

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	CABINET
2.	Date:	17 TH 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 at Appendix 1 to the report reflect the revised procedures relating to highways enforcement followed within Streetpride and be recommended for adoption by Council.

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

This report had been presented to and supported by the Cabinet Member for Regeneration and Environment on the 1st November, 2010.

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