

CABINET MEMBER FOR REGENERATION AND ENVIRONMENT

**Venue: Town Hall,
Moorgate Street,
Rotherham. S60 2TH**

Date: Monday, 1st November, 2010

Time: 10.30 a.m.

A G E N D A

1. To determine if the following matters are likely 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 previous meetings of the Cabinet Member for Regeneration and Environment held as follows:-
 - 6th September, 2010.
 - 13th September, 2010.
 - 20th September, 2010.

For signature by the Cabinet Member.

(see minutes presented to Council 27th October, 2010 – white book)

4. Opening of Offers (Pages 1 - 2)
5. Rotherham's Local Economic Assessment (Pages 3 - 8)
Neil Rainsforth, Research and Spatial Development Officer to report
- to seek approval of the final version of Rotherham's Local Economic Assessment (LEA) and agreement that it be circulated to partners and made available to the public.
6. Highways Enforcement Policy (Pages 9 - 14)
Robert Stock, Network Principal Engineer to report
- to present a proposed Highways Enforcement Policy to Cabinet Member for adoption, encompassing a set of common principles for highways enforcement
7. Acceptance of a single quotation for a Technical and Product Information System (Pages 15 - 17)
Peter Dixon, Engineer to report
- to gain consent to accept a single quotation for a technical and product information system

8. Charges Associated with Temporary Road Closures for Special Events (Pages 18 - 24)
Andrew Rowley, Street Works and Co-ordination Engineer to report
- to consider revised charges to facilitate lawful closures of the highway for special events under The Road Traffic Regulation Act 1984
9. Middle Lane Local Safety Scheme (Pages 25 - 30)
Matthew Lowe, Engineer to report
- to inform Cabinet Member of a proposal to introduce a local safety scheme on Middle Lane, Clifton

Date of Next Meeting
Monday, 15th November, 2010

Members:

Councillor Smith, Cabinet Member for Regeneration and Environment
Councillor Walker, Senior Adviser
(Councillor Pickering, Chair, Planning Board;
Councillor Dodson, Vice-Chair, Planning Board
Councillor Whysall, Chair, Regeneration Scrutiny Panel
Councillor Swift, Vice-Chair, Regeneration Scrutiny Panel)

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Regeneration and Environment
2.	Date:	1st NOVEMBER, 2010
3.	Title:	OPENING OF OFFERS
4.	Directorate:	Chief Executive's

5. Summary

The purpose of this report is to record the following:-

on 12th October, 2010:- opening of offers for:-

Parkstone House
Listerdale

6. Recommendation:-

That the action of the Cabinet Member in opening the offers be recorded.

7. Proposals and Details

Offers for the following were opened by the Cabinet Member for Regeneration and Environment on 12th October, 2010:-

Parkstone House
Listerdale

8. Finance

To secure value for money.

9. Risks and Uncertainties

Service implications and public perception issues.

10. Policy and Performance Agenda Implications

In accordance with financial and contractual requirements.

11. Background Papers and Consultation

Emails: Category Manager, RBT

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ROTHERHAM BOROUGH COUNCIL

1.	Meeting:	Cabinet Member for Regeneration and Environment
2.	Date:	1st November 2010
3.	Title:	Rotherham's Local Economic Assessment
4.	Programme Area:	Environment and Development Services

5. Summary

To seek approval of the final version of Rotherham's Local Economic Assessment (LEA) and agreement that it be circulated to partners and made available to the public.

6. Recommendations

- **To endorse the final version of the Rotherham Local Economic Assessment.**

7. Background

The Local Democracy, Economic Development and Construction Act proposed to place a duty on County and Unitary councils to prepare an assessment of the economic conditions of their area, which had been one of the key recommendations of the Review of Sub-National Economic Development and Regeneration (SNR).

These Assessments would provide a mechanism for bringing together existing evidence from a range of partners into a common economic evidence base. This evidence base would then inform local, sub-regional and regional strategies, ensuring all policy making was based around a full and shared understanding of local economic challenges.

The new Government has now removed this duty, but RMBC decided to continue with the production of an LEA due to the work already undertaken and its potential usefulness in the future; providing data for policy and strategy development.

The final Assessment

The report has been broken down into a number of sections, mainly in line with the guidance, but with some specifically local issues such as Rotherham Town Centre. The full list of sections is:-

- Spatial context
- Demography
- Employment
- Skills
- Business and Enterprise

- Inclusion
- Land, Buildings and Infrastructure
- Environment
- Rotherham Town Centre

Each section provides the most up to date and relevant data/evidence, predominantly focusing on the current situation, but with some historical figures where appropriate and also future forecasts if they are available. The section ends with a summary setting out the key issues with regard to Rotherham's economy.

The Assessments will be kept up to date and fit for purpose. Annual reviews will be undertaken, with a major revision taking place in 2013 when the data from the 2011 census will be available to substantially refresh and update the evidence base.

The Assessment highlights a number of key issues facing the Borough, these include:-

Demography

- Since 2000 Rotherham's population has increased by 5,900 to reach 252,900 by mid-2008. In line with national trends this increase has been primarily within the older, mainly retired, age groups
- Inward migration was the main reason for any increases as the economy grew and job opportunities increased, but last two years natural change has been the main factor
- Projections to 2033 show a continuing steady rise in Rotherham's population, increasing by 11.5% from the 2008 baseline. This is still slower than the South Yorkshire, national, and regional rates Growth is expected primarily within the older age groups with working age population increasing only slowly i.e. an ageing population
- Increases in the age of retirement and the wish / necessity of some people to work beyond 'normal' retirement age will have an impact upon the future size of the workforce

Skills

- Lower level of skills within the local workforce compared with regional and national averages, while future employment growth predicted to be in those sectors which require a highly skilled workforce
- Importance of skills – i.e. employment rate of people with no qualifications is 40.9%, those with NVQ4+ is over 90%
- GCSE performance improving rapidly and closing the gap with the national average
- Reduction in 16-18 year old NEET (not in Education, Employment or Training) rate, the challenge is to maintain this in current economic downturn
- Numbers taking up apprenticeships increasing despite the recession.
- A 25% increase in last nine years in number of entrants to higher education institutions

Employment

- There is an identified growth potential within higher tech manufacturing.
- The current recession has resulted in the employment rate gap to the national average again widening.

- Over 11,000 people in Rotherham unemployed, more than double the pre-recession figure
- Over 3,000 JSA claimants are young people (24 or under)
- Large increase in long-term unemployed with more than 1,400 claiming JSA for over a year
- Overall inactivity rates similar to the region but higher within certain groups
- Most common reason for economic inactivity is long-term sickness or looking after home/family, accounting for a third of the total
- Lower percentage of residents in Rotherham working in the higher skilled managerial / professional occupations than the national average, although this has risen sharply in recent years
- Higher percentage of residents working within the lower skilled, elementary occupations
- Workplace employment is predicted to continue falling until the end of 2010 with a gradual recovery starting in 2011
- In the long-term employment within the low-skilled/basic manufacturing sectors is expected to decline.

Enterprise

- Rotherham has a higher concentration of businesses in the manufacturing and construction sectors compared to the regional / national averages
- The rate of increase in workplace employment in Rotherham for the period 1998 to 2008 was over twice the sub-regional, regional and national averages
- 3-year enterprise survival rates are higher than the regional average
- Rotherham has traditionally had a below average business stock size, though increase has been above average in the last 10 years
- Rotherham relies more heavily on large employers in providing employment
- The public sector, banking, finance & insurance, and distribution sectors now provide more employment than the manufacturing sector
- Workplace employment in Knowledge Intensive sectors has grown faster than regionally / nationally, closing the gap.
- Self-employment has remained at a similar level in recent years, below regional / national average
- Productivity gap remains to UK average, despite high growth over last decade.
- In order to reduce output gap to the UK, productivity in Rotherham must be improved – i.e. need to diversify / modernise economy, increase business base, raise skills, increase employment and economic activity.

Inclusion

- Overall deprivation appears to be reducing; with Rotherham improving from 48th most deprived local authority in 2000 to 68th most deprived by 2007.
- The Economic Deprivation Index shows that over 37% of the borough remains within the top 20% most deprived nationally for employment.
- Total out of work benefits had been falling but since the start of the recession in mid-2008 worklessness rates have risen sharply, although this is a National rather than local trend.
- Increase in overall worklessness mainly due to rising Job Seekers Allowance claimants but Incapacity Benefit / Employment Support Allowance claimants still account for over half of all workless benefit claimants.

- Gap appears to be widening between the best and worst performing areas with rate of worklessness now over 40% in some areas.
- Approximately 36,000 households in the district, are managing on less than the minimum income needed to achieve an acceptable standard of living
- Overall crime rates are amongst the lowest in South Yorkshire

Land, Buildings & Infrastructure

- Prediction for 129,000 households in Rotherham by 2026 (20% increase, though this is likely to be revised downwards in 2008-based projections)
- Housing remains relatively more affordable at 77% of national average price (90% of regional) but house price to earnings ratio has increased substantially, particularly in the more desirable parts of the borough
- RMBC Cabinet approved, on 8th September 2010, an interim housing target of 750 net new dwellings per annum.
- Vacancy rates rising in current recession with some older units in less desirable locations being long-term vacant.
- Identified need for around 250 hectares of employment land to 2027
- Congestion at peak times on some routes in/out of Rotherham

Environment

- In the last 6 years the amount of municipal waste sent to land fill has reduced by over half to 44%.
- Rotherham has highest recycling rate in South Yorkshire, improving from 8% to 41.4% in six years
- Almost 39% of Rotherham's resident working population travel outside the borough for work and over 30% of the workplace population in Rotherham have travelled into the borough.
- Potential for Rotherham to increase businesses / employment within the expanding Environmental Technologies sector as the UK moves towards a low-carbon economy
- Low public transport and high car usage.
- Overall energy consumption and CO2 per head in Rotherham has been falling as the economy becomes less reliant on traditional manufacturing

Rotherham Town Centre

- The role of the town centre has changed over the last twenty years as a result of changes in shopping patterns and the growth of strong out of town offers at Parkgate and Meadowhall.
- Rotherham Renaissance launched to transform the town centre
- Many projects are completed / in-progress, including Shop Local, Business Vitality Grants and parking initiatives, which have had a positive impact on visits and footfall in the town centre.
- Recent economic downturn has had major impact on Rotherham and many other town centres, with vacancy of commercial units in the town centre increasing over the last few years. However, these still compare favourably in the Source Local Data Company - Shop Vacancy Report Mid Year 2010, which has the following town centre vacancy rates; Doncaster 23.7%, Sheffield 21.27%, Barnsley 16.9% Rotherham 14.5%
- The town centre has the potential to capture a greater proportion of catchment spend. It caters well to mass market value shopping, but its potential amongst mid market and more affluent shoppers is relatively untapped. Analysis show these shoppers are

seeking bigger shops providing more choice and variety, clear anchors, a strong supermarket, more recognisable branded retailers, more clothing retailers, more quality independent operators, more and better quality catering and restaurants, more of a leisure offer – including a cinema

These key issues will be picked up in future strategy development, including the current setting up of a Local Enterprise Partnership (LEP) for the Sheffield City Region, a major review of the Rotherham “Economic” and “Working Neighbourhood” Plans and bids into the proposed Regional Growth Fund.

8. Finance

All work on the LEA has been undertaken by RMBC, meaning costs, with the exception of staff time, are negligible.

The LEA will be used to inform future strategies and policies and as such will assist in identifying future priorities for funding within the Borough and provide the supporting evidence for subsequent funding bids including the new Regional Growth Fund.

9. Risks and Uncertainties

The Assessment will need to be updated at least annually to ensure that the information is kept up to date. A major review will be undertaken in 2013 to incorporate the findings of the 2011 census

10. Policy and Performance Agenda Implications

The LEA will inform a wide range of strategies and policies, including:-

- Sustainable Community Strategy
- Economic Plan
- Business Plan for the Sheffield City Region LEP
- Working Neighbourhoods Plan

11. Background Papers and Consultation

Colleagues in Finance have been consulted on this report.

Discussions were held with Sheffield and Doncaster Councils to ensure that there is complementarity between the LEAs for the areas, building on the existing linkages between the economies of the areas, particularly between Sheffield and Rotherham.

The draft Assessment has been discussed by SLT (5th July), this meeting (19th July), Regen Scrutiny (6th October) and the Work and Skills Board of the LSP (13th October). It was also circulated for comment to a wide range of people both within the Council and external partner organisations.

The completed Assessment will be uploaded onto the Council web-site

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Proposed list of consultees on the draft Local Economic Assessment

RMBC – EDS
RMBC – NAS
RMBC – CYPS
RMBC – Chief Executives
Rotherham NHS
Barnsley & Rotherham Chamber of Commerce
Voluntary Action Rotherham
LSP – Achieving Board
LSP – Enterprise Board
LSP – Work & Skills Board
LSP – Learning Partnership
Yorkshire Forward
SYPTE
Government Office for Yorkshire & the Humber
South Yorkshire Police
RCAT
Dearne Valley College
DWP
Skills Funding Agency

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	REGENERATION AND ENVIRONMENT
2.	Date:	1 November 2010
3.	Title:	HIGHWAYS ENFORCEMENT POLICY
4.	Directorate:	ENVIRONMENT AND DEVELOPMENT SERVICES

5. Summary

The report presents a proposed Highways Enforcement Policy to Cabinet Member for adoption, encompassing a set of common principles for highways enforcement.

6. Recommendations

That the Highways Enforcement Policy attached as an appendix to the report be approved and reflected within revised procedures relating to highways enforcement followed within Streetpride.

7. Proposals and Details

In undertaking the duties and exercising the powers of the highway authority Streetpride, on behalf of the Council, are required to take a range of enforcement actions in relation to the use and abuse of the highway, including public rights of way, and in the control of street works activities.

In exercising these powers the principles contained within the Government's Concordat on Good Enforcement have been followed but to date no formal Highway Enforcement Policy had been produced. This was identified as a weakness following the outcome of a Complaint Panel decision last year.

Neighbourhoods and Adult Services have followed a 'General Enforcement Policy' for a number of years with the latest policy review being agreed by Cabinet in 2008. That document has been used as a basis for the development of the Highways Enforcement Policy attached as an appendix to this report.

The proposed policy provides a set of common principles upon which enforcement activities will be based promoting fairness, openness, consistency and proportionate action based on risk assessment.

It is proposed to review the procedures relating to enforcement in the Quality Management System that are used for Street Works, Highways and Public Rights of Way enforcement to reflect the adoption of the policy.

It is also proposed to publish the policy on the Streetpride pages of the Council's web site for the information of the public.

8. Finance

Adoption of the policy has no financial implications for the Service.

9. Risks and Uncertainties

Formal enforcement action is not always pursued where to do so might be perceived as unreasonable. Where the investigations have followed a report from residents or the general public this might result in a negative perception of the service where the reporter expected immediate enforcement action.

10. Policy and Performance Agenda Implications

Effective enforcement has a primary purpose of protecting the safety of highway users (**safe**). It serves to prevent unnecessary disruption on the network benefiting businesses as well as the general travelling public (**achieving**). It also contributes to '**Looking after and improving the environment**'.

11. Background Papers and Consultation

Not applicable.

Contact Name : *Robert Stock, Network Principal Engineer, Streetpride Service, ext. 22928, bob.stock@rotherham.gov.uk*

HIGHWAYS ENFORCEMENT POLICY

This document is the Highways Enforcement Policy for Rotherham Metropolitan Borough Council. It is based on the principles of transparency, consistency and proportionality and sets out the key principles under which officers will seek to achieve compliance with highways legislation. The policy should be read in conjunction with any applicable service specific policies and procedures.

1 Introduction

Our purpose is the delivery of efficient, targeted and proportionate regulation of activities on the highway network focused by risk assessment to provide a positive approach to stakeholders (residents, businesses highway users) and compliance. A number of outcomes under the Council's headline priority of 'Looking after and improving the environment' are supported by providing protection for the safety of all highway users and reducing disruption and congestion across the highway network enabling businesses to flourish and encouraging investment.

2 Safer and Improved Roads

We will actively contribute to making Rotherham a place where neighbourhoods are safe for everyone.

The potential for disruption to highway users will be a significant factor in deciding the most appropriate approach to be adopted.

3 Fairness

We will consider the impact that our enforcement activities may have on residents and businesses, including consideration of costs, effectiveness and perceptions of fairness. We will endeavour to keep any perceived burdens, including financial, to a minimum.

4 Risk Assessment

We will allocate our resources to where they will be most effective by assessing the risks due to non-compliance with the law. The risk factors will include:

- The potential impact on residents, highway users and business.
- The likelihood of disruption to the network and risk to users arising from non-compliance.

5. Advice and Guidance

We recognise that prevention is better than cure and will actively work with utilities, businesses and residents to provide advice on and assistance with compliance with highway law.

In doing this we will ensure that:

- Legal requirements are made available and communicated promptly upon request.

- The information we provide will be in clear, concise and accessible language and will be confirmed in writing where necessary.
- We will clearly distinguish between legal requirements and guidance aimed at improvements above minimum standards.

6 Inspections and Other Visits

All inspections and other visits to residents and businesses will be undertaken taking into account the level of risk presented by any abuse of the highway, with resources being directed towards those activities that demonstrate the highest risk. Additional intelligence sources will also be used (for example complaints and reports received by the Council) that may trigger a visit / inspection.

- Where we carry out inspections we will give feedback to the resident or business concerned on what the officer has found.
- Random inspection will be undertaken in the normal course of our officers daily activities. Follow-up inspections may also be undertaken to test the effectiveness of any action we have previously taken or improvements we have requested.

7 Compliance and Enforcement Actions

We recognise that most businesses and individuals strive to comply with the law, however firm action will be taken against those who flout the law or act unreasonably or irresponsibly.

We will carry out all of our enforcement duties, including taking formal enforcement action, in a fair, equitable and consistent manner. Whilst officers exercise judgement in individual cases, we will have arrangements in place to promote consistency including liaison with other agencies and authorities.

Formal enforcement action will generally only be considered and taken in the first instance in cases where individuals or businesses are causing an unacceptable risk to public health, safety or welfare, causing a nuisance to highway users, otherwise unnecessarily causing disruption to the use of the highway, or other such situations that are considered to be so serious as to warrant formal action.

Formal enforcement action will also be considered and may be taken where advice from highway officers has been ignored.

Where formal enforcement action is necessary, we will consider the most appropriate course of action (from the range of actions and penalties available) with the intention of:-

- Aiming to secure public safety
- Aiming to change the behaviour of the offender
- Being responsive and considering what is appropriate for the particular offender and issue involved.
- Being proportionate to the nature of the offence and harm caused

- Aiming to restore the harm caused by non-compliance
- Aiming to deter future non-compliance.

Before formal enforcement action is taken:

- Where appropriate there will be an opportunity to discuss the circumstances of the case, unless immediate action is required due to there being an imminent risk to the environment or health and safety.
- Where immediate formal enforcement action is taken, which will usually be the service of a written notice, reasons for such action will be given at the time (if possible) and confirmed in writing within 10 working days.
- Where there are rights of appeal against formal enforcement action, notification of the appeal mechanism will be clearly set out in writing at the time the action is taken.
- Clear reasons will be given for any formal enforcement action taken, and confirmed in writing.

For the purposes of this policy 'formal enforcement action' includes the serving of statutory notices, the removal of property, carrying out works in default, the seeking of an injunction, direct intervention to remove sources of danger, and the instigation of legal proceedings. Where appropriate we will also take into consideration additional guidance and codes of practice, including service specific policies and procedures.

The decision to instigate legal proceedings will be determined by a number of factors, including:

- The seriousness of the alleged offence
- The history of the party concerned
- The willingness of the business or the individual to prevent a recurrence of the problem and to co-operate with officers
- Whether it is in the public interest to prosecute
- The realistic prospect of conviction
- Whether any other action (including other means of formal enforcement action) would be more appropriate or effective
- The views of any complainant and other persons with an interest in prosecution.

These factors are NOT listed in order of significance. The rating of the various factors will vary with each situation under consideration.

8 Accountability

We will be accountable for the efficiency and effectiveness of our activities, while remaining independent in the decisions we take.

- We shall provide utilities, businesses and individuals with effective consultation and opportunities for feedback on our service.
- Officers will be courteous, fair and efficient at all times, and will identify themselves by name.

9 Equalities

We will give consideration to fairness, individual's human rights and to natural justice, in all aspects of our enforcement work.

We believe in openness and equality in the way we provide services to members of Rotherham's community and that every individual is entitled to dignity and respect.

When making enforcement decisions we aim to ensure that there will be no discrimination against any individual regardless of culture, ethnic or national origins, gender, disability, age, sexual orientation, political or religious beliefs, socio-economic status, or previous criminal conviction or caution which is not relevant to the current issue.

We understand that some members of the community may have specific requirements, which will need extra advice and assistance. Careful explanation will be given and if necessary the services of an interpreter may be used. Appropriate translated material will be arranged or practical help provided for people with impaired hearing, vision or other impairment.

10 Complaints

All complaints about the services offered by the council will be dealt with in accordance with the Council's formal complaints procedure. An information leaflet, which explains the process, is available at all Council offices

11 Application of our enforcement policy

All officers will have regard to this document when making enforcement decisions. Any departure from this policy must be exceptional, capable of justification and be fully considered by the head of service before a final decision is taken. This proviso shall not apply where a risk of injury or to health is likely to occur due to a delay in any decision being made. In cases of emergency or where any exceptional conditions prevail, the Chief Executive may suspend any part of this policy where necessary to achieve effective running of the service and/or where there is a risk of injury or to health of employees or any members of the public.

12 Review

This document will be subject to an annual review with additional reviews as and when required. Improvements will be made if there are any changes in legislation or in local needs.

If you have any comments please contact the Streetworks and Enforcement Engineer by calling 01709 822962 or by writing to Streetpride Service, Bailey House, Rawmarsh Road, Rotherham, S60 1TD or email to streetworksenforcement@rotherham.gov.uk

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet Member for Regeneration and Environment
2.	Date:	1 November 2010
3.	Title:	Acceptance of a single quotation for a Technical and Product Information System Affects all Wards
4.	Directorate:	Environment and Development Services

5. Summary

Consent is requested to accept a single quotation for a technical and product information system because there is only one suitable supplier .

6. Recommendations

That approval is granted to accept a single quotation for a technical and product information system.

7. Proposals and Details

EDS technical staff need ready access to a library of technical and product information, for example design guides, British Standards and product literature.

The Directorate gave up its paper-based system many years ago. Individual items were expensive to buy. Documents took up a lot of space and they were difficult to keep track of. Updates were a constant problem.

The current library service is delivered to technical staff through a website and paid for by a subscription to IHS (Global) Ltd. Any member of staff with a PC can use the service, at work or at home, so this method supports the WorkSmart agenda.

The current subscription expires in October 2010. In the last 12 months, staff downloaded and viewed 2,259 documents during 1,029 sessions.

This is a very specialist market. Since the last competitive tendering exercise, the only other comparable supplier, Barbour Indexes, has withdrawn from this market as they were unable to compete with IHS. This has left IHS in a monopoly position.

Consent is requested to accept a single quotation from IHS (Global) Ltd for £12,340.

8. Finance

The cost will be met from various existing design budgets as in previous years.

9. Risks and Uncertainties

If EDS does not subscribe to this system, design teams would need to purchase relevant documents in paper format. This would lead to significant funding, storage and document management problems.

Without a good technical library, the EDS quality system objectives would be at risk.

10. Policy and Performance Agenda Implications

None.

11. Background Papers and Consultation

There are no background papers.

The IHS service is appreciated by design staff and no complaints have been received.

Financial Services has been consulted and their comments have been incorporated into this report.

Contact Name :

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ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Cabinet Member for Regeneration and Environment
2.	Date:	1 November 2010
3.	Title:	Charges Associated With Temporary Road Closures for Special Events
4.	Directorate:	Environment and Development Services

5. Summary

For Cabinet Member to consider revised charges to facilitate lawful closures of the highway for special events under The Road Traffic Regulation Act, 1984.

6. Recommendations

That the proposed charges associated with certain event types indicated within Appendix A to this report be agreed.

7. Proposals and Details

A Safety Advisory Group comprising representatives of South Yorkshire Police (SYP), South Yorkshire Fire, South Yorkshire Ambulance, and Rotherham Borough Council was established around 2002. This group is now known as the Public Events Advisory Team (PEAT), and meets at regular intervals to discuss proposed events. The group acts as the first point of reference for all those who are intending to organise a public event, on or off the highway. It provides advice and guidance regarding the specific areas of responsibility for both the organisers and the other agencies involved and also refers to best practice for the information of the organisers. Whilst there is no legal requirement for organisers to refer events to the PEAT, referrals have been established over the years and have become best practice amongst organisers.

Historically, SYP has taken the lead and has undertaken actions to facilitate public events on the highway, acting for what they believed to be the public good. SYP have been willing to provide Special Constables, for example, to assist with the management of vehicular traffic. In doing so, however, it has become apparent that SYP have not used their powers for managing traffic appropriately. In general the public perception is that the Police are the lead agency for approving all public events, including those which take place on the public highway. In reality, however, the Police have no authority to either approve or ban such events and in fact, Police powers to regulate traffic for planned events are limited.

A more focused approach has been taken by SYP since March 2010, when a new unit known as The Central Events and Operational Planning Team was established. In the past for example, where organisers have identified the need for temporary road closures for the health and safety of the public, SYP has provided officers to stop and direct traffic at certain events. SYP now inform organisers that traffic must be regulated through the making of legal orders by the Highway Authority (HA), should police officers be required to provide this service.

Legal advice indicates that HAs have powers to regulate traffic in planned temporary situations under The Town Police Clauses Act 1847 (TPCA) and The Road Traffic Regulation Act 1984 (RTRA). Section 21 of the TPCA allows for the making of orders, such that alternative routes are used by vehicles in times of public processions etc., for the purpose of keeping order and preventing obstruction. Case law suggests that this section can also only be used for the duration of an event. For planned events that are required to be held on a road, for example, sporting events, social events or entertainment, Section 16A of the RTRA is the most appropriate power. The RTRA allows HAs to temporarily stop up or divert roads, thereby prohibiting or restricting vehicles and or pedestrians, to such extent as is considered necessary or expedient. There are, however, some restrictions under Section 16B of the RTRA, such that the maximum allowable duration of a closure is 3 days

without authority from the Secretary of State, and notices are required to be advertised and posted on street.

The Council can facilitate a formal temporary road closure on behalf of any organiser of an event that affects the highway. It is the duty of the organiser to carry out appropriate risk assessments, and where a potential danger to highway users is identified a road closure can be a solution to a potential high risk situation. In 2007, for example, a temporary traffic regulation order (TTRO) was arranged under the RTRA by the Council following meetings with The Tour of Britain organisers, to facilitate a number of road closures for a national cycle race.

The Council currently charges £725 for arranging a TTRO under the RTRA, and this charge has raised concerns from a number of organisers, including The Rotherham District Scouts who hold an annual St. George's Day Parade, and The Rotherham Harriers who have held an annual series of road races since approximately 1980.

Generally, events that may require traffic to be regulated fall into the following three categories:

1. Sporting, social and entertainment events, such as cycle races, road running races, the switching on of Christmas lights by Parish Councils etc.
2. Parades and marches such as a Military parade, Armistice Day Parade, Scout / Girl Guide parade.
3. Street parties, for example, the national celebration of an event such as The Queen's Golden Jubilee.

Through consultation with neighbouring authorities within South Yorkshire, it is thought reasonable and justifiable to make a charge for arranging traffic regulation orders for sporting events, as an opportunity exists for organisers to levy a charge to participants in the form of an entry fee. Similarly, where street parties are proposed across the Rotherham Borough to celebrate a national event, the charge made for arranging a TTRO covering multiple streets could be potentially shared. Events are normally completed within 1 day, however, and consequently scope exists to review the charge currently made for arranging a TTRO under the RTRA.

8. Finance

Under Section 76 of The New Roads and Street Works Act 1991 (NRSWA) Liability for the cost of Temporary Traffic Regulations, the Council may recover the whole of the costs incurred by them in connection with or in consequence of the TTRO. Section 76 NRSWA allows for the costs to include:-

1. Cost of TTRO (legal costs)
2. Cost of advertising in London Gazette (where a closure lasts for 18 months or more)
3. Cost of advertising in a local newspaper (Rotherham Advertiser or Rotherham Star)
4. Cost of administration.

Although the costing below complies with NRSWA, these are actual average costs of the Council facilitating approximately 200 formal road closures per year in Rotherham and have therefore been adopted as the unit price for a road closure made under the RTRA. A closure order can contain details for more than a single road closure and it is not therefore a unit price per road but per order.

The practice of charging an average cost is accepted practice throughout the country and this is the case throughout the Yorkshire region of 12 local authorities encompassing the Yorkshire Highways and Utilities Committee and the Yorkshire Traffic Managers Group.

Rotherham's current charge of £725 for processing a TTRO under the RTRA for road and street works (RSW) purposes along with the maximum proposed charge for events, which would exclude parades and marches, is broken down in the table below.

	RSW (£)	Events (£)
Legal costs	60	60
London gazette (very rarely used).		
Rotherham Advertiser	250	250
Rotherham Star (rarely used)		
Administration including:-		
Traffic management evaluation + consults	125	125
Average mileage costs of posting and maintaining street notices	65	25
Average officer time in posting and maintaining street notices.	225	65
Total	725	525

Throughout the Yorkshire region average prices for road closure orders made under the RTRA vary between Sheffield (£1900 per order) and Doncaster (£540 per order), which is mainly due to the variation in advertising costs. Rotherham's current charge is consistent with charges made across the Yorkshire region for road closures associated with road and street works.

Events are normally held within the day, and therefore the officer time required to maintain street notices, including mileage costs is relatively low. Subsequently, the average cost associated with the maintenance of street notices is not justified in circumstances where TTROs are processed under the RTRA to facilitate lawful closures of the highway for an event. Similarly, the cost associated with the evaluation of traffic management and any associated consultation is not justified where SYP agree to manage traffic during an event, and where street parties are proposed where signage is expected to be minimal.

In circumstances where traffic management evaluation and consultation is not required, and SYP agree to manage traffic, then it is thought only reasonable that the associated cost of £125 in the table above should not be charged. It is also thought reasonable to reduce the combined officer time and mileage costs associated with notice posting/maintenance by £200. Subsequently, where SYP undertake traffic management at events, it is thought reasonable for the Council to charge organisers £400 for arranging a TTRO under the RTRA, and make a maximum charge of £525 where signs and barriers etc are to be introduced to manage traffic. These charges are tabulated in Appendix A to this report along with the current charge made for arranging a TTRO for road and street works purposes, which includes works promoted by utility companies.

Under the TPCA, the time taken to administer the making of the TTRO is low and the cost to the Council in doing so is negligible. Subsequently, a nil charge is thought reasonable in circumstances where the TPCA is used to facilitate closures of the highway for events such as parades and marches.

9. Risks and Uncertainties

There is no legal requirement for organisers to refer events to the Council, however, referrals have been established over the years and have become best practice amongst organisers. Whilst a charge is justified for arranging a TTRO under RTRA, organisers may decide not to refer events to the Council in the future. Subsequently, this could compromise the Council's network management duty under the Traffic Management Act 2004.

Statutory Undertakers may dispute the current charge of £725 that the Council makes for arranging a TTRO for road and street works purposes, which could compromise Streetpride's annual income of around £150k for arranging approximately 200 TTROs.

10. Policy and Performance Agenda Implications

The initiative is in full accord with the LTP2 objectives and the requirements of The Traffic Management Act 2004.

The project is in accordance with the 'alive' and 'safe' themes in Rotherham's Community Strategy.

11. Background Papers and Consultation

1. The Road Traffic Regulation Act 1984 (RTRA)
2. The Town Police Clauses Act 1847 (TPCA)
3. The New Roads and Street Works Act 1991 (NRSWA)
4. The Traffic Management Act 2004 (TMA)
5. LTP2 (2006-2011)

Contact Name : Andrew Rowley, Street Works and Coordination Engineer
extension 2930 - email: andrew.rowley@rotherham.gov.uk

Appendix A

Activity	Legislation	Traffic Management Type	Charge (£)
Parade/March	TPCA 1847	Police	Nil
Sporting/Social/Entertainment	RTRA 1984	Police	£400
		Signs/barriers	£525
Street Party	RTRA 1984	Signs/barriers	£400
Road and Street Works	RTRA 1984	Signs/barriers	£725

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS
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1.	Meeting:	Regeneration and Environment
2.	Date:	01 November 2010
3.	Title:	Middle Lane Local Safety Scheme
4.	Directorate:	Environment and Development Services

5. Summary

To inform Cabinet Member of a proposal to introduce a local safety scheme on Middle Lane, Clifton.

6. Recommendations

Cabinet Member is asked to resolve that:

- i) the scheme, as shown on drawing number 126/RS/ML/F/01A be implemented during the 2010-2011 financial year**
- ii) the scheme be funded from the Local Transport Plan Integrated Transport Capital Programme for 2010/2011**
- iii) a Traffic Regulation Order be promoted to introduce a series of waiting restrictions in junctions of side roads with Middle Lane**

7. Proposals and Details

An accident problem was initially identified on Middle Lane following a Road Safety Audit 12 month accident monitoring report undertaken in July 2008. Two clusters of accidents were identified one consisting of one serious and three slight injury accidents between Cambridge Street and Lister Street and one cluster of three slight accidents at the Park Hotel mini roundabout. One additional accident occurred at the Middle Lane/Doncaster Road mini roundabout. In the two and a half years following this study there have been another thirteen injury accidents on Middle Lane. These consist of two slight accidents at the Middle Lane/Doncaster Road mini roundabout, one serious and two slight accidents outside Clifton Comprehensive, one serious and one slight between Cambridge Street and Lister Street and six slight accidents at the Park Hotel mini roundabout.

In order to address these accident problems and also to address resident's concerns about safety on Middle Lane, which were being raised at the Rotherham South Area Assembly, it was decided to develop a local safety scheme for Middle Lane through a series of workshops with the community. Officers from the Rotherham South Area Assembly arranged and assisted at these workshops.

In March 2009 an initial workshop was held to identify what residents thought were road safety problems on Middle Lane and to develop a possible road safety scheme to treat these problems. Two groups at this workshop developed two different schemes to solve the identified road safety problems. These schemes were assessed by Officers from the Transportation Unit after the workshop and were combined into one proposed scheme which consisted of

- putting both of the existing zebra crossings on Middle Lane onto bus friendly flat top road humps
- permitting cycling on the footway to the east side of Middle Lane between Badsley Moor Lane and Doncaster Road
- changing the position of give way lines at the mini roundabout at Park Hotel and putting one set of speed cushions on the Middle Lane South
- adding two bus friendly flat top road humps to create two informal crossing points close to Clifton Comprehensive School and the Church
- replacing/installing bollards along the whole of Middle Lane to give the same type of bollard along its whole length
- removing the centre line on the section of Middle Lane between Cambridge Street and Lister Street

A second workshop was held in June 2009 at which Officers from the Transportation Unit presented details of the combined scheme. Following extensive discussion it was agreed that this combined scheme would be presented to residents in the streets surrounding Middle Lane who may be affected by the proposals for them to make comment on. This proposal is shown on drawing number 126/RS/ML/F/01 a copy of which is attached as Appendix A.

In October 2009, a consultation letter and plan was delivered to approximately 850 households in the surrounding area, with an invitation to attend an exhibition meeting to discuss the scheme.

Of the 850 letters delivered 98 were returned giving an 11% response rate. The main comments made in these responses were

- Do not want cycling on the footpath (44 mentions)
- Do not want speed humps (22 mentions)
- Do not want alterations to the roundabout (9 mentions)
- Do not want the centre line removing (4 mentions)
- Like the scheme and didn't want any changes (11 mentions)
- Want Clifton Lane re-opening (32 mentions)
- Want more waiting restrictions in and around Middle Lane (25 mentions)
- Want more pedestrian crossings (22 mentions)
- Want additional speed humps on side roads (8 mentions)

Taking into account comments made by people responding to the consultation letter the following items were removed from the scheme

- shared use footway/cycleway (due to the number of comments made in respect of this)
- road hump closest to Doncaster Road (to reduce number of road humps)
- road hump on zebra crossing outside Clifton Comprehensive School (this has been replaced by speed cushions either side of the zebra crossing due to practicalities on site)
- build-out at the junction of Newton Drive (due to concerns about turning out onto Middle Lane from Newton Drive and Gilberthorpe Street. This has been replaced with waiting restrictions.)

and the following have been added

- waiting restrictions in the junctions of side roads with Middle Lane
- changes to improve loading/short term parking close to shops
- install "Zebra-Bright" on belisha beacons to increase prominence of crossings

A final meeting was held in March 2010 with attendees from the original workshops to present the finding of the consultation and to finally agree on the scheme. This final proposal is shown on the drawing number 126/RS/ML/F/01A a copy of which is attached as Appendix B.

An update letter was sent to the 850 households consulted in October 2009 giving details of the changes made to the proposed scheme in response to consultation.

A road hump notice was advertised on 3 September 2010 and no objections were received in response to this notice.

8. Finance

The cost for the scheme has been estimated at £127,800 (including both fees and works cost). Funding is currently available from the South Yorkshire Local Transport Plan Integrated Transport Capital Programme for 2010-2011.

9. Risks and Uncertainties

None

10. Policy and Performance Agenda Implications

The proposals are in line with objectives set out in the South Yorkshire Local Transport Plan.

11. Background Papers and Consultation

Appendix A Plan number 126/RS/ML/F/01 showing the layout of the scheme developed by the community workshops

Appendix B Plan number 126/RS/ML/F/01A showing the layout of the proposed scheme

Contact Name: *Matthew Lowe, Engineer, 54490
matthew.lowe@rotherham.gov.uk*



Zebra crossing put on a bus friendly flat top road hump.

School warning sign

Crossing point on a bus friendly flat top road hump

Allow cycling on the footpath from Badsley Moor Lane to Doncaster Road.

Zig-zag markings for zebra crossing extended to improve visibility

Proposed junction mouth build-out to improve driver visibility and define parking areas

Zebra crossing put on a bus friendly flat top road hump.

Position of give way lines changed to make roundabout smaller.

Speed cushions to slow traffic down before mini roundabout.

Crossing point on a bus friendly flat top road hump

Centre line road marking removed to encourage vehicles to slow down.

School warning sign

Rev	Description	Date	Drawn	Check	Scale	Author	Project
1					1:500	ML	Local Safety Scheme Middle Lane
							Community workshop scheme proposal
							Drawn by: 126/RS/ML/F01
							Check by: TFS
							Date: Sep 2009

Note:-
 1. All existing and proposed bollards to be common style and be painted black.
 2. All sign assemblies to be painted black.

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



Source: Project: Not identified Site: Rawmarsh, Rotherham



Rev.	Description	Date	Auth	Drawn	ML	Project	Local Safety Scheme
1	Drawn in accordance with the standards of the British Council					Middle Lane	Middle Lane
2						Community workshop scheme proposal	
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Note:-
 1. All existing and proposed bollards to be cannon style and be painted black.
 2. All sign assemblies to be painted black.
 3. Buff coloured high PSV surfacing shall be provided on all zebra crossing approaches.

Rotherham Metropolitan Borough Council
 Environment & Development Services
 Billy House, Rammarsh Road,
 Rotherham S60 1TD

Rotherham Metropolitan Borough Council
 Environment & Development Services
 Billy House, Rammarsh Road,
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15/09/2009
 Date: Sep 2009
 Chd:by TFS