

**HIGHWAYS AND TRANSPORT
 SCRUTINY COMMITTEE
 26 OCTOBER 2015**

PRESENT: COUNCILLOR M BROOKES (CHAIRMAN)

Councillors K J Clarke, R L Foulkes, R J Hunter-Clarke, J R Marriott,
 A H Turner MBE JP, C J T H Brewis, R A H McAuley and R A Renshaw

Councillors: R G Davies and R G Fairman attended the meeting and spoke

Officers in attendance:-

Alan Aistrup (Special Projects Manager), Steve Blagg (Democratic Services Officer),
 David Hair (Member Services Manager), Ian Field (Technical Development Manager
 South), Andrew Norton (Senior Planning Officer (Infrastructure)), Anita Ruffle (Group
 Manager - PTU), Paul Rusted (Infrastructure Commissioner), Mark Welsh (Flood
 Risk and Development Manager) and Steve Willis (Chief Operating Officer)

38 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Brailsford and A G Hagues.

The Chief Executive, having received notice under Regulation 13 of the Local
 Government (Committees and Political Groups) Regulations 1990, had appointed
 Councillors C L T H Brewis, R A H McAuley and R A Renshaw, in place of
 Councillors Mrs A M Newton, M G Allan and N M Murray, respectively, for this
 meeting only.

39 DECLARATION OF MEMBERS' INTEREST

No declarations were made at this stage of the meeting.

40 MINUTES OF THE MEETING HELD ON 14 SEPTEMBER 2015

RESOLVED

That the minutes of the previous meeting of the Highways and Transport Scrutiny
 Committee held on 14 September 2015, be agreed as a correct record and signed by
 the Chairman.

41 ANNOUNCEMENTS BY THE EXECUTIVE COUNCILLOR FOR
 HIGHWAYS, TRANSPORT AND IT AND THE CHIEF OPERATING
 OFFICER

No announcements were made.

42 MAJOR SCHEMES UPDATE

The Committee received a verbal update on the progress of Major Schemes as follows:-

1. Lincoln East West Link – Good progress was being made. Works on the piled foundations for the Heritage Building were under way as were utility diversions in the High Street at the top end of Tentercroft Street. Completion of carriageway completion works were now likely to be two/three months early, with completion expected in October 2016.

2. Network Rail Footbridges in Lincoln - Work had started to clear the site for the High Street Footbridge with an expected completion date of Spring 2016. Brayford Wharf East Bridge was now being redesigned by Network Rail but with no planned start date.

3. Grantham Southern Relief Road - Phase 1 of King 31 scheme commenced in September 2015 with an expected completion in April 2016. Overall, good progress was being made.

4. A17/A151 Peppermint Junction, Holbeach - consultations on planning permission for Phase 1 was now complete with orders expected to be published in Spring 2016 with a and potential start on site in Autumn 2016.

5. Skegness Business Park – discussions were ongoing with the landowner about the scope of the initial phase of the scheme.

Comments made by the Committee and responses by officers included:-

1. Was it still the intention of Network Rail to construct a footbridge at the Brayford Level Crossing?

Officers stated that Network Rail were still considering the construction of a footbridge at the Brayford Level Crossing.

2. Was it the intention for only buses to use the level crossing on the High Street when the work was completed?

Officers stated that all vehicles could use the level crossing but eventually as part of the overall Lincoln Transport Study it was proposed to pedestrianise the top end of the High Street near the level crossing.

3. When the East West link was completed would signs be installed to redirect traffic away from the City Centre?

Officers stated that appropriate signage would be installed.

4. Was preparatory work being undertaken by the Council for a Southern By-Pass during discussions to develop the South West Quadrant?

Officers stated that discussions between the Council and potential developers about the South West Quadrant were on-going and included the Southern By-Pass which was in the Council's Strategy for this area.

RESOLVED

That the update and comments made by the Committee, be noted.

43 LINCOLNSHIRE COUNTY COUNCIL'S ROLE IN THE PLANNING SYSTEM

The Committee received a presentation on the Council's role in planning and its role as the Lead Local Flood Authority and Highways Authority.

Officers stated that there had been substantial changes to planning legislation since 2010 which affected the role of the County Council. The changes included the abolition of Regional Plans, the creation of the Local Enterprise Partnerships, devolution proposals, Local Plans and Localism, the National Planning Policy Framework, de-regulation and the effects of reductions in public expenditure.

Officers stated that since the serious flooding in 2007 and the outcome of the Pitt Review into these floods the County Council had now become the Lead Local Flood and Highways Authority. The County Council was now a statutory consultee for planning applications and was required to provide technical advice on flooding matters to the district local planning authorities which could meet the standards of a planning inquiry. The County Council was also a statutory consultee in its capacity as the highways authority.

Officers stated that because of these major changes in the Council's role presentations were being made to this Committee and the Economic and Environmental Scrutiny Committees and arrangements had been made for a briefing open to all Members of the Council on 4 November 2015.

Comments made by the Committee and responses by officers, included:-

1. What was the role of Members in the process?

Officers stated that the valued knowledge of local Members was welcomed.

2. Who received the Community Infrastructure Levy monies?

Officers explained the Community Infrastructure Levy and how it ran alongside Section 106 Agreements. The Levy was payable on qualifying developments as set out in the charging schedule (which was currently being prepared). The money was collected by the District Local Authorities and a certain percentage could be claimed by a Town/Parish Council. If there was a Neighbourhood Plan the figure was 25% and where there was no Neighbourhood Plan it was 15%.

3. An enquiry was made whether provision could be made for a Household Waste Recycling Centre in any Neighbourhood Plan produced for Stamford?

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Officers stated that a Neighbourhood Plan would not contain that level of detail for the inclusion of a Household Waste Recycling Centre and that it was the role of the Waste Authority to consider this matter.

4. The use of the phrase "no comment" in responses given by the highway's authority to planning applications seemed to indicate that everything was satisfactory on the highway implications. However, this was not always the case.

Officers stated that the highways authority was one of a number of consultees on a planning application and a statement was read of the specific words used when there were highway implications.

5. In the past residential planning applications had been approved where drainage was an issue. Could the Council be assured that this was no longer a problem?

Officers stated that following the Pitt Review into the effects of the floods in 2007, developers needed to have mitigation measures in place to address drainage. Also, urban creep involving the addition of ten or more houses had to be addressed by the developer.

7. The filling of drainage channels by farmers required examination.

Officers stated that under the new legislation the County Council had delegated responsibility to Internal Drainage Board to ensure that drainage channels were clear and they were able to carry out enforcement.

8. What alleviation measures were used to address drainage issues due to development?

Officers explained some of the alleviation measures for drainage arising from new development. Traffic problems needed to be acute before a planning application was refused. There was a need to focus on safety and sustainability and the need for people to examine alternative modes of transport. It was better for negotiations to take place with a developer at pre-planning application stage.

9. There was a need for the County and Districts to work together on major planning applications to avoid problems. An example was given in the City of Lincoln on a development which involved children walking on the local highway because no footpath existed.

Officers stated that this would be addressed when the new legislation came out.

Officers informed the Committee that each Lead Local Flood Authority had been allocated £13,000 to implement their new responsibilities. The Council considered that this was insufficient to carry out this task and was examining this matter further with the hope of getting more funding from the Government.

RESOLVED

(a) That the presentation, the comments made by the Committee and responses given by officers, be noted.

(b) That arrangements for a briefing on 4 November 2015, for all Members of the Council, to examine the proposals in today's presentations, be noted.

44 LINCOLNSHIRE HIGHWAYS ALLIANCE UPDATE REPORT - OCTOBER 2015

The Council received an update on the activity of the Lincolnshire Highways Alliance. Officers stated that there was a need to think about future arrangements as it was not possible to extend the current contracts beyond ten years. The Council was currently working with Cranfield University in connection with future operations.

Officers stated that the Council had received an extra £9m in its highways capital grant and was examining how to allocate this by working in collaboration with partners.

Officers stated that because of on-going problems with Agresso it had not been possible to provide all of the detailed performance information and this information would be provided as soon as the problems had been resolved.

Comments made by the Committee and responses of officers, included:-

1. Concerns about the problems in the Agresso system and its effects on highways?

Officers stated that the problems were being addressed. It was noted that the Value for Money Scrutiny and Audit Committees had recently considered the issues. It was hoped that all of the problems would be resolved shortly.

2. What was the impact of the reductions in public expenditure on the highways' budget?

Officers stated that the impact of reductions in public expenditure on the highways' budget would be considered in the Committee's work programme and at the budget workshop meeting on 23 November 2015.

3. It was noted that it was proposed to install updated software to the Remote Light Control System installation at the Dixon Street/Boultham Road location. A view was expressed that whatever traffic light system was introduced at this location would not assist the flow of traffic as the roads were not wide enough. It was also suggested that during the construction of the East West link road a "no left turn" from Dixon Street to the High Street, should be installed.

Officers stated that this was a difficult junction and that the problem was aggravated by only having two lanes for traffic when traffic going in three directions. Further discussions about these concerns could take place outside of the meeting.

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4. Was it possible for someone to hack into the Remote Light Control System?

Officers stated that while this was possible the necessary security systems were in place and a risk assessment had been carried out to prevent this happening.

5. Could the final costs of officer time spent at the Lincoln Eastern By-Pass Inquiry be provided to the Committee?

Officers agreed to provide this information to the Committee when the Inquiry was completed.

6. Why was £4.5m of the Council's funding at risk next year when the Department for Transport self-assessment process was introduced?

Officers stated that there was a need for the Council to demonstrate that it was using the additional £9m funding allocated in its highway capital grant effectively. Some evidence had already been collected in this respect as described in the report.

7. Had reductions in the Council's workforce reduced the ability to deliver a service?

Officers stated that with fewer employees it was important to use those remaining as effectively and efficiently as possible. The Council was moving away from a responsive service to a planned programme of prevention on highway work.

RESOLVED

That the report, comments made by the Committee and the responses given by officers, be noted.

45 TOTAL TRANSPORT UPDATE REPORT

The Committee received a report on the current status of the Total Transport Initiative (titled TotalConnect) project being undertaken by the Passenger Transport Unit. The purpose of the project was to examine if there were opportunities to integrate public sector commissioning and delivery of transport services.

Officers stated that issues surrounding the sharing of patient and financial information by the NHS would be raised at a national level to see if the barriers could be broken down.

Comments made by the Committee and responses by officers included:-

1. Opportunities for cross border co-operation also needed to be explored with Kings Lynn and Norfolk.

Officers agreed to explore opportunities for cross border co-operation in these areas.

2. There would be many benefits to the Council and other agencies if there was improved co-ordination of public transport and it was noted that this was dovetailing into the Council's devolution plans.

RESOLVED

(a) That the report, comments made by the Committee and responses given by officers, be noted.

(b) That a further progress report be submitted to the Committee in six months' time.

46 HIGHWAY TREE SURVEY - UPDATE

The Committee received a report in connection with the progress being made with the tree risk inspection surveys which commenced in June 2011 following approval by the Executive Councillor for Highways and Transport.

Comments made by the Committee and responses of officers included:-

1. There was a need to consider the species of trees planted near the highway.

Officers agreed that in the past little consideration had been given to the type of trees planted near the highway but this was no longer the case.

2. What action was taken by officers if the owner of a tree(s) could not be identified?

Officers stated that the local knowledge of a highways officer was used in the first instance and the Land Registry was used if necessary.

3. The strongest winds were in the south west/north west area of the country. Officers stated that the inspector took wind speed into consideration.

4. What was the cost of surveys compared with the work carried out to rectify damaged trees?

Officers stated that most of the surveying work was carried out internally. Other costs involved the employment of an arboriculturalist, software and the cost of a driver to transport the arboriculturalist.

5. The health of a tree depended on the condition of the verge. People parking on the verge causing the ground to become compacted.

6. Trees covering road signs was an issue.

Officers stated that while this comment was not directly related to this report trees covering signs were recorded by the inspector in his surveys and there would be a report on this matter in due course.

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7. In Bourne some estate Management Committees had a management fee to pay for maintenance. Did this fee include a responsibility for the maintenance of trees?

Officers stated that the preference now was not to plant trees near the highway and open spaces belonged to Town/Parish Councils. Trees only became a problem when they became old.

8. Who met the cost of removing trees on private property?

Officers stated that the cost of maintenance of trees on private property was the responsibility of the owner. Our surveys included all private trees within 25m of the highway and the liability for these trees was the responsibility of the owner.

9. Were fallen trees classed as an act of God?

Officers stated that a fallen tree was not classed as an act of God and that all landowners had a responsibility for inspecting their trees.

RESOLVED

That the report, comments made by the Committee and the responses given by officers, be noted.

47 LOOKED AFTER CHILDREN/CARE LEAVERS REPRESENTATIVE -
UPDATE

Councillor R L Foulkes, in his capacity as the Committee's Looked After Children/Care Leavers representative, reported that he had attended a Care representative's meeting on 22 September 2015, at which his role had been explained. He stated that each representative was responsible for examining the impact of any changes in policy or strategy which came under the Committee's responsibility in relation to Looked After Children/Care Leavers and to report to the Committee and relevant officers.

RESOLVED

That the report be noted.

48 HIGHWAYS AND TRANSPORT SCRUTINY COMMITTEE WORK
PROGRAMME

The Committee received its Work Programme.

The arrangements for a budget workshop for all members of the Council at 2.00pm on 23 November 2015, were noted. It was noted that while this event was taking place before the Chancellor's Autumn Statement the workshop would provide members with an opportunity to examine the broad issues and when the budgetary situation became clearer in January 2016 a more detailed examination of the budget could take place.

RESOLVED

That the Committee's Work Programme be noted and updated accordingly, subject to the addition of the following:-

- (a) An update on Total Transport in six months
- (b) Highways Asset Management Policy – 14 December 2015

The meeting closed at 12.30 pm