

7 February 2019

Agenda Item:8

REPORT OF THE CORPORATE DIRECTOR, PLACE TRAFFIC SURVEY LICENSING PERMIT SCHEME

Purpose of the Report

1. The purpose of this report is to seek approval for the introduction of a traffic survey licensing permit scheme in Nottinghamshire.

Information

2. The County Council undertakes a programme of automatic and manual traffic surveys across the county to monitor traffic trends for all road user types; and to help inform the development of improvement schemes and programmes. Traffic surveys are also undertaken on Nottinghamshire's roads by private organisations such as transport consultants, for example, on behalf of developers to inform transport appraisals of new developments.

Traffic Survey Licensing Scheme

3. The County Council currently operates a voluntary notification system for private organisations/consultants who undertake traffic surveys on Nottinghamshire roads. Compliance with the voluntary scheme is variable, and the Council have no records or control over the number of traffic surveys which are undertaken on its network.
4. In 2017 Leicestershire County Council (LCC) introduced a licensing scheme for all traffic surveys undertaken on its highway network; and LCC has offered to implement and administer a similar scheme on behalf of neighbouring authorities (LCC are currently in the process of setting up a scheme in Nottingham City). The LCC traffic survey licensing scheme requires organisations to obtain a highway permit, which are issued under Section 50 of New Roads and Street Works Act 1991, in advance of any works being undertaken on the highway (i.e. before installing any survey equipment on the highway).
5. If introduced in Nottinghamshire the scheme would enable the County Council to:
 - have a better awareness of planned activity on its highway network; and to better manage and co-ordinate any traffic survey related activity on its highway network
 - deal with queries from County Council members, residents, and other interested parties in a more efficient and timely manner, and
 - obtain traffic data from organisations undertaking traffic surveys on its highway network, potentially reducing the need/cost for some in-house surveys.

6. Given the anticipated benefits to the County Council from introducing a such a scheme, it is therefore proposed that the County Council implements a traffic survey licensing permit scheme within the county; administered by LCC through 'The Public Contracts Regulations 2015' Regulation 12.
7. Under the proposed scheme all organisations will be required to obtain a permit (through LCC's online application portal) prior to undertaking any traffic counts/surveys on the County Council managed road network. It is, however, proposed that certain organisations (i.e. Via East Midlands [when working on behalf of the County Council], the DfT, HS2 Limited, and Highways England) will be exempt from the licence fee charge if a permit is obtained in advance of undertaking any works, These organisations must therefore still obtain a permit prior to installing their survey equipment on County Council managed highway.
8. All other organisations (and Via East Midlands when undertaking traffic surveys for organisations other than the County Council) would be required to obtain and pay for a permit prior to undertaking any traffic counts/surveys on the County Council managed road network. It is proposed that if paid in advance the cost of the licence would be £125 per site, or £75 if the organisation provides Nottinghamshire County Council with a copy of the survey data.
9. If any organisation undertakes a survey without acquiring a permit prior to undertaking any traffic counts/surveys on the County Council managed road network they will be required to pay for a retrospective permit at a cost of £200 per site.
10. Under the proposed scheme LCC would charge an administration fee of £25 per paid permit issued (which is included in the costs detailed above) meaning that the County Council would receive between £50 and £175 income per paid permit issued. The permit charges would be subject to annual review and approval by Communities & Place Committee as part of the annual 'Charging for Highway Services' report.
11. It is estimated that the costs to set up the scheme will be between £500 and £2,500 (dependent on the amount of changes to online applications forms required by the County Council) and these costs will be met from the Transport Planning & Programme Development Team's revenue budget allocation should members approve the introduction of the scheme.
12. Any funding received from the payment of the permits will be used to offset the revenue costs to introduce the scheme, as well as the County Council's costs associated with the monitoring, management, and operation of the proposed scheme.
13. A memorandum of understanding, detailing all aspects of how the scheme will operate, is currently being finalised, it is proposed that the scheme will be introduced in April 2019, or as soon as possible thereafter, subject to members approval. Should the scheme be approved, the operation of the scheme will be reviewed as part of the annual review of charging for services.

Other Options Considered

14. Other options considered are set out within this report but have been rejected as the existing voluntary scheme does not enable the Council to effectively monitor and manage activity

carried out on the highway. The County Council could introduce and administer its own scheme but does not currently have the resources nor administrative licensing arrangements in place to introduce and operate its own scheme.

Reason/s for Recommendation/s

15. The proposed licensing scheme will enable the County Council to more effectively manage activity on its highway and provide a better service to customers as it will enable the County Council to:
- have a better understanding of all activity which happens on its highway network
 - deal with queries in a more efficient and timely manner, and
 - obtain traffic data at no cost to the Council, possibly saving the need/cost for some in-house surveys.

Statutory and Policy Implications

16. 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

17. The financial implications, including budget allocations, are set out within the report. It is anticipated that the proposed licensing scheme will provide an income for the County Council. Whilst it is not possible at this time to determine the level of income, as it will be dependent on the number of paid permits issued, it is anticipated that this income will be used to fund the revenue costs to introduce the scheme, as well as the ongoing staff costs to monitor, manage, and operate the proposed scheme.

Public Sector Equality Duty implications

18. All programmes detailed within this report comply with the Public Sector Equality Duty.

RECOMMENDATION/S

- 1) It is recommended that Committee approve the proposed traffic survey licensing permit scheme as detailed in the report.

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For any enquiries about this report please contact:
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Constitutional Comments [02/01/2019]

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

Financial Comments [SES 28/12/2018]

20. The financial implications are set out in paragraph 17 of the report

Background Papers and Published Documents

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

- Nottinghamshire Local Transport Plan Strategy 2011/12-2025/26
- Nottinghamshire Local Transport Plan Implementation Plan 2015/16-2017/18

Electoral Division(s) and Member(s) Affected

- All