



GOVERNANCE COMMITTEE

14 November 2012

Subject Heading:

Review of the Operation of the Highways
Advisory Committee

CMT Lead:

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Policy context:

Financial summary:

The subject matter of this report deals with the following Council Objectives

- Ensuring a clean, safe and green borough
- Championing education and learning for all
- Providing economic, social and cultural activity
in thriving towns and villages
- Valuing and enhancing the lives of our residents
- Delivering high customer satisfaction and a stable council tax

SUMMARY

The current procedure for the consideration of traffic management proposals by the Highway Advisory Committee often results in the service proposal being considered multiple times by the Committee. It is proposed to streamline the work for the Committee while maintaining the consideration of representation on highway schemes.

RECOMMENDATIONS

1. To consider this report
2. To recommend to the Council the changes to the Committee's Terms of Reference and Procedure Rules and to the Head of StreetCare's delegated powers set out in the attached Appendix.

REPORT DETAIL

1. The Highways Advisory Committee (HAC) was created several years ago to provide a forum for the consideration of highway schemes, in particular representations for objections to detailed proposals, following the demise of area committees and then advise the Cabinet Member with responsibility for making the final decision (currently the member for Community Empowerment)

The current terms of reference of the Committee are:

- To advise the Council's Executive on local highway and traffic management schemes
- To consult objectors, and consider objections made to schemes
- To make recommendations to the Cabinet Member for Community Empowerment for the implementation of schemes.

And the Committee Procedure Rules specific to the Committee are:

Highways Advisory Committee

- (a) *The Highways Advisory Committee will consider all parking schemes which are not subject to officer delegation.*
- (b) *Where representations have been received to a scheme, one objector and one supporter shall have an opportunity to address the Committee. The addresses shall not exceed six minutes (which means that each address shall not exceed 3 minutes) or such lesser time as the committee by resolution, either generally or in relation to a specific scheme, may agree.*
- (c) *The Chairman may use his/her discretion to allow more than one objector and/or one supporter to address the Committee.*
- (d) *A Councillor calling-in a scheme or speaking as a Ward Councillor shall be limited to four minutes in addressing the Committee.*

2. The Head of StreetCare has only limited delegated powers to make decisions on highway schemes. Currently the only schemes that fall within his delegation are:
 - The creation, amendment and removal of disabled persons' parking bays and footway parking bays
 - Minor alterations to traffic management orders to enable implementation of approved proposals or continuation of traffic management schemes
 - To authorise the issue of temporary traffic orders, temporary traffic notices and temporary prohibitions of waiting and loading.
3. In consultation with the Administration, a review of the working of the Committee has been undertaken. Currently the Council receives a substantial number of proposals from the public for the traffic schemes, usually waiting restrictions and/or parking bays to overcome a perceived local issue. The proposals receive a brief assessment from staff before being presented to the Committee for consideration, where a substantial majority of them are rejected. Proposals that are accepted, together with proposals put forward by staff, are then worked up into detailed schemes which are re-presented to the Committee for approval prior to commencement of public consultation. The results of the public consultation are then reported back to the Committee for consideration which can, on occasion, result in amendments to the proposals which necessitate further public consultation and report back. Finally, once the Committee is satisfied the proposal is reported to the Cabinet Member for formal consideration and decision – traffic schemes being an executive matter which can only be formally determined by Cabinet, a Cabinet Member or an officer. The practice has also arisen of reporting matters such as the Highways Local Investment Plan, the Committee, even though it is not strictly within its remit.
4. As will be seen from the above description, it is possible for a traffic proposal to be presented to what is an advisory committee three times before a formal decision is made once. The proposals in question are often relatively localised and of limited impact and it suggested that the level of Member oversight involved is excessive compared with almost all other decisions made by the Council which affect the physical environment. It also results in a substantial amount of staff time being deployed to assess schemes and draft Committee papers for proposals that have little or not likelihood of proceeding. The role of the Committee, however, in being a forum for the public consideration of representations on proposals is valuable, particularly the ability for residents to address the Committee.
5. It is therefore proposed that the role and functioning of the Committee should be amended to streamline the current arrangements whilst maintaining the effective consideration of traffic schemes.

6. The following proposals are put forward

That:

- (a) The general practice of reporting draft schemes to the Committee prior to them being sent out for public consultation cease, but that the Head of StreetCare may refer a draft scheme to the committee if he considers it appropriate, with a minor change to the terms of reference to reflect this.
- (b) The Head of StreetCare be authorised to determine whether initial requests for traffic schemes proceed further or not based on criteria approved by the Cabinet Member for Community Empowerment following consultation with the Committee.
- (c) The traffic schemes which are fully delegated to the Head of StreetCare be extended to include '*At any time*' waiting restrictions at bends and junctions.
- (d) Paragraph (a) of the Committee Procedure Rules for the Committees be amended to "*The Highway Advisory Committee will consider representations on all parking schemes which are not subject to officer delegation.*"
- (e) Highway related matters outside the terms of the Committee are no longer considered.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no direct financial implications

Legal implications and risks:

There are no direct Legal implications

Human Resources implications and risks:

There are no direct human resource implications

Equalities implications and risks:

There are no direct Equalities implications.

BACKGROUND PAPERS

None

Appendix

1. That the terms of reference of the Highway Advisory Committee be amended to:
 - To advise the Council's Executive on local highway and traffic management schemes.
 - To consider representation made as a result of public consultation to proposed schemes
 - To make recommendation to the Cabinet Member for Community Empowerment on the implementation of proposed schemes
2. That paragraph (a) of the Committee Procedure Rules specific to the Highways Advisory Committee be amended to:
 - (a) The Highway Advisory Committee will consider all representation made on all parking schemes which are not subject to officer delegation.
3. To amend the delegated powers of the Head of StreetCare as follows:
 - (u) To authorise the creation, amendment and removal of disabled, persons' parking bays, footway parking bays and at any time waiting restrictions at bends and road junctions.
 - (r) To approve local highway management schemes in principle for public consultation.
 - (gg) To approve or reject for further consideration proposals made to the Council for local highway management schemes in accordance with the criteria agreed from time to time by the Cabinet Member for Community Empowerment.