

Report to Cabinet
9 October 2013
Report of Head of city development services
Subject Renewal of the Highways Agency agreement with Norfolk
County Council

Item

6

KEY DECISION

Purpose

To seek renewal, with minor amendments, of the Highways Agency agreement between Norfolk County Council and Norwich City Council on 1 April 2014, to coincide with the start of the county council's new strategic highways partnership.

Recommendations

1. To endorse revisions to the Highways Agency Agreement between Norfolk County Council and the council as set out in the report; and
2. To agree to renewal of the Highways Agency Agreement with Norfolk County Council with effect from 1 April 2014 for five years based on the proposed revisions.

Corporate and service priorities

The report helps to meet the corporate priority "A safe and clean city" and the service plan priority of delivering highway functions in the city

Financial implications

The highways agency agreement is set up to be self sustaining and cost neutral to the city council

The proposed change to include a lump sum fee for the administration of the Highways Maintenance Fund (HMF) based on the number of full time equivalent employees will help protect the council from financial risks associated with any future variations in the HMF budget

Ward/s: All wards

Cabinet member: Cllr Mike Stonard – Environment, development and transport

Contact officers

Andy Watt; Head of city development services

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Background documents

None

Report

Background

1. The County Council has an agency agreement with the council to carry out various highway and traffic functions within the City. The functions the City Council carries out include some policy development as part of NATS, highways maintenance, design and construction of improvement schemes, traffic management, improvements to safety and the co ordination of programmes and works on the city's highway network.
2. The council is the local planning authority and therefore leads in the determination of the development of the city and it is recognised that success in this results from both careful planning and realising opportunities. All development, particularly in cities, requires a robust transport infrastructure. In Norwich that infrastructure is primarily highway. As the County Council is the highway authority, development of all sorts requires a close working relationship between the two councils. A highways agency agreement is a major contributor to improving that co operation.
3. The Norwich City Highways Agency Agreement has been in place since the 1974 local government reorganisation and has been renewed every four years since that date, with the exception of the 2006 agreement that was extended for a year to take account of the then pending local government review. The latest agreement was adopted in March 2011 and saw some significant changes to the agreement including the way that structural maintenance fees were claimed, improvements to reporting systems and the delivery of the winter maintenance service by the county council.
4. In September 2012 cabinet agreed that officers should negotiate a new highways agency agreement with Norfolk county council, taking into account the county council re-procurement process for its strategic partnership. Cabinet also requested officers to investigate the use of the county council's highway ranger service to deliver some highway services in the city.

Proposed amendments to the highways agency agreement

Timing and duration

5. The current agreement expires in March 2015. However as Norfolk County Council is to embark on a new strategic partnership for the delivery of highway works in April 2014, the opportunity has been taken to realign the highways agency agreement with the strategic partnership agreement. It is therefore proposed that the new highways agency agreement operates from April 2015 for a 5 year period which will coincide with the break point in the 10 year strategic partnership contract.

Agreement to use new contract to deliver works functions

6. At the current time all highway works within the city are delivered by the County Council's strategic partnership. Within the rest of the county the strategic partnership concentrates on planned routine maintenance, highway improvements, surface dressing and resurfacing and there is an in-house county council operations team that delivers all winter service, emergency response work and ranger work. The ranger work is non-planned routine maintenance work such as sign cleaning, hedge

cutting and other work identified by the local communities, which has proven to be a popular approach giving local communities more flexibility in determining the work needed in their area. The new highways agency agreement will adopt the county wide model in the city, using the county council's operations team. This will support the council's neighbourhood working strategy

Key performance indicators

7. Revised key performance indicators will be agreed to align with County Council performance reporting and city annual performance report: These indicators will cover
 - a) Client functions (customer complaints etc)
 - b) Designer performance (in accordance with the new contract KPI requirements)
 - c) Capital improvement/highway maintenance schemes
 - d) Highway Maintenance Fund
 - e) CPE/ Parking
 - f) Streetworks

Closer alignment with Civil Parking Enforcement (CPE)

8. Norfolk County Council and the other district councils in Norfolk have formed a Norfolk Parking Partnership (NPP) to manage and administer parking enforcement outside the Norwich City Council administrative area. The NPP has agreed "Parking Principles" and "Parking Management Development Guidelines". The "Parking Principles" and "Parking Management Development Guidelines" would be followed by the council in exercising its responsibilities for decriminalised parking as defined in this agreement and the associated "Delegation of Functions Agreement in Respect of the Decriminalised Enforcement of Parking in Norwich". There are no plans at present for the NPP to take over the administration of parking enforcement in the city, as this sits with Norwich Highways Agency Committee.

Norfolk Traffic Management Act permit scheme

9. The County Council aims to implement a 'permit' scheme for roadworks under the Traffic Management Act 2004 from April 2014 (subject to approval by the Department of Transport and Secretary of State). This will require prior approval for works requiring excavation or positive traffic control in the highway, to improve control on timing/duration of works, and quality of traffic management/road repairs/reinstatements. Scheme costs will be recovered from the utilities through a permit fee, which will fund the additional staff that will be required in both the city and the county to administer the scheme. Arrangements for permitting and associated staffing will be reviewed annually. Introduction of the permit scheme is likely to require operational amendments to the agency agreement to be agreed between the two councils in due course.

Fees based on resources

10. The current highways agency agreement states that the fees for the highways maintenance fund (which covers gully emptying, sign cleaning, grass cutting, patching etc) are charged at an at cost basis to the HMF budget. This replaced the previous agreement where the fees were 5.5% of the total budget which did not cover the true cost of administering the HMF. Given the potential variation in the HMF budget in the coming years and the need for certainty in staff funding it is now proposed that a lump sum fee based on the number of full time equivalent employees working on the HMF should be paid on an annual basis, as it is for annual maintenance, network management and traffic planning.

Greater flexibility in undertaking design

11. In order to make most effective use of limited resources at both the city and county council the highways agreement will allow each Council to, by agreement, arrange for specified highway design functions to be carried out by the other subject to respective workloads and availability of resources.

Recommendations arising from audits

12. From time to time audits are carried out on certain aspects of the highways agency agreement. The new agreement will allow for recommendation made in these audits to be enacted. A recent example of this was that an audit of the decriminalised parking scheme identified the need for a quarterly parking management joint meeting, which has now been implemented.

Delegation of functions

13. In order to reduce delays in the process it is proposed that the Head of city development services, in consultation with the Chair and Vice-chair of the highways agency committee, is authorised to instruct officers to advertise changes to fee and charge schedules attached to Traffic Regulation Orders

Integrated impact assessment



NORWICH
City Council

The IIA should assess **the impact of the recommendation** being made by the report

Detailed guidance to help with completing the assessment can be found [here](#). Delete this row after completion

Report author to complete

Committee: Cabinet

Committee date: 9 October 2013

Head of service: Andy Watt

Report subject: Renewal of the Highways Agency agreement with Norfolk County Council

Date assessed: 23 September 2013

Description:

	Impact			
Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Financial inclusion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Impact			
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The existence of a highways agency agreement enables the city council to have greater control and influence on transport policy in the area.
Natural and built environment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The existence of a highways agency agreement enables the city council, with its' strong urban design ethos, to influence the design of transport schemes in the city
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sustainable procurement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Recommendations from impact assessment

Positive

Negative

Neutral

Issues