

Agency Agreement – Renewal

Report by the Director of Environment, Transport and Development

Summary

This report notes the requirement for the County Council and City Council to jointly review the operation of the Agency Agreement between the 1 April 2013 and 31 March 2014 with a view to renewing it.

Recommendation / Action Required

That the Joint Committee support that Officers review the Agency Agreement, and report proposals back to Committee for comment before being considered by the County Council's Cabinet and the City Council's Cabinet.

1.0 Background

- 1.1 Since 1996, the County Council and City Council have jointly overseen the operation of the highways function within the City administrative boundary through the Norwich Highways Agency Committee (NHAC). This is a formally constituted committee under the auspices of the Agency Agreement which was renewed on the 1 April 2011 for a rolling four year period.
- 1.2 The Agency Agreement, and therefore the activities of the Committee, includes delegated functions to the City Council covering-highway maintenance work, management of on-street parking, design and construction of improvement schemes, traffic management, improvements to safety, highways development control, the development and coordination of programmes and works on the city highway network and specific areas of wider policy development.
- 1.3 Para 42 of the Agency Agreement (Review of Agreement) states that "*The County Council and City Council shall jointly review the operation of this Agreement between the 1 April 2013 and 31 March 2014 with a view to renewing it (with or without variations) or either party terminating it under Clause 45.*"
- 1.4 Para 45 of the Agency Agreement (Extension of Agreement) states; "*If by 1 April 2014 neither party has given notice pursuant to Clause 44 the Agreement shall be deemed to have been renewed (with any agreed variations) for a period of four years commencing from 1 April 2015.*"
- 1.5 The Joint Committee is asked to agree that Officers review the Agency Agreement, and report proposals back to NHAC. The review will take account of the ongoing re-procurement of Norfolk County Council's ETD Highways and Related Services. This was reported to; ETD Overview & Scrutiny Panel on 14 November 2012 ; City Council Cabinet on 12 September 2012; and to NHAC on 29 November 2012 which endorsed recommendations to: use the County Council's contracts to deliver highways agency agreement services following re-procurement in April 2014; and to bring forward the review of the present highways agency agreement with a view to renewing in April 2014. The revised agreement will require the formal approval of the County Council's Cabinet and the City Council's Cabinet.

2.0 Resource Implications

- 2.1 **Finance** : None
- 2.2 **Staff** : No direct resource implications beyond the staff time for the review
- 2.3 **Property** : None
- 2.4 **IT** : None
- 3.0 **Other Implications**
- 3.1 **Legal Implications:** Statutory Duty to maintain the highway.
- 3.2 **Human Rights** : None
- 3.3 **Equality Impact Assessment (EqIA)** : None
- 3.4 **Communications** : None
- 3.5 **Health and safety implications** : None expected to emerge from the review.
- 3.6 **Environmental implications:** None
- 3.7 **Any other implications** : Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.
- 4.0 **Section 17 – Crime and Disorder Act**
- 4.1 There are no implications of this report for the Crime and Disorder Act.
- 5.0 **Risk Implications/Assessment**
- 5.1 If by 1 April 2014 neither party has given notice pursuant to Clause 44 the Agreement shall be deemed to have been renewed (with any agreed variations) for a period of four years commencing from 1 April 2015.

Recommendation / Action Required

- (i) That the Joint Committee support that Officers review the Agency Agreement, and report proposals back to Committee for comment before being considered by the County Council's Cabinet and the City Council's Cabinet.

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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