

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Wednesday, 21 October 2015
Report Subject	Review of the Consultation Process for Introducing Traffic Calming and Other Highway Traffic and Safety Features on the Highway
Report Author	Chief Officer (Streetscene and Transportation)

EXECUTIVE SUMMARY

The process of engagement with the community on traffic matters can be complex, time consuming and it is very difficult to satisfy individual resident preferences whilst satisfying the Authority's statutory 'duty of care' to reduce accidents on the highway network.

The purpose of this report is to seek Cabinet approval to review and formalise the current consultation process with Local Members, Community Councils and members of the public, relating to the implementation of traffic calming measures.

The current process for consulting on traffic orders and other safety related schemes has also been detailed for purposes of clarity and transparency.

RECOMMENDATION

1	That the proposed approach for consulting with local communities on future traffic calming schemes and notes the process currently followed for community consultation on other road safety arrangements be noted.
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REPORT DETAILS

1.00	EXPLAINING THE REVIEW OF THE CONSULTATION PROCESS
1.01	Currently, all safety schemes (either statistically identified or locally requested) are assessed, scored and ranked in accordance with Flintshire County Council's Road Safety Scheme Matrix. All schemes are prioritised in order of hierarchal score with the highest scoring schemes being included within the Authority's annual bid to Welsh Government.
1.02	For those schemes identified within the Flintshire County Council Road Safety Scheme Matrix that may be eligible for physical traffic calming measures, any potential scheme must then be assessed in accordance with Flintshire County Council's Traffic Calming Policy. The Authority's traffic calming policy assesses both the need and suitability of physical features, taking into consideration factors such as recorded accidents, vehicular speeds, traffic flows, pedestrian generators and high risk / vulnerable users.
1.03	For the implementation of all new physical traffic calming schemes, the current process requires Officers to discuss initial proposals with the Local Member(s) before then engaging directly with Local Residents via a public exhibition. Residents are invited to view the scheme and to comment on the proposals and are provided with an opportunity to vote either in favour or against the scheme by means of a public ballot, which is usually held at the public exhibition. The results of the ballot are then analysed in order to ascertain the level of public support for any given scheme.
1.04	<p>Although residents often welcome the opportunity to engage direct with Officers, the following concerns with this process have been noted;</p> <ul style="list-style-type: none">(i) Engagement with mass consultees (local residents) can be complex, time consuming for Officers and in many cases, very difficult to satisfy individual resident demands or preference whilst satisfying the Authority's statutory duty of care to reduce accidents on the Flintshire road network.(ii) Satisfying individual requests in one instance can often result in an objection being received from another. Should such a situation occur, Local Members can become embroiled in disagreements for which no apparent outcome can be found.(iii) Highway safety proposals, in particular, physical traffic calming measures, are in most cases funded by Welsh Government grant funding and therefore have to be completed within the current financial year for which the funding is granted. Should a situation arise whereby conflicting public support exists, the formal consultation process (for which may include formal objections to the proposals) could delay the implementation of the scheme or in some instances, jeopardise delivery altogether.

	<p>(iv) Should the delivery of a safety scheme be compromised, the Authority could be in breach of its statutory duty to reduce accidents having identified the risk via the Welsh Government and Flintshire County Council Safety matrices.</p> <p>(v) Currently, should an individual exercise their right to formally object to proposals, this will be recorded as one objection. By comparison, should the Community Council also wish to object, this would be considered as one objection also, and therefore, may not be deemed as proportionate given the Community Councils function of representing the views of the local community.</p>
1.05	Having identified the concerns within the existing process, it is proposed that in future the Community Council are requested to gather the views of their local community and come to a conclusion on the best option, thus enabling the Authority to engage with a singular consultee in each case.
1.06	In line with the existing process, Officers would engage with Local Members in the first instance, providing a number of potential schemes for consideration as well as a 'preferred option'. Once approval has been made with the Local Member, scheme options would then be provided to the Community Council for wider consultation with the local community. On receipt of an agreed option, the scheme would then be formally advertised.
1.07	<p>Should the revised process be adopted, the benefits of adopting a singular Consultee, in this instance the Community Council, are as follows;</p> <ul style="list-style-type: none"> (i) A revised process will provide the Authority with clarity on scheme preference and general consensus of resident's views (single consultee to represent public support) (ii) Community Council will have direct input into scheme proposals, ensuring increased scheme ownership by the Community Council and the wider community. (iii) Ensure scheme deadlines are achieved in line with grant funding allocation. Engagement with a singular consultee will mitigate risk of delays associated with mass consultees. (iv) Reduction in the level of Officer resources, previously associated with complex consultation process. (v) Streamline process for Local Members greatly reducing potential for inner-ward conflict.
1.08	For the avoidance of doubt, the Authority must be clear as to the nature of consultation exercise. It is essential that this is made apparent at the point engagement to avoid unrealistic public expectation.
1.09	The Highway Authority has a statutory duty to reduce the number of road traffic collisions on the highway network (in line with Welsh Government Guidance). Should a scheme requiring the implementation of physical measures be identified as appropriate, consultation with the Community Council and wider community will be on the basis of choosing a preferred scheme option and <i>not</i> the principle of the proposal.

1.10	In recent years, the Authority has received a number of requests seeking the removal or changes to existing traffic calming schemes. Such requests often relate to schemes implemented in excess of 15 years ago and often include the earliest forms of speed retardant features (thermoplastic humps or <i>sleeping policemen</i>). Many of these historic schemes were implemented by direct request of the representative Community Council via match funding initiatives prior to the implementation of the Authority's data led Traffic Calming Policy.
1.11	Traffic calming changes or complete replacement schemes will only be considered in the following circumstances: <ul style="list-style-type: none"> 1. Significant changes to traffic movements brought about by local highway improvements or changes. 2. Road resurfacing 3. Continued accident records
1.12	In the above circumstances the consultation process for the revised scheme will follow the protocol for new schemes as detailed in this report.
1.13	Similarly, all requests for the implementation of Traffic Regulation Orders (TRO's) are assessed, scored and ranked in accordance with Flintshire County Council's TRO Matrix. Again, all schemes are prioritised in order of hierarchal score, with the highest scoring schemes being included within the annual programme of works pending available funding.
1.14	Consultations following requests for new or amended TRO's will be as follows: <p>In the event that implementation of a traffic regulation order be deemed appropriate, Officers would engage with Local Members in the first instance. Should the scheme receive the support of the Local Member, proposals would then be subject to a full 21 day Statutory Consultation Process which would include public notices erected on site, advertisements within local press and proposals displayed on the Flintshire County Council website.</p>
1.15	Should formal objections be received within the period of advertisement (21 days), Officers will respond to the complainant providing a detailed response to all matters raised. A request for the withdrawal of the objection will also be made within the correspondence. Should the complainant wish to uphold their objection, objections will then be included within a delegation report to Cabinet who will make a decision on the implementation of the order via delegated powers.

2.00	RESOURCE IMPLICATIONS
2.01	From current staff resources.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	With Cabinet Member on process.

4.00	RISK MANAGEMENT
4.01	Should the revised process not be adopted, the Authority is at risk of not adhering to its statutory duty of care to reduce the number of accidents on the Flintshire Road Network - please refer to item 1.04 (iv).

5.00	APPENDICES
5.01	None.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None Contact Office: Stephen O Jones Telephone: 01352 704700 E-mail: stephen.o.jones@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None