



**Buckinghamshire County Council**  
**Select Committee**  
Transport, Environment and Communities

**Date:** Tuesday 23 June 2015  
**Time:** 10.00 am  
**Venue:** Mezzanine Room 2, County Hall, Aylesbury

**AGENDA**

**9.30 am Pre-meeting Discussion**

This session is for members of the Committee only. It is to allow the members time to discuss lines of questioning, areas for discussion and what needs to be achieved during the meeting.

**10.00 am Formal Meeting Begins**

Agenda Item	Time	Page No
1 ELECTION OF CHAIRMAN		
2 APPOINTMENT OF VICE-CHAIRMAN		
3 APOLOGIES FOR ABSENCE/ CHANGES IN MEMBERSHIP	10.00am	
4 DECLARATIONS OF INTEREST To disclose any personal or disclosable pecuniary interests.		
5 MINUTES Of the meeting held on 19 <sup>th</sup> May 2015 to be confirmed as a correct record.		5 - 10



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## **6 PUBLIC QUESTIONS**

This is an opportunity for members of the public to put a question or raise an issue of concern, related to Environment, Transport and Locality Services. Where possible, the relevant organisation to which the question/issue is directed will be present to give a verbal response. The member of public will be invited to speak for up to four minutes on their issue. A maximum of 30 minutes is set aside for the Public Questions slot in total (including responses and any Committee discussion). This may be extended with the Chairman's discretion.

For full guidance on Public Questions, including how to register a request to speak during this slot, please follow this link:

<http://www.buckscc.gov.uk/about-your-council/scrutiny/get-involved/>

## **7 CHAIRMAN'S REPORT**

**11 - 14**

For the Chairman of the Committee to provide an update to the Committee on recent scrutiny related activity.

Members are asked to note the two attached update reports on Sustainable Drainage and Legal Highs.

## **8 S278 DEVELOPER WORKS ON THE HIGHWAY**

**10.10am**

**15 - 72**

Members will receive an update on the outcome of a recent review into how S278 works (developer works on the highway) are undertaken and improvements that the service can take forward as a result.

### **Contributors:**

**Mr Mark Shaw, Cabinet Member for Transportation**

**Mr Stephen Walford, Growth and Strategy Director, TEE**

**Mr Martin Dickman, Environment Services Director, TEE**

**Miss Christine Urry, Highways Development Management Team Leader, TEE**

## **9 PUBLIC TRANSPORT INQUIRY - PROGRESS UPDATE**

**10.50am**

**73 - 78**

This item is for members to receive a six month update to monitor progress towards the Committee Inquiry recommendations.

### **Contributors:**

**Mr Mark Shaw, Cabinet Member for Transportation**

**Mr Martin Tugwell, Programme Director, TEE**

- |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                |                |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <b>10</b> | <b>TRANSPORT FOR BUCKS UPDATE</b><br>This item is for Members to receive an update on the new client staffing structures following a recent recruitment drive and on the progress of customer focus improvements, which the Select Committee learned about at their meeting in February 2015.<br><br><b>Contributors:</b><br><b>Mr Mark Shaw, Cabinet Member for Transportation</b><br><b>Mr Mike Freestone, Director of Transport, TEE</b><br><b>Mr Demos Kettenis, Head of Highways, TEE</b><br><b>Mr Simon Dando, TfB Contract Director</b> | <b>11.20am</b> | <b>79 - 96</b> |
| <b>11</b> | <b>SELECT COMMITTEE WORK PROGRAMME</b><br>Members will discuss the Work Programme and forthcoming Committee items.                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>11.45am</b> |                |
| <b>12</b> | <b>DATE OF THE NEXT MEETING</b><br>The next meeting will take place on Tuesday 21 <sup>st</sup> July 2015 at 10am in Mezzanine Room 2, County Hall, Aylesbury. There will be a pre-meeting for Committee Members at 9.30am.                                                                                                                                                                                                                                                                                                                    | <b>12pm</b>    |                |

### **Purpose of the committee**

The role of the Transport, Environment and Communities Select Committee is to hold decision-makers to account for improving outcomes and services for Buckinghamshire.

It shall have the power to scrutinise all issues in relation to the remit of the Transport, Economy, and Environment Business Unit. In addition it will also have within its remit all areas relating to Communities issues/services (currently structurally under the Communities, Health and Adult Social Care Business Unit).

This includes, but not exclusively, responsibility for scrutinising issues in relation to:

- Strategic business planning & commercial development
- Growth & Strategy (including economic development)
- Regeneration & Infrastructure
- Environment Services (including country parks and waste management)
- Transport Services (including highways maintenance)

### **Communities issues**

- Localism strategy & Voluntary and community sector engagement
- Libraries
- Resilience (emergency planning)
- Crime and disorder and crime and disorder reduction partnerships (community safety partnerships)\*
- Museums; Registrars & Coroners.
- Impact of Welfare Benefits Reforms.
- Local Emergency Support

*\* In accordance with the BCC Constitution, this Committee shall act as the designated Crime and Disorder Committee and will hold the countywide Crime and Disorder Reduction Partnership to account for the decisions it takes and may take part in joint reviews with District Councils of District Crime and Disorder Reduction Partnerships.*

## **Webcasting notice**

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*For further information please contact:* Kelly Sutherland on 01296 383602; Email [ksutherland@buckscc.gov.uk](mailto:ksutherland@buckscc.gov.uk)

## **Members**

Mr W Bendyshe-Brown	Mr W Chapple OBE
Mrs P Birchley	Mrs L Clarke OBE
Mr T Butcher	Mrs A Davies
Mr D Carroll	Mr P Gomm



**Buckinghamshire County Council**  
**Select Committee**  
 Transport, Environment and Communities

# Minutes

## *TRANSPORT, ENVIRONMENT AND COMMUNITIES SELECT COMMITTEE*

Minutes from the meeting held on Tuesday 19 May 2015, in Mezzanine Room 2, County Hall, Aylesbury, commencing at 10.02 am and concluding at 11.45 am.

This meeting was webcast. To review the detailed discussions that took place, please see the webcast which can be found at <http://www.buckscc.public-i.tv/>  
 The webcasts are retained on this website for 6 months. Recordings of any previous meetings beyond this can be requested (contact: [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk))

### **MEMBERS PRESENT**

Mr W Bendyshe-Brown, Mr D Carroll (Vice-Chairman), Mr P Gomm, Mr S Lambert and Mr W Whyte (Chairman)

### **OTHERS IN ATTENDANCE**

Mr M Farley, Mr P Markham, Mr S Newell, Mrs K Sutherland (Secretary) and Ms J Wise

### **1 APOLOGIES FOR ABSENCE**

Apologies were received from Mr Chapple OBE, Mr Butcher and Mrs Lesley Clarke OBE.

### **2 DECLARATIONS OF INTEREST**

Mr Warren Whyte declared an interest for Item 6 as the Chairman of the Buckinghamshire Historic Environment Forum and a member of the Bucks Archaeological Society.

### **3 MINUTES**

The minutes of the meeting held on 14<sup>th</sup> April 2015 were confirmed as a correct record.

The Chairman advised members that a brief update report from the Drug and Alcohol Action Team (DAAT) Commissioners in relation to work with partners on Legal Highs would be received at the 23<sup>rd</sup> June meeting. The Chairman also requested that a status update report



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should be requested on the introduction of BCC's Sustainable Drainage duties for 23<sup>rd</sup> June. These items would be added to the Work Programme.

**ACTION:**

**Committee Adviser**

Members discussed the Country Parks item which came to the meeting in April. Whilst the Committee had agreed to undertake an Inquiry into Country Parks, the Chairman was concerned about the lack of clarity around the legal ownership and it was suggested that this should be resolved before members developed a scope for this piece of work. It was agreed that the Committee Adviser would liaise with the Cabinet Member for Planning and Environment to progress this.

**ACTION: Committee Adviser**

#### **4 PUBLIC QUESTIONS**

There were no public questions.

#### **5 CHAIRMAN'S REPORT**

The Chairman advised members that the S106 Inquiry Report had been very well-received at Cabinet. The Committee had been congratulated on an in depth report and all seven recommendations were agreed, two in part by Cabinet.

The Committee also noted the short update provided by the Community Safety Manager in response to members' concerns that the original consultation exercise undertaken for the Safer Bucks Plan had not yielded enough responses, particularly in the Aylesbury Vale area.

#### **6 ARCHAEOLOGICAL AND HISTORICAL ENVIRONMENT DUTIES**

The Chairman welcomed Mr Phil Markham, Senior Archaeology Officer, Mr Simon Newell, Environment Team Leader, Ms Julia Wise, Historic Environments Record Officer and Mr Mike Farley, Bucks Archaeological Society to the meeting. Mr Markham took members through his report, which provided an overview of the role of the Archaeology service and the legislation under which they operate, partnership working with the district councils as the local planning authorities, how the team generate income currently and the future challenges and opportunities for the service. The Chairman then invited Mr Mike Farley of the Bucks Archaeological Society to inform members of the history and work of the Society and how the Society interacts with the Council's Archaeology team.

During these discussions and in response to subsequent questions from members the following main points were noted:

- Mr Farley outlined why the Archaeology Service was very important. Buckinghamshire has historical sites of great significance and whilst developments of new houses, shopping centres and roads were very positive it was vital that the implications of development on our heritage was recognised and the Archaeology team played a key role in protecting this for future generations.

- Fortunately the profession of Archaeology has grown over the years and it was important to have qualified people to assess what was needed to protect historical sites. An up to date Historical Environment Record(HER) was key to informing future developments in the county.
- Bucks Archaeological Society respected the professionalism of the service provided by Buckinghamshire County Council and wanted to encourage greater public awareness of their work. Some of the Society's members volunteered in the county archives and at the museum. But there were concerns that the service was over-stretched, as keeping the HER updated and providing advice and monitoring the progress of large developments was demanding, as it was so important to ensure that standards were being met. Also HS2 would increase the workload for the team and they were already struggling to support any significant Outreach work.
- A member commented that he was aware that although Planning officers at the district councils knew about the HER, they did not always consult it – was there anything that could be done to ensure that developers consulted the HER at pre-application or at least, when preparing to submit their application. Julia Wise agreed that it would be helpful if consulting the HER could be included on the pre-application checklists for all the district councils and if the Planning officers reinforced the need to consult the HER at an early stage.
- It was noted that when the team were busy it was inputting new information into the HER which would be held up. Julia Wise would have to prioritise dealing with developer inquiries over the inputting duties. The only reason the HER was currently as up to date as it is, was due to Julia's personal dedication in working longer than her contracted hours. Simon Newell recognised this and felt it was a priority to secure additional support in this area.
- Members asked if volunteers could be used to help with data inputting but Mike Farley and Julia Wise explained that this was very difficult. Whilst volunteers compiled the original HER back in the 1970s, it now required an experienced professional to be able to distil the significance of what has been found. Background research and field work are often undertaken by two different people, so the wider context is not always clear when reading a report for the HER. The HER was a very complicated database and has to comply with national standards, so volunteers would need a large amount of training and monitoring.
- Members were concerned that the maintenance of the HER was so reliant on the expertise and dedication of one person. The Environment Team Leader was asked whether external funding could be secured to support this area. Simon Newell gave an example of a local authority in Surrey which charges a HER search fee as a requirement of the planning process, which then generates an ongoing revenue stream to support the maintenance of the HER. Additional staff would be needed to meet the increased demand but this was being considered. Also the possibility of establishing Service Level Agreements with the district councils was being explored. This was already in place for the Ecology service. In the short term Simon Newell hoped to appoint a part-time HER assistant using funding from HS2, but this might only be up until April 2016. There was also scope to secure funding from developers via Community Infrastructure Levy and S106 agreements.

- A bid for Heritage Lottery Funding (HLF) had been submitted in partnership with the Chilterns Conservation Board for the preservation and promotion of Hill Forts across Buckinghamshire. If the bid was successful then again some funding might be available for the HER.
- The Chairman advised that he was aware of some situations where planning conditions, including the submission of Archaeological reports had not been met. Phil Markham explained that generally planning conditions were enforced but BCC were reliant on the district councils for enforcement.
- 'Unlocking Buckinghamshire's Past', a more user friendly and accessible version of the HER for public use had been migrated onto new software and was not totally up to date due to a technical issue with the publication process. The software providers were looking into this and the fact that the number of hits the website receives stopped being counted following the switch. Julia Wise was asked to report back to members with an update on when this problem would be resolved.

**ACTION: Julia Wise**

- In response to a question regarding value for money, Simon Newell assured members that the service being delivered was very good and the quality of advice given was not in dispute, but the challenge for the future was how the small team could continue to maintain this level of service with the demands of extra developments, HS2, Cross Rail etc.
- The Chairman asked if there was a plan in place, given the challenges highlighted, to enable the team to improve their Outreach work etc. Simon Newell explained that now the Transport, Environment and Economy (TEE) Business Unit was up and running, there were delivery plans in place and a key goal for the team was to increase Outreach. Strategies were being developed in order to achieve this goal. Initial discussions had also been held with the Local Economic Partnership (LEP) around raising the profile of Bucks Heritage and how BCC can support partners and the public by supplying data, especially via the HER.

The Chairman thanked Simon Newell, Phil Markham, Julia Wise and Mike Farley for attending the meeting. The Committee had a discussion about a suitable outcome from the session which had highlighted some areas of concern, particularly in relation to the resourcing of this area. The Chairman proposed and members agreed that it would be appropriate to write to the Cabinet Member with some informal recommendations, including the following:

- It would be worth investigating making a chargeable search of the HER a mandatory part of the planning process in Bucks, as has been adopted in Tandridge, Surrey.
- The team need further resources to ensure that the HER can be kept up to date.
- It would be useful to strengthen relationships with the district councils further to ensure increased levels of engagement during the application process and effective enforcement thereafter. Service Level Agreements could be worth pursuing in order to secure a consistent income stream for the service.
- Members were keen to see the 'Unlocking Buckinghamshire's Past' website maintained and for further plans for Outreach to be supported and adequately resourced.



**ACTION: Chairman & Committee Adviser**

*(Post-meeting note: Subsequent to the meeting the Chairman of the Select Committee was appointed to the post of Cabinet Member for Planning and Environment. Therefore it was agreed that a copy of the minutes would be sent to him as a reminder of the informal recommendations that the Committee wished to make.)*

The Committee requested that a further update from the Archaeology team should be included in the Work Programme for the early part of 2016.

**ACTION: Committee Adviser**

**7 COMMITTEE INQUIRY - OUTLINE SCOPE**

The Committee received and noted the draft Outline Scope for a proposed Inquiry into Flooding in Bucks 2013-14: Lessons Learned. Members agreed that they wished to go ahead with the Inquiry and that the Committee Adviser should organise meeting dates accordingly.

**ACTION: Committee Adviser**

**8 SELECT COMMITTEE WORK PROGRAMME 2015-16**

Members discussed forthcoming agenda items on the Work Programme and suggested other topic areas that the Committee might wish to consider in future. These included; Fracking, Economic Development and the possibility of developing a Heritage Route through the county, East/West Rail and HS2.

**9 DATE OF THE NEXT MEETING**

The next meeting will take place on Tuesday 23<sup>rd</sup> June 2015 at 10am in Mezzanine Room 2, County Hall, Aylesbury. There will be a pre-meeting for Committee Members at 9.30am.

**CHAIRMAN**



## **Follow-up report on Sustainable Drainage (SUDS) for TEC Select Committee**

### **Background**

The report to ETL Select Committee on 17<sup>th</sup> March 2015 outlined the situation at that time on SUDS was that DEFRA and CLG was proposing that Lead Local Flood Authorities (LLFA) will be a statutory consultee for the drainage part of the planning application for major developments of 10 properties or more. This has now been confirmed following a letter from Eric Pickles on this matter.

### **Current situation**

Sustainable drainage will now be considered under the planning regulations with the LLFA as a statutory consultee and the Local Planning Authority (LPA) ie District Councils, will then consider the comments made on the drainage part of the planning application alongside all other comments when making their decision on these major developments. The Environment Agency will also still be a statutory consultee on those developments at risk from fluvial flood risk. These responsibilities came into force on 16<sup>th</sup> April 2015

The LPA will be responsible for any subsequent approval/inspection of the works and any enforcement required. BCC will be expecting to see a maintenance/management plan for the SUDS as part of the planning/drainage application. Developers will be expected to put in place a management company or suitable arrangements for the maintenance/management of the SUDS.

### **Buckinghamshire County Council response**

In response to the decision from Central Government on SUDS BCC commissioned Jacobs to help with the workload around responding to drainage aspects of planning applications and pre-application discussions with developers. Existing staff in flood management have been working closely with the LPAs to implement good practice to ensure a smooth process for these new responsibilities. Training has been offered to the LPAs and some has been delivered. To date there have been 23 applications (full and outlines) and 3 pre-applications received and BCC have responded to these within the deadline of 21 days.

BCC advertised for a senior officer and officer for Sustainable Drainage and has offered two positions. Two new members of staff will start at the beginning of July to cover and take forward this area of work.

A charging policy has been drafted for pre-application discussions and this is with Senior Management team for discussion before being passed through the process for approval.

Further initial discussions on how to take forward issues of inspection, enforcement, adoption and maintenance have been held with the Cabinet Member and this will be taken forward further when the new officers are in place.





## Legal Highs in Buckinghamshire

From: Huseyin Djemil, DAAT Commissioner  
 To: Kelly Sutherland and TEC Select Committee Members  
 Cc: Lee Scrafton (DAAT), Chris Oliver (CSU), Amanda Poole (TS),  
 Rebecca Carley, Tracey Ironmonger, Phil Dart  
 Date: 10/6/15  
 Ref: Legal Highs / Novel Psychoactive Substances (NPS)  
 Purpose: Progress Update

1. Actions from the ETL Select Committee on 14/4:
  - 1.1 DAAT officers to look into the legislation used in Ireland and report back to the committee.  
**Completed; briefing note sent by email on 14/4**
  - 1.2 Further update on the development of a partnership Action Plan and timelines would come back to the 23<sup>rd</sup> June meeting of the committee. **In progress, update below; DAAT officers to attend Sept/Oct ETL Select Committee to update members**
2. Developments since last ETL select committee
  - 2.1 The DAAT (Joint Commissioning Advisory Group) have hosted a Drug and Alcohol Commissioning development event to engage and consult with statutory and non-statutory partners on new governance structures as part of developing BCC Drug and Alcohol Action Plan (which includes Legal Highs/NPS and is in line with the National Drug Strategy [\*Reducing Demand, Restricting Supply, Building Recovery: Supporting People to Live a Drug Free Life\*](#))
  - 2.2 The new BCC Drug and Alcohol Action Plan (now including Legal Highs/NPS) is a collaborative development between the DAAT, BCC Public Health and the BCC Community Safety Team. We are also soliciting input from Adult Social Care, Children & Young Peoples Services, Child & Adult Mental Health, the Clinical Commissioning Groups, the BCC Trading Standards Team, Thames Valley Police (and the PCC's Office where appropriate), The National Probation Service and the new Community Rehabilitation Company (MTC Novo) as well input from existing drug and alcohol treatment service providers and other community groups as required
    - 2.2.1 The BCC Drug and Alcohol Action Plan will draw on previous DAAT and Public Health Needs Assessments, the findings from the more recent (2014-15) NPS Needs Assessment, The Bucks Service User Consultation, The DAAT Service Audit and The DAAT Mystery Shopper Exercise to ensure a well-rounded, evidence based approach.
    - 2.2.2 We will also incorporate relevant developments announced in The Queen's Speech regarding the new Psychoactive Substances Bill into the BCC Drug and Alcohol Action Plan
  - 2.3 Further briefings are in place for districts councils (AVDC and WDC)
  - 2.4 Training for staff and stakeholders (specialist and generalist) planned for 10<sup>th</sup> and 17<sup>th</sup> July 2015 with further workforce development planning ongoing
  - 2.5 Some funding issues e.g. cut via BCC Communities, Health and Adult Social Care Business Unit of £1.2m (£200k DAAT) and a further potential in-year £1.2-1.5m via a national Public Health England (PHE) budget cut (poss 10% saving within DAAT budget approx. 400k). This may mean prudent savings/budget management this year to generate savings to meet cut and a service reconfiguration/retender next year (will have to start this year) to ensure services don't suffer – process and detail to be confirmed.





## Buckinghamshire County Council Select Committee

Transport, Environment and Communities Select Committee

### Report to the Transport, Environment and Communities Select Committee

<b>Title:</b>	Highways Development Management: Review and Improvement Report
<b>Committee date:</b>	23 <sup>rd</sup> June 2015
<b>Author:</b>	Martin Dickman – Director for Environment Services
<b>Contact officer:</b>	Christine Urry – Acting Head of Highways Development Management (01494) 475355
<b>Cabinet Member sign-off:</b>	Mark Shaw – Cabinet Member for Transport

#### Purpose of Agenda Item

The County Council, in its role as statutory local highway authority, is responsible for management of the highway network in Buckinghamshire. With significant growth taking place across the county there are a number of larger highway improvement schemes that are being delivered on the county's network by developers in response to the implementation of their proposals.

While the majority of these schemes progress with 'normal' levels of disruption being caused, there have been instances over the last 12 months where ongoing issues with developer-delivered schemes have caused significant delay and disruption to the network. This disruption has been felt by Buckinghamshire's residents and businesses, who inevitably turn to BCC with their concerns about the speediness and efficacy of roadworks.

With the scale of future growth currently being discussed at District level, it is likely that larger-scale highway improvements to the network will be a feature of the landscape going forward, and as such it was felt that undertaking a review of the way in which the County Council manages the highway development process, would provide valuable input to ensuring that current issues are addressed and improvement could be targeted in the most effective way.



In addition, the Council's Future Shape business model has seen the Highways Development Management service move from 'Planning & Compliance' to sit within 'Environment Services' under a new Service Director. Therefore any improvement plan is timely in order to reset our current approach and define our improvement needs in this context.

The purpose of this paper is to inform Members of the recommendations and actions emanating from the review and seek their views on the appropriate progression of activity within the service.

## **Background**

Following concerns raised by the previous Chairman of the Select Committee, it was agreed that the service would commission an independent review of Highways Development Management. The review was undertaken between March and May 2015 and the subsequent report has been appended.

WSP Parsons Brinkerhoff (hereafter referred to as PB) was commissioned to review Highway Development Management's processes and provide external advice on the levels of assurance that are currently in place in terms of policies, procedures and practices to conduct effective highways development management.

The review process included an examination of existing procedural documents, interviews with officers and Members, as well as an assessment of a case study. The review also benchmarked with other authorities to compare with and define what 'best practice' looks like across the sector. It should be noted that it was explicitly not intended for the review to be an audit or inquiry into any one specific scheme.

## **Summary**

The report provides a summary of the current processes and procedures, which are compared to best practice and relevant guidance, including a comparison with other local authorities including Northamptonshire and Oxfordshire County Councils.

A traffic light system has been used to recognise areas of good practice observed and to help categorise the importance of recommendations made. Green highlights areas of good practice, amber shows where action is required, whilst red highlights areas to be addressed promptly to ensure effective highways development management

Many of the recommendations that form part of the PB report focus around four key areas; documentation, resource, engagement and Transport for Buckinghamshire. These are summarised below, but the decisions now to be taken are around how to react to these





recommendations, what to take forward as a matter of priority, and how to resource this (if appropriate).

By bringing this report to the Select Committee, we are proactively seeking the views of the committee in determining/agreeing the areas of most immediate concern, and providing opportunity to advise the Cabinet Member ahead of any decision on resource allocation.

## 1. Documentation:

Make more documentation publicly available to developers in a more organised way:

External developer guidance documentation			
Document	Present	Quality	Priority
Sustainable Communities Strategy	●	●	
Local Transport Plan	●	●	
Development Management Policies	●	●	✓
Infrastructure Contributions guidance (S106/CIL)	●	●	
Information on Section 38/278 Highway Works	●	●	✓
Commutated Sums Protocol	●		✓
Pre-application process information	●		
Design Guide	●		✓
Materials Guide	●		✓
Development Construction Manual	●		
Parking Standards	●	●	✓
Rural Diversification	●		
Travel Plan Guidance	●	●	
Sustainability Appraisal	●	●	
Equality Analysis	●		
Biodiversity Action Plan	●	●	
Standard Drawings	●		✓
Internal development management documentation			
Document	Present	Quality	Priority
Standard Conditions	●		✓
Acceptance and refusal templates	●		
S38/278/106 agreement templates	●	●	
S38/278/106 instructions	●	●	
S38/278/106 process flow charts	●		✓
S38/278/106 central tracking databases	●		✓
S38/278 bond calculation sheets	●		✓
Criteria for abridged S278/S184	●		
Fee structure information (inc. commuted sums)	●		✓
S106 developer contributions spending & negotiation tracker	●		
Infrastructure needs identified for S106	●		

Guidance/checklist for technical approval	●		✓
Planning and adoption checklist	●	●	
Email/post handling guidance	●		
Income processing guidance	●		✓

Key	Present	Quality
●	Present	No improvement needed
●		Some improvement needed
●	Not present	Significant improvement

## 2. Resource:

Ensure resourcing levels are adequate to fulfil Highways DM remit by recruiting extra staff.

Grade	Current no of staff	Suggested level of staff
Management	2 (1 vacant)	2
Senior & Lead Officer DM	3 (1 vacant)	4
Officer	1 (1 vacant)	2
Transport coordinators	2	2
Inspectors	2	4
Technicians	3	4
Total	13	18

*Table 3: Current, and suggested staffing levels*

## 3. Engagement:

Ensuring focus remains on core Highways DM activities, reducing the current high level of communication with the public.

## 4. Transport for Buckinghamshire:

Re-evaluating relationships with TfB putting KPI's in place to ensure the needs of the Highways Development management team are met by the contract and reassess the number of days assigned to TfB for Highways DM work.

## Key issues

The report highlights evidence of the following 'good practice' within the Highways Development Management Team:

Good Practice
Detailed guide notes alongside application forms and template agreements for Section 278, S38, S184 and S106 agreements.
Excellent example of local level guidance 'Highway Protocol for Conservation Areas document'. This represents a formal agreement between BCC and Aylesbury Vale DC a model which could

be used again.

Template application forms and instructions relating to Section 278, 38, 184 and S106 agreements as well as a communication strategy, development control crib sheets, approval, adoption and pre-start meeting checklists and a Section 184 process flowchart.

BCC Highways Development Management officers are providing a very high level and volume of communications with BCC Councillors and the Public.

In particular it was noted that the level of communication with Members and the public is commendable, albeit an incredibly resource-intensive process.

The report however does outline a further 32 recommendations, of which 12 have been categorised as areas to be addressed promptly. The Highways Development Management team have already started implementing changes, predominantly focusing on those recommendations that would result in efficiency savings without any financial outlays.

The table in Appendix 1 lists the recommendations from the report and identifies them as either a short (0-4 months), medium (4-12 months) or long term (over 12 months) aspirations.

### **Next Steps**

Implementing solutions to each of the areas of recommendation within the report will have both time and cost implications. Many of the recommendations stress the need to get standardised advice and protocols in place to both secure quality and streamline processes, a proportion of which can be bought in (albeit with a range of financial implications). However, of more critical concern is the ongoing staffing resource 'deficiency' when compared to levels at other authorities. The PB report states that the Highways Development Management team at Buckinghamshire County Council is small in comparison to other authorities. Other local authorities dealing with a similar number of applications have upwards of 20 staff, whilst the Highways Development Management Team only has 13 (with 3 vacant posts). This is unlikely to be sustainable going forward and the council's current response rates are commensurate with this level of resource.

The Service Director will be discussing the report, together with any observations from the committee, with the Cabinet Member to determine how future resourcing need can be addressed. This will therefore need to be considered in the context of future MTP discussions. The Head of Highways Development Management, when appointed, will be expected to action the recommendations set out in the review, taking into account both the prevailing limitations in resources and finance.






## Appendix 1 – Recommendations

<b>Short Term</b>	<b>0 - 4 months</b>
<b>Medium Term</b>	<b>4 – 12 months</b>
<b>Long Term</b>	<b>Over 12 months</b>

<b>Ref</b>	<b>Description</b>	<b>Solution</b>	<b>Management Comments</b>	<b>Lead Officer</b>	<b>Implications</b>	<b>Completion date</b>	<b>Completed</b>
02	There are clear gaps in the publically available guidance on the BCC website, focussed around application and design guidance.	It is recommended that these documents plus the information pack are immediately made available publically through the BCC website. This will lighten some workload from the DM team, whilst also bringing BCC into line with other local authorities in the region.	To be actioned when all external documents have been revised and/or produced in line with recommendations: 03/04/08	Head of Highways DM	Possible Efficiency Savings  Financial Implications – to be considered by MTP.	Long Term	
05	Life-cycle tracking of planning applications and section 106/38/278/184 agreements was a common concern raised with the review team. This currently manifests itself as a lack of accountability for incoming developer fees on a scheme by scheme basis, and missed revenue from section 106 agreements	It is recommended that central spreadsheet databases (or similar) are introduced to track planning applications and section agreements from first contact through to archiving of plans. Ideally, these should be collaborative, including input from district councils as well as TfB, or provide links to other databases.	Highways Development Management already record planning applications through Uniform and Highway Agreements using excel. The two programmes are however not linked.  The team will investigate options for tracking the life-cycle of planning applications, including archiving of documents. This may require development of a database.  Additional administrative resource will be required in order to manage a database (please refer to recommendation 09).	Head of Highways DM	Finance implications – to be considered by MTP	Medium Term	


## Appendix 1 – Recommendations

06	<i>To the review team's knowledge, TEE does not currently have standard drawings in place for common highway features.</i>	<i>It is recommended to produce standard drawings for common highway features. This process could align with the earlier recommendation to produce a county level design guide.</i>	<p><i>Standard Details will need to be created in consultation with Transport for Buckinghamshire.</i></p> <p><i>The development of Standard Details will need to be outsourced.</i></p> <p><i>In the meantime Highways DM are trying to gain access to British Standards through TfB.</i></p>	<i>Head of Highways DM and Head of Highways Client</i>	<i>Finance implications – to be considered by MTP</i>	<i>Long Term</i>	
14	<i>Some refusals are being written and sent out by junior staff. This puts BCC at serious risk, including the potential for awarding of costs against BCC.</i>	<i>It is imperative that all refusals are fully checked by a senior member of the DM team be sent out in their name.</i>	<p><i>All reasons for refusal are now signed off by a Senior Member of the Highways DM team and sent out in their name.</i></p> <p><i>Moving forward the scheme of delegation within Highways DM will need to be revised, which could be included in the internal documents that are required as a result of the report.</i></p>	<i>Head of Highways DM</i>		<b>Completed</b>	
15	<i>Various forms of DM triage have been tried within BCC, but none has been fully effective. The systems have always placed a significant burden on the DM team, as well as senior DM staff.</i>	<i>A dedicated DM administrative assistance should be provided to perform a significant amount of the triage tasks. They would also be able to input the information into Uniform and/or an application tracking spreadsheet / database.</i>	<p><i>Currently Highways DM does not have administrative support. This is to be considered alongside recommendation 09.</i></p> <p><i>Discussions are taking place with the Business Planning and Commercial Development team and Business Support to secure assistance.</i></p>	<i>Head of Highways DM</i>	<i>Finance implications – to be considered by MTP</i>	<i>Short Term</i>	
18	<i>Many of the consultations which the Development</i>	<i>Standardise text to save officers from having to rewrite the same or similar</i>	<i>Work has already been undertaken by Highways DM to develop a new</i>	<i>Head of Highways DM</i>	<i>Possible efficiency savings</i>	<b>In progress</b>	

## 23

	Management team receive are for smaller schemes. However, written responses to planning applications for these schemes are still often long and therefore time-consuming.	responses. Standardised text should be reviewed and compared against other local authorities; it may be possible to include this within Uniform.	process in order to reduce the length of officer time spent on minor planning applications.  This will need to be reviewed by the Cabinet Member for Transport prior to discussions with the Local Planning Authorities.				
19	A significant period of time may elapse between planning consent and commencement of a development. In this period it is possible that continuity between the planning stage and the implementation stage (S278 & S38).	It is recommended that a handover file is set up at consultation stage for every large application containing significant roadworks, or that a system is put in place which records all relevant information to an application for later retrieval.	Highways DM currently save all planning application responses and associated files on the N-Drive. A new process will be created for the handover of files – including a meeting with officers (as per recommendation 07/21).  The handover should be assisted through the creation of a database to track the lifecycle from planning application to agreement (recommendation 05).	Head of Highways DM	Resource Implications – to be considered by MTP.	Short Term          Medium Term	
21	While a checklist of requirements for a Section 278 agreement has evolved within the DM team, it is not used by every officer involved and there is no consistent protocol for the handling of requests or the guidance of promoters.	It is recommended that guidance in the form of a Section 278 Protocol is drawn together as soon as possible from best practice of other highway authorities, adapted to the requirements of BCC. It is recommended that adherence to consistent processes for Protocol (and Supervision – see below) then becomes mandatory in the DM team and applied consistently in all future	Model process flow charts for dealing with agreements are to be developed by Highways Development Management in consultation with the Business Planning and Commercial Development team (as per recommendation 07).	Head of Highways DM	Resource Implications – to be considered by MTP.	Short Term	

## Appendix 1 – Recommendations

		<i>cases. Figure 4 provides a model for this protocol.</i>					
22	<i>It is crucial that all highway works are appropriate and have been fully agreed by BCC before construction begins. There is significant risk to BCC in allowing works to begin without all technical approvals being in place, all legal issues being dealt with and all monies being provided.</i>	<i>The review team strongly recommends that no highway works are allowed to begin until a full technical approval has been issued. This may be best achieved by coordinators/inspectors checking technical approval is in place at the point of road space booking.</i>	<i>This has been implemented.  This will also be included in the protocol to be produced (as per recommendation 21).</i>	<i>Head of Highways DM</i>		<b>Completed</b>	
28	<i>The main issue encountered by the reviewers concerning technical approval is time taken for TfB to issue technical approval.</i>	<i>It is recommended that additional KPIs are added to the contract at the next available opportunity. These KPIs should be around a quick turn around of work.</i>	<i>Highways DM will liaise with Head of Highways Client to ensure that KPI's are included within the contract.</i>	<i>Head of Highways DM and Head of Highways Client</i>		<i>Medium Term</i>	
30	<i>It appears that there is no breakdown available for days spent by TfB on DM work. It is unclear whether days allocated in the budget have actually been used on DM work. The process certainly appears to require further</i>	<i>It is recommended that BCC conduct a review of the work undertaken by TfB on the highways DM work and ensure that the correct number of days has been utilised.</i>	<i>Highways DM will liaise with Transport for Buckinghamshire to review the number of support days required and ensure a process for monitoring time spent on Highways DM work throughout the year.</i>	<i>Head of Highways DM and Head of Highways Client</i>		<i>Short Term</i>	



## Appendix 1 – Recommendations

	<i>investigation.</i>						
31	<i>It is not uncommon for other authorities that allow contractors to carry out S278 works to limit the selection of contractors to a list of companies who have further satisfied the authority in respect of a number of additional requirements.</i>	<i>It is recommended that S278 agreements require that contractors provide additional information about contractors.</i>	<i>Highways DM to produce a list of requirements for contractors working on the publicly maintained highway, considering best practice from other councils.</i>	<i>Highways DM Transport Coordinator</i>		<i>Short Term</i>	

<b>Ref</b>	<b>Description</b>	<b>Solution</b>	<b>Management Comments</b>	<b>Lead Officer</b>	<b>Implications</b>	<b>Completion Date</b>	<b>Completed</b>
01	<i>BCC's website contains the least publically available guidance of any of the surveyed authorities, and was difficult to use.</i>	<i>BCC would benefit from one, central page focussed entirely on information for developers. Perhaps this could be located under a new '_TEE' page, as opposed to the current position within transport and roads. This should become a central hub bringing together into one place all relevant documents, application forms, contacts and guidance notes.</i>	<i>To be actioned, with support from the Business Planning and Commercial Development team when all external documents have been revised and/or produced in line with recommendations: 03/04/08</i>	<i>Head of Highways DM and the Business Planning and Commercial Development team</i>	<i>Possible Efficiency Savings  Financial Implications – to be considered by MTP.</i>	<i>Long Term</i>	
03	<i>On a strategic level, whilst the Buckinghamshire County Council Strategic Plan does include a planning and transportation portfolio</i>	<i>It is recommended BCC develop a strategic document outlining forward development management policy, as part of a network of</i>	<i>LTP4 is to include a 'Highways Development Management Policy'. This is being delivered by Growth and Strategy team within TEE.</i>	<i>Head of Transport Strategy</i>	<i>Being delivered by Growth and Strategy in consultation with Highways DM as part of LTP4</i>	<i>In progress</i>	

## Appendix 1 – Recommendations

	<i>plan, its focus is not on development management</i>	<i>cross referenced publically available guidance. This document should undergo an appraisal process similar to the LTP, or could even be included as part of the next LTP for Buckinghamshire, due for release in March 2016.</i>					
04	<i>Developers are referred to national guidance such as the Manual for Streets regarding design and construction.</i>	<i>It is recommended BCC produce supplementary or standalone design, construction and/or materials guides for development work in the county.</i>	<i>The development of design, construction and/or material guides would need to be outsourced.</i>	<i>Head of Highways DM and Head of Highways Client</i>	<i>Financial implications – to be considered by MTP.</i>	<i>Long Term</i>	
07	<i>Current processes for processing incoming applications and requests are functional but not clearly defined. This has seen procedures not robustly enforced and meant important groups (sometimes TEE themselves) are left out of the loop during correspondence</i>	<i>It is recommended that Figures 3-6 should be used to form the basis of a clearly defined process outlining how BCC will conduct development management.</i>	<i>Model process flow charts for dealing with planning applications and agreements are to be developed by Highways DM in consultation with the Business Planning and Commercial Development team.</i>	<i>Head of Highways DM and the Business Planning and Commercial Development team</i>	<i>Possible Efficiency Savings</i>	<i>Short Term</i>	
08	<i>The review highlighted several documents which could provide efficiency, consistency and transparency across the development management process.</i>	<i>It is recommended that BCC review the current portfolio of internal documents, and strongly consider the benefits of implementing some or all of those additional documents highlighted in figure 2 in leading a consistent, clearly</i>	<i>Table 2 of the report highlights the current availability of internal and external Highways DM.</i>  <i>The development of internal and external documents would need to be outsourced or additional resources provided within the team to undertake this</i>	<i>Head of Highways DM</i>	<i>Resource and financial implications - to be considered by MTP</i>	<i>Medium/ Long Term</i>	

## Appendix 1 – Recommendations

		<i>defined and streamlined process.</i>	<i>work.</i>				
09	<i>The BCC DM team is small in comparison to similar authorities, even considering the increase in posts brought about by the TEE process. The DM team also pick up extra work relating to statutory highway functions of BCC</i>	<i>Additional staff resources (Highways Development Management Lead Officer and Highways Development Management Officer) should help, however the review team feel that the number of DM officers is still not enough and recommends that the DM team be increased. Suggested areas for increase are shown in table 3.</i>	<i>The report highlights a need for an increase in staff numbers at every level considering the new TEE structure. It was noted that other local authorities dealing with a similar number of applications have upwards of 20 Highways DM staff.</i>  <i>In order to implement the recommendations within the report, additional resources will be required.</i>  <i>In the short term ensuring current vacancies are filled will be prioritised.</i>	<i>Head of Highways DM</i>	<i>Financial implications – to be considered by MTP</i>	<i>Medium Term</i>	
10	<i>BCC DM officers provide a high quality of communication with BCC Councillors and the public. Whilst commendable, this resource intensive process is preventing DM officers from completing their core work. It has also tended to raise the level of expectation amongst the public as to the level of communication they expect to receive.</i>	<i>It is recommended that the DM team take a step back from the significant levels of communications they undertake. Particularly with the public, the level of expectation needs to be reset at a more manageable level. Developers should be required to keep the public and Councillors informed and engaged in the process. The LPA also have a consultation role.</i>	<i>Procedure for dealing with correspondence from residents and councillors to be developed by Highways Development Management in consultation with the cabinet member.</i>	<i>Highways DM Team Leader</i>	<i>Possible efficiency savings</i>	<i>Short Term</i>	
11	<i>Despite a move towards regionalisation of roles, some BCC staff including transport co-</i>	<i>It is recommended that BCC consider assigning regions to inspectors. This will</i>	<i>Assigning regions to inspectors will only be possible if additional resources are secured</i>	<i>Head of Highways DM and Transport Co-ordinators</i>	<i>Resource Implications – to be considered by MTP</i>	<i>Long Term</i>	

## Appendix 1 – Recommendations

	<i>ordinators and inspectors must cover work across the entire county</i>	<i>require recruitment of extra inspectors to provide adequate coverage, as shown in table 3</i>	<i>(please refer to recommendation 09)</i>				
12	<i>The DM team are responsible for providing advice to the LPA when they are producing their Local Development Plans (LDPs). DM officers have not had the time required to give serious thought to the impact of local plan developments and this may be limiting future applications.</i>	<i>More time and resource needs to be spent on communication with the district councils regarding their LDPs, so that they do not become a limitation to proceedings. The quality of the DM response to the LDP process should be reviewed and a lessons learned note created.</i>	<i>Highways DM would not be able to offer this level of service based on staffing levels in the current structure (please refer to recommendation 09).</i>	<i>Head of Highways DM</i>	<i>Resource implications- to be considered by MTP</i>	<i>Long Term</i>	
13	<i>Reasons for refusal may not be properly justified in transport terms. These can lead to appeals which lead to diversion of effort to respond and may lead to costs against the authority for unreasonableness.</i>	<i>Ensure that adequate training is provided to staff and that knowledge is continuously maintained. (As an example, in Suffolk, all new staff above technician level attend the 4 day IHE course on Development Management).</i>	<i>Four members of the team are currently undertaking a HNC in Engineering.</i>  <i>Learning and Development Plans are to be created for all members of the team.</i>  <i>TEE has an identified training budget to support this.</i>	<i>Head of Highways DM and Team Leader of Highways DM</i>		<b><i>In progress</i></b>	
16	<i>It was noted that some Local Planning Authorities can be slow to forward applications and can fail to forward on to BCC other people's consultation responses, which are relevant to transport.</i>	<i>BCC should make a commitment to improve the working relationships with the planners - Spend more time with the planners and consider more frequent visits to the LPA</i>	<i>Where feasible, Highways DM have agreed to work from District offices once a month to improve relations with planners.</i>  <i>Due to current pressures and limited resources, officers are unable to be</i>	<i>Head of Highways DM</i>	<i>Resource implications – to be considered by MTP.</i>	<b><i>In progress</i></b>	

## Appendix 1 – Recommendations

	<i>This may be as a result of relatively poor relationships between the DM team and the LPA.</i>	<i>offices. - Be available and willing to discuss larger applications throughout the process, rather than simply sending a final response.</i>	<i>available to discuss large applications throughout the process (please refer to recommendation 09).</i>				
17	<i>BCC are consulted on applications from four Local Planning Authorities. BCC's standard conditions for each one of these districts is different. This makes it hard for DM officers to respond quickly and efficiently and may lead to future mistakes.</i>	<i>It is recommended that a single set of standard conditions should be created and agreed across all of the LPAs. A review against other Local Authorities should be carried out to ensure that wording of each condition is correct and that all appropriate standard conditions are included.</i>	<i>Highways DM are in the process of producing standardised conditions and reasons for refusal which can be used across all four districts.</i>	<i>Senior Highways DM Officer</i>	<i>Possible efficiency savings</i>	<b>In progress</b>	
20	<i>S184 permits are being used for smaller scale road works. This section of the act does not provide the same level of protection to BCC and may leave BCC open to paying to deal with issues arising from the works.</i>	<i>The review team recommends that S184 permits are retained for minor access alterations and additions. Works of the value of £15-25,000 should be carried out under a shortened or abridged S278 agreement.</i>	<i>This will be taken forward with legal services.  The existing guidance notes will need to be revised by Highways DM.</i>	<i>Highways DM Transport Co-Ordinators</i>	<i>Financial Implications – to be considered by MTP</i>	<i>Medium Term</i>	
23	<i>S278 guidance documents will help to reduce the burden on DM officers when dealing with S278 works.</i>	<i>It is recommended that a set of documents are produced or revised and made available to developers. A shorter version of guidance should be developed for abridged S278</i>	<i>Guidance notes and Fee schedules to updated and revised by Highways DM.</i>	<i>Head of Highways DM</i>	<i>Resource implications - to be considered by MTP</i>	<i>Medium Term</i>	

## Appendix 1 – Recommendations

		<i>works and access alterations under S184.</i>					
24	<i>Some processes and checklists have been created by the team to help during the inspection process. The review team feel that there are potential benefits from ensuring consistency across the board.</i>	<i>It is recommended that these documents are used as the back bone to a set of guidance documents, checklists and sign off sheets for use within the inspection process. These should be made publically available to allow developers to be aware up front of their requirements.</i>	<i>Check lists and sign off sheets to be created for use within the inspection process, building on the work already undertaken by the Highways DM team.</i>	<i>Highways DM Transport Inspectors</i>	<i>Resource implications – to be considered by MTP</i>	<i>Medium Term</i>	
25	<i>BCC should protect itself from future over-running schemes and poorly performing contractors.</i>	<i>The S278 agreements should be amended to include a window of works and a description of the reapplication process (including additional fee) in order to provide BCC with greater control over the process.</i>	<i>This will be taken forward with legal services.</i>  <i>There is a need to review our standard legal agreements.</i>	<i>Head of Highways DM</i>	<i>Financial implications – legal fees</i>	<i>Short Term</i>  <i>Medium Term</i>	
26	<i>The risk of inconvenience to road users caused by a poorly performing contractor can be further mitigated by means of governance agreed with the promoter.</i>	<i>It is recommended that the S278 agreement for very large schemes should include a requirement for the promoter and contractor to participate in a project board and co-operate to the authority's satisfaction.</i>	<i>In order to offer this level of service additional resources will be required (please refer to recommendation 09).</i>	<i>Head of Highways DM</i>	<i>Resource Implications- to be considered by MTP</i>	<i>Long Term</i>	

## Appendix 1 – Recommendations

27	<i>Assurance would form part of the project board structure, and would ensure pro-active involvement in issues on buildability and minimising risk of disruption to road users</i>	<i>In order to avoid yet more pressure on inspection resources and to augment skills available for assurance, it is recommended that assurance is supplemented with suitably experienced inputs from external sources during works of a potentially disruptive nature.</i>	<i>In order to offer this level of service additional resources will be required (please refer to recommendation 09).</i>	<i>Head of Highways DM</i>	<i>Resource Implications – to be considered by MTP.</i>	<i>Long Term</i>	
29	<i>The main issue encountered by the reviewers concerning technical approval is time taken for TfB to issue technical approval.</i>	<i>It is also recommended that the number of man days required to support the highways DM team is reviewed. If it is considered that there is a need for greater time, then this should be agreed with TfB. This will enable them to recruit the specialisms in house. Given that the cost of bringing in expertise above the fixed number of days agreed up front is so much more expensive, and given the need for the work to be carried out quickly, this might be a solution which is relatively cost neutral.</i>	<i>Highways DM will liaise with Transport for Buckinghamshire to review the number of support days required and ensure a process for monitoring time spent on Highways DM work throughout the year.</i>	<i>Head of Highways DM/ Head of Highways Client.</i>		<i>Short Term</i>	
32	<i>BCC does not currently have standard details</i>	<i>Standard details for items such as</i>	<i>Standard Details will need to be created in</i>	<i>Head of Highways DM/</i>	<i>Finance Implications – to be</i>	<i>Long Term</i>	

## Appendix 1 – Recommendations

	for construction of typical highway features. While details are provided in individual sets of S278 plans, a standard set is desirable in the interest of standardising items for future maintenance.	illuminated bollards, street lighting, traffic signals, accesses, pavement construction and special paving should be provided.	consultation with Transport for Buckinghamshire.  The development of Standard Details will need to be outsourced.  In the meantime Highways DM are trying to gain access to British Standards through TfB.	Head of Highways Client.	considered by MTP.		
33	Innovative or non-standard design outside the scope of DMRB (for instance special paving required for aesthetic reasons, non-compliant crossings and textured paving) has led to design liability and penalties under Health and Safety legislation elsewhere on public and private roads.	It is recommended that any non-standard design is accompanied by a sufficient risk assessment and competent approval. They will need to be agreed by the TfB Asset Management team.	Highways DM to create a process of assessing non-standard designs in consultation with TfB Asset Management.	Highways DM Transport Co-ordinator		Short Term	
34	BCC should protect itself from future works unduly affecting the operation of the road network.	When S278 works are on traffic sensitive areas, it is recommended that a simple assessment of traffic delays during stages of construction and, where possible, options to minimise delays should be provided. The assessment may show the relative impact on construction cost and traffic delays of alternative options.	Highways DM to create a process for assessing traffic management on sensitive roads in consultation with TfB Street works team.	Highways DM Transport Co-ordinator		Short Term	



# **Buckinghamshire County Council (BCC)**

## **Independent Review of BCC Development Management Processes and Procedures**

Friday, 12 June 2015

Ref no: 3513693B-PTL

## Contact information

Requests for further information concerning this submission should be addressed to:

<b>Contact</b>	Jon Noble
<b>Position</b>	Principal Transportation Planner
<b>Address</b>	Parsons Brinckerhoff Ltd 6 Devonshire Square London EC2M 4YE
<b>Email</b>	<a href="mailto:jon.noble@pbworld.com">jon.noble@pbworld.com</a>
<b>Phone</b>	44-(0)207-337-1743 (direct) 44-(0)7776-465-399 (mobile)

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# 1 Introduction

- 1.1.1 WSP Parsons Brinckerhoff was commissioned to review highways development management processes at Buckinghamshire County Council (BCC) and provide external advice on the levels of assurance that are currently in place in terms of policies, procedures and practices to conduct effective development management. The original scope aimed to assess how BCC handles such schemes, confirm existing good practice, and recommend where and how current practice could be improved.
- 1.1.2 BCC is currently undergoing organisational change, as of April 1<sup>st</sup> 2015 highways development management (DM) responsibility moved from 'Place' to 'Transport, Economy and Environment' (TEE) as part of the Council's 'Future Shape' transformation programme. More pertinently for the highways DM service, it has moved from being sat as a team within the former 'Planning Advisory and Compliance' (PACS) service, to standing as a delivery unit in its own right within the Environment Service. This process has created new roles within the team, some of which are yet to be filled.
- 1.1.3 Following inception, the review process began with a background document review of existing procedural documents provided to the team by BCC. This included several case studies which have been used as part of the process; however the review is not an 'audit' or 'inquiry' into any one specific scheme. The review team visited BCC on multiple occasions to meet with members of the TEE team as well as developers and councillors, with a full list of consultees shown below. This process helped the team to confirm existing practice and mutually identify potential areas where current practice could be improved.
- 1.1.4 The report itself provides a summary of the current processes and procedures, and the reviewer's opinion on how well these reflect best practice and relevant guidance. Included is a comparison of BCC's publically available developer guidance with that of other local authorities, as well as examples of model internal documentation, organisational structure and process flow charts. Throughout, clear recommendations on areas where current practice could be improved and how this might be achieved are included, with this information also summarised in a table at the end of the report.
- 1.1.5 A traffic light system has been used to recognise areas of good practice observed and help to categorise the importance of recommendations made. Green highlights areas of good practice. Amber shows where action is required, whilst red highlights areas to be addressed promptly to ensure effective highways development management.

## 1.2 List of consultees:

Christine Urry	Acting Head of Highways Development Management
Graham Smith	Transport Co-ordinator
Steve Essam	Transport Co-ordinator
Ian Sharp	Development Management Inspector
Darryl Bonsor	Development Management Inspector
Melanie Cawkell	Senior Development Planning Officer
Del Tester	Senior Development Planning Officer
Robin Stuchbury	County Councillor
Warren Whyte	County Councillor

## 2 Comparison to other local authorities

### 2.1 Introduction

- 2.1.1 The review team have looked at systems and processes in place at other local authorities to understand their different approaches to development management. Authorities close to Buckinghamshire and those of a similar size were chosen as they are likely to be subject to similar types and numbers of applications.
- 2.1.2 The review team is able to show where BCC is performing better than similar local authorities, as well as where there is room for improvement. Importantly, the review team can also be confident that resulting recommendations are in line with the strategies and procedures of other organisations.

#### Local authorities reviewed

- Bedford Borough Council
- Buckinghamshire County Council
- Cambridgeshire County Council
- Essex County Council
- Hertfordshire County Council
- Northamptonshire County Council
- Oxfordshire County Council
- Suffolk County Council
- Surrey County Council

### 2.2 Publicly available Developer Guidance

#### Survey background

- 2.2.1 The review team adopted the role of a potential developer in different regions, assessing what information is available publically, and easily sourceable, on each Local Authority's website.
- 2.2.2 Through the use of keyword internet searches as well as search functions within individual websites the team assessed the structure of the information, as well as the types and quality of the guidance available. Of particular interest is information relating to section 106, 38 and 278 agreements, planning applications, development management process, developer guidance and highway design guides. For comparison purposes BCC's website has been assessed in exactly the same way.
- 2.2.3 Section 106 agreements relate to money paid by developers to Local Planning Authorities to offset any external effects of developments. Under section 38 agreements, a local highway authority can enter into a legal agreement with a developer to adopt a highway. Section 278 agreements are used where a development requires work to be carried out on the existing adopted highway.

#### Survey output

- 2.2.4 Table 1 shows the results of the survey. It is important to point out that this review is not exhaustive, representing information firstly available publically and secondly that was sourced during the review. Any guidance only sent out privately following initial contact with a developer would not be reflected in the results.
- 2.2.5 Figure 1 brings together examples of good practice from across the survey of local authorities to create perhaps an ideal set of external documents, and their interaction. There are four critical documents, as shown down the centre of figure 1:
  - **Local Transport Plan:** outlining future transport strategy

- **Development Management policy:** a strategic position on desirable characteristics for future developments
- **Guide to infrastructure contributions:** information on section 38, 278, 106 processes, alongside details on fees and commuted sums
- **Design/construction guides:** standalone or supplementary standards, codes or guidance relating to design and implementation

Alongside this there are other important groups of documents:

- **Overarching strategy:** Regional and national strategies on larger scale than development management, perhaps county wide plans or community programs. It is important that all other policy documents align with these.
- **Appraisals:** Examples include sustainability, equality and biodiversity appraisals. Each document produced (particularly strategic level documents) should be appraised against these to ensure they are embedded in policy.

## Local authority comparison

	Strategic			Application Guidance				Design Guidance						Appraisal		
	Sustainable Communities Strategy	Local Transport Plan	Development Management Policies	Infrastructure Contributions guidance (S106/CIL)	Information on Section 38/278 Highway Works	Commuted Sums Protocol	Pre-application process	Design Guide	Materials Guide	Development Construction Manual	Parking Standards	Rural Diversification	Travel Plan Guidance	Sustainability Appraisal	Equality Analysis	Biodiversity Action Plan
<b>Authority</b>																
Bedford Borough Council	✓	✓	✓	✓	✓		✓	✓		✓	✓	✓	✓	✓	✓	
Buckinghamshire CC (with received)	✓	✓	✓	(✓)	(✓)						✓		✓	✓		✓
Cambridgeshire CC		✓	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
Essex CC		✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		
Hertfordshire CC		✓	✓	✓	✓			✓				✓	✓	✓	✓	✓
Northamptonshire CC	✓	✓	✓	✓	✓		✓	✓					✓	✓	✓	
Oxfordshire CC		✓	✓	✓	✓		✓	✓	✓	✓	✓		✓	✓		✓
Suffolk CC	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Surrey CC		✓	✓	✓		✓	✓	✓			✓		✓	✓		✓

Table 1 – Development Management information sourced publically. Those in brackets were given to the review team but not found on the website.

## Publically available DM guidance

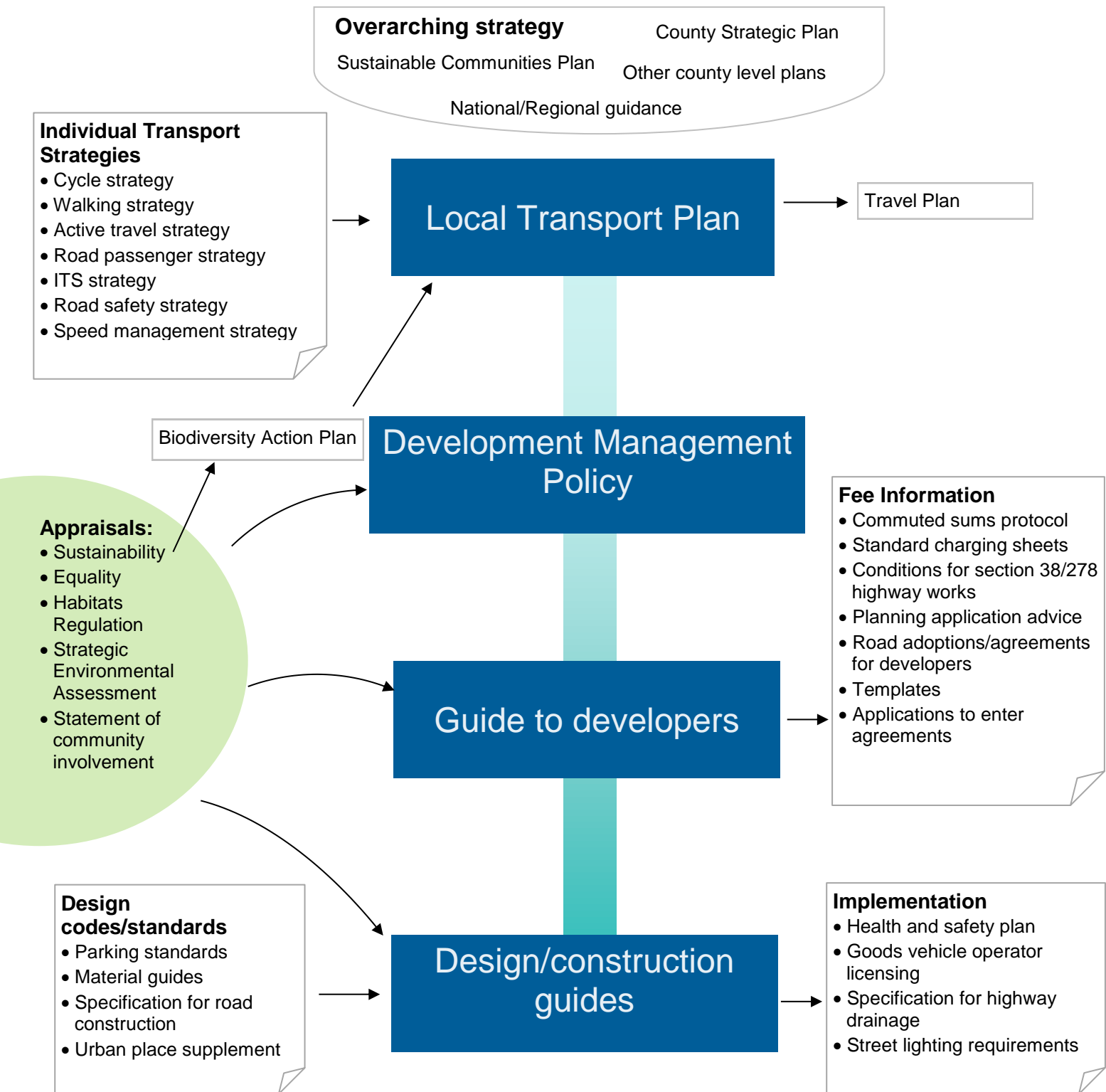


Figure 1: Best practice example of publically available documents and their relationships



### 3 Publically available developer guidance analysis

- 3.1.1 The investigation highlighted the variety in the levels and types of guidance Local Authorities offer publically to developers.

#### 3.2 Focus on Buckinghamshire

##### Layout and organisation

- 3.2.1 BCC's website contains the least publically available guidance of any of the surveyed authorities, and was difficult to use. BCC has many key documents in place however as an external developer these are challenging to find through the BCC website.
- 3.2.2 The most informative page on development management is titled 'Development Control', found amongst details on fly posting, abnormal loads and roundabout sponsorship in the highways and pavements section of the website. The Development Control page outlines BCC's responsibility as highway authority and gives the development management contact email address, however offers no links to any further relevant documents. This appears to add an unnecessary step requiring action from both sides in order for basic development information to be obtained. This also adds a risk that developers may proceed with out of date information, potentially adding to demands on BCC officer time.
- 3.2.3 Much of the information that was found came through stand alone internet searches, with very few click-through links found within the BCC website. Equally, within the documents that were found there were very few references to other documents, making it hard to establish a coherent strategic approach to development control.
- 3.2.4 BCC would benefit from one, central page focussed entirely on information for developers. Perhaps this could be located under a new 'TEE' page, as opposed to the current position within transport and roads. This should become a central hub bringing together into one place all relevant documents, application forms, contacts and guidance notes.

##### Content and quality

- 3.2.5 There are clear gaps in the publically available guidance on the BCC website, focussed around application and design guidance.
- 3.2.6 When searching for the four key documents identified in figure 1, the team found an excellent local transport plan, appraised for sustainability. On a strategic level, whilst the Buckinghamshire County Council Strategic Plan does include a planning and transportation portfolio plan, its focus is not on development management. Crucially, there appears to be very little information publically available to potential developers outlining development processes, or how to submit applications for section 38 and 278 agreements. Developers are referred to national guidance such as the Manual for Streets regarding design and construction.
- 3.2.7 When documents received separately from BCC are considered, the picture looks healthier. These are shown in brackets in Table 1. The team has seen detailed guide notes alongside application forms and template agreements for section 38, 278, 184 and 106 agreements. The review team is aware that some of these documents, plus others, forms a communications pack released to developers following initial contact.
- 3.2.8 It is recommended that these documents plus the information pack are immediately made available publically through the BCC website. This will lighten some workload from the DM team, whilst also bringing BCC into line with other local authorities in the region.

#### 3.3 Focus on good practice elsewhere

##### Layout and organisation

- 3.3.1 Essex County Council is one of a number of the surveyed local authorities providing examples of good practice, with documents covering a full range of planning issues logically stored and organised online. The page 'Information for Developers', contained within the Environment and Planning section of the site, provides a central, searchable entry point to the site for developers.
- 3.3.2 This page links to 'Developer Documentation', bringing together documents relating to accessibility, parking, travel plans, development management policies and design standards, and 'Adoptions and Land', a page containing detailed design guidance and highway adoption information. With everything in one place and dated, a developer can very quickly find all the information needed without the need to contact anyone, and be confident it is the very latest guidance.

#### Content and quality

- 3.3.3 As part of Essex County Council's publically available resources is a document named 'Development Management Policies'<sup>1</sup>. This is amongst the best documents sourced during the survey, containing twenty two clear and organised development management policies which set out criteria upon which developments will be judged. The Council can use these policies as justification when awarding permission or issuing a refusal, offering little room for argument from the developer's side. Cross referencing within the document is strong; developers are referred forward to other key documents such as the Essex Design Guide and Parking Standards Design. For a developer this helps with navigation and gives the feeling of a well organised, coherent process.
- 3.3.4 All of the surveyed local authorities have publically available local transport plans, with many of these appraised for their sustainability, habitat preservation, equality or other criteria. In theory this will feed through into the development process via the LTP, however Bedford Borough Council have taken a further step by putting their development strategic documents through the same appraisal process, thus ensuring sustainability, equality and any other relevant appraisals become embedded within the planning process.
- 3.3.5 It is recommended BCC develop a strategic document outlining forward development management policy, as part of a network of cross referenced publically available guidance. This document should undergo an appraisal process similar to the LTP, or could even be included as part of the next LTP for Buckinghamshire, due for release in March 2016.
- 3.3.6 Whilst some authorities, including BCC, appear to point developers towards national guidance relating to design and construction, many other surveyed local authorities have produced stand alone or supplementary local guidance. The Essex Design Guide is a good example, offering detailed design guidance for developments in the county<sup>2</sup>. Urban place and street materials supplements give even more guidance to developers. This offers a local authority the chance to reflect local issues in design/construction guidance, such as preserving local character or area specific safety requirements. Full control is gained of the layout, appearance, materials and construction standard of all developments in the region.
- 3.3.7 An excellent example of local level guidance is the Highway Protocol for Conservation Areas document, giving guidance on highway related works in conservation areas. This represents a formal agreement between BCC and Aylesbury Vale District Council, a model which could be used again as further guidance is produced. However, this document could not be sourced through the BCC website.
- 3.3.8 It is recommended BCC produce supplementary or standalone design, construction and/or materials guides for development work in the county (see future sections)

<sup>1</sup> <http://www.essex.gov.uk/Environment%20Planning/Planning/Transport-planning/Information-for-developers/Documents/Development%20Management%20Policies%20Feb%202011.pdf>

<sup>2</sup> [http://www.essex.gov.uk/Environment%20Planning/Planning/Transport-planning/Information-for-developers/Documents/19715\\_essexdesignguide.pdf](http://www.essex.gov.uk/Environment%20Planning/Planning/Transport-planning/Information-for-developers/Documents/19715_essexdesignguide.pdf)

## 4 Internal development management documents

- 4.1.1 The processes by which a local authority receives, processes and tracks development applications will influence a developer's experience with the authority, whilst also defining the efficiency and accountability of the highways development management team. Figure 2 presents a set of grouped internal documents a model local authority will use on a daily basis, from first contact with a developer through to archiving of plans.
- 4.1.2 The review team have seen internal documents including template application forms and instructions relating to section 38, 278, 184 and 106 agreements, as well as communications strategy, development control crib sheets, approval, adoption and pre-start meeting checklists and a section 184 process flowchart.
- 4.1.3 However it is clear internal processes are not always clearly set out, which is hampering efficiency within an overstretched team and lowering the level of service offered to developers. A clear set of internal documents and processes offers greater opportunities in efficiency of process as well as maintaining a coherent output.

### Tracking applications and agreements

- 4.1.4 One area that offers clear room for improvement is in the life-cycle tracking of planning applications and section 106/38/278/184 agreements, which was a common concern raised with the review team. One way in which this currently manifests itself is a lack of accountability for incoming developer fees on a scheme by scheme basis, something that presents significant risk to BCC. Secondly the review team heard how section 106 developer contribution payment milestones and associated revenue have been missed in recent years, attributed to a lack of personnel. It should be noted that responsibility for S106 monitoring has since been taken up by the 'Growth and Strategy' team. It is thought a central point of reference could solve these issues.
- 4.1.5 A central tracking spreadsheet, database or other alternative would form a central point of reference internally, and could be used to quickly answer queries from the public, councillors and other BCC staff about the status of different applications. The review team is aware of the inquiry undertaken by BCC's Environment, Transport and Localities (ELT) committee, which appears to support these findings. This could take a number of forms and be made to be user friendly. Uniform may be the solution, although other options should be considered and compared.
- 4.1.6 Benefits would include ensuring revenue is collected promptly and creating a clear picture of schemes in progress and their positioning along the process. This would also help avoid the current situation where in the event of departure of senior staff, or even a period of illness, it would be difficult for someone to provide even basic information on the status of different applications.
- 4.1.7 This ties into issues highlighted around communication relating to both TfB and local planning authorities. TfB have noted a monthly outline of forward workload from BCC would be of great use, whilst BCC have complained that local district councils are not forwarding applications immediately, or even letting BCC know that they have been received at all. Subsequent delays in advice to applicants therefore arise with applications potentially 'falling through the cracks' in the two-tier system leading to a poor customer journey for developers. Integrating TfB and district councils into the tracking process offers mutual benefit. With the district councils involved, BCC will gain early notification of upcoming work and can then plan forward workloads accordingly, and pass these to TfB. District councils will be able to track applications and respond to public enquiries, whilst for the developer this should make for a smoother, more efficient process.
- 4.1.8 It is recommended that central spreadsheet databases (or similar) are introduced to track planning applications and highways agreements from first contact through to archiving of plans. Ideally, these should be collaborative, including input from district councils as well as TfB, or provide links to other databases.

### Standard drawings

4.1.9 Figure 2 includes a list of standard drawings which, to the review team's knowledge, highways DM does not currently have in place. A standard approach to the design of key highway features will save valuable time during the technical approval stage and lessen the number of elements to be assessed on a case by case basis. Further down the line, this also offers time and cost benefits in construction and maintenance.

4.1.10 It is recommended to produce standard drawings for common highway features. This process could align with the earlier recommendation to produce a county level design guide.

#### Process flow charts

4.1.11 Development management is built on process. Whilst each scheme will bring about its own challenges, general steps will be repeated again and again, development after development. The current set up is certainly functional, however by better defining the process it can begin to become streamlined; bringing benefits of accountability, consistency of response and a faster turnaround time. Concurrently this makes the process more transparent and transferrable, helping to shift the wealth of knowledge and expertise in senior staff into a standardised approach, and allowing deployment of experienced officer resource in a more tactical way for service benefit.

4.1.12 The benefits are best illustrated using an example. In a case study seen by the reviewers, BCC awarded construction approval in stages, before full technical approval had been given. Whilst this certainly wasn't desirable for BCC, having a process flow diagram in place for a section 38 or 278 agreement would make this explicit. The team can understand why this happened in the case study, as the hold up in receiving pieces of technical approval from TfB meant it became impractical to delay the developer any further. Other recommendations in this report will tackle the problem of slow technical checks, but a visible and clearly defined process flows will ensure that in the future important process steps are followed robustly, lowering the risks for BCC.

4.1.13 Figures 3-6 show examples of model process flow charts for dealing with planning applications and section 106/38/278 agreements. At each stage key documents and involvements are listed. Reference to these diagrams will ensure relevant groups of people are kept in the loop where necessary. Highway DM would become a beneficiary of this themselves, as they are sometimes accidentally excluded from important correspondence. A meeting could be set up to establish the points at which each different stakeholder would like to be consulted, given that the scale and nature of the project in question would require their involvement.

4.1.14 It is recommended that Figures 3-6 should be used to form the basis of a clearly defined process outlining how BCC will conduct highways development management.

#### Other key documents

4.1.15 Some other documents which could quickly provide efficiency, consistency and transparency across the development management process include:

- **Infrastructure needs identified for section 106** – a live record of desirable improvements which could potentially be funded through 106 or CIL funding, which can be matched as developers come forward in the same areas.
- **Refusal/acceptance templates** – provides a consistent approach to communication of decisions. As mentioned before these could reference a development management strategic policy document.
- **Email/post handling guidance** – vital in organisation, record keeping and accountability, as well as keeping relevant parties in the loop.
- **Fee structure and information** – the team recognise this is currently under review within BCC. Important to have clearly defined structure to fee calculation. Some local authorities surveyed release calculation information for their commuted sums, providing a totally transparent system.
- **Guidance for technical approvals** – could include guidance for assessing transport forecasts, transport assessments and approval of structures. Promotes a consistent approach, and clear grounds for refusing approval.

4.1.16 It is recommended that BCC review the current portfolio of internal documents, and strongly consider the benefits of implementing some or all of those additional documents highlighted in figure 2 in leading a consistent, clearly defined and streamlined process.

## Internal Documents

### Planning

- ⇒ Standard conditions
- ⇒ Refusal template
- ⇒ Acceptance template

### Section 106 Agreements

- ⇒ S106 agreement template
- ⇒ Standard heads of terms
- ⇒ S106 process flow chart
- ⇒ Infrastructure needs identified for S106
- ⇒ Central S106 tracker spreadsheet/database
- ⇒ S106 negotiation tracker
- ⇒ Protocol for management of S106 planning obligations
- ⇒ S106 developer contributions spending

### Section 38 Agreements

- ⇒ S38 agreement template
- ⇒ S38 process flowchart
- ⇒ S38 tracker
- ⇒ S38 agreement checklist
- ⇒ S38 bond calculation sheet
- ⇒ Table of commuted sums
- ⇒ Explanation of how commuted sums are calculated

### Section 278 Agreements

- ⇒ S278 agreement template
- ⇒ S278 process flowchart
- ⇒ S278 tracker
- ⇒ Criteria for abridged S278
- ⇒ S278 agreement checklist
- ⇒ S278 bond calculation sheet
- ⇒ Table of commuted sums
- ⇒ Explanation of how commuted sums are calculated
- ⇒ Planning and adoption processes (eg street lighting)

### DM Policy

- ⇒ Process flow charts
  - ⇒ S38, S106, S278, minor S278
  - ⇒ Planning application response
- ⇒ Email/post handling guidance
- ⇒ Acceptance/refusal templates
- ⇒ Standard conditions
- ⇒ Land Compensation Act information and guidance

### Technical Approval

- ⇒ Standard drawings
- ⇒ Traffic forecasting guidance
- ⇒ Procedure for approval of structures
- ⇒ Access visibility guidance
- ⇒ Visibility splays
- ⇒ Transport Assessment guidance
- ⇒ County level design guides
- ⇒ Manual for Streets in BCC

### DM Standard drawings

- ⇒ Domestic Access
- ⇒ Industrial and farm access
- ⇒ Ramp details
- ⇒ Standard turning head
- ⇒ Standard passing bay
- ⇒ Footway construction types

### Finance

- ⇒ Income processing guidance
- ⇒ S106 developer contributions spending

Figure 2 – Best practice example of internal documents



## 5 Summary of BCC internal and external development management documentation

External developer guidance documentation			
Document	Present	Quality	Priority
Sustainable Communities Strategy	●	●	
Local Transport Plan	●	●	
Development Management Policies	●	●	✓
Infrastructure Contributions guidance (S106/CIL)	●	●	
Information on Section 38/278 Highway Works	●	●	✓
Commuted Sums Protocol	●		✓
Pre-application process information	●		
Design Guide	●		✓
Materials Guide	●		✓
Development Construction Manual	●		
Parking Standards	●	●	✓
Rural Diversification	●		
Travel Plan Guidance	●	●	
Sustainability Appraisal	●	●	
Equality Analysis	●		
Biodiversity Action Plan	●	●	
Standard Drawings	●		✓
Internal development management documentation			
Document	Present	Quality	Priority
Standard Conditions	●		✓
Acceptance and refusal templates	●		
S38/278/106 agreement templates	●	●	
S38/278/106 instructions	●	●	
S38/278/106 process flow charts	●		✓
S38/278/106 central tracking databases	●		✓
S38/278 bond calculation sheets	●		✓
Criteria for abridged S278/S184	●		
Fee structure information (inc. commuted sums)	●		✓
S106 developer contributions spending & negotiation tracker	●		
Infrastructure needs identified for S106	●		
Guidance/checklist for technical approval	●		✓
Planning and adoption checklist	●	●	
Email/post handling guidance	●		
Income processing guidance	●		✓

Key	Present	Quality
●	Present	No improvement needed
●		Some improvement needed
●	Not present	Significant improvement needed

Table 2 – Summary of current availability of key internal and external DM documents

## PLANNING APPLICATIONS

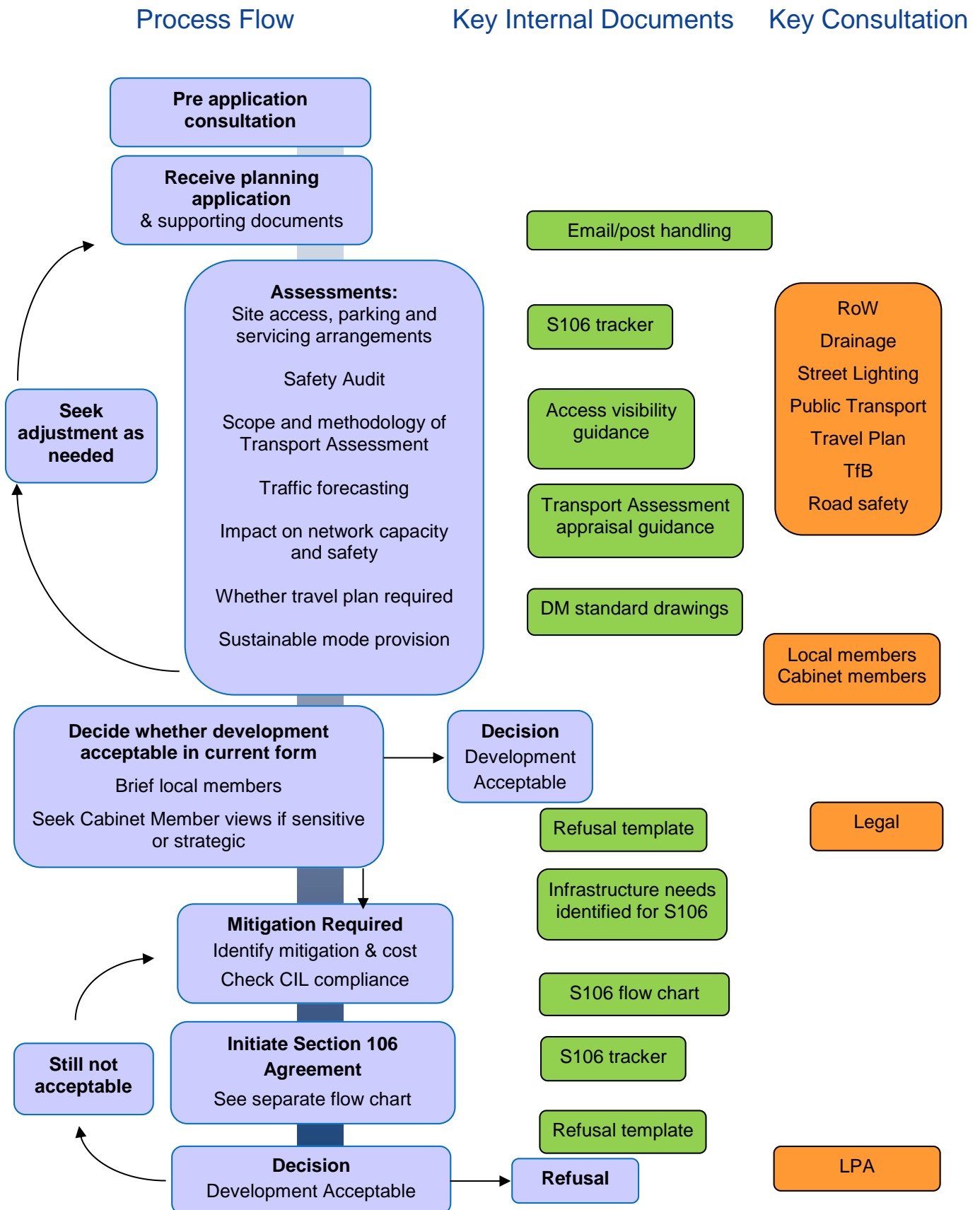


Figure 3: Process Flow chart for incoming planning application



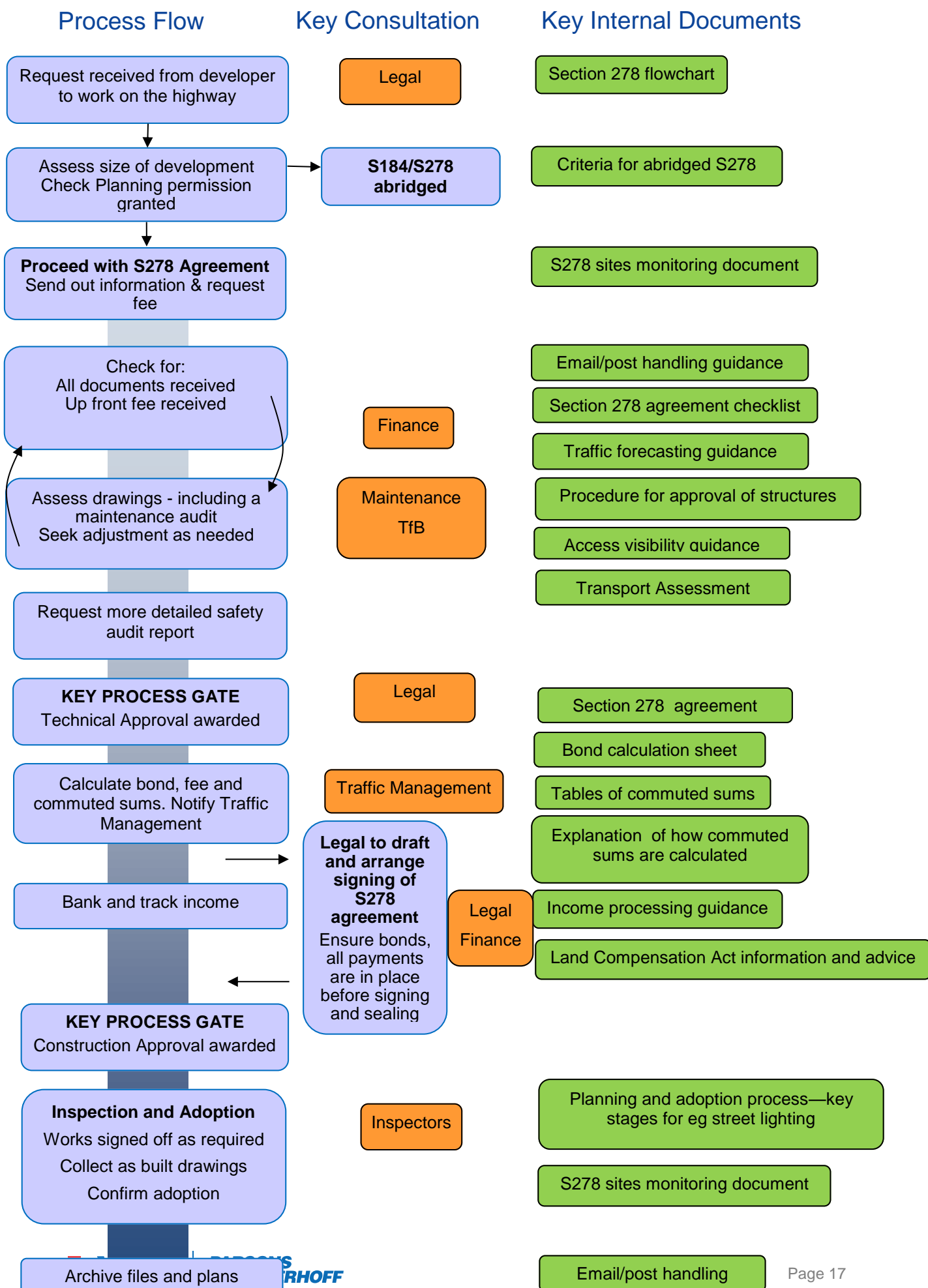


Figure 4: Process Flow chart for incoming section 278 agreements

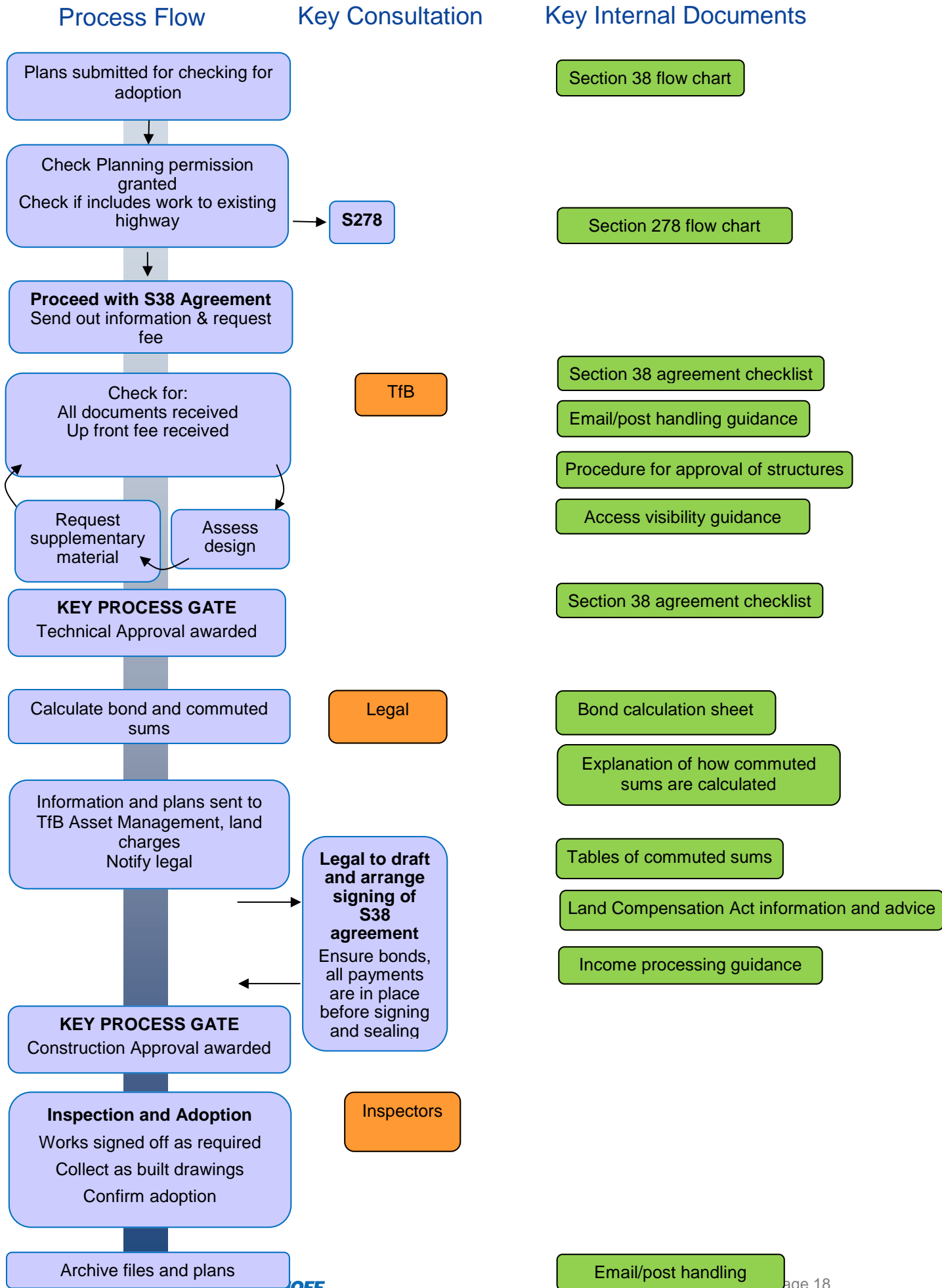


Figure 5: Process Flow chart for incoming section 38 agreements

## SECTION 106 AGREEMENTS

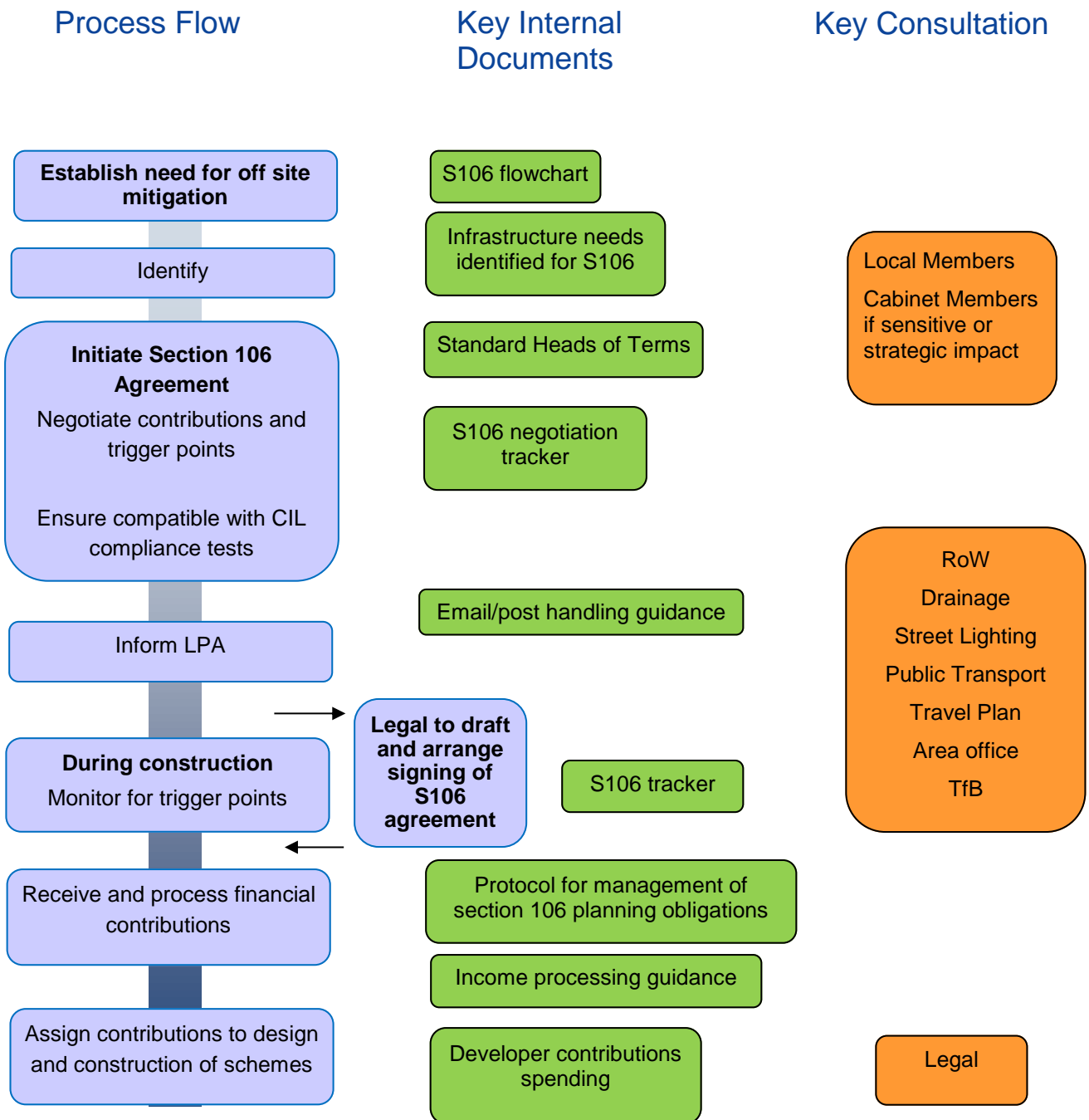


Figure 6: Process Flow chart for incoming section 106 agreements

## 5.1 Personnel

- 5.1.1 BCC is working within tight personnel constraints to deliver county wide highways development management. Figure 7 shows a representation of the current organisation structure as understood by the reviewers.

### Team

- 5.1.2 The BCC highways DM team is small in comparison to authorities, even considering the increase in posts brought about by the TEE process. Other local authorities dealing with a similar number of applications have upwards of 20 DM staff. BCC currently has 10 (with 3 vacant positions). The team understands that it is not possible for BCC to recruit to this level immediately, however this offers an indication of just how over stretched the current system is.

Grade	Current no of staff	Suggested level of staff
Management	2 (1 vacant)	2
Senior & Lead Officer DM	3 (1 vacant)	4
Officer	1 (1 vacant)	2
Transport coordinators	2	2
Inspectors	2	4
Technicians	3	4
Total	13	18

*Table 3: Current, and suggested staffing levels*

- 5.1.3 Generally, increases in staff numbers are needed at every level. Table 3 highlights areas where these extra positions are needed. The suggested staffing level would still leave the team below an optimum staffing level, however this would make a significant impact on the efficiency of the team.
- 5.1.4 The DM team is the only in-house resource of highway background experience. Technical support in highways is provided commercially by TfB, but it can be a slow process to get a quick answer. BCC does not have any Area Managers or technicians outside of the TfB contract. The combined result is BCC receiving various other works related to the statutory highway functions of BCC; DM staff appear to be the “go-to guys” for all highway issues.
- 5.1.5 Additional staff resources (Highways Development Management Lead Officer and Highways Development Management Officer) should help, however the review team feel that the number of DM officers is still not enough and recommends that the DM team be increased. Suggested areas for increase are shown in table 3.
- 5.1.6 BCC DM officers are providing a very high level and volume of communication with BCC Councillors and the public.
- 5.1.7 This is commendable, however it is an incredibly resource-intensive process, that takes DM officers away from their core work – which is to safeguard the highway network and ensure developments are appropriate. It has also tended to raise the level of expectation amongst the public as to the level of communication they expect to receive. The DM team provides a valuable technical service to support the LPA and this is being compromised by the significant package of communications.
- 5.1.8 It is recommended that the DM team take a step back from the significant levels of communications they undertake. Particularly with the public, the level of expectation needs to be reset at a more manageable level. Developers should be required to keep the public and Councillors informed and engaged in the process. The LPA also have a consultation role.

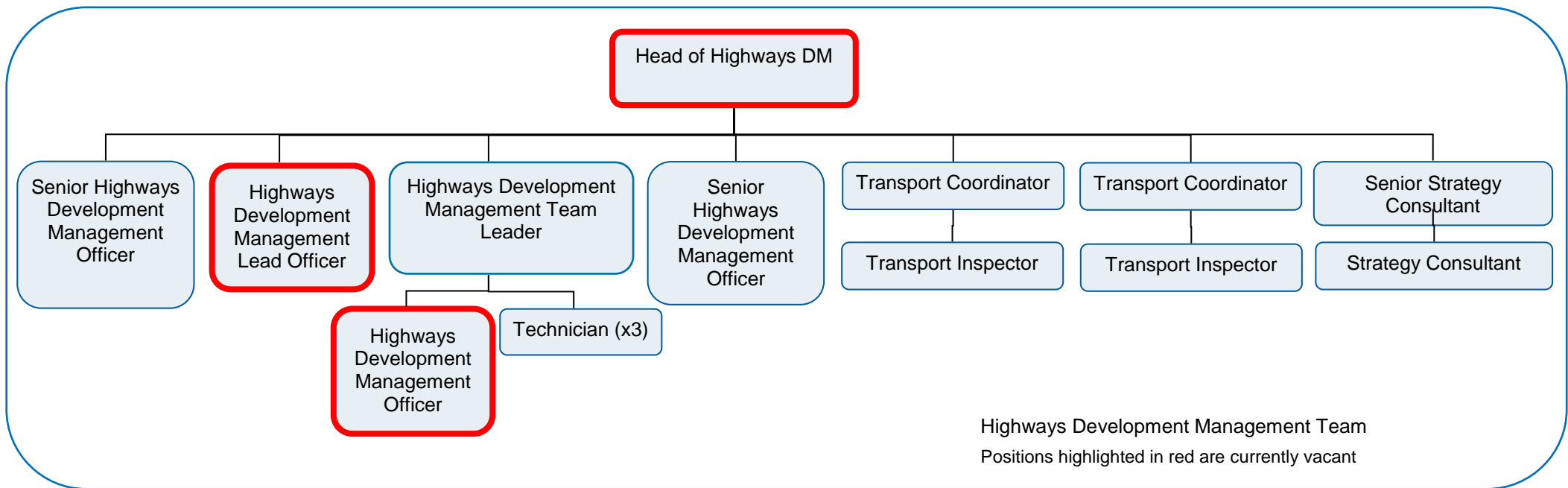
### Structure

- 5.1.9 An important difference often seen at other local authorities is clear distinction of roles by area. Whilst the team recognises in recent months there has been a move towards

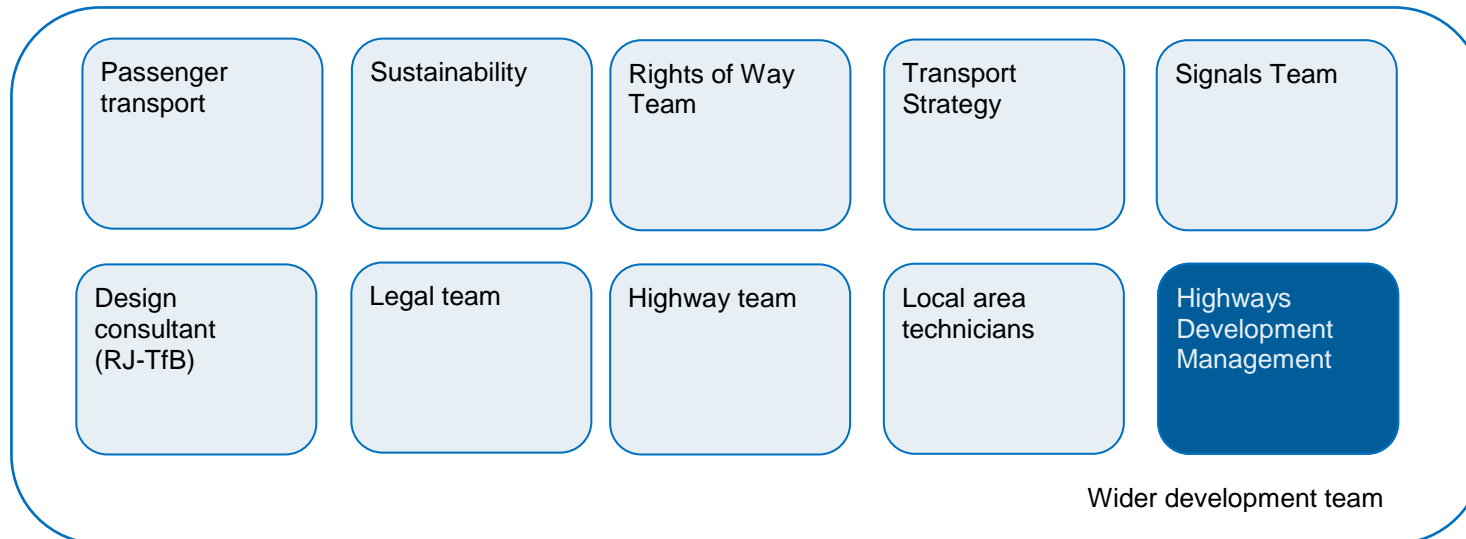
certain staff focussing on specific regions, some BCC staff including transport co-ordinators and inspectors cover work across the entire county. For the inspectors, this means travelling large distances between sites and an expectation of expertise across a vast area. Inspection is an especially important issue. With many sites requiring monitoring and approval at certain milestones, inspectors are stretched thinly and unable to offer neither the amount nor detail of inspections desirable. Thinly stretched technicians also leads to thinly spread local knowledge, something which historically has proven an important part of the role.

- 5.1.10 Highways DM has a vast array of teams it communicates with however can sometimes appears a minor player, evidenced by the fact that the highways DM team has experienced being unintentionally sidelined from important and relevant correspondence. The reviewers also heard how sometimes those within the highways DM team feel it lacks strategic direction. In the model, the larger development management team drives the process, feeding in and out of the other teams but generally providing a central point of contact. Perhaps a larger DM team within BCC would be able to exert more influence, driving in its own strategic direction towards a more efficient process.

- 5.1.11 It is recommended that BCC consider assigning regions to inspectors. This will require recruitment of extra inspectors to provide adequate coverage, as shown in table 3.



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## 6 Local Plans

- 6.1.1 The DM team are responsible for providing site-specific advice to the LPA when they are producing their Local Development Plans (LDPs). With the under-resourcing which has been occurring, DM officers will not have had the time required to give serious thought to the impact of local plan developments.
- 6.1.2 Difficulties may arise at the Application Stage if Local Development Plans (LDPs) do not support the expectations of the DM team. The LDPs will have a significant influence on the approach taken by DM officers, and this may become an unwanted limitation in the future.
- 6.1.3 More time and resource needs to be spent on communication with the district councils regarding their LDPs, so that they do not become a limitation to proceedings. The quality of the DM response to the LDP process should be reviewed and a lessons learned note created.

## 7 Planning Consultations

### 7.1 Consultations in Buckinghamshire

- 7.1.1 Local planning authorities are obliged to consult highway authorities on planning applications affecting highways or transport. BCC receives consultations from the four local planning authorities within the county:
- Aylesbury Vale
  - Wycombe
  - South Buckinghamshire
  - Chiltern
- 7.1.2 There is wide variation between these in terms of communications and relationships. Wycombe is the only authority with a Community Infrastructure Levy.
- 7.1.3 Consultations come into a single email inbox, number about 3,000 per year and can vary in terms of highway content from small issues such as a new access to a field, to major infrastructure for new developments.
- 7.1.4 The target response time is 21 days. This is currently only achieved in about 40% of cases. Major applications require more time for checking of transport assessments.
- 7.1.5 The DM team has recently changed to assign staff to specific districts to provide continuity to a Local Planning Authority (applications in South Bucks and Chiltern are combined for this purpose) and separate inboxes have been set up for each of the districts.
- 7.1.6 There has previously been a desire for officers to work across the entire county so that that the department would be resilient to leave/sickness. All consultations were sent to the generic DM inbox and triage of consultations was undertaken weekly. This process was not working and did not make efficient use of time.
- 7.1.7 The planning part of the DM team now operates 3 sub-teams comprising a Strategic Officer, Senior Officer and Technician/Officer. Currently there is no Senior Officer for Wycombe and no Strategic Officer for South Bucks and Chiltern.
- 7.1.8 Triage is now to be carried out by the senior officer for each district and work allocated to junior staff based on the size and nature of the development.
- 7.1.9 The team relies on Transport for Buckinghamshire (TfB) for advice in the following areas:
- Street lighting design checks.
  - Signal design checks.
  - Passenger Transport.
  - Traffic Management – signs, lines, TROs, standalone controlled pedestrian crossings.
  - Casualty Reduction – Road Safety Audits, accident statistics
  - Road Space Management – TfB perform the statutory duty of BCC to manage all works within the highway.

### 7.2 Current Issues

- 7.2.1 The review team has been made aware of a number of aspects of planning consultations that are currently not ideal.
- 7.2.2 Reasons for refusal may not be properly justified in transport terms. These can lead to appeals which lead to diversion of effort to respond and may lead to costs against the authority for unreasonableness. The National Planning Policy Framework states that
- 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'* (NPPF paragraph 32)
- and also limits the weight of current and emerging policies according to their consistency with the Framework (NPPF paragraphs 215 & 216).



- 7.2.3 Ensure that adequate training is provided to staff and that knowledge is continuously maintained. (As an example, in Suffolk, all new staff above technician level attend the 4 day IHE course on Development Management).
- 7.2.4 The review team has been made aware of examples where application refusals are being written and sent out by junior staff. This puts BCC at serious risk, including the potential for awarding of costs against BCC. Refusals are often complex and need to be considered against the NPPF and policies and procedures from BCC and the Local Planning Authority.
- 7.2.5 It is imperative that these are fully checked by a senior member of the DM team, and given that it would be a senior officer attending at appeal, the consultation response should be in their name.
- 7.2.6 Various forms of highways DM triage have been tried within BCC, but none has been fully effective. The systems have always placed a significant burden on the highways DM team, as well as senior highways DM staff.
- 7.2.7 A dedicated DM administrative assistance should be provided to perform a significant amount of the triage tasks. They would also be able to input the information into Uniform and/or an application tracking spreadsheet / database.
- 7.2.8 It was noted that some Local Planning Authorities can be slow to forward applications. In some cases, LPAs can fail to forward on to BCC other people's consultation responses, which are relevant to transport. This may be as a result of relatively poor relationships between the DM team and the LPA. It is likely that there has not been the time to develop good working relationships. A poor response rate from BCC will also be a factor.
- 7.2.9 It is therefore recommended that BCC makes a commitment to improve the working relationships with the planners:
- Spend more time with the planners and consider more frequent visits to the LPA offices.
  - Be available and willing to discuss larger applications throughout the process, rather than simply sending a final response.

### 7.3 Standard Conditions

- 7.3.1 BCC is consulted on applications from four Local Planning Authorities. BCC's standard conditions for each one of these districts is different. This makes it hard for DM officers to respond quickly and efficiently and may lead to future mistakes.
- 7.3.2 It is recommended that a single set of standard conditions should be created and agreed across all of the LPAs. A review against other Local Authorities should be carried out to ensure that wording of each condition is correct and that all appropriate standard conditions are included.

### 7.4 Planning Application Responses

- 7.4.1 Many of the consultations that the Development Management team receive are for smaller schemes with minimal impact on the highway. However, written responses to planning applications for these schemes are still often long and therefore time-consuming. Officer time and expertise would be better deployed on the more complex and challenging development proposals.
- 7.4.2 There is an opportunity for text to be standardised, to save officers from having to rewrite the same or similar responses. Standardised text should be reviewed and compared against other local authorities; it may be possible to include this within Uniform.

### 7.5 Road Safety Audit

- 7.5.1 The highway consultation process must not allow development to take place that would require road alterations that would be unsafe. This principle is well understood but it is worth emphasising as early as possible that new or altered junctions, crossings and facilities for

vulnerable road users should be accompanied by at least a stage 1 road safety audit at outline and detailed application stages.

## **7.6 Handover from Planning to Developers' Roadworks**

7.6.1 A significant period of time may elapse between planning consent and commencement of a development. This presents difficulties in providing continuity between the planning stage and the implementation stage (S278 & S38).

7.6.2 It is recommended that a handover file is set up at consultation stage for every large application containing significant roadworks, or that a system is put in place which records all relevant information to an application for later retrieval.

## 8 Developers' Roadworks (S278 Agreements)

### 8.1 Section 278 Agreements in Buckinghamshire

- 8.1.1 Developers' roadworks can be allowed to take place on existing highways through a legal agreement between a promoter – i.e., a developer or land owner (or both) - and the highway authority. They are required to comply with a condition or obligation if work is required to place on the highway.
- 8.1.2 For minor roadworks by developers (interpreted in Buckinghamshire as below £15,000 in value), a simpler process is followed under Section 184 of the same Act. Such works may include a new access or other minor alterations involved in creating a vehicular crossing of existing verges or footways.
- 8.1.3 However, this section of the act does not provide the same level of protection to BCC and may leave BCC open to paying to deal with issues arising from the works. Holding of a cash deposit against the value of the S184 works would offer a level of security to BCC.
- 8.1.4 Significant roadworks will require an agreement under Section 278 (S278) of the Highways Act 1980 (including later amendments). Works may include new or altered junctions, traffic signals, widening and facilities for pedestrians, cyclists and public transport. Every S278 agreement is unique. Many S278 agreements have been, and continue to be, fulfilled in Buckinghamshire without significant problems. Some larger or more complex schemes have given rise to issues.
- 8.1.5 The review team recommends that S184 permits are retained for minor access alterations and additions. Works of the value of £15-25,000 should be carried out under a shortened or abridged S278 agreement.

### 8.2 Consistent Process – Protocol

- 8.2.1 While a checklist of requirements for a Section 278 agreement has evolved within the DM team, it is not used by every officer involved and there is no consistent protocol for the handling of requests or the guidance of promoters.
- 8.2.2 It is recommended that guidance in the form of a Section 278 Protocol is drawn together as soon as possible from best practice of other highway authorities, adapted to the requirements of BCC. It is recommended that adherence to consistent processes for Protocol (and Supervision – see below) then becomes mandatory in the DM team and applied consistently in all future cases. Figure 4 provides a model for this protocol.
- 8.2.3 A section 278 agreement may be entered into by the highway authority *'if they are satisfied it will be of benefit to the public'* (first sentence of S278).
- 8.2.4 It is crucial that all highway works are appropriate and have been fully agreed by BCC before construction begins. There is significant risk to BCC in allowing works to begin without all technical approvals being in place, all legal issues being dealt with and all monies being provided.
- 8.2.5 Without this, there is no recourse to the developer for damaging the highway (performance bond); there is no recourse to the developer for compensation claims and BCC would be liable; it puts BCC at an incredibly weak position when it comes to instructing the contractor about suitable methods of work and traffic management.
- 8.2.6 The review team strongly recommends that no highway works are allowed to begin until a full technical approval has been issued. This may be best achieved by coordinators/inspectors checking technical approval is in place at the point of road space booking.
- 8.2.7 To reduce the burden on DM officers when dealing with S278 works, the following guidance should be set out for information in advance of the S278 agreement:
  - form of agreement

- finance – bond of surety, fees and other charges, commuted sums for maintenance, public liability insurance requirements and provision for claims under Part 1 of the Land and Compensation Act 1973
- standards for highway design, design of street lighting, highway structures and traffic signals
- procurement of works
- land to become public highway
- construction
- fulfilment of planning obligations
- health and safety
- road safety audits
- consultation and public relations
- communications package (in preparation)
- requirements and time to be allowed for technical approval
- approval of contractors
- governance (see below)
- provision for resolution of disputes
- physical location of all critical utilities before any work in close proximity

8.2.8 It is recommended that the above documents are produced or revised and made available.

8.2.9 A shorter version of guidance should be developed for abridged S278 works and access alterations under S184.

8.2.10 The progress of agreements is not currently tracked and there would be a problem in the event of senior DM staff leaving. As mentioned in the internal documentation section, it is recommended that a tracking system is introduced, which tracks application from planning stage, through S278, S38 and onto completion.

### 8.3 Supervision

8.3.1 During construction, sites are visited by one of two DM Inspectors. In practice a major site might only get a visit every few days due to the large number of sites.

8.3.2 Some processes have been created by the team to help during the inspection process.

8.3.3 A checklist of requirements for inspection (site supervision) has also been created by the team

8.3.4 The review team feel that there are potential benefits from ensuring these processes and checklists are used across the board and these should link into others where appropriate.

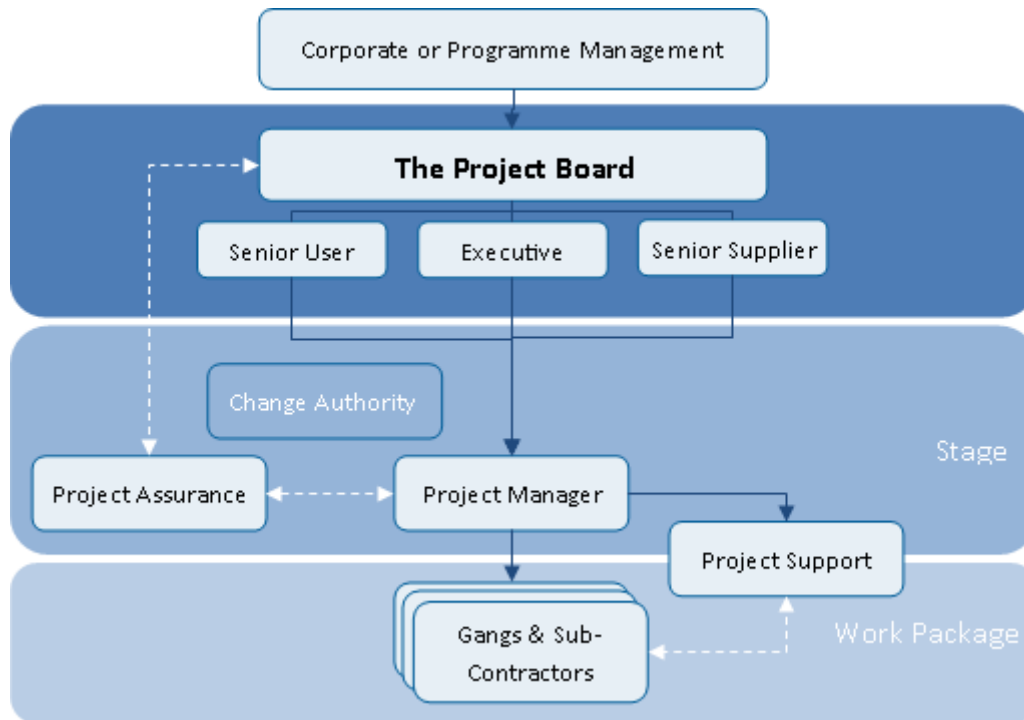
8.3.5 It is recommended that these documents are used as the backbone to a set of guidance documents, checklists and sign off sheets for use within the inspection process. These should be made publically available to allow developers to be aware up front of their requirements.

### 8.4 Governance

8.4.1 In principle there are alternative options for design and construction of developers' roadworks under S278 agreements. Currently works are carried out under the direct control of the promoter (with only supervision of quality of work by the highway authority). Instead, the contractor may be engaged from an approved list or be asked to appoint an agent under the direct control of the highway authority (as required by the Highways Agency on strategic roads). Despite offering higher levels of control, the latter places large amount of risk with the highway authority, and is not recommended for this reason. An approved list should be considered to reduce the occurrence of inconvenience to road users.

8.4.2 Contractors may incur penalties for delay under their contract with the promoter and may also incur additional costs for a range of reasons. These include the costs of extended occupation of third party land and damage to utilities plant as a result of their works.

- 8.4.3 There is limited potential for the highway authority to exert influence over a contractor engaged by the promoter. In the current S278 process, BCC can only impose penalty upon the promoter, and has less influence over the contractor. Contractor Penalties under the highway permit system are limited and generally too low to influence overrunning work on a Section 278 scheme. Department for Transport (DfT) guidance (2012) on lane rental indicates that such schemes by local highway authorities are not proven to be an effective measure against congestion and disruption caused by roadworks. Delays caused by utilities carrying out works within a roadworks site already closed to traffic may give rise to unfair penalty on contractors when the cause is beyond their control.
- 8.4.4 However, S278 agreements can (and do in other Authorities) include a window in which highway works can take place. Beyond this timescale, the S278 agreement does not allow developers to work on the highway. It is also possible then to describe with the agreement the process for re-applying for a S278 agreement. Whilst this does raise the risk of incomplete works and hence disruption to the public, the developer is incentivised to finish within the window by the additional fee required to enter into a second S278 agreement. This could even be refused if the Authority believes that the contractor in place is putting people at undue risk.
- 8.4.5 It is therefore recommended that the S278 agreements are amended to include a window of works, and a description of the reapplication process (including additional fee) in order to provide BCC with greater control over the process.
- 8.4.6 However, exposure of the highway authority to the risk of inconvenience to road users caused by a poorly performing contractor can be mitigated by means of governance agreed with the promoter.
- 8.4.7 It is recommended that the S278 agreement for very large schemes should include a requirement for the promoter and contractor to participate in a project board and co-operate to the authority's satisfaction.
- 8.4.8 The opportunity to establish control in detail is scheme-specific and may be established with technical approval. Governance need not take long or require numerous meetings but it is recommended that major developers' roadworks projects should include a project board with named individuals for key functions within an established project management methodology (e.g., APM). This does not relieve the promoter of obligations under the S278 agreement but is by definition accountable for the success of the project.
- executive (ultimate responsibility with veto on decisions e.g., promoter )
  - senior user (representative of existing road users and those who will use project e.g., the current BCC DM Co-ordinator)
  - senior supplier (responsible for technical integrity of design and construction of the project e.g., contractor)
- 8.4.9 The following individuals (external to the project board) will also be named
- corporate management (BCC Cabinet Member and Service Director)
  - project manager (day to day running e.g., site agent)
  - assurance (quality assurance plus independent advice and guidance on primary stakeholder interests e.g., BCC Inspector + assurance resource – see below)
- It is not essential that the contractor's project support and team members are identified unless they are accepted sub-contractors in which case it is essential (see also Approval of Contractor).



**Figure 9 - Standard Project Board Structure**

- 8.4.10 The assurance role can be enhanced by pro-active involvement in issues on buildability and minimising risk of disruption to road users. The assurance process is central to meeting expectations and can usefully include interventions in temporary traffic management, utilities works and maintain a critical expert overview of construction method, programme and access in the interests of the public and significantly affected third parties.
- 8.4.11 In order to avoid yet more pressure on inspection resources and to augment skills available for assurance, it is recommended that assurance is supplemented with suitably experienced inputs from external sources during works of a potentially disruptive nature.
- 8.4.12 Sources of assurance may be BCC itself through the highways DM inspectors, the promoter's design consultant TfB, or other independent expertise engaged by BCC. Of course the most economical solution would be to use BCC staff, time permitting. A designer in a design and build relationship would not be sufficiently independent of the contractor for this role.
- 8.4.13 There is advantage in the person responsible for assurance becoming familiar with all foregoing consultation responses at the application stage. The benefit of this is to have a full appreciation of issues pertinent to the interests of the highway authority and expectations of consultees (especially local representative bodies – see also planning). The assurance adviser would be in effect the first point of contact for third parties during the works.
- 8.4.14 It is recommended that the assurance role is linked closely to Members, media and public relations, and that all statements and responses to complaints should be subject to assurance. The reviewers have been told that complaints relating to developers' works take up the time of inspectors, co-ordinators and the team leader amounting to around 40% of a full time equivalent team member's time, and so there is a clear efficiency gain in separating complaints about disruptive projects from day-to-day business of the team. It is recommended that a public relations strategy forms part of technical approval, requiring that no comment should be made about on disruptive works by the promoter, contractor, TfB or BCC without first consulting with the project board adviser responsible for assurance.
- 8.4.15 Works subject to assurance may include any works that significantly affect through traffic, access to businesses highly dependent on customers, delivery or distribution, access by significant numbers of residents, and the amenity of residents in close proximity to the works. The list may not be exhaustive in any particular case and the project board should in any case be detailed in submissions for technical approval.

## 8.5 Transport for Buckinghamshire

- 8.5.1 The main issue encountered by the reviewers concerning technical approval is time taken for TfB to issue technical approval.
- 8.5.2 Due to the nature of S278 and S38 works, there is often little prior notice of when design work will be carried out under a Section 278 agreement – and therefore when the work will be submitted to BCC for technical approval.
- 8.5.3 TfB desire as much forward visibility of work as possible to enable them to efficiently manage workloads. Submissions for technical approval of S278 designs are a significant peak of work, usually in specialised technical areas of highways, drainage, lighting, traffic signals and structure designs. They therefore require different expertise from the base workload of highway maintenance.
- 8.5.4 The turnaround time for street lighting matters is currently slow. There is a proposal to introduce a 28 day target and this is commendable. However, there are no key performance indicators for TfB around this work. It is likely therefore that turnaround time will continue to be slow.
- 8.5.5 It is recommended that additional KPIs are added to the contract at the next available opportunity. These KPIs should be around a quick turn around of work.
- 8.5.6 It is also recommended that the number of man days required to support the highways DM team is reviewed. If it is considered that there is a need for greater time, then this should be agreed with TfB. This will enable them to recruit the specialisms in house. Given that the cost of bringing in expertise above the fixed number of days agreed up front is so much more expensive, and given the need for the work to be carried out quickly, this might be a solution which is relatively cost neutral.
- 8.5.7 It appears that there is no breakdown available for days spent by TfB on highways DM work. It is unclear whether days allocated in the budget have actually been used on highways DM work. The process certainly appears to require further investigation.
- 8.5.8 It is therefore recommended that BCC conduct a review of the work undertaken by TfB on the highways DM work and ensure that the correct number of days has been utilised.

## 8.6 Approval of contractor

- 8.6.1 BCC currently operates a number of checks on a contractor proposed by developers for S278 roadworks:
- Accreditation under the New Road and Street Works Act (this applies to operatives not companies)
  - Company credit checks
  - Public liability insurance of £10m
  - Risk assessment
  - Method statement
- 8.6.2 These are reasonable checks; however they are not sufficient to exclude an unsuitable contractor. Unfortunately, these checks do not always safeguard the integrity of site management, and do not prevent multiple changes of site agent, poor planning and communication, unsafe working around utilities, unacceptable traffic management and extensive use of subcontractors for other construction activities.
- 8.6.3 In Buckinghamshire an approved contractors list has been discontinued for about 5 years. It is not uncommon for other authorities that allow contractors to carry out S278 works to limit the selection of contractors to a list of companies who have further satisfied the authority in respect of:
- Business and financial details
  - Insurances (all)
  - References on completed works (e.g., 4 schemes)
  - Health & safety policy



- Racial equality
- Environmental performance assessment

8.6.4 It is recommended that S278 agreements require that contractors provide this additional information about contractors.

8.6.5 Failure to produce this information may be good reason to exclude a particular contractor in the public interest.

## 8.7 Standard details

8.7.1 BCC does not currently have standard details for construction of typical highway features. While details are provided in individual sets of S278 plans, a standard set is desirable in the interest of standardising items for future maintenance.

8.7.2 Developers are asked to submit details for their development, and for each item to be individually agreed and given technical approval. This places significant burden both on the highways DM team and the developer.

8.7.3 Standard details for items such as illuminated bollards, street lighting, traffic signals, accesses, pavement construction and special paving should be provided.

## 8.8 Design standards

8.8.1 Promoters are not currently provided with guidance on highway design standards, but may be referred to specific information, e.g., on traffic signals. The Design Manual for Roads and Bridges published by the Department for Transport (DfT) and the Highways Agency is the established national standard applicable to trunk roads and motorways and is commended to local highway authorities but not mandatory. Further advice on some specific highway features is contained in the series of Traffic Advisory Leaflets, also published by DfT. Manual for Streets also provides some lower standards for urban developments. The Manual of Contract Documents for Highway Works gives specifications and standard details. These remain the best and only official sources of good practice for road design in the UK and as such provide some reassurance to designers and approvers of designs. While they remain the main source of design guidance in the UK, they do not extend to certain aspects of less busy roads, e.g., pavement design of estate roads, and shared use areas.

8.8.2 Innovative or non-standard design outside the scope of DMRB (for instance special paving required for aesthetic reasons, non-compliant crossings and textured paving) has led to design liability and penalties under Health and Safety legislation elsewhere on public and private roads.

8.8.3 Specifications and local design standards are not unusual in S278 guidance but can lead to risk of liability and always need a sufficient design risk assessment.

8.8.4 It is recommended that any non-standard design is accompanied by a sufficient risk assessment and competent approval. This will need to be agreed by the TfB Asset Management team.

8.8.5 All designs should be subject to Road Safety Audit and relevant structural approvals as appropriate.

## 8.9 Method statement

8.9.1 For smaller scale S278 works, Traffic Management is reviewed by the highways DM team but remains principally a responsibility of the Developer / Main Contractor.

8.9.2 For works subject to assurance by means of a project board (see Resources and Governance) BCC should review and approve Traffic Management before its implementation.

8.9.3 A construction method statement and programme should clearly indicate temporary traffic management and days and hours of proposed operation.



8.9.4 When S278 works are on traffic sensitive areas, it is recommended that a simple assessment of traffic delays during stages of construction and, where possible, options to minimise delays should be provided. The assessment may show the relative impact on construction cost and traffic delays of alternative options.

## 9 Summary of Recommendations

- 9.1.1 The following pages summarise the recommendations made in the report, with those which may provide 'quick wins' and high impact highlighted. Quick wins are those recommendations which could offer an immediate, large impact with minimal effort in implementation required.
- 9.1.2 Many of the recommendations focus around four key areas; documentation, resource, engagement and TfB. The following attempts to provide a quick glance summary of the key recommendations of the report:

### 9.2 Strategic roadmap of recommendations

- **Documentation** – make more documentation publically available to developers in a more organised way.

Map, refine and provide clear processes for undertaking DM in Buckinghamshire. Including the creation of checklists and guidance notes.	Create a means of centrally tracking developments through the entire DM process. Planning → S106 → S38 → S278
Create the following documentation: <ul style="list-style-type: none"> <li>• Commuted Sums Protocol</li> <li>• Design Guide (residential, industrial &amp; materials)</li> <li>• Standard Drawings</li> <li>• S38/S278 Bond Calculations</li> <li>• Information for developers (fees, bonds, criteria for abridged agreements)</li> </ul>	Update the following documentation: <ul style="list-style-type: none"> <li>• Parking Standards</li> <li>• Information on S38 &amp; S278 in Buckinghamshire</li> </ul>
	Standardise the planning conditions across all the districts and benchmark against other authorities.
Create a Buckinghamshire County Council Development Management policy.	Update the website to provide this information to developers.

- **Resource** – ensure resourcing levels are adequate to fulfil DM remit by recruiting extra staff (noting the immediate need for a Development Management administrative assistant). Assign regions to inspectors to allow for more efficient site coverage.
- **Engagement** – ensuring focus remains on core DM activities, reduce the current high level of communication with the public.
- **TfB** – re-evaluating relationship with TfB, putting KPIs in place to ensure the needs of the Development Management team are met by the contract. Reassess the number of days assigned to TfB for DM work against the number of days required.

## 10 Tabulated Summary of Recommendations

Ref	Description	Solution	Quick Win	High Impact
<b>Rec 01</b>	BCC's website contains the least publically available guidance of any of the surveyed authorities, and was difficult to use. Much of the information that was found came through stand alone internet searches, with very few click through links found	BCC would benefit from one, central page focussed entirely on information for developers. Perhaps this could be located under a new 'TEE' page, as opposed to the current position within transport and roads. This should become a central hub bringing together into one place all relevant documents, application forms, contacts and guidance notes.	✓	✓
<b>Good practice</b>	When documents received separately from BCC are considered, the picture looks healthier. These are shown in brackets in Table 1. The team has seen detailed guide notes alongside application forms and template agreements for section 38, 278, 184 and 106 agreements. The review team is aware that some of these documents, plus others, forms a communications pack released to developers following initial contact.			
<b>Rec 02</b>	There are clear gaps in the publically available guidance on the BCC website, focussed around application and design guidance.	It is recommended that these documents plus the information pack are immediately made available publically through the BCC website. This will lighten some workload from the DM team, whilst also bringing BCC into line with other local authorities in the region.	✓	
<b>Rec 03</b>	On a strategic level, whilst the Buckinghamshire County Council Strategic Plan does include a planning and transportation portfolio plan, its focus is not on development management	It is recommended BCC develop a strategic document outlining forward development management policy, as part of a network of cross referenced publically available guidance. This document should undergo an appraisal process similar to the LTP, or could even be included as part of the next LTP for Buckinghamshire, due for release in March 2016.		✓
<b>Good practice</b>	An excellent example of local level guidance is the Highway Protocol for Conservation Areas document, giving guidance on highway related works in conservation areas. This represents a formal agreement between BCC and Aylesbury Vale District Council, a model which could be used again as further guidance is produced. However, this document could not be sourced through the BCC website.			
<b>Rec 04</b>	Developers are referred to national guidance such as the Manual for Streets regarding design and construction.	It is recommended BCC produce supplementary or standalone design, construction and/or materials guides for development work in the county		✓
<b>Good practice</b>	The review team have seen internal documents including template application forms and instructions relating to section 38, 278, 184 and 106 agreements, as well as communications strategy, development control crib sheets, approval, adoption and pre-start meeting checklists and a section 184 process flowchart.			
<b>Rec 05</b>	Life-cycle tracking of planning applications and section 106/38/278/184 agreements was a common concern raised with the review team. This currently manifests itself is as a lack of accountability for incoming developer fees	It is recommended that central spreadsheet databases (or similar) are introduced to track planning applications and section agreements from first contact through to archiving of plans. Ideally, these should be collaborative, including input from district councils as well as TfB, or provide links to other databases.	✓	✓

on a scheme by scheme basis, and missed revenue from section 106 agreements

Ref	Description	Solution	Quick Win	High Impact
<b>Rec 06</b>	To the review team's knowledge, TEE does not currently have standard drawings in place for common highway features.	It is recommended to produce standard drawings for common highway features. This process could align with the earlier recommendation to produce a county level design guide.		✓
<b>Rec 07</b>	Current processes for processing incoming applications and requests are functional but not clearly defined. This has seen procedures not robustly enforced and meant important groups (sometimes TEE themselves) are left out of the loop during correspondence	It is recommended that Figures 3-6 should be used to form the basis of a clearly defined process outlining how BCC will conduct development management.		✓
<b>Rec 08</b>	The review highlighted several documents which could quickly provide efficiency, consistency and transparency across the development management process	It is recommended that BCC review the current portfolio of internal documents, and strongly consider the benefits of implementing some or all of those additional documents highlighted in figure 2 in leading a consistent, clearly defined and streamlined process.		✓
<b>Rec 09</b>	The BCC DM team is small in comparison to similar authorities, even considering the increase in posts brought about by the TEE process. The DM team also pick up extra work relating to statutory highway functions of BCC	Additional staff resources (Highways Development Management Lead Officer and Highways Development Management Officer) should help, however the review team feel that the number of DM officers is still not enough and recommends that the DM team be increased. Suggested areas for increase are shown in table 3.	✓	
<b>Good practice</b>	BCC DM officers are providing a very high level and volume of communication with BCC Councillors and the public.			
<b>Rec 10</b>	BCC DM officers provide a high quality of communication with BCC Councillors and the public. Whilst commendable, this resource intensive process is preventing DM officers from completing their core work. It has also tended to raise the level of expectation amongst the public as to the level of communication they expect to receive.	It is recommended that the DM team take a step back from the significant levels of communications they undertake. Particularly with the public, the level of expectation needs to be reset at a more manageable level. Developers should be required to keep the public and Councilors informed and engaged in the process. The LPA also have a consultation role.	✓	
<b>Rec 11</b>	Despite a move towards regionalisation of roles, some BCC staff including transport co-ordinators and inspectors must cover work across the entire county	It is recommended that BCC consider assigning regions to inspectors. This will require recruitment of extra inspectors to provide adequate coverage, as shown in table 3		✓

Ref	Description	Solution	Quick Win	High Impact
<b>Rec 12</b>	The DM team are responsible for providing advice to the LPA when they are producing their Local Development Plans (LDPs). DM officers have not have had the time required to give serious thought to the impact of local plan developments and this may be limiting future applications.	More time and resource needs to be spent on communication with the district councils regarding their LDPs, so that they do not become a limitation to proceedings. The quality of the DM response to the LDP process should be reviewed and a lessons learned note created.		
<b>Rec 13</b>	Reasons for refusal may not be properly justified in transport terms. These can lead to appeals which lead to diversion of effort to respond and may lead to costs against the authority for unreasonableness.	Ensure that adequate training is provided to staff and that knowledge is continuously maintained. (As an example, in Suffolk, all new staff above technician level attend the 4 day IHE course on Development Management).		
<b>Rec 14</b>	Some refusals are being written and sent out by junior staff. This puts BCC at serious risk, including the potential for awarding of costs against BCC.	It is imperative that all refusals are fully checked by a senior member of the DM team be sent out in their name.	✓	
<b>Rec 15</b>	Various forms of DM triage have been tried within BCC, but none has been fully effective. The systems have always placed a significant burden on the DM team, as well as senior DM staff.	A dedicated DM administrative assistance should be provided to perform a significant amount of the triage tasks. They would also be able to input the information into Uniform and/or an application tracking spreadsheet / database.	✓	✓
<b>Rec 16</b>	It was noted that some Local Planning Authorities can be slow to forward applications and can fail to forward on to BCC other people's consultation responses, which are relevant to transport. This may be as a result of relatively poor relationships between the DM team and the LPA.	BCC should make a commitment to improve the working relationships with the planners - Spend more time with the planners and consider more frequent visits to the LPA offices. - Be available and willing to discuss larger applications throughout the process, rather than simply sending a final response.		
<b>Rec 17</b>	BCC are consulted on applications from four Local Planning Authorities. BCC's standard conditions for each one of these districts is different. This makes it hard for DM officers to respond quickly and efficiently and may lead to future mistakes.	It is recommended that a single set of standard conditions should be created and agreed across all of the LPAs. A review against other Local Authorities should be carried out to ensure that wording of each condition is correct and that all appropriate standard conditions are included.		✓
<b>Rec 18</b>	Many of the consultations which the Development Management team receive are for smaller schemes. However, written responses to planning applications for these schemes are still often long and therefore time-consuming.	Standardise text to save officers from having to rewrite the same or similar responses. Standardised text should be reviewed and compared against other local authorities; it may be possible to include this within Uniform.	✓	✓

Ref	Description	Solution	Quick Win	High Impact
<b>Rec 19</b>	A significant period of time may elapse between planning consent and commencement of a development. In this period it is possible that continuity between the planning stage and the implementation stage (S278 & S38).	It is recommended that a handover file is set up at consultation stage for every large application containing significant roadworks, or that a system is put in place which records all relevant information to an application for later retrieval.	✓	
<b>Rec 20</b>	S184 permits are being used for smaller scale road works. This section of the act does not provide the same level of protection to BCC and may leave BCC open to paying to deal with issues arising from the works.	The review team recommends that S184 permits are retained for minor access alterations and additions. Works of the value of £15-25,000 should be carried out under a shortened or abridged S278 agreement.	✓	
<b>Rec 21</b>	While a checklist of requirements for a Section 278 agreement has evolved within the DM team, it is not used by every officer involved and there is no consistent protocol for the handling of requests or the guidance of promoters.	It is recommended that guidance in the form of a Section 278 Protocol is drawn together as soon as possible from best practice of other highway authorities, adapted to the requirements of BCC. It is recommended that adherence to consistent processes for Protocol (and Supervision – see below) then becomes mandatory in the DM team and applied consistently in all future cases. Figure 4 provides a model for this protocol.		✓
<b>Rec 22</b>	It is crucial that all highway works are appropriate and have been fully agreed by BCC before construction begins. There is significant risk to BCC in allowing works to begin without all technical approvals being in place, all legal issues being dealt with and all monies being provided.	The review team strongly recommends that no highway works are allowed to begin until a full technical approval has been issued. This may be best achieved by coordinators/inspectors checking technical approval is in place at the point of road space booking.	✓	✓
<b>Rec 23</b>	S278 guidance documents will help to reduce the burden on DM officers when dealing with S278 works.	It is recommended that a set of documents are produced or revised and made available to developers. A shorter version of guidance should be developed for abridged S278 works and access alterations under S184.		
<b>Rec 24</b>	Some processes and checklists have been created by the team to help during the inspection process. The review team feel that there are potential benefits from ensuring consistency across the board.	It is recommended that these documents are used as the back bone to a set of guidance documents, checklists and sign off sheets for use within the inspection process. These should be made publically available to allow developers to be aware up front of their requirements.		✓
<b>Rec 25</b>	BCC should protect itself from future over-running schemes and poorly performing contractors.	The S278 agreements should be amended to include a window of works, and a description of the reapplication process (including additional fee) in order to provide BCC with greater control over the process.	✓	✓



Ref	Description	Solution	Quick Win	High Impact
<b>Rec 26</b>	The risk of inconvenience to road users caused by a poorly performing contractor can be further mitigated by means of governance agreed with the promoter.	It is recommended that the S278 agreement for very large schemes should include a requirement for the promoter and contractor to participate in a project board and co-operate to the authority's satisfaction.		
<b>Rec 27</b>	Assurance would form part of the project board structure, and would ensure pro-active involvement in issues on buildability and minimising risk of disruption to road users	In order to avoid yet more pressure on inspection resources and to augment skills available for assurance, it is recommended that assurance is supplemented with suitably experienced inputs from external sources during works of a potentially disruptive nature.		
<b>Rec 28</b>	The main issue encountered by the reviewers concerning technical approval is time taken for TfB to issue technical approval.	It is recommended that additional KPIs are added to the contract at the next available opportunity. These KPIs should be around a quick turn around of work.	✓	✓
<b>Rec 29</b>	The main issue encountered by the reviewers concerning technical approval is time taken for TfB to issue technical approval.	It is also recommended that the number of man days required to support the highways DM team is reviewed. If it is considered that there is a need for greater time, then this should be agreed with TfB. This will enable them to recruit the specialisms in house. Given that the cost of bringing in expertise above the fixed number of days agreed up front is so much more expensive, and given the need for the work to be carried out quickly, this might be a solution which is relatively cost neutral.		
<b>Rec 30</b>	It appears that there is no breakdown available for days spent by TfB on DM work. It is unclear whether days allocated in the budget have actually been used on DM work. The process certainly appears to require further investigation.	It is recommended that BCC conduct a review of the work undertaken by TfB on the highways DM work and ensure that the correct number of days has been utilised.		✓
<b>Rec 31</b>	It is not uncommon for other authorities that allow contractors to carry out S278 works to limit the selection of contractors to a list of companies who have further satisfied the authority in respect of a number of additional requirements.	It is recommended that S278 agreements require that contractors provide additional information about contractors.	✓	
<b>Rec 32</b>	BCC does not currently have standard details for construction of typical highway features. While details are provided in individual sets of S278 plans, a standard set is desirable in the interest of standardising items for future	Standard details for items such as illuminated bollards, street lighting, traffic signals, accesses, pavement construction and special paving should be provided.		✓

<b>Rec 33</b>	<p>maintenance.</p> <p>Innovative or non-standard design outside the scope of DMRB (for instance special paving required for aesthetic reasons, non-compliant crossings and textured paving) has led to design liability and penalties under Health and Safety legislation elsewhere on public and private roads.</p>	<p>It is recommended that any non-standard design is accompanied by a sufficient risk assessment and competent approval. They will need to be agreed by the TfB Asset Management team.</p>
<b>Rec 34</b>	<p>BCC should protect itself from future works unduly affecting the operation of the road network.</p>	<p>When S278 works are on traffic sensitive areas, it is recommended that a simple assessment of traffic delays during stages of construction and, where possible, options to minimise delays should be provided. The assessment may show the relative impact on construction cost and traffic delays of alternative options.</p>



**Scrutiny Inquiry Progress Update on Recommendations**  
**Interim Progress Report (6 months on)**

**Select Committee Inquiry Report Completion Date:** 10<sup>th</sup> November 2014

**Date of this update:** 23<sup>rd</sup> June 2015

**Lead Officer responsible for this response:** Martin Tugwell

**Cabinet Member that has signed-off this update:** Mark Shaw

Accepted Recommendations	Original Response and Actions	Progress Update	Committee Assessment of Progress (RAG status)
<p><b>1. We recommend that the Council undertakes a full assessment of the access and connectivity requirements of Buckinghamshire residents in order to understand the demands on passenger transport, establish a clear view of need in relation to different sections of the population, and identify gaps. This assessment should be used to inform the future provision of coordinated public transport across the county.</b></p>	<p>Partially Agreed - A full assessment is potentially a significant piece of work which needs to be built into the resource planning for the new TEE Business Unit to take forward in 15/16. It needs to fit into a bigger picture about why the movements of people and goods occur and what can be done to reduce and manage demands in different ways going forward, with a presumption that state intervention has to reduce as public budgets are limited. It would form part of the evidence base for the preparation of the Local Transport Plan 4 which is just about to commence.</p>	<p>The Strategic Options Appraisal work currently underway is providing an insight into the way our current approach enables us to develop an understanding of the need for travel. The implications of the outcome from the Strategic Options Appraisal on our processes for identifying need will need to be considered.</p> <p>The Total Transport option provides an opportunity to explore new approaches to identifying transport needs that could inform the development of LTP4.</p>	





<p><b>2. We recommend that, prior to commissioning, or re-commissioning public transport services, the Council undertakes an objective assessment of all service delivery options. This assessment should include community schemes, commercial services and other forms of demand-led transport.</b></p>	<p>Partially Agreed -There are current bus contract renewals will need to be completed to maintain services. However future procurement and commissioning will be structured/based on a deeper analysis from the above assessment. It is likely to include self-delivery options and not just roll forward the current subsidy model. Changes that might be considered could include using the subsidy as initial pump priming for community led provision rather than ongoing support.</p>	<p>The County Council's current approach to contracts will be reviewed following the outcome of the Strategic Options Appraisal.</p> <p>The Total Transport option provides an opportunity to develop a new delivery model for enabling the transport needs of residents to be met – both current and potential users of such services.</p>	
<p><b>3. We recommend that the Council develops a new transport subsidy strategy that focuses the limited available resources in a way that drives the delivery of coordinated public transport across the county and demonstrates clear value for money.</b></p>	<p>Agreed - This should grow from a deeper understanding of user needs and expectations and alternative community based/led provision, with the traditional subsidy offer restricted to a tighter set of criteria to be established.</p>	<p>The County Council will need to consider the implications of the outcome from the Strategic Options Appraisal on its business model for transport subsidy.</p>	
<p><b>4. We recommend that the Council encourages existing Dial-a-Ride schemes to evolve to suit changes in demand and to take advantage of the</b></p>	<p>Agreed - The response to Recommendations 1-4 will be built into the new TEE 15/16 Business Plan for action.</p>	<p>It is anticipated that the Strategic Options Appraisal work currently underway will identify the need to explore the potential of new business model(s).</p>	

opportunities presented by newer more flexible and sustainable operating models for community transport services			
5. In order to address community transport's untapped potential, we recommend that the Transport, Economy & Environment Business Unit prioritises the improvement of community transport across the county in its forthcoming business plan. This should include leading the development of a joined up approach with partners to encourage more accessible, sustainable and responsive community transport schemes.	Agreed - This proposal will be considered in the broader policy and resource context outlined in the response to recommendations 2-4	It is anticipated that the Strategic Options Appraisal work currently underway will identify the need to explore the potential of a new business model for transport services: this will provide the opportunity to work with partners in the consideration of a new approach	
6. To ensure limited resources are spent in a coordinated manner, we recommend that the Council's Transport, Economy & Environment Business Unit identifies a lead client side officer within the broader	Agreed in principle subject to consultation - The TEE BU comes into formal being from 1 <sup>st</sup> April 2015 and the structure currently being consulted on includes a specialist team working on an integrated Client and Public Transport service, subject to finalisation of current	<p>The Strategic Options Appraisal work currently underway will provide insight into our current processes for commissioning/securing transport services: the output from the SOA will inform the work to shape the structure of the proposal for an Integrated Transport Unit.</p> <p>The TEE organisation structure that came into being on 1<sup>st</sup> April takes this into account - definitive proposals will be developed and consulted upon during the second half of the current financial year.</p>	

<p><b>transport team with responsibility for encouraging the development of the community transport sector and strengthening the Council's control of externally contracted service delivery.</b></p>	<p>plans to re-insource the Public Transport team from the TfB contract and to transfer the Client Transport function from CYP to TEE. These plans if finalised would include a Head of Client &amp; Public Transport post reporting to the Director Transport Services.</p>		
<p><b>7. We recommend that an Integrated Transport Unit be created within the Transport Economy &amp; Environment Business Unit to drive a joined up approach to the Council's investment in transport services, including public buses, client transport, home to school transport and community transport.</b></p>	<p>Agreed in principle subject to consultation - The TEE BU comes into formal being from 1<sup>st</sup> April 2015 and the structure currently being consulted on includes a specialist team working on an integrated Client and Public Transport service, subject to finalisation of current plans to re-insource the Public Transport team from the TfB contract and to transfer the Client Transport function from CYP to TEE. These plans if finalised would include a Range 12 Head of Client &amp; Public Transport post reporting to the Director Transport Services.</p>	<p>The Strategic Options Appraisal work currently underway will provide insight into our current processes for commissioning/securing transport services: the output from the SOA will inform the work to shape the structure of the proposal for an Integrated Transport Unit.</p> <p>The TEE organisation structure that came into being on 1<sup>st</sup> April takes this into account - definitive proposals will be developed and consulted upon during the second half of the current financial year.</p>	
<p><b>8. We recommend that the Council explores opportunities to undertake a pilot project with the</b></p>	<p>Agreed - This will be considered and an approach developed to maximise opportunity. Initial</p>	<p>The County Council was party to a bid put forward by Northamptonshire County Council to the Department for Transport for additional funding to enable the potential of the Total Transport approach to be explored.</p>	

<b>Department for Transport focused on innovative Total Transport options.</b>	discussions have already commenced.	The bid was successful (announced in April 2015): discussions are underway with Northamptonshire and Oxfordshire to take this forward.	
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*RAG Status Guidance (For the Select Committee's Assessment)*

	<i>Recommendation implemented to the satisfaction of the committee.</i>		<i>Committee have concerns the recommendation may not be fully delivered to its satisfaction</i>
	<i>Recommendation on track to be completed to the satisfaction of the committee.</i>		<i>Committee consider the recommendation to have not been delivered/implemented</i>





## Buckinghamshire County Council Select Committee

Transport, Environment and Communities Select Committee

### Report to the Transport, Environment and Communities Select Committee

<b>Title:</b>	TfB Update on Staff Structure
<b>Committee date:</b>	23 <sup>rd</sup> June 2015
<b>Author:</b>	Mike Freestone
<b>Contact officer:</b>	Demos Kettenis
<b>Cabinet Member sign-off:</b>	Mark Shaw

#### Purpose of Agenda Item

Following an update on the TfB Progress at the Environmental, Transport and Locality Services Select Committee in February 2015 Members requested an update on staffing structures and the progress with customer focus improvements. This report provides members with an update on Staffing Structure for both the Client and TfB.

#### Background

At the last Select Committee, Members were advised that there was recognition that the service area needed to be strengthened and interim appointments have been made to various posts within the Client Team. The posts of Director of Transport and Head of Highways (Client) were filled on an interim Basis.

Also the Service Provider and Contractor to BCC Ringway Jacobs had a number of vacancies and a series of meetings are held between the two parties to discuss future shared resourcing strategies including possible graduate placements, trainee programmes, placements/secondments, apprentices etc.

For full update on both the TfB Contractor and Client Structure; **See Appendix A + B**



## **Summary**

The BCC Client Structure consists of 6 Permanent post and 4 Fixed Term contract which are dependent on the workloads. Currently all post have been successfully filled in, either by permanent staff or through agencies; Out of the 6 Permanent posts 2 are permanently filled and interviews are currently been held for 3 further posts; see *Appendix B for full details*.

The re-organisation of the TfB structure is substantially complete. Of the 310 posts there are currently 15 unfilled positions. A number of the positions are the result of the internal transfer of TfB staff between teams and are expect to be filled by the end of June. This includes at least 2 graduate positions.

TfB currently has 4 apprentices. This will increase, as the process to recruit apprentices has commenced and is expected to be complete in September.

## **Key issues**

Vacancies across UK have increased substantially over the last 12 months; firms have 27% more vacancies than a year earlier. This together with the shortage of skilled personnel means that organisations including BCC find recruiting challenging if not extremely difficult.

Some areas of the TfB structure require highly specialised resources to deliver the service (e.g. Urban Traffic Management Control - UTMC).

The delivery of the HS2 project within the County will require substantial civil engineering resources, and is likely to result in further pressures in the recruitment market.

## **Resource implications**

The cost of filling vacancies with agency staff is more expensive than direct employment. Many of these resources are revenue funded, and will put pressure on revenue based budgets.

## **Next steps**

To constantly review both the Client and TfB organisation to ensure it is the right size, shape, and diversity to improve performance, reduce headcount where appropriate and to continue to interrogate the local and regional employment markets to identify and employ new talent.

To jointly utilise the BCC and Ringway Jacob's graduates and apprenticeship training schemes to recruit and retain staff into both site and office based roles.





## Appendix A



## Appendix B

### Transport Services – Structure Update

Post	Contract	Function	Comments
Director of Transport Services	Perm	Transport Services	Long term Interim Appointment Permanent recruitment being reviewed Resourcing to direct source candidates
Head of Highways Client	Perm	Transport Services	Short term Interim appointment Out to the market & Interviews due June '15 Resourcing to direct source candidates till End June '15
Client Contract Manager (Operations)	Perm	Transport Services	Resourcing commissioned to move forward to advertise externally shortly
Client Contract Manager (Operations)	Perm	Transport Services	In Post
Contract Support Officer	Perm	Transport Services	In Post
Contract Works Quality Inspector	Perm	Transport Services	Shortlisted and Interviews due in June '15. Resourcing to direct source candidates
Contract Works Quality Inspector	FTC	Transport Services	Shortlisted and Interviews due in June '15. Resourcing to direct source candidates
Contract Works Quality Inspector (CMP)	FTC	Transport Services	Resourcing to direct source candidates
Contract Works Quality Inspector (CMP)	FTC	Transport Services	Resourcing to direct source candidates
Contract Works Quality Inspector (CMP)	FTC	Transport Services	On hold





## Buckinghamshire County Council Select Committee

Transport, Environment and Communities Select Committee

### Report to the Transport, Environment and Communities Select Committee

<b>Title:</b>	TfB Update on KPI's and Customer Journey
<b>Committee date:</b>	23 <sup>rd</sup> June 2015
<b>Author:</b>	Mike Freestone
<b>Contact officer:</b>	Demos Kettenis
<b>Cabinet Member sign-off:</b>	Mark Shaw

#### Purpose of Agenda Item

Following an update on the TfB Progress at the Environmental, Transport and Locality Services Select Committee in February 2015 Members requested an update on TfB Contract and customer focus improvements; specifically Key Performance Indicators, and Customer Journey. This report provides members with an update on the KPI's.

#### Background

Members may recollect that during the TfB transformation process that whilst the existing contract key performance indicators (KPI's) were generally shown as meeting expected performance levels (i.e. green), they were not aligned or achieving the Council's objectives. The contract KPI's have therefore been reviewed and updated under the TfB transformation works stream.

The review process was implemented through a series of facilitated workshops. These workshops included a number of BCC's elected Members, the Client team and TfB. Through discussion, key objectives were determined which were:

- Regular review of indicators to ensure they are meaningful, easily understood to both Members and Client Officers, and directly link to TfB's performance.
- Reducing the number of Contract Indicators.
- Breaking the link between indicators and the automatic award of Contract Extensions.
- Determining whether a monthly or annual measure is appropriate.



The output from this work has provided the basis for the Contract Performance Indicators (CPI's ) to be used for 2015/16; **See Appendix A**

## Summary

The 2015/16 performance indicators are now split into two types, specifically

- Contract Performance Indicators (CPI's)
- Alliance Performance Indicators (API's)

The CPI's reflect the new TfB structure (i.e. the area based delivery model for cyclic maintenance activities), it retains the fee profit element at risk linked to levels of performance and a recent contract variation has now removed the provision for automatic award of further contract extensions. API's are used to provide supplementary management and performance information to Members and Client Officers.

There are 18 CPI's and 7 API's as detailed in the table below. A number of the indicators relating to cyclic activity (grass cutting/gully cleaning/ weed killing/) are now reported on an area basis (Aylesbury/Wycombe/Amersham and South Bucks) and feed up into the main CPI to ensure that performance between the areas can be measured and understood. In terms of the area based CPI's further work is ongoing to ensure the breakdown of asset (grass square meterage / gullies per area etc) is fully understood in each area. This is currently complicated by the ongoing changing commissioning requirements with regards devolved services such as grass cutting which are outside of TfB's direct control.

### **Reporting Validation and Governance**

Performance targets have been set at challenging but achievable levels, and to drive the right business behaviour to achieve Task Order and delivery outcome and are developed based on past performance and to reflect budget allocation and associated risk.

A contract performance framework has been developed and is reported on at the monthly Task Outcome Monitoring (TOM) reviews where both TfB staff and representatives of the new client team are present.

The individual CPI result for each specific service are presented at the monthly TOMs however they are considered as draft, with final validation and approval being signed off by the Operations Management Board (OMB) the same reporting month, in line with the Contract Governance arrangements.

Each CPI has a comprehensive methodology associated with it to ensure they are measured/ reported as detailed and can be audited. These and the associated proposed targets are currently approximately 90% agreed with the final determination dependent upon the agreed 14/15 KPI results and final agreement with previously unmeasured KPI's. The service is also currently changing over to a new system 'CONFIRM' for the management of all its infrastructure assets, and the opportunity will be taken to further improve and expand upon the reporting mechanisms on an area basis for some key



indicators (% works undertaken without remedial / potholes made safe / street lighting in operation/correspondence). This level of reporting is not currently possible due to the constraints of the existing system.

### **Key issues**

There is significant investment being made in IT to replace Symology with Confirm at the end June. It is expected that Confirm will make things more transparent in the way it generate reports including to Members.

### **Resource implications**

None

### **Next steps**

The KPIs and contract performance will be used to improve the delivery of the service. The Select Committee needs to be aware that although KPI's need to be met before any extension is considered, the final decision will be based on a range of set criteria to be agreed at Strategic Board, i.e. no automatic extension.

To sign off all the methodologies and confirm targets by the end of July 2015 - the new arrangements were put in place and reported upon from 1st April 2015.

An audit programme and process will be established and undertaken to ensure verification is achieved as required by all parties for the reported results.

To bring into implementation and fully understand the further options that the new management system 'CONFIRM' will enable in terms of ongoing CPI reporting on an area basis.





## Appendix 1

Team	Performance Indicators		Reporting Frequency	Proposed Target	Fee Calculated
Contract Performance Indicators					
Our Transport Links					
T12-1	CP11	Delivery of the cyclic maintenance programme. (Urban Grass/ Rural Grass/Gullies/Weeds)	Monthly	90-95%	Annually
RM21M		Annual Gully maintenance programme completed to specification and time line			
RM38MU		Urban Grass cutting to programme (self-delivery areas) completed			
RM38MR		Rural Grass cutting to programme (self-delivery areas) completed			
RM46M		Countywide Weed programme completed			
T12-1	CP12	% of inspected defect repairs compliant with quality requirements	Monthly	90-95%	Monthly



T12-1	CP13	% of Category 1 defects made safe Next Working Day (6pm)	Monthly	95-98%	Monthly
T02-1	CP14	% of BCC street lights in lighting across the network	Quarterly	90-95%	Quarterly
T11-1	CP15	Delivery of the Capital Maintenance Programme	Monthly	85-90%	Monthly
T12-1	CP16	Delivery of countywide programme of maintenance works (LATS/Area Based Gangs)-On going changing programme	Monthly	50-60%	Annually
T02-1	CP17	Average number of days to repair lighting outage	Monthly	14 - 12	Monthly
T05-2	CP18	Delivery of programme of LAF schemes	Monthly	85-90%	Monthly
T12-1	CP19	% of two hour emergency call outs attended on time	Monthly	90-95%	Monthly
T03-1	CPI10	% of completion of winter salting routes on time	Monthly	95-99%	Monthly
<b>Getting Involved</b>					
CM	CPI11	% of customer requests responded to and actioned on time	Monthly		Monthly
		28 Day Correspondance		80-85%	
		VIP Correspondance		65-70%	
		FOI's		65-70%	



Value for Money					
CM	CPI12	Across contract benchmarking report on: Basket of work unit rates (7 items, year on year comparison,RJ contract comparison) Overall management efficiency indicator (ratio of management inputs to value of outputs for a.) works, b.) professional services (Two months after quarter), c.) Overall)	Quarterly	4	Quarterly
CM	CPI13	Benchmarking- Results of annual market testing exercise for CMP schemes	Annually	1	Annually
T11-1	CPI14	Predictability of cost-CAPITAL comparison of costs at target cost stage to final measure costs with EWN's.	Annually	103-100%	Annually
Value for Money					
CM	CPI15	Health and Safety-Managers and Senior Staff undertake 1 site audit per month	Monthly	80-85%	Monthly
A Thriving Economy					
T04-2	CPI16	Statutory sample inspections SB & SC after works completed and reinstatement quality	Monthly	45-60%	Monthly
T04-2	CPI17	Statutory sample inspections SA (whilst work undertaken Signs, Lighting and Guarding)	Monthly	9-12%	Annually

T04-1	CPI18	Effective management of the NSL Parking Contract Compliance with indicators	Monthly	80-85%	Annually
<b>Alliance Performance Indicators</b>					
	API19	NI168% Principal roads where structural maintenance should be considered			
	API20	NI169% Non-principal classified roads where structural maintenance should be considered			
	API21	BV224b.05% Unclassified Roads requiring structural maintenance			
	API22	NHT Survey Customer Satisfaction with highway maintenance KBI24 3 year average			
	API23	Member satisfaction with the TfB service			
	API24	Net customer satisfaction with public transport information (NHT Survey KBI 08) 3 year average			
	API25	Satisfaction with congestion (NHT Survey KBI17) 3 year average			

### Reporting Validation and Governance





## Buckinghamshire County Council Select Committee

Transport, Environment and Communities Select Committee

### Report to the Transport, Environment and Communities Select Committee

<b>Title:</b>	TfB Customer Journey Project
<b>Committee date:</b>	23 <sup>rd</sup> June 2015
<b>Author:</b>	Mike Freestone
<b>Contact officer:</b>	Bart Smith
<b>Cabinet Member sign-off:</b>	Mark Shaw

#### Purpose of Agenda Item

Following an update on the TfB Progress at the Environmental, Transport and Locality Services Select Committee in February 2015 Members requested an update on TfB Contract and customer focus improvements: specifically TfB staff structure, Key Performance Indicators, and Customer Journey. This report provides members with an update on the Customer Journey Review.

#### Background

Successive reports and audits have highlighted the scope for significant improvement in the TfB customer journey. At its January 2015 meeting the TfB Strategic Board approved a detailed review of the end-to-end TfB customer journey: to map the “as is” journey and to make recommendations to improve upon it in a revised “to be” for all customer channels. The joint BCC Client – TfB project team has been supported in its work by a Members’ Working Group, comprising Cllrs Bendyshe-Brown, Blake, Chapple, Gomm and Teasdale.

#### Summary

The project team has reported to the TfB Strategic Board on its “as is” findings and made recommendations for improved “to be” processes. The team have also been engaged in the implementation of a key system enabler for the customer journey: to replace the existing customer request management system (“Symology”) with a more flexible one (“Confirm”) with effect from 29th June 2015. A number of the observations for improvement below will be enabled through the implementation of Confirm.

#### Key issues

The following high level issues with the current situation were identified during the project team’s work:

- There is no centralised process in place to record, monitor and manage all customer requests regardless of channel. Regular volumetric information is incomplete.
- There is no comprehensive, centralised, transparent reporting of management information.
- Symology does not enable users to log customer requests and generate CRNs quickly and efficiently. This was cited by some interviewees as the reason for their reluctance to log all customers' requests on system.
- The VIP Mailbox seems ineffective, with no clear definition of what is a VIP request, unclear management or escalation processes, and lack of resilience. The agreed SLA for resolution within 3 days is met approximately 65% of the time. Some interviewees told us that requests from VIPs that are sent to them directly are not logged, and therefore are not managed, monitored or reported.
- Processes for handling customer requests are inconsistent across the different channels and TfB teams/depots.
- There is little or no training of staff on handling customer requests or in the use of Symology. When tablets were provided to LATs there was no effective training, support or monitoring of use.
- There is no effective means to keep customers informed, either directly or via web self-service. Expectation management is informal, where it exists at all.

The team has developed a number of proposals that will result in fundamental improvements in all of these deficiencies.

### **Resource implications**

There is significant investment being made in the Confirm system, but the business case approved by the TfB Strategic Board in February 2015 indicated that this investment would pay back in under two years.

### **Next steps**

The forward work programme for the Customer Journey Project, Confirm and related corporate initiatives is shown as an appendix to this document. Crucial needs going forward are for:

- the TfB customer journey to be more efficient and well-managed;
- for customers to feel they and their requests are dealt with in a professional and timely manner; and
- in doing so, TfB and BCC make best use of available technology.

Confirm will support more effective, simplified, standardised and managed customer interactions (as well as the area-based approach to delivery), and enable more effective tracking of queries. Much needs to be done, both to make best use of Confirm and to

redesign key processes. Specifically in terms of the customer journey, important next steps now under way are:

- Implement automated management reporting from Confirm with associated process changes; and support tailored dashboard reporting for Members.
- Overhaul web/Service Information Centre pages to simplify the information presented, enable self-service within four “clicks” or fewer, and support online payment for services.
- Review/revise standard templates used in customer communications.
- Centralise receipt of incoming post/email/fax to the Contact Centre, where they are scanned, recorded on a central system and assigned to a workflow.
- Centralise all enquiries via the Contact Centre. This will enable consistent handling, prioritising, management and monitoring, and reduce the potential for queries to “fall between the cracks”.

Provided the implementation of Confirm goes smoothly, and TfB management maximises the benefits it will enable, the project team expects to see considerable improvements in customers’ experience by the autumn. The team will remain in place to focus on ensuring that benefits are tracked and realised.



# Transport for Buckinghamshire - Milestone Plan

	March	April	May	June	July	August	September	October	November	December
96 Project Customer journey	<div><div></div><div>Present proposals to Strategic Board and member working group</div></div>	<div><div></div><div>Parking process review</div></div> <div><div></div><div>Streetworks process review</div></div> <div><div></div><div>Communicate in PDR's objective for accountability for logging all work on system</div></div>	<div><div></div><div>HUB Matrixes Implement process for 'Live updates'</div></div> <div><div></div><div>Email in box rationalisation activity</div></div> <div><div></div><div>Complaints Guidelines for Depots&gt;recommunicate</div></div> <div><div></div><div>Review media governance</div></div> <div><div></div><div>Fax Machines re-direct to MFD's</div></div>	<div><div></div><div>Develop, train and implement use of TfB standard templates wording</div></div> <div><div></div><div>Commence WEB/SIC Overhaul review</div></div> <div><div></div><div>Mailbox and Phone calls Governance and etiquette training</div></div> <div><div></div><div>Business case for 29 June - Strategic Board</div></div> <div><div></div><div>Develop benefit realisation</div></div> <div><div></div><div>Decision on potential Street Gazetteer custodian-ship handover to TfB</div></div> <div><div></div><div>Develop, train and implement revised VIP mailbox process</div></div> <div><div></div><div>Review Mobile phone Report It App</div></div>	<div><div></div><div>Symology Close down</div></div> <div><div></div><div>Symology Close Contract SIO</div></div> <div><div></div><div>Licence process review - linked to E-commerce</div></div> <div><div></div><div>Post centralisation (NCO)</div></div>	<div><div></div><div>From 1st CONFIRM monthly reports update volumes on circular diagram</div></div> <div><div></div><div>BMS update with all process flows, procedures, version controlled and naming conventions in place</div></div> <div><div></div><div>Web reporting tool review and improvement proposals</div></div> <div><div></div><div>Petitions (Dem Services) Train on Confirm</div></div> <div><div></div><div>FOI Team Train on Confirm</div></div> <div><div></div><div>Web/SIC updates implement</div></div>	<div><div></div><div>Review LAT experience with CONFIRM &amp; impacts on ways of working</div></div> <div><div></div><div>TfB /BCC Insurance process implementation</div></div> <div><div></div><div>Review walk in depot process, education piece-other routes (safe for cash)</div></div> <div><div></div><div>TfB &amp; Bucks CC Insurance Processes Re-design</div></div> <div><div></div><div>Launch 'Track it' web tool to public</div></div> <div><div></div><div>Road safety team review</div></div> <div><div></div><div>Parking, street works licences, invoicing reviews, train, implement</div></div>	<div><div></div><div>Review BCC Complaints Team for TfB</div></div> <div><div></div><div>Remove depot courier</div></div> <div><div></div><div>Post centralisation (HC/AM/GL)</div></div>	<div><div></div><div>Printing out customer ltrs , centralise to NCO printer where all printed, enveloped and dispatched centrally</div></div> <div><div></div><div>Review impacted changes</div></div>	
Confirm	<div><div></div><div>CONFIRM Procedures for stand alone Marc E to update us</div></div> <div><div></div><div>CONFIRM Reps gathering</div></div> <div><div></div><div>CONFIRM 1st extract delivered</div></div>		<div><div></div><div>CONFIRM assign Champions across TfB</div></div> <div><div></div><div>CONFIRM LAT swap Essex/Bucks</div></div> <div><div></div><div>Develop process for monthly Quality report</div></div>	<div><div></div><div>CONFIRM LAT Processes Training</div></div> <div><div></div><div>CONFIRM LAT Tablet Training</div></div> <div><div></div><div>CONFIRMTraining Roll-out Depots(HInsp/LATs) NCO(Centre/TfB/Bucks Client/ Bucks Ins Team)</div></div> <div><div></div><div>CONFIRM Final Extract Delivered</div></div> <div><div></div><div>CONFIRM Develop Implement Automated MI</div></div> <div><div></div><div>CONFIRM system "Go Live"</div></div> <div><div></div><div>CONFIRM Training Depots</div></div> <div><div></div><div>CONFIRM 2nd extract delivered</div></div> <div><div></div><div>CONFIRM interface with GIS, Gazetteer, Elgin requirements and testing</div></div> <div><div></div><div>CONFIRM UAT</div></div> <div><div></div><div>CONFIRM assign "super users"</div></div>	<div><div></div><div>Symology Close down</div></div> <div><div></div><div>Symology Close Contract SIO</div></div> <div><div></div><div>CONFIRM user group-Joint with Essex CC</div></div> <div><div></div><div>CONFIRM develop &amp; implement integrity reports (to action duplicate records, errors)</div></div>	<div><div></div><div>CONFIRM commence running integrity reports, train and implement process for TfB staff</div></div> <div><div></div><div>CONFIRM Workzone UAT</div></div> <div><div></div><div>CONFIRM Workzone training</div></div> <div><div></div><div>CONFIRM Run 1st monthly reports</div></div> <div><div></div><div>CONFIRM/FIRMSTEPS: discuss integration with other authority or company that has both systems</div></div> <div><div></div><div>CONFIRM training to members, parish clerks etc,</div></div> <div><div></div><div>CONFIRM develop automated member reports and dash-boards for their areas</div></div>	<div><div></div><div>CONFIRM update TfB Asset register on system</div></div> <div><div></div><div>CONFIRM Workzone Implementation</div></div> <div><div></div><div>CONFIRM set up web portal (support across users across authorities, companies)</div></div>	<div><div></div><div>Investigate emails re-direct to CONFIRM to be auto scanned into system</div></div> <div><div></div><div>CONFIRM Interface CRN</div></div>		
BCC Organisational		<div><div></div><div>Future Shape "Go Ilve"</div></div>	<div><div></div><div>C-Talk Training</div></div> <div><div></div><div>C-Talk Implementation</div></div>	<div><div></div><div>Firmsteps training for Contact Centre</div></div>	<div><div></div><div>Firmsteps CRM Implementation</div></div>		<div><div></div><div>Corporate CRN System Implemented in TfB</div></div> <div><div></div><div>E-Commerce Go Live</div></div>			

