members for information. Approval of the Chairman and Vice Chairman will be sought in enforcement cases where compensation issues may arise.
- 9.5 All monitoring and enforcement work will be undertaken in accordance with the Council's Corporate objectives and will aim to meet locally or nationally set performance indicators.
- 9.6 The County Council, in fulfilling its enforcement responsibilities, will liaise with other relevant parties (including the Environment Agency, District Councils and Environmental Health Officers) to resolve breaches of planning control. Appropriate contact with the general public and developers will be maintained.
- 9.7 The County Council will periodically review the resources that it makes available for enforcement and monitoring work to ensure staff and financial resources are sufficient to fulfil its responsibilities for the enforcement of planning control.
- 9.8 The County Council will undertake its monitoring and enforcement work in accordance with the Local Enforcement Plan. The Plan will be periodically reviewed and updated, as appropriate.

CHAPTER TEN – USEFUL CONTACTS

Monitoring and Enforcement Team and other useful contacts:

Enforcement and Monitoring Team	0115 9932599	planning.enforcement@nottscc.gov.uk
Environment Agency	08708 506506	enquiries@environmentagency.gov.uk
Planning Portal		www.planningportal.gov.uk
Ashfield District Council	01623 450000	www.ashfield-dc.gov.uk
Bassetlaw District Council	01909 533533	www.bassetlaw.gov.uk
Broxtowe Borough Council	0115 9177777	www.broxtowe.gov.uk
Gedling Borough Council	0115 9013901	www.gedling.gov.uk
Mansfield District Council	01623 463463	www.mansfield.gov.uk
Newark and Sherwood District Council	01636 650000	www.newark-sherwooddc.gov.uk
Nottingham City Council	0115 9155555	www.nottinghamcity.gov.uk
Rushcliffe Borough Council	0115 9819911	www.rushcliffe.gov.uk



13 January 2021

Agenda Item: 7

REPORT OF THE LEADER OF THE COUNCIL

SUPPORTING NOTTINGHAMSHIRE YOUNG PEOPLE AS THEY MAKE KEY CHOICES ABOUT THEIR FUTURE

Purpose of the Report

1. To seek approval to develop a suite online resources and jointly sponsor a Nottinghamshire virtual careers fair to showcase options for young people, by March 2021.

Information

2. Employment and skills are a cornerstone of the Council Plan 'Your Nottinghamshire, Your Future' which is focused on increasing the number of jobs within the economy and ensuring that businesses can access the skilled workers they need, both now and in the future. Specific reference is made to working in partnership with skills and employment practitioners to ensure people can acquire the skills and qualifications they need to build a rewarding life and career.
3. With people's job prospects and living standards suffering under COVID-19 the role of the Council in supporting the local economy has never been so critical. The Council puts children and young people at the heart of everything it does and sets great store on its role in achieving better and consistently good outcomes with its range of existing support.

The Nottinghamshire County Council Approach

4. For over a decade, the Nottinghamshire Outstanding Achievement 4Uth Award has recognised young people who have achieved a great deal and pushed their personal boundaries, whatever they are. It is a County Council initiative to celebrate the achievements of young people across the county. The 2020 awards will recognise young people in Nottinghamshire who have responded positively to the impact of COVID-19, and the actions they have taken to support themselves, their friends, family or their community.
5. The Council are committed to engaging young people to consider the career options available to them in local government and the wider public sector. As a large employer for the public sector the Council offers short term, unpaid, work experience opportunities in support of its aspiration to be an exemplar of good employment practice through encouraging people back into the workplace. The Workforce and Organisational Development team are currently developing a range of virtual work experience packages to ensure that young people continue to have the opportunity to learn about career options available to them within local authority.
6. It is already recognised that young people will be disproportionately impacted by the changes in the job market as a result of the COVID pandemic and the need for the Council

to take a leadership role in creating new opportunities for young people, particularly those who have left care, have a disability or who are from an ethnic minority currently under-represented in the Council's or wider local workforce. Personnel Committee will consider a report on 20 January which seeks approval for the Council to become a Gateway employer under the Kickstart programme. The report also seeks to celebrate the various graduate trainee cohorts demonstrating two very different aspects of the Council's offer to promote employment opportunities for young people. This fits within the wider programme of work experience, supported interns, the Leonard Cheshire Change 100 programme, apprenticeships as well as graduate traineeships to create an offer which meets the differing needs of our young people.

7. The Council makes a significant contribution to promoting jobs and growth in the local economy through high-quality apprenticeship and graduate schemes. In providing apprenticeships and offering training opportunities for young people, the Council is showing the difference local leadership can make to people's lives and their futures and is leading the way in prioritising jobs and opportunities for young people. Creative use of the apprenticeship levy is providing further opportunities for young people to achieve a qualification in areas not traditionally part of the employment offer in the Council.

The Nottinghamshire County Council COVID-19 crisis Economic Recovery Action Plan 2020-2022

8. Nottinghamshire County Council places importance on developing a culture of aspiration and high achievement and supporting those who are not yet achieving their full potential, for whatever reason. The Council wants all children to have the same opportunities and life chances, and to be provided with the skills to help create the right conditions for a strong local economy. As detailed in Nottinghamshire County Council's COVID-19 crisis Economic Recovery Action Plan 2020-2022, actions to tackle the potential burgeoning youth unemployment is vital to ensure that young people are receiving crucial careers support.
9. Supporting young people as they make key choices about their futures is more important than ever in light of the current pandemic. It was for this reason at its 16 July 2020 meeting, the COVID-19 Resilience, Recovery and Renewal Committee approved the creation of an employment and skills portal. The aim being to make things a little easier by bringing together all the information needed in relation to training, employment and skills and putting it in one place. The portal is accessible online at:
<https://www.nottinghamshire.gov.uk/jobs-and-working/employment-and-skills-portal>
10. Gatsby Benchmarks are the foundation of the Careers Strategy, a statutory requirement for secondary schools and colleges. The Gatsby Benchmarks are a framework of eight guidelines that define excellent career guidance, which the Department for Education (DfE) expected schools and colleges to meet by the end of 2020. The benchmarks are not a statutory framework but by adopting them, schools can be confident that they are fulfilling their legal duties. In other words, the benchmarks will help schools measure and improve their career provision.
11. With the recent closure of classrooms, research shows that the education gap is widening. The cancellation of work experience placements means that young people are missing out on developing fundamental workplace skills. It is therefore important that we find innovative ways to give young people the support they need to keep on learning and thriving and provide an awareness of the workplace and opportunities available to them.

12. The Council part funds two enterprise co-ordinators in Nottinghamshire and works in partnership with the Careers and Enterprise Company (CEC) to ensure all secondary students in Nottinghamshire experience at least four meaningful employer encounters throughout the lifetime of the programme. This action helps increase students' knowledge about careers opportunities and how to access them.
13. Despite lockdown, there has been significant progress in the CEC Co-ordinators and Nottinghamshire Enterprise Adviser Network. Three salient points merit reference:
- maintained contact with all our schools
 - organised online network events for Careers leaders, for Enterprise Advisers and for interested groups to promote making encounters with employers meaningful
 - New Enterprise Advisers signed up and matched with schools following: training, on-boarding and disclosure and barring service (DBS) checks.
14. To respond to the needs of young people, school and business, it is proposed that officers collaborate with the Enterprise Co-ordinators, our jointly-owned social enterprise Futures Advice, Skills and Employment and the Department for Work and Pensions (DWP), to develop a suite of virtual and online resources and jointly sponsor a virtual careers fair.
15. In lieu of a physical event due to COVID-19, the proposed virtual careers fair will take place on social media, with Nottinghamshire County Council's Facebook, Twitter and LinkedIn pages set to feature regular posts. Young people who are starting to look at their future career and further and higher education options, will be encouraged to register and come along, ask questions and find out more about what their future may hold. The initiative will be promoted via schools, academies and other educational establishments, as well as via the participating employers and organisations.
16. Subject to member approval, this would be the first virtual careers fair the Council will have organised during the COVID-19 lockdown. Job vacancies and current opportunities will be posted in partnership with DWP. There will be a range of helpful information about services, such as the Government's "Jobs Help" campaign, further details of which can be accessed online at: <https://jobhelp.campaign.gov.uk/>. The virtual careers fair will create a positive buzz to show that businesses are still seeking student and graduate talent despite the challenges of coronavirus and will:
- provide information on study and progression routes, labour market information and access to employers
 - provide an opportunity for employers and recruiters to engage with Nottinghamshire schools and students
 - help schools achieve Gatsby Benchmarks 5 (encounters with employers and employees) and 6 (experience of workplaces), through interactive careers information.
17. The Enterprise Co-ordinators have undertaken research with schools, receiving 55 responses. There was unanimous support for an event. Having canvassed opinion, feedback has settled on what the virtual careers fair could look like:
- Pre-recorded/able to re-visit or replicate
 - Range of post-16 providers
 - Employer interaction - opportunity to ask questions via a panel model
 - Information for students with education, health and care plans (EHC plans) and special educational needs

- Talks from employers, Further Education/Higher Education providers and apprenticeships (including Higher and Degree)
- A good cross section of career areas represented
- Science, technology, engineering and mathematics (STEM) representation
- Ability for students to follow up later
- Special education needs and disabilities (SEND) matters - make this an opportunity to promote SEND careers.

18. A small-scale pilot is being explored to test the functionality of the agreed platform, interaction between employers and schools, and delivery methods.

Other Options Considered

19. Supporting young people to understand the world of work and the opportunities available to them in Nottinghamshire is critical to growth as we seek to both recover from the impact of COVID-19 and confront the challenges of the future. Given the many and significant challenges facing young people, the 'do-nothing' option was discounted.

Reason for Recommendation

20. The proposed suite of virtual and online resources, coupled with a virtual careers fair, supports both the Council Plan 2017- 2021 and the COVID-19 crisis Economic Recovery Action Plan 2020 to 2022 objectives. They will provide practical support and guidance for young people of Nottinghamshire who have been disproportionately affected by the COVID-19 pandemic.

Statutory and Policy Implications

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

Financial Implications

22. In collaboration with Futures, the programme can be delivered within a maximum budget of up to £10,000. Subject to member approval, the cost can be met by the 2020-2021 Growth and Economic Development initiatives budget.

RECOMMENDATION

It is recommended that Policy Committee:

- 1) Approve the allocation of up to £10,000 from 2020-21 Growth and Economic Development initiatives budget to support the development and promotion of a suite of online resources and jointly sponsor a virtual careers fair for Nottinghamshire young people.

COUNCILLOR MRS KAY CUTTS MBE
Leader of the Council

For any enquiries about this report please contact: Nicola McCoy-Brown, Growth and Economic Development ext. 72580

Constitutional Comments (EP 14/12/2020)

23. The recommendation falls within the remit of the Policy Committee by virtue of its terms of reference.

Financial Comments (RWK 14/12/2020)

24. The report proposes that a sum of up to £10,000 be allocated from the 2020-21 Growth and Economic Development initiatives budget to support the development of suite of virtual and on-line resources and a virtual careers fair for Nottinghamshire. The committee's 2020-21 revenue budget includes an allocation of £515,036 for the Growth and Economic Development initiatives 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.

- *COVID-19 Crisis Economic Recovery Action Plan 2020 to 2022*, accessible online via: <https://www.nottinghamshire.gov.uk/policy-library/78888/covid-19-crisis-economic-recovery-action-plan-2020-to-2022>
- *Nottinghamshire COVID-19 Economic Recovery Framework*, report to COVID-19 Resilience, Recovery and Renewal Committee, published on 16 July 2020
- *Careers Provision for Young People Entering the World of Work*, report to Policy Committee, published 18 March 2020
<https://www.nottinghamshire.gov.uk/dms/Meetings/tabcid/70/ctl/ViewMeetingPublic/mid/397/Meeting/4283/Committee/515/Default.aspx>
- *Enterprise Advisor Network*, Report to Policy Committee, published 12 September 2018
<https://www.nottinghamshire.gov.uk/dms/Meetings/tabcid/70/ctl/ViewMeetingPublic/mid/397/Meeting/4129/Committee/515/Default.aspx>

Division(s) and Member(s) Affected

- All



REPORT OF THE LEADER OF THE COUNTY COUNCIL

PROPOSED LEASE ARRANGEMENTS FOR THE MILL ADVENTURE BASE

Purpose of the Report

1. The purpose of this report is to propose a new lease arrangement at the Mill Adventure Base to protect and enable capital investment.

Information

2. The Council occupy the adventure base indicated hatched on the attached plan by way of a lease from Ashfield District Council (ADC) dated 13th May 2004 which is due to expire in 2029. The existing site also includes a second area shown cross hatched on the plan which is leased separately from ADC and known as the Ecology field. The Council is currently 'holding over' under the terms of the lease dated 6th May 2015 which expired earlier this year.
3. An earlier report to Policy Committee in May 2018 approved entering into a Partnership Agreement with Ashfield District Council (ADC) to accept part of their Heritage Lottery Fund (HLF) project being spent on improvements to the café at the Mill Adventure Base. The report also approved the surrender of the existing lease of the centre and taking a new extended lease to match the terms of the HLF funding.
4. The Partnership Agreement has been signed and the work to the café has successfully been completed.
5. The County Council capital programme has approved investment in the existing centre to replace and improve the climbing tower and this work is currently on site. A further capital investment has also been approved to provide a community offer of activities to be made available to the wider public. This will include the history of the site which is located adjacent to the reservoir, wildlife and ecology projects together with walking and cycling.
6. This capital investment is expected to widen the customer base, increase visitors and help make the centre become self-financing.
7. The existing Adventure Base will be developed to its full potential with the completion of the current project and therefore it is proposed to build the additional community offer on land adjacent to the current site indicated edged on the attached plan which is also in the ownership of ADC.
8. It is therefore now proposed to protect the Council's investments in the site that the Council surrender both its existing leases and take a new single lease to include the hatched, cross hatched and edged area indicated on the plan. This will bring the whole of the enlarged site under a single lease encompassing the existing centre, ecology field and community field.

9. The terms of the proposed new lease have been agreed with ADC and summarised as follows:

Property - as indicated hatched, cross hatched and edged on the attached plan including landing stage access to the reservoir as indicated.

Landlord – Ashfield District Council

Tenant – Nottinghamshire County Council

Term – A new lease to run until 31st December 2041.

Rent - £1,700 per annum exclusive of rates and other outgoings. (The current rent for the existing leases is £1,050 pa).

Rent review – Upward only on every fifth anniversary in accordance with CPI.

Rates and Utilities- The Council to be responsible for the payment of rates and utility invoices.

Insurance – The Council to be responsible for the insurance of the property.

User - Adventure Centre including a café for the purpose of education and training, water based activities on the reservoir, various land based activities including climbing, orienteering, cycling, together with the provision of residential accommodation and catering to support the activities provided.

Assignment and Sub-letting - the assignment or subletting of the whole or part of the property is permitted with landlord's consent which is not to be unreasonably withheld.

Repairs – The Council to maintain the property in good repair and condition.

Alterations - Structural and external alterations are permitted with landlord's consent which is not to be unreasonably withheld. Internal alterations are permitted without landlord's consent. In both cases also to be in accordance with any applicable funding conditions.

Break Clause – a break clause in favour of the Council following the service of 6 months notice in writing.

Landlord and Tenant Act - the lease would be protected under the renewal provisions contained in the Landlord and Tenant Act 1954.

Costs - each party to be responsible for payment of their own costs.

Other Options Considered

10. The Council could agree separate leases for each parcel of land.

Reason/s for Recommendation/s

11. The additional field is required for the next phase of capital investment and the taking of a new lease until December 2041 will provide a secure term for this.
12. Bringing the site into one lease will ensure that it can be managed coherently for the duration of the Partnership Agreement.

Statutory and Policy Implications

13. 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) Policy Committee approves the leasing of the additional area.
- 2) That the existing leases dated 13th May 2004 and 6th May 2015 are surrendered, and one new lease is agreed on the terms contained in the report.

Councillor Mrs Kay Cutts MBE

Leader of The Council

For any enquiries about this report please contact: Matthew Neal, Service Director, Investment and Growth, Tel: 0115 9773822**Constitutional Comments (EP 08/12/2020)**

14. The recommendations fall within the remit of Policy Committee by virtue of its terms of reference.

Financial Comments (SS 11/12/2020)

15. The increase in the annual rent of £650 (£1,050 to £1,700) will be met from the Children & Families, Adventure Bases base budget of £51,752.

Background Papers and Published Documents

- Report to Policy Committee in May 2018 and minutes of that meeting.

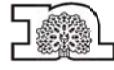
Electoral Division(s) and Member(s) Affected

- Sutton Central & East
- Councillor Samantha Deakin

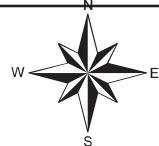
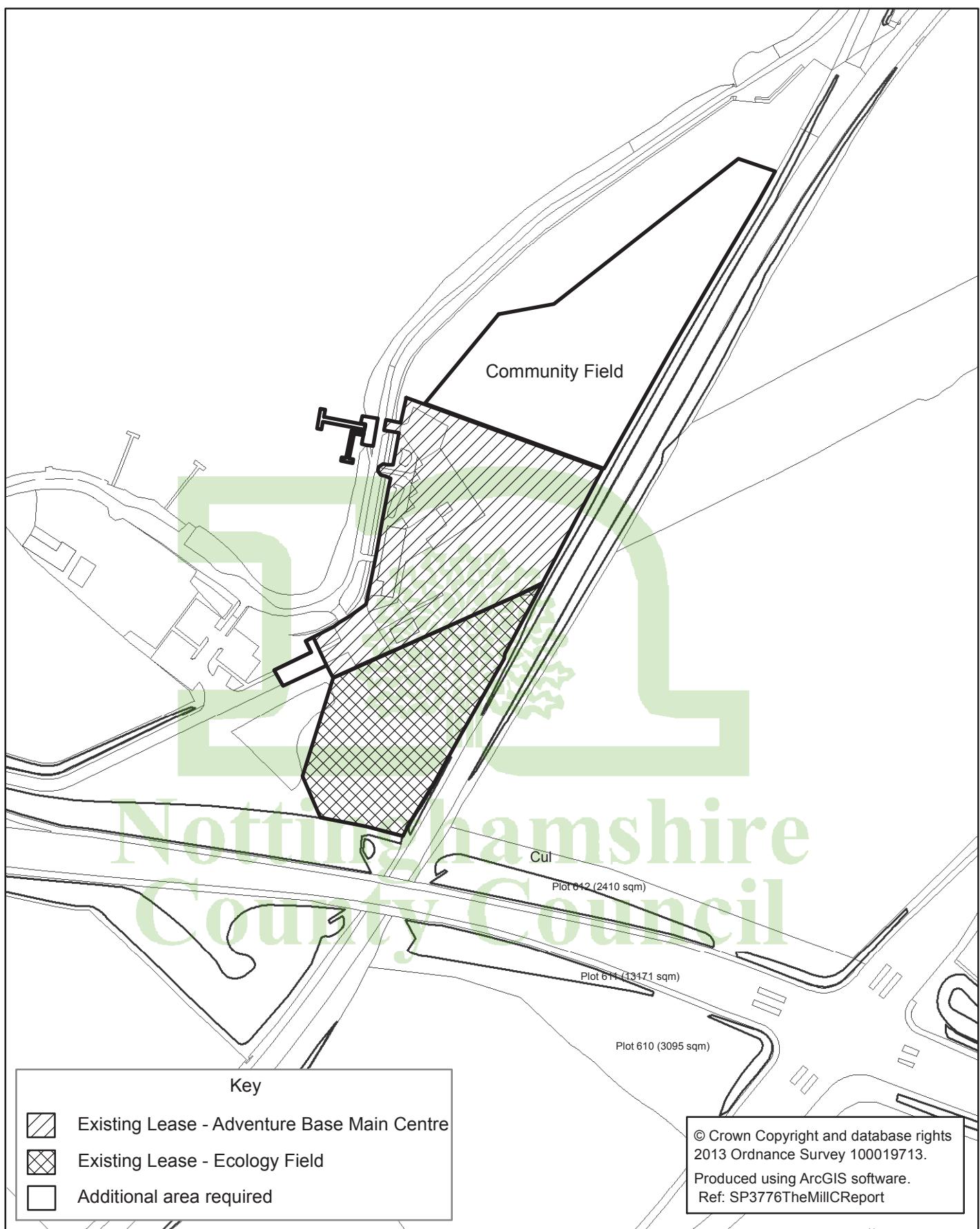
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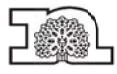
SP:

Properties affected: 54011 : The Mill Adventure Base

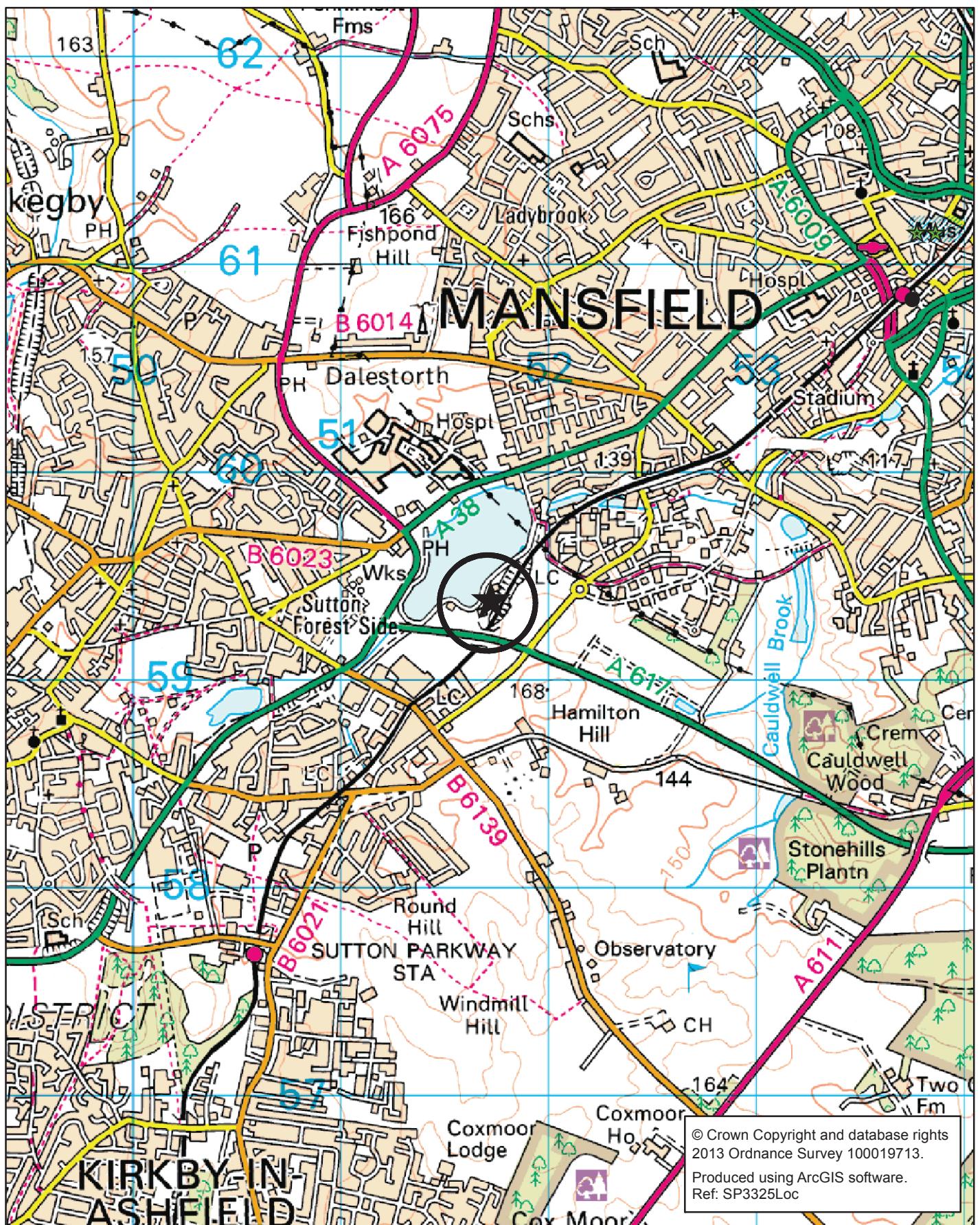


Plan provided by: dlc





Plan provided by: dlc



REPORT OF THE LEADER OF THE COUNCIL

SUPPORTING A BID FOR AN EAST MIDLANDS FREEPORT

Purpose of the Report

1. Aligned to the East Midlands Development Corporation, partners in the region are bidding for a Freeport that will bring additional powers and tools to improve the economy as we build back better from COVID-19. This report seeks Committee approval for the Leader to sign a letter of support for the bid.

Information

2. In February 2020, the UK Government launched a consultation on creating up to 10 Freeports with special tariff and duty status to fuel economic growth, 'level up' underperforming regions, and promote innovation and regeneration.
3. In late November 2020, the UK Government launched the Freeport bidding prospectus giving further details on the UK Freeports model and setting out how bidders can apply for Freeport status in England.
4. Working through the Alchemy Board and the East Midlands Development Corporation, the Local Enterprise Partnerships for Derby, Derbyshire, Nottingham, Nottinghamshire, (D2N2 LEP) and for Leicester & Leicestershire (LLEP) have coordinated the development of a Freeport.

What is a Freeport?

5. Freeports are a type of special economic zone. As with other economic zones, they are designed to create a favourable business environment which attracts inward investment and international trade to support jobs and growth.
6. Within Freeports, trade is facilitated by reducing the direct and administrative costs of trading goods with the rest of the world. Goods entering a Freeport zone are not subject to typical import procedures. The goods can be processed and re-exported from the zone without being considered to have entered the host country. Import duties and procedures are only borne at the moment that goods enter into the domestic economy.
7. In the UK, Freeports are a flagship government programme that are expected to play an essential part in the UK's post-Covid economic recovery and contribute to realising the levelling up agenda, bringing jobs, investment and prosperity across the four nations of the UK through the benefits and incentives within the policy.

8. In addition to the customs and tariff benefits Freeports will also be able to access significant tax benefits, including Business rates relief and the ability for local areas to retain business rates to reinvest into their local communities.
9. Support will also be provided by the Government to successful bidders to contribute towards infrastructure costs and facilitate planning to create an environment to attract investment into the Freeport area and create jobs and growth.

East Midlands Freeport Bid

10. The East Midlands has a once-in-a-generation opportunity to supercharge its economy with a landmark opportunity of national and global significance. The Freeport, together with proposals for the Development Corporation, would drive a '30-year leap' in development and productivity.
11. In response to the Government's prospectus, the East Midlands is developing a compelling proposition based around East Midlands Airport with two additional key sites, at the Ratcliffe on Soar power station site in Rushcliffe, Nottinghamshire and at the East Midlands Intermodal Park site in South Derbyshire. There are clear interdependencies between the Freeport and Development Corporation, although the Intermodal Park site is not currently within the Development Corporation programme; this will be subject to further discussion between local partners and Government.
12. The region's bid has the support of Councils, Local Enterprise Partnerships, Universities, the Midlands Engine, partners for the emerging Development Corporation and private sector business representatives including the relevant land owners.
13. The East Midlands bid has distinct advantages that make it an ideal location for a Freeport, these are set out in the following paragraphs.
14. The East Midlands region is well-known for its strong manufacturing base. Advanced manufacturing and engineering are strong historic sectors for the regional economy, built on many years of innovation and manufacturing expertise.
15. The region is home to large global automotive, aerospace and rail manufacturers and engineers including Toyota, Rolls Royce and Bombardier. Key specialisms include transport technology, energy and low-carbon technologies.
16. The East Midlands is one of the best locations in the UK for logistics operators. Due to its central location and proximity to the motorway network, it is one of the strongest locations for third-party logistics (3PLs), retailers and parcel delivery companies to locate their warehouse operations.
17. The East Midlands offers Freeport operators and manufacturers locational advantage with over 90% of the population and the nation's seaports within a 4 hour drive, as well as dedicated rail freight connectivity, and having the country's leading cargo airport on-site. East Midlands Airport is the UK's largest dedicated freight airport and the seventh largest in Europe giving businesses access to international markets beyond the European Union, including North America, Latin America and the Caribbean, Asia, and the Middle East. Home to the world's largest cargo handlers, EMA is the only site of its size with unrestricted 24hr operation and with the capacity to grow.

18. The East Midlands region is home to world-class universities and centres of research excellence with over £650m of active research projects currently ongoing. Universities such as the University of Nottingham, Loughborough University, Nottingham Trent University, Leicester University, the University of Derby and De Montfort University are shaping regional development initiatives aimed at boosting innovation within high-value industries and providing upskilling opportunities. Innovation is a key consideration in the Government prospectus for Freeports.
19. A further requirement of a Freeport bid is to set out the opportunities for green growth and zero carbon. Several initiatives are already in development by both LEPs and the East Midlands Development Corporation, which position our bid well in terms of demonstrating how we meet this requirement. Our world-class transport manufacturing businesses such as Rolls Royce, Toyota and Bombardier are leading projects to reduce the carbon footprint of their businesses and supply chains and to future proof their operations through adopting green technologies. Replacing the coal-fired electricity plants also provides an unprecedented opportunity to spearhead a new, ambitious zero-carbon energy zone at Ratcliffe-on-Soar that can be a showcase to the rest of the country. It has the scope to encompass large scale clean hydrogen generation and distribution; energy from waste; a Gigafactory for low carbon vehicles; training facilities supporting a range of low carbon sectors; and hosting the flagship national research centre for Integrated Zero-Carbon Futures.
20. Government Freeport policy is aimed at upskilling local workers who are vulnerable to technological change or who currently lack the skills to access high-value jobs. This is a key issue and a significant challenge in the East Midlands. Given the scale of the East Midlands Freeport, local plans focus on multi-sector skills, e.g. construction, engineering, energy and manufacturing.

County Council Support for the Freeport

21. Since the Government published the prospectus, partners have been developing our regional bid. The County Council is a member of a working group and a weekly steering group of Chief Executives to drive forward the bid. At the time of publication, the final details of the East Midlands Freeport Bid have not been completed. In order to offer support, the County Council will need to consider a number of factors set out in this section.
- Infrastructure: Infrastructure requirements in Nottinghamshire focus around the Ratcliffe on Soar site. The emerging bid is complementary to the East Midlands Development Corporation bid and infrastructure requirements are expected to focus on the movement of goods between the sites by highway and railway. The County Council will remain the Highway Authority and work alongside Highways England, Network Rail and local partners to develop the wider infrastructure components of the Freeport bid. An update will be presented to the Policy Committee meeting and considered in determining the County Council's support for the bid.
 - Planning: There are a range of implications specifically for Local Planning Authorities arising from a Freeport bid. These focus on the need to create an appropriate planning environment to ensure the quick and efficient delivery of the Freeport proposal. These issues are being addressed by the 3 relevant Local Planning Authorities, with input from the 3 County Councils from a highways and infrastructure perspective. There are no impacts on the County Council's highways authority responsibilities at this stage.

- Business rates and financial implications: Section 151 Officers and Chief Executives are working through both the opportunities and implications of provisions in the Freeport prospectus for the treatment of Business Rate relief, uplift and recycling. Much like an Enterprise Zone, billing authorities will have the scope to retain business rates and recycle receipts, including for borrowing to fund infrastructure or other upfront costs. Government anticipate that Business Rate relief will be available for the successful sites from October 2021 to September 2026 which acts as a further incentive for inward investment. The shape of the East Midlands bid in respect of Business Rates remains under development, updates will be provided to the Policy Committee meeting and will be a key consideration in determining the County Council's support for the bid.
- Economic benefits – levelling up – ensuring benefits for people across County. The East Midlands Development Corporation proposals, which currently cover 2 of the 3 Freeport sites, set out how 84,000 new jobs will be generated in the region and c£5bn additional GVA. The economists supporting the Freeport bid continue to assess the positive additional benefits that the Freeport could bring. It is anticipated these will include increased certainty, acceleration of delivery (earlier achievement of new jobs and productivity) and increases in the number of new jobs and additional GVA. An update will be presented to the Policy Committee meeting and considered in determining the County Council's support for the bid.

22. The initial bid requires the support of all local Councils impacted by the Freeport in order to be considered by Government. In the East Midlands this includes Derbyshire County Council, South Derbyshire District Council, Leicestershire County Council and North West Leicestershire Council, Nottinghamshire County Council and Rushcliffe Borough Council. Similar reports are being considered by each Council ahead of providing letters of support; Rushcliffe Council approved its support in principle in December. The Alchemy Board – part of the Development Corporation governance will also consider the bid, alongside others that might emerge in the region in late January.
23. At this stage the bid does not have to provide detailed proposals on governance. The County Council will continue to work with the Development Corporation, the LEPs and partner Council's as well as the key land owners to develop governance proposals as part of the full business case, should our initial bid be successful.
24. The bid will be submitted to MHCLG on the 5th February. Should it be successful at that stage, Government (revenue) financial support will be provided to local partners along with seed capital funding, so that a full detailed business case can be prepared for final appraisal by Government. Policy Committee will also be invited to consider the full business case and assess any implications for the County Council, including financial and other statutory impacts. The County Council reserves its position on the final proposition until such point that the full business case is complete. The letter of support will be non-binding.

Other Options Considered

25. To not support a bid, but this would prevent the benefits and opportunities outlined in the report from being achieved and utilised; the bid will fail a key criteria in the Government assessment without the written support of key local authorities.

Reasons for Recommendations

26. The East Midlands bid presents a unique opportunity to develop an inland Freeport. This is a proposal that can't be replicated anywhere else in the country and is one that will deliver for the national economy, not just the East Midlands region.
27. A Freeport in the East Midlands would encourage and accelerate inward and foreign direct investment in key sectors such as manufacturing and logistics. This could unlock opportunities for regeneration, boost productivity, promote innovation, and improve the region's economic resilience and recovery process.
28. A Freeport in the East Midlands would support regeneration and the 'levelling up' agenda. A Freeport would provide new job opportunities for underserved communities in the region, fast-tracking economic growth.
29. A Freeport in the East Midlands would also help increase productivity through localisation effects and by delivering new infrastructure. A Freeport can also support industrial diversification, which can enhance the region's economic resilience.

Statutory and Policy Implications

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

Financial Implications

31. There are no direct financial implications arising from the recommendations of this report. There is no financial contribution of resources required at this stage. If the initial bid is successful, the County Council will work closely with local partners to develop the full business case. During that process, the County Council will have a role in shaping the financial and commercial case for the Freeport. It will then be a matter for a future Policy Committee to consider the full business case, including any financial implications.

Implications for Sustainability and the Environment

32. Core components of the East Midlands Development Corporation and Freeport bids are focused on enhancing natural capital, environmental sustainability and our journey to a zero carbon future. The proposition at Ratcliffe on Soar includes the 'ZERO' facility, bringing research, innovation and enterprise together with industry and investors on one site to accelerate the design and delivery of new zero carbon technologies and manufacturing. Similarly, the proposals at EM Intermodal Park and the Airport sites in the Freeport bid will include low carbon industries.

Public Sector Equality Duty implications

33. The Freeport policy is clearly targeted at 'levelling up' and improving employment, productivity and prosperity outcomes in poorer performing regions of the UK. Given the impact of COVID19 on the economy, it is more important than ever that the region has an

economic plan and programmes of activity such as the Development Corporation and the Freeport which would accelerate the creation of new higher value jobs, and provide access to skills and training so that local people can benefit from these new opportunities.

34. A key element of the emerging bid is a logic model that sets out how people across the region will benefit from the new jobs and prosperity and how any negative displacement effects will be mitigated and prevented.

RECOMMENDATIONS

It is recommended that Policy Committee:

- 1) Subject to the delegation and considerations below, endorses the submission of a Freeport Proposal to Government for the East Midlands, including sites within Nottinghamshire;
- 2) Delegates authority to the Corporate Director Place, in consultation with the Leader of the Council, to give consideration to the Finalised Freeport Proposal and, subject to the proposal identifying potential benefits for businesses and people across Nottinghamshire (and advice being provided outlining any currently identifiable risks or negative impacts on the Council's statutory functions, finances or other risks), to approve submission of a formal letter of support for the proposal from the County Council signed by the Leader;
- 3) Agrees to receive a further report to consider the full business case and any implications for the County Council, should the bid be taken forward by Government.

**COUNCILLOR MRS KAY CUTTS MBE
Leader of the Council**

**For any enquiries about this report please contact: Adrian Smith, Corporate Director Place.
0115 977 3680**

Constitutional Comments (SR 4/1/21)

35. The decision falls within the delegation to Policy Committee. The impacts of a Freeport proposition will require more detailed consideration at the stage of submission of a full business case, should the initial proposition bid be successful. Currently it is understood that impacts may include changes to business rates and business rate retention arrangements within a Freeport area. Consideration will also have to be given to any impacts on the Council's statutory roles and responsibilities. In the meantime, the Council's statutory functions in respect of planning, highways, economic development and transportation remain unaffected and the submission of the bid will not fetter the Council's discretion in exercising those functions in accordance with legislation, policy and guidance at a national and local level although if a Freeport is created such impacts may arise at that stage.

Financial Comments (KRP 4/1/21)

36. As set out in the report, there are no direct financial implications at this stage. The financial implications of the full business case will be included in future reports to Policy 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.

- Freeport Bidding Prospectus

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/935493/Freeports_Bidding_Prospectus_web_final.pdf

Electoral Divisions and Members affected

- All



REPORT OF THE LEADER OF THE COUNTY COUNCIL

OPERATIONAL DECISIONS ANNUAL REVIEW & QUARTERLY UPDATE SEPTEMBER - NOVEMBER 2020

Purpose of the Report

1. That Members confirm their continued support for the amendments to the authorising of operational decisions as originally approved by the Committee on 20 January 2014.
2. To update Members on the Operational Decisions taken September to November 2020.

Information

3. At the meeting of the Finance & Property Committee in January 2014 approval was given to amend the list of day to day operational decisions which can be taken by the Director, subject to the chair of Finance & Property Committee determining whether operational decisions should still be reported to Committee. It was also agreed that a report should be submitted to the Finance & Property Committee, now Policy Committee on a quarterly basis outlining all operational decisions made, supplemented annually by a review report on Estate Management operational decisions.
4. In accordance with the above decision this is the quarterly report covering September to November 2020 informing Policy Committee of Operational Decisions taken between those dates.
5. Committee approved amendments to the list of day to day operational decisions which can be taken by the Service Director, Investment & Growth in January 2014. Since September 2020 there have been some 19 such decisions.
6. Relevant Electoral Division Members have been invited to comment on appropriate Estate Practice decisions that are progressed via operational decisions (except where Committee have been specifically advised otherwise).
7. Care was taken with disposals and the granting of leases, licences and the like to ensure best consideration has been achieved by reference to and tested against market value(s) and rates. All charges and other fees levied were appropriate and commensurate with the transaction.
8. Details of the decisions taken are shown below:

SP	Electoral Division(s)	TITLE	DESCRIPTION (extract from Operational decision)
3723	Farndon and Trent	00052 Chapel Farmhouse Elston – 1 year Common Law	Following a successful Tender exercise the grant of a new 12 month Tenancy of the farmhouse.

		Tenancy	
3724	Sutton Central and East	Lease at Forest Glade, Sutton in Ashfield	Short term lease to support Childrens Services
3726	Warsop	Unit 5, Meden Court, Netherfield Lane, Meden Vale, Warsop –Accept lease surrender and grant new lease	Granting of a five year lease to Concept Performance Ltd who will use the premises as a workshop for vehicles.
3728	Calverton	Calverton Line - Access Licence	Grant access licence to Forestry England to enable them to access their forest holding either side of the line.
3727	Retford East	Kiosk, Retford Bus Station, Beardsalls Row, Retford	Following a marketing campaign in respect of the empty retail unit at Retford Bus Station several offers have been received and the County Council are to let the property on a new 10 year lease to a commercial operator.
3735	Collingham	Winthorpe Primary School - Conversion to Academy	Conversion to Academy status
3736	West Bridgford North	Abbey Road Primary School, Abbey Road, West Bridgford - Academy Conversion	Conversion to Academy status
3749	West Bridgford North	Main Car Park, County Hall, West Bridgford - Grant of Short-Term Lease	The grant of a short-term lease to The Secretary of State for Housing Communities and Local Government to provide a temporary Covid regional testing site.
3743	West Bridgford North	02737 - West Bridgford Junior Annexe, Lease to WBOOSC Ltd	Grant a ground lease to West Bridgford Out of School Club (WBOOSC Ltd) for siting of Portacabin for Wraparound Childcare along with a licence for the school to use the portacabin for one afternoon per week.
3734	Southwell	Lowes Wong Infants School Academy Conversion	Conversion to Academy status
3742	The location is not within NCC boundaries	Severance of Title Glaisdale Parkway	Proposed severance of Lease to ensure no ongoing legal liabilities for the Council.
3754		Disposal of land at Church Walk, Newark	Terms are agreed to dispose of land at Church Walk, Newark to Newark Town Council
3763	Sutton Central and East	Hillocks Primary School Academy Conversion	Conversion to Academy status
3744	Ashfields	Western Power wayleave - 33KV Division Land adj Frederick Street, Sutton in Ashfield, NG17 1HS	A Wayleave for a Western Power upgrade to existing equipment on land adjacent to Frederick Street, Sutton in Ashfield, NG17 1HS

3750	Worksop East	Unit 6, Kilton Terrace, Worksop - new letting	The grant of a five year lease of the property. The rent is considered to be a market rent and the proposed tenant is a local company.
3753	Mansfield South	Disposal of land to the rear of 4 Blackthorn Drive	The Council was approached by the owner of 4 Blackthorn Drive regarding a small area of land totalling 13.5 square metres adjoining his property. The owner was interested in purchasing the land to square off his garden. The land required some maintenance and tidying up and terms for sale were agreed.
3759	Mansfield East	03391 Forest Town Children's Centre - Rent amendment	To approve a rent reduction for one Year wef 1 st August 2020 and to be reviewed annually until expiry of the lease in 2023.
3760	Worksop West	Units 1 & 2, Woodland Court, Shireoaks Triangle - Lease renewal	Lease renewal at Unit 1&2 Woodland Court, Shireoaks Triangle.
3769	Mansfield South	230 Nottingham Road, Mansfield	Licence to occupy 230 Nottingham Road, Mansfield to provide classroom facilities.

Other Options Considered

9. Reduce the number of transactions that can be progressed by means of operational decisions, this would lead to a loss of the current advantages outlined within the report which could prove problematic from a governance perspective. Lack of clarity on operational decisions may create uncertainty on whether a legal contract can be concluded without a committee decision.
10. An alternative option is to provide officers with delegated powers on routine estate decisions. This would require a significant change in the Council's constitutional arrangements and brings few added benefits beyond a clear and functioning operational decision process.

Reason/s for Recommendation/s

11. The decision-making process requires a quarterly update and annual review to Policy Committee.

Statutory and Policy Implications

12. 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

- 1) That Members confirm their continued support for the authorising of operational decisions as originally approved by the Committee on 20 January 2014.

- 2) To update Members on the Operational Decisions taken September to November 2020.

Councillor Mrs Kay Cutts MBE

Leader of The Council

For any enquiries about this report please contact: Matthew Neal, Service Director, Investment and Growth, Tel: 0115 9773822 **Constitutional Comments (EP 07/12/2020)**

13. Policy Committee is the appropriate body to consider the content of this report.

Financial Comments (RWK 07/12/2020)

There are no specific financial implications arising directly from the report

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- All

File ref.: /SB/SB/09998

SP: 3771

Properties affected: 09998 - Various NCC Properties/non-property item



REPORT OF THE RULING GROUP'S BUSINESS MANAGER

OUTSIDE BODIES REGISTER UPDATE REPORT

Purpose of the Report

1. To consider the updated Outside Bodies Register (**Appendix A**).

Information

2. At its meeting of 22 May 2019, Policy Committee agreed the findings of the Governance and Ethics Committee's Review of the Outside Bodies Register, including a new process for dealing with changes to the Register.
3. The review outcomes included agreement that update reports be submitted to Policy Committee on a six monthly basis rather than individual changes being reported on an ad hoc basis. This is the first of these update reports.
4. The review divided the Register into the following categories of outside bodies:-
 - a. Category A – organisations which have been established or are owned /partly owned by the Council;
 - b. Category B – local or national organisations that are linked to the strategic focus of the Council;
 - c. Category C – local community groups, charities and partnerships whose primary focus is on local community issues.

Addition of Outside Bodies to the Register

5. Under the new approach, the Team Manager – Democratic Services has delegated authority to add Category B bodies to the register, subject to endorsement by Policy Committee. There have been no such bodies added to the Register during this period.
6. Policy Committee retains authority to approve the addition of Category A and C bodies. As part of the report to establish the Interim Vehicle for the East Midlands Development Corporation, Policy Committee agreed at its meeting on 9 December 2020 to add that body, EM Devco Limited, to the Council's Outside Register. The appointments are included in Appendix A for information. No other additions are proposed at this point.

Removal of Outside Bodies from the Register

7. Policy Committee approval is needed for the removal of any outside bodies from the Register. No changes in that respect are currently proposed.
8. The updated Register is attached for information at Appendix A, with any revisions shown in bold font where applicable.

Information on the work of outside bodies

9. Policy Committee continues to receive regular updates in relation to the work of those outside bodies in the Register that are pertinent to the work of the Committee – for example East Midlands Councils, HS2 and D2N2.

Other Options Considered

10. None – the Committee receives updated versions of the Register in line with the new approach agreed through the Outside Bodies Review of May 2019.

Reasons for Recommendations

11. Updates are provided to the Committee for Members' information, and approval where necessary.

Statutory and Policy Implications

12. 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.

RECOMMENDATIONS

- 1) That consideration be given to the updated Outside Bodies Register and Members highlight any further information required at this stage.

**Councillor Richard Butler
Group Business Manager
Conservatives and Mansfield Independents Group**

For any enquiries about this report please contact: Keith Ford, Team Manager, Democratic Services, Tel: 0115 9772590

Constitutional Comments (SSR – 11/12/2020)

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

Financial Comments (RWK – 10/12/2020)

10. 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.

Report to Policy Committee – 9 December 2020 - East Midlands Development Corporation Interim Vehicle - Establishment of EM DEVCO Company Limited by Guarantee (published) and minutes of that meeting (published).

Electoral Division(s) and Member(s) Affected

All

APPENDIX A

Cat.	Organisation	Appointees
A	Arc Partnership	Cllr Reg Adair Mr Derek Higton
C	Arnold Old People's Welfare Committee	Cllr Pauline Allan
C	Brunts Charity	Cllr Stephen Garner
C	Chesterfield Canal Partnership	Cllr Sybil Fielding Heather Stokes
C	Clayworth Education Foundation	Cllr Tracey Taylor
C	Constable's Field Foundation	Cllr Chris Barnfather
B	County Councils Network (CCN)	Cllr Mrs Kay Cutts MBE Cllr Reg Adair Cllr Richard Butler Cllr Alan Rhodes
B	Creswell Heritage Trust	Cllr John Cottree
B	D2N2 European Structural Investment Fund (ESIF) Sub Committee	Cllr Reg Adair
B	D2N2 Investment Board	Cllr Richard Jackson
B	D2N2 Local Enterprise Partnership	Cllr Mrs Kay Cutts MBE
C	Diana Eyre's Educational Foundation	Cllr John Ogle
C	Doncaster Sheffield Airport Consultative Committee	Cllr Tracey Taylor
C	East Midlands Airport Independent Consultative Committee	Cllr Andrew Brown Cllr Reg Adair
B	East Midlands Councils	Cllr Mrs Kay Cutts MBE 'added place' given to: Cllr Reg Adair Cllr Philip Owen Cllr Alan Rhodes Cllr Kate Foale
B	East Midlands Councils Employers' Board	Cllr Kate Foale
B	East Midlands Councils Executive Board	Cllr Mrs Kay Cutts MBE
B	East Midlands Councils Regional Migration Board	Cllr Philip Owen
B	EM Devco Limited Oversight Authority	The Leader (Cllr Mrs Kay Cutts MBE)
	Board of Directors	Corporate Director of Place (Adrian Smith)
B	East Midlands Lead Member Network: Adult Social Care and Health & Wellbeing	Cllr Tony Harper Cllr Francis Purdue-Horan
C	Faith Clerksion Trust	Cllr Stephen Garner
C	Focus on Young People in Bassetlaw	Cllr Tracey Taylor
A	Futures Advice, Skills and Employment Ltd	Cllr Boyd Elliott Cllr Phil Rostance Nicola McCoy-Brown

APPENDIX A

Cat.	Organisation	Appointees
C	Grantham Canal Partnership	Cllr Jonathan Wheeler
B	Greater Nottingham Joint Planning Advisory Board	Cllr Phil Rostance Cllr Gordon Wheeler
A	Greater Nottingham Light Rapid Transit Ltd	TBC
C	Greenwood Community Forest Partnership	Cllr Phil Rostance
C	Groundwork Creswell, Ashfield & Mansfield	Cllr Jim Creamer
C	Groundwork Greater Nottingham	Cllr Jim Creamer
B	HS2 East Midlands Strategic Growth Board	Cllr Mrs Kay Cutts MBE Cllr Reg Adair
B	HS2 Skills and Supply Chain Board	Cllr Philip Owen
A	Inspire	Cllr John Cottee Cllr Glynn Gilfoyle
C	Lamb's Charity	Cllr Phil Rostance
C	Lilley & Stone Charity Trust	Cllr Stuart Wallace Cllr Keith Girling
B	Local Authorities Energy Partnership (LAEP)	Cllr Phil Rostance
B	Local Authority Pension Fund Forum (LAPFF)	Cllr Eric Kerry Mr Nigel Stevenson
B	Local Government Association (LGA) General Assembly	Cllr Mrs Kay Cutts MBE Cllr Reg Adair Cllr Alan Rhodes Mr Anthony May
B	Local Government Flood Forum	Cllr Phil Rostance Sue Jaques
B	Lowland Derbyshire & Nottinghamshire Local Nature Partnership	Cllr Reg Adair
C	Magnus Educational Foundation	Cllr Stuart Wallace
C	Manor Park Residents Association Limited	Cllr Reg Adair
B	Mansfield & Ashfield Economic Development Partnership	Cllr Martin Wright
C	Mansfield BID	Cllr Martin Wright
C	Mansfield Educational Foundation	Cllr Andy Sissons Cllr Martin Wright
C	Mansfield Woodhouse Community Development Group (Executive Forum)	Cllr Joyce Bosnjak
A	Marketing Nottingham & Nottinghamshire Ltd	Cllr Mrs Kay Cutts MBE
B	Midlands Engine Development Corporation Oversight Board	Cllr Mrs Kay Cutts MBE Anthony May (Chair)
C	Municipal General Charity	Cllr Stuart Wallace
C	Norwell Educational Foundation	Cllr Bruce Laughton

APPENDIX A

Cat.	Organisation	Appointees
C	Nottinghamshire Building Preservation Trust	Cllr Roger Jackson
C	Nottinghamshire Clubs for Young People	Cllr Boyd Elliott
B	Nottinghamshire Healthcare NHS Foundation Trust	Cllr Kevin Rostance
B	Nottinghamshire Local Access Forum	Cllr Chris Barnfather Cllr Jim Creamer Cllr Rachel Madden
B	Nottinghamshire Roosevelt Travelling Scholarship	Cllr Stuart Wallace
B	Nottinghamshire Skills & Employment Board	Cllr Neil Clarke MBE
C	Nottinghamshire Young Farmers Clubs	Cllr Roger Jackson
C	Platt Lane Management Committee	Cllr John Cottee
C	Portland College	Cllr John Handley
C	Queen Elizabeth's Endowed School Trust	Cllr Stephen Garner Cllr Phil Rostance Cllr Andy Sissons Hon Ald John Carter Hon Ald Terry Butler
C	Rural Community Action Nottinghamshire (RCAN)	Cllr Jim Creamer
B	Rural Services Network	Cllr Bruce Laughton
B	SACRE (Standing Advisory Council for Religious Education)	Cllr Boyd Elliott Cllr Phil Rostance Cllr Vaughan Hopewell
B	Safer Nottinghamshire Board	Cllr John Handley
A	Scape Group Ltd	Cllr Reg Adair Cllr Richard Jackson Cllr John Ogle Cllr Richard Butler
B	Sherwood Forest Hospitals NHS Foundation Trust	Cllr Kevin Rostance
B	Sustainable Urban Development Strategic Advisory Committee.	Cllr Reg Adair
C	The Crossing SEC Ltd	Cllr Kevin Greaves Sub: Vacant
B	Transport for the North (TfN) Board	Cllr John Ogle
B	Trent Regional Flood and Coastal Committee	Cllr Roger Jackson
A	Via EM	Cllr Reg Adair Cllr John Ogle Derek Higton (SD Place) Keith Palframan (GM Finance)
B	Waste Partnering Agreement Board (Joint Waste Management Committee)	Cllr Phil Rostance



REPORT OF THE SERVICE DIRECTOR, CUSTOMER, GOVERNANCE AND EMPLOYEES

USE OF URGENCY PROCEDURES

Purpose of the Report

1. To update Policy Committee on the use of the Council's Urgency Procedures in the latest monitoring period (July 2020 – December 2020).

Information

2. The Constitution sets out procedures to deal with events which require a decision outside of a committee's normal cycle of meetings. The use of these procedures should periodically be reported to Policy Committee. The procedures enable urgent decisions by committee, calling an additional meeting of a committee or an urgent decision by the Chief Executive (the latter decisions are reported to the next meeting of the relevant committee).
3. The Chief Executive also has the power to take emergency decisions if necessary.
4. Despite the pandemic, use of the Urgency Procedures in the latest period continues to be limited and appropriate and these procedures have only been utilised when it was in the public interest to do so.
5. The relevant Committee Chairmen agreed to the following items being included on Committee agendas, following publication of those agendas and prior to the meetings taking place:-

<u>Date</u>	<u>Relevant Committee</u>	<u>Decision taken</u>	<u>Reason for Late Submission of Report</u>	<u>Reason for consideration as an urgent matter</u>
8/10/20	Nottinghamshire Pensions Fund Committee	Climate Change Risk Analysis	Additional information of an exempt nature had been made available.	To enable Members to have an opportunity to debate, if required, the exempt information circulated with the agenda.
04/11/20	Communities and Place Committee	Re-opening of the Community Fund	The second wave of the COVID-19 pandemic had developed further since the agenda for the meeting had been published.	In view of the special circumstances that the reimposition of a range of national measures to help combat the second wave of the COVID-19 pandemic made it appropriate to re-open the Community Fund for applications as soon as

				possible.
09/12/20	Policy Committee	To amend the 2021/22 school admission arrangements to reflect a recent decision by the School Adjudicator.	The work to address the implications of the School Adjudicator decision was not finalised in time for it to be added to the C&YP agenda for the meeting of 30/11/20 or to be added to the Policy Committee agenda of 9 December ahead of publication.	To enable the published admission arrangements to be amended at the earliest opportunity.

6. The following emergency decision was taken by the Chief Executive:-

<u>Date</u>	<u>Relevant Committee</u>	<u>Decision taken</u>	<u>Reason for Emergency Decision</u>
28/10/20	Children and Young People's Committee	Emergency Payments for Free School Meals for Eligible Families	To enable the payments to be made at the earliest opportunity during the two week October half-term period.

7. The following urgent decisions were taken by the Chief Executive:-

<u>Date</u>	<u>Relevant Committee</u>	<u>Decision taken</u>	<u>Reason for Urgency</u>
27/8/20	Policy Committee	Gigabit Broadband Voucher Scheme – Top Up	An urgent decision was required which could not wait until the next Policy Committee as Building Digital UK (BDUK), the DCMS arm supporting the delivery of broadband networks wished to make a ministerial announcement at the beginning of September.
28/8/20	Policy Committee	Green Homes Grant Local Authority Delivery Scheme	The funding was launched on 4th August 2020 and the deadline for applications was 1 September 2020, with no committee meetings scheduled to take place within the intervening period.

Other Options Considered

8. None – reporting on the use of the Urgency Procedures to Policy Committee is a Constitutional requirement.

Reason/s for Recommendation/s

9. To enable the Committee to be updated on the use of the urgency procedures, in line with the Council's Constitution.

Statutory and Policy Implications

10. 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

That Members consider whether any further information or actions are required in relation to the Council's urgency procedures in the latest monitoring period of July 2020 – December 2020.

Marjorie Toward
Service Director, Customers, Governance and Employees

For any enquiries about this report please contact: Keith Ford, Team Manager, Democratic Services Tel: (0115) 9772590 E-mail: keith.ford@nottscgov.uk

Constitutional Comments (EH)

Policy Committee is the appropriate body to consider the content of this 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)

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

Background Papers

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

- Signed records of individual urgent decisions.

Electoral Division(s) and Member(s) Affected

All



REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES

WORK PROGRAMME

Purpose of the Report

1. To review the Committee's work programme for 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 includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified. The meeting dates and agenda items are subject to review in light of the ongoing COVID-19 period.
4. The Policy Committee will be asked to determine policies, strategies and statutory plans developed or reviewed by other Committees of the Council. Committee Chairmen are invited to advise the Policy Committee of any additional policy reviews that are being considered.

Other Options Considered

5. None.

Reason for Recommendation

6. To assist the Committee in preparing and managing its work programme.

Statutory and Policy Implications

7. 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

That the Committee considers whether any amendments are required to the Work Programme.

**Marjorie Toward
Service Director, Customers, Governance and Employees**

For any enquiries about this report please contact: Keith Ford, Team Manager, Democratic Services, Tel: 0115 9772590

Constitutional Comments (EH)

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

Financial Comments (NS)

10. There are no 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

POLICY COMMITTEE - WORK PROGRAMME (AS AT 5 JANUARY 2021)

Report Title	Brief summary of agenda item	Lead Officer	Report Author
10 February 2021			
Support for Nottinghamshire Businesses Post Transition from the European Union	To seek approval for funding to support Nottinghamshire Businesses following the end of the transition period.	Adrian Smith	Nicola McCoy-Brown
Financial support to students in Post 16 education and exceptional payments for school clothing and footwear 2021/22	To approve the arrangements for financial support for students in post-16 education and exceptional payments for school clothing and footwear 2021/22	Colin Pettigrew	Marion Clay / Karen Hughman/ Claire Wilcoxson
Schools and Early Years Funding: agreement of the local funding formula for 2021-22	To seek approval for the adoption of the Nottinghamshire Schools and Early Years local funding formula, as recommended by the Schools Forum, for the financial year 2021-22.	Colin Pettigrew	Marion Clay/ Sue Summerscales
Transforming Cities Programme	To provide an update on Nottingham City Council's Transforming Cities Fund bid and to set out the next steps in project delivery including relevant approvals.	Adrian Smith	Matthew Neal / Sally Gill / Kevin Sharman
Proposed sale of land at Baileys Field, behind Highfields School in Newark, NG24 3AL		Adrian Smith	Matthew Neal /Neil Gamble
Update on Digital Connectivity Projects in Nottinghamshire	Update.	Adrian Smith	Matthew Neal/Nicola McCoy-Brown
Potential third secondary school in West Bridgford (date TBC)		Adrian Smith	Matthew Neal/Neil Gamble
Proposed sale of land at Westdale Road, Jacksdale NG16 5JF		Adrian Smith	Matthew Neal/Neil Gamble/Steve Keating
Nottinghamshire Best Start Strategy	To agree this new Strategy.	Colin Pettigrew	Irene Kakoullis
High Speed 2 (HS2) Update	To provide an update on progress with HS2 Page 189 of 190	Adrian Smith	Ken Harrison / Hannah Barrett

17 March 2021			
Working with Nottinghamshire's Universities	To update on the Council's work with Nottingham Trent University and University of Nottingham.	Anthony May	Nicola McCoy-Brown
Update on the work of East Midlands Councils	Stuart Young, Executive Director of East Midlands Councils to provide an update.	Anthony May	Stuart Young
Planned Maintenance 2021-22 – Latest Estimated Costs Report	Establishing the Planned Maintenance programme for 2021-22. Establishes programme and approves progression to feasibility / design stage.	Derek Higton	Phil Berrill
21 April 2021			
Property Operational Decisions Quarterly Update Report	To consider the latest update on operational decisions taken by officers.	Adrian Smith	Sue Blockley
16 June 2021			
Via East Midlands and Cheesecake Energy Partnership Limited	To receive an update on progress and financial implications of the emerging partnership.	Adrian Smith	Derek Higton
Update on the work of the Violence Reduction Unit	Dave Wakelin, Director of the Violence Reduction Unit, to provide a progress update.	Anthony May	Dave Wakelin
14 July 2021			
Property Operational Decisions Quarterly Update Report	To consider the latest update on operational decisions taken by officers.	Adrian Smith	Sue Blockley
Use of Urgency Procedures	Six Monthly Update report on the use of the Council's procedures for taking urgent decisions.	Marjorie Toward	Keith Ford
The National Rehabilitation Centre Update	Miriam Duffy, Programme Director to give an update on progress following the initial report to Policy Committee in January 2020.	Anthony May	Miriam Duffy
Outside Bodies - Update Report	To notify Committee, on a six monthly basis, of any changes to the Council's Outside Bodies Register and to seek approvals where appropriate.	Marjorie Toward	Keith Ford