

**JOINT MEETING - CABINET MEMBERS FOR REGENERATION AND  
DEVELOPMENT SERVICES AND STREETPRIDE**

**Venue:** 3rd Floor Training Room, **Date:** Monday, 20th April, 2009  
Bailey House,  
Rawmarsh Road,  
Rotherham. S60 1TD

**Time:** \*9.45 a.m.

\*please note the start time for this meeting.

**A G E N D A**

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972 (as amended March 2006).
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Revenue Budget Monitoring - April, 2008 to February, 2009 (Pages 1 - 11)  
Fiona Earl, Principal Accountant, to report.
  - to report on February, 2009 revenue budget monitoring.
4. Real Time Intelligent Detection (RID) – Phase 1, Traffic Signal Optimisation (Pages 12 - 14)  
Ian Ashmore, Principal Traffic Officer, to report.
  - to report on Traffic Signal Optimisation.
5. Traffic Management Act 2004 - South Yorkshire Network Management Plan and RMBC Action Plan (Pages 15 - 44)  
Ian Ashmore, Principal Traffic Officer, to report.
  - to report the RMBC Network Management Action Plan.
6. Fixed Penalty Notice Scheme for Street Works (Pages 45 - 59)  
Andrew Rowley,
  - to consider a fixed penalty notice scheme.
7. Connect2 Programme Joint Rotherham/Sheffield Walking and Cycling Project (Pages 60 - 65)  
Richard Pett, Public Rights of Way Officer.
  - to inform Cabinet Members of the scope of the project and the funding arrangements to be agreed with Sustrans.  
(Please note that a copy of Appendix A – Memorandum of Understanding will be available at the meeting.)

**The Chairman is to be asked to consider the following extra, urgent item:-**

8. Town Centre parking proposals – feasibility. (report attached) (Pages 66 - 69)  
Martin Beard, Parking Services Manager/Ken Wheat, Transportation Unit Manager, to report.
  - to consider a range of parking proposals for Rotherham Town Centre which aim to encourage further footfall and spend in order to support town centre businesses during the current economic climate.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
--

<b>1.</b>	<b>Meeting:</b>	<b>Regeneration and Development Services and Streetpride Delegated Powers meetings</b>
<b>2.</b>	<b>Date:</b>	<b>20<sup>th</sup> April 2009</b>
<b>3.</b>	<b>Title:</b>	<b>February Revenue Budget Monitoring Report</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

## **5. Summary**

To report on performance against the revenue budget for the Environment and Development Services Directorate as at **the end of February 2009** and to provide a forecast outturn for the whole of the 2008/09 financial year.

## **6. Recommendations**

(1) That Members note the forecast outturn position of **an overspend of £100,000** for the Environment & Development Services Directorate based on expenditure and income as at the end of February 2009 and forecast expenditure and income to the 31<sup>st</sup> March 2009. This is a significantly improved position from the last report. The key pressures are due to the shortfall of fee income recovery within Asset Management and pressure within the Winter Maintenance account due to a severe Winter.

(2) That this report be referred to the Regeneration Scrutiny Panel for information.

## 7. Proposals and Details

Members are asked to receive and comment upon budget monitoring reports on a monthly basis from May onwards. This report reflects the position against budget for the period 1st April 2008 to 28<sup>th</sup> February 2009. The attached **appendices** give a summary of the projected 2008/09 revenue position for the Directorate;

Appendix A – E&DS Summary Report.

Appendix A1 to A5 – Service Level Summary Report.

Following the February cycle of budget monitoring the Directorate has identified that it is likely incur **an overspend of £100,000** against a total net revenue budget of £45,575,013.

Key areas of pressure are :

▪ Consultancy Fee Income	£250,000
▪ Winter maintenance budget	£250,000
▪ Unfunded Flood related expenses	£80,000

Key savings which are *partially* offsetting the above pressures are :

▪ Interim waste contract savings	£304,000
▪ Freezing of vacant posts	£ 62,000
▪ Streetpride within Highways Maintenance	£131,000

The Environmental Development Services Management Team are actively seeking to introduce measures to reduce these pressures, however, this will have a significant impact on service delivery. Details of the pressures are outlined in more detail:

### Winter Maintenance

Since the last report there have been further grits delivered, and a further review of costs has been undertaken, with an indication that the initial estimate can now be reduced to an estimated annual cost of £900,000. This amount is still significantly higher than the budget currently available. The current revenue budget was reduced at the beginning of the year in anticipation of a mild winter, so the current budget of £500,000 will be fully utilised, together with a full use of an available reserve of £150,000.

### Asset Management

Following the revised estimates process an amended income budget was set for recovery of fees was at £600,000. However, the current economic climate, has witnessed a significant and rapid downturn in workloads within the fee earning teams. The impact of this is that a £350,000 fee recovery is now forecast to be achievable.

## **Planning and Regeneration**

Further savings have been realised as a result of the imposed moratorium and are being used to offset some pressures within this Service. Due to management actions, the overall position is now reporting a forecast underspend of £30,000.

## **Streetpride**

There is currently a surplus being reported from Streetpride (including waste management). This is reported as £416,000, with a significant saving shown against the waste budgets (£304,000). This is due to waste arisings being considerably lower than originally projected. Further savings across the Service have been made as a result of the imposed moratorium, but this has resulted in a reduced service delivery within highways maintenance. There continues to be a pressure on the Grounds Maintenance budget £88,000 and the Street Cleansing pressures were addressed with a one-off budget transfer in year.

## **Culture and Leisure**

There are continuing pressures within Culture and Leisure services which include a general increase in operational costs throughout the Library Service, and ongoing pressures within Green Spaces and Pools. However, these are being partially offset by savings across the Service due to effective management whilst the moratorium is in place.

## **Business Unit**

The Business Unit has continued to offer further savings as vacant posts are not advertised, this is projected to save an additional estimated £104,000 by the year end (in addition to the £100,000 already used through the revised estimate process towards the overall EDS overspend).

## **8. Finance**

Please refer to the attached appendices for detailed financial analysis.

## **9. Risks and Uncertainties**

The overall Directorate budget shows a projected overspend of £100,000. Members are also reminded that there is still potential for costs to be incurred as a result of the fatality at Fitzwilliam Road, though any impact will be in 2009/10 as the case has now been referred to the Crown Court.

To date the reported position has reflected a combination of cost pressures partially being compensated for by savings/additional income being generated across the Service. The Strategic Director of Environment and Development Services and Cabinet Member have determined this is an acceptable way of balancing the budget in accordance with Financial Regulation Virement Note

Section 11, without the need for implementing virement. Where cost pressures cannot be contained within the Directorate's cash-limit a request to award a supplementary estimate to cover the currently identified shortfall of £100,000 will be made.

### **10. Policy and Performance Agenda Implications**

Directorate budgets are aligned only to corporate priorities and spending within the agreed Directorate cash allocation is key to demonstrate the efficient Use of Resources. The third quarter performance monitoring report of 2008/09 has identified that NI 195a will be unlikely to meet the target of 7% with the existing financial resources. Also, BV109 (a) Planning Applications income continues to report slightly below the target range due to a low volume of applications being received in this period.

### **11. Background Papers and Consultation**

This is the tenth budget monitoring report for the Directorate for 2008/09 and reflects the position from April 2008 to February 2009. This report has been discussed with the Strategic Directors for Environment and Development Services and Financial Services.

**Contact Name: Fiona Earl, EDS Principal Accountant, Ext: 2083.**  
**E-mail: [fiona.earl@rotherham.gov.uk](mailto:fiona.earl@rotherham.gov.uk)**

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Service	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions
Planning & Regeneration Service	-30	There continues to be an under recovery of fee income, and some other unfunded costs which are being partially offset by use of Grant. Further savings have been realised as a result of the moratorium, though this has caused pressure on service delivery	G		
Asset Management	264	Due to the downturns in workload, surpluses above the original trading targets are unlikely to be achieved, though Service are endeavouring to deliver on this.	R		To minimise cost pressure through management applied savings actions and internal budget virement so that level of any additional funding required is minimised.
Streetpride	-416	Further savings being made in Waste, and savings on Highways are being used to offset pressures on Parking, Grounds Maintenance. (Winter maintenance is reported as a Directorate wide figure, below).	G		To minimise cost pressure through management applied savings actions so that level of any additional funding required is manageable.
Culture & Leisure	56	There are identified cost pressures in Archives and Theatres (£55k) and in Recreation and Sport relating to the new contract with DC Leisure (£50k), and additional costs at Wickersley Library (£30k)	A		To minimise cost pressure through management applied savings actions so that level of any additional funding required is manageable.
Business Unit	-104	Identified savings on management of non-essential vacant posts	G	Work is on-going to accurately substantiate the size of the saving and management action will be taken to implement all other possible savings measures.	
Council Wide - Flood Related & Winter Maintenance	330	Cost pressures cannot be contained within the current revenue budget	R	Work is continuing to accurately assess the costs relating to the aftermath of the Floods.	
<b>TOTAL</b>	<b>100</b>				

## REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
<b>Planning &amp; Regeneration Service</b>						
Business Development	-10	Secured small amount of additional funding	G	No action required.		
Development Promotion	25	Loss of grant funding due to long term staff absence and charges on Chesterfield Canal Maintenance greater than expected	G	Measures being taken to offset this pressure, across the rest of the Service.		
YES Project	80	Unfunded consultancy costs	G	Discussions are ongoing relating to the funding of this project		
Strategy Development	-30	Savings on staff vacancies	G	No action required.		
Work Implementation	0	Nil variance at this stage in the financial year	G	No action required.		
Managed Workspace (Business Centres)	0	Nil variance at this stage in the financial year	G	No action required.		
RERF	0	Nil variance at this stage in the financial year	G	No action required.		
Town Centre Mgt	-22	Savings on staff vacancies and moratorium	G	No action required.		
Markets	-52	Savings generated due to moratorium	G	No action required.		
Forward Planning	15	Essential spend on Local Development Framework (LDF)	G	No action required.		
Management	85	Share of vacancy factor	A	Work is on-going to accurately capture the size of the issue and action will be taken to implement all possible savings measures.	To minimise cost pressure through management applied savings actions in order to restore budget to a balanced	G
Land Charges	84	Ongoing discussions relating to the charging for Mapping Service.	R	Measures being taken to offset this pressure, across the rest of the Service.		A
Development Control	-120	Variance at this stage in the financial year due to significant cost pressure through an escalation in the level of reduction in planning fee income caused by current property market conditions (£130k) off-set by Housing and Planning delivery grants (£238k) usage.	A	Measures being taken to offset this pressure, across the rest of the Service.		A
Building Control (80% Trading)	0	Nil variance at this stage in the financial year	G	No action required.		
Building Control (20% Revenue)	0	Nil variance at this stage in the financial year	G	No action required.		
Transportation	-85	Increased fee income being generated	G	No action required.		
<b>TOTAL</b>	<b>-30</b>					

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Asset Management	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Management	52	Non achievement of vacancy factor	A	Work is on-going to accurately capture the size of the issue and action will be taken to implement all possible savings measures.		
Building Cleaning	-65	An increased number of variation orders which are over and above the routine work.	G	No action required.		
Public Conveniences (All Saints)	-5	Saving on staffing	G	No action required.		
Caretakers	6	Under-recovery of income	G	No action required.		
Bailey Suite	6	Under-recovery of income	G	No action required.		
Reresby Hospitality	11	Under-recovery of income, due to decanting.	G	No action required.		
School Crossing Patrol	-11	Increased number of vacant posts	G	No action required.		
Education Premises	6	Nil variance at this stage in the financial year	G	No action required.		
Office Accommodation	-14	Energy savings due to replacing lighting in Bailey House	G	No action required.		G
Community Buildings	18	Repairs and maintenance overspending against budget.	G	Working across the Service to address this pressure		
Facilities Management	-18	Moratorium on spend	G	No action required.		G
Swinton District Heating	-5	Over-recovery of income	G	No action required.		
Emergency and Safety	0	Slight under spend	G	No action required.		
Environmental Management	-19	Moratorium on spend	G	No action required.		
Strategic Support Team	-24	Moratorium on spend and vacancies	G	No action required.		
Miscellaneous Properties	8	Overspend on repairs	G	No action required.		
Transport	0	Nil variance at this stage in the financial year	G	No action required.		
Misc. Fee Accounts	26	Work undertaken with no recoverable fee income	G	No action required.		
Fee Billing - Consultancy Management	250	Due to the downturns in workload, surpluses above the original trading targets are unlikely to be achieved, though Service are endeavouring to do so. It is now more probable that the original surplus target of £350k is likely to be achieved. An additional £250k of fees consolidated into EDS' revenue budget as part of revised estimates, was a tentative additional target. It was originally discussed mid year and this will not be achievable due to reducing capital fund.	R	A review of fee earning income is being undertaken to determine if the position can be improved		
*Valuation Group (Fee Billing)	0	Nil variance at this stage in the financial year	G	No action required.		
*Commercial Properties	42	Repairs to the roof at RAIN Building, and debts to be written off.	G	No action required.		
<b>TOTAL</b>	<b>264</b>					

Note:

## REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Streetpride	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Community Delivery Teams	-19	Whilst Grounds Maintenance remains under pressure during 2008/9, other areas across Community Delivery are offering some savings so this Service is trying to contain it's current overspend.	G	That a continued monitoring of service delivery and use of resources is maintained until the financial year end		G
Network Management Schemes & Partnerships	-88	There are known savings in Highway Maintenance Schemes and several other areas across Network management which are managing to contain an ongoing pressure caused by under-recovery of income within Parking Services	G	That a continued monitoring of service delivery and use of resources is maintained until the financial year end	To minimise cost pressure through management applied savings actions so that level of additional funding required is manageable.	G
Waste disposal and collection	0	Nil variance at this stage in the financial year	G	No action required.		
	-304	Further savings have been identified within waste Services as a result of lower than anticipated leasing charges, however, there are some areas where future spend still needs to be confirmed.	G	Ongoing work to establish final costs for PFI payments and Routesmart charges.		G
Corporate Accounts - Streetpride	-5	The underspend is a result of managing the accounts effectively whilst the moratorium has been imposed.	G			G
<b>TOTAL</b>	<b>-416</b>					

## REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Culture & Leisure Services	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Culture & Heritage	55	Archives and theatres staffing budget pressures	G	No action required.		
Library Service	60	General increase in operational costs throughout Library Service.	A	Measures being taken to offset this pressure, across the rest of the Service.		
Recreation & Sport	86	Previous overpend has been partially addressed from Revised Estimates process, leaving a shortfall on budget in Green Spaces and Pools (£46k).	A	Measures being taken to offset this pressure, across the rest of the Service.		
* Tourism	-12	Catering surplus from Rotherham Show, and staff savings	G	No action required.		
Service Management & Support	-133	Costs of photocopying and staffing, partially off-set by savings on vacancy management, and reduced overhead costs.	G	No action required.		
<b>TOTAL</b>	<b>56</b>					

**Note:**

\* Now incorporates Visitor Information centre, Tourism, 40 Bridegate and part of Town Centre events budgets transferred from former RIDO Service

## REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Business Unit	Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Business Support	-94	Identified savings due to freeze on recruitment	G	Work is on-going to accurately substantiate the size of the saving and management action will be taken to implement all other possible savings measures.		
Customer Liaison	0	Nil variance at this stage in the financial year	G	No action required.		
Payments to RBT Management	0	Nil variance at this stage in the financial year.	G	No action required.		
Corporate Account	0	Nil variance at this stage in the financial year	G	No action required.		
General Administration	0	Nil variance at this stage in the financial year	G	No action required.		
Performance & Quality Training	-10	Savings due to moratorium on spend	G	No action required.		
	0	Nil variance at this stage in the financial year.	G	No action required.		
<b>TOTAL</b>	<b>-104</b>					

REASONS FOR VARIANCE FROM APPROVED BUDGET (Based on available information as at end February 2009)

Directorate Wide	Under (-) / Over (+) Spending Projected to Year End £,000	Reasons/Implications	RAG Status	Actions Proposed	Impact of Actions	Revised RAG Status
Flood Related Costs	80	Ongoing security costs relating to Ulley Reservoir, and the aftermath of the Floods	R	That a revenue allocation be secured to manage and monitor these ongoing costs.		
Winter Maintenance	250	The number of grits allowed in the 2008/09 winter maintenance budget is 50. This is below the normal budgeted level, as a decision was made to reduce this budget in anticipation of a mild winter. However, due to severe weather, the number of grits has been exceeded, which has caused this budget to be overspent.	R	The revenue budget has been fully utilised, and a need to use the whole amount of the reserve (£150k) has been registered. Further to this to ensure a balanced budget, a request to address the overspend will be made to Cabinet Member, CMT and Cabinet		
<b>TOTAL</b>	<b>330</b>					

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
--

<b>1.</b>	<b>Meeting:</b>	<b>Regeneration and Development Services and Streetpride Service</b>
<b>2.</b>	<b>Date:</b>	<b>20<sup>th</sup> April 2009</b>
<b>3.</b>	<b>Title:</b>	<b>Real Time Intelligent Detection (RID) – Phase 1, Traffic Signal Optimisation</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

To inform members of the RID Bus Priority Measures report and seek approval to implement Phase 1; revised traffic signal timings to optimise operation of 20 signalised junctions on the Key Routes Network.

**6. Recommendations**

**It be resolved that:**

- (i) The RID Bus Priority Measures report be noted and approved**
- (ii) The recommendations of Phase 1 be implemented during 2009/10 and 2010/11.**

## **7. Proposals and Details**

The South Yorkshire Passenger Transport Executive in conjunction with Rotherham Borough Council commissioned a study to be undertaken into the effective operation of the signalised junctions on the Key Route Network. Some 20 junctions were identified that currently operate under traffic signal control, primarily in the town centre and the former Rotherham to Maltby Quality Bus Corridor (now Key Route). Additional junctions on the Rotherham to Dearne Key Route were identified for improvement.

For a significant number of the junctions, the operation is currently based on traffic flow information that is now dated, and hence the traffic signals are not likely to be operating in an optimum manner which reflects current traffic conditions. A comprehensive data collection exercise has been undertaken to establish current traffic flows and turning movements at the junctions, and this data has been modelled in order to develop sets of optimised signal timings for both the morning and evening peak periods. The revised signal timings, when implemented will assist in reducing congestion on the Key Route Network, and offer benefits for all road users. The proposals will assist the Authority in meeting the requirement of the Network Management Duty of the Traffic Management Act 2004, and is a key action in Rotherham's Action Plan.

Further work is to be undertaken on the project to assess junctions where additional measures could be implemented, which improve public transport journey times. This will include the use of real time information as a tool to instigate "hurry call" facilities, where a late running bus could be given priority for a green light at traffic signals. The Phase 2 study is to be commissioned by the South Yorkshire Passenger Transport Executive during 2009/10.

Due to the intensity of workload required, it is proposed that the junction optimisation improvements will be implemented over the 2009/10 and 2010/11 financial years.

The RID Bus Priority Measures report will be available in the Members room prior to the meeting, and at the meeting.

## **8. Finance**

The funding required to implement Phase 1 of the project is approximately £120k over two years, and will be met from the Local Transport Plan Integrated Transport Capital Programme for 2009/10 and 2010/11.

## **9. Risks and Uncertainties**

As the project should provide benefits for all road users, there is little risk associated with implementing the proposals. It should be noted that the successful implementation of the improvements is dependent on designated resource being allocated to the project from the Streetpride Traffic Signals Unit.

**10. Policy and Performance Agenda Implications**

The proposals clearly accord with the objectives of the South Yorkshire Local Transport Plan, the Traffic Management Act, and the Councils' main themes of Alive, Safe and Achieving.

**11. Background Papers and Consultation**

South Yorkshire Local Transport Plan 2006 – 2011

Traffic Management Act 2004

South Yorkshire Network Management Plan 2008

**Contact Name :** *Ian Ashmore, Principal Traffic Officer, Ext 2825*  
*ian.ashmore@rotherham.gov.uk*

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
--

<b>1.</b>	<b>Meeting:</b>	<b>Regeneration and Development Services and Streetpride Service</b>
<b>2.</b>	<b>Date:</b>	<b>20<sup>th</sup> April 2009</b>
<b>3.</b>	<b>Title:</b>	<b>Traffic Management Act 2004 – South Yorkshire Network Management Plan and RMBC Action Plan</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

To inform Members of the South Yorkshire Network Management Plan, submitted to the Department for Transport as part of the LTP Progress Delivery Report 2008. The report then considers the Network Management Plan Action Plan, specific to Rotherham, which contains actions that are required to be implemented in order that the Authority is able to demonstrate compliance with the statutory Network Management Duty of the Traffic Management Act 2004.

**6. Recommendations**

**It be resolved that:**

- (i) The South Yorkshire Network Management Plan be noted**
- (ii) The RMBC Action Plan for 2009/10 be approved and actions implemented**
- (iii) The RMBC Network Management Plan Action Plan be reviewed annually with further reports submitted as appropriate to the joint meeting of Cabinet Members for Regeneration and Development Services and Streetpride Service.**

## **7. Proposals and Details**

The Traffic Management Act 2004 (TMA) is currently in various stages of implementation, and a specific statutory duty contained in the Act is that of Network Management. The Network Management Duty is implicit in that it requires the Local traffic Authority to utilise its statutory powers to facilitate the expeditious movement of traffic on the highway network.

Members will note the report considered on 30 October 2006 which details the requirements of the Act and the appointment of a traffic manager, which is a statutory post. Work to deliver the Network Management Duty continues to be progressed within Rotherham, sub regionally, within South Yorkshire, and regionally through the Yorkshire Traffic Managers Group. The Department for Transport (DfT) require the reporting of progress through the South Yorkshire LTP2 progress reports, and it was agreed that a South Yorkshire Network Management Plan be annexed to the 2008 Progress Report submitted by the South Yorkshire LTP Director's Office. This is included as Appendix A. There is a requirement however, for each individual Traffic Authority to demonstrate actions that are to be undertaken within the district in order to demonstrate compliance with the Network Management Duty. The Planning and Regeneration Directorate jointly with the Streetpride Directorate have developed an Action Plan, specific to Rotherham which is included as Appendix B.

It is intended that the RMBC Network Management Plan Action Plan be a working document containing specific tasks to be undertaken within agreed timescales, which will be reviewed annually. Completion of the actions will assist in demonstrating compliance with the Network Management Duty.

Should the Secretary of State deem a local traffic authority to be failing in its duty under the Act, he may intervene and impose a Traffic Director on the failing Authority. The significance of intervention should not be underestimated as the appointment of a Traffic Director would mean that the Council would lose control of the function, but be responsible for the associated costs, and additionally there is an automatic reduction in the CAA rating by one level.

## **8. Finance**

Funds to implement actions contained in the Action Plan will be made available from revenue budgets, and where appropriate, from the Local Transport Plan Integrated Transport Capital Programme for 2009/10 and 2010/11.

## **9. Risks and Uncertainties**

The Council risks intervention if it fails to undertake the Network Management Duty and does not comply with the requirements of the TMA.

## **10. Policy and Performance Agenda Implications**

The requirements of the TMA accord with the objectives set out in the Local Transport Plan for congestion reduction. It should be recognised that there may be implications for other policies and effects on other budgets; for example, there could be restrictions placed on refuse collection on congested routes at peak

times. The potential for intervention and the associated consequences should be recognised.

## **11. Background Papers and Consultation**

Traffic Management Act 2004

Minute number 131 of 30 October 2006

Appendix A – South Yorkshire Network Management Plan 2008

Appendix B - Rotherham Borough Council Action Plan

**Contact Name** : *Ian Ashmore, Principal Traffic Officer, Ext 2825*  
*ian.ashmore@rotherham.gov.uk*

**Appendix A**

**SOUTH YORKSHIRE LTP2 (2006 – 2011)**

**PROGRESS REPORT 2008**

**NETWORK MANAGEMENT PLAN  
(DECEMBER 2008)**

## **Contents**

**1 Introduction**

**2 Links to Other Policies**

**3 Network Management Core Issues**

**3.1 Considering the Needs of All Road Users**

**3.2 Co-ordinating and Planning Works and Known Events**

**3.3 Gathering Information and Considering Information Needs**

**3.4 Incident Management and Contingency Planning**

**3.5 Dealing with Traffic Growth**

**3.6 Working with All Stakeholders**

**3.7 Ensuring Parity with Others**

**3.8 Providing Evidence and Demonstrating Outcomes**

**4 Network Management Strategic Issues**

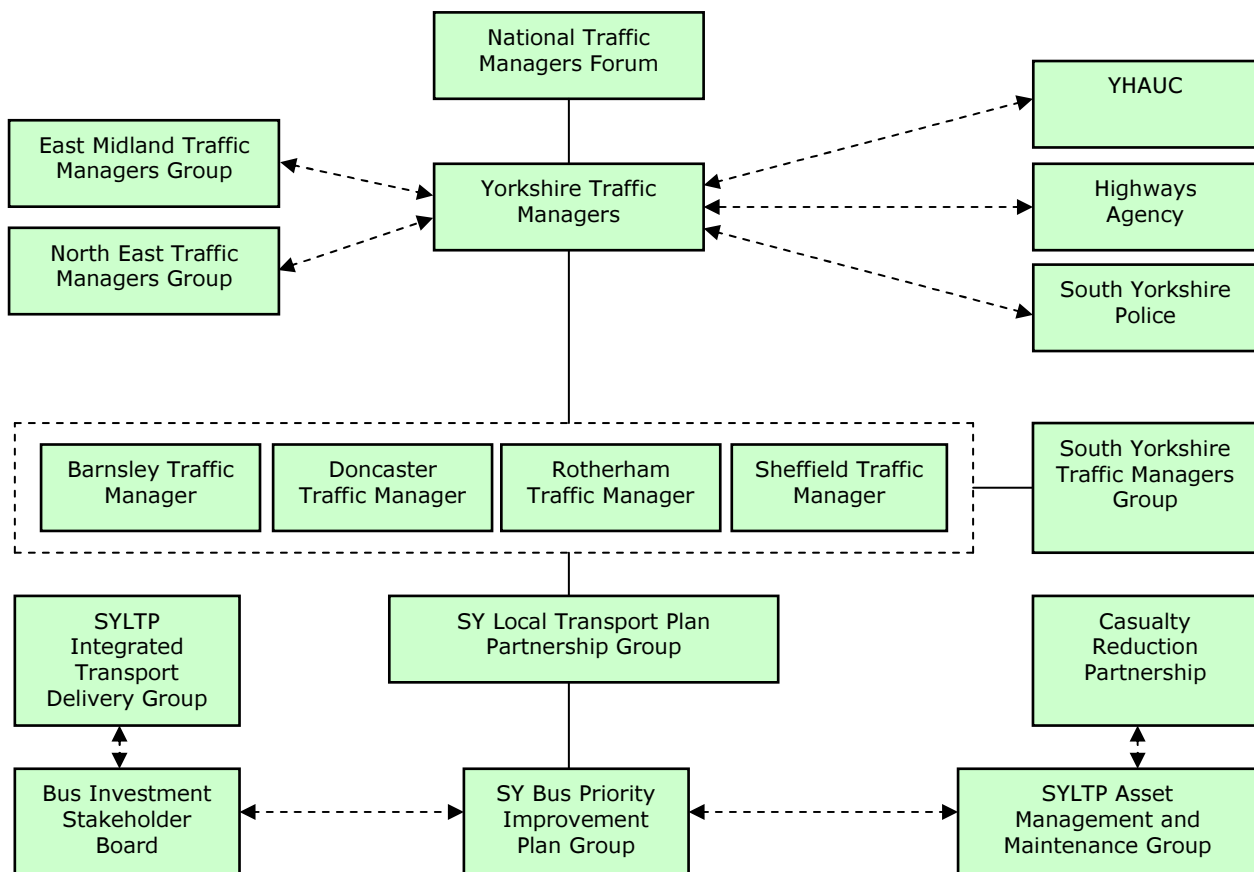
**4.1 Actions Considered in Delivering the Network Management Duty**

**4.2 Powers Exercised in Delivering Network Management Duty**

**APPENDIX 1 – Actions Being Undertaken to Deliver Network Management Duty**

## 1 INTRODUCTION

- 1.1 This document sets out the progress being made by the South Yorkshire Local Traffic Authorities (LTAs) in the delivery of the Network Management Duty placed on them by the Traffic Management Act 2004.
- 1.2 The document is structured to provide evidence of how the LTAs are performing in the eight categories identified in the Traffic Management (Guidance on Intervention Criteria) Order 2007 and Guidance on Second Local Transport Plan (LTP2) Progress Reports (2008).
- 1.3 The Network Management Plan Framework for the Yorkshire Region sets out overarching advice to ensure a consistent and co-ordinated approach to network management and sharing of good practice between the Yorkshire LTAs. A Yorkshire Action Plan is in place along with a self-assessment tool for monitoring progress.
- 1.4 Barnsley MBC, Doncaster MBC, Rotherham MBC and Sheffield CC are each in the process of developing their individual Network Management Plans based on the common framework agreed by the Yorkshire Traffic Managers Group. These will include their specific Action Plans that have been developed to address their local priorities.
- 1.5 The diagram below shows the inter relationships between Traffic Managers Groups, LTPs and other partnerships:-



## 2 LINKS TO OTHER POLICIES

- 2.1 The Network Management Plan (NMP) of each Traffic Authority is being developed and shaped by a policy framework which includes: the Regional Spatial Strategy incorporating the Regional Transport Strategy (which supports the wider Plan and provides a strategic steer on transport investment and management in a more operational setting); the South Yorkshire Local Transport Plan (SYLTP); and each Council's Sustainable Development Strategy and Local Development Framework. In addition, the development of the Sheffield and Leeds City Regions will influence the way in which we implement our NMPs.
- 2.2 The SYLTP (2006 – 2011) sets out a transport vision which aims to significantly improve internal and external connectivity by: initiatives to support and sustain a high growth economy by providing excellent road, rail, and air links; and providing high quality public transport services, a safe and well maintained transport system, and a road network in good condition. Such policies and planned growth therefore place much reliance on tackling congestion and minimising disruption for road users. The SYLTP contains a number of 'associate' Strategy Documents which reflect specific links with Network Management Duties, including the Bus Strategy, Accessibility Planning Strategy, Road Safety and Casualty Reduction Strategy, Congestion Delivery Plan.
- 2.3 Subsequent to the publication of the SYLTP, the South Yorkshire Congestion Delivery Plan (CDP) was submitted to and approved by the DfT. The CDP focuses on a set of 18 key congestion "Target Routes" which represent the major arterial traffic routes linking and feeding into the four urban centres, and includes an analysis of current conditions on each route, a summary of broader issues such as predicted changes in population and economic regeneration strategies and their resultant likely impact on traffic growth, and a programme of interventions from 2007 to 2011. This analysis was based on the South and West Yorkshire Strategic Model (SWYSM), a high level strategic assessment tool used to analyse all the predicted 'global' changes impacting on South Yorkshire over the timescale of LTP2.
- 2.4 The modelling provided a predicted growth in person trips between a 2005 baseline and 2011 milestone, taking account of overall changes. Baselines were established using a combination of local classified traffic counts and occupancy surveys together with DfT journey time data, whilst SWYSM assisted in the generation of 2011 journey time predictions for each Target Route.
- 2.5 All four South Yorkshire Highway Authorities are preparing individual Highway Asset Management Plans (HAMPs). We are working towards a parallel development of HAMPs, with documents broadly following a generic asset management system. They reflect the legal requirements set out in the Traffic Management Act 2004 (TMA), covering specific links with Road Safety and Traffic/Network Management, Winter Service, Street Cleansing and Highway Enforcement. We are now working towards preparation of a South Yorkshire HAMP, which will outline the basis for how assets are managed across the sub-region. In recognising the need to consider wider issues, we agree on the need to prepare a South Yorkshire Transport Asset Management Plan (TAMP), which will

link up all transportation issues and focus on managing assets, physical or otherwise, to ensure their smooth and appropriate operation.

### **3 NETWORK MANAGEMENT CORE ISSUES**

#### **3.1 Considering the Needs of All Road Users**

- 3.1.1 The four South Yorkshire LTAs have established their own most effective means of communicating with the public and understanding the issues relating to Network Management which their residents and business communities have. Sheffield has an active motorists' forum and is extending its remit to cover Area Panel activities which are already involved in highway issues. A recent citizens' consultation in traffic management and congestion concerns was very well used with 650 suggested changes. This has led to a number of interventions and planned improvements.
- 3.1.2 Accessibility is an important issue for many road users. For example, in Barnsley there are regular meetings with the Local Access Committee to discuss issues affecting the elderly and mobility impaired.
- 3.1.3 Rotherham MBC holds a bi-monthly Transport Users Group meeting with representation from the disabled, older people, accessibility groups and cycling forums. The accessibility focused group contributes to improvements within transport interchanges, and to community transport, bus and rail operations. Rotherham MBC has a pro-active approach to promoting cycling, engaging with stakeholders to produce a detailed cycling map with clearly identified suitable cycle routes across the local network.
- 3.1.4 Doncaster MBC and Sheffield CC have subscribed to the National Highways Best Value Benchmarking Club's Customer Satisfaction Survey. This national survey includes a comprehensive Traffic and Congestion Management section in which 4000 residents in each local authority are asked a series of questions about how satisfied they are with the management of roadworks, management of traffic and the issues that they feel contribute to congestion. The results are currently being studied and will be used to influence the priorities within our Action Plans. The survey will be repeated annually to ensure we have up to date information and are able monitor any changes in the views of our residents.
- 3.1.5 The Yorkshire Traffic Managers have developed a Consultation Strategy. This includes a 'Managing the Highway Network' questionnaire to find out what our stakeholders think about how we are delivering our Network Management Duty. The South Yorkshire Traffic Managers are intending to use this strategy to help to understand the needs of all road users.
- 3.1.6 The Yorkshire Traffic Managers have developed a road hierarchy classification system which includes the prioritisation of different road users. This is now being used by each authority to categorise their classified routes at the point where they cross into a neighbouring authority, to ensure cross boundary consistency.
- 3.1.7 The four South Yorkshire LTAs will have completed their reviews of traffic sensitive routes by the end of March 2009; these will be in line with the new criteria in the latest Code of Practice for the Co-ordination of Street.

## 3.2 Co-ordinating and Planning Works and Known Events

- 3.2.1 Representatives of the LTAs form part of the Yorkshire Highways and Utilities Committee (YHAUC). Meetings are held quarterly to address the effectiveness of local co-ordination arrangements, to provide policy guidance on a local basis, to develop and implement innovative solutions and to support national working groups. The Yorkshire Joint Authorities Group (YJAG) meets at quarterly intervals to debate and share best practice in all aspect of highway works management.
- 3.2.2 The Traffic Managers' representatives for the LTAs engage with promoters of highway works through quarterly co-ordination meetings, or more frequent meetings if the need arises. Such promoters include utility companies, the SYPTE and the Highways Agency. Medium-term and annual works programmes for all works promoters are submitted at least 21 days before the meeting, showing a six month rolling programme of work and any planned road closures for the next quarter and rolling year ahead. Business development plans, and replacement programmes for apparatus and highway assets, are shared with the co-ordinating LTAs along with any known events that have the potential to affect traffic flows. Decisions are communicated at the earliest opportunity so that promoters' plans can be adapted, if necessary.
- 3.2.3 Each LTA monitors works durations so that promoters requesting extended periods of works can be competently challenged. YHAUC has set up a sub-group to develop a works charter which is looking at better standards of work, durations of works, working practices and ways of improving co-ordination.
- 3.2.4 Procedures for addressing the impact of special events on each LTA's network have been established. Rotherham MBC has produced an events management guide providing contact details and guidance to event organisers. Sheffield CC has traffic routing plans and specific signal timing plans relating to events at Sheffield Arena and the Don Valley Stadium. Doncaster MBC has an agreed traffic management plan developed with the stadium management company and the police, for events at the Keepmoat Stadium which lies on a key congestion route adjacent to the M18. Barnsley MBC has developed specific plans with its traffic signal urban traffic control system for match days at Barnsley FC.
- 3.2.5 The South Yorkshire LTAs liaise with adjacent LTAs should works and any known events have the potential to affect traffic flows across boundaries and/or trunk roads. Cross boundary protocols are well established. Information is also provided to those likely to have an interest - South Yorkshire Police, South Yorkshire Fire and Rescue, South Yorkshire Ambulance, SYPTE, and other appropriate bodies such as organisations representing disabled people, pedestrians, motorists and cyclists. In August 2008 the closure of the M1, on the boundary between Rotherham and Sheffield, for the demolition of the cooling towers adjacent to the Tinsley viaduct involved multi-agency and regional coordination. Despite many changes of plan and programme, there was excellent cross agency working and no unexpected congestion or problems occurred.

- 3.2.6 All the South Yorkshire LTAs maintain comprehensive street registers. Information on potentially very disruptive works and events is included in the street works register at the earliest opportunity to enable early co-ordination. The information includes the streets involved, the nature of the works/events, and proposed dates. This is reviewed and updated regularly to include details as they are finalised.
- 3.2.7 Notice management systems receive street works notices electronically and allow the LTAs to manage them together with other relevant information. Forward planning information is entered into the street works register by the LTAs, which is made available alongside other information in the register.
- 3.2.8 The South Yorkshire LTAs have responded positively to the changes to the new street works legislation introduced by Part 4 of the TMA. The opportunity has been taken to reinvest any additional income generated to improve our management of the network. Doncaster MBC recognised the need for additional staff to ensure that effective use would be made of the new powers and has created three new posts within its Network Management Team. Barnsley MBC has restructured its Street Highway Works Co-ordination Group to deal with legislative changes. Sheffield CC has restructured and appointed several additional staff to the highway co-ordination function.
- 3.2.9 Through the Yorkshire Traffic Managers Group (YTMG) a permits working group has been constituted, including members from the South Yorkshire LTAs, which is well under way with determining the most appropriate type of scheme and producing a common permit scheme that could be adopted for all LTAs in the region. Dialog with the DfT is now ongoing and presentation events for key senior officers and elected members are planned to encourage full take up of the scheme at implementation.

### **3.3 Gathering Information and Considering Information Needs**

- 3.3.1 Roadworks and streetworks which are identified as potentially having a significant impact on road users are dealt with specifically by meetings involving the Traffic Manager, streetworks co-ordinators, scheme promoters, contractors, SYPTE, bus operators and business representatives, where appropriate. Prior to works starting, advance notification of the start date, duration, etc, is displayed on street signage as well as through publicity via the local media. The Traffic Managers in South Yorkshire are working with colleagues in the YTMG to develop a web based map system which identifies the location and type of roadworks, traffic incidents, etc. It is hoped that this regional web site will be joint with the North East Region, to cover a significant part of the north of England.
- 3.3.2 The South Yorkshire LTAs and South Yorkshire Passenger Transport Executive (SYPTE), as part of the SYLTP Partnership, undertake ongoing monitoring of the transport network. All the LTAs have traffic control cameras which allow traffic flow conditions to be monitored. This capability is enhanced by Automatic Number Plate Recognition (ANPR) cameras. Monitoring of our transport network is supplemented via an extensive system

of permanent and temporary Automatic Traffic Counters (ATCs) across the county and manual surveys, including annual cordon counts around the four main South Yorkshire urban centres.

- 3.3.3 These data sources are utilised by systems adopted by LTAs / SYLTP Partners to both inform travellers and manage networks. These include 'CLOUD AMBER', an online system being developed to provide the travelling public with real time data to help with journey planning (including a regional network map showing current network conditions; any transpiring incidents; current and planned works; and other likely disruptions). An interactive SMS and e-mail process will also allow for automated alerts and assistance. All four LTAs use 'COMET' and 'TENNET', all of which take 'onsite' traffic flow inputs, process the data and make any necessary adjustments to traffic signal settings and VMS signage to enable changes in traffic flows to be catered for. Examples of their use include incident management, car park signage, event control and management and pollution measurement.
- 3.3.4 A new "Travel South Yorkshire" identity and branding has been adopted in the county for all transport matters which reflects the partnership working of the SYPTE, local authorities and public transport operators. Partners are working together to invest in and improve travel facilities/services and to provide better information. Each bus stop in South Yorkshire is uniquely identified and public transport users can obtain the time of the next bus via a text messaging system, "YourNextBus", from mobile phones. Also personal public transport planning is available via the SYPTE's "Travel Line" which promotes details of services, routes and times of operation.
- 3.3.5 Sheffield City Council has initiated a new form of on-line public consultation / information gathering process called "Driving Me Crazy". This identifies the most popular locations for minor modifications that can be quickly made to the highways network. During a three week period in August 2008 over 650 locations were nominated by the public, from which a 'top 20' was selected for early treatment in the current year. The vast majority of these nominations will contribute to the effective management of the overall highway network, and the process is felt to have been a valid way of gathering information.

### **3.4 Incident Management and Contingency Planning**

- 3.4.1 Each of the South Yorkshire authorities has an established Emergency Plan for use during major incidents. These have been produced in conjunction with the Police, Fire and Ambulance services, Highways Agency, Environment Agency etc, and are regularly updated. The Traffic Managers and their teams are primary contacts and play a major role during incidents and the reviews that follow. The floods and gales of 2007 provided stern tests of the procedures in place and highlighted the importance of providing an effective, co-ordinated multi-agency response to regional problems on the road network.
- 3.4.2 Incidents involving traffic accidents, broken-down vehicles, burst gas or water mains and so on can all cause major disruption on the road network. In South Yorkshire the LTAs are currently working with the police to improve the arrangements for incident management across the county. A South

Yorkshire Incident Management Working Group has been established. In the first instance communication arrangements and contact details have been reviewed and protocols and working practices for managing traffic during incidents are currently being improved.

- 3.4.3 Each LTA has a winter maintenance policy and plan in place, which has been co-ordinated with adjoining authorities to deal with adverse weather. It is also important that contingency plans are in place to deal with potential incidents on critical parts of the road network. For example, a Traffic Plan is being developed to deal with incidents involving the Frenchgate Tunnel and St George's Bridge in Doncaster; also each LTA has a town/city centre evacuation plan as well as specific evacuation plans for major stadia, arenas and the Meadowhall Shopping Centre.
- 3.4.4 Given the proximity of the M1, M18 and A1(M) to our main conurbations, incidents on the motorway network in South Yorkshire can have major implications on the local road network. Close working relationships have been established between the LTAs, Highways Agency, National Traffic Control Centre and Regional Control Centre. The DLOAs have been adapted locally to ensure that they are practical working documents. Tactical diversions have now been established for the M1 and the protocols for their use are currently being agreed. Work is ongoing to complete the tactical diversions for all other motorways affecting South Yorkshire during 2008/9. In addition, the LTAs have implemented changes to their traffic management arrangements to enable more efficient use of these temporary diversions.
- 3.4.5 Each of the South Yorkshire LTAs already has some form of traffic control room, with access to UTC, CCTV, Hanet and Atlas to help them respond to incidents. Strong working relationships with Trafficlink have been established to ensure that traffic and travel information is provided to the Police and TV / radio broadcasts quickly and effectively. The South Yorkshire Intelligent Transport System (syITS), which will be completed by the end of 2008, will take this to the next level. A new South Yorkshire traffic control centre, linked to national, regional and other local control centres, will be opened. The system will monitor the road network using CCTV and ANPR cameras, and provide travel information using variable message signs, the Internet and mobile phones. An immediate priority for the LTAs will be to put procedures in place to ensure effective use of the new system.

### **3.5 Dealing with Traffic Growth**

- 3.5.1 The effects of the European Objective One Programme for South Yorkshire have been to increase prosperity by providing more jobs and job opportunities within the sub-region. This has increased car ownership and the need to manage demand for travel in a sustainable manner.
- 3.5.2 Monitoring and research has shown that there has been an 18% increase in travel over the 10 year period 1996 to 2006, comprising 13% in Rotherham and in Sheffield, 20% in Barnsley and 24% in Doncaster.

- 3.5.3 Trends in travel are monitored by household travel surveys, updated origin / destination surveys to monitor our travel modelling capability and traffic flow and person movement data including cycling and walking. Our CDP specifically uses a combination of DfT-provided Traffic Master journey time data and annual vehicle / occupancy surveys to monitor progress towards the Congestion journey time target, which itself is linked into the background growth in travel. All four South Yorkshire Local Strategic Partnerships have incorporated the shared sub-regional journey time LTP Indicator in their respective Local Area Agreement (LAA) targets, i.e. as National Indicator NI167.
- 3.5.4 A primary focus of LTP2 is to deal with traffic growth in a sustainable manner via a strategy which will improve travel choice (for buses by establishing quality bus corridors and by providing networks which encourage cycling and walking), by demand management measures concentrating on parking provision and Park and Ride, and by making the best use of our existing highway networks.
- 3.5.5 Since submission of our first CDP, good progress has been made on monitoring conditions on the Target Routes, in partnership with DfT. Annual surveys are undertaken and combined with ITIS and more latterly Trafficmaster data to assess progress.
- 3.5.6 To further integrate our CDP with the Network Management Duty, a “Key Routes Inspector” is to be appointed, as a joint South Yorkshire initiative, to provide a dedicated regular inspection of our Target Routes, to ensure road and street works compliance and quick removal of any unauthorised obstruction.
- 3.5.7 It is recognised that many of the planned interventions to reduce congestion on our Target Routes have the potential to cause major short-term disruption during the construction period. Particular attention is given to the co-ordination of any roadworks and events on these routes and the buildability of any improvements. The use of traffic modelling is being increasingly used to assess different construction methods and ensure that traffic disruption is a major factor in planning the construction phase.

### **3.6 Working With All Stakeholders**

- 3.6.1 The South Yorkshire Traffic Managers attend the YTMG on a bi-monthly basis, where consistency of approach in all aspects of implementing the Network Management Duty is debated amongst the LTAs, the Highways Agency, Police and representatives from the utilities. The Chair attends the National Traffic Managers’ Forum, reporting progress and other issues and new initiatives.
- 3.6.2 The YTMG has constituted the Whole Authority Sub-Group which addresses best practice in respect of engagement with stakeholders. The sub-group has recently completed a presentation in relation to governance of the TMA.
- 3.6.3 Liaison with stakeholders at a regional level is undertaken by active participation in partnerships such as the Yorkshire Freight Group, Regional

Transport Board and YHAUC, where the recently signed YHAUC Charter was agreed. Representatives from the YTMG attend the East Midlands Traffic Managers' Forum, where examples of best practice and progress on Network Management Duty issues are shared with the neighbouring region. The four South Yorkshire LTAs have agreed operating procedures with the Highways Agency and liaison with the National Traffic Control Centre through the signed DLOA.

- 3.6.4 Following liaison with the Highways Agency and subsequent agreement of LTAs, Motorway Access Management systems have been introduced on several junctions of the M1 Motorway in South Yorkshire, with a view to improve performance of the strategic network through ramp metering systems. At junction 33 of the M1 a national pilot has been undertaken to introduce Intelligent Traffic Management (ITM), a concept to improve the movement of traffic at motorway junctions, such that benefit is derived across the whole network. A partnership has been formed between the Highways Agency, Rotherham MBC and Sheffield CC to develop the ITM Pilot Project and following successful evaluation, the ITM concept will have a wider application throughout England.
- 3.6.5 A sub-group of YHAUC has produced a document on fixed penalty notice procedures for the Yorkshire Region working with the utility companies.
- 3.6.6 Within South Yorkshire the LTAs engage with the SYPTE and bus operators through the Bus Investment Stakeholder Board, and the Traffic Managers attend a quarterly bus Punctuality Improvement Partnership (PIP) Steering Group. The four PIPs agreements have recently been completed. Each authority holds regular meetings with bus operators and the SYPTE, with several Quality Partnership Agreements in place for the county's main quality bus corridors ensuring commitments from all parties to achieve enhanced compliance with Network Management Duty. Transport Liaison Groups supplement specific user groups including cycling / pedestrian / disabled forums amongst others.
- 3.6.7 Innovative partnerships are currently operative and are concerned with the delivery of the Network Management Duty, including the South Yorkshire Intelligent Transport Systems project (sylTS), the South Yorkshire LTP Congestion Working Group, and the Casualty Reduction Partnership. Additional South Yorkshire forums include the Cross Boundary Working Group, SYLTP Maintenance and Monitoring Groups, and the Local Resilience Forum where the Emergency Planning Officers effectively co-ordinate procedures. The sylTS project is an Objective 1 supported partnership between the four South Yorkshire LTAs, and the SYPTE to develop and implement innovative traffic systems to support delivering the Network Management Duty. Elements of the project include a new South Yorkshire Traffic Control Centre, further development of UTC systems, enhanced data monitoring techniques utilising ANPR technology, and a comprehensive suite of traveller information systems.
- 3.6.8 Working relationships with the Police are particularly strong in South Yorkshire. SY Police are represented on YTMG and a SY Incident Management Working Group has been established. Each LTA has a Police

Traffic Management Liaison Officer allocated to work with them on a day to day basis. The officer allocated to Doncaster has a full time base in the office of the LTA's Network Management team and provides a sub regional liaison role with the Highways Agency for activities on the motorway network.

- 3.6.9 Each of the four South Yorkshire LTAs are consulted on all major planning proposals / applications that could have an impact on the highway network. Local Planning Authorities (LPAs) ensure that, where necessary, Traffic Assessments are produced, which clearly identify all the highway implications of new development. Any mitigation measures requested by the LTA will be sought through the development planning process.
- 3.6.10 All four South Yorkshire LTA's have mutual boundary agreements, where appropriate, and with other relevant adjoining Authorities. The LTAs have entered into an agreement whereby the conditions for cross boundary routes are commonly designated from a traffic sensitivity perspective using criteria set out in the TMA. Protocols are established for any proposed works or events (planned or unplanned) taking place on any route that links the adjacent Traffic Authorities.
- 3.6.11 Barnsley MBC has introduced changes to waste management collections and gully cleansing such that schedules avoid operations on key routes during peak periods. Rotherham MBC places restrictions on road closures during waste management collection periods and restricts works in the vicinity of schools to outside normal hours or in holiday periods. Doncaster MBC is delivering a series of presentations to key officers in other departments e.g. planning, architectural design, grounds maintenance and housing departments to ensure that they are aware of their responsibilities when their work effects the highway.
- 3.6.12 In spring 2008, the Government's new performance management regime was introduced. A new set of National Indicators (198 performance indicators to inform progress against a diverse range of public services), were adopted. A process of joint working and consultation with all four South Yorkshire Local Strategic Partnerships (LSPs) led to them all establishing two key transport related National Indicators as "designated indicators", with sub-regional targets – NI 47 (all killed & seriously injured road casualties) and 167 (congestion).

### **3.7 Ensuring Parity with Others**

- 3.7.1 Although the organisational structures vary between the four South Yorkshire districts, the Traffic Managers and their supporting teams are independent of their LTA's own highway works teams. They are each in a position to be able to adopt a consistent approach in applying the same standards and approaches to their LTA's own activities as to the activities of others.
- 3.7.2 The YTMG identified the need at an early stage to look into the issues surrounding parity and established a sub-group to provide guidance on this. The sub-group has delivered its final report and developed a series of recommendations for the co-ordination of activities, inspection of works and

notification/registration of works that are being implemented across South Yorkshire.

- 3.7.3 The entering of an LTA's own works on their street works register is a fundamental step in ensuring that effective and consistent use is made of the powers to control activities on the highway. This was a major challenge, but one on which each of the South Yorkshire LTA's has made good progress. Utility companies were very helpful in this process and provided assistance and training in order to develop the noticing systems.
- 3.7.4 A YHAUC training package has been jointly prepared by and delivered to LTA and utility staff to ensure that anyone involved in works on the highway understands the new noticing arrangements. Sheffield CC is issuing 'dummy' fixed penalty notices to its own generated roadworks to ensure parity is maintained.
- 3.7.5 In order to ensure parity of treatment and, hopefully, acceptance of the scheme, the utility Chair of YHAUC is an active member of the Yorkshire Permit Group, providing feedback and comment to / from utility colleagues on YJUG.
- 3.7.6 It is recognised that, in order to demonstrate parity of treatment of all activity promoters, particularly between statutory undertakers and the LTAs, a key issue that now needs to be addressed is the development of suitable performance indicators. National Key Parity Indicators have been under development for some time. If the national working group are unable to conclude this work, YTMG have recognised the need to develop suitable indicators as a regional priority.

### **3.8 Providing Evidence and Demonstrating Outcomes**

- 3.8.1 All LTAs in South Yorkshire monitor durations of road and streetworks with the aim of reducing them as far as practically possible. Durations for some standard utility works have been agreed and improvement targets set for them. Evidence to date shows there has been a slight overall reduction in durations.
- 3.8.2 Section 74 charges for overruns, etc, are rigorously but fairly applied. This has enabled us to drive down works durations. YHAUC is working to develop first time reinstatements to reduce delays.
- 3.8.3 The YTMG has developed an assessment framework which includes an Action Plan. This has been updated and re-structured in line with the eight categories set out in Section 3 of this document. A self assessment framework has been developed to monitor progress against the Yorkshire Action Plan. Each of the LTAs have completed self assessments for 2005 and 2007 to assess their progress and improvement. This framework provides an excellent tool for benchmarking the development of Network Management Action Plans for the individual LTAs and the adoption of best practice, and has been shared with a number of authorities across the country.

- 3.8.4 Doncaster MBC is one of 24 sample LTAs contributing to the second stage of the work being undertaken by Halcrow Consultants on behalf of DfT into the effectiveness of the response nationally to the TMA. This will involve an 'in depth' look at the impact of Parts 2, 3, or 4 of the Act.
- 3.8.5 The National Highways Best Value Benchmarking Club's Customer Satisfaction Survey, which is now to be repeated annually, will enable the establishment of a number of new performance indicators to measure the public's satisfaction with the way we manage our road network.
- 3.8.6 As previously stated, all four South Yorkshire LAAs have included NI 167 (Congestion) as a "designated" / targeted sub-regional indicator. Our target is to limit the % increase in average journey time per person per mile to no more than 7.6%, by 2010/11, against a predicted background growth in trips of 8.5% (measured on the 18 targeted routes in South Yorkshire). The DfT's recent publication of 2008 quarter one national congestion data, shows that average person journey times along South Yorkshire's 18 Target Routes reduced by 3.0% (between the 2005/06 baseline and 2007/08), against a growth in overall person trips of 5.5%. As a result of this initial success, the SYLTP Partnership has received reward funding of over £800,000 to date. Although not included in any of the South Yorkshire LAAs as a "designated" / targeted indicator, progress will be reported for NI 178 (Bus Services running on time). Our LTP target is to improve the "headline" average from 72.4% (in 2005/06) to 76.5% (by 2010/11).
- 3.8.7 Journey times and the modal split of journeys are regularly measured. This information is used to monitor network performance and to compare achievements against targets in the Local Transport Plan and Congestion Delivery Plan.

## 4 NETWORK MANAGEMENT POWERS AND ACTIONS

### 4.1 Actions Considered in Delivering the Network Management Duty

4.1.1 In order to assist the development of a Network Management Plan, the South Yorkshire Traffic Managers Group has developed an Action Plan template. A copy of Doncaster MBC's latest version of the Action Plan is attached (as Appendix 1) for information.

4.1.2 Each of the four South Yorkshire LTAs are developing their respective Plans, copies of which will be available from:-

- Barnsley MBC = [darrenrichardson@barnsley.gov.uk](mailto:darrenrichardson@barnsley.gov.uk)
- Doncaster MBC = [ian.brightman@doncaster.gov.uk](mailto:ian.brightman@doncaster.gov.uk)
- Rotherham MBC = [ian.ashmore@rotherham.gov.uk](mailto:ian.ashmore@rotherham.gov.uk)
- Sheffield CC = [john.lashmar@sheffield.gov.uk](mailto:john.lashmar@sheffield.gov.uk)

## 4.2 Powers Exercised in Delivering the Network Management Duty

Powers		Progress in South Yorkshire
1	Appointment of Traffic Manager	All LTAs have appointed a Traffic Manager.
2	Secure the expeditious movement of traffic (ie all road users, pedestrians, cyclists, motorised vehicles in transport of people and goods).	All LTAs :- <ul style="list-style-type: none"> <li>• Have plans which have identified congestion on the network, agreed 'hotspots' and are targeting action on 'worst first' basis.</li> <li>• Co-ordinate planned works of their own, utility companies and others to reduce their impacts.</li> <li>• Have plans or procedures to deal with events at major venues eg Don Valley Stadium/Arena (Sheffield), Keepmoat Stadium (Doncaster), Mayors' Parades, and at all Football Stadia.</li> <li>• Have contingency plans in place to deal with unplanned events.</li> </ul>
3	Utilise the powers in NRSWA and Code of Practice for co-ordination of Streetworks and Works for Road Purposes and Related Matters (CoP).	All LTAs :- <ul style="list-style-type: none"> <li>• Utilise all powers in NRSWA.</li> <li>• Attend all HAUC meetings.</li> <li>• Follow CoP.</li> </ul>
4	Regularly review road network and traffic sensitive network.	All LTAs :- <ul style="list-style-type: none"> <li>• Have agreed list of traffic sensitive streets and are in process of reviewing them.</li> <li>• Intend to review network and traffic sensitive streets annually.</li> </ul>
5	Use FPNs for failure to issue correct notices.	All LTAs :- <ul style="list-style-type: none"> <li>• Intend to use FPNs for failure to follow the required noticing procedure.</li> <li>• Will issue FPNs in accordance with the protocols agreed by YHAUC.</li> </ul>
6	Assess and challenge all NRSWA works notices in line with known performance for the type of work involved.	<ul style="list-style-type: none"> <li>• A YHAUC sub-group is looking at working practices, durations, first time reinstatements etc. This document will include agreed performance indicators.</li> <li>• In the meantime LTAs are monitoring works durations and challenging those which do not fall within the monitoring regime.</li> </ul>
7	Pursue all NRSWA Section 74 (prolonged occupation of highway charges) offences.	LTAs :- <ul style="list-style-type: none"> <li>• Monitor works durations.</li> <li>• Inspect locations for utility activities: specifically, a "Key Routes Inspector" will monitor main routes in all four</li> </ul>

Powers		Progress in South Yorkshire
		<p>South Yorkshire Districts.</p> <ul style="list-style-type: none"> <li>Issue Section 74 charges for all overruns.</li> </ul>
8	Utilise NRSWA Section 56 and 56A where appropriate to minimise disruption.	<p>All LTAs :-</p> <ul style="list-style-type: none"> <li>Look at the proposed programme of works including timings of them and direct where appropriate when and how they can be undertaken.</li> <li>Apply the same regime to all works on the highway. In all cases this requires works to be undertaken outside the specified hours of traffic sensitivity <u>AND</u> in other cases further restrictions are applied to works timings, eg night time only, Sundays only. In the case of night time working a sequential test is applied to conform with the Human Rights Act and Environmental Health Acts relating to noise etc.</li> </ul>
9	NRSWA Section 58 restriction will be imposed as appropriate to protect both the highway as an asset and as a means of ensuring co-ordination.	<p>LTAs :-</p> <ul style="list-style-type: none"> <li>Apply Section 58 for all appropriate works. The LTAs in South Yorkshire are concerned about the delay in enacting the proposals within the TMA to increase the length of protection of newly laid surfaces and to increase the areas of reinstatements to half width breadth in carriageway and full width breadth in footways.</li> </ul>
10	Effective management of control of parking via Civil Parking Enforcements.	<p>All LTAs :-</p> <ul style="list-style-type: none"> <li>Are Civil Parking Enforcement Authorities.</li> <li>Rigorously but fairly apply TRO regulations.</li> <li>Regularly review their TROs.</li> <li>Implemented all changes under Part 6 of the TMA. Sheffield CC enforces bus lanes/gates by camera.</li> </ul>
11	All skips and scaffolding placed on the highway will be licensed and recorded on the Streetworks Register. Those to be placed on traffic sensitive streets will be assessed for their impact on traffic flows.	<p>All LTAs :-</p> <ul style="list-style-type: none"> <li>Issue licences for all skips and scaffolding on the highway.</li> <li>Ensure licences details are entered on Streetworks Register.</li> <li>Restrict their use on traffic sensitive streets by time and/or location to minimise disruption to traffic.</li> </ul>
12	Highways Act enforcement will be used wherever applicable to prevent any interference with the highway which is likely to cause disruption or congestion.	<p>All LTAs use their powers to:-</p> <ul style="list-style-type: none"> <li>Deal with overhanging vegetation.</li> <li>Co-ordinate other operations affecting the highway, eg grass cutting, waste collections, gully flushing operations etc to minimise their impact on traffic flows.</li> <li>Liaise with the Police and have protocols in place relating to vehicles obstructing traffic sensitive roads.</li> </ul>

**ROTHERHAM MBC – NETWORK MANAGEMENT PLAN ACTION PLAN**

**Appendix B**

No:	What (key actions)	Who	When	Status/Comment
<b>1. Considering the needs of all road users</b>				
1.1	Consult the public on how they feel we currently manage the highway network and what we should do to reduce congestion and disruption	KJW	Dec 09	Use the YTMG “Managing the Highway Network” questionnaire to gauge public opinion. Identify most suitable methods of engagement eg. Web Site, Citizens Panels, Area Assembly Meetings. Consider use of Rotherham Reachout. Incorporate the results for Rotherham from the National Highways and Transportation Survey.
1.2	Review and update the traffic sensitive route network and traffic sensitive times using the revised criteria in the new Code of Practice	DC	Review Dec 09	Traffic sensitive route network reviewed using new Code of Practice and implemented July 2008 following consultation. To be further reviewed annually, specifically in respect of major new development activity.
1.3	Use the framework developed by the Yorkshire Traffic Managers Road Hierarchy sub group to develop a road user hierarchy	DC/ KJW  DC/ KJW	July 09  Dec 09	Meetings required with neighbouring LTAs to establish common hierarchy for cross boundary A, B and traffic sensitive routes.  Review, using the framework, a road hierarchy for remainder of A, B, and traffic sensitive routes.

No:	What (key actions)	Who	When	Status/Comment
<b>2. Coordinating and planning works and known events</b>				
2.1	Review and extend the role of the Co-ordination meeting to bring added value	DC	June 09	Review agenda to ensure compliance with the agreed Code of Practice for co-ordination. Promote the submission of 5 year programmes and identify works requiring road closures.
2.2	Produce an Information/Application Pack for Special Events affecting the highway	DC/ PR	April 09	RMBC current document to be reviewed and updated accordingly.
2.3	Develop a Traffic Management Plan for major events	DC/ PR/ KJW	May 09	Consider a traffic management plan for the Rotherham Show and significant/major events promoted within the Town Centre and throughout the borough.
2.4	Ensure effective scheme management by internal works promoters through agreed protocols to comply with the Network Management Duty.	DC/ JB/ AS	June 09	Develop written protocols for dissemination to internal works promoters. Review and amend current work instructions as required.
2.5	Monitor works notices to ensure compliance with Code of Practice, and instigate appropriate corrective actions.& review noticing system	DC	Comple te Oct 08  April 09	Generate monthly reports to demonstrate failings in the management of notices associated with works for road purpose. Consider a fixed penalty notice scheme in respect of failings in the management of street works notices. Cabinet Member report required.
2.6	Consider participation in the Yorkshire Region Common Permit Scheme	DC/ KJW	July 09	Regional Member Workshop attended March 09. Report to Cabinet Member on benefits of permit scheme in assisting with Network Management Duty requirements.

No:	What (key actions)	Who	When	Status/Comment
2.7	Develop protocols for temporary parking controls to be implemented.	DC	May 09	Instigate procedures to implement temporary parking controls required eg. Planned works requiring parking restrictions to be implemented and major events resulting in the potential to generate additional on street parking.
2.8	Coordinate highway operations to minimise impact on traffic flows.	KJW /DC	Oct 09	Consider restrictions on waste collections, gully flushing, grass cutting on Key Routes at traffic sensitive times.
<b>3. Gathering information and considering information needs</b>				
3.1	Monitor and review the effectiveness of computer based recording systems and implement any identified improvements	DC	Jan 09	Implement Symology upgrade to ETON 5, and provide appropriate staff training, as identified through 2.5. Undertake annual review of “notices report”.
3.2	Improve the Traffic Information service currently provided on the Internet	JB/ KJW /DC	March 10	Consider specific traffic service web pages on the Council internet site. Links to SCC through the syITS project.
3.3	Review the options for providing information for highway users where road works or events are likely to cause delays or disruption utilising appropriate technology.	KJW /DC	March 09  Ongoing	YTMG considering setting up a common street works web site. RMBC implementing strategic VMS signs on major routes for improved traveller information. Weekly road works bulletins published on the Council website – access through the web site to the register of roads and street works.

No:	What (key actions)	Who	When	Status/Comment
<b>4. Incident management and contingency planning</b>				
4.1	Develop a procedure, including the working arrangements with the Police, for response to incidents/road closures	DC	Complete Oct 08	Incident Management meeting with South Yorkshire Police (SYP) held at 6 monthly intervals, with single points of contact established. Major incidents now reported by SYP through dedicated e-mail address.
4.2	Develop a Traffic Management Plan for major incidents on critical parts of the network	KJW /DC	March 10	Identify critical points of the network eg. major intersections and potential flooding areas, utilising the Gazetteer. Instigate procedures to make highway safe and reopen highway ASAP. Consider appropriate publicity to inform highway users through Council Press Office. Liaise with Emergency Planning team.
4.3	Establish Tactical Diversions for the closure of the motorway & trunk road network in conjunction with Highways Agency including agreeing the management and maintenance arrangements for inclusion in the DLOA	KJW /DC	April 09  Ongoing	Tactical Diversions agreed for M1/M18 closures with Highways Agency (HA). Consider management of diversion routes should they be implemented. Instigate procedure for opening of the route. Communicate to HA any works affecting an agreed tactical diversion route. Meeting with HA annually to review DLOA.
4.4	Complete the implementation stage of the South Yorkshire Intelligent Transport System (sylTS)	KJW	March 09	Two roundabouts signalised on Centenary Way. VMS signs at four sites. CCTV at three additional sites. Expanded ATC network. Implemented Autumn 2008.

No:	What (key actions)	Who	When	Status/Comment
4.5	Put plans/procedures in place to make effective use of the new technology provided by the sylTS project	DC/ KJW	Oct 09	Linked to 4.2. UTC control of new signalised junctions effective. Implement VMS as appropriate.
<b>5. Dealing with traffic growth</b>				
5.1	Review the interventions in the SY Congestion Delivery Plan for the target routes agreed with DfT	KJW	March Annually	Agreed interventions programmed. Monitor journey times on key routes to measure degree of success.
5.2	Focused inspections on key routes to ensure congestion is minimised.	DC	Feb 09	Key routes inspector to be appointed for South Yorkshire with proportion of time dedicated to Rotherham. RMBC's SWEO's to monitor key routes regularly.
5.3	Through the revised bus investment delivery structure, involving the PTE and bus operators, develop a programme of works at bus hotspots and bus key routes	KJW	Ongoing	Hotspots programme developed. Monthly progress meetings held with major operators to review and consider new problem areas. Reports to Bus Investment Stakeholder Board.
5.4	Review Car Parking Strategies and implement identified improvements	KJW /DC	April 09  Dec 09	Extension of current town centre CPZ awaiting implementation. Implementing programme of residents parking schemes. Determine new Parking Strategy to reflect changes in town centre through Renaissance projects and further consideration of parking issues in district centres (eg. Wickersley). Review of interim parking standards for LDF.

No:	What (key actions)	Who	When	Status/Comment
<b>6. Working with all stakeholders</b>				
6.1	Identify appropriate stakeholders who have an interest in the highway network and could be affected by the Network Management Duty.	DC/ KJW	March 10	Examine network and review gazetteer identifying areas of special engineering difficulty and liaise with stakeholders eg. Police/Utilities/SYPTE, as appropriate.
6.2	Use the framework developed by the Yorkshire Traffic Managers Whole Authority sub group to raise awareness of the Traffic Management Act and Network Management Duty throughout RMBC and other organisations in the area.	KJW	May 09	YTMG sub group to complete presentation of Network Management Duty. Present to EDS managers and raise awareness throughout RMBC.
6.3	Develop / review Mutual Cross Boundary Highway Arrangements with all neighbouring authorities.	DC	March 10	SCC to circulate Rotherham/Sheffield agreement to be used as a template for South Yorkshire LTAs to agree cross boundary arrangements, including Notts. and Derbyshire. Annual review of DLOA with HA.
<b>7. Ensuring parity with others</b>				
7.1	Review and implement the recommendations of the Yorkshire Traffic Managers Highway Works Management sub group in relation to co-ordination, inspection and registration/notification.	DC	March 10	Consider any works that are not currently registered/notified for registration/notification (eg. grounds maintenance). Invitation to submit programme of works and attend quarterly co-ordination meeting. Inspection regime to be applied to all highway works.

No:	What (key actions)	Who	When	Status/Comment
7.2	Implement / monitor / review the registration and noticing of the Council's own works.	DC	Oct 08	Produce reports through works management software (Symology). Promoters to receive feedback from reports for corrective action.
7.3	Review establishment to ensure that potential conflicts between promoters of highway works and the co-ordination and enforcement team do not compromise delivery of the Network Management Duty.	KJW /DC	March 10	Undertake review in accordance with recommendations of YTMG Highway Works Management sub group report. Monitor annually through service planning process.
7.4	Implement the use of suitable performance indicators to demonstrate parity of treatment of all activity promoters.	DC	Dec 09	YHAUC Charter includes Key Performance Indicators (KPIs) for highway works and street works. YTMG sub group to provide guidance on adoption of National KPIs. Consider additional local KPIs.
<b>8. Providing evidence and demonstrating outcomes</b>				
8.1	Undertake an annual assessment of progress against the Yorkshire Traffic Managers Action Plan using the self assessment tool developed by the PI sub group	KJW /DC	Annually	Baseline 2005 assessment and 2007 progress assessment completed. Revised guidance produced to achieve consistency of scoring throughout region. 2008 assessment undertaken in December.
8.2	Work with the other SY Traffic Managers to report progress with the Network Management Duty in the SY LTP Progress Report	KJW	Quarterly Meetings	Draft SY Network Management Plan complete. To further develop through consultation with Government Office for final submission with LTP Delivery Reports. Network Managers to meet quarterly.

No:	What (key actions)	Who	When	Status/Comment
8.3	Develop / review a Network Management Plan for your local authority	KJW /DC	March 09	Prepare and agree Action Plan for RMBC and consider adapting the SY Network Management Plan to meet Rotherham's requirements. Review Action Plan annually.
8.4	Contribute to local / national assessments / benchmarking to enable constructive assessments to be made on the impacts of the Traffic Management Act	DC	Ongoing	Monitor development of national proposals for KPIs and implement accordingly. Explore regional initiatives and best practices through YTMG + YHAUC.
<b>9. Other key actions</b>				
9.1	Review the effectiveness of TROs and implement any changes to minimise disruption etc	KJW /DC	Ongoing Complete Complete	Ongoing review of TROs throughout borough to facilitate the expeditious movement of traffic. Implement extension to town centre CPZ following parking review. Verge Parking/Waiting Restrictions to be implemented on a sample of key routes.
9.2	Review parking enforcement and moving traffic offences including that of bus lanes /gates	DC	March 10	Implement next stage of civil parking enforcement – bus lanes. Develop parking enforcement action plan to focus on key routes and meet the requirements of the Network Management Duty. Monitor quarterly numbers of fixed penalty notices issued on key routes.

No:	What (key actions)	Who	When	Status/Comment
9.3	Review the operation and timings of key traffic signal installations and make necessary changes	KJW /DC	March 10	Assessment of current operation of key signalised junctions undertaken. Review recommendations of technical report. Develop plan to implement optimisation of timings, reconfiguration of signal operation and junction improvements as required to expedite movement of traffic.
9.4	Review information provided on Streetworks Gazetteer	DC	March 10	Consider incorporating all TROs within Streetworks Gazetteer and include physical restrictions eg. Low Bridges / Traffic Calming
9.5	Review and consider improvements to signs/road markings/street furniture as part of highway maintenance schemes	DC/ KJW	March 09	Develop appropriate work instruction as part of Streetpride QMS review to include consultation with stakeholders

DC – Dave Cooper, Streetpride

KJW – Ken Wheat, Panning and Regeneration

JB – John Bufton, Streetpride

AS – Andy Shaw, Streetpride

PR – Phil Rogers, Culture and Leisure

Prepared by: I C Ashmore / A P Rowley
Date: 31/03/09
Revision Number:

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	Regeneration and Development Services and Streetpride Service
<b>2.</b>	<b>Date:</b>	Monday 20 <sup>th</sup> April 2009
<b>3.</b>	<b>Title:</b>	Fixed Penalty Notice Scheme for Street Works
<b>4.</b>	<b>Directorate:</b>	Environment and Development Services

**5. Summary**

For Cabinet Member to consider a Fixed Penalty Notice Scheme to offer statutory undertakers or licensees (undertakers) under The New Roads and Street Works Act 1991(NRSWA) the opportunity of discharging any liability to conviction by payment of a penalty.

**6. Recommendations**

**That a Fixed Penalty Notice Scheme for Street Works be established to control the seven offences tabulated in Appendix B to this report.**

## 7. Proposals and Details

It is proposed that the Fixed Penalty Notice (FPN) provisions, introduced under The Traffic Management Act 2004 (TMA) be implemented from 1 June 2009, such that a penalty charge will be generated in circumstances where undertakers fail to provide accurate and timely data, and have committed a notice offence.

A good practice guide endorsed by the Yorkshire Highways and Utilities Committee (YHAUC) contains advice for achieving the provision of accurate and timely data required to facilitate the co-ordination of works and for achieving the Network Management Duty (NMD) under The Traffic Management Act 2004 (TMA). Although the advice offered in this document is entirely discretionary, it does provide a reasonable approach to enforcement and generating improvement in the provision of street works notices and registrations for local authority works. A copy of this document is attached as appendix A to this report.

We have worked with those responsible for promoting works and providing associated data since November 2008, and have presented detailed reports at monthly intervals to assist works promoters to identify and address notice offences. Subsequently, a common understanding of the issues involved has developed along with steps to resolve them. This process has been viewed as a reasonable approach by statutory undertakers, and has led to an improvement in the accuracy and timeliness of data provided by them.

The FPN scheme provides for certain offences, under NRSWA, to become fixed penalty offences. The Department for Transport (DfT) objectives of the FPN scheme are to:

- Encourage accurate and timely notice data
- Improve the coordination of works
- Improve the data quality of all work promoters
- Contribute to the aim of the TMA, thereby minimising disruption arising from road and street works

The FPN scheme for Street Works is considered to play an important role in providing confidence in notice data to assist in carrying out our responsibility to deliver the network management duty under TMA. TMA does not decriminalise these offences and the FPN scheme only offers an undertaker the opportunity of discharging any liability to conviction by payment of a penalty. We retain the power to take an alleged offender to the Magistrates Courts instead of giving a FPN.

FPNs apply to all undertakers, whether statutory undertakers or licensees under section 50 of NRSWA and may be given only for the street, or section of street, in which the works take place. FPNs cannot be given for local authority works for road purposes, although equivalent failings on behalf of RMBC client groups will be reported for comparison purposes.

At present, seven offences, under NRSWA, can be dealt with by FPNs, and these are tabulated as Appendix B to this report along with a brief description of the offence and the duties and obligations of an undertaker. The scheme does not seek to impose new obligations and the offences included in this FPN scheme remain the same offences and require the same level of evidence, whether they are dealt with by a FPN or through the Magistrates' Courts. The intention is to improve observance of the duties and obligations under NRSWA, and thereby help reduce the disruption caused by street works. These offences mainly refer to noticing failures. Therefore, payment of a FPN does not exempt an offender from other prosecutions or charges for offences under NRSWA.

## **8. Finance**

The penalty is £120. The period for payment is 36 calendar days, beginning with the day on which the FPN is given. We may extend this period at our discretion in any particular case. A discounted sum of £80 will apply if payment is made within 29 calendar days, beginning with the day on which the FPN is given.

We may deduct from the fixed penalties received under NRSWA, the reasonable costs of operating the scheme, and shall apply the net proceeds to develop policies to promote and encourage safe, integrated, efficient and economic transport facilities and services, to, from and within our area. We need to be able to demonstrate that the costs of running the FPN scheme are reasonable, and that the net proceeds, after deducting those costs, are being correctly applied. Although separate accounts are not required for an FPN scheme, there should be an audit trail of income and expenditure.

The FPN scheme is not intended as an additional source of income for local authorities, and therefore we should not expect any net proceeds.

The reports we have generated since November 2008, have driven improvement in the timeliness and quality of data submitted by undertakers. It is anticipated that approximately 5 FPNs may be issued per month. This would realise some £4800 per annum in fixed penalties should the discounted amount rate be applied.

## **9. Risks and Uncertainties**

Should the FPN scheme not be implemented it is felt that the timeliness and accuracy of data submitted by undertakers may be compromised, thereby affecting the coordination of works, failing to contribute to the aim of the TMA, and failing to help to minimise disruption arising from road and street works. It

is in the interests of utilities to continue to improve in the timeliness and accuracy of data submitted, and therefore the number of FPNS issued is expected to diminish.

There is a risk that payment for fixed penalties may not be made, and we would need to take an alleged offender to the Magistrates Courts to ensure that the aims and objectives of the FPN scheme are not compromised.

## **10. Policy and Performance Agenda Implications**

The priority themes for Rotherham's Community Strategy:

**Achieving:** contribution towards the delivery of the South Yorkshire Congestion Delivery Plan, and helping to support new businesses.

**Safe:** contribution to a reduction in the number of people killed or seriously injured in road accidents in Rotherham, and towards a cleaner greener borough.

## **11. Background Papers and Consultation**

Second Local Transport Plan 2006-2011

Traffic Management Act 2004

New Roads and Street Works Act 1991

Appendix A – Yorkshire Highways & Utilities Committee Good Practice Guide For Fixed Penalties

Appendix B – Table summarising duties and obligations to which seven offences under NRSWA relate.

**Contact Name :** Andrew Rowley, Street Works and Coordination Engineer  
extension 2930 - email: [Andrew.rowley@rotherham.gov.uk](mailto:Andrew.rowley@rotherham.gov.uk)

Appendix A



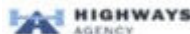
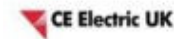
Traffic Management Act 2004

Yorkshire Highways & Utilities Committee

Good Practice Guide For

Fixed Penalty Notices

Version: 7  
Date: 16 May 2008



## **1. Fixed Penalty Notices – Statutory Background**

- 1.1 The FPN scheme is considered to play an important role in providing confidence in notice data to assist in carrying out the network management duty of the authority.
- 1.2 The TMA does not decriminalise these offences and the FPN scheme only offers a statutory undertaker the opportunity of discharging any liability to conviction by payment of a penalty.
- 1.3 The FPN scheme for notice offences, which comes into force on 12<sup>th</sup> May 2008, is enabled by the insertion of Section 95A and Schedules 4A and 4B into the 1991 Act together with Fixed Penalty Regulations. Schedule 4A details seven offences to which the FPN scheme applies.
- 1.4 For the avoidance of doubt, a street works licensee (under s50 of the 1991 Act) is an undertaker and a works promoter to which the FPNs regulations apply.
- 1.5 The Code of Practice for the Coordination of Street Works and Works for Road Purposes and Related Matters sets out the Department for Transport (DfT) objectives of the FPN scheme. These are:
  - Encourage accurate and timely notice data
  - Improve the coordination of works
  - Improve the data quality of all work promoters
  - Contribute to the aim of the Traffic management Act 2004 – minimising disruption arising from road and street works
- 1.6 Although there is a time limit on when an FPN can be given or a prosecution taken there is no time limit on representations by the utility to the street authority even after the penalty has been paid
- 1.7 The street authority must act reasonably in applying the FPN scheme and this reasonableness may be tested in the Courts.
- 1.8 The Street Authority retains the power to take an alleged offender to the Magistrates Courts instead of giving an FPN

## **2. Guidance Framework**

- 2.1 The good practice guide endorsed by the Yorkshire Highways and Utilities Committee (YHAUC) contains advice for achieving the provision of accurate and timely data required to facilitate the co-ordination of works and for achieving the Network Management Duty (NMD). Although the advice offered in this document is entirely discretionary it does provide a reasonable approach to enforcement and generating improvement.

- 2.2 The street authority and each utility should have a system in place to identify failures in all work promoters data submissions. Included in this are all works generated by local authorities which should also include a means for correcting data.
- 2.3 This good practice guide recommends that street authorities take on a balanced approach to the FPN scheme, that is:
- Identify failures, provide advice and agree corrective action
  - Give an FPN or equivalent (for street authority works)
  - Prosecution of offences

However it should be noted that on consideration of the evidence the Street Authority may proceed to any stage.

*Identify failures, provide advice and agree corrective action*

- 2.4 The period between commencement of the new noticing regime and FPN scheme offers the opportunity for individual street authorities to agree the current level of compliance against each or some of the seven failure codes with each work promoter. It is clearly in the interests of all parties to ensure that the level of potential offences are as low as possible, as this will mean that accurate and timely noticing is being achieved.
- 2.5 On-going performance will be monitored by both the Street Authority and individual work promoter as it is vital that a common understanding is formed of the issues so that they may be resolved. Detailed reports may be provided by the IT notice software developers which will assist both works promoter and the street authority to identify and address notice offences.
- 2.6 The Street Authority may choose not to give an FPN but record the failure to comply and request the work promoter to resolve the problem in terms of correcting the notice failure.
- 2.7 The Street Authority may offer advice in a number of ways including, but not limited to:
- A telephone call to the works promoter
  - Follow the error correction guidance set out in 8.3.16 of the Code
  - Feedback to the works promoter via formal letter and/or reports
  - Focussed meetings between the street authority and the works promoter

It is strongly recommended that the street authority documents the advice given in any of these forms, as this will provide essential information to pursue further enforcement actions where appropriate and will demonstrate reasonableness.

- 2.8 Individual authorities will need to determine at what point the offer of advice is no longer deriving benefit; i.e. where a works promoter has been offered advice on a number of occasions as to the accuracy and timeliness of their data and for which improvements have not been seen.
- 2.9 When the authority determines that their advice has not resulted in improvements and decides to start to give FPN's they should advise the YHAUC member in the works promoter organisation before giving the first FPN. This will ensure a consistent approach to improvement and assist in the understanding of the reason why the FPN is to be issued.
- 2.10 Performance of each work promoter will be measured through Key Performance Indicators that the street authority has indicated shall apply to the failure codes. Comparable information and data shall be sourced from street work noticing systems. The street authority and work promoter will need to ensure that they have a common interpretation and the accuracy of information/data used to populate reports is agreed. Data sets shall be made available and summarised where appropriate in time plotted graphs and/or tables so as to indicate trends in each failure code indicator. KPIs should be presented both so as to indicate the previous month performance and the cumulative performance over each quarter period.
- 2.11 The work promoter shall commit to any performance improvement meeting such suitably qualified people from its organisation as might be reasonably required to facilitate improvement. The fundamental aims of the performance improvement forum are as follows:
- The sharing of information as necessary or appropriate for the assessment of performance.
  - To explore reasonable mitigation related to perceived failure.
  - Provide an opportunity for work promoters to give an explanation for the failure to achieve acceptable performance and outline the error correction improvement plan. The improvement plan shall include a list of activities with designated responsibilities and key milestones demonstrating the period in which the work promoter is required to reach sustainable acceptable Performance.
  - To review the work promoters progress against the error correction improvement plan and agreed performance improvement targets
- 2.12 All parties are encouraged to share ways of working that are delivering accurate and timely notices. For example:
- YHAUC will explore the use of the web-site to share good practice.
  - YHAUC will continue to promote and deliver an administration training package to assist work promoters in providing accurate and timely data.

Give an FPN or equivalent

- 2.13 All work promoters may be given an FPN or its equivalent.
- 2.14 The street authority will need to determine on a case by case basis when it is appropriate to give FPNs. The Code recommends that they should be given where they have the most benefit.
- 2.15 The street authority should always consider the possible risks associated with the giving of an FPN as the decision could be challenged by the work promoter and could result in subsequent court cases. It is recommended that YHAUC street authorities consider giving an FPN where:
- Offers of advice by the authority have failed to achieve improved levels of notice data accuracy and timeliness
  - An offence is believed to have been committed and the authority, after consideration of all relevant information, believes the giving of a FPN will derive benefit.
- 2.16 An FPN is not an invoice and therefore does not generate a debt. It is essential that the street authority liaise with their finance department to have adequate systems (database) in place to monitor and manage FPN payments outside the traditional invoicing systems common to a local authority. Systems should include the reconciliation of multiple payments with the individual FPNs and at what rate they have been paid. This will allow the street authority to be aware of any possible discount payments made outside the discount period and manage any shortfall accordingly.

It is also recommend that utilities establish similar systems (database) as recommended for the street authority. This will allow the street authority and utility to compare paid and outstanding offences. The table below shows an example of the layout:

OR Ref FPN A	1	HA	Barking	HA Dist		Location		FPN Number	123456
Works Ref No	123456	Street Authority No	123	Issued By		Supplier	Openreach		
Date Received:	10/02/2006	Date of Notice	09/02/2006	Offence Code	1	Date of Offence	09/02/2006	Invoice Amount	£120.00
								OUC	BBG 131
								RD	BCA
Details of Offence		FPN Comments							
Date Issued	10/02/2006	Investigator		Comp By Investigator	15/02/2006	Sups. Rep Who Agreed			
HA Challenged	<input type="checkbox"/>	Date HA Challenged		Agreed to Withdraw	<input type="checkbox"/>	Withdrawn By		Date Withdrawn	
Date Authorised	20/02/2006	Authorised Amount	£80.00	<b>INVESTIGATION COMPLETE</b>				Date Escalated	
Authorised Amount	£80.00	Ripple No	137854	BACS	<input type="checkbox"/>	Payment Ref		Financial Completion Date	20/02/2006
Date to Xansa		Date Ripple Issued	15/02/2006	Date HA Paid	20/02/2006	Geneva No	133456		
<b>FPN COMPLETE</b>		Date Ripple Paid	15/02/2006	Date Cost Recovery		Date Geneva Paid	02/03/2006		
No:	Date	Notes							Initials
▶									
Record: 1 of 1									

- 2.17 The preferred option for the giving of an FPN is via ETON. The work promoter will use the FPN comment field for the purpose of responding to the street authority.

### Prosecution of offences

- 2.18 Since the introduction of the 1991 Act the option to prosecute has been available to the street authority. The FPN scheme was established as a means to drive improvement without recourse to the court procedures and this guidance recommends that an FPN scheme be considered before taking proceedings. However, the choice of prosecution remains an option where a street authority considers the original offence to be of such a serious nature or where the FPN scheme has been shown to have failed.

## **3. YHAUC Conciliation Process**

- 3.1 Parties should consider the use of the existing YHAUC conciliation process if they cannot reach agreement on a way forward.

## **4. Rationale**

- 4.1 This framework provides YHAUC with the following:

- a reasonable and common strategy
- a methodology for pursuing the objective of data quality improvement through escalating levels of enforcement
- a commitment from work promoters to endorse these guidelines and work with the street authority to improve quality and performance of data submissions.

- 4.2 There are a number of identified benefits that the operation of these guidelines may produce, these include:

- Commitment by both the street authority and work promoter will result in the provision of accurate and timely notice data
- Increase in confidence within the street authority to co-ordinate works based upon improved data accuracy
- Standard reporting of data quality for all work promoters
- Contributes to a reduction in congestion and disruption

- Supports the continuous improvement and working together aims of YHAUC by sharing good practice.

## **5. Key Performance Indicators**

- 5.1 Key performance indicators should be established against each work promoter
- 5.2 It is suggested that YHAUC measure the number of FPNs given by each street authority.
- 5.3 Key performance indicators should be established to monitor compliance against a number of potential failures. The key areas that have been initially identified are listed below:
- Insufficient / late notice
  - No notice
  - Incorrect categorisation
  - Failure to cancel notice

The above list needs to remain fluid so that emphasis can be changed over time to target improvement in the area where it will have most benefit

- 5.4 A summary shall be collated for review at YHAUC.

## Appendix B

Offence	Brief description	Duties and obligations
An offence under s.54(5)	Failure to comply with duties under s.54	<p>In certain cases prescribed in regulations prescribed periods of advance notice must be given to a street authority by an undertaker proposing to execute street works.</p> <p>Each notice must state the proposed start date on which it is proposed to begin the works and contain the information prescribed in regulations.</p> <p>After giving <b>advance notice under section 54</b>, an undertaker must comply with the requirements prescribed in regulations, or imposed by the street authority. These concern the provision of information and procedural steps to co-ordinate the works with other proposed works of any description.</p> <p>If an undertaker who has given advance notice under section 54 has not, before the starting date specified in the notice, given to the street authority a notice under section 55 in respect of the works, he must within such period as may be prescribed in regulations (Regulation 8(2)) give to that authority a notice containing prescribed information.</p>
An offence under s.55(5)	Beginning to execute works in contravention of s.55	<p>In relation to certain types of street works an undertaker must give prescribed periods of <b>advance</b> notice stating the proposed start date and containing information prescribed in regulations.</p> <p>This notice must be given to the street authority, to any other relevant authority, and to any other person having apparatus in the street, which is likely to be affected by the works.</p> <p>The undertaker must not begin the works without notice, or before the end of the notice period, without the consent of those to whom notice is required to be given.</p>
An offence under s.55(9)	Failure to give notice in accordance with s.55(8)	<p>If the <b>notice of starting date</b> ceases to have effect, the undertaker must give a further notice containing such information as may be prescribed in regulations and within the prescribed period.</p> <p>This notice must be given to the same people as the notice of starting date (<i>see above</i>).</p>

Offence	Brief description	Duties and obligations
An offence under s.57(4)	Failure to give notice in accordance with s.57	<p>Where emergency works are of a kind which either do, or would, but for certain provisions in Schedule 3A NRSWA, require a <b>notice of starting date</b> under section 55, an undertaker executing such works must give notice stating his intention or, as the case may be, the fact that he has begun to execute the works.</p> <p>The notice must also contain such other information as may be prescribed in regulations.</p> <p>The notice must be given as soon as reasonably practicable, and in any event within two hours (or such other period as may be prescribed), to the persons to whom a notice of starting date would be required to be given under section 55 (<i>see above</i>).</p>
An offence under s.70(6) consisting of a failure to comply with subsection (3) or (4A)	Failure to comply with requirements to give notice of completion of reinstatement	<p>Section 70(1) imposes a general duty on the undertaker to reinstate the street.</p> <p>The undertaker must, within ten working days from the date on which the reinstatement is completed, give notice to the street authority of that completion. The notice must state whether the reinstatement is permanent or interim, and give such other information about the reinstatement as may be prescribed in regulations.</p> <p>In the case of an interim reinstatement, the undertaker must within ten working days from the date on which the permanent reinstatement is completed, give notice to the street authority of that completion. The notice must contain such other information about the reinstatement as may be prescribed.</p>
An offence created by regulations made under s.74(7B)	Failure to give a notice required by regulations under s.74 ( <i>charge for occupation of the highway where works unreasonably delayed</i> )	<p>The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2001 create a criminal offence in respect of any failure to give a notice required by the regulations.</p> <p>An undertaker executing street works in a highway, to which these regulations apply must, not later than the end of the day following the day on which the works begin, give the highway authority an “<b>actual start of works notice</b>”. This should confirm the actual start date and specify, by reference to the nationally consistent street gazetteer, the street or streets, in which the works are to be carried out.</p>

Offence	Brief description	Duties and obligations
		<p>Once an undertaker has completed interim reinstatement, a written “<b>works clear notice</b>” must be given to the highway authority not later than the end of the day following the day on which the highway was returned fully to public use.</p> <p>An undertaker who has completed interim reinstatement, a written “<b>works clear notice</b>” must be given to the highway authority not later than the end of the day following the day on which the highway was returned fully to public use.</p> <p>An undertaker who has completed permanent reinstatement must give the highway authority a written “<b>works closed notice</b>” not later than the end of the day, following the day on which, the highway was returned fully to public use.</p> <p>If the duration of the works will exceed the prescribed period, a notice shall be given to the highway authority containing an estimate of the likely duration. The estimated duration of works should:</p> <ul style="list-style-type: none"> <li>• For works for initial placing of the apparatus, be given with the application for a licence</li> <li>• For other works (not emergency) be given with the section 55 notice</li> <li>• For emergency works be given as soon as practicable after the works begin.</li> </ul> <p>This estimate is assumed to be agreed by the authority, unless it gives a written notice to the undertaker written notice of its own estimate of a reasonable period for the duration within five days (major or standard works) or two days (minor or immediate works) of receiving the undertaker’s estimate.</p> <p>If the duration of the works is exceeds the prescribed period, or is likely to exceed either the period stated in a previous estimate of duration of the period agreed or determined under section 74(2) to be a reasonable period, the undertaker shall give a notice in writing containing an estimate or a revised estimate of duration. This estimate is assumed to be agreed by the authority, unless it gives a written notice to the undertaker of its own estimate of a reasonable period for the duration within two days of receiving the undertaker’s estimate.</p>

Offence	Brief description	Duties and obligations
An offence created by regulations made under s.74A(11)	Failure to give a notice required by regulations under s.74A ( <i>Charge determined by reference to duration of works</i> )	<p>The Street Works (Charges for Occupation of the Highway) (England) Regulations 2001 create a criminal offence in respect of any failure to give a notice required by the regulations.</p> <p>An undertaker executing street works in a highway, to which these regulations apply, must, not later than the end of the day following the day on which the works begin, give the approved highway authority an “<b>actual start of works notice</b>”. This should confirm the start date and specify by reference to the nationally consistent street gazetteer, the street or streets in which the works are to be carried out.</p> <p>Once an undertaker has completed interim reinstatement, a ‘<b>works clear notice</b>’ must be sent to the approved highway authority, not later than the end of the day following the day on which the highway was returned fully to public use.</p> <p>An undertaker who has completed permanent reinstatement must give the approved highway authority a written ‘<b>works closed notice</b>’, not later than the end of the day following the day on which the highway was returned fully to public use.</p>

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
--

<b>1.</b>	<b>Meeting:</b>	<b>REGENERATION AND DEVELOPMENT SERVICES AND STREETPRIDE SERVICE</b>
<b>2.</b>	<b>Date:</b>	<b>20 April 2009</b>
<b>3.</b>	<b>Title:</b>	<b>Connect2 Programme: Joint Rotherham/ Sheffield Walking and Cycling Project – Wards 1, 6, 18</b>
<b>4.</b>	<b>Directorate:</b>	<b>Environment and Development Services</b>

**5. Summary**

To inform Cabinet Members of the scope of the Connect2 project and of the financial arrangements relating to the successful bid for funding from the Big Lottery Fund (through the 'Sustrans Connect2' programme) for a joint Rotherham, Sheffield and Derbyshire countryside access project.

**6. Recommendations**

**That it be resolved that:**

- i) The Rotherham elements of the project be implemented on a phased approach by 2012 as described within the report,**
- ii) That the proposed Memorandum of Understanding (MoU) between Rotherham and Sustrans be approved and be signed on behalf of the Council by the Director of Streetpride, and**
- iii) That Rotherham Metropolitan Borough Council implement the core route only when all partners are able to guarantee successful completion.**

## 7. Proposals and Details

The Connect2 project is a joint countryside access project which has been developed with Sheffield City Council and colleagues in Derbyshire and aims to introduce new and upgraded off-road walking, wheelchair, riding and cycling routes from Halfway to Killamarsh and around the Chesterfield Canal corridor, connecting local communities in the south of Rotherham and also linking into Rother Valley Country Park.

Within Sheffield, it is proposed to build a new, safe and attractive off road walking and cycling route between the Halfway tram stop and Killamarsh that people will be able to use to get to work, shops and other facilities and also for leisure. This route will also link into the Trans Pennine Trail, Rother Valley Country Park and the Rotherham elements of the project. This forms the “Core Route” of the project.

Within the Chesterfield Canal Corridor, the Rights of Way team and Transportation Service propose a variety of improvements to the Rights of Way network around the Chesterfield Canal area in the south of the Borough. This is aimed at providing sustainable access between local villages and services with links to schools, local businesses, community centres and public transport and to encourage more visitors into the local villages from the canal. These routes are the “Aspirational Routes” and as many of these as possible will be implemented with funding remaining once the core route is complete.

Improvements to access will include:

- Surfacing well-used paths and routes
- Creating new routes
- Making road crossings safer
- Putting in gates instead of stiles
- Making access better for families and the less physically able
- Improving horse riding links
- Providing more doorstep walks
- Encouraging people to cycle

This local project is included with 78 other walking/cycling projects from around the UK which form the ‘Sustrans Connect2’ national walking and cycling programme. Sustrans Connect2 competed for public votes against three other large projects (Eden Project: The Edge; Sherwood: The Living Legend and the Black Country Urban Park) for £50 million pounds in the “Big Lottery Funds: The Peoples £50 Million Giveaway Contest”. The winner, Sustrans Connect2, was decided by online and television voting and announced on 12<sup>th</sup> December 2007.

Formal agreement for the project will require the signing of the Memorandum of Understanding between Sustrans and the participating authorities which will set out the final terms for delivery of the project. (A copy of this Memorandum will be available at the meeting – as Appendix A.)

In many cases the upgrading of furniture and surfacing will coincide with the ongoing maintenance programme for Rights of Way, and where it does not, such works will be built to the highest specification to ensure that future maintenance is minimal. Structures will often be of metal, and surfacing of toptrec or recycled road plannings. Both of these materials are known to be hard wearing and require minimal maintenance. Contingencies are also in place relating to the maintenance of routes immediately after works have been completed.

It is a condition for the funding that the core route (between Halfway Tram Stop in Sheffield, Killamarsh in Derbyshire and Rother Valley Country Park) should have a metalled surface.

### **8. Finance**

The whole project in South Yorkshire and North Derbyshire is estimated to cost £1.4 million in total.

Broadly the overall project cost breaks down into:

- £450 000 for cycling and walking Rights of Way access improvements within Rotherham.
- £700 000 for two foot and cycle bridges over the River Rother and railway, within Sheffield.
- £250 000 for Halfway to Killamarsh and green access routes, within Sheffield.

Sustrans (financed for this project by the Big Lottery Fund) will be releasing funding for the Connect2 programme in stages over the next four years. This project will therefore be implemented by 2012 at the latest.

£800 000 has been earmarked from the Sustrans Connect 2 programme for this project.

Sustrans require match funding as evidence of local commitment. £600 000 has been initially identified, subject to future approvals and other funding streams being in place from the following sources:

- £250 000, Sheffield Local Transport Plan, over two years (2007-2009)
- £250 000, Derbyshire Local Transport Plan, over three years (2008-2011)
- £40 000, Rotherham Local Transport Plan, over five years (2008-2012)
- £60 000, Rotherham Rights of Way Budget, over five years (2008- 2012)

Match funding has already been agreed in Rotherham.

### **9. Risks and Uncertainties**

There may be unforeseen issues arising during the decision making processes as the project is implemented.

The MoU requires that if the core route is not successfully delivered in its entirety then any Big Lottery funds spent be returned to Sustrans. As this is a joint project then a failure to deliver any part of the core route (even those sections outside

Rotherham) could trigger this requirement. Whilst guarantees are in place to ensure that the core route in Rotherham is delivered, the project in Sheffield and Derbyshire is still in the process of obtaining planning permission and finalising details on expenditure. Provisos are in place such that if the project overspends in these areas that some smaller projects in Rotherham can be adjusted. However, guarantees will be required to ensure that if spending takes place that funds will not need to be returned. This will require that the majority of works in Rotherham are undertaken towards the latter end of the project. It is proposed that once these guarantees are in place that the risk of any requirement to pay back such funds will be addressed and funds can then be spent without any uncertainty.

There are no adverse reactions to any of the proposed improvements from any landowners thus far, although further discussions with some landowners will be needed before implementation of some routes.

If the project is not fully supported and adequate resources are not made available full delivery of the proposed improvements maybe delayed and there is a risk of the loss of national/ local credibility.

Some of the proposed route improvements will require public footpath orders and will therefore be open to public consultation and possible objection. Feedback on early implementation of such orders has been overwhelmingly positive.

#### **10. Policy and Performance Agenda Implications**

The proposed project is committed to seeing all people benefiting from good, sustainable local access and connections between local communities, facilities and services through quality design, to overcome barriers that impede access by walking and cycling. This is in line with the Accessibility Planning Strategy in SYLTP2. The provision and promotion of improved facilities for walkers and cyclists will provide local residents and visitors' access without the need to use a car for various local trips, thus potentially helping to reduce vehicle congestion and contributing towards improving air quality.

This project will also help to tackle road safety issues with many proposals suggesting new or improvements to current rights of way along non-vehicular routes. This will allow the most vulnerable road users to travel within the canal corridor, spending less time on the roads. The project will help to engender a sense of pride and community ownership in the local environment and provide safe access routes between local communities. As such this all closely fits with the Themes of the Community Strategy in particular, Rotherham Alive, Achieving, Safe and Proud.

#### **11. Background Papers and Consultation**

This is a locally driven initiative which has been prepared jointly with local representatives. The participation of local people within this project has helped to garner widespread support from interested local groups such as the Ramblers Association, the Chesterfield Canal Trust, and British Waterways.

Legal Services have been consulted on the draft Memorandum of Understanding and their specific comments are attached as Appendix B.

**Contact Name :**

*Richard Pett. Public Rights of Way Officer. Ext 2935.*

[richard.pett@rotherham.gov.uk](mailto:richard.pett@rotherham.gov.uk)

*Andrew Shearer. Transportation planner. Ext 2380.*

[andrew.shearer@rotherham.gov.uk](mailto:andrew.shearer@rotherham.gov.uk)

**APPENDIX B – LEGAL SERVICES DEPARTMENT OBSERVATIONS  
RELATING TO THE MOU**

8 - you will not receive any funding unless all 3 councils have all the necessary criteria in place, even though you may have needed to incur expenses to meet your own criteria.

14 - Procurement processes - keep good clear records of all deviations from the systems laid down in the MOU.

16 - withdrawal of funds - as funding can be withdrawn where schemes are deemed to be at risk, it may be useful to have a clause inserted into every contract with external suppliers that the contract will commence only once funds have been received from Sustans. In this way you will not be tied to service contracts that you do not have the funds to pay for.

30 - as I previously mentioned, you will be tied into maintenance for a period of 40 years and under point 32 you will be responsible for repairs and expected to have appropriate insurance in place.

33 - you are being expected to indemnify Sustrans against all claims and expenses relating to negligence or public liability - this could be costly and would be better modified to say that you will be only covering "reasonable" costs etc.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO CMT</b>
--

<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member for Streetpride and Cabinet Member for Regeneration &amp; Development Services</b>
<b>2.</b>	<b>Date:</b>	<b>20 April 2009</b>
<b>3.</b>	<b>Title:</b>	<b>Town Centre parking proposals – feasibility</b>
<b>4.</b>	<b>Programme Area:</b>	<b>Environment and Development Services</b>

### **5. Summary**

This report outlines a range of parking proposals for Rotherham Town Centre which aim to encourage further footfall and spend in order to support town centre businesses during the current economic climate. The financial revenue implications and costs associated with these proposals are highlighted within the report.

### **6. Recommendations**

**Cabinet Members are asked to approve:-**

- a) the details contained in the report , including the implementation as soon as possible of:
  - ‘Free after 3’
  - Short stay parking only on 1<sup>st</sup> floor of Wellgate multi storey car park
  - Extending maximum stay on some on street parking bays to 2 hours
- b) That the Director of Planning and Regeneration use the powers delegated to promote the necessary changes to traffic regulation orders on an experimental basis to facilitate the agreed measures.
- c) The Town Centre Manager be authorised to determine and prepare the necessary marketing and publicity for the proposals.
- d) The full costs of promoting the initiative, including the loss of revenue, be funded from the Council’s ‘Economic Downturn Contingency Fund’.
- e) A further report be brought to this meeting about the effectiveness and impact of the proposals following their implementation.

## 7. Details

In recognition of the pressures town centre businesses are experiencing, heightened by the current economic climate, a Town Centre Car Parking Workshop was held at the Town Hall on Monday 23 February 2009. Representatives included Councillor Gerald Smith, Cabinet Member for Regeneration and Development and various officers including the Town Centre Manager, Barnsley & Rotherham Chamber of Commerce and town centre businesses. The workshop explored a variety of parking initiatives and discussed the benefits, disadvantages and financial implications associated with each.

A number of initiatives were explored:

1. Free all day parking in the town centre
2. Free parking for the first two hours
3. Free parking after 3pm ('Free after 3')
4. The introduction of a policy allowing short term only parking in the Wellgate multi storey car park on lower levels
5. Approaching SYPTTE to achieve short term parking only in the Interchange car park on lower levels
6. Amending some existing on street parking bays to maximum stay 2 hours rather than the current 1 hour to help encourage a longer stay by shoppers in the town

It was explained at the Workshop that most of the town centre car parks are operating at their working capacity between 10pm & 3pm (85% full) and that the first two proposals may not have the desired effect of generating additional trips, whilst causing significant loss of income, impacting on existing budgets. These proposals may also deter further private sector investment in parking provision in the town. It should however, be recognised that the current car parking fees were not increased this financial year.

### Free parking after 3pm ('Free after 3')

This initiative would promote free car parking after 3pm, Monday – Saturday, when the occupancy and footfall figures show a drop off in users.

The occupancy figures and income figures for on and off street parking within the Councils control after 3pm were analysed and, on a pro-rata basis, the loss of measurable income would be approximately £52,000 per annum. It is difficult to predict how many new customers this may generate or indeed whether it will cause displacement to existing shoppers who would choose to change their current behaviour and visit the town centre after 3pm to take advantage of the initiative. Therefore the financial loss is likely to be higher than this, although it is not possible to quantify the effect. For information, the income generated from parking between 2.00pm and 3.00pm is estimated at £150,000, a proportion of this would likely be lost if 'Free after 3' were to be introduced.

It should be remembered that a 6 month trial of free parking on Saturdays was undertaken for 6 months from April 2006. Whilst anecdotal evidence suggested that the businesses benefited from increase spend, there was no increase in footfall over the weeks and as a result the charges were re-introduced thereafter.

Short stay parking Wellgate and Interchange multi storey car parks

It was suggested that more maximum stay 2 hour parking should be made available within the town centre. To this end it is proposed that the first level of Wellgate multi storey be amended such that the maximum length of stay is 2 hours. It was further suggested that the Council and Chamber write to the Director General of South Yorkshire Passenger Transport Executive requesting that they consider a similar initiative in the Interchange multi storey car park. This has been done and the SYPTE are supportive and working towards implementation.

On Street parking

As previously mentioned there was a desire to see the introduction of more maximum stay 2 hour parking as it was felt this would be most advantageous to shoppers. It was felt that some of the maximum stay 1 hour on street parking was too far from the core town centre to make a 1 hour stay viable. Consequently it is proposed to investigate areas where existing maximum stay 1 hour on street parking could be amended to a 2 hour stay. Areas under consideration include Doncaster Gate, Percy Street, Ship Hill and Nottingham Street.

It is not clear how effective these measures may be in making the town centre more attractive to shoppers and may adversely affect parking for other users of the town centre. With this in mind it is proposed that any changes be introduced experimentally and that powers be given to the Director of Planning and Regeneration to amend or suspend the Order(s) as appropriate following discussion with the Chamber of Commerce and representatives of traders in the town. It is important that this is monitored in depth and it is proposed that a small 'Task and Finish' group be set up involving Council Officers and representatives from the Chamber to allow a considered, broad view to be taken as to its effectiveness.

Representatives of the Chamber of Commerce and town centre businesses also requested that consideration be given to amending the current charging rates to make them more user friendly; for instance £1.20 (on street) £1.10 (off street) could become £1.00. Based upon current budget projections, the cost of this tariff change would be approximately £55,000 per annum plus a further reduction in income from over payments. The Council will be undertaking feasibility studies regarding cashless parking payments and the sale of permits to members of the public in the near future but it would also be worthwhile considering how a more user friendly cash based charging regime could be implemented. In the medium term, we are also looking at extending the existing Scala car park by removing some of the superfluous landscaping and further on street and off street parking in the Corporation Street/Westgate area. These will require works and funding which will need to be separately identified.

In addition, the Chamber of Commerce agreed to work with traders to explore the option of reimbursing car parking charges (or part reimbursement) to customers within shops.

## 8. Finance

The cost of implementing the 'Free after 3' initiative is estimated at £57,000 broken down as follows:

• Loss of measurable income of approximately	£43,000 per annum
• Loss from any customers' change of parking habits.	£ 2,000 per annum
• Software amendments to pay & display machines	£ 4,000
• Amendments to TROs and associated signing	£ 8,000
TOTAL	£ 57,000

In addition, resources are required for the marketing and promotion of the initiative, which will be sought through existing budgets. The Chamber of Commerce has agreed to assist with the promotion of the scheme plus monitoring its effectiveness.

It is proposed to utilise the Council's 'Economic Downturn Contingency Fund' to cover the £57,000. While the direct costs of the proposal could be met from the Council's 'Economic Downturn Contingency Fund' any continuation of the scheme beyond 2009/10 would have to be built into the base budget as a pressure.

## 9. Risks and Uncertainties

The 'Free after 3' initiative may have not have a positive effect on footfall or spend, rendering the loss of revenue ineffective. The re-introduction of charges would be difficult and the impact of the proposals on the town centre economy is uncertain. Furthermore 'subsidised' parking, such as this, may discourage private car park operators from investing in Rotherham.

## 10. Policy and Performance Agenda Implications

Supporting the town centre in times of economic difficulty is a key element in the Achieving theme. The loss of income however will have a knock on effect in other areas although through dilution, its effect may not be perceptible.

## 11. Background Papers and Consultation

This report is joint between Streetpride and Planning and Regeneration and follows the Car Parking Workshop held towards the end of February 2009. The Town Centre Manager has also been consulted about the report and has provided a full breakdown of the Marketing costs outlined above. A further meeting of the representatives at the earlier Workshop is planned following consideration of this item by CMT.

There has been no further consultation at this stage.

**Contact Names:** Martin Beard – Parking Services Manager  
Extension 2929 - email: [martin.beard@rotherham.gov.uk](mailto:martin.beard@rotherham.gov.uk)

Ken Wheat - Transportation Unit Manager  
Extension 2953 – email: [ken.wheat@rotherham.gov.uk](mailto:ken.wheat@rotherham.gov.uk)