

# Minutes

## Overview and Scrutiny Committee 10<sup>th</sup> May 2018



### Present

Councillors	Present	Councillors	Present
P Barlow (Chairman)	Yes	D Mann	Yes
Mrs. M Cunningham (Vice Chairman)	Yes	Mrs. I Parker	Yes
Mrs. D Garrod	Yes	R Ramage	Yes
J Goodman	Apologies	B Rose	Yes
A Hensman	Yes	P Schwier	Yes
P Horner	Yes	C Siddall	No
D Hume	Apologies	Vacancy	
G Maclure	Yes		

### 1 **DECLARATIONS OF INTEREST**

**INFORMATION:** There were no Declarations of Interest made.

### 2 **PUBLIC QUESTION TIME**

**INFORMATION:** There were no questions asked, or statements made.

### 3 **MINUTES**

**DECISION:** That the Minutes of the 11<sup>th</sup> April 2018 of the meeting of the Overview and Scrutiny Committee were approved as a correct record and signed by the Chairman.

### 4 **FIRST EVIDENCE GATHERING SESSION FOR THE SCRUTINY REVIEW INTO THE ROLE OF THE HIGHWAY AUTHORITY IN THE BRAINTREE DISTRICT**

**INFORMATION:** This was the first evidence gathering session of the work programme for the Committee's Scrutiny Review into the Role of the Highway Authority in the Braintree District.

Neil Jones, Principal Planning Officer at Braintree District Council, and two representatives from the Strategic Development Team at Essex County Council Highways, Mr Martin Mason and Mr Matthew Bradley, gave a presentation to Members on the relationship between the Local Planning Authority and the Highway Authority. The presentation gave Members a more distinct insight into the Highways Authority from the perspective of Planning Officers.

The presentation slides can be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/761/Committee/4/Default.aspx>

In response to questions raised by Members the following information was provided:

- The responsibility for the management of roads and open spaces within new developments had changed greatly in recent years. Historically the District Council would adopt many areas of Open Space and the Highway Authority / Essex Highways (EH) would adopt many of the new roads that were built. Changes in Local Government finance meant that the District Council would no longer adopt areas of Open Space. The criteria for adoption of roads by EH had also changed to reduce the amount of roads that would be adopted as public highways. Developers were required to establish Management Companies to oversee the ownership and maintenance of Open Space and in some cases private roads. There were some developers whose policy was to retain ownership of all roads within their development and these would also be the responsibility of the Management Company. The Maltings Lane development in Witham was cited by Members as an example of a development where there had been a number of issues concerning management of Open Space, particularly verges. Officers explained that this was partly due to there being a number of different developers involved over many years. Officers stated that developers could not be compelled to offer land for adoption, and that even when land was offered for adoption as highway this was not always possible due to restrictions from other bodies such as Anglian Water. Highways Officers explained that in Essex, developers were now required to arrange a bond under the "Advance Payments Code" scheme. If the road was subsequently adopted then the bond was returned but if the road was not adopted then the bond remained, which allowed EH to effectively manage the road if required.
- Members were informed that Transport Assessments and Transport Statements that were submitted with Planning Applications were assessed by EH Officers. The Highways Officers could obtain technical support, and an example was around transport modelling from Jacobs, who were part of EH. It was acknowledged that computer generated models that assessed highway impacts were subject to many variables, and that inputting incorrect or inaccurate data could heavily affect computer model results, which could be misleading. The Highways Authority Officers scrutinised data used in modelling and were aware of common areas where data might not have been accurately presented. It was explained that EH Officers could also utilise a number of databases to make more thorough assessments of modelling, and an example of this was the Trics Database which contained traffic survey information from a wide range of developments (with a variety of different development types and geographical locations) . Another issue that was considered with regard to transport modelling was the gradual shift of people from the use of private cars towards walking, cycling and public transport.
- Members were advised that it could be difficult for the Planning and Highway Authorities to ascertain the exact impact of new planning proposals due to factors such as new residents shifting their mode of transport (relying more on walking and cycling) and peak spreading (traveling outside the traditional peak hours to avoid congestion). Impartiality upon receipt of any representations was stressed; however, members of the public often had differing views on what constitutes a

severe impact. Therefore, the process of assessing representations could be made more transparent to the public to enhance their understanding of this.

- The issue of heavy goods vehicles on inappropriate local roads was raised. Officers explained that there were limited routes available for Lorries accessing major roads such as the A120 and A12; as a result this could add to congestion and create pressures for vehicle weight restrictions, and an example of this was in the Cypress Road area of Witham. Highway Officers stated that HGVs did not need to navigate the District and that EH could only try to divert HGVs onto the most appropriate roads as soon as possible, thereby reducing the need for them to be on inappropriate roads. A preferred route to the A120 was to be announced on the 8<sup>th</sup> June 2018 which could help to lessen the impacts.
- It was advised that Ringway Jacobs and EH were currently examining the potential of rapid transit systems as a long term plan for linking garden villages together with Stansted Airport, in addition to other sustainable measures for growth.
- Members were notified that the Strategic Development Team Officers who provided BDC with advice on Planning applications had an expedient overview of issues across the highway spectrum. It was relayed to Members that the Highway Authority consisted of a number of different teams who carried out the various functions of the Highway Authority. However, in terms of enforcement issues (i.e. encroachment), it was explained that the Highways Authority did not have a substantial resource.
- Members were informed that the management of the A120 and A12 lay with the Highways Agency, not with Essex County Council (ECC), and that Planning Officers would consult with the Highways Agency on Planning applications concerning the two roads. The spatial strategy that formed part of the new Braintree Local Plan aimed to direct most new development around town centres; the A12 Corridor and the new Garden Communities where there was more capacity, resilience for growth and greater opportunities to promote more sustainable forms of transport. "Rat runs" were an issue for access to the A120 but the impact of their use was difficult to assess as the public had the right to use such roads. BDC and ECC were looking at a range of short, medium and long term measures to address capacity issues, including new schemes such as the signalisation of the roundabout at Fowlers Farm as part of the planning permission for a new Bulky Goods Retail Store, and the 'A120 Millenium Way Slip Road.'
- It was relayed to Members that, upon receipt of an objection from Members of the public to a Planning application, the responsible Planning Officer would always give it due consideration and this included where objections were raised on Highway Grounds. If the objection was received following a recommendation made by the Highway Authority, or if a new issue was raised, it would then be appropriate for the Planning Officer to consult with the Highways Officer to ensure that this did not affect their recommendation.
- A Rapid Transport System could also be referred to as Rapid Mass Transit, and essentially referred to the quick transfer of large masses of people across a corridor; an example of this was the Docklands Light Railway.
- The maintenance of most road signs along the highway network in Essex was the responsibility of EH. Members were advised that instances where signage had

become unclear or unreadable should be reported to Customer Services at Essex County Council, but it was also mentioned that EH had to prioritise maintenance requests and that it was often necessary to assign the highest priority for maintenance to issues such as pot holes.

- It was advised that, in technical terms, road signs with the display “New road layout ahead” should be standing for a minimum period of six months. An inspection would then be carried out by EH after twelve months in order to identify any such signs along the roads and have them removed at this point. In instances where these signs were not removed after 12 months, the most effective means of identifying the signs that had been overlooked was for Members to report them to EH.

Following the presentation, Members identified the following potential areas of interest to explore at future evidence gathering sessions:

- It was established that it would be useful for Members to understand the broader role and functions of Public Transport and, in particular, bus issues in order to put this into the context of the Highways function. It was suggested that one or two officers could be identified from Essex Highways (EH) in order to assist Members with this understanding. It was also agreed that some online links to the Council’s website would be circulated to Members on this subject in order to further their comprehension, and also a link to ‘Traffic Signage and General Directions.’
- It was proposed to identify officers from EH who could speak to Members about general signage issues and maintenance. It was added that it would be useful for an officer from Essex County Council (ECC) to attend the next meeting to talk to Members about Public Rights of Way.
- It was recognised that it would be advantageous for Members of the Committee to be advised upon the meetings of the Passenger Transport Panel which had looked at previously considered transport issues within Parish Councils. It would be worthwhile to know how frequently Panel met, and its primary functions.
- Members agreed that it would be practical to receive an update into the Signage Review that was carried out for the Braintree area, the results of which had not been made apparent. It was agreed that the Officers would identify a suitable officer who could inform Members of the results from the survey.
- It was considered important for Members to understand the process behind issues reported to EH through the online portal. A general concern was the lack of response and explanation as to whether the issues reported via the portal were received and responded to. It was suggested to identify an officer from ECC to attend the next meeting to provide an insight into the field of highways maintenance and answer any questions posed by Members regarding Public Rights of Way and signage.
- Members were advised to watch the webcast for the Highways Presentation that took place at the Member’s Evening on 14<sup>th</sup> March 2018 that was available on the Member’s Portal, and pose any further questions to the relevant officers at future meetings.

**DECISION:** That Members agreed the Work Programme.

**REASON FOR DECISION:** To ensure that the Scrutiny Review into role of the Highway Authority in the Braintree District is completed within the Civic Year 2018/19 and complies with the procedure rules for the Overview and Scrutiny Committee.

5 **TASK AND FINISH GROUP UPDATE**

**INFORMATION:** Members were updated on the work of the Task and Finish Groups.

Further to the Overview and Scrutiny Committee held on the 11<sup>th</sup> April 2018, Members were advised that in respect of the two Task and Finish Groups for the Civic year 2018-19, the confirmation of membership for the Groups was still in consultation with the Scrutiny Steering Board. The two Lead Officers for the Task and Finish Groups along with the Governance and Members Officer were working together to establish a time table of meeting dates for the remainder of the Civic year 2018/19, and Members would be updated accordingly by e-mail and at the next meeting of the Overview and Scrutiny Committee on the 6<sup>th</sup> June 2018.

6 **DECISION PLANNER**

**INFORMATION:** The Chairman informed Members that the Decision Planner had not altered since the date of the last meeting; however, at the meeting of the Overview and Scrutiny Committee on 11<sup>th</sup> April 2018, the Chairman raised concern on two items listed in respect of I-Construct and the Bewell Strategy. The Chairman reported that the concerns that had been raised with regard to the I-Construct Item were expected to be addressed by Cabinet at their meeting on the 14<sup>th</sup> May 2018. It was expressed to Members that it would be useful to be aware of what I-Construct entailed and how it would benefit a number of the strategic objections of the Council. The Chairman was satisfied on the basis of the Cabinet Report that, if the recommendations were approved, it would provide an opportunity for Members to have further input as the project progressed.

In respect of the Bewell Strategy the Chairman advised Members that it would be useful to be more aware of the changes taking place with regard to the scheme. The campaign would likely impact on the facilities that the Council currently had that were implemented by Fusion. It was suggested that the Corporate Director may be able to assist Members with their understanding of this in future.

**DECISION:** That the Decision Planner for the period 1<sup>st</sup> June 2018 to 30<sup>th</sup> September 2018 be noted.

The meeting commenced at 7.15pm and closed at 9:32pm

Councillor P Barlow  
(Chairman)