CABINET MEMBER FOR ECONOMIC DEVELOPMENT, PLANNING AND TRANSPORTATION

Venue: ***Training Room (Rooms 3/4), 3rd Floor Bailey House, Rawmarsh Road, ROTHERHAM. S60 1TD**

Date: **Monday, 19th April, 2010**

Time: ***10.15 a.m.**

*Please note the venue and 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 Part 1 of Schedule 12A (as amended March 2006) to the Local Government Act 1972.

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. Minutes of a meeting of the Chesterfield Canal Partnership Executive held on 11th March, 2010 (Pages 1 - 6)

4. Minutes of a meeting of the Tourism Panel held on 15th March, 2010 (Pages 7 - 13)

5. Minutes of a meeting of the Local Development Framework Members' Steering Group held on 19th March, 2010 (Pages 14 - 21)
   (i) to note the contents of the minutes.

   (ii) to consider the report re: Community Infrastructure Levy. (copy attached)

6. Minutes of a meeting of the RMBC Transport Liaison Group held on 22nd March, 2010 (Pages 22 - 28)

7. A630 Centenary Way/Main Street – Proposed junction improvement (Pool Green) (Pages 29 - 32)
   Andrew Butler, Senior Engineer, to report.
   - to seek Cabinet Member approval not to proceed with the proposed junction improvement at Main Street junction with Centenary Way due to the estimated cost exceeding funds available, and to seek Cabinet Member approval to undertake the preliminary design and evaluation of an alternative means of managing traffic congestion and community severance at this location.

8. Review of speed limits on A and B classified Roads (Pages 33 - 38)
   Andrew Butler, Senior Engineer, to report.
   - to inform Cabinet Member on the outcome of a review of all speed limits

on A and B classified roads in Rotherham in accordance with Central Government guidance set out in DfT Circular 01/2006 and seek Cabinet Member approval to proceed with a programme of amendments identified in this report.

9. Objections to proposed peak time loading restrictions on A633 Rawmarsh Hill, Parkgate (Pages 39 - 45)
Richard Baker, Senior Technician, to report.
- to report receipt of two objections to a proposed Traffic Regulation Order that would see a peak time loading restriction Monday to Saturday 08:00-09:30 and 16:00-18:00 introduced on part of A633 Rawmarsh Hill, Parkgate.

10. Amendments to the Scheme of Delegation for the Director of Planning and Regeneration (Pages 46 - 58)
Chris Wilkins, Assistant Development Control Manager, to report.
- to consider proposed amendments to the Council's Scheme of Delegation relating to powers delegated to the Director of Planning and Regeneration in relation to the Development Control functions of the Service.

11. Confirmation of the Article 4 Direction imposed on Clifton Bank & Wellgate Terrace; as affecting Boston Castle Ward (Pages 59 - 63)
Peter Thornborrow, Conservation and Urban Design Officer, to report.
- to seek approval for the confirmation of the Article 4 (2) Direction.

The Cabinet Member authorised consideration of the following urgent extra item in order for the scheme to be implemented:-

12. 2010 Bicycle Salary Sacrifice Scheme (Pages 64 - 68)
Paul Gibson, Senior Transportation Officer, to report.

- to seek approval for the introduction of a bicycle salary sacrifice scheme to support sustainable travel initiatives in the Council's Travel Plan, the second South Yorkshire Local Transport Plan 2006-11 and the sustainability and low carbon themes of the developing third Local Transport Plan.

13. EXCLUSION OF THE PRESS AND PUBLIC
The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular individual (including the Council)):-

14. Business Vitality Grants Scheme (Pages 69 - 72)
Bernadette Rushton, Assistant Town Centre Manager, to report.
- to consider the applications for grant.

The Cabinet Member authorised consideration of the following extra, urgent item in order to prevent any delay in the tender process:-

15. Hellaby Depot (Pages 73 - 75)
Director of Asset Management to report.

Agenda Item 3

MINUTES of a meeting of the **CHESTERFIELD CANAL PARTNERSHIP EXECUTIVE STEERING GROUP** held at the Westthorpe Business Innovation Centre, Killamarsh on Thursday 11th March 2010.

Derbyshire County Council

Mr M Dowson, Ms G Gregory and Mr P Storey

Nottinghamshire County Council

Councillor Mrs E Yates and Mr A Wickham

Rotherham Metropolitan Borough Council

Councillor Mrs J Whysall and Mr P Cassy

Bassetlaw District Council

Ms S Withington

Chesterfield Borough Council

Councillor P Proctor and Mr M Shewring

North East Derbyshire District Council

Councillor H Laws, Ms H Fairfax and Ms L Chapman

Chesterfield Canal Partnership

Dr G Coles and Mr S Reaney

Chesterfield Canal Trust

Mr R Stonebridge and Mr D Trickett

Inland Waterway Association

Mr J Baylis

Hyder Consulting (For Agenda Item 5 Only)

Mr G Webber and Mr P Moss

(Mr J Baylis, representing the IWA, took the Chair for the first three items on the agenda)

1. APOLOGIES

Apologies for absence were received from Cllr C Jackson (Derbyshire County Council), Councillor I Jones (Bassetlaw District Council), Mr E Green (Derbyshire Wildlife Trust), Ms F Clarke (Groundwork Creswell, Ashfield & Mansfield), Mr M Bloomfield (Chesterfield Canal Trust) and Mr J Nuttall (British Waterways).

2. MINUTES OF THE MEETING HELD ON 9TH OCTOBER 2009

The Minutes were accepted as a true record.

3. MATTERS ARISING FROM THE MINUTES

There were no matters arising which were not covered by the agenda.

4. ELECTION OF ESG CHAIR AND VICE CHAIR

After some discussion it was agreed that Councillor Mrs E Yates of Bassetlaw District Council be elected as temporary Chair of the ESG until a replacement Chair from BDC was appointed. It was also agreed that Councillor Yates be appointed as Vice Chair of the ESG as the elected member from Nottinghamshire County Council. These appointments would be effective for the next twelve months.

5. MARINA DEMAND & LOCATION STUDY BY HYDER CONSULTING

Mr G Webber and Mr P Moss presented the draft results of this study which had been commissioned jointly by Bassetlaw District Council and the Chesterfield Canal Partnership.

The study had been undertaken by a core team of three people and set out to assess the demand for moorings on the Chesterfield Canal should the opportunity to create additional moorings arise. The study recognised that the marina at Shireoaks was operating at its practical capacity and, because of the unique geographical position of the Chesterfield Canal, it had been necessary to investigate national trends and parameters in order to assess the market. There were two types of moorings with different needs and priorities; residential and leisure users. Compared with the overall BW network, the number of existing moorings on the Chesterfield Canal was below the national average.

The study had identified three sites with high potential; the Western Gateway at Worksop, near the junction of the A57 and the Lock Keeper public house, Retford East and the Hop Pole Inn sites, both in Retford. A further two sites with medium potential were identified in Misterton. In terms of a preferred short-term site which could be operational within 5 years, the Hop Pole was the favourite. In the time scale of 5 to 15 years, the Western Gateway and Misterton East offered the best opportunities. Improved town centre moorings at Worksop and Retford also required consideration. The capital cost of a marina capable of accommodating circa 160 boats was estimated between £1.35 and £1.5 million and this would generate an annual local spend of some £400,000.

Hyder Consulting recommended the production of a “Marina Investment Guide” specifically tailored to the Chesterfield Canal as a means of encouraging external investment.

The draft report was submitted to BDC on the 11th March 2010. A discussion meeting with BDC planners would take place shortly and the final report, which would also identify funding options, would be published before the end of the current financial year.

The Chair thanked Hyder Consulting for their excellent presentation.

6. YEAR END REPORT ON THE CCP WORK PROGRAMME 2009-10

GC tabled a report summarising the Work Programme for 2009/10.

GC characterised the year as one of steady but uneven progress; some smaller projects, such as Hollingwood Lock House, had made little visible progress whilst others, such as Phase1 of the Northern Loop Road at Staveley which included bridges over the canal, had been completed. Behind the scenes a great deal of progress had been made on securing design and legal frameworks, for example planning permission had recently been obtained for the Staveley Town Basin and the application for the Chesterfield Waterside Project would shortly go before the Planning Committee at CBC.

A lot of work had been undertaken in order to raise the profile of the Chesterfield Canal and the Canal Trust had made a positive contribution to this. The Inland Waterway Association now recognised that the Chesterfield Canal was among the top 5 canal projects which were “ready for funding”. HF reminded the meeting that the line of the canal was in the process of being secured in the LDF of NEDDC.

It was agreed that the delivery of the Work Programme be noted.

7. PROPOSED CCP WORK PROGRAMME 2010-2012

GC tabled a report giving details of the proposed Work Programme for the two-year period from 2010 to 2012.

GC explained that it had now been confirmed by both the Heritage Lottery and Big Lottery Fund that the timetable for funding major projects post the London Olympic Games in 2012 would be as follows:-

- 2011-Projects to be submitted for funding
- 2012-Projects accepted for funding
- 2013-Construction work to begin

The Partnership’s Work Programme had been designed to fit in with this timetable.

GC emphasised that land acquisition would be a major issue facing the Partnership and a robust legal framework to deliver the project would be needed both to address the concept of “Risk Management” and to satisfy the requirements of the major funding bodies. In these circumstances, therefore, it would be necessary to resolve the legal framework for the Partnership **before** the submission of funding bids. Education and training programmes were important in order to demonstrate the wider credentials of the Chesterfield Canal and there was an urgent need to increase the level of networking with funding bodies, patrons and other influential organisations. It would be necessary, therefore, for the Partnership to have a critical look at the staffing resources which would be required to formulate significant funding bids. GC said he would present a more detailed action plan at the next ESG.

It was agreed that the proposed Work Programme be formally adopted.

8. CCP BUDGET REPORT

GC tabled the report for the Partnership's budget for 2009/10 which showed an under spend on budgeted expenditure mainly due to ecological surveys which would be undertaken during the next financial year. There had been some misunderstanding, however, on contributions and to balance income and expenditure for 2009/10 would require a draw on the Reserve Fund.

GC then presented the proposed budget for next year and emphasised the point that it would not be possible after March 2011 to make further demands on the Reserve Fund because of the requirement to hold sufficient funds to cover possible redundancy costs for Partnership staff. For the financial year 2011/12, therefore, it would be necessary to further increase contributions or obtain funding from other sources to enable the Partnership to continue operating in its current form. GC suggested that the funding issue be discussed at the next TOG meeting with a view to submitting proposals in due course to the ESG and HL said that local authority representatives needed to confirm the level of contributions for 2010/11 as matter of urgency and to re-enforce the importance of the restoration of the Chesterfield Canal both to local communities and to the overall regeneration of the area.

It was agreed that the Development Manager's recommendations, a-g, be accepted.

9. NEXT NAVIGATION EAST

With the aid of a projector GC presented a verbal report to the meeting on Next Navigation East. He explained that the final restoration project for the Chesterfield Canal had been divided into two sections, east and west, with the western section covering the route from Staveley to Killamarsh and the eastern section from Killamarsh to the eastern portal of the Norwood Tunnel at Kiveton Park.

The Next Navigation East report was presented as a consultation draft. It consisted of some 28 chapters which set out the case for restoration, the community and environmental context, the design of key structures together with indicative designs, a summary of community engagement and the core costing for the project. The report, after undergoing a period of consultation, would form the basis of submissions to major funding bodies such as the Heritage Lottery Fund.

The restoration work would be done in stages over a period of time to ensure that the cost of the individual sections was within the funding scope of the Heritage Lottery Fund. The work would be undertaken by professional civil engineers and approved contractors but there would be some opportunities for volunteers to contribute under the close supervision of qualified engineers. The cost of restoring this section was estimated at £26 million at today's prices but this could be reduced by up to 30%. In GC's opinion, the time frame for a realistic and deliverable restoration programme was 10/15 years.

The consultation draft of the Next Navigation East report was available on a CD ROM which contained all the appendices; other supporting documents were also available. CD ROMs were distributed at the meeting to members of the Partnership and the representative of RMBC was given two copies of the CD ROM, a written copy of Volume 1 of the report, the appendices and written copies of all the appropriate background and supporting reports. GC requested comments, if possible, by 4th June 2010, and confirmed that the final draft of the report would be ready for the Festival in July 2010.

After some discussion it was agreed that a special meeting of the ESG would be held in June 2010 and the Chair would write individually to the Chief Executive of each Local Authority through which the canal passed asking for comments on the report within a 12 week consultation period. In the meantime, GC would approach the individual authorities to decide the most effective way of meeting with Leaders and Chief Executives to discuss the implications of the Next Navigation East report.

10. DEVELOPMENT UPDATE

GC tabled a summary of developments on a number of canal projects based on submissions from members of the Technical Officers Group. AW added that 5 staff had been appointed to the Idle and Trent Valley Landscape Project; the staff would be based with BW at Newark and the value of the project was some £3 million. PS confirmed that work on the Staveley Town Basin would commence in April.

It was agreed that the Development Update report be noted.

11. FUTURE FORM OF THE PARTNERSHIP

GC presented a discussion paper for the ESG to authorise officers to begin to explore what options were available to enable the Partnership to move forward against the background of a potential future expenditure of some £35 million. RS said that the Partnership needed to assess its delivery mechanism because the Heritage Lottery Fund would require assurances on governance before funding was contemplated.

The officer recommendations were accepted and it was agreed that GC would establish a small working party through the Technical Officers Group.

12. CHESTERFIELD CANAL TRUST

RS tabled an update report from the Chesterfield Canal Trust and confirmed that the Trust's membership was now in excess of 1,000. The final draft of the Community Interest Company would be submitted for approval to the Trust's Annual General Meeting on Thursday 18th March 2010.

The meeting noted the report from the CCT and congratulated them on the increasing level of membership.

13. IWAC REPORT ON PARTNERSHIP WORKING

GC informed the Executive that the Inland Waterways Advisory Council's report on "Partnership Working", due to be published in April 2010, would use the Chesterfield Canal Partnership as a model of best practice in the waterways field.

The meeting noted the Development Manager's verbal report.

14. ANY OTHER BUSINESS

RS explained that DCC provided goods and services for Partnership staff in addition to their financial contribution because they acted as the "host" authority in terms of staff employment. DCC, however, had recently held a Single Status job evaluation exercise

for all members of staff which had impacted on the salary level of the Partnership's Development Manager. It was unfortunate that DCC had not consulted with the Partnership on this issue and if the appeal by the Development Manager was successful there would be an impact on the Partnership's budget and on other members.

After some discussion it was agreed that the Chair of the ESG would write to DCC on this matter; AW would liaise between the Chair, other members of the ESG and members of the TOG.

15. DATE OF NEXT MEETING

After some discussion it was agreed that the date of the next two meetings of the ESG would be as follows:-

- **Thursday 10th June 2010 at a DCC venue to be arranged by GC.**
- **Thursday 28th October 2010 at the Retford Enterprise Centre**

It was also agreed that in the future there would be four (4) meetings of the ESG per year in order for members to be able to deal with the increasing work load. Three (3) of these meetings would take place in the mornings and would last for a maximum of 2 hours whilst the fourth meeting, which would take place in the summer months and include a field trip, would last all day.

GC/SR-18/3/2010

TOURISM PANEL
MONDAY, 15TH MARCH, 2010

Present:- Councillor Smith (in the Chair); Councillors Austen, St. John and Walker.

together with:-

Marie Hayes	Events & Promotions Service Manager
Joanne Edley	Tourism & Marketing Manager
Dawn Campbell	Events & Promotions Officer
Clare McRoy	Public Rights of Way Officer
Matthew Beck	Chief Executive MAGNA
Tom Waldron-Lynch	Hellaby Hall Hotel

9. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Littleboy	
Bernard Jones	South Yorkshire Transport Museum
Julie Williamson	Dearne Valley College
Stuart Reaney	Chesterfield Canal Partnership

10. MINUTES OF THE PREVIOUS MEETING HELD ON 18TH JANUARY, 2010

Consideration was given to the minutes of the previous meeting of the Tourism Panel held on 18th January, 2010.

Resolved:- That the minutes be approved as a correct record.

11. MATTERS ARISING

The following matters were reported:-

(1) Chesterfield Canal – representation

Joanne Edley, Tourism and Marketing Manager, reported that Stuart Reaney from the Chesterfield Canal Partnership was retiring. The Partnership would continue to be represented by Dr. Geraint Cole.

(2) MAGNA – Food and Drink Festival 2010

Matthew Beck, Chief Executive Magna, reported that agreement had now been reach with the Council's Markets Team. However the event had been rescheduled and would be held 15th, 16th and 17th October, 2010.

12. THE 21ST ANNIVERSARY CELEBRATIONS OF THE TRANS PENNINE TRAIL

Clare McRoy, Public Rights of Way Officer, talked to members of the Panel about the history and background to the development of the Trans Pennine Trail and about the events being organised to celebrate the 21st Anniversary of the Trail.

Clare also distributed copies of 2 leaflets:- Trans Pennine Trail at Wath Manvers and Trans Pennine Trail – Coast to Coast across the North of England.

Clare explained that the Trail was a multi-user route for walkers, cyclists and horse riders. Its length was 215 miles from Southport to Hornsea, with spurs to Chesterfield, Leeds and York which made the route 360 miles.

The route ran through 26 different Local Authorities.

The stretch in Rotherham was 36 miles mostly following the River Dearne and featuring RSPB Old Moor Wetland Centre. It was however pointed out that it was not always possible for all users to use the same track.

85% of the route was traffic free.

Anniversary events included:-

Batons relay exchange with the aim that all batons arrive in Barnsley on Saturday 19th June. These would be taken to the football ground on Sunday for the TPT Festival. The batons would then be buried in a time capsule in Barnsley.

In Rotherham the baton relay would take place on Friday, 18th June on the section near to RSPB Old Moor, and would pass into Doncaster. It was planned to involve local schools, businesses and the Mayor, and refreshments would be available.

13. ITEMS RAISED BY INDUSTRY REPRESENTATIVES

Matthew Beck, Chief Executive Magna, reported on the following:-

(1) Boxing at Magna

Magna had successfully been granted a Boxing Licence and had recently held a very successful event. A further Boxing event was planned for 25th April, 2010.

Matthew thanked the Council's Licensing officers and South Yorkshire Police for their assistance.

(2) National Award for Best Event Venue 2010

Magna had been nominated for the above national award.

14. ROTHERHAM WALKING FESTIVAL 2010 UPDATE

Dawn Campbell, Events and Promotions Officer, reported on arrangements for the Rotherham 2010 Walking Festival.

Dawn reported that the Festival had been brought forward into May and over 30 walks were being planned, including some new walks including Race Walking coaching sessions, Bosom Buddies Rush to Walk. There was a good balance and variety of walks on offer from 1 mile through to the 25 mile Roundwalk Challenge organised by Rotherham Rotary Club. Links had been made with Far Out Theatre group, based in Wath, to organise a Town Centre Ghost Walk which would also present an opportunity for the audience to witness the town centre improvements. It was expected that up to 80 people may attend. Posters for the Festival were being printed, and space had been booked in the On the Spot Interview in the Rotherham Advertiser to feature the Ghost Walk.

Information about the 21st anniversary celebrations along the Trans Pennine Trail had been included in the brochure, together with a link to the website.

Information will be distributed via the various data bases which the Service had access to, as well as to Doctors, Dentists' and physiotherapy surgeries and the PCT weight management programme.

Information was also provided in respect of:-

Special Event:
Sunday 16 May
The Chesterfield Canal Trust - Sponsored Walk
Walks start from 10.45am at the Stables, Staveley Hall, Staveley Hall Drive, Staveley, Chesterfield S43 3TN

The Chesterfield Canal Trust are organising a sponsored walk which includes three different walk options. You can opt to raise money either for the Trust and restoration of the canal, or for a charity or cause of your choice.

All walks start from the Stables at Staveley Hall. Participants can choose from:

- An 8 mile walk from Staveley to Tapton Lock and back - 10.45am start.
- A 4 mile walk from Staveley to Tapton Lock only - 11.00am start.
- A 2.5 mile wheelchair and buggy friendly walk from Staveley to Hollingwood Lock and back - 11.30 start.

A registration fee of £5 is payable for all walkers.

For more information contact Ron Auton on 01246 345777/8, email publicity@chesterfield-canal-trust.org.uk or go to the trust website: www.chesterfield-canal-trust.org.uk

15. UPDATE ON THE VISITOR ECONOMY AND TOURISM IN ROTHERHAM - NOVEMBER 2009 TO MARCH 2010

Joanne Edley, Tourism and Marketing Manager, reported on the Rotherham Tourism Plan 2005 – 2008 which had been utilised until 2008, following which the Draft Visitor Economy Plan was compiled, but not officially agreed, due to changes in tourism organisations at a national, regional and sub-regional level.

Therefore the Draft Visitor Economy Plan actions had been used as a basis for work in 2008/09 and from April 2009.

An update on work during the period November 2009 and March 2010 was presented.

It was pointed out that information was still needed about how many visitors the attractions had received and the occupancy levels in accommodation.

In addition it was reported that 2 new self-catering establishments were due to open shortly following assessment.

Work was currently being carried out to update the information on the Council's new website.

It was reported that due to resourcing issues there had been little contact with the Chesterfield Canal Partnership during this time, although there had also been some changes to personnel at the Partnership.

However, the Tourism Service had been invited to the event being organised by the Rugby Club in Worksop and discussions would continue with Bassetlaw and NE Derbyshire about jointly staffing an information stand.

Reference was made to the refurbishment of the Brecon Hotel, although it was pointed out that this hotel chose not to be assessed.

The view was expressed that further links could be forged between Older Peoples' Groups across Yorkshire to encourage more visitors to the area. Resources permitting information needed to be collected about the number of people visiting the Council from St. Quentin. It was noted that small grants were available from the Council for groups going to St. Quentin.

Reference was made to the Steam Model and the Cambridge Model used to assed the Local Economic Impact of tourism, and it as pointed out that this data was for South Yorkshire, and the information for Rotherham was not yet available.

Resolved:- That the update from November 2009 to March 2010, be received.

16. EVENTS MANAGEMENT HUB FOR SOUTH YORKSHIRE

Marie Hayes, Events and Promotions Services Manager, reported that Sheffield Hallam University Business School had set up a South Yorkshire Event Management Hub aimed at sharing ideas and learning via a series of workshops and networking.

Marie explained that the University Business School Team would facilitate all the meetings with the individuals and organisations involved in the future.

The 1st meeting was held on November, 2009 and involved local authorities and organisations from across South Yorkshire. The workshop focussed on:- (i) sharing best practice; (ii) benchmarking; (iii) looking at specific topic issues such as legislation, and event evaluation.

It was proposed that the Hub would meet four times a year.

It was reported that Rotherham based attractions which organise events and event organisers had been invited to be involved in the Event Management Hub and interested people's contact details had been forwarded.

A further meeting had been held at Clifton Park Museum looking at event risk legislation which involved guest speakers from the Fire Service and a professor from the University re: the Health and Safety. Dawn had also given a presentation on working with community groups.

Marie commented on the good networking that had already taken place.

Those present discussed at length the arrangements for Rotherham Show 2010 and expressed concern at the decision not to have a Local Authority marquee. It was explained that this had been a decision of the Strategic Communications and Marketing Group. Those present commented on the value of this marquee in terms of the Council interfacing with members of the public and in showcasing Council services

Resolved:- (1) That the report be received by the members of the Tourism Panel.

(2) That the Tourism and Marketing Manager pass on the contact details

of the individuals and organisations wishing to be involved in the Event Management Hub in the future.

(3) That the Cabinet Member for Economic Development, Planning and Transportation and Cabinet Member for Cultural Services and Sport discuss with the Cabinet Member for Community Development and Engagement the decision making of the Strategic Communications and Marketing Group.

17. UPDATE ON YORKSHIRE SOUTH TOURISM

Joanne Edley, Tourism and Marketing Officer, gave an update on the current situation regarding Yorkshire South Tourism.

Tom Waldron-Lynch provided a perspective on the situation from the private sector point of view.

Resolved:- That the Cabinet Member for Economic Development, Planning and Transportation and the Cabinet Member for Cultural Services and Sport request a meeting with the Leader and the Chief Executive to clarify the position and ensure that Rotherham's interests were protected.

18. ANY OTHER BUSINESS

The following items were reported:-

(1) London Marathon

Tom Waldron-Lynch reported that he was in training to run the London Marathon and would be raising funds for Help for Heroes.

Tom agreed to send details of the email link to Panel members.

(2) London 2012 Olympics – Paralympic Torch relay

Joanne Edley reported on a forthcoming workshop being organised by the Sports and Physical Activity Manager. Those present expressed the view that it would be a good idea if the relay could pass through Clifton Park.

Joanne and Matthew agreed to liaise to complete the form stating why the relay should pass through Rotherham.

(3) Local successes

Reference was made to:-

- Formula One team from Dinnington, sponsored by Sir Richard Branson

- Cycling successes

19. DATE, TIME AND VENUE FOR THE NEXT MEETING

Resolved:- That the next meeting of the Tourism Panel be held on Monday, 26th April, 2010 at 2.00 p.m. – Bailey House.

ROTHERHAM LOCAL DEVELOPMENT FRAMEWORK STEERING GROUP
Friday, 19th March, 2010

Present:- Councillor Smith (in the Chair); Councillors Austen, Dodson, McNeely and Pickering.

together with:-

Lewis Coates	Community Protection Unit
Andy Duncan	Strategic Policy Team Leader
David Edwards	Forward Planning
Paul Gibson	Transportation Unit
Ken MacDonald	Solicitor
Bronwen Peace	Planning Manager
Gordon Smith	Quality and Design Co-ordinator

1. INTRODUCTIONS/APOLOGIES

The Chairman welcomed everyone to the meeting.

Apologies for absence were received from the following:-

Councillor St. John
Councillor Sharman
Councillor Stone
Councillor Whelbourn
Neil Finney Technical Assistant

2. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH DECEMBER, 2009

Consideration was given to the minutes of the previous meeting held on 11th December, 2009.

Resolved:- That the minutes be approved as a correct record.

3. MATTERS ARISING

The following issues were reported on:-

(i) **LDF Next Steps**

Andy Duncan, Strategic Policy Team Leader, reported that further steer on the feedback report had been received. As a result more work was to be carried out on the draft report and, therefore, would not be published when anticipated.

(ii) **Landscape Assessment Study**

David Edwards, Forward Planning, reported that the final report had now been received and would now inform the LDF as it went forward.

4. COMMUNITY INFRASTRUCTURE LEVY REGULATIONS

Further to Minute No. 19 of 16th October, 2009, David Edwards, Area and Environmental Planning Team, submitted a report outlining the Community Infrastructure Levy Regulations (CIL), due to come into effect in April, 2010. These were:-

- CIL would now be levied on net increase of floorspace rather than gross increase
- Allowed payment of CIL to be made in-kind in the form of land provided that land was transferred with the intention of providing infrastructure
- Extended payment period from 28 days to 60 days with instalments for large sums increased to 240 days
- Minimum 100 sq m threshold for CIL payments
- Charities would receive a mandatory exemption from paying CIL
- Social housing exempt from paying CIL
- In exceptional circumstances, local authorities would be able to provide relief from CIL to developers
- Secretary of State able to direct that authorities may prudently borrow against future CIL income to allow infrastructure provision to be unlocked earlier in development
- Authorities able to use up to a maximum of 5% income from CIL receipts to cover set up and monitoring costs
- CIL reporting included in LDF Annual Monitoring Reports with a deadline of 31st December
- Government believed the liability notice was sufficient warning about late payment surcharges and would not require local authorities to issue further warnings

The report also set out:-

- The radical changes to the existing system of planning obligations
- Next phase of delivery including a new policy on planning obligations and guidance and support for local authorities considering introducing the CIL
- The requirement for an adopted Core Strategy, an Infrastructure Delivery Plan and a CIL charging schedule
- The Conservative Party's position
- Formation of a Sheffield City Region Spatial Development Group – Community Infrastructure Level Sub-Group

Discussion and a question and answer session ensued and the following issues were covered:-

- Guidance awaited

- Not mandatory at present
- Developer's contributions towards infrastructure
- Section 106 Agreements only for social housing and site specifics
- Until decision on CIL and adoption of a Core Strategy, current applicants judged against Section 106
- Utility companies' infrastructure costs included in CIL schedule
- CIL schedule subject to independent scrutiny by an Inspector
- Position as regards Affordable Housing.

Resolved:- (1) That the report be noted.

(2) That the report be referred to the Cabinet and the Planning Board for information.

5. DEFRA NOISE MAPPING

Lewis Coates, Community Protection Manager, reported that the Secretary of State for Environment, Food and Rural Affairs had commissioned nationally the mapping of noise sources likely to impact on health in order to comply with Directive 2002/49/EC (Environmental Noise Directive).

The process was being carried out in 2 phases; first round areas had undergone noise mapping and would shortly have Noise Action Plans to address and comply with. Second round areas would have undergone the same process by 2013.

Rotherham was included in the first phase as part of the Sheffield Agglomeration. Noise mapping had taken place and included areas of Rotherham, particularly along the M1 corridor and along the A631 between Bramley and Maltby where noise levels were of concern.

It was not currently known what the full implications would be of the Noise Action Plan for the Sheffield Agglomeration. However, the early indications were that local authorities would have a key role to play in minimising the effects of noise in the action planned areas.

Discussion and a question and answer session ensued and the following issues were covered:-

- It was currently not known what action the Noise Action Plans would identify for Rotherham
- Performance would be measured against the Sheffield Agglomeration
- Links to LDF and new developments within the vicinity of areas mentioned in the Plans
- Possible implications in terms of growth locations

Resolved:- That the current position in the mapping of environmental noise and production of associated action plans and consider the potential implications for the LDF be noted.

6. ANY OTHER BUSINESS

Constitution of this Steering Group

Members and officers discussed the present constitution of the Group.

It was reiterated that the value of the group lay in the debate which could take place within the forum of a Steering Group between officers and Elected Members assisting in the shaping of the LDF work.

Resolved:- That the Director of Planning and Regeneration Services in consultation with the Assistant Chief Executive (Legal and Democratic Services) bring forward, at the earliest opportunity, revised Terms of Reference for the Group.

7. DATE, TIME AND VENUE OF NEXT MEETING

Resolved:- That a further meeting be held on Friday, 23rd April, 2010, commencing at 10.00 a.m. in Bailey House.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Local Development Framework Steering Group**
2.	**Date:**	**19 March 2010**
3.	**Title:**	**Community Infrastructure Levy Regulations**
4.	**Directorate:**	**Environment and Development Services**

5. Summary

The Planning Act 2008 introduced the concept of the Community Infrastructure Levy (CIL) as a new means for authorities to seek developer contributions to help fund infrastructure. This report summarises the key issues from the, now published, Regulations.

The current policy position of the Conservative Party towards CIL is also summarised.

6. Recommendations

a) That the Report be noted.

b) That this report be referred to Cabinet and the Planning Regulatory Board for information.

7. Proposals and Details

Background to CIL

The Government considers that the existing method of securing contributions for the provision and improvement of infrastructure through Section 106 Obligations is not equitable, and lacks both transparency and predictability. In April 2010 it will introduce the Community Infrastructure Levy (CIL) Regulations which will for the most part replace Section 106 Agreements. Although these will still exist, in April 2010 the Government intends to restrict Planning Obligations to securing affordable housing and to site specific requirements for direct impact mitigation. There will be a transitional period of 4 years from the commencement of the CIL Regulations before Planning Obligations will be restricted in this way.

Councils will not be obliged to introduce the Community Infrastructure Levy, but if they do, it will be a new charge on most types of development. It will be a fairer and more transparent system which will also allow the cumulative effects of small developments to be better addressed. It would provide a significantly larger and more predictable flow of funding than exists with Section 106 Obligations. The CIL will be levied on virtually all new buildings, and will be charged in £s per square metre for all those liable to pay. Infrastructure improvements will not relate directly to the developer site making the contribution, but will occur throughout the borough in accordance with an adopted Infrastructure Plan which identifies infrastructure requirements and the funding gap to be funded by CIL.

Effectively these Regulations mean that if local authorities want significant funding for infrastructure they will have to adopt CIL. They will no longer have a choice to continue with an alternative tariff system for infrastructure under S106.

Regulations and Implementation

Draft CIL regulations were received in 2009 and made subject to public consultation. These were considered by the LDF Steering Group on 16 October and subsequently reported to Cabinet and the Planning Regulatory Board for information.

The final regulations have now been published and are due to come into effect in April 2010. The main changes are as follows:

- CIL will now be levied on net increase of floorspace rather than gross increase. This responds to the previous concern that redevelopment or refurbishment of existing buildings would be discouraged if a developer was required to pay CIL on the re-provision of existing floorspace as well as any extended area. (regulation 40).
- Allowing payments of CIL to be made in-kind in the form of land provided that land is transferred with the intention of providing infrastructure (regulation 73).
- The payment period is extended from 28 days to 60 days, with instalments for large sums increased to 240 days (regulation 70).
- A minimum 100 sqm threshold for CIL payments.
- Charities will receive a mandatory exemption from paying CIL (regulation 43-48).
- Social housing will be exempt from paying CIL (regulation 49-54).

- In exceptional circumstances, local authorities will be able to provide relief from CIL to developers (regulation 56-58).
- Enable the Secretary of State to direct that authorities may prudently borrow against future CIL income to allow infrastructure provision to be unlocked earlier in development (regulation 60).
- Authorities will be able to use up a maximum of 5% of income from CIL receipts to cover set up and monitoring costs (regulation 61).
- Reporting of CIL will now be in the LDF Annual Monitoring Reports with a deadline of 31st December (regulation 62).
- The Government believes the liability notice is sufficient warning about late payment surcharges and will not require local authorities to issue further warnings.

The regulations also proposed radical changes to the existing system of planning obligations:

- From 6 April 2010 it will be unlawful to consider an obligation if the development is capable of being charged CIL (regulation 122) and the obligation is not directly relevant to and reasonably related in scale and kind to the development.
- Up to 5 planning obligations can be pooled (regulation 123).
- On the day that a local authority introduces CIL, there will be a further scaling back of S106 obligations to prevent double charging for the same infrastructure (regulation 132).

Next steps

The government will now move on to the next phase of delivery, including:

- A new policy on planning obligations;
- New guidance and support for local authorities considering introducing the CIL; and
- Preparations for charging and collection systems.

The regulations were based on modelling estimates of generated revenues at £5,000 and £10,000 per dwelling, based on an average uplift of £57,000 per plot. This was based on land values in July 2008.

Before a Local Authority can establish a CIL, there has to be an adopted Core Strategy, an Infrastructure Delivery Plan, indicating what infrastructure is required for the Borough during the plan period, and a CIL charging schedule which will have to be made subject to an Examination in Public.

Conservatives Party Position

- Conservatives will return S106 to original function by limiting their use to stipulations relating directly to site specific remediation and adaptation.
- CIL scrapped.
- Non-specific planning obligations scrapped.

- Introduce a single unified local tariff applicable to all residential and non-residential development (even a single dwelling), but at graded rates depending on the size of the development.
- Each local planning authority will set its own tariff ad publish them in its local plan.
- A percentage from each building will be passed to the community in which the development takes place.
- Affordable units will be exempt.

(Source: Open Source Planning Green Paper, Conservatives, published Feb10)

Sheffield City Region Spatial Development Group - Community Infrastructure Levy (CIL) Sub-Group

The South Yorkshire Heads of Planning Services and Sheffield City Region (SCR) Spatial Development Group have identified the requirement for a working group to consider what a CIL programme could incorporate if implemented for SCR. This group, consisting of planning officer representatives from all local authorities in the Sheffield City Region has been formed to explore the potential benefits of joint working of any pan SCR introduction of CIL.

8. Finance

At this stage there are no direct financial implications associated with this report as it relates to a consultation document only. However, if the CIL is introduced there will be significant financial and administrative implications for the Council.

9. Risks and Uncertainties

There are no risks associated with this report which relates to the CIL Regulations only. However, should CIL be implemented then the risks will need to be identified and managed appropriately.

10. Policy and Performance Agenda Implications

At this stage these implications are not immediately apparent but a more satisfactory means of achieving developer contributions to both local and sub-regional infrastructure is likely to greatly assist Council policy and performance in securing Rotherham's future development needs.

11. Background Papers and Consultation

Community Infrastructure Regulations 2010
http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/reformplanningsystem/planningbill/communityinfrastructurelevy/

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RMBC TRANSPORT LIAISON GROUP
Monday, 22nd March, 2010

Present:- Councillor Smith (in the Chair); Councillors Atkin, Goulty, Pickering, Sims and Whysall; Mr. T. Kelsey and Mr. B. Walker.

together with:-

Kevin Bennett	South Yorkshire Safety Camera Partnership
Steve Betts	South Yorkshire Safety Camera Partnership
Scott Dernie	South Yorkshire Safety Camera Partnership
Stephen Hewitson	Rotherham Community Transport
Shayne Howarth	Stagecoach Yorkshire
Gillian Palmer	South Yorkshire Integrated Transport Authority
CI Andy Male	South Yorkshire Police
Richard Simons	First

Apologies for absence were received from Councillors Austen, Clarke, Doyle, Falvey, Littleboy, McNeely, R. S. Russell, Sharman, Whelbourn and Wootton; Gary Nolan and David Stevenson (Stagecoach East Midlands).

6. MINUTES OF THE PREVIOUS MEETING HELD ON 23RD NOVEMBER, 2009

The minutes of the previous meeting held on 23rd November, 2009, were noted.

7. ROAD SAFETY - SOUTH YORKSHIRE SAFETY CAMERA PARTNERSHIP

Chief Inspector Andy Male, South Yorkshire Police, introduced the South Yorkshire Safer Roads Partnership. It was very much a partnership initiative with the Police, the four South Yorkshire Councils and the South Yorkshire Safety Camera Partnership. A powerpoint presentation was given by Andy, Sandra Crofts (Road Safety Officer) and Scott Dernie (South Yorkshire Safety Camera Partnership) about the work of the camera partnership and how the Borough Council works with the partnership, as follows:-

The 5 key themes of Roads Policing
- Denying criminals use of the roads by enforcing the law
- Reducing road casualties
- Reducing anti-social use of the roads
- Tackling the threat of terrorism
- Enhancing public confidence and reassurance by patrolling the roads

Rotherham Borough Council's Role
- Drive for Life
- Theatre in Education

South Yorkshire Safety Camera Partnership

Ways to reduce casualties

- Education
  Attempt to influence the way in which people drive by making them more aware of the consequences of excessive or inappropriate speed
- Engineering
  Designing new roads or improvements to existing roads in a way that encourages safer and more responsible driving
- Enforcement
  Work with the Police to carry out enforcement of speed limits, targeted at locations where there are significant road casualties or where speeding is identified as a major concern by the community

Education

- Presentations to schools and driving groups
- Attending local events
- Campaigns
- Speed advisory letters for low-end speeding motorists
- Speed awareness courses

Enforcement
Where we enforce

- Core sites
  Sites that were approved by the Department of Transport
- Exceptional sites
  Community concern
  Temporary roadworks

Core Site Selection Criteria

- Core sites were selected using guidance published within the DfT Circular 01/2007
- Speed camera sites must have a history of collisions involving death or serious injury and also have a speed profile where at least 15% of drivers were regularly exceeding the ACPO enforcement threshold
- Red light sites must have a history of collisions involving death or serious injury and also have a history of collisions involving red light running

Exceptional Site Selection Criteria

- Complaint of excessive speed received
- Passed to the Local Authority to survey
- Consider
  Collision history Vehicle flows
  Environmental factors Engineering
  Speeds

How do you know where we are?
Site Signing Rules

- Co-located camera and speed limit repeater signs, or sign 880 where appropriate, must be placed in advance of the entry point to the site or route in the direction being enforced

- Camera signs must also be placed thereafter at intervals of around 1 km throughout the site or route

We have to be visible
- The operator, vehicle or equipment must be visible from the drivers' viewpoint at the following minimum distances:
  60 m where the speed limit is 40 mph or less
  100 m at all other speeds

Examples of Enforcement Equipment
- Fixed site speed camera GATSO
- Fixed site speed camera TRUVELO
- Red light camera
- Average speed camera SPECS system
- Mobile enforcement
  Range of between 23 and 1,000 m
  Constantly recording to a DVD
  Ability to capture other offences

The Future?
- Using mobile equipment to enforce other offences:-
  Mobile phone use
  Seatbelts
  Contravening solid white lines

Discussion ensued on the presentation with the following issues highlighted:-

- Mobile enforcement vans could capture vehicles in both directions
- The operators in the mobile enforcement vans were civilians under the control of the partnership and did not have Police powers
- The location of mobile speed cameras in operation were publicised on a weekly basis
- Cameras were installed in locations where there were accident and speeding problems
- Vehicle Number Plate Recognition exercises are carried out. A mobile van is linked to the Police National Computer and an alert given if the vehicle had no insurance or had criminal information markers
- The Safety Camera Partnership's task while on site was speed enforcement and they did not consider recognition of registration plates. This was carried out back at the office where a computer system would look at the characters on the plate and try and decipher them. There was then a team of viewing officers who carried out a second check.

8. UPDATES FROM THE TRANSPORT OPERATORS:-

(i) First

Richard Simmons reported that there were very few changes planned for

the foreseeable future. At the end of April there would be some minor changes on the Maltby and Whiston routes to improve punctuality.

(ii) Northern Rail (no-one present to report)

(iii) Rotherham Community Transport

Stephen Hewitson gave the following powerpoint presentation of the Rotherham Community Transport Ltd.'s Annual Meeting which was held on 2nd December, 2009:-

Annual Report April, 2008-March, 2009
- Provide an overview of the services provided up to March, 2009
- Examine key indicators about the way those services had performed
- Take a look at how the services were used
- What passengers said about their experience of using Community Transport

Supported Services
- Dial-a-Ride and RotherRide
- Shoppa Bus
- Group Travel (Older People and Disability Groups)

Door 2 Door Supported Services

– Dial-a-Ride	30,706
– Shoppa Bus	12,322
– Group Travel	15,903
– RotherRide	4,497
– RotherRide Shoppa	6,468
– Total	69,896

Dial and Ride – Community Transport

– BusClub	3,866
– Dial-a-Link	761
– Hospital Link	176
– Community Groups	2,299
– Schools	4,135
– Total	11,237

Social Care and Home to School

– Home to School Transport	14,028	
– Day Care Centres (LDS)		2,530
– Older People	7,280	
– Patient Transport Services	921	
– Total	24,802	

Personalised Care Services

– Care Link	147
– Visual Impairment Centre	1,380
– Total	1,527

Overall Services

- Supported Services 69,896
- Dial and Ride, Community Transport 11,237
- Social Care and Home to School 24,802
- Personalised Care Services 1,527
- Total 107,462

Operating Miles and Hours

	2007-08	2008-09
– Fleet Hours	26,294	30,094
– Fleet Mileage	382,329	420,830

Fleet Performance Indicators

	2007-08	2008-09
– Rides per hour	4.1	3.9
– Miles per Ride	3.6	3.7
– Fleet Utilisation (average hours per day)	3.8	4.0

Group Travel Bookings

2008-09	Bookings	Journeys
– Disability Groups	502	7,896
– Older People	301	7,826
– Community Groups	128	2,785
– Schools	182	4,135
– Total	1,113	22,646

Community Transport Survey 2008

- 479 community transport passengers replied to the 2008 survey
  - The majority of respondents were female and aged 75+
  - 86% live in a household without a car
  - 55% use a walking stick as a mobility aid
  - 21% use an electric wheelchair or scooter
  - 15% use a wheelchair
  - 52% used the Shoppa Bus
  - 25% used Dial-a-Ride

Satisfaction with the Service

- Satisfaction with most aspects of the service had increased since the previous survey in 2006
  - Overall satisfaction at 78.7 remains high (73.9 in 2006)
  - Ease of booking had increased most by 11.1 points
  - Helpfulness of drivers remains the most highly rated aspect with a score of 91.0
  - The only aspect to fall slightly was ease of getting on and off buses which had decreased by 3.6 points since 2006

Improving the Service

- Around half those replying to the survey said nothing needed

improving and they were satisfied with the service
- 22% thought times the service was available could be improved
- 19% would like the ease of getting on or off buses to be improved

Importance Ratings
- Respondents considered all aspects of the service to be very important
  - Helpfulness of drivers and safety on the journey were the most important aspects
  - Journey times and information the least important
  - Around 60% of respondents said they would be prepared to pay more to use community transport

Community Transport – Update March, 2010
Rotherham Shopper Bus
- 10% increase from October, 2009 –an additional 160 journeys a month to and from local shopping centres
- Door 2 Door service booked up to six days ahead
- Particularly popular with older people
- At least once a week from neighbourhoods around the Borough

2009 Survey
- Findings reported February, 2010
- "the helpfulness of drivers satisfactions core was the highest of the four major schemes" (in South Yorkshire)

Personalisation of Social Care
- Up to 400 journeys a month by people using Direct Payments to support their travel needs and benefit from activities run by organisations like Age Concern and Rotherham MBC Day Care Centres

Local Community Transport
- Continuing to work with Children and Young Peoples Services, Learning Disability Services, Neighbourhood and Adult Services to develop and deliver local services in Rotherham
- 2008-09 – 107,460 journeys
- 2009-10 – expected 13,000 journeys to March, 2010-0
- 2010-11 – up to 13,000 journeys a month from April, 2010 will generate 150,000+ journeys

(iv) South Yorkshire Integrated Transport Authority

(a) Rotherham Central Railway Station

Gillian Palmer reported that, with regard to the railway station, a launch event had been held on 22nd February, 2010, which had been well attended and a great success. It had received a lot of press coverage and very positive feedback. Work was progressing well. There had been some issues with drop-offs and parking outside the station even though it

had been advertised that George Street could be used. The Passenger Transport Executive Liaison Officer was to monitor the situation.

There had been a slight delay with the temporary station which would not now be ready until the middle of April. This had been communicated to as many of the Access Groups as possible and posters would be displayed. There would be a further communications update in the next few weeks and hopefully another round of press coverage.

(b) Bus Services

There had been problems with some services, Veola in particular. If anyone had any specific performance issues they should be passed to Gillian.

(v) Stagecoach East Midlands (apologies for absence from David Stevenson)

(vi) Stagecoach Yorkshire

Shayne Howarth reported that there would be minor changes in April.

Passenger feedback had been received regarding service No. 226 Barnsley to Thurnscoe. This had related to the Christmas period and traffic conditions which had impacted on reliability. In light of this, routes had now been swapped and the No. 222 operating from Brampton would now go via Grove Road and West Melton past the Church.

9. ANY OTHER BUSINESS

There was no other business to report.

10. DATE, TIME AND VENUE FOR THE NEXT MEETING

Agreed:- That a further meeting be held on Monday, 14th June, 2010, at 10.30 a.m., venue to be confirmed.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Cabinet Member for Economic Development, Planning and Transportation Delegated powers**
2.	**Date:**	**19 April 2010**
3.	**Title:**	**A630 Centenary Way/Main Street – Proposed junction improvement (Pool Green)**
4.	**Directorate:**	**Environment and Development Services**

5. Summary

To seek Cabinet Member approval not to proceed with the proposed junction improvement at Main Street junction with Centenary Way due to the estimated cost exceeding funds available. And to seek Cabinet Member approval to undertake the preliminary design and evaluation of an alternative means of managing traffic congestion and community severance at this location.

6. Recommendations

It is recommended Cabinet Member resolve that:

i) The original proposal to replace the existing roundabout with a traffic light controlled crossroads not be progressed

ii) preliminary design and evaluation be undertaken to determine an alternative proposal

iii) a further report be submitted to Cabinet Member for consideration

7. Proposals and Details

The South Yorkshire Intelligent Transport System (syITS) study undertaken by JMP Consulting recommended a series of junction improvements at key locations in Rotherham town centre in 2007. Those locations being Ickles roundabout, Pool Green roundabout, College Road roundabout and St. Ann's roundabout. A report to Cabinet Member meeting on 21 May 2007, Council Minute No. 300 refers, outlined the results of the study. The study identified that due to financial constraints the implementation of any improvements had to be prioritised and College Road roundabout and St. Ann's roundabout demonstrated the best value. Nevertheless this study identified that a traffic light controlled crossroads in place of the existing roundabout at Pool Green would ease congestion on this part of Centenary Way, the estimated cost of such an improvement was approximately £3million.

At Cabinet Member meeting on the 17 March 2008, Council Minute No. 221 refers, approval was sought to undertake detailed design and consultation on the design originally proposed by JMP Consulting from the syITS study. At this stage funding was also identified through the Local Transport Plan (LTP) Strategic Schemes allocation. The original JMP design was amended to satisfy community concerns about community severance. A report was submitted to Cabinet Member meeting on the 29 June 2009, Council Minute No. 21 refers, identified an alternative crossroads arrangement that reduced the overall size of the junction and provided an opportunity for adjacent development that was identified in the Rotherham West Central Action Plan. At the meeting of the 29 June Cabinet Member approved the recommendation to undertake further detailed design and that a cost estimate be reported to a future Cabinet Member meeting.

Detailed design has now reached the stage where there is confidence a design could be constructed and statutory undertakers have been consulted to establish any likely costs to protect or divert their services. The original allocation from the LTP Strategic schemes fund was £2.9million spread over 2 financial years, the current estimated cost is now £4million this increase is due to a combination of additional construction costs and costs to divert statutory undertakers' equipment for example one utility is estimating £600,000 to divert their services.

The current allocation Rotherham has from the LTP Strategic schemes fund is £3.066million in 2010/2011. At present the LTP allocations for 2011/2012 are unknown and will depend upon various issues such as the result of the General Election and the proposed Comprehensive Spending Review. However, later in 2010 it is anticipated that there could be a cut in LTP spending in the region of 40% and based on this the LTP Central Team have indicated that Rotherham's potential allocation from the Strategic Fund for 2011/12 could be £1.1million. The total allocation for 2010/11 and 2011/12 financial years is therefore anticipated to be £4.2million, which to proceed with this particular project would require all other transportation projects, that are funded from this source, to be curtailed. This would affect the delivery of other projects, including the A57 and Waverley Link Road major schemes, the preparatory costs of which are funded from the Strategic Fund (£300,000 for each in 2010/11), the funding of emergency repairs to a bridge on the A630 Parkway (£500,000 in 2010/11) and further funding for the A631 West Bawtry Road major scheme (£140,000 in 2010/11). It would be

very difficult to progress these schemes in the absence of strategic funding without having a significant adverse effect on the delivery of our local LTP Integrated Transport Programme (Local Safety, Traffic Management, Pedestrian Crossing, Cycling, Walking and Parking schemes). It is unlikely that the estimated costs associated with the signalisation of Pool Green junction would reduce. Furthermore, It is unlikely that additional funding sources could be identified as in the current economic climate all funding sources are stretched and the Council may be at risk of having to make up any shortfall in funding. With this in mind it would be prudent to not proceed with this project at this time. Those schemes in Rotherham included within the proposed Strategic Fund programme for 2010/11 and 2011/12 are shown in Appendix 'A'.

The proposed scheme aimed to address congestion and community severance issues experienced at this location and whilst a signalised crossroads manages to deliver these aims it is at some considerable cost. Officers have therefore been exploring other means of delivering similar outcomes without significant alterations to the roundabout. The detail of any proposals including the associated costs, will be reported to a future Cabinet Member meeting.

8. Finance

The current proposal should be deleted but the current funding of approximately £450,000 from the LTP strategic schemes fund for 2010/11 should be used to develop and deliver in part an alternative traffic management scheme with further funding identified for 2011/12 from the LTP strategic scheme fund if require ed.

9. Risks and Uncertainties

An alternative proposal may not be as successful at achieving the goals of easing congestion and relieving the impression of some of the residents of Masbrough residents regarding community severance. Furthermore future years LTP strategic funding is uncertain.

10. Policy and Performance Agenda Implications

The aims of this proposal meet with the objectives of LTP 2 in reducing congestion and improving pedestrian accessibility.

11. Background Papers and Consultation

Council Minute No's 300, 221 and 21 of May 2007, March 2008 and June 2009 respectively.
LTP Strategic Fund Programme Prioritisation Options
South Yorkshire Intelligent Transport System (syITS) study (author JMP consulting)

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RMBC Schemes Only
LTP Strategic Fund Programme

Appendix A

								2008/09	2009/10	2010/11	2011/12
LTP Ref	Finance Code	Scheme Title	LTP Theme	DfT Scheme Code	Total Score	Lead Partner	Area	Final Spend	Programme Entry	Proposed Programme Entry allocation	Proposed Programme Entry allocation
R004	74004	College Road Roundabout	CDP	TM	25	RMBC	R		£25,000.00		
R007	74005	A57 M1 Junction 31 to Todwick Crossroads Improvement Prep Costs	Major Scheme	RD	23	RMBC	R	£200,000.00	£344,000.00	£295,000.00	£150,000.00
R008	74000	RMBC Objective 1 Programme	Obj. 1 Commitments	OS	25	RMBC	R	£464,210.00	£350,000.00	£364,761.00	£131,750.00
R009	74006	Waverley Link Road Prep Costs	Major Scheme	RD	25	RMBC	R	£127,049.00	£280,000.00	£300,000.00	£350,000.00
R010	74007	SY Mobile Air Quality Monitoring Project	Other SY Wide Strategic Initiative	OS	19	RMBC	B-D-R-S	£17,000.00	£20,000.00	£20,000.00	£20,000.00
R011	74008	A631 West Bawtry Road Improvement Local Contribution	Major Scheme	RD	22	RMBC	R	£300,000.00	£800,000.00	£140,000.00	
R012	74010	Rotherham Northern Orbital Route Improvement Prep Costs	Major Scheme	TM	22	RMBC	R		£25,000.00	£100,000.00	
R013	74011	A630 Sheffield Parkway - Tinley Marshalling Yard PRN Bridge Improvement	Maintenance	MM	22	RMBC	R		£600,000.00		
R024	78000/23	WFP - ETP Initiative 75+ Year Old Pedestrians Rotherham A631	SY Casualty Reduction	LS		RMBC	R		£25,960.00	£22,000.00	
R002	74002	A630 Centenary Way / Poole Green Roundabout	CDP	TM	24	RMBC	R	£39,225.00	£75,000.00	£450,000.00	£200,000.00
R019	74013	A630 / A6123 Mushroom Roundabout Improvement	CDP	TM	22	RMBC	R		£50,000.00	£750,000.00	£250,000.00
R005	74009	Rotherham Town Centre to Wickersley Route Improvement	Strategic Accessibility	RD	22	RMBC	R		£35,000.00	£350,000.00	
		Connect 2	Other SY Wide Strategic Initiative			SCC	S/R			£75,000.00	
		A631 Parkway Bridge	Maintenance	MM		RMBC	R			£200,000.00	
				Totals for Prioritised Schemes				**£1,147,484.00**	**£2,629,960.00**	**£3,066,761.00**	**£1,101,750.00**
R003	74003	St Ann's Roundabout	CDP	TM	26	RMBC	R		£125,000.00		
R020	74014	Rotherham Cycle Network (investigation / assessment)	Other 'local' initiative of strategic significance	CY	16	RMBC	R		£25,000.00		
R014	74012	A630 Centenary Viaduct & Crinoline Bridge PRN Bridge Improvements	Maintenance	MM	23	RMBC	R		£900,000.00		

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Economic Development, Planning and Transportation Matters**
2.	**Date:**	**19 April 2010**
3.	**Title:**	**Review of speed limits on A and B classified Roads**
4.	**Programme Area:**	**Economic and Development Services**

5. Summary

To inform Cabinet Member on the outcome of a review of all speed limits on A and B classified roads in Rotherham in accordance with Central Government guidance set out in DfT Circular 01/2006 and seek Cabinet Member approval to proceed with a programme of amendments identified in this report.

6. Recommendations

Cabinet Member resolve that:

(i) the roads identified in this report at Appendix 'A' as requiring a change to their current posted speed limit be statutorily consulted upon in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996,

(ii) the speed limits on those roads identified in Appendix 'B' be reviewed once physical engineering measures have been implemented and a further report submitted

7. Proposals and Details

The report to Cabinet Member in October 2006 (Minute No.116 refers) briefly outlined new Central Government guidance on the setting of speed limits and further required all local Highway Authorities to review existing speed limits on A and B classified roads. A further report was submitted on the 20 April 2009 (Min No. 220 refers) recommending the adoption of a South Yorkshire Speed Management Plan prepared by WSP Development and Transportation consultants as means of undertaking this review.

The review is now complete and the five Highway Authorities have agreed those speed limits that are recommended for amendment. Attached as Appendix 'A' is a list of roads in Rotherham where the speed limit should change before 2011 as indicated in the Central Government advice. A further list of roads attached as Appendix 'B' indicates roads where the review suggests engineering measures should be implemented to achieve a reduction in the posted speed limit. The proposed engineering measures would be primarily aimed at improving accessibility and road safety but would also have a positive effect on reducing vehicle speeds. It is suggested that the roads identified at Appendix 'A' are amended this calendar year with those identified at Appendix 'B' being reviewed again once suitable measures have been identified and implemented however this will be subject to securing the necessary funding.

South Yorkshire Police have been involved in the review process and it is now proposed to commence the formal traffic regulation procedure. In order to make as much of the community aware as possible it is proposed to brief the Area Assemblies and to publicise the proposals in the press and on our web site.

8. Finance

The promotion, consultation and implementation of the proposed traffic regulation orders for those roads identified in Appendix A is estimated to cost £50,000. Funding for this has been allocated from the Local Transport Plan Integrated Transport budget for 2010/11.

9. Risks and Uncertainties

The promotion of any changes to a traffic regulation order requires extensive public consultation which could delay or halt its implementation.

10. Policy and Performance Agenda Implications

The setting of realistic speed limits that are adhered to and understood by the public will contribute positively towards casualty reduction targets set out in the Local Transport Plan and help in terms of community and quality of life issues.

11. Background Papers and Consultation

Department for Transport Circular 01/2006
South Yorkshire Speed Management Plan – WSP Development and Transportation
Cabinet Member report of 16 October 2006 Council Minute No.116
Cabinet Member report of 20 April 2009 Council Minute No.220

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APPENDIX A

Road classification	Road name	Extents	Area Assembly area	Current speed limit (mph)	Proposed speed limit (mph)	Are physical measures required
A618	Pleasley Road, Whiston	A631 Whiston crossroads to village boundary	Rotherham South	40	30	NO
A631	Tickhill Road, Maltby	30mph speed limit change west of Glencairn Close	Wentworth Valley	40	30	NO
A6023	Wath Road, Manvers	Manvers roundabout to Borough Boundary	Wentworth North	Derestricted	40	NO
B6059	Red Hill, Kiveton Park	30mph speed limit to derestricted limit	Rother Valley South	40	30	NO
B6089	Stubbin Road, Rawmarsh	Cortworth Lane to Hoober Lane	Wentworth North	Derestricted	40	YES as part of a Local Safety Scheme
B6098	Bolton Road, Manvers	Manvers roundabout to Borough boundary	Wentworth North	Derestricted	50 & 40	NO

Road classification	Road name	Extents	Area Assembly area	Current speed limit (mph)	Proposed speed limit (mph)	Are physical measures required
B6410	Worrygoose Lane, Whiston	Moorhouse Lane to 30mph speed limit (Cowrakes Lane)	Rotherham South	Derestricted	40	NO
B6427	Fish Pond Lane, Near Braithwell	Existing commencement of 30mph limit to borough boundary	Wentworth Valley	30	Derestricted	NO

APPENDIX B

Road classification	Road name	Extents	Area Assembly area	Current speed limit (mph)	Potential speed limit (mph)	Are physical measures required
A629	Upper Wortley Road, Thorpe Hesley	200m east of London Way to 50m east of Scholes Lane	Rotherham North	40	30	YES
A629	Upper Wortley Road, Kimberworth	Droppingwell Road to existing 30mph limit	Rotherham North	40	30	YES
A6021	Broom Road, Rotherham centre	Broom Lane junction to 30mph speed limit	Rotherham South	40	30	YES
A6021	Wickersley Road, Broom	Broom Lane junction to Stag roundabout	Rotherham South	40	30	YES
A6021	Wickersley Road, Stag	Stag roundabout to Brecks	Rotherham South	40	30	YES

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Economic Development, Planning and Transportation Matters**
2.	**Date:**	**19th April 2010**
3.	**Title:**	**Objections to proposed peak time loading restrictions on A633 Rawmarsh Hill, Parkgate**
4.	**Directorate:**	**Environment and Development Services**

5. Summary

Reporting two objections to a proposed Traffic Regulation Order that would see a peak time loading restriction Monday to Saturday 08:00-09:30 and 16:00-18:00 introduced on part of A633 Rawmarsh Hill, Parkgate.

6. Recommendations

Cabinet Member resolves that:

- **The objections to the loading restrictions are not acceded to and the objectors informed of the decision.**
- **The amended proposal is approved and the peak time loading restriction (Monday to Saturday 08:00-09:30 and 16:00-18:00) Traffic Regulation Order be made by the Assistant Chief Executive of Legal and Democratic Services.**

7. Proposals and Details

The Planning and Transportation Service in partnership with the South Yorkshire Passenger Transport Executive (SYPTE) and Bus Operators make up the Key Routes working group. One of the aims of this group is to improve the reliability and punctuality of bus services across the borough.

A633 Rawmarsh Hill, Parkgate, which forms part of the Rotherham-Dearne Key Bus Route (formerly Quality Bus Corridor), has been identified as a link on which bus services are disadvantaged by parked vehicles that are loading and unloading to various premises along the road. There is currently a 'working day' waiting restriction for this section on Rawmarsh Hill that prohibits waiting between the hours of 8am and 6pm. However, as this does not prohibit loading or unloading the free and safe movement of traffic is sometimes adversely affected and this can be especially disadvantageous for scheduled bus services. This road is also identified as a congestion route in South Yorkshire's Second Local Transport Plan so it is important to assist with ensuring the primary purpose of a Highway, the right of free passage, for road users.

Proposals were advertised in late 2009 that would see the introduction of a Traffic Regulation Order to prohibit loading Monday to Saturday during the peak hours of 08:00-09:30 and 16:00-18:00. These are the key periods of the day when the route is busiest and the free movement of traffic along the corridor is the most important function of the road. South Yorkshire Police have been consulted on these proposals and support their introduction. However, two objections were received from local businesses (Appendix A) who objected on the grounds that these restrictions would adversely affect their business practises. One business has deliveries which they claim takes hours rather than minutes to unload and another has regular collections made at the start and end of the business day.

Having re-examined the proposals to see if disruption to business can be minimised it is considered that the proposed restriction, with a slight amendment, is still the best way to ensure an improvement to traffic movements during the peak hours. However, the width of the road on Rawmarsh Hill does vary and could potentially accommodate a stationary vehicle where it exceeds 9metres. The southern section of A633 Rawmarsh Hill between Number 32 and the Pelican Crossing to the south is just over 9metres in width and could potentially accommodate a stationary vehicle on the western side whilst still seeing two way free flow of traffic alongside. The northern part from Number 34 northwards is less than 9metres wide and could not safely accommodate a stationary vehicle whilst also maintaining two way free flow. Therefore, it is recommended that the length of road covered by the proposed loading restriction is amended and a shorter length on the western side is introduced as shown on Drawing No 126/18/TT486B (Appendix B). This would leave a 46 metre length of road without a peak hour loading restriction close to businesses at the bottom of the hill. There is insufficient width on the rest of Rawmarsh Hill to accommodate a similar gap elsewhere. This would mean that businesses would have to receive deliveries or load outside of the peak hours. This is already the case for premises on Broad Street, south of

Rawmarsh Hill where peak hour loading restrictions have been in place for several years.

8. Finance

The proposed Traffic Regulation Order to assist with improving bus and general traffic movements and the associated signing and lining is to be funded by the South Yorkshire Passenger Transport Executive (SYPTE) as part of their Hotspots programme funded from the South Yorkshire Strategic Fund.

9. Risks and Uncertainties

Without the introduction of the peak hour loading restrictions, scheduled bus services in particular would continue to be adversely affected making it more difficult to keep to timetable.

10. Policy and Performance Agenda Implications

A reduction in congestion and improved accessibility are key themes of South Yorkshire's second Local Transport Plan.

11. Background Papers and Consultation

Consultation with SYPTE and bus operators
May 2009 Statutory bodies and Ward Member consultation
October 2009 Public consultation

Contact Name : *Richard Baker, Senior Technician, 2939*
richard-eds.baker@rotherham.gov.uk

Appendix A

Baker, Richard-EDS

From: John Brailsford [redacted]
Sent: 04 October 2009 00:41
To: Baker, Richard-EDS
Cc: Transportation
Subject: A633 Rawmarsh Hill : Loading Restriction : Response from JOHN BRAILSFORD PRINTERS

For the attention of RICHARD BAKER
Rotherham Metropolitan Borough Council
Bailey House
Rawmarsh Road
Rotherham S60 1TD

Your Reference 126/18/1349

Dated 3rd October 2009

Dear Sirs,

OBJECTION *Without Prejudice*

We are in receipt of your document relating to peak hour restriction on loading at Rawmarsh Hill and wish to express our objection to this proposal.

We believe this restriction will adversely effect our business and trading style and we shall issue instructions to our legal advisors
to appeal against this restriction and claim financial damages for our business should this proposal go ahead.

We understand the suggestion behind this proposal but having successfully traded with minimum disruption on Rawmarsh Hill for 25 years we consider the
recommendation will affect our business severely for the following reasons:

During Monday to Friday (our working week)

- Our business customers use our trading hours of 8.30 am until 6 pm to collect their work, by its nature, printed work is heavy and often can fill many boxes and even pallets,
our customers need the flexibility of bringing their vehicle to the front of our premises to load, usually only taking 4-5 minutes, restricting this collection to the hours noted,
we believe will make a huge impact on the choice of our customers use of ourselves or another supplier, this will inevitably affect our trade and subsequently our employees futures.

- We receive paper supplies that are supplied on pallet lots and need to be delivered via a tail lift vehicle each day, our suppliers deliver between 8 am and 8.30 am each day in order
that we have supplies ready to use during our workday.

- We receive a collection from our courier services each day at 5 pm to collect our parcels, often this runs to several hundred boxes each day

- We receive a Royal Mail collection each day at 5.15pm to collect our mail often multiple mail sacks.

John Brailsford Print is situated at the widest point on Rawmarsh Hill and even with vehicles loading at our premises this does not stop the flow of traffic because the road is wide enough
for moving traffic to pass on both sides of the road, we never have any ***indiscriminate*** loading to our business premises, the loading we have is ***essential*** to our business

We would encourage you to reconsider this proposal, especially in light of a highly successful business that

has traded and supported the community, local workforce and added substantial revenue through business rates and taxes for almost 25 years and that this proposal might in short, jeopardise the future of our company and our role in the support of encouraging the growth of business in Rotherham.

Please ensure that you supply an email response in the first instance and state your receipt and forwarding of our objections and the acceptance of such to the appropriate department.

Also sent by FAX to 01709 822370 duly signed.

Yours sincerely,

JOHN BRAILSFORD

John Brailsford Print (Yorkshire) Ltd
30 Rawmarsh Hill
Parkgate
Rotherham
South Yorkshire
S62 6EU

Baker, Richard-EDS

From: Lenin Narwal [redacted]
Sent: 16 October 2009 00:57
To: Baker, Richard-EDS
Subject: A633 Rawmarsh Hill - Proposed peak hours restriction on loading

Dear Richard,

I strongly object to the above mentioned proposal currently advertised by notice in the local press and with site notices on A633 Rawmarsh Hill.

I operate a Bargain Booze Franchise from 58 Rawmarsh Hill, Parkgate, Rotherham S62 6EU and receive a large stock delivery of 12/14 pallets every Friday morning. The delivery usually arrives betweeen 07:00am and 08:00am and usually takes the driver and driver's mate between 4 to 5 hours to unload the stock. If this proposal is passed this would not only cause me great inconveneince but also to my customers as we start getting quite busy in the early afternoon. Later delivery times would lead to an increase in the unloading times and due to busier afternoon periods this will compromise our customers health and safety as well.

I hope you take into consideration my objection to your proposal before making any decisions.

Regards
Lenin Narwal
Director
Bargain Booze

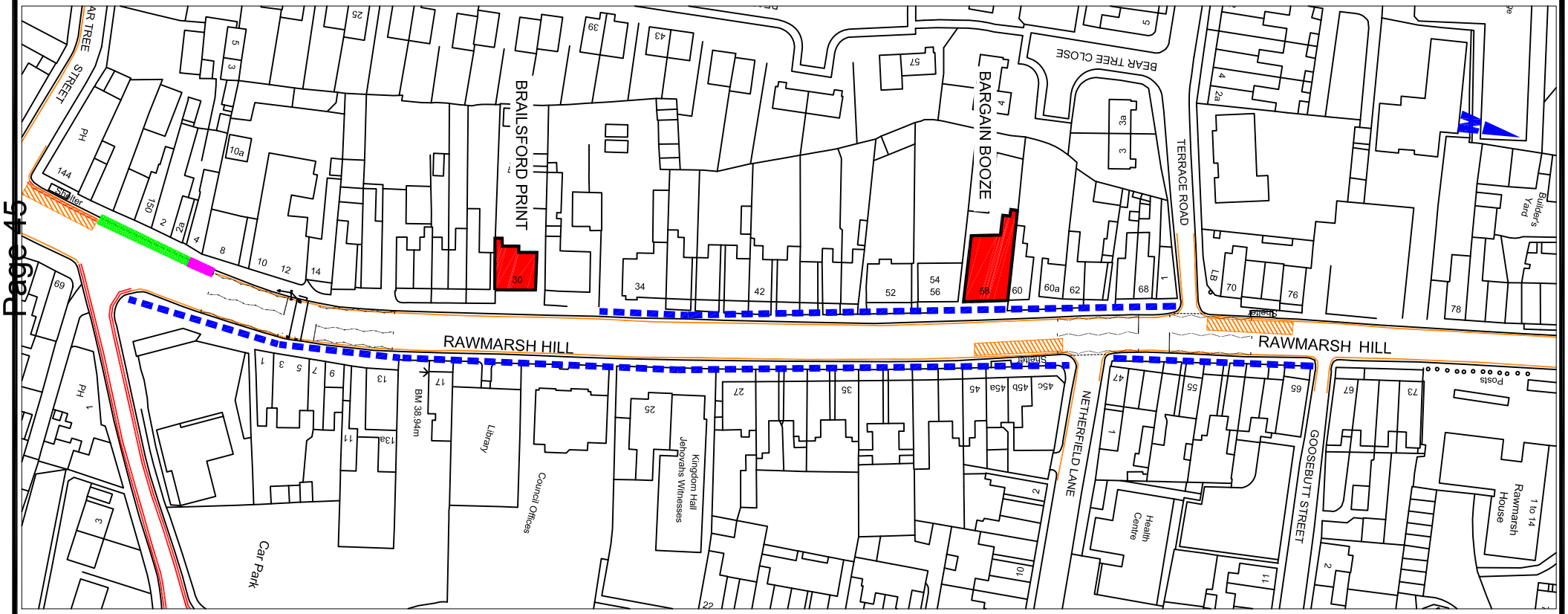
KEY:

PROPOSED RESTRICTIONS

- PROPOSED NO LOADING MON-SAT 8AM-9:30AM AND 4PM-6PM

EXISTING RESTRICTIONS

- NO WAITING AT ANY TIME
- NO WAITING MON-SAT 8AM-6PM
- WAITING LIMITED TO 1 HOUR NO RETURN WITHIN 3 HOURS MON-SAT 8AM-6PM
- 24HR BUS STOP CLEARWAY
- DISABLED PERSONS PARKING PLACE ALLDAYS 24HRS



Rotherham Metropolitan Borough Council
Environment & Development Services

Strategic Director:
Karl Battersby Bsc (Hons) MTPL MRTPI

Rotherham Metropolitan Borough Council
Environment & Development Services
Bailey House, Rawmarsh Road,
Rotherham S60 1TD

Client: MAKING SOUTH YORKSHIRE ROADS SAFER

Title	PROPOSED PEAK PERIOD LOADING RESTRICTIONS - A633 RAWMARSH HILL [126/18/1349]		
Dwg. No.	126/18/TT486B	Scales (if A4)	1:1250
Drawn RB	Date MAR 10	Chd. by ASB	

Appendix B

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	Cabinet Member for Economic Development, Planning and Transportation.
2.	**Date:**	Monday, 19th April, 2010
3.	**Title:**	Amendments to the Scheme of Delegation for the Director of Planning and Regeneration
4.	**Programme Area:**	Environment and Development Service

5. Summary

To consider proposed amendments to the Council's Scheme of Delegation relating to powers delegated to the Director of Planning and Regeneration in relation to the Development Control functions of the Service.

6. Recommendations

(i) That the Cabinet Member notes the proposed changes to the Scheme of Delegation.

(ii) That the reviewed Scheme of Delegation be presented to the Planning Board, Cabinet and Council for formal approval, being a change to Council policy.

7. Proposals and Details

The Scheme of Delegation was last amended by the Council in 2007 and the current report sets out further changes proposed to the scheme. The proposed revised Scheme is attached at Appendix 1, and the existing Scheme is attached at Appendix 2.

The changes proposed are primarily those of clarification and to address some anomalies that occur under the current Scheme. The main changes can be summarised as follows:

- To determine applications (where no objections) for the erection of up to 9 dwellings on sites allocated for residential purposes (previously it was over 5 dwellings).

- The approval of reserved matters for up to 14 dwellings (previously up to 25 dwellings). The Scheme would reduce the level at which reserved matters applications for residential schemes have to be referred to Members, due to the reduction in the level required to trigger affordable housing provision. The level would drop from 25 units to 14, and as such any reserved matter application for 15 or more dwellings would now be referred to Members.

- The determination as to whether outline applications can be determined under delegated powers now includes reference to the accompanying design and access statements and their indication of upper limits on numbers of units/floorspace. For example, where the design and access statement indicates that 10 or more dwellings would be provided on the site, the application would be reported to Board.

- The erection of up to 14 dwellings on land where there has been an approval within the previous 3 years (previously up to 10).

- Applications for up to 5 dwellings submitted by the Council (NEW).

- Applications for Hazardous Substance Consent, unless objection has been received from the Health and Safety Executive or Environment Agency and it is proposed to grant consent (NEW).

- Applications for non-material amendments (the Council has 28 days to determine if amendments to existing permissions can be dealt with as non-material (or ‘minor’) amendments where no further application for planning permission would be required) (NEW).

- Various enforcement powers not originally included in the Scheme of Delegation (such as power to issue a tree replacement notice, power to issue a Discontinuance Notice, and power to issue a Section 215 Notice requiring owner to clear up land). The S215 Notice was previously removed from the Scheme as the function was taken on by the Director of Housing and Neighbourhoods, who would continue to be the primary user of the power, though it will allow the

Director of Planning and Regeneration to once again pursue this option where appropriate.

8. Finance

There are no financial implications relating to the proposed changes to the Scheme of Delegation.

9. Risks and Uncertainties

The revised Scheme will avoid possible challenges to the determination of planning applications

10. Policy and Performance Agenda Implications

The Scheme of Delegation continues to contribute to the Council's performance figures relating to the determination of planning applications. Certain anomalies have arisen as a result of working with the current Scheme and further improvements/clarifications have also been identified. To address these issues it is recommended that the Scheme is further amended.

11. Background Papers and Consultation

The proposed and existing Schemes are attached at Appendix 1 and 2 respectively.

Contact Name : Chris Wilkins,
Assistant Development Control Manager
Planning and Regeneration Service,
Extension 3832, chris.wilkins@rotherham.gov.uk

APPENDIX 1 – PROPOSED SCHEME OF DELEGATION

(A) Development Control

Delegated powers to Director of Planning and Regeneration Service relating to the Development Control functions of the Service are also exercised by the Planning Manager, Area Development Control Managers, and the Planning Delivery Manager.

General

Approve applications within Sections 1 – 6A except where objections (other than anonymous objections) have been received, (see section 9.1 below).

Refuse applications within Sections 1 – 6A even where objections have been received, other than where application is retrospective (see section 9.2 below).

The approval/refusal of applications under Section 6 (B), irrespective of the number of letters of objection.

Refuse an application where the plans are inadequate or supporting information is insufficient and this is the primary reason for refusal.

Under Article 25 of the General Development Procedure Order 1995, to 'finally dispose of' applications in accordance with the terms of the Order.

1. Applications for householder development:

1.1 Alterations or extension to dwelling houses.

1.2 Erection of buildings within the curtilage of residential properties, to include garages etc.

1.3 Erection of a fence, wall, gate, or other means of enclosure.

1.4 Formation of a vehicular access onto a classified road.

1.5 A minor householder development not falling within the above criteria.

2. Applications for residential development:

2.1 Conversion of a building to a dwelling house.

2.2 Conversion of a building to up to 9 flats.

2.3 The erection or conversion of up to 14 dwelling houses on land for which planning permission has been granted within the past 3 years.

2.4 The approval of reserved matters (up to 14 units) in respect of dwelling houses or of flats.

2.5 Erection of up to 9 dwellings or 9 flats within an area allocated for residential development in the Unitary Development Plan (including Mixed Use allocations that include C3 residential in the 'mix').

2.6 Outline applications where the accompanying Design and Access Statement indicates an upper limit of 9 dwellings within an area allocated for residential development in the Unitary Development Plan (including Mixed Use allocations that include C3 residential in the 'mix').

3. Applications for commercial, industrial, retail, leisure or recreation development:

3.1 A modification or construction of a new shop front, including installation of security shutters.

3.2 A minor change of use or other minor development.

3.3 The display of an advertisement (Section 220 of the Town and Country Planning Act 1990).

3.4 Outline applications where the accompanying Design and Access Statement indicates an upper overall floorspace limit of 2,000 square metres or changes of use of land with a site area up to 2 hectares, both where the site is allocated as such in the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix').

3.5 The change of use of buildings or erection of new buildings and reserved matters relating to such development or related mixed use schemes, all where the total floor area proposed is under 2,000 square metres, on land either currently used for that purpose, or allocated as such within the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix').

3.6 The alteration or extension (up to 2,000 square metres) of premises within an area allocated for such use in the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix') or in an existing area or complex containing such uses.

3.7 The erection of overhead electricity lines up to 66KV, and installation of statutory undertakers equipment, which is not classed as permitted development.

3.8 Any other minor development not referred to above.

4. Applications submitted by the Council

4.1 Applications submitted by the Council, either solely or in conjunction with a partnership body, for small scale development, such as small new buildings/extensions to Council buildings (up to a floor area limit of 300 square metres), formation of related parking areas, temporary buildings, fencing, etc.

4.2 Up to five houses.

5. Applications for Minerals and Waste:

5.1 Except where reserved to the Planning Board, the determination or amendment of reserved matters, in an application for planning permission, relating to schemes of working, restoration and aftercare.

5.2 The siting of plant, machinery, buildings, structures or erections, proposed by a minerals undertaker under Part 19 of Class B of the Town and Country Planning (General Permitted Development) Order 1995.

5.3 The siting of plant, machinery, buildings, structures or erections, proposed by the Coal Authority or a licensed operator on an authorised site under Part 20 of Class C of the Town and Country Planning (General Permitted Development) Order 1995.

6. Other application types:

(A)

6.1 Applications for Conservation Area Consent, relating to development falling within the scheme of delegation.

6.2 Applications for Listed Building Consent for Grade 2 Listed Buildings for development falling within the scheme of delegation.

6.3 Variation or discharge of conditions (Section 73 and Section 73A of the Town and Country Planning Act 1990) on previous approvals not determined by the Planning Board.

6.4 Applications to prune and fell trees covered by Tree Preservation Orders.

6.5 Applications for prior approval (as set out in the Town and Country Planning (General Permitted Development) Order 1995) including those relating to agricultural development, demolition, and telecommunications apparatus.

6.6 Applications for Hazardous Substance Consent, unless objection has been received from the Health and Safety Executive or Environment Agency and it is proposed to grant consent.

6.7 Applications for non-material changes to planning permission.

(B)

6.8 Power to determine certificates of lawfulness of existing and proposed use/operations in respect of Sections 191 and 192 of the Town and Country Planning Act 1990.

6.9 Applications to prune and fell trees subject to 6 weeks notice within a Conservation Area

6.10 Applications for works to, and the removal of historic hedgerows

7. Miscellaneous

7.1 The determination of the need for an Environmental Impact Assessment and screening and scoping, in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended).

7.2 The carrying out of statutory publicity and consultation.

7.3 The determination of whether an application constitutes a departure from the Development Plan.

7.4 The undertaking of negotiations to conclude an agreement under Section 106 or S106A of the Town and Country Planning Act 1990.

7.5 The making of Tree Preservation Orders under S198 of the Town and Country Planning Act 1990.

7.6 The confirmation of Tree Preservation Orders where no objections have been received.

7.7 Power to decline to determine applications for planning permission, under Section 70A and 70B of the Town and Country Planning Act 1990.

7.8 The approval and discharge of details required by a planning condition, unless minuted by Planning Board that they wish to agree the details.

7.9 The taking of all necessary steps in relation to appeal proceedings, to include steps to settle the same.

7.10 Responses to consultations from other Local Planning Authorities on planning applications covered under this Scheme of Delegation.

7.11 The determination as to whether a planning application submitted constitutes permitted development.

8. Planning Enforcement (see also Section 9)

8.1 Power to authorise entry onto land (under Section 196A and S214B of the Town and Country Planning Act 1990).

8.2 Power to seek a warrant for entry onto land in the magistrates court (Section 196B and S214C) of the Town and Country Planning Act 1990).

8.3 Power to issue a requisition for information (Section 330 of the Town and Country Planning Act 1990).

8.4 Power to issue a planning contravention notice (Section 171C of the Town and Country Planning Act).

8.5 Power to issue a breach of condition notice (Section 187A of the Town and Country Planning Act).

8.6 Power to issue a tree replacement notice (Section 207 and 209 of the Town and Country Planning Act 1990).

8.7 Power to issue a hedgerow retention notice and a hedgerow replacement notice under the requirements of the Hedgerow Regulations 1997.

8.8 Where there is a breach of planning control, the determination as to whether it is expedient to take action.

8.9 Power to authorise compliance with Criminal Procedure and Investigations Act 1996 when pursuing prosecutions.

8.10 Power to issue a Discontinuance Notice pursuant to Regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8.11 Power to issue notice requiring land/buildings to be maintained (S215 of the Town and Country Planning Act 1990).

8.12 Power to authorise surveillance under the Regulation of Investigatory Powers Act 2000 (this power only exercised by the Director of Planning or the Planning Manager).

8.13 Power to issue a Completion Notice under S94 of the Town and Country Planning Act 1990.

9. In consultation with the Chair and Vice Chair

9.1 The approval of an application under sections 1 - 7(A) of the Scheme of Delegation where no more than 5 objections have been received (separate objections from separate addresses – separate names on petitions are only counted if they are provided with an address).

9.2 The refusal of a retrospective application, irrespective of whether objections have been received, to allow possible enforcement action to be considered, other than proposals falling within Schedule 1 of the Environmental Impact Assessment Regulations.

9.3 The issue of a planning Enforcement Notice, Listed Building Enforcement Notice, Temporary Stop Notice or Stop Notice.

9.4 The pursuance or not of a prosecution in respect of:

- Failure to return a requisition for information (S330 Notice) or planning contravention notice.
- Failure to comply with a planning/listed building enforcement notice/ temporary stop notice/ stop notice or breach of condition notice.
- The unauthorised display of advertisements.
- Unauthorised works to listed buildings.

- Unauthorised works to a protected tree/tree within a Conservation Area.
- Failure to comply with requirements of a S215 Notice.
- Any other offence under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning (Hazardous Substances) Act 1990.

9.5 The authorisation of default works under relevant Sections of the Town and Country Planning Act.

9.6 To agree Section 106 Agreements of a minor nature (such as relinquishing an extant permission) and agree applications for amendments of a minor nature to completed S106 Agreements or amendments of a minor nature to the Heads of Terms of S106 Agreements endorsed by Board but not as yet signed.

(Note: Where agreement cannot be reached between Officers and Chairman and Vice Chairman under Sections 9 the matter shall be referred to the Planning Board.)

APPENDIX 2 – EXISTING SCHEME OF DELEGATION

Development Control

The powers are limited to the following extent

- Approve Applications under sections 1-6 below, except where objections have been received.
- Refuse applications under sections 1-6 below even where objections have been received, other than where more than 5 objections received or where application is retrospective (see 9 below).
- Refuse an application where the plans are inadequate or supporting information is insufficient and this is the primary reason for refusal.
- Under Article 25 of the General Development Procedure Order 1995, to 'finally dispose of' applications where further information has been requested and the time period for appealing against non-determination of the application has elapsed.

1. Applications for householder development

1.1 Alterations or extension to dwellinghouses
1.2 Erection of buildings within the curtilage of residential properties, to include garages etc.
1.3 Erection of a fence, wall, gate, or other means of enclosure
1.4 Formation of a vehicular access onto a classified road
1.5 A minor householder development not falling within the above criteria

2. Applications for residential development

2.1 Conversion of a building to a dwellinghouse
2.2 Conversion of a building to flats.
2.3 The erection or conversion of up to 10 dwellinghouses on land for which planning permission has been granted within the past 3 years.
2.4 The approval of reserved matters (up to 25 units) in respect of dwellinghouses or of flats.
2.5 Erection of up to five dwellings or five flats within an area allocated for residential development in the Unitary Development Plan (including Mixed Use allocations that include C3 residential in the 'mix').
2.6 Outline applications with a site area up to 0.2 hectares in area within an area allocated for residential development in the Unitary Development Plan (including Mixed Use allocations that include C3 residential in the 'mix').

3. Applications for commercial, industrial, retail, leisure or recreation development

3.1 A modification or construction of a new shop front, including installation of security shutters.
3.2 A minor change of use or other minor development.
3.3 The display of an advertisement (section 220 of the Town Centre Planning Act, 1990), including on Listed buildings.

3.4 Outline applications with a site area up to 2 hectares where the site is allocated as such in the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix').

3.5 The erection of new commercial, industrial, leisure or recreation development and reserved matters relating to such development or related mixed use schemes where the total floor area proposed is under 2,000 square metres, on land either currently used for that purpose, or allocated as such within the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix').

3.6 The alteration or extension (up to 2,000 square metres) of commercial, industrial, retail, leisure or recreation premises within an area allocated for such use in the Unitary Development Plan (including Mixed Use allocations that includes the relevant use within the 'mix') or in an existing area or complex containing such uses.

3.7 The erection of overhead electricity lines up to 66KV, and installation of statutory undertakers equipment, which is not classed as permitted development.

4. Applications submitted by the Council

4.1 Applications submitted by the Council, either solely or in conjunction with a partnership body, for small scale development, such as small new buildings/extensions to Council buildings (up to a floor area limit of 300 square metres), formation of related parking areas, temporary buildings, fencing, etc.

5. Minerals and Waste

5.1 Except where reserved to the Planning Board, the approval or amendment of reserved matters, in an application for planning permission, relating to schemes of working, restoration and aftercare.

5.2 The approval of siting of plant, machinery, buildings, structures or erections, proposed by a minerals undertaker under Part 19 of Class B of the Town and Country Planning (General Permitted Development) Order 1995.

5.3 The approval of siting of plant, machinery, buildings, structures or erections, proposed by the Coal Authority or a licensed operator on an authorised site under Part 20 of Class C of the Town and Country Planning (General Permitted Development) Order 1995.

6. Other Application Types

(A)

6.1 Applications for Conservation Area Consent, relating to development falling within the scheme of delegation.

6.2 Applications for Listed Building Consent for Grade 2 Listed Buildings for development falling within the scheme of delegation.

6.3 Variation of conditions on previous approvals not determined by the Planning Board.

6.4 Applications to prune and fell trees covered by Tree Preservation Orders.

6.5 Applications for prior approval for agricultural development and demolition.

6.6 Applications for prior approval for telecommunications apparatus.

6.7 Applications for prior approval for demolition and restoration work

(B)

6.8 Power to determine certificates of lawfulness of existing and proposed use/operations in respect of Sections 191 and 192 of the Town and Country Planning Act 1990.

6.9 Applications to prune and fell trees subject to 6 weeks notice within a Conservation Area

6.10 Applications for works to, and the removal of historic hedgerows

7. Planning Enforcement (see also section 9 below)

7.1 Power to authorise entry onto land (section 196A of the Town and Country Planning Act 1990

7.2 Power to seek a warrant for entry in the magistrates court (Section 196B of the Town and Country Planning Act).

7.3 Power to serve a requisition for information (Section 330 of the Town and Country Planning Act).

7.4 Power to serve a planning contravention notice (Section 171C of the Town and Country Planning Act).

7.5 Power to serve a breach of condition notice (Section 187A of the Town and Country Planning Act).

7.6 Where there is a breach of planning control, the determination as to whether it is expedient to take action.

8. Miscellaneous

8.1 The determination of the need for an Environmental Impact Assessment and screening and scoping, in accordance with the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999.

8.2 The carrying out of statutory publicity.

8.3 The agreeing of minor amendments to approved plans.

8.4 The determination of whether an application constitutes a departure from the Development Plan.

8.5 The undertaking of negotiations to conclude an agreement under Section 106 of the Town and Country Planning Act 1990.

8.6 The making of Tree Preservation Orders under section 198 and 201 of the Town and Country Planning Act

8.7 The confirmation of Tree Preservation Orders where no objections have been received.

8.8 Power to decline to determine applications for planning permission, under Section 70A of the Town and Country Planning Act.

8.9 The approval of details required by a planning condition.

9. In consultation with the Chair and Vice Chair of the Planning Regulatory Board

9.1 The service of a planning enforcement or (Temporary) Stop notice.

9.2 The pursuance of a prosecution in respect of:-

- Failure to return a requisition for information/planning contravention notice.
- Failure to comply with an enforcement notice.

- Failure to comply with a Breach of Condition Notice.
- The unauthorised display of signage.
- Unauthorised works to listed buildings.
- Unauthorised works to a protected tree.

9.3 The authorisation of default works under Section 178 of the Town and Country Planning Act.

9.4 The approval of an application under sections 1-6 (A) of the Scheme of Delegation where no more than 5 objections have been received (separate objections from separate addresses).

9.5 The approval/refusal of applications under section 6 (B). irrespective of the number of letters of objection.

9.6 The refusal of a retrospective application, irrespective of whether objections have been received, to allow possible enforcement action to be considered, other than proposals falling within Schedule 1 of the Environmental Impact Assessment Regulations.

9.7 Responses to consultations from other Local Planning Authorities on planning applications covered under this scheme of delegation.

9.8 To agree amendments of a minor nature to completed S106 Agreements.

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Cabinet Member Economic and Development Services – Planning and Transportation**
2.	**Date:**	**19 April, 2010**
3.	**Title:**	**Confirmation of the Article 4 Direction imposed on Clifton Bank & Wellgate Terrace; as affecting Boston Castle Ward**
4.	**Programme Area:**	**Environment and Development Services**

5. Summary

Following a resolution from the Cabinet member that

"That the proposal to initiate proceedings to introduce Article 4 (2) Direction for the domestic properties on Clifton Bank, nos. 2 - 28 (consecutive), and nos. 81 & 81A Wellgate, and nos. 1- 6 Wellgate Terrace be supported."

the Article 4 (2) Direction was issued and came into force on 29th October, 2009.

Approval is now sought for the confirmation of the Article 4 (2) Direction by the Cabinet Member.

6. Recommendation

That the Article 4 (2) Direction issued on 29th October 2009 and currently in force be confirmed for the domestic properties on Clifton Bank, nos. 2 – 28 (consec.), and nos. 1- 6 Wellgate Terrace, and nos. 81 & 81A Wellgate.

7. Proposals and Details

The Chief Executive's Office received a petition from a local resident with an accompanying letter/petition (acknowledged on 23rd July 2009) that had 51 signatures in support of the introduction of Article 4 Direction to their properties on Clifton Bank, Wellgate Terrace and nos. 81 & 81A Wellgate at the bottom of both terraces fronting the main road; this was more fully detailed in the earlier report submitted to the Cabinet Member on 2nd September, 2009.

The catalyst for the petition was the demolition by a local resident of part of the front boundary wall to his dwelling on Clifton Bank, so as to permit off-street parking; as the wall was less than 1 metre in height it fell outside of the normal control for the demolition of walls in a conservation area. Under Class 3 of the GPDO (General Permitted Development Order) a range of works are allowed to be carried out to unlisted buildings in a conservation area without the need to apply for planning permission. The majority of residents were extremely unhappy with the situation deploring the deterioration of their local street scene by this action and wished for the Council to take the necessary action to prevent this from happening in the future. There is wide support both from local residents so affected and Rotherham's local amenity organisations for the introduction of restrictive measures to remove residents' permitted development rights on these specific streets in the Rotherham Town Centre Conservation Area. It should be remembered that the present conservation area is formed from 3 smaller conservation areas, and that Clifton Bank originally formed a separate conservation area; it only became part of a single enlarged Town Centre Conservation Area in the 1990s, shortly after a review of the Borough's conservation areas held in 1992.

Background Information:

The previous report of 2nd September 2009 concerning the Petition provided conclusive evidence of the special character of this part of the conservation area and its vulnerability to justify the imposition of an Article 4 (2) Direction; this gained the support of the Cabinet Member. A revised Conservation Area Appraisal and new Conservation Area Management Plan were formerly adopted by the Council in 2005. In Section 3 on Planning Measures reference is made to the use of Article 4 (2) Directions, where it points out that:

"3.9 This is a discretionary power given to the LPA to restrict specific permitted development rights in relation to dwellings in Conservation Areas, where the permitted development would front a public area. Although there are few residential properties within the Conservation Area it may be appropriate to consider the use of Article 4 (2) directions in the future as there is considerable residential development planned. Nevertheless, most planned residential development is new build and the principle use of Article 4 (2) directions would be to ward against inappropriate changes to historic buildings."

Article 4 directions: Article directions are used to bring under planning control a range of works authorised under article 3 of the Town & country Planning (General Permitted Development) Order 1995 as amended by the Town & Country Planning (General Permitted Development) (Amendment) Order 2008, which came into force

from 1st October 2008. Many of these small scale "permitted development" works such as the replacement of traditional timber or metal windows with plastic windows in modern styles, natural roofing materials such as slate and clay tiles with concrete and plastic tiles, and front gardens with hard standings for vehicles, can significantly harm the character and appearance of historic buildings and streets in conservation areas.

Directions under Article 4(2) affecting dwelling houses in conservation areas that front onto highways cover the following orders:

- The enlargement, improvement or other alteration of a dwelling house (Part 1 – Class A)
- Any addition or alteration to its roof (Part 1 – class B & C)
- The construction of a porch (Part 1 – Class D)
- The provision within its curtilage of any ancillary building (Part 1 – Class E)
- The provision of a hard surface (Part 1 – Class F)
- The installation of a chimney, flue or soil vent pipe (Part 1 – Class G)
- The installation of a microwave antenna (Part 1 – Class H)
- The construction or alteration of a gate, fence, wall or other means of enclosure within the curtilage of a dwelling house (Part 2 – Class C)
- The demolition of all or part of a gate, fence, wall or other means of enclosure within the curtilage of a dwelling house (Part 31 – Class B)

The Process: The Article 4(2) Direction is currently in force; the LPA were required to formally serve notice upon owners/occupiers affected and seek representations. Press notices were also advertised as detailed above and the Direction and map of the area affected made available for public inspection. After a period of 21 days elapsed the Local Authority was/is then in a position to consider, any representations received and whether to confirm the Direction. The Direction lapses 6 months after it is made if it is not confirmed. If the Direction is confirmed, the Local Authority has to give notice of the confirmation in the same way that it notified the making of the Direction, by publicising this in a local newspaper by inserting a notice to that effect, and by serving a confirmation notice on the owner and occupier of every dwelling house so affected by the Direction.

Consultation Event: An invitation was issued to every householder so affected by the article direction to attend a public consultation event; this was widely advertised in the press and on posters for the benefit of the general public being displayed throughout the town and in the Library. This event was held in the Council Chamber of Rotherham Town Hall on the evening of November 17th 2009, and was chaired by the Council's Heritage Champion, Cllr Georgina Boyes; the Chair of the Planning Board was also in attendance with some 20+ local residents and representatives of local organisations. During the event the Authority's Conservation and Urban Design Officer gave a power point presentation that was well received with an appreciative message received from the Secretary of the Rotherham Archaeological Society. The development of these streets in the mid-18th century and 19th century had been carefully researched and the 19th century occupiers of the dwellings, via the information provided in the census returns, proved of great interest to those attending; this information is contained in a Design Guide in support of this initiative.

National support for the introduction of Article 4(2) Directions:
PPS 5 is the latest government guidance on the Historic Environment (published in March 2010). Policy HE4 considers Permitted Development & Article 4 Directions. Paragraph HE4.1 states: "Local Planning Authorities (LPAs) should consider whether the exercise of permitted development rights would undermine the aims for the historic environment. If it would, LPAs should consider the use of an article 4 direction to ensure any development is given due consideration."

Local Support for the introduction of Article 4 Directions:
Following the public consultation event some 13 letters of support were received from local residents in "support of the introduction and enforcement of Article 4(2) Directions to the above area". In addition 2 letters of support also came from the secretaries of Rotherham's principal local amenity societies, Rotherham Archaeological Society, and Rotherham District Civic Society; these will be tabled at the meeting.

One local resident who acts as a spokesperson for the local residents provided a detailed and thoughtful response suggesting that the introduction of "this directive demonstrates that the Council sees this area as one of the (if not THE) most important residential areas in the Borough – as it's the first Article 4(2) directive I believe – then the Council needs to demonstrate its own commitment to this special area". A number of suggested initiatives were listed including the need for:

- An advice document for residents(currently under preparation)
- Enhanced public realm and street maintenance

8. Finance

As previously stated, in the initial report in support of the introduction of these directions, there are no financial implications regarding the adoption of the recommendation.

Currently there is no funding identified to initiate public realm improvements on Clifton Bank.

9. Risks and Uncertainties

If the Article 4(2) Direction is not confirmed the area will once again be vulnerable to unsympathetic change and alteration. Its confirmation as detailed above helps to remove risks and uncertainties concerning the future of these important residential streets, which are identified as such in the Town Centre Conservation Area Appraisal and Management Plan.

10. Policy and Performance Agenda Implications

The introduction of Article 4 Directions supports both the Council's and Government's initiatives for regeneration and sustainability through the retention of original windows and boundary walls to properties; these affect both the setting of the residential properties and the character of the conservation area. The first policy

of the new PPS5 guidance document, Policy HE1, focuses on “Heritage Assets and Climate Change” and the long term sustainability of retained buildings.

11. Background Papers and Consultation

The letters of support received during the consultation period will be tabled at the meeting. The Design Guide prepared by the Conservation Section will also be made available for inspection at the meeting; this will be issued with the confirmation notice to each property on the schedule.

12. Contact Name:

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	**Meeting:**	**Economic Development, Planning and Transportation**
2.	**Date:**	**19th April 2010**
3.	**Title:**	**Bicycle Salary Sacrifice**
4.	**Directorate:**	**Environment and Development Services**

5. Summary

To seek approval for the introduction of a bicycle salary sacrifice scheme to support sustainable travel initiatives in the Council's Travel Plan, the second South Yorkshire Local Transport Plan 2006-11 and the sustainability and low carbon themes of the developing third Local Transport Plan.

6. Recommendations

(i) That the introduction of a further Bicycle Salary Sacrifice Scheme is approved.

7. Proposals and Details

The Council adopted a Travel Plan for staff, visitors and customers in January 2003. (Council Minute 320 of 20th January 2003 refers). The aim of the plan is to contribute to the aims and objectives of the South Yorkshire Local Transport Plan and regional and national aspirations by:

- Reducing the need to travel and especially the need to travel by private car
- Improving travel mode choice
- Having a healthier workforce by promoting more trips on foot or by bicycle
- Leading by example to others

Amongst other initiatives, the Travel Plan recommended that a "cycle purchase / loan scheme" should be introduced to encourage more staff to cycle between home and work and to use bicycles for some work related trips. The 1999 Finance Act introduced tax incentives for such a scheme in the form of a salary sacrifice, giving an employee a benefit in kind, free of tax and Class 1 National Insurance Contributions and also employer savings on Secondary National Insurance contributions. Accordingly, the Council ran a successful salary sacrifice scheme during 2007/8 to give staff an opportunity to lease bicycles over an 18 month period. The scheme was jointly administered by the Council and OnYourBike, an external partner who provided advice and the administered bicycle purchases via local bike shops.

The scheme closed to new members in early 2008 but, since that time, there has been considerable staff interest in a further scheme and, encouragingly, in schools especially where it seems School Travel Plans, cycle training and Sustainable Schools initiatives are having an effect in changing 'hearts and minds'.

In response to staff interest, an evaluation has now been undertaken to asses what options are available to the Council to operate and manage a further scheme.

7.1 Managing the Scheme

The 2010 Bicycle Salary Sacrifice scheme will be managed entirely 'in-house'. Having had the benefit of experience from the 2007/8 scheme there is no need to appoint an external partner to administer the proposed salary sacrifice scheme. The Council's has amassed detailed experience and knowledge of salary sacrifice schemes within Finance, HR, Payroll and Publicity and it will be appropriate and financially prudent to make best use of our own resources.

8. Finance

Initial Outlay for Bicycle Purchase – The Council will initially purchase bicycles and loan them to employees. Financial Services have agreed that cycle purchases can be made from the 2010/11 revenue budget. The scheme will have no net impact on the budget because initial outlay for the purchase of bicycles will be recouped from salary sacrifices over 12 months.

Secondary National Insurance Contribution Savings - The Council will save Secondary National Insurance Contributions at an average of around 9.1% on that part of an employee's gross salary sacrificed. Income from secondary NIC savings will be

ring fenced to meet any scheme administration costs and to underwrite any bad debts associated with the scheme. Any remaining income will be used to support the Council's recent Cycle to Work Guarantee Scheme, a key part of which is to pledge to introduce salary sacrifice schemes for cyclists.

Income from Final Transfer of Ownership Payments - There is no automatic entitlement for an employee to take ownership of the bicycle at the end of the 12 month sacrifice/loan period. If the loan agreement (technically a hire agreement under the Consumer Credit Act 1974) allows for ownership of the bicycle at the end of the hire, then the resulting agreement is likely to become a hire purchase in which case, tax exemptions are not available. However, at the end of the loan period the Council may, under separate contract, choose to give an employee the option to make an additional payment to purchase their bicycle outright.

Should the Council choose this option, each bicycle sold to employees would realise around 5% of its initial cost. Experience has shown that the majority of employees will take advantage of any final purchase offer thereby generating a potential income of around 5% of the Council's original revenue outlay. As a guide, assuming a notional outlay of £50,000, the total income from national insurance and final transfer of ownership payments is around £7000.00

RBT and EDS Costs - RBT will incur fixed costs associated with making changes to an individuals pay and payroll details to accommodate the salary sacrifice. They may also incur other variable administrative costs - for example, the recovery of income if an employee leaves the Council during the 12 month salary sacrifice period. RBT have agreed that costs associated with the first 50 payroll changes will be accommodated within their existing Service Level Agreement. Beyond that, the following charges will be made to cover fixed and variable costs.

No. of Bicycles Leased	**Cost**
0-50	Included in SLA
51 to 100	£275.00
101 to 150	£550.00
150 to 200	£825.00

RBT costs will be financed from scheme income.

EDS will incur an estimated £1500.00 in set up, promotion, staffing and administration costs. These costs will also be met from scheme income.

9. Risks and Uncertainties

There are a number of risks and uncertainties associated with salary sacrifice schemes:

Withdrawing from a Cycle to Work Salary Sacrifice Agreement - The 12 month hire agreement is fixed and cannot be changed but it is likely that a small percentage of staff taking advantage of the scheme will leave the authority during the 12 months of its operation. In these circumstances, the Council will need to recover any outstanding

debt from an employee's final net salary. In the majority of cases this will be relatively straight forward for full time employees.

Maternity Leave - Whilst the period of the 12 month hire agreement is fixed, allowances must now be made for employees taking advantage of the scheme who take maternity leave. A European Court of Justice ruling now allows employees on maternity leave to continue to receive the contractual goods or services associated with salary sacrifice but the employer is not allowed to adjust pay if the employee is only receiving Statutory Maternity Pay or is on additional maternity leave where there is no entitlement to pay. Effectively, the employer has to pay the salary sacrifice contribution. Such costs are likely to be minimal and will be met from scheme income.

Similarly, employees taking long term sick leave may create a risk. Salaried employees are likely to maintain their income for 6 months or thereabouts thus minimising risk. However, weekly paid employees are not offered the same protection and risk increases. In these cases, the salary sacrifice payment period will be extended to suit individual circumstances.

Temporary Contracts, End of Contracts, Retirement, Employees Under 18 Years of Age and Minimum Wage - Recent HMRC guidance states that as well as providing salary sacrifice arrangements for employees wishing to cycle to work, a similar non-taxable benefit in kind (a bicycle for work use) should be made available to accommodate those employees who cannot enter into a hire agreement or salary sacrifice. Typically, this relates to employees who are:

- On temporary contracts of less than 12 months or have less than 12 months remaining of a longer contract.
- Within 12 months of retirement.
- Likely to see their gross pay reduced below the National Minimum Wage as a result of salary sacrifice.
- Under 18 years of age and hence ineligible to enter into a hire agreement.

Based on experience form the previous scheme in 2007, most employees will be eligible to enter into a hire agreement. Where this is not possible, the Council will utilise its current stock of pool bikes and make them available to support the scheme. These bikes will be loaned free of charge to employees but will otherwise be loaned on exactly the same terms as bicycles sourced through salary sacrifice.

DfT and HMRC have recently agreed that employees under 18 years of age may take advantage of a salary sacrifice so long as a parent or guardian acts as a guarantor by signing the associated bicycle hire agreement.

HMRC Requirement to Support the Salary Sacrifice Scheme via the Cycle to Work Guarantee - The Government recently announced the Cycle to Work Guarantee scheme to encourage employers to commit to becoming 'cycle friendly', thereby making it easier for employees to cycle to work. The Guarantee specifically suggest that employers should provide proper support for staff – not just to become cycle friendly but also to comply with existing HMRC rules on salary sacrifice that suggest

employers should provide basic support (such as cycle parking) to ensure staff with salary sacrifices are enabled to use their bicycles for the intended purpose. In the main, the Council already complies with both the Cycle to Work Guarantee and the HMRC rules but, to ensure proper compliance, some salary sacrifice scheme income will be used to make cycle friendly improvements where necessary.

Experience from the first bicycle salary sacrifice scheme indicates that savings from Class 1 NI Contributions or income from discretionary transfer of ownership settlements will be more than adequate to offset financial risk.

10. Policy and Performance Agenda Implications

The promotion of bicycles for journeys to and from work helps progress most of the Corporate Themes particularly the cross cutting Corporate Sustainable Development theme. It also helps fulfil our wider corporate objectives in relation to health, well being and the environment. Promotion of cycling is a key theme in the Second Local Transport Plan 2006-11 and as stated earlier is a key element of the Council's Travel Plan.

11. Background Papers and Consultation

- Department of Transport Cycle to Work Schemes
- Local Government Employers Circular 187 July 2006 (Salary Sacrifice Schemes and Pensions)
- The South Yorkshire Local Transport Plan 2006-11 / RMBC Travel Plan

Consultation has taken place with:

- RBT Human Resources
- RBT Payroll
- RBT Procurement
- Legal and Democratic Services
- Financial Services

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