

Transport and Highways Committee

Thursday, 24 April 2014 at 10:30

County Hall, County Hall, West Bridgford, Nottingham NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | minutes of the last meeting held on 20 March 2014 | 5 - 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 | Transport and Travel Services Passenger Fleet Operations | 9 - 14 |
| 5 | DfT Consultation on Bus Registrations | 15 - 34 |
| 6 | Savings Achieved Through the use of Highway Term Service Contract | 35 - 46 |
| 7 | Additional Funding for Highways Maintenance | 47 - 50 |
| 8 | Civil Parking Enforcement | 51 - 56 |
| 9 | Flood Risk Management Update | 57 - 68 |
| 10 | Petitions Responses presented to Council | 69 - 76 |
| 11 | Work Programme | 77 - 80 |

12 EXCLUSION OF THE PUBLIC

The Committee will be invited to resolve:-

“That the public be excluded for the remainder of the meeting on the grounds that the discussions are likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Note

If this is agreed, the public will have to leave the meeting during consideration of the following items.

13 Appendix - Civil Parking Enforcement Contract Award and Management Review

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.

Members or Officers requiring clarification on whether to make a declaration of interest are invited to contact Dave Forster (Tel. 0115 9773552) or a colleague in Democratic Services prior to the meeting.

(4) Members are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.

Notes

(1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.

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Meeting Transport and Highways Committee

Date 20 March 2014 (commencing at 10.30 am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

Kevin Greaves (Chairman)
Steve Calvert (Vice-Chairman)

Roy Allan
Nicki Brooks
Andrew Brown
Richard Butler
Stephen Garner

Colleen Harwood
Stan Heptinstall MBE
Richard Jackson
John Wilmott

OFFICERS IN ATTENDANCE

David Forster - Planning Policy and Corporate Services
Tim Gregory - Corporate Director Environment and Resources
Andrew Warrington - Service Director Highways

MINUTES OF THE LAST MEETING

The minutes of the meeting held on 13 February 2014, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

COMMITTEE MEMBERSHIP

The Clerk to the Committee reported orally that Councillors Nicki Brooks, John Wilmott and Stan Heptinstall had been appointed to the Committee in place of Councillors Ian Campbell, Michael Payne and Steve Carr respectively.

APOLOGIES FOR ABSENCE

None

DECLARATIONS OF INTEREST

Councillors Stan Heptinstall and Richard Jackson declared a non-pecuniary interest in agenda item 10 – The Nottinghamshire County Council 9Glebe Street Area, Beeston) (Prohibition of Waiting and Residents' Controlled Zone) Traffic Regulation

Order 2014 – on the grounds they are both Broxtowe Borough Councillors and the petition referred to in the report was instigated by Broxtowe Borough Staff.

ORDER OF BUSINESS

With the consent of the Committee the Chairman changed the order of business to bring forward Agenda item 10.

THE NOTTINGHAMSHIRE COUNTY COUNCIL (GLEBE STREET AREA, BEESTON) (PROHIBITION OF WAITING AND RESIDENTS' CONTROLLED ZONE) TRAFFIC REGULATION ORDER 2014

RESOLVED 2014/024

The Nottinghamshire County Council (Glebe Street Area, Beeston) (Prohibition of Waiting and Residents' Controlled Zone) Traffic Regulation Order 2014 is made as advertised and the objectors advised accordingly.

LOCAL SUSTAINABLE TRANSPORT FUND 2015/16

Mr Warrington introduced the report and informed members that there were discussions ongoing with Nottingham City Council

RESOLVED 2014/025

That the submission of the proposed Local Sustainable Transport Fund 2015/16 revenue bid as detailed in the report be approved.

RESTRUCTURE OF THE HIGHWAYS DIVISION

RESOLVED 2014/026

That the staffing structure as set out in the appendix attached to the report be approved.

CHARGES FOR HIGHWAYS SERVICES 2014/15

Mr Warrington introduced the report and highlighted an amendment to page 5 "District Searches – search for Right of Way and search of the Greens and Commons Registers should be "Property Searches - search for Right of Way and search of the Greens and Commons Registers.

RESOLVED 2014/027

1. That the proposed charges for highway services, documents and data for the financial year commencing on 1 April 2014 is approved and
2. That all charges for highways services continue to be reviewed annually and also as maybe required consequent on any change in circumstances.

NOTTINGHAMSHIRE EXPRESS TRANSIT: TOTON EXTENSION UPDATE TO SPECIAL HARDSHIP FUND

Mr Warrington introduced the report and informed members that the City Council had also been asked to contribute £25,000 but this had not been to a meeting for a decision as yet.

RESOLVED 2014/028

1. That the County Council makes an additional contribution of £25,000 (subject to a similar amount from Nottingham City Council). This is in addition to the previous contribution of £25,000 made by the Council for the establishment of the Special Hardship Fund with Broxtowe Borough Council continuing to administer which will assist businesses in most need of support within the identified Financial Assistance Package area and
2. That the County Council calls upon Tramlink and their contractors to consider how they can financially assist businesses adversely affected by the additional time now taking to complete works particularly in Beeston and Chilwell.

NEW WORKSOP BUS STATION – UPDATE

RESOLVED 2014/029

1. That all phases of construction to deliver the Worksop Bus Station scheme is approved and
2. That the ongoing revenue requirements to operate the bus station for the first five years of the joint agreement with Bassetlaw District Council and the need for an operational review in year six be noted.

THE NOTTINGHAMSHIRE COUNTY COUNCIL (BOUNDARY ROAD AND HOLDEN CRESCENT, NEWARK) (PROHIBITION OF WAITING AND NO STOPPING ON ENTRANCE CLEARWAY) TRAFFIC REGULATION ORDER 2014

RESOLVED 2014/030

That The Nottinghamshire County Council (Boundary Road and Holden Crescent, Newark) (Prohibition of Waiting and No Stopping on Entrance Clearway) Traffic Regulation Order 2014 is made as advertised and the objectors informed accordingly.

PERFORMANCE REPORT – HIGHWAYS

RESOLVED 2014/030

That the report be noted.

RESPONSE TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL ON 16 JANUARY 2014

RESOLVED 2014/031

That the proposed actions be approved, the petitioners be informed accordingly and a report be presented to Full Council for the actions to be noted.

WORK PROGRAMME

RESOLVED 2014/031

That the work programme be noted.

The meeting closed at 12.05 pm

Chairman

24 April 2014

Agenda Item:

**REPORT OF THE SERVICE DIRECTOR OF TRANSPORT, PROPERTY AND
ENVIRONMENT**

TRANSPORT & TRAVEL SERVICES - PASSENGER FLEET OPERATIONS

Purpose of the Report

1. To advise Committee of the outcomes of a review of the Fleet Operations Service.
2. To seek approval to commence formal consultation with staff in order to introduce new working arrangements.
3. To agree that the new service model starts operating from August 2014 and operates in a “shadow” mode from May 2014.

Background

4. A review of Passenger Transport Fleet Operations (PTFO) has recently been undertaken, the key objectives were to:
 - Analyse current and future service provision
 - To establish future costs and apportionment to client departments
 - To identify efficiency savings
 - To consider the potential for integration with other services such as special education needs (SEN) and local bus services (LBS)
5. The passenger fleet currently consists of 61 vehicles which mainly convey clients to and from Day Services. It also operates local bus services in the Broxtowe and Mansfield areas and some services to luncheon clubs which may cease operating later this year as part of the budget reductions. The fleet is mainly based at Rushcliffe Borough Council’s West Bridgford depot with others based at small satellite bases across the County.
6. Staff (currently 48.5 FTE’s and 14 agency drivers) are based at the Day Centres and the West Bridgford depot. Drivers undertake care support duties in Day Centres when not driving the vehicles. This leads to inefficient use of the vehicles and higher unit costs because many of the vehicles are idle during off peak times.

7. Analysis of service provision established that, on average, vehicles were only being used for 42% of their available time and usage outside of core peak time periods (07:30-10:00 and 15:00-18:00) was minimal.
8. The review also established that the fleet does not operate on a stand-alone cost centre basis which leads to consequent budget anomalies, making it difficult to establish actual costs for charging, especially when drivers are undertaking non-transport related work.
9. It was identified that performance management and central control was weak in some areas resulting in poor utilisation of drivers and vehicle resources. This was largely due to route planning being carried out by drivers and Day Services staff rather than by centralised Transport Planners who have a wider overview of all transport operations.
10. The above issues were considered during the recent Day Service review which has led to a reduction of vehicles and more efficient planning of routes and vehicles. This led to £200K of savings during 2013/14. The management, operation and planning of vehicle and driver deployment was fully consolidated into Transport and Travel Services (TTS) in January this year.
11. Current budget proposals require TTS to deliver significant savings of £1.8M over the next 2 years. Most of the savings will be through more efficient commissioning and operation of supported local bus services and integrated use of the internal fleet. In addition Adult Social Care and Health (ASCH) need to deliver £500K of transport savings of which £330K will be through reduced internal fleet costs. These changes will be implemented in August 2014.
12. The review raised many questions about the fleet and the cost effectiveness of the current arrangements. The status quo could not be maintained, therefore actions have been taken to reduce costs and introduce more stringent control of fleet operations. A database of all clients and services has been established to inform future route requirements and to identify actual cost for each client.
13. The service faces a high level of uncertainty regarding future demand with the introduction of personalised budgets and the need for efficiency savings. To deliver the service improvements and budget savings there needs to be a fundamental change in the fleet operating model.

Proposals

14. As previously mentioned the status quo is not an option. The fleet provides a high quality frontline service and acts as a market moderator against high prices in the commercial sector. Fleet availability is also essential to cover any urgent arrangements as recently needed in the Mansfield and Nottingham areas when two commercial operators ceased trading at short notice.

However for the fleet to remain competitive it needs to change its model of operation and, from August 2014, introduce:

- A single fleet with central costs managed by TTS
- Separation between driving and care work, transferring the control of driver times and duties to TTS
- A stringent performance management system
- A dedicated cost centre
- A system for calculating costs for client departments with supporting service level agreements
- Further integrated use of services for LBS, SEN and ASCH work.
- Appropriate changes to the fleet operating hours

15. This new approach will result in:

- Reduced number of fleet vehicles (from 61 to 57) through improved utilisation of vehicles/driver resources
- 11 vehicles operating a combination of Local Bus and Adult Social Care services
- 17 vehicles being fully dedicated to Day Services work and 21 operating part-time on Day Services work until further off peak work is secured
- The remaining 8 vehicles covering dedicated Local Bus work or operating as spare vehicles to cover maintenance periods or breakdowns
- Delivery of the agreed budget savings over the next three years
- More capacity to undertake off-peak work
- More central control allowing management to gain the “big picture” of service needs
- Continuous review of vehicle utilisation
- Separation of the transport function from the care function
- Better use of staff during the off-peak periods
- A mix of driver employment including full-time, split shifts, part-time and annualised hours
- Clear costs attached to each transport activity allowing for better commercial decisions to improve value for money and responsiveness
- The opportunity to grow the business, especially off-peak in areas where there is no commercial interest
- The continuing ability to react quickly to any unforeseen changes in the market and the ability to moderate the market
- Stronger position to advise on future policy options and service improvements

Budget Impact and Savings

16. The changes will result in cost reductions that will contribute to the proposed £1.8m budget review savings and will reduce unit costs sufficiently to deliver the £330k savings required for ASCH.

17. The £1.8m budget review savings are in respect of support to local bus services with £1.1m to be achieved from service efficiencies (a re-design of

the network) and £0.7m from withdrawal of support for Sunday, early morning, evening and Bank Holiday services.

18. It will not be clear exactly what level of contribution to these savings the new Passenger Fleet Operations model will generate as this will depend on the outcome of the tendering process for re-designed supported local bus services.
19. The results of the tendering process and contract award information will be brought to the Transport and Highways committee meeting in May.

Reasons for Recommendation

20. To ensure that the fleet delivers budget savings, is fit-for-purpose, has a correct cost base and continues to provide a high quality efficient service.

Statutory and Policy Implications

21. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

22. The new delivery model will ensure clients have a high quality and cost effective service.

Human Resource Implications

23. Informal discussions and meetings were held with staff in autumn 2013. The new operating model will require some changes to drivers' working arrangements which will be considered during formal consultation.

Financial Implications

24. The new model will ensure clarity of costs and charges. It will contribute significantly to the budget reductions (£2.3M) for LBS and ASCH transport services.

RECOMMENDATIONS

It is recommended that Committee:

- 1) Approve the proposals contained in the report for the future operation of Passenger Fleet Transport Operations and the introduction of a trading service.
- 2) Agree that formal consultation commence with drivers and their representatives and a new operating model to be introduced from August 2014.

Mark Hudson
Group Manager
Transport & Travel services

For any enquiries about this report please contact: Mark Hudson, Tel 74519

Constitutional Comments (LM 27/03/14)

25. The Transport and Highways Committee has delegated authority within the Constitution to approve the recommendations in the report.

Human Resources comments (AN 26/03/14)

26. The HR implications will be considered through the consultation process with trade unions and staff involved in drawing up the new operating model.

Finance comments (TMR 26/03/14)

27. The financial implications are set out in paragraph 24 of the report.

Background Papers

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

None

Electoral Divisions Affected

All



24th April 2014

Agenda Item:

**REPORT OF THE SERVICE DIRECTOR – TRANSPORT, PROPERTY &
ENVIRONMENT**

**DEPARTMENT FOR TRANSPORT CONSULTATION ON BUS
REGISTRATIONS.**

Purpose of the Report

1. To inform Committee of the Department for Transport (DfT) consultation on bus registrations.
2. To consider the draft response and seek approval to submit this to the DfT.

Background

3. In 2012 the Competition Commission (CC) investigated and reported on bus service competition and the associated registration process. The CC concluded that the current bus service registration process causes restricted competition and operator behaviour which discourages new entrants from competing in the bus market. The report recommended four remedies to address these concerns.
4. The report also pointed out that:
 - The lack of a of a healthy competitive bus market can result in a combination of higher fares, fewer services and lower quality services and is estimated to cost taxpayers and consumers in excess of £70m and could be as high as £305m per annum
 - The lack of competition locally can have a detrimental impact on supported local bus services and statutory school bus provision as tender prices tend to be higher with fewer bus operators competitively bidding for work.
5. The DfT recently issued a consultation document seeking views from stakeholders on the four remedies recommended by the CC. The deadline for consultation responses is 6th May 2014.

6. Additionally, the consultation seeks views on making digital bus registrations a requirement in order to reduce administration costs.
7. Bus operators were involved in contributing to the CC investigation and will have the opportunity to take part in the DfT consultation. Nottinghamshire operators have shared their views with NCC officers and these have been considered when forming the response appended to this report.

Current Situation

8. The Traffic Commissioner is a Government appointed body that deals with all bus registrations. The Traffic Commissioner cannot refuse any registration that is properly constituted.
9. The current bus registration system requires bus operators to submit applications to the Traffic Commissioner as follows:

- a. **New Bus Service Registrations**

Operators must give 56 calendar days' notice and copy this to the Local Transport Authority (LTA).

- b. **Variations to Current Bus Service Registrations**

Operators must give 56 calendar days' notice and copy this to the LTA.

- c. **Changes to Registrations and Short Notice Registrations**

Changes:

During the notice period for a new service, another existing bus operator running a similar route can react to this registration by applying to change their current service.

Short Notice:

Bus operators can make short notice registrations in less than 56 days providing the LTA supports or requests it. This is normally used for exceptional circumstances such as major road works, special events, or urgent situations.

A bus service timetable may also be varied by up to 10 minutes without the need for a change to the registration or LTA approval.

- d. **Frequent Services Registrations**

A frequent service is one that runs six or more trips per hour and a bus operator can increase the number of frequent services on a route without informing the Traffic Commissioner. If a bus operator wants to increase a service to run six or more trips per hour, this needs to be re-registered as a frequent service. Unlike other bus registrations, a service timetable is not required for this type of registration.

Competition Commission Remedies

10. The four remedies recommended by the Competition Commission to address competition concerns are:

Remedy 1 - New Bus Service Registrations:

Introduces an extra 14 day pre notification period

The extra 14 days' notice is intended to go to the LTA.

Remedy 2 – Variations to Current Bus Service Registrations

Extension of notice period to 90 days plus a 14 day pre notification period (to LTA)

Remedy 3 - Changes to Registrations and Short Notice Registrations

Introduces two restrictions

- (1) Prevents an existing bus operator running a similar route (see 9c) from making changes to a registration during a notice period for a new service
- (2) Removes the short notice registration facility in respect of where the service is changed by no more than ten minutes.

Remedy 4 - Frequent Services Registrations

Introduces service intervals and new categories through a banding system.

Bus operators will need to submit a registration if they want to change into a different band, eg from 6-8 trips per hour to 9-11 trips per hour. Service intervals restrict the timings between trips.

Proposed Consultation Response

11. The DfT is seeking views on the above remedies with the exception of Remedy 2 whereby the DfT suggests an alternative 70 day registration period along with a 14 day period of pre-notification to the LTA.
12. The proposed consultation response from Nottinghamshire County Council is appended to this report.

Summary

13. From an operational perspective, the current bus registration system can be confusing especially for new bus operators. The remedies and suggestions

contained within this consultation appear to add to this confusion whilst also removing the already limited flexibility that currently exists.

14. The only real apparent benefits are:
- for LTAs, the introduction of a fourteen day pre-notification period for new or varied registrations will provide more time for the LTA to react.
 - The extension of the notice period from 56 to 70 days will provide more time for a bus service to become established which, in turn, should increase the chances of success.

Reason for Recommendation

15. To provide the County Council's response to the DfT consultation on bus registrations.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

17. None

RECOMMENDATIONS

- 1) Note the consultation by the Department for Transport on bus registrations and approve the appended response.

Mark Hudson
Group Manager, Transport and Travel Services

For any enquiries about this report please contact:

Pete Mathieson, Team Manager, Transport and Travel Services

Constitutional Comments

18. Transport and Highways Committee has authority to consider and to approve the recommendations set out in 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.

Consultation on implementation of the Competition Commission remedies on bus registration:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/288372/bus-registration-consultation-document.pdf

Local bus services market investigation: A report on the supply of local bus services in the UK (excluding Northern Ireland and London)

http://webarchive.nationalarchives.gov.uk/+http://www.competition-commission.org.uk/inquiries/ref2010/localbus/pdf/00_sections_1_15.pdf

Electoral Division(s) and Member(s) Affected

All

APPENDIX 1

Consultation response form – implementation of Competition Commission bus registration remedies

Part 1 - Information about you

Name	Pete Mathieson
Address	Trent Bridge House, Fox Road, West Bridgford, Nottingham
Postcode	NG9 2EQ
email	pete.mathieson@nottscc.gov.uk
Company Name or Organisation (if applicable)	Nottinghamshire County Council
Please tick one box from the list below that best describes you /your company or organisation.	
<input type="checkbox"/>	Small to Medium Enterprise (up to 50 employees)
<input type="checkbox"/>	Large Company
<input type="checkbox"/>	Representative Organisation
<input type="checkbox"/>	Trade Union
<input type="checkbox"/>	Interest Group
<input checked="" type="checkbox"/>	Local Government
<input type="checkbox"/>	Central Government
<input type="checkbox"/>	Police
<input type="checkbox"/>	Member of the public
<input type="checkbox"/>	Other (please describe):
<p>If you are responding on behalf of an organisation or interest group how many members do you have and how did you obtain the views of your members:</p> <p>Please note - the bus operator comments contained in this reponse represent the views of the main bus operators operating in Nottinghamshire.</p>	

If you would like your response or personal details to be treated **confidentially** please explain why:

PART 2 - Your comments

<p>1. The impact of the 14 days pre-notification remedy is considered in the impact assessment at Annex A. Is there any further evidence or information (particularly in terms of monetised costs/benefits) that you think should be taken into account? In particular the Department has made various assumptions in calculating the impact and would welcome evidence on:</p> <ul style="list-style-type: none"> the proportion of routes that can be changed with 70 days' notice (56+14 days) at no extra cost (we implicitly assume that all PTE areas have a code of service stability in place and therefore wouldn't incur any costs from this change in regulation) – is this a fair assumption?). Overall, we assume that 91% of operators are able to give 14 days' notice without any additional costs. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence; the proportion of lost commercial kms that is typically replaced by local authorities? We assume an average of 21% is replaced by local authorities. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence; the percentage reduction in the cost of emergency tender contracts that an additional 14 day period would allow? We assume that the extra time given to local authorities to engage in the procurement of tenders will reduce costs by 10%. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. it has been assumed that the impact on small and micro businesses as a result of this policy option will be low. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. 	<p>Local Bus Operators:</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
	<p>Nottinghamshire County Council:</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	
	Empty space for evidence	

Please provide evidence or information (particularly in terms of monetised costs/benefits):

Local Bus Operator Response:
 Local bus operators currently have a 70 day period for those services that operate in the 2 SQBP areas, the City and Mansfield, and do not object to this being applied for all services.

Nottinghamshire County Council Response

Nottinghamshire County Council has negotiated recognised service change dates with operators. The arrangements are established with operators, and it is reasonable to assume the current arrangements will continue.

We also have two Statutory Quality Partnerships in Nottingham City /Nottinghamshire, where we have an extended notice period for registrations (70 days) and the operators have not indicated any additional costs/ resource implications incurred due to this elongated notice period.

2. Do you agree with the Department's proposal to implement a 70 day notice period for all registrations, rather than a 90 day notice period just for variations? If not, what would you propose and why, and how would you address the circumvention risk of an operator cancelling and re-registering a service?

Local Bus Operators:

Yes

No

Nottinghamshire County Council:

Yes

No

Please explain your reasons and add any additional comments you wish to make:

Local Bus Operator Response:

The operators felt that the document wasn't very clear about whether the 70 days includes the 14 day notification period for local authorities or whether it is in addition to the 70 days, therefore making the notice period 84 days. If it is for the 84 days they do not support the proposal.

Nottinghamshire County Council Response

Nottinghamshire County Council support the principle of an increased notice period for registrations to ensure competing services have a greater opportunity of success and ensure greater network stability overall.

However we do still consider the Competition Commission recommendations of 90 days would have greater merit but understand the DfT reservations due to the circumvention risk, and would of liked more detail of the work DfT carried out to inform the proposal for 70 days -specifically to fully understand the DfT 'concerns' over the ability of the guidance to be clear and precise regarding definitions of a 'new' registration and 'variation' to an existing registration.

Within the Competition Competition report no reference has been made to the registering of services under section 22 which has a 28 day notice period. Should consideration be given to aligning the registration periods for section 22 with local bus to ensure there is no distortion of the market i.e. a large operator setting up a 'not for profit' off shoot and registering a service over a small operator?

3. If you propose that the circumvention risk can be removed through guidance, how would

you define what should be registered as a variation and what should be registered as a new service?

Please explain your reasons and add any additional comments you wish to make:

Local Bus Operator Response:

Supports the proposals for 70 days rather than the 90 day proposal due to difficulty operationally of working to two different notice periods i.e. where the new service is registered in 90 days while a variant is registered in 56 days but they operationally are on the same rota and also start on the same date.

Nottinghamshire County Council Response

Extending the notice period of 70, rather than 90 days to all registrations rather than just variations, is considered an appropriate measure, but as outlined above we would have liked more detail from the DfT on the rationale for this proposal.

4. The impact of the 90 days remedy is considered in the impact assessment at Annex A. Is there any further evidence or information (particularly in terms of monetised costs/benefits) that you think should be taken into account? In particular the Department has made various assumptions in calculating the impact of the options and would welcome evidence on:

- the percentage reduction in the cost of emergency tender contracts that the additional notice period would allow? We assume that the extra time given to local authorities to engage in the procurement of tenders would reduce costs by 10%. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence.
- some local authorities may have a Code of Conduct on Service Stability (CoCSS) that requires operators to notify local authorities 14 days before making an application to the Traffic Commissioner. However, other local authorities may currently have a CoCSS but may decide it is no longer necessary given the new notice period. It is assumed that 20% of local authorities would have a Code of Conduct on Service Stability in addition to a 70-day notification period to TCs. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence.
- percentage of operators already giving 14 days' notice to local authorities? We assume 56% and implicitly assume that all PTE areas have a code of service stability in place. If you believe this is not a

Local Bus Operators:

Yes

No

Nottinghamshire County Council:

Yes

No

<p>fair assumption, please tell us what assumption you think should be used and provide us with the evidence.</p> <ul style="list-style-type: none"> it has been assumed that the impact on small and micro businesses as a result of this policy option will be low. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. 		
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Please provide evidence or information (particularly in terms of monetised costs/benefits):

Local Bus Operator Response:
The operators do not believe there is any evidence to support the 10% reduction in costs locally or nationally and point out that PTE's continue to see rising costs regardless of the extended 'notice' periods in operation in many of these areas.

Nottinghamshire County Council Response
Providing evidence on the impact of a longer notice period for service changes is very difficult because local factors such as time of year, number of companies competing locally, financial stability of the operators etc. has meant we have seen no discernable trend. However locally when a local operator went into administration and emergency tenders were sought the costs were between 25- 30% higher.

Nottinghamshire County Council has negotiated recognised service change dates with operators. The arrangements are established with operators as part of quality bus partnership arrangements, and it is reasonable to assume the current arrangements will continue.

The percentage of operators already giving 14 days' notice to local authorities is unlikely to be representative of all local authorities, but locally in Nottinghamshire we have 2 SQBP's which covers approximately 60-70% of service registrations.

Small and large bus operators could be adversely impacted financially where they wish to de-register a non-profitable service, where they will be required to sustain the losses for an additional 14 days. This could be of particular concern where the de-registration is consequent upon unforeseen circumstances i.e. closure of an employer and sudden loss of patronage. In these cases consideration should be given to a short notice withdrawal, providing it can be demonstrated that the loss of patronage was sudden, and could not have been reasonably foreseen.

<p>5. Are there any unintended consequences of delaying acceptance of a further registration until the first notice period has lapsed?</p>	Local Bus Operators:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Nottinghamshire County Council:	

	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If yes, please explain what these are:

Local Bus Operator Response:
The bus operators would continue to like the flexibility to respond to emergency situations quickly where there is no competitive element to consider.

Nottinghamshire County Council Response
None. Any non-competitive need for a further registration within the period of the first registration would most likely qualify within the short-notice provisions, and therefore be accepted as set out in Section 1.20.

<p>6. The impact of the short notice remedy is considered in the impact assessment at Annex B. Is there any further evidence or information (particularly in terms of monetised costs/benefits) that you think should be taken into account? In particular the Department would welcome evidence on:</p> <ul style="list-style-type: none"> the number of successful short notice applications that are made annually, and the percentage of those that are currently for changes of no more than 10 minutes earlier or later. We have made no assumptions in the IA on the questions above and we would welcome evidence in order to monetise the impacts of this recommendation. Please tell us what assumptions you think should be used and provide us with the evidence. it has been assumed that the impact on small and micro businesses as a result of this policy option will be low. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. 	Local Bus Operators:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Nottinghamshire County Council:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please provide evidence or information (particularly in terms of monetised costs/benefits):

Local Bus Operator Response:
The Bus operators believe these proposals do not take into account that large operators can register over small operators and therefore 'unwittingly' supports the predatory behaviour that the Competition Commission is trying to address by not offering 'protection' for small operators. They point to two local examples where this has happened recently and put the small operators out of business.

Nottinghamshire County Council Response

The exact number of short service registrations can be sought from the Traffic Commissioner but we have no analysis locally of the impact of short notice changes.

We support the bus operators observations about small operators being vulnerable to large operators registering competing services.

7. Do you agree with the Department’s proposal to introduce fixed bands? If not, please explain what is your preferred option and why?	Local Bus Operators:	
	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Nottinghamshire County Council:	
	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Please explain your reasons and add any additional comments you wish to make:

Local Bus Operator Response:

The bus operators do not support this proposal because they believe it makes the registration process more complex i.e. for a school service operates 10 services per hour during school term dates (which incidentally vary in Nottinghamshire and Nottingham City) and 6 per hour during school holidays and thus would have to register the change before the initial service has started. Equally on a frequent service for one hour in the morning they may operate in two time bands, peak and off peak, therefore requiring 2 registrations.

Nottinghamshire County Council Response

The County Council agrees with the bus operators on the introduction of fixed bands and service intervals and the complexity this will cause in the registration process.

The County Council would recommend that all services are registered in the same way and there is no differentiation between frequent and non-frequent services. In regard to the monitoring of the services by the Traffic Commissioner we would recommend no change for 'frequent' services. If the bus operator provides the infill timetable information for all bus stops, this is useful to fulfill database and traveline requirements as outlines in Section 11 regarding encouraging the uptake of EBSR.

8. The impact of the frequent service remedy is considered in the impact assessment at Annex C. Is there any further evidence or information (particularly in terms of monetised costs/benefits) that you think should be taken into account? In particular the Department	Local Bus Operators:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Nottinghamshire County Council:	

<p>would welcome evidence on:</p> <ul style="list-style-type: none"> the monetised costs to operators of identifying their frequent services and informing DVSA of which ones fall outside of the default band and which band they fall in (see paragraphs 1.33 to 1.35); the monetised costs of a software upgrade for EBSR users (see paragraphs 1.36 to 1.39); the cost for operators that do not use EBSR to upgrade their IT system to comply with the new definition of frequent services. We have not currently monetised this as we didn't have enough data to include monetisation, please tell us what assumption you think should be used and provide us with the evidence. for each of the three policy options - how often do you think operators would have to change their frequency band annually as a proportion of total frequent services? We currently assume that under policy option 1, 3% of total frequent services would have to be re-registered into a different band annually. Under policy option 2 and 3 it is assumed that 7.5% of total frequent services would have to be re-registered into a different band annually. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. the total number of frequent services in England? We currently assume that there are 518 frequent services in England (from the CC report). If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. it has been assumed that the change in frequency registrations will have little impact on small and micro businesses as medium and large businesses run the majority of frequent bus services. If you believe this is not a fair assumption, please tell us what assumption you think should be used and provide us with the evidence. 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please provide evidence or information (particularly in terms of monetised costs/benefits):

Local Bus Operator Response:

No response on this, other than to say if the costs increase this will be reflected in tender costs and fares for customers.

Nottinghamshire County Council Response

The cost for operators that do not use EBSR to upgrade their IT system to comply with the new definition of frequent services can be removed by instead introducing the workaround described at Question 10. Operators should be able to determine which frequency band the service falls into at the time they make the registration.

The low adoption rate especially by small and medium sized operators is primarily due to the cost of installing proprietary software which would enable EBSR to be exported to the Traffic Commissioner, Local Authority and Traveline. The software should be made available as a secure on-line facility, available to pre-registered operators.

The Department of Transport should also insist that operators provide infill timetable information for all bus stops, so one upload from the operator can be submitted to the Traffic Commissioner, Local Authority and any real time passenger information databases. This would be the most efficient and cost effective way to provide data.

9. Do you agree that operators are best placed to identify their services that are frequent services? If not, please explain why.	Local Bus Operators:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Nottinghamshire County Council:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please explain your reasons and add any additional comments you wish to make:

Local Bus Operator Response:

Operators agree with this assumption.

Nottinghamshire County Council Response

It is suggested that The Traffic Commissioner should monitor frequent services to verify that the band within which the service is registered is being complied with.

10. Do you agree with the Department's proposal to adopt a workaround to the EBSR system to record the frequency? If not, please explain how you think the issue	Local Bus Operators:	
	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Nottinghamshire County Council:	

should be resolved.	Council:	
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please explain your reasons and add any additional comments you wish to make:

Local Bus Operator Response:
No comment.

Nottinghamshire County Council Response

The proposed workaround would restrict costs to the extra administrative costs of entering the information and costs to DVSA of checking that the information has been supplied. It would be significantly cheaper than the cost of updating the software to include a new element for frequency band.

11. In relation to encouraging the uptake of EBSR, views are also being sought on:

- potential barriers to the full roll out of EBSR in the next 2-3 years and how those barriers might be addressed;
- potential solutions to make the software accessible to small and medium operators; and
- whether Traveline acting as an agent for operators without TransXChange-compliant scheduling equipment is worth exploring.

Please explain your views and add any additional comments you wish to make:

Local Bus Operator Response:
The Bus operators believe that EBSR is not fit for purpose hence its slow adoption and suggest that a new approach is considered. However locally Stagecoach is using EBSR for bus registrations.

Support the development of an internet portal available for use by small operators and large operators alike. The only difference would be the requirement for the internet portal to accept uploaded files from large operator's propriety systems.

Do not support the need for traveline involvement if the above option is accepted. However if the use of traveline is considered then additional charges would need to be recovered from the registration fee.

Nottinghamshire County Council Response

Barriers could include slow operator adoption of new technology and training operators to use EBSR effectively.

The software should be made available as a secure on-line facility, available to pre-registered operators.

Registrations should be input and submitted by the operator registering the service to ensure their full understanding and 'buy-in' to the new service. The software should be made available as a secure on-line facility, available to pre-registered operators and we would recommend the Norfolk County Council system is adopted, to ensure a speedier uptake than 2 or 3 years.

Other Comments

The Council wishes to submit the following additional comments in respect of this consultation:

Role of the Traffic Commissioner.	<p>Nottinghamshire County Council requests that the Department for Transport gives consideration to devolving the role of managing Local Bus Registrations from the Traffic Commissioner to the Top Tier Local Authority. This could be achieved initially as a trial to showcase the benefits of the relevant Local Authority(ies) taking responsibility for approving local bus registrations. This would be of particular benefit with the introduction of a 14 day advance discussion period for local bus registrations. The Local Authority would be able to verify whether the 14 days discussion period has been complied with, which would otherwise be invisible to the Traffic Commissioner considering the application.</p> <p>Nottinghamshire County Council would be willing to participate in a trial of the above proposal.</p>
Senior Traffic Commissioner Consultation	<p>There is concern that the second Traffic Commissioner Consultation issued on 7th April includes a 7 minute window for late running. This could encourage operators to adopt unfair competitive practice by departing stops later than scheduled resulting in competition with a later departing competitor's service, therefore resulting in competition by stealth.</p> <p>There is a need for review of how any revisions to Local Bus Registration guidelines and the role of the Senior Traffic Commissioner guidance will work together for the benefit of the customer.</p>

24 April 2014**Agenda Item:****REPORT OF THE SERVICE DIRECTOR, HIGHWAYS****SAVINGS ACHIEVED THROUGH THE USE OF THE HIGHWAY TERM SERVICES CONTRACT.****Purpose of the Report**

1. The purpose of this report is to provide Members with information relating to the savings currently being achieved through the use of the highways term services contract which came into being on the 4th of April 2013.

Information and Advice

2. The information contained in this report is provided for information only.
3. At its meeting on the 30th of June 2011 the County Council considered a report on the future delivery of highway services in Nottinghamshire. That report concluded that a range of highway services should be evaluated to determine which could be offered to the market to allow the authority the opportunity to test the market, benchmark costs, identify new providers and provide healthy competition between suppliers, whilst retaining a strong local supplier base. An option to tender the whole of the works undertaken by the authority's in-house service provider was discounted at that time.
4. Following that meeting the Highways Division undertook an extensive review of all of its services, this review was termed the Traded Services Review (TSR).
5. One key element of the TSR was a series of workshops which were attended by staff from throughout the highways division. These workshops considered service delivery through in-house operations teams, external contractors or a mixed economy for delivery. The results of these workshops were further refined to take account of the impact of the changes on the continued viability of the retained in-house service provider to operate on a commercial trading account and to enable resources to be managed, for example between seasonal activities, and to provide a clear definition between in-house and externally delivered services to assist the establishment of more efficient commissioning processes.
6. On the 9th of February 2012 the Chairs of the Transport & Highways Committee and the Finance & Property Committee considered a report detailing the findings of the TSR, setting out reasons for the inclusion of the specific service areas in the contract (mainly planned works) and the retention of in-house provision for other service areas (mainly reactive work). It was determined that

the TSR recommendation was the most appropriate for the delivery of services and had been subject to a robust assessment / interrogation procedure.

7. The highway term service contract which eventually resulted from the TSR incorporates industry best practice and is designed to provide high quality highway services through rigorous performance management. Contract extensions beyond the initial 5 year period will only be granted for proven high quality service delivery and will be evaluated during the second year of the contract.
8. A key consideration throughout this process has been the use of the highway term service contract to support the local economy. The successful tenderer has committed to delivering 90% of its work through local employment and local suppliers. The commitment to 90% delivery through the local economy is unusually high for a contract of this nature and is an important element of it.
9. A further commitment Highways Division made to the local economy is the requirement for the successful tenderer to establish a minimum of four apprenticeships during the first two years of the contract. As a direct result of the contract the first apprentice is already in post and arrangements are ongoing to undertake further recruitment.
10. The contract documents produced by Nottinghamshire County Council have since been adopted regionally and nationally to form the templates for the Midlands Highway Alliance and Highway Efficiency Maintenance Programme model term service contracts
11. The successful tenderer - Lafarge Tarmac - achieved the highest scores for both its quality and price submissions for the contract and its appointment was approved unanimously by Policy Committee on the 16th January 2013.

Financial Implications

12. The 16th of January 2013 report to Policy Committee anticipated that indicative savings of £2,152,712 per annum would be achieved through the use of the highways term services contract, this amount was expected to comprise projected capital savings of £1,735,411 and projected revenue savings of £417,301.
13. As well as recommending the award of the highways term services contract that report also made the further recommendation that the capital element of any savings achieved should be reinvested to improve the condition of the County's highway network.
14. The indicative saving of £2,152,712 was arrived at following a comparison of the successful tenderer's (Lafarge Tarmac) financial submission for the highways term service contract with that of a benchmarking exercise which was undertaken by the County Council's in-house service provider.
15. The financial submissions comprised a number of model schemes which the tenderers were required to cost. These models were chosen to fully represent the scope of the works included in the contract and were based on real historical schemes. The cost information for each model was been weighted to ensure that it reflected the true proportion of the different works.

16. The scope and estimated value of the works which it was intended to procure through the use of the highways term service contract is illustrated below in Table 1. The scope of the works included in the table below is limited to the provision of the physical works, all design works associated with these work streams have been retained by the County Council.

Work stream	Estimated annual value (based on 2012/13 values)
Carriageway resurfacing & high friction surfacing	£6,000,000
Carriage surface dressing	£1,500,000
Road markings and studs	£500,000
Gully cleansing	£1.250,000
Planned street lighting column replacement	£1,500,000
Baseline Annual Value	£10,700,000

Table 1 – Work streams included in the highway term service contract

17. For the purposes of this report the savings currently being achieved through the use of the highways term service contract will be reported by work streams as identified in Table 1.

Surfacing Scheme Name	Cost Using Term Service Contract	Benchmarked Cost	Saving
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Carriageway resurfacing & high friction surfacing

18. To estimate the probable savings achieved through the use of the highway term service contract, a number of schemes completed this year have been selected which are representative of the programme as a whole. A 'shadow' estimating exercise has been carried out for these schemes using the in-house service provider's estimating system. The schemes selected for this exercise are shown in Table 2 below.

Greaves Lane	£128,521.4	£190,822.4	£62,301.00
C17 Fiskerton	£127,226.68	£147,715.88	£20,489.20
Coddington	£121,435.22	£134,922.87	£13,487.65
C50 Mickeldale	£85,143.9	£91,383.53	£6239.63
<i>Total</i>			£102,517.48

Table 2 – Estimated resurfacing savings for typical schemes

19. The cumulative savings made through the use of the highway term service contract for the four schemes shown in Table 2 have been estimated to be £102,520, extrapolating these savings across the whole carriageway resurfacing and high friction surfacing programme the anticipated savings for the current financial year are estimated to be £1,090,000.

Carriageway surface dressing

20. For benchmarking purposes the actual treatment costs for surface dressing operations undertaken in 2011 have been applied to the areas and treatments undertaken during 2013. The 2011 date has been chosen to provide the benchmarking costs because it was the final year that this work stream was delivered by the County Council's 'in-house' service provider. The surface dressing benchmark costs are shown in Table 3.

Surface Dressing Treatment	2013 Areas (m ²)	2011 Rates (£)	Benchmark Costs (£)	2013 Rates (£)	Highway term service contract Costs (£)
Racked in rural	24,713	3.51	86,742.63	2.40	59,311
Racked in urban	313,310	2.95	924,264.50	2.40	751,944.00
6mm	36,645	2.51	91,978.95	1.77	64,861.65
		Total	1,102,986.08	Total	876,116.85

Table 3 – Surface dressing benchmark costs

21. It should be noted that the 2011 rates have been adjusted to allow for inflation and that these rates do not allow traffic management, replacement lines and reinstatement of road studs (cats' eyes).
22. The reported savings achieved for this work stream through the use of the highway term service contract are therefore £226,900.

Road markings & studs

23. In 2013/14 the budget for replacement road markings and studs was £484,600. Based on the reduced costs achievable through the use of the highway term service contract this was reduced to £264,600 in 2013/14, representing a saving of £220,000.
24. It should be noted that the highways term service contract has been used to replace the road markings at numerous problematic sites such as the A614 between Rufford and Ollerton, the pedestrian crossing on A620 Hospital Road, the A6002/A609 Balloon Woods junction, eleven east coast railway level crossings, numerous School Keep Clear markings throughout the County, A614 Wellow, A617 Newark to Kelham, A614 Lockwell Hill to White Post Farm, A608 Mansfield Road and the junction box markings outside of the police station on Ratcliffe Road, Mansfield. Many of these locations required complex and expensive traffic management arrangements.

Programmed gully cleansing

25. Programmed gully cleansing works will initially comprise two eighteen month cycles during which every highway gully maintained by the County Council will be cleansed twice, the contractor will then use the information captured during these operations to arrive at a new optimised gully cleansing regime which provides best value.

26. Details of the number of the number of gullies cleaned during the 2013/14 financial year are provided in Appendix A.
27. Gully Cleansing is just one of a range of drainage related highway maintenance works which are undertaken by the Highway Division from its revenue budgets, these works also include minor drainage repairs, jetting carrier drains, cleansing manholes, cleansing off lets etc.
28. Prior to the highway term service contract the entire range of these works was undertaken by the County Council's in-house service provider.
29. Since the 4th of April 2013 gully cleansing has been undertaken by Lafarge Tarmac whilst the remaining activities have generally been retained in-house. Roads requiring expensive traffic management arrangements are the exception to this rule. On these roads Tarmac Lafarge are cleansing the entire highway drainage systems they encounter to avoid costly revisits at a later date.
30. In 2013/14 significant drainage costs were incurred responding to flooding events – most notably in Southwell and Hucknall - which took place on the 23rd July and the subsequent clean up works which continued until the 19th August. The works undertaken by Lafarge Tarmac and the in-house teams following this flooding demonstrates that the flexibility of the service has not been impaired by the introduction of the term service contract.
31. The use of the term service contract for gully cleansing works has also allowed the County Council's in-house service provider to realise savings. These savings have been achieved by sharing information obtained during gully cleansing which includes location, condition and capacity. This information has allowed the in-house service provider to undertake programmed remedial works and reconfigure its operatives and vehicles to maximise efficiencies.
32. The anticipated savings achieved in 2013/14 through the use of the highway term service contract and changes to the in-house service provider's working practices are estimated to be in the region of £333,400.

Planned street lighting column replacement

33. The specification for planned street light column replacement works was reviewed following the introduction of the highway term service contract and a decision was made to use LED lanterns with a serviceable life of twenty years and lighting columns with a serviceable life of fifty years.
34. This significant change in maintenance practice is expected to result in substantial benefits to the County Council by reducing its electricity consumption and the frequency it replaces street lighting columns. It is not possible for any form of comparison to be made to comparable works which were undertaken prior to the highway term service contract.
35. In the absence of benchmark costs for this work stream it is reasonable to expect that the term service contract will generate efficiencies of a similar scale already illustrated for the other work streams.
36. The highway term service contact has also allowed the County Council the opportunity to take advantage of Tarmac Lafarge's existing procurement arrangements with its suppliers in order to purchase LED lanterns for street

lighting activities which have been retained by the Authorities in-house service provider.

37. The use of LED lanterns in these circumstances is a new initiative which normally would have required the establishment of purchasing arrangements with suppliers. Procuring these items via Lafarge Tarmac has allowed these set-up costs to be avoided. The County Council's Procurement Centre has estimated that these set-up costs would have been £4,500.
38. It is also probable economies of scale would have been realised through the use of Lafarge Tarmac's relationships with its suppliers. However, further work is required to establish what financial benefit this has achieved for the County Council and no such savings have been included in this report.

Additional savings and income.

39. The introduction of the highway term service contract has generated an income to the County Council of £208,210 which was realised through the sale of the Authority's gully cleansing and lining vehicles which were no longer required. This amount was arrived at following two independent valuations of the vehicles concerned. The purchase of these vehicles was a contractual requirement for the successful tenderer. The County Council received this income on the 8th July 2013.
40. Additional efficiency savings to the amounts listed above have also been generated through the application of innovative processes and working practices. Appendix B contains a log of these efficiency savings. This schedule was prepared by Lafarge Tarmac and the efficiencies it contains have been ratified by the appropriate County Council officer involved in the delivery of the works concerned. The efficiency log contains declared savings of £171,123.92 which have been reinvested in the maintenance of the Highway network.

Reason/s for Recommendation/s

41. The information contained in this report is provided for information only.

Statutory and Policy Implications

42. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the contents of this report, the forecasted savings of £2,046,000 and income of £208,210 for the 2013/14 financial year are noted.

For any enquiries about this report please contact:

Martin Carnaffin - Contract Manager, Highways Division

Constitutional Comments

Report for Information

Financial Comments

Report for Information

Background Papers and Published Documents

Details of the carriageway resurfacing & high friction surfacing programme 2013/14 – 22nd January 2014

Details of the carriageway surface dressing works programme 2013 – 23rd January 2014

Details of the replacement road markings undertaken during 2013 – 21st January 2014

Details of the 2013/14 planned street lighting column replacement programme -22nd January 2014

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.

County Council Report, 30th June 2011

Cabinet Lead Member Report, 29th November 2011

Highways Traded Services Review Final Report

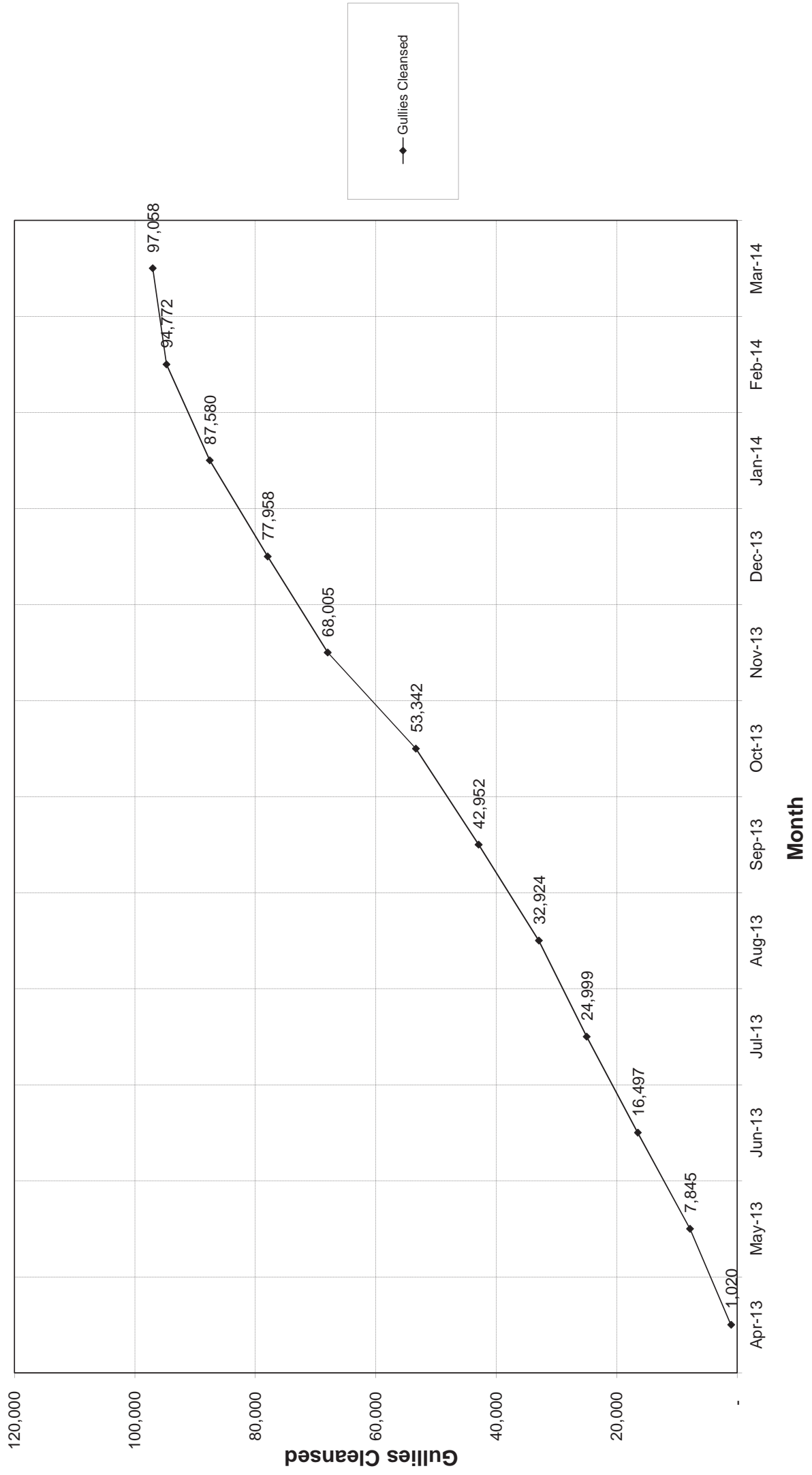
Highways Traded Services Review - Joint Report to Cabinet Members for Transport and Highways & Finance and Property, 9th February 2012

Award of Highway Maintenance Contract – Report of the Chairman of the Transport and Highways Committee, 16th January 2013.

Electoral Division(s) and Member(s) Affected

All

Appendix A - Programmed Gully Cleansing



Appendix B - Efficiencies Register

EF No.	Contract Name	Works Stream	Description	Savings
				£ 171,123.92
1	NTSC	Road Markings	Utilising our lining capability in the county we are able to carry out small works without having to charge the minimum visit charge where works can be preprogrammed to utilise a lining gang working in the county on that day.	£ 614.10
2	NTSC	Professional Services	£32,000 allowed in ncc budget for purchasing and installing CONFIRM for the contract. This is a works order system for information sharing and record keeping on individual works orders. Works Order System developed in house.	£ 32,000.00
3	Southwell Service Rd East Rainworth	Machine Surfacing	Proposal from Client to excavate carriageway 250mm deep due to poor construction then apply 150mm of type 1 sub-base with 60mm binder course and 40mm thick surface course. Client anticipated having to undertake works in three phases due to budget constraints	£ 86,831.12
4	South Avenue Rainworth	Machine Surfacing	Proposal from Client to plane C/W 100mm deep due to poor construction then apply 60mm binder course and 40mm thick surface course. Client anticipated having to undertake works in two phases due to budget constraints. LFT proposed to plane out 60/70mm deep and lay a strengthened 20mm masterpave binder course 50 pen.	£ 18,476.10
5	A617 Roundabout Rainworth	Routine Cyclic & Time Charge Works	Whilst LFT undertaking surfacing works on one section of the A617 and the DSO undertaking patching works on another section we employed the gully cleansing crews to clean out all the gullies within the lane closures.	£ 631.91
6	Colwick Skate Park	Renewals & Construction Works	Whilst constructing the skate park the scheme manager (Ross Marshal) approached us to let us know this work was being undertaken in memory of a local lad killed whilst playing on the roads. Very sensitive site and we were asked about the possibility of having a J in the concrete some how in memory of the lad. A different coloured concrete was needed to construct the J but budget allocation was very tight.	£ 2,800.00
7	Arnold Arts Festival	Renewals & Construction Works	A very popular arts festival held annually in Arnold, parking for coaches is in a field aside the access road and last year several got stuck. Asked if we could help out the local community and solve the problem but no budget available.	Not agreed
8	Surface Dressing	Surface Dressing	Free storage of a container for SD signage	£ 28,388.00
9	0	0	Low temperature asphalt training course being held in Birmingham on the 20th June, attendance cost is £50 per delegate. Negotiated with organisers to allow free entry for all NCC staff	£ 500.00
10	Notts County	0	Hamms works ID No 1703753, was to slow running gullies on the A610 , this road is a high speed dual C`way	£ 885.62
11	Notts County	0	TM on surface dressing lining utilised to complete lining works for a DLO scheme.	£ 611.17

24 April 2014.

Agenda Item:

REPORT OF SERVICE DIRECTOR, HIGHWAYS

ADDITIONAL FUNDING FOR HIGHWAY MAINTENANCE

Purpose of the Report

1. This report notes the additional funding for highway maintenance allocated to Nottinghamshire and proposals to target this further investment in good quality first time permanent carriageway patching repairs.

Background

2. The Government announced in March that it was making available £183.5m nationally to help local authorities repair local roads damaged by floods and other extreme weather conditions over the last few months. In total, Nottinghamshire County Council will receive £1,565,207 – split £574,388 capital and £990,819 revenue. There is also a requirement for the Council to report on its web site how this funding has been spent to provide additional repairs to road surfaces
3. In the budget government also announced a further £200m for Councils for highway maintenance during the financial year 2014 to 2015. Further details are yet to be announced by government but there is an indication that local councils will have to bid towards an allocation of this funding.
4. Nottinghamshire has over 2,500 miles of road to maintain and spring is one of the busiest times of year, repairing the damage caused by the winter weather. As it is water that causes the damage to road surfaces, the number of pot holes forming this year is very similar to previous years, even without snow this winter.
5. A review is already underway regarding the balance of temporary repairs to first time permanent repairs and where it is reasonable repairs will be put into a planned programme to deliver a higher quality first time repair. This may take a few weeks to deliver rather than the few days needed to undertake a temporary repair. This programme will complement a new approach to repairing potholes of 'find and fix' using new techniques and materials which are quick to apply and give a permanent repair for smaller potholes.
6. A programme of surface dressing, to help stop potholes forming in the first place by water-proofing 100 miles of road surfaces every summer, and a programme

of resurfacing worn out roads was approved by this Committee in February. Councillors and members of the

Public can now find details of our resurfacing programme through an interactive search on the Council's web site.

Other Options

7. The funding is provided for highway maintenance with specific reference to road surfaces. The funding could therefore alternatively provide additional investment in resurfacing or surface dressing.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

9. This funding will increase the highways capital and revenue budgets by £1,565,207 – split £574,388 capital and £990,819 revenue - for 2014/15 only.

Implications for Service Users

10. Improved condition of road surfaces.

RECOMMENDATION/S

It is recommended that this report is noted.

Andrew Warrington
Service Director, Highways

For any enquiries about this report please contact: Andrew Warrington ext. 74681

Constitutional Comments

11. Report for information

Financial Comments (TMR 26/03/2014)

12. The financial implications are set out in paragraph 9 of the report.

Background Papers and Published Documents

None

Electoral Division(s) and Member(s) Affected

All

24 April 2014

Agenda Item:

REPORT OF SERVICE DIRECTOR, HIGHWAYS

CIVIL PARKING ENFORCEMENT: CONTRACT AWARD AND MANAGEMENT REVIEW

Purpose of the Report

1. Following an NCC invitation to tender in December 2013 for Parking Enforcement Services, NSL Ltd, APCOA Ltd and Vinci Park Services UK Ltd all submitted tenders that were eligible and subsequently assessed against the declared criteria.
2. The purpose of this report is to approve the Award of a contract for Parking Enforcement Services and delegate the approval of detailed changes to the current partnership management structure to the Group Manager Legal Services.

Information and Advice

3. Some information relating to this report is not for publication by virtue of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because it is commercially sensitive. The exempt information is set out in the Exempt Appendix.
4. Nottinghamshire County Council took responsibility for on-street parking enforcement in 2008 from the Police. The County Council has since delivered the service in partnership with the District and Borough Councils. This arrangement, termed the Notts Parking Partnership, uses a single contractor procured by the County Council to supply trained and equipped Civil Enforcement Officers (CEOs) throughout the county. The partnership also uses a single back office managed by NCC to process Penalty Charge Notices (PCNs), payments, challenges and appeals for all partners and also for neighbouring local authorities in Lincolnshire and Derbyshire. This ensures that all appeals are dealt with consistently across the county and realises significant economies of scale.
5. The supply of CEOs is a specialist service that is considered more suitably provided by a private sector supplier. In 2008, following a procurement process, Nottinghamshire County Council awarded the initial contract to NSL Services. A recent re-tendering exercise has been concluded and Members are asked to approve the award of the contract. The successful tenderer is detailed in Appendix A which is an exempt item.

6. The County Council opened a competitive procurement on 12th December 2013 conducted in accordance with the Open (Single Stage) Procedure under County Council Directive 2004/18/EC as implemented by the UK Public Contracts Regulations 2006. The tender return date was 24th January 2014 and three tenders were received on this date. An evaluation panel was assembled that comprised three officers from the County Council and three from the District/Borough partner Authorities. The scoring was moderated by a County Council senior officer and took place on 5 February 2014.
7. The evaluation process consisted of three stages. Firstly, the responses were reviewed to assess compliance with the tender process. Secondly the contract questionnaire responses were checked against the mandatory responses and the third stage consisted of assessment against the Award Criteria. The award is to the bid that represents the most economically advantageous tender rather than the lowest price alone and the basic criteria were 65% of the award on quality and 35% on price. Price was assessed against a number of items such as the price per hour for a deployed Enforcement Officer. The lowest price received 35% and the others a pro-rata percentage based on how far the other bids were from the cheapest price. The Quality assessment was completed via 5 Method Statements each with sub headings given individual weightings. The evaluation panel scored the sections individually and this was then collated and moderated at the meeting
8. The results of the scoring were as follows;

SECTION		COMPANY A	COMPANY B	COMPANY C
Company Questionnaire		Pass	pass	pass
Financial Score (out of 35%)		35%	32.3%	31.83%
Quality Score (out of 65%)		49%	37%	34%
Quality scores detail(Method Statement sub-headings)	Weight	Mark(out of 10)	Mark(out of 10)	Mark(out of 10)
1.1	7%	8	5	5
1.2	7%	5	5	5
1.3	7%	8	5	5
2.1	7%	8	5	5
2.2	7%	8	5	5
2.3	7%	8	8	5
3.1	7%	5	5	3
3.2	7%	8	5	5
3.3	7%	8	8	8
4.1	23%	8	5	5
5.1	7%	8	5	8

5.2	7%	8	8	5
TOTAL QUALITY/FINANCIAL		84%	69.3%	65.83%

9. As evidenced by this, Company A not only scored the highest in the price section but the panel was unilateral in awarding Company A the highest scores throughout the quality section. Consequently it is recommended that the contract Award to Company A is approved for the period May 2014-2019 with the possibility of a one year extension to May 2020.
10. This new specification was developed by the partner Authorities and has resulted in a refined service requirement which in turn has led to a cheaper core price for the forthcoming contract period. It is estimated that this will save the partner Authorities approximately £100K per annum on enforcement costs.
11. Enforcement across the county area is a challenge to deliver cost-effectively and the partnership has managed this efficiently to date with a single contractor. Enforcement within the county area is predominantly delivered with Enforcement Officers on foot and the partner Authorities use an operational process that recognises the traffic management needs of the administrative area. Grace periods have always been incorporated into this and as a matter of policy drivers are politely asked to move their vehicles if present when the Officer notes a contravention. The savings that the new contract will deliver will ensure that the Partnership continues to deliver this service efficiently, effectively and above all appropriately to the needs of the community.
12. The new contract will see the Enforcement Officers equipped with both GPRS enabled Handheld Computers (HHC) and personal video cameras. The HHC will transmit issued Penalty Charge Notices (PCNs) directly into the Notice Processing system rather than the current overnight upload. This will allow customers to be able to discuss the contravention immediately with the back office using the details on the rear of the PCN rather than having to wait until the next day as is currently necessary. This 'live' connection will also enable the development of immediately issued 'virtual' dispensations to exempt vehicles from enforcement where specific activities require vehicles to be parked on prohibitions and will allow permits and dispensations to be issued immediately by the Central Processing Unit (CPU) exempting the vehicle registered from enforcement. This will allow NCC to develop cost saving processes for issuing residents and visitor's permits. The video cameras are implemented by the contractor to help reduce the significant number of Health and Safety incidents reported by Enforcement Officers. Nationwide these have proved very successful at helping prevent assaults and if these do occur, the Police have access to objective evidence.
13. The current Notts Parking Partnership uses this single contractor and the CPU and each District/Borough has a local management responsibility. At the Notts Chief Executives Group meeting of 23rd August 2013, it was agreed to review the existing management function with a view to streamlining the management service via shared service arrangements. The District and Borough Councils are currently developing various proposals and it is evident that any acceptable change will require an amendment to the existing partnership agreement made

under S101 of the Local Government Act. It is expected that the service review will result in fewer local managers and this will impact upon the current financial responsibility. Central to any new agreement though will be an element of ensuring that those who manage the service bear financial responsibility as an absence of this is the aspect that has caused other two-tier arrangements across the country to breakdown. Members are therefore requested to delegate the detailed agreement on the new arrangements to the Group Manager Legal Services to complete in consultation with the Director for Highways.

Other Options Considered

14. The Civil Enforcement Officers could potentially be supplied in-house but this is a specialist supply of labour and in-house operations have been clearly shown to cost significantly more than a supplied service. The partners only pay for deployed hours under the existing contract which ensures staffing costs are minimised and are used as efficiently as possible. With regard to the partnership, it is evident that with reduced resources available, service management could be improved with fewer front-end managers working collaboratively. This in turn would reduce the resource requirements overall which would create further savings.

Reason/s for Recommendation/s

15. The new contract and changes to the existing management procedures require approval.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

16. A financially efficient enforcement service effectively allows for a more relaxed enforcement including advising and educating motorists when possible. The addition of new GPRS handheld devices will allow NCC to provide an instant permit/dispensation system to applicants.

Financial Implications

17. As indicated, enforcement costs are expected to be reduced with savings of up to £100,000 pa at current levels of contravention

RECOMMENDATION/S

1. It is recommended that the award of the Enforcement Contract to Company A be approved
2. It is recommended that the Group Manager Legal Services and the Director Highways have delegated approval to conclude negotiations over new partnership agreements with the District and Borough Councils.

Andrew Warrington
Service Director (Highways)

For any enquiries about this report please contact:
Gareth Johnson-CPU & Enforcement manager Tel: 01623 434536

Constitutional Comments (SHB 32.03.2014)

18. Committee have power to approve the Recommendation.

Financial Comments (TMR 34.03.2014)

19. The financial implications are set out in paragraph 17.

Background Papers and Published Documents

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

Electoral Division(s) and Member(s) Affected

All

REPORT OF SERVICE DIRECTOR, HIGHWAYS

FLOOD RISK MANAGEMENT UPDATE APRIL 2014

Purpose of the Report

1. To provide an update on the latest position in relation to the Council's duties and responsibilities under the Flood Risk Regulations (2009) and the Flood and Water Management Act 2010.
2. To seek approval from the committee to bids for Flood and Coastal Risk Management Grant in Aid from central government.
3. To provide an update on flood investigations relating to flooding which occurred in 2012 and July 2013.

Information and Advice

4. Following the severe flooding during the summer of 2007, the government commissioned an independent review (the 'Pitt Review') which in 2008 recommended that local authorities should lead on the management of local flood risk, working in partnership with other organisations. Two key pieces of legislation have brought this forward; the Flood Risk Regulations (2009) which transpose the EU Floods Directive into UK Law and the Flood and Water Management Act (2010).
5. The Council is now a Lead Local Flood Authority (LLFA) and has new powers and statutory duties to manage and co-ordinate local flood risk management activities. The County Council does this by working together with other organisations including the Environment Agency, who manage flooding from generally larger rivers (known as Main Rivers, such as the River Trent), Internal Drainage Boards managing low lying areas, District, Borough, Parish and Town Councils and infrastructure / utility providers, such as Severn Trent Water and the Highways Agency. Partnership work is overseen by a joint Strategic Flood Risk Management Board with Nottingham City Council that meets every six months.
6. Local flood risk means flooding from surface water (overland runoff), groundwater and smaller watercourses (known as Ordinary Watercourses).

General update

7. A motion on flood risk management was discussed and approved at Full Council on the 27th of March 2014. This covered a call for the Environment Agency to continue maintenance of Main Rivers, congratulations for public bodies who are supporting local voluntary organisations, support for the fast-tracked implementation of Sustainable Urban Drainage Systems legislation, a call for the Local Flood Risk Management Strategy to consider extending the operational area of Internal Drainage Boards, continued work with Local Planning Authorities and a recognition of the proactive approach taken by the Council in its role as the Lead Local Flood Authority.
8. There are both strategic and operational elements to the role of Lead Local Flood Authority.
9. Strategically, the Council is developing a Local Flood Risk Management Strategy, which is due for consultation later in 2014.
10. Operationally, the Council investigates flooding incidents and is developing a flood risk management asset database. Additionally the Council also undertakes various land drainage activities, including consenting to works and enforcement on Ordinary Watercourses outside of Internal Drainage Board areas.
11. The County Council has a duty to investigate flooding incidents, where it deems it to be 'necessary or appropriate' and determine which organisation(s) have roles and responsibilities. The Flood and Water Management Act does not give the Council responsibility for taking action to prevent flooding happening again and therefore managing expectations is a key element of how this is taken forward.
12. At Transport and Highways Committee on 31 Oct 2013 it was approved that formal flood investigations are undertaken where the County Council is aware that five or more properties in a locality have been affected by internal flooding (over the threshold [doorstep level] of the property).
13. The County Council currently invests £600,000 a year on flood risk management schemes to protect communities and has successfully carried out a number of schemes throughout the County, often in partnership with other organisations, with an emphasis on a 'partnership funding' approach. For example the County Council has recently worked in partnership with Bassetlaw District Council to reduce the risk of flooding in East Markham and North Wheatley and there are ongoing schemes in Walkeringham, working with Bassetlaw District Council and Egmanton, working with the Trent Valley Internal Drainage Board.
14. Once commenced, Schedule 3 of the Flood and Water Management Act will establish the Council as a Sustainable Drainage Systems Approving Body (SAB). The purpose of Sustainable Drainage Systems (SUDS) is to mimic natural drainage, significantly reduce surface water runoff and improve water quality. The SAB will be responsible for approving drainage systems in new developments and redevelopments before construction can start (in line with National Standards) and for adopting and maintaining SUDS. The right to connect surface water to the public sewer network will be conditional on SAB approval. Defra are taking

forward funding for long-term maintenance based on surface water charges to the users of a development.

15. The Council has been actively engaging with Local Planning Authorities to understand the implications of the forthcoming legislation and the procedures and resources that will need to be put in place. The latest indication is that this will take place in October 2014, but the exact form this will take is unknown at this time and a report will be brought to Transport and Highways Committee when there is greater certainty. At the same time it appears that the Environment Agency will stop commenting on surface water flooding issues related to new development (the EA will still comment on Main River flooding issues) and Local Planning Authorities will be expecting that the Lead Local Flood Authority provides a local flood risk planning advisory service.

National flood risk management update and Grant in Aid

16. From December 2013 to February 2014 there was significant flooding in Southern England and also from an East Coast Tidal Surge, but there was no significant flooding in Nottinghamshire. The most recent large scale event in Nottinghamshire was on the 23rd of July 2013, when around 600 properties are estimated to have been affected by internal flooding.
17. As a result Central Government has offered various financial grants and rate relief to properties in areas affected by this flooding, but Nottinghamshire as with many local authorities, is excluded from these grants. The residents in Nottinghamshire who were affected by the serious flooding in July 2013 are therefore at a disadvantage to those affected by flooding later in the year in other parts of the country. Cllr Calvert as Vice Chair has written to the Defra minister asking that government support be extended to include all areas affected by flooding in the current financial year. A response was received from Brandon Lewis MP that the scheme would not be extended and only relates to those areas affected by flooding in winter 2013/14.
18. Central Government's funding mechanism for flood risk management schemes is called Flood and Coastal Risk Management Grant in Aid (GiA) (sometimes called Flood Defence Grant in Aid (FDGiA)). Since 2011 GiA has operated on a 'Partnership Funding' basis. The amount of central funding that a scheme attracts is based on the benefits of a scheme (principally in terms of residential properties protected) and the amount of funding secured from 'other' sources, including public and private funds and regional funding known as Local Levy.
19. Flood Risk Management Authorities (RMAs), including Nottinghamshire County Council, can submit bids for GiA. Traditionally, the Environment Agency has invited bids on an annual basis each June / July. This year, a six year programme of bids is required and the submission date was moved forward to the 21st of March. This change was in response to the flooding of recent months and Defra's desire to develop a more robust Medium Term Plan (MTP) of investment. The

tight deadlines mean that draft bids have been made in advance of committee approval following consultation with the Chair and Vice Chair. Schemes are approved by the River Trent Regional Flood and Coastal Committee (RFCC). The Vice Chair represents Nottinghamshire on the River Trent RFCC.

20. The government's approach to Partnership Funding means that the more external funds that can be found, the better a scheme 'scores' and the more likely it is to be delivered and prioritised against other schemes nationally. Officers have liaised intensively with relevant District Councils, Severn Trent Water, the Environment Agency, local communities and Trent Valley Internal Drainage Board to pull together a programme of schemes for the County and obtain an initial 'in principle' contribution where suitable. The potential Nottinghamshire County Council financial contributions to any of the schemes that are bid for will come from the flood risk management capital programme (£600k per annum). This includes contributions toward schemes led by other RMAs. Submitting GiA bids does not commit the County Council to making any funding contributions and should be seen as the first step in securing national funding.
21. Appendix 1 contains information on schemes with an agreed NCC contribution (Table 1), schemes for which approval of the NCC contribution is sought (Table 2) and longer term schemes (Table 3).
22. It is possible that the River Trent RFCC may choose to allocate regional Local Levy funding to schemes submitted in Nottinghamshire. The allocation of the Local Levy increases the Partnership Funding 'score' of a scheme and national priority. Local Levy is funded by an annual levy on upper tier local authorities. In 2013/14 the County Council contributed £273,000.
23. It is important to note that bids made by the County Council can only be considered as indicative at this time, with the intention that Hucknall and Southwell will then appear in the national programme of schemes in Years 1-6 (2015-2021). It is the intention that the proposals, costs and contribution levels will be refined in future using the results of the ongoing flood studies once available.
24. The proposed schemes will be profiled across the six year period to ensure that the programme is deliverable from a resource and funding point of view and tie into other relevant opportunities such as the Hucknall Town Centre Improvement Scheme.
25. The bids above are only a small part of a wider range of flood risk management actions and schemes being taken forward across the County. It is the intention that the Local Flood Risk Management Strategy, due for consultation later in 2014, will bring all the actions and schemes together in one place, including those that may be funded through means other than GiA. The Strategy will pick up flood risk locations across the County, prioritise these and put forward appropriate actions, which will include Surface Water Management Plans (SWMPs) for high risk locations with complex flood risk issues. Longer-term schemes will be developed as a result of SWMPs. For areas where the risk is lower, working with communities to improve resilience will be critical.

Update on Flood Investigations

26. Hucknall: to inform the flood investigation the County Council has commissioned a flood study that is being undertaken in partnership with the Environment Agency, Severn Trent Water and Ashfield District Council. The study aims to give an insight into the impact and possible causes of the flooding, how often it is likely to occur and any feasible solutions to reduce the risk of flooding in the future.
27. It was hoped that the flood study would be finalised by April 2014, however the data collection and verification of the existing drainage network (including an analysis of the sewer network) has taken longer than anticipated and it is now expected that the study will be completed later in 2014. The extension to the timescales for the flood study has not affected the ability to make bids for national and regional flood alleviation monies. The extra work being done in extending the study will ensure that there is a comprehensive hydraulic model available on which to base options for flood risk management schemes.
28. Southwell: to inform the flood investigation a flood study, known as the 'Southwell Flood Mitigation Plan' is being undertaken in partnership with the Environment Agency, Severn Trent Water, Newark and Sherwood District Council, Southwell Town Council, Southwell Flood Forum and Trent Valley Internal Drainage Board. The aims of the study are:
- To work together to increase the understanding of sources of flooding in Southwell, how often flooding is likely to occur, what it will affect and feasible solutions to reduce the risk of flooding from all sources of flooding
 - To develop a Flood Mitigation Plan shared and agreed by the project partners and through engagement with the local community that will bring together information on flood risks, an assessment of flood mitigation options and an action plan setting out how feasible flood mitigation options will be implemented
29. Consultants are undertaking the technical elements of the study and the Flood Mitigation Plan is expected to be completed in the summer.
30. Thurgarton: to inform the flood investigation the IDB commissioned an initial data collection and analysis study. This has now been completed and is feeding into the draft Flood Investigation Report and further technical study work programmed for 2014/15. The technical study work will revisit and revise previous technical flood modelling work and put forward a preferred option for the village that will be used to refine the bid for funding made by the Trent Valley IDB.
31. Lowdham: the Environment Agency are completing technical flood study work to reassess the risk of flooding from the Cocker Beck and are putting forward a bid for a future scheme. Joint work to explore surface water flooding issues alongside the Cocker Beck is needed to refine the scheme to be taken forward in the village.

32. Calverton: the County Council have been working with landowners and Severn Trent Water to investigate flooding issues in Calverton. Following on from the results of this further actions will be defined between relevant organisations.
33. East Bridgford: Initial investigations have suggested that there may be issues with the capacity and condition of the sewer system in the village and this is currently being investigated by Severn Trent Water. Following on from the results of this further actions will be defined between relevant organisations.
34. Arnold, Carlton, Gedling, Mapperley, Eastwood, Kimberley, Newthorpe and Nuthall: Severn Trent Water are carrying out investigations regarding sewer condition. Following on from the results of this further actions will be defined between relevant organisations.
35. Cropwell Butler: A comprehensive study is being taken forward at present in partnership with relevant organisations. In addition, Severn Trent Water are due to carry out further survey work on their surface water sewers in the village to feed into the study.

Conclusions

36. Flood investigations following floods in 2012 and 2013 are ongoing in a number of locations. The purpose of the investigations is to identify those Risk Management Authorities who are best placed to resolve flooding issues at a particular location and to try and develop schemes in partnership to reduce flood risk to affected communities where these can be proved to be a feasible solution. This will often involve a partnership funding approach.
37. Draft bids have been submitted to the Environment Agency for Southwell and Hucknall.
38. The County Council have also identified locations where making a contribution towards schemes lead by other Risk Management Authorities would help such schemes to be delivered as part of a 'partnership funding' approach.
39. It is suggested that a further progress report is brought to this committee in 6 months to update the findings from the investigations listed together with information on schemes that are developed where these have been proved to be feasible.
40. It is suggested that the Committee is also updated once the final six year programme of schemes is announced nationally in December.

Statutory and Policy Implications

41. The County Council has a number of new statutory duties and powers under the Flood and Water Management Act (2010) and Flood Risk Regulations (2009).

Flooding investigations are legally required under the Flood and Water Management Act.

42. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

43. The costs of these studies and contributions to flood risk management schemes will be contained within existing budgets.
44. The County Council has been awarded a one-off grant of £223k by Defra towards the costs of setting up a Sustainable Drainage Systems Approving Body.

RECOMMENDATION/S

It is RECOMMENDED that the Committee note the update on flood risk management and approve the bids for Flood and Coastal Risk Management Grant in Aid from central government.

Andrew Warrington
Service Director Highways

For any enquiries about this report please contact:

Gary Wood – Group Manager Tel 0115 9774270
Andy Wallace – Flood Risk Manager Tel: 0115 977 4590

Constitutional Comments (SHB.26.03.14)

Committee have power to decide the Recommendation.

Financial Comments (TMR 26/03/2014)

The financial implications are set out in paragraphs 43 and 44 of the report.

Background Papers

Appendix 1: Tables of flood alleviation schemes

Letter from Defra regarding Sustainable Drainage Systems Approving Body set up grants.

Electoral Division(s) and Member(s) Affected: All

Table 1 Ongoing schemes

Lead RMA	District	Location	About	Properties protected	Bid costs	Agreed NCC contribution	Other funders
BDC	Bassetlaw	Walkeringham	Flood relief channel to alleviate watercourse flooding	45	£598k	£50k	Grant in Aid BDC Local Levy A1 Homes
TVIDB	Newark and Sherwood	Egmanton	Channel improvements	45	£135k	£40k	TVIDB Parish meeting Local Levy

Table 2 Schemes in Years 1 to 6 (2015-2021)

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders*
NCC	Newark and Sherwood	Southwell	Scheme to manage flooding from the Potwell Dyke, Halam Hill watercourse and surface water	236	£1,875k	£600k	Grant in Aid Local community via Flood Forum NSDC Town Council Local Levy
NCC	Ashfield	Hucknall (Town Centre)	Scheme to manage flooding from the Baker Lane Brook, Ordinary Watercourses, sewers and surface water linked to opportunities provided through the Hucknall Town Centre Improvement Scheme	36	£760k	£310k	Grant in Aid ADC Severn Trent Water Local Levy
NCC	Ashfield	Hucknall (Titchfield Park Brook)	Scheme to manage flooding from Titchfield Park Brook and surface	90	£500k	£100k	Grant in Aid ADC

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders*
			water				
EA	Gedling	Day Brook catchment (extending into Nottingham City)	Scheme to manage flooding from the Day Brook and surface water (most properties at risk are in the City but a catchment wide approach is needed)	233	£2,350k	£100k	Grant in Aid D2N2 Local Enterprise Partnership £1,166,609 (bid)
EA	Newark and Sherwood	Lowdham	Scheme to manage flooding from the Cocker Beck and surface water	286	£2,100k	£500k	Grant in Aid Local Levy NSDC
EA	Newark and Sherwood	Gunthorpe	Scheme to reduce flood risk from the River Trent/ tributaries	82	£1,200k	£240k	Grant in Aid Local Levy
EA	Broxtowe	Boundary Brook	Scheme to manage flooding from the Boundary Brook and a tributary	340	£1,489k	£275k	Grant in Aid Parish Local Levy
EA	Bassetlaw	Isle of Axholme Catchment Strategy (Idle)	Strategy to identify opportunities to reduce flood risk by taking a catchment based approach	28,000 ^s	£150k	£10k	Local Levy
EA	Ashfield, Gedling and Newark and Sherwood	East Nottinghamshire Tributaries Catchment Strategy	Strategy to identify opportunities to reduce flood risk by taking a catchment based approach	3,000 ^s	£100k	£10k	Local Levy
BDC	Bassetlaw	Retford	Scheme to reduce flood risk from the Retford Beck at Grove Lane and Blackstope Lane	111	£1,000k	£150k	Grant in Aid Local Levy (confirmed) BDC A1 Homes

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders*
							STW
BDC	Bassetlaw	Clarborough	Scheme to manage flooding from the Clarborough Beck	23	£336k	£100k	Grant in Aid BDC A1 homes
						TOTAL £2,395k Average £399k/annum (over 6 year period)	

*Efforts have been made to set out a realistic level of contribution in principle from external partners and this will need to be refined over time once specific schemes have been identified, fully costed and agreed between project partners. Hence they should be considered indicative at this time. Various levels of approval and sign off apply to project partners, Grant in Aid and Local Levy.

§Potential total number of properties that might benefit from some degree of protection based on the outcomes of a strategy

Table 3 Longer term schemes or where no contribution is sought from NCC at this time

Lead RMA	District	Location	About	Properties protected	Bid costs	Potential NCC contribution	Other potential funders*
TVIDB	Newark and Sherwood	Thurgarton	Ordinary Watercourse, surface water	20-30	£330k	£65k Includes £15k in 2014/15 for study work	Grant in Aid TVIDB District Council
EA	Newark and Sherwood	Carlton-on-Trent (Property Level Protection)	Property level protection scheme	43	£137.5k	£27.4k	Grant in Aid Local Levy

Other longer term schemes have been identified for the following locations, but there is limited information on the types of schemes and potential NCC contribution that would be required. Many of the capital schemes are likely to take place beyond 2021, once further study work has taken place:

Nottingham City: Broxtowe Park Brook and Tottle Brook (Broxtowe)

Environment Agency: Burton Joyce and Ouse Dyke (Netherfield/ Carlton) (Gedling), Worksop (Bassetlaw), Newark (Newark and Sherwood), Pleasley Vale (Mansfield)

Acronyms used: ADC (Ashfield District Council), BDC (Bassetlaw District Council), EA (Environment Agency), NCC (Nottinghamshire County Council), NSDC (Newark and Sherwood District Council), STW (Severn Trent Water), TVIDB (Trent Valley Internal Drainage Board)



24th April 2014

Agenda Item:

REPORT OF SERVICE DIRECTOR, HIGHWAYS

RESPONSE TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL ON 27TH FEBRUARY 2014.

Purpose of the Report

The purpose of this report is to recommend to Committee responses to the issues raised in petitions presented to the Chairman of the County Council at the Council meeting on 27th February:

- A. Petition regarding street lighting at Kegworth (Ref:2014/059)
- B. Petition regarding flooding on Far Lane, Normanton on Soar (Ref: 2014/060)
- C. Petition regarding resurfacing of Pye Hill Road, Jacksdale (Ref:2014/061)
- D. Petition regarding A60 crossroads on Loughborough Road, Costock (Ref:2014/063)
- E. Petition regarding the resurfacing of Upton Mount Road, Mansfield (Ref:2014/065)

A. Petition regarding street lighting at Kegworth (Ref:2014/059)

1. At the County Council meeting on 27th February 2014 a petition of 1,547 signatures was presented to the Chairman by County Councillor Andrew Brown. The purpose of the petition is to request the installation of street lighting on Station Road between the University of Nottingham, Sutton Bonnington and Kegworth Village. This facility would be aimed at improving safety for both pedestrians and cyclists.
2. A representative from the County Council met four of the student representatives on Monday 24th February (prior to the petition being handed to Councillor Brown). The students stated that their concerns mainly related to pedestrian visibility and personal safety. They also asked that as well as

street lighting other measures could be considered. These included the renewal of road markings (which has been actioned) and the review of the existing speed limit from 60mph to 40mph.

Speed Limit reduction

3. The speed limit request does not meet the DfT guidance regarding 40mph speed limits as the road is not built up. Also only 1 or 2 schemes a year from the Speed Limit Review Programme are being implemented, therefore it is not likely to be considered for some time unless additional funding can be secured.

White Lining maintenance

4. The lining request has been actioned. The lining will probably need a road closure and bus operators will require 14 weeks' notice.

Street Lighting installation

5. The lighting provision requested would extend from the last existing lamp column west of the bridge up to the County Boundary, a distance of some 900 metres. Any new scheme would need to conform to the current standards for street lighting which dictates that columns are generally required at a spacing of around 35-40 metres. This would mean a scheme would be likely to require 22-25 columns at a cost of around £100,000.

Funding Options

6. County Council highway budgets provide for such projects in the following ways:

Crash reduction.

7. Accident remedial funding is justified on the basis that there are a number of reported accidents resulting in personal injury and indicate a pattern which may be addressed in order to reduce the accident rate. The prospective number of accidents which it is estimated would be saved contributes to a calculation of the amount of funding which would be justified to address the problem. This type of cost-benefit analysis is used nationally and forms the primary basis of accident reduction in this country.
8. In terms of the accident history at this site, there has been one reported injury accident in the period 1.1.10 – 31.10.13. This was slight and did not involve a pedestrian or cyclist. Historically the junction of Station Road/College Road/Melton Road has been subject to new signing and lining to address an overshoot problem. However there is currently not a reported injury accident pattern on the length of Station Road in question (and nothing to support an accident remedial scheme for street lighting).

9. Ironically, pedestrians feeling unsafe and drivers/riders feeling anxiety often means they are all recognising a need for additional caution, for example in circumstances such as darkness or a narrow road/footway width. This can result in their taking additional care to avoid accidents and can often result in the phenomenon of a good accident record existing along a length of road which people regard as being dangerous.

Local Transport Plan

10. It is recognised that pedestrian and cyclist anxiety can suppress cycle use and walking as chosen modes of transport. Our Local Transport Plan (LTP) Team promotes schemes to encourage and assist the use of sustainable forms of transport and could support the installation of lighting. This needs to be evidenced and justified as well though and lighting is an unusual form for an LTP Scheme to take as they are more commonly installed are pedestrian crossings, cycle lanes, bus priority measures and suchlike. Fuller results of the survey carried out would be needed as we need to know how many of the 1,034 respondents using Station Road currently drive, take a bus, cycle or walk to the university and how many of this number would be likely to change their mode of transport to cycling and walking if the route were lit. This would be evidence of a suppressed demand for this type of sustainable transport which we could use towards a bid for a lighting scheme.

External funding

11. Nottingham University have made a commitment to fund up to £50,000 of the works costs to make Station Road more comfortable for pedestrians and cyclists to use. It is understood that this will be a one-off payment, so it is important that the full and ongoing costs of any potential schemes are recognised and discussed with the University representatives.

Other considerations

12. There has been an ongoing project for the last few years to reduce lighting costs in terms of annual maintenance and the cost of electricity. To install additional new lighting at a time when the aim is to reduce overall lighting costs will need careful consideration.

Recommendation

It is recommended that

13. A detailed design and costing is prepared of a new lighting scheme for Station Road. This will need to include the ongoing energy and maintenance costs, as well as the initial installation costs. Alternative lighting solutions will also be considered.
14. The request to reduce the speed limit is investigated and costed.

15. A working group is convened, involving representatives of the University, to establish the most beneficial remedial measures within the available resources.

B. Petition regarding flooding on Far Lane, Normanton on Soar (Ref: 2014/060)

16. A petition of 205 signatures was presented to Full Council by Councillor Andrew Brown on 27th February requesting urgent drainage improvement works to alleviate ongoing flooding issues at the Main Street, Far Lane and Moor Lane junction in Normanton-on-Soar.
17. The flooding problem at this location is well known and there have been a high number of complaints received over the years. However, the problem appears to mainly involve Severn Trent Water's drainage system, the Environment Agency's pumping station or private drainage ditches rather than our own gully connections into the drains.
18. In 2010, it was reported that much of the works that were needed to improve the land drainage system serving the area had been completed by various private land owners. Severn Trent Water had removed the silt from their system on Main Street and the Environment Agency had cleared reeds and silt from their section of a watercourse. However, as the gradients achievable for land drainage in this area are very nearly flat, it could not be guaranteed that these works would prevent the flooding on Main Street/Moor Lane/Far Lane from recurring, only that it might be reduced and the water should drain away more quickly. We also have cleaned our gully connections several times since then on request, but there have still been further complaints regarding flooding at this location.
19. In late 2013, we also installed a number of bollards and marker posts on the verges to prevent vehicles overriding verges and footways as this was occurring when water flooded the road and was raised as a safety issue by the Parish Council and Councillor Andrew Brown.
20. At this time, the Council has undertaken what works are within its power to undertake or enforce with private parties, but the overall problem that remains seems to be the capacity of Severn Trent Water's drainage system. This matter is being discussed with them by the Council's Flood Risk Manager, but there is no timescale as to when an improvement scheme might be undertaken by the company.
21. It is recommended that the lead petitioner be informed accordingly.

C. Petition regarding resurfacing of Pye Hill Road, Jacksdale (Ref:2014/061)

22. A petition containing 159 signatures was presented to the 27th February 2014 meeting of the County Council by Councillor Gail Turner. The petition requests the introduction of traffic calming and the resurfacing of the carriageway on Pye Hill Road, Jacksdale.
23. The environmental impact and noise created by traffic calming measures as well as limited support has led to traffic calming measures being introduced only where there has been an identified injury accident problem involving vulnerable road users.
24. On Pye Hill Road itself there were 5 collisions between the 1st February 2010 and the 30th September 2013 with one resulting in a serious injury.
25. However, the carriageway is in the resurfacing programme for 2014/15 and has been provisionally programmed to be undertaken in July.
26. It is recommended that the lead petitioner be informed accordingly.

D. Petition regarding A60 crossroads on Loughborough Road, Costock (Ref:2014/063)

27. A petition of 334 signatures was presented to Full Council by Councillor Reg Adair on 27th February requesting traffic signals be installed at the junction of the A60 Loughborough Rd with Main St in Costock on safety grounds. The petition was initiated by Costock Parish Council and states that this request also has the support of the neighbouring parish councils in East Leake, Bunny, Bradmore, Wysall and Rempstone.
28. An evaluation of this junction has been carried out in conjunction with the Police following a recent fatal accident. The findings were that traffic signals are probably the only other possible improvement that remains as a future option given that refuge islands and central hatching markings have already been introduced. Traffic Signals would cost approximately £300,000.
29. Installing traffic signals does not necessarily mean there will be a marked reduction in accidents as traffic signals at crossroads junctions in Nottinghamshire have an average rate of 1.3 injury accidents a year. This is due to simply the nature of such junctions as even under signal control there would still be some residual accidents caused by red light violations and driver errors as well as other factors such as mechanical failures, physical/mental impairment, etc. which signals would be less likely to prevent. In the last 10 years there have been 12 accidents at this location,

meaning that the junction's accident rate is 1.2 injury accidents a year, less than the countywide average for a similar signalled junction.

30. However, traffic signals may reduce the severity of the injuries which would occur. Based on that, some of the funding required may be justified on accident remedial grounds but further funding would be needed from other funding streams such as Section 106 Agreements from nearby developers. Consequently, the accident situation at the junction will be closely monitored and the request noted in case other funding streams become available in future.
31. It is recommended that the lead petitioner be informed.

E Petition regarding the resurfacing of Upton Mount, Mansfield (Ref:2014/065)

32. A petition of 110 signatures was presented to Full Council by Councillor Darren Langton on 27th February requesting Upton Mount, Colwick Close and Blythe Close in Mansfield be resurfaced.
33. These roads have been identified previously as being in need of carriageway resurfacing. The last annual detailed inspection identified a number of actionable defects totalling approximately 10 square metres of repairs. Also, previous reactive inspections have brought similar results over a number of years.
34. These roads have not been selected for inclusion in the 2014/2015 Capital Resurfacing Programme as there were other roads judged to be in greater need. However, they will be considered again for the 2015/2016 Capital Resurfacing Programme and inspected in the meantime to ensure that any urgent defects are made safe. The future assessment will also take into account the number of signatures on this petition which indicates the roads' importance to the community.
35. The additional issues of through traffic and specific difficulties faced by elderly pedestrians subsequently raised by the petition organiser will be considered and responded to separately by the Highways Area Office.
36. It is recommended that the lead petitioner be informed accordingly.

Ongoing Consultation

37. Below is a petition which was presented to Full Council on 27th March 2014 for subsequent consideration by the Transport & Highways Committee. The issues raised in this petition are being considered by officers and consultation

is ongoing. It is intended that a response will be prepared for this Committee to consider at the meeting on 22nd May 2014:

Petition requesting a Residents' Parking Scheme on Earp Avenue, Newark.

Reason for Recommendation

38. To inform Committee on progress being made on petitions submitted and to recommend responses to issues raised in petitions presented to the County Council on 27th February 2014.

Statutory and Policy Implications

39. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

It is RECOMMENDED that the proposed actions be approved, the petitioners be informed accordingly and a report be presented to Full Council for the actions to be noted.

For any enquiries about this report please contact: Peter Barker

Background Papers

None

Electoral Division(s)

Soar Valley, Selston, Ruddington, Mansfield West.

24 April 2014

Agenda Item

**REPORT OF CORPORATE DIRECTOR, POLICY, PLANNING AND
CORPORATE SERVICES**

WORK PROGRAMME

Purpose of the Report

1. To consider the Committee's work programme for 2014.

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, committees are expected to review day to day operational decisions made by officers using their delegated powers. It is anticipated that the committee will wish to commission periodic reports on such decisions. The committee is therefore requested to identify activities on which it would like to receive reports for inclusion in the work programme. It may be that the presentations about activities in the committee's remit will help to inform this.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the committee's work programme be noted, and consideration be given to any changes which the committee wishes to make.

Jayne Francis-Ward

Corporate Director, Policy, Planning and Corporate Services

For any enquiries about this report please contact: David Forster, x 73552

Constitutional Comments (SLB 1/1/2014)

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

Financial Comments (MA 1/1/2014)

2. There are no direct financial implications arising from the contents of this report. Any future reports to Committee on operational activities and officer working groups, will contain relevant financial information and comments.

Background Papers

None.

Electoral Division(s) and Member(s) Affected

All

TRANSPORT & HIGHWAYS COMMITTEE - WORK PROGRAMME

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>For Decision or Information?</u>	<u>Lead Officer</u>	<u>Report Author</u>
22 May 2014				
Integrated Passenger Transport	Details of strategy	Decision	Andy Warrington	Andy Warrington
Local Transport Plan	Update report	Info.	Andy Warrington	Andy Warrington
Travelsmart	Update report	Info.	Mark Hudson	Pete Mathieson
Local Bus Service	Contract Awards	Info.	Mark Hudson	Chris Ward
TTS	Quarterly Performance Report	Info.	Mark Hudson	Lisa McLennaghan
Fleet Management	Business Plan	Decision	Mark Hudson	Chris Holland
Integrated Ticketing Strategy	Update report	Info.	Mark Hudson	Pete Mathieson
19 June 2014				
Passenger Transport Appraisal Framework	Update report	Decision	Mark Hudson	Pete Mathieson

