

HIGHWAYS AND COMMUNITY INFRASTRUCTURE COMMITTEE



Cambridgeshire
County Council

Date: Tuesday, 11 July 2017

Democratic and Members' Services

Quentin Baker

LGSS Director: Law and Governance

10:00hr

Shire Hall

Castle Hill

Cambridge

CB3 0AP

Kreis Viersen Room

Shire Hall, Castle Hill, Cambridge, CB3 0AP

AGENDA

Open to Public and Press

CONSTITUTIONAL MATTERS

1. **Apologies for absence and declarations of interest**
Guidance on declaring interests is available at
<http://tinyurl.com/ccc-conduct-code>
2. **Minutes and Action Log of the Committee meeting held 30th May 2017** **5 - 12**
3. **Petitions**

KEY DECISIONS

4. **New process for Local Highway Improvements and Privately Funded Highway Improvements** **13 - 26**

OTHER DECISIONS

5.	Proposed Network Rail (Cambridgeshire Level Crossing Reduction) Order	27 - 68
6.	Finance and Performance report - May 2017	69 - 98
7.	Highways & Community Infrastructure Committee Agenda Plan, Training Plan and Appointments to Outside Bodies	99 - 104

The Highways and Community Infrastructure Committee comprises the following members:

Councillor Mathew Shuter (Chairman) Councillor Bill Hunt (Vice-Chairman)

Councillor Henry Batchelor Councillor Ian Gardener Councillor Mark Howell Councillor Simon King Councillor Paul Raynes Councillor Tom Sanderson Councillor Jocelynn Scutt and Councillor Amanda Taylor

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

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Clerk Telephone: 01223 699178

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**MEETING OF HIGHWAYS AND COMMUNITY INFRASTRUCTURE POLICY AND
SERVICE COMMITTEE: MINUTES**

Date: Tuesday 30th May 2017

Time: 11:00am- 11.45am

Present: Councillors I Bates (substituting for Cllr Gardener), I Batchelor, B Hunt (Vice-Chairman), S King, P Raynes, T Sanderson, J Scutt, M Shuter (Chairman) and A Taylor

In attendance: Councillors Hickford and Joseph

Apologies: Councillor Gardener (Councillor Bates substituting)

1. NOTIFICATION OF CHAIRMAN/WOMAN AND VICE-CHAIRMAN/WOMAN

It was resolved to note that Council had appointed Councillor Shuter as the Chairman and Councillor Hunt as the Vice-Chairman for the municipal year 2017-18.

2. DECLARATIONS OF INTEREST

Apologies were presented on behalf of Councillor Gardener (Councillor Bates substituting).

There were no declarations of interest.

3. MINUTES AND ACTION LOG

The minutes of the meeting held on 14th March 2017 were confirmed as a correct record and signed by the Chairman.

The Action Log was noted.

4. PETITIONS

There were no petitions.

5. HIGHWAYS & COMMUNITY INFRASTRUCTURE COMMITTEE AGENDA PLAN AND TRAINING PLAN

Members reviewed the Committee Agenda Plan and Training Plan.

With regard to the Local Highway Improvement (LHI) Application Process, Members noted the comment that officer time administering and delivering schemes had not been attributed to the annual capital budget, but had been subsidised by other areas of the capital programme. Officers advised that currently officer time was not

attributed, but it was proposed to move to a system where this was incorporated. In response to a Member comment that any changes should not discourage smaller Parish Councils from applying, officers confirmed that any proposed changes would be fair and sensitive to the needs of applicants, but reflect more accurately the actual costs of developing schemes, and not impact negatively on mainstream budgets. Another Member observed that some Parish and Town Councils had previously submitted vague schemes that had required considerable officer work, or requested various iterations. The Chairman added that he needed to fully understand the LHI process from the Cambridge city perspective so that city bids were not disadvantaged.

In response to a Member question, officers gave some background to the Network Rail Level crossing application, in relation to Transport & Works Act Orders to close or downgrade over 30 public rights of way, road and private level crossings across Cambridgeshire. Officers agreed to circulate a briefing note providing more information to Committee Members on the background to this item, and progress so far. **Action required.** It was confirmed that the County Council had been working closely with District authorities and Local Members on this issue. A Member commented that whatever difficulties closures presented, ultimately the objective was to increase rail capacity, which was a major issue in the region. Officers explained that the key issue for the Council was about the removal or variation of public rights of way, and the Council needs to ensure that its position was robust.

With regard to Library Service Transformation, a Member urged officers to start from the point of establishing what communities need, rather than accepting the compromises inherent in national policy documents.

It was resolved to:

- a) agree the Committee agenda plan attached at Appendix A to the report;
- b) agree the Training Plan that had been developed as set out as Appendix B to the report;
- c) consider other areas of the Committee's remit where members feel they require additional training.

6. NATIONAL PRODUCTIVITY INVESTMENT FUND (NPIF) APPLICATION PROPOSALS

The Committee considered a report on the proposed prioritisation of schemes for the bidding for National Productivity Investment Fund (NPIF) for the Local Road Network. The NPIF was a government fund for investment in areas that were key to boosting productivity, and the current tranche focused on easing congestion and providing upgrades on local routes to unlock job creation opportunities and to enable new housing developments. It was noted that the report would also be considered by the Economy & Environment Committee on 1st June, and that the recommendations from the two County Council Committees would be made to the Combined Authority, which would rank the proposals alongside those made by Peterborough City Council.

A maximum of two schemes from each authority was allowed. A key constraint was that schemes could realistically be completed by 2019/20, which effectively ruled out bids involving purchasing land, for example.

Members noted that paragraph 3.3 of the report stated that three schemes were equally ranked, but Members were being asked to support the top two proposals. Officers advised that those three schemes had scored well and were deliverable. Councillor King, as one of the Local Members in the Wisbech area, indicated strong support for the two Wisbech schemes, stating that they were essential to unlock future development in Wisbech. He did caution that if the southern access road was delivered, the route would cross the railway line, which would make any future attempts to re-establish a railway station in the centre of Wisbech virtually impossible. He hoped that these issues could be overcome.

There was an amendment to the second recommendation proposed by Councillor Bates, seconded by Councillor King, to combine the two Wisbech equally ranked schemes:

“support the recommendation of the top two proposals to the Cambridgeshire and Peterborough Combined Authority, as listed in paragraph 3.3 of the report, and taking the two equally scored Wisbech schemes as one proposal, for the ranking of Cambridgeshire and Peterborough bids.”

Officers confirmed that the requirement from government was that there should be a local contribution to the scheme, and the Combined Authority would be making that decision, and would be mindful that local a contribution would be required.

A Member queried item 5 of the prioritised list of scheme: A142/A10 Witchford – Ely capacity improvements, observing that this was already a very busy roundabout, and would be even busier when the Ely Southern Bypass was completed. Officers acknowledged this, but pointed out that the difficulty with the scheme in relation to this particular funding opportunity was that it would require the purchase of land, so would not be deliverable by 2019/20. They added that this would probably be discussed as part of the Combined Authority’s A10 dualling study.

It was unanimously resolved to:

- a) support the prioritisation of proposed schemes for National Productivity Investment Fund (NPIF) bids;
- b) support the recommendation of the top two proposals to the Cambridgeshire and Peterborough Combined Authority, as listed in paragraph 3.3 of the report, and taking the two equally scored Wisbech schemes as one proposal, for the ranking of Cambridgeshire and Peterborough bids.

7. FINANCE AND PERFORMANCE REPORT – FINAL OUTTURN 2016/17

The Committee received a report setting out financial and performance information for Economy, Transport and Environment (ETE), for the final outturn for 2016-17.

At the year end, the hole of the ETE Service was underspent on revenue expenditure by £354K. Members noted the budget areas where the main variances had occurred, including overspends in Waste Disposal, Local Infrastructure & Streets and Asset Management, and an underspend in Libraries. The report set out the process for agreement of one-off funds in addition to the agree budget to support particular schemes and projects, including enabling pilots and continuing savings plans. The Scheme of Financial Management sets out that Service Committees would be asked to recommend annual re-approval to the General Purposes Committee. The only earmarked reserves in the Committee's domain which required continuing approval was £45K for Highways Record Digitisation. The purpose and work of this project was outlined.

A Member recorded her concerns about the underspend in libraries, pointing out that libraries had suffered a greater than proportionate budget cut, and she was concerned that the Libraries Service appeared to be losing out again, and subsidising other services. It was confirmed that the underspend went back into the revenue budget, and was effectively subsidising other areas.

There was a discussion on the Performance Indicator for Road Safety, where deaths and seriously injured on the county's road was significantly above the target. Officers suggested that this was likely to be due to changes in the way that the Police record casualties, and when further analysis had been undertaken, this would be reported to the Committee. Members suggested that it would also be useful to know the type of road user involved e.g. cyclist, pedestrian or driver.

It was resolved unanimously to:

1. review and comment on the report;
2. recommend to the General Purposes Committee for approval the earmarked reserve listed in section 2.6 which is continuing in 2017-18.

8. APPOINTMENTS TO OUTSIDE BODIES, INTERNAL ADVISORY GROUPS AND PANELS, AND PARTNERSHIP LIAISON AND ADVISORY GROUPS

The Committee considered a report on appointments to outside bodies, internal advisory groups and panels, and partnership liaison and advisory groups.

As more information was needed on some groups, such as the Cambridgeshire & Peterborough Road Safety Partnership Strategic Management Board, in terms of the Committee's remit and workload, it was agreed that this should be delegated to the Executive Director in consultation with the Chairman, following discussion with Lead Members. The schedule would be circulated to Committee Members once agreed, and any outstanding appointments brought back to Committee for discussion.

It was resolved to:

- (i) consider the appointments as detailed in appendix 1 to the report, to the relevant internal advisory group and panels;

- (ii) consider the appointments as detailed in appendix 2 to the report, to the relevant partnership liaison and advisory groups;
- (iii) delegate, on a permanent basis between meetings, the appointment of representatives to any outstanding outside bodies, groups, panels and partnership liaison and advisory groups, within the remit of the Highways & Community Infrastructure Committee, to the Executive Director: Economy, Transport & Environment (ETE) in consultation with the Chairman of the Committee.

Chairman

**HIGHWAYS &
COMMUNITY
INFRASTRUCTURE
POLICY & SERVICE
COMMITTEE**

Minutes-Action Log



Introduction:

This is the updated action log as at **5th June 2017** and captures the actions arising from the most recent Highways & Community Infrastructure Committee meetings and updates Members on the progress on compliance in delivering the necessary actions.

Minutes of 1st September 2015

Item No.	Item	Action to be taken by	Action	Comments	Completed
132.	Cambridgeshire Highways Annual Report	Richard Lumley	It was agreed that there would be a report to Spokes on the Customer Satisfaction Survey process.	<p>A Comms group has now been established, and one of the tasks is to look at how customer feedback is collected and whether there are alternatives.</p> <p><i>Chris Stromberg & Jane Cantwell are scheduled to attend January 2017 Spokes to give an update on the findings of the Cambridgeshire Highways Communication Performance</i></p>	

				<i>Group, and update on the proposed action plan.</i>	
Minutes of 21st February 2017					
241.	Highways Infrastructure Asset Management Plan	Andy Preston/ Jon Clarke/ Sarah Heywood	Tree Policy figures to be reported to Committee	To be included in Finance & Performance reports on a six monthly basis.	In progress
242.	Transport Delivery Plan	Richard Lumley	Road Safety Report to be scheduled for a future meeting.	Road Safety report to go to a future H&CI meeting.	In progress
244.	Committee Agenda Plan	Dawn Cave/ Richard Lumley	Report on progress against LHI schemes to be presented.	To be included in Finance & Performance reports on a six monthly basis.	In progress
Minutes of 30th May 2017					
5.	Committee Agenda Plan and Training Plan	Christine May/ Camilla Rhodes	Officers agreed to circulate a briefing note providing more information to Committee Members on the background to the Level Crossing item, and progress so far.	Circulated to Members by email.	Completed.

**NEW PROCESSES FOR LOCAL HIGHWAY IMPROVEMENTS & PRIVATELY FUNDED
HIGHWAY IMPROVEMENTS**

To: Highways and Community Infrastructure Committee

Meeting Date: 11th July 2017

From: Executive Director for Economy, Transport and Environment

Electoral division(s): ALL

Forward Plan ref: 2017/032 **Key decision:** Yes

Purpose: To consider the introduction of new processes that enable the recovery of all costs associated with the Local Highways Improvement (LHI) Initiative and Privately Funded Highways Improvements (PFHI), to achieve agreed savings targets.

Recommendation:

- a) To approve the introduction of a non-refundable application fee for LHI and PFHI applications to enable appropriate resourcing and full cost recovery throughout the application phase.
- b) To approve the introduction of the LHI & PFHI processes outlined in appendix A & C of this report, which include the recovery of resource costs associated with scheme delivery.
- c) To approve changes to the restriction on multiple LHI applications from Town Councils, allowing the same number as there are County Council divisions in their authority area.

<i>Officer contact:</i>	
Name:	Andrew Preston
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1. BACKGROUND

- 1.1 As part of the Council's approved 2017-18 Business Plan (ref.BR.6.213), a position of full cost recovery for both LHI and PFHI schemes is sought, with a savings target of £100k in each of 2017/18 and 2018/19.
- 1.2 Until recently, the considerable amount of time spent by officers administering and delivering the LHI Initiative has not been attributed to the LHI budget. The remainder of the capital programme delivered by the Highway Projects & Road Safety team has had these costs attributed to it.
- 1.3 LHI schemes have therefore effectively been subsidised over and above the Council's capital contribution to each scheme, estimated to be in the region of £200k per annum.
- 1.4 This Committee agreed a £100k top slice of the LHI budget to contribute to these costs at its meeting on 14th March 2017, whilst these proposals for a more transparent method for the full recovery of actual costs were worked up.
- 1.5 The Council currently also offers a service to third parties to facilitate the implementation of 100% PFHI, for which a fixed fee of 20% of the construction cost is applied, in order to recover a proportion of the associated resource costs. A move to full recovery of costs is therefore also proposed to contribute to business plan savings targets.
- 1.6 A similar cost recovery model is therefore proposed for both the LHI and PFHI processes, to align the activities required for the delivery of locally led highway improvements.

2.0 PROPOSAL

- 2.1 A revised more financially sustainable process is proposed that recovers all costs associated with the LHI initiative and guarantees a consistent and timely standard of delivery, whilst providing greater quality assurance and transparency of costs.
- 2.2 Ensuring applications that are put forward for assessment and prioritisation are deliverable and meet the objectives and aspirations of local communities is a vital part of achieving this outcome.
- 2.3 This requires an appropriate level of resource to support applicants throughout the application process, as well as the delivery phase, should their application be successful. Until recently the LHI Initiative has not funded any officer resources, as such allocating appropriate resource levels has proved challenging, with the need to balance resources and their cost across the Transport Delivery Programme as a whole.
- 2.4 The proposed new process therefore ensures that the Initiative is sustainable in its own right, by providing appropriate levels of resource when required, and that it can deliver projects in a more timely way. This also enables the use of design and management resources from Skanska our Highways Service partner, to provide a more resilient service, something that is not currently possible with the LHI programme.
- 2.5 Securing resource funding for the various stages of the process is therefore necessary, including the development and prioritisation stage of applications.

2.6 A non-refundable application fee is therefore proposed to recover the costs associated with the initial phase of the process, payable online at the point of applying to the Initiative. The cost of the resources required to design, manage and implement each successful application is proposed to be added to the required budget for each scheme.

2.7 The three stages of the process are outlined below and in greater detail in **Appendix A**.

3.0 STAGE 1: PRE-APPLICATION (Feasibility)

3.1 This stage would be triggered on receipt of the initial application and payment of the non-refundable fee at the end of September each year.

3.2 Access to self-service information through the creation of detailed webpages and guidance that outlines this process is proposed. This will include basic technical information that outlines potential solutions to common highway issues, including estimated implementation costs. This will therefore inform the decision to submit an application and trigger this initial pre-application stage and associated fee.

3.3 A feasibility assessment, undertaken by highways officers in conjunction with each applicant, would then take place over a three month period between the application deadline at the end of September and the panel meetings during January and February each year.

3.4 Highways officers would work with each applicant to refine their submission by developing feasible options that best meet the objective of their application and are supported by the local community. The budget required to deliver these options would also be estimated, incorporating estimated resource costs, should it successfully receive funding. An allowance for the scheme's impact on future maintenance implications in the form of a 20 year commuted sum may also need to be included.

3.5 The time spent by officers on this feasibility element is dependent on the complexity of the application. Whilst this could be based on an average cost, this may lead to some applicants being precluded from submitting an application on the grounds of cost, or be disproportionate to the overall cost of the scheme. Therefore a sliding scale is proposed to minimise this risk. Table 1.0 below summarises the options for cost recovery, with a detailed breakdown included in **Appendix B**.

Admin Cost	Limited Feasibility Required	Some Feasibility Required	Average Feasibility Cost Option	Considerable Feasibility Required	Total Application Fee
£60	£130				£190
£60		£390			£450
£60			£390		£450
£60				£575	£635

Table 1.0 Range of possible application fees (breakdown in Appendix B)

- 3.6 Applicants would need to refer to a list of schemes based on the likely level of feasibility required, to inform their initial application submission (example schemes are listed below). Confirmation of the fee required would be sent back to the applicant with a link to make the payment online, once officers have reviewed the likely level of feasibility required for their application.

Limited feasibility required:

Parking restrictions
Mobile speed indicator devices
Village gateways entry treatments
Maintenance of existing highway assets

Some feasibility required:

Speed limit changes
Additional street lighting
Traffic islands
Mobility/Uncontrolled crossings
Footway extensions
Large scale parking schemes

Considerable feasibility required:

Zebra crossings
Traffic calming/speed reducing measures
Junction redesigns
Undefined road safety improvements

- 3.7 An alternative option would be to recharge each application fee to the County Council's LHI budget for each district area, before it is allocated to prioritised schemes each year. However, this would significantly reduce the budget available for allocation to the delivery of prioritised schemes, penalising those areas with a significant number of applications. It would also not discourage applicants from submitting applications that have little benefit, further reducing the budget available for prioritised schemes.
- 3.8 Table 1.1 below models the three application fee options against the actual applications that were received for the LHI programme this year;

District area	2017/18 Area Budget £	No. Applications 2017/18	Standard £450 Fee £	Sliding Scale Fee £	% Budget Top sliced (based on sliding scale)
Cambridge City	123,160	52	23,400	16,265	13%
Fenland	96,768	17	7,650	6,275	7%
East Cambridgeshire	79,174	21	9,450	8,370	11%
South Cambridgeshire	140,752	38	20,250	16,010	11%
Huntingdonshire	167,146	45	17,100	16,460	10%
TOTAL	£607,000	173	77,850	63,380	10%

Table 1.1 Application Fees as modelled against applications received for this year's LHI Programme

- 3.9 The advantages and disadvantages of these options are summarised in table 1.2 below:

Fee Option	Advantages	Disadvantages
£450 Standard Fee	<ul style="list-style-type: none"> Recovers cost of services from applicants Maximises available LHI budget for successful schemes One application fee simplifies process Highlights to applicants the implications of submitting an application. 	<ul style="list-style-type: none"> May preclude some applicants from applying due to cost, such as Parishes with low precepts. May under or over recover costs depending on type of applications
Sliding Scale of Fees	<ul style="list-style-type: none"> Still recovers actual cost of services from applicants. Maximises available LHI budget for successful schemes Highlights to applicants the implications of submitting an application Provides a fee more proportionate to the type of application 	<ul style="list-style-type: none"> May still preclude a small proportion of applicants from applying due to cost, depending on scheme type Risk that a range of application fees may add confusion to the process
Top Slice LHI budget	<ul style="list-style-type: none"> Maximised attractiveness and accessible to all applicants with no implications of submitting an application No fee payable by applicant Still recovers actual cost of services. 	<ul style="list-style-type: none"> Will not highlight the implications to the applicant of submitting an application Reduces available LHI budget for successful schemes depending on the number of applications received. Utilises LHI budget to investigate schemes that may not be feasible or have little benefit and therefore low scoring at panel meetings.

Table 1.2 Advantages & disadvantages of the three application fee options

4.0 STAGE 2: PRIORITISATION

- 4.1 Following the work in stage 1, applicants would then have the opportunity to decide whether or not to submit a final refined application, taking into account development during the previous pre-application phase.
- 4.2 This will include their maximum proposed financial contribution and the funding being applied for from the LHI Initiative, which together provide the necessary budget to implement their proposed improvement scheme.
- 4.3 The application would then be assessed by the Member Panels in each district area and prioritised accordingly.

5.0 STAGE 3: DELIVERY

- 5.1 Applicants that are successful in receiving funding would then make the final decision to approve delivery of their scheme and therefore agree to provide their funding contributions.
- 5.2 The new pre-application phase of the process means that delivery of the scheme can commence sooner than is currently possible, but applicants must now be aware that costs will be incurred immediately by resources working on the delivery of their scheme.
- 5.3 The delivery phase must therefore be closely managed to ensure that the total budget is sufficient to implement the scheme, with unforeseen issues and instructed changes being the responsibility of the applicant to approve and fund, including any additional resource costs required.

6.0 NUMBER OF APPLICATIONS PER APPLICANT

- 6.1 Whilst the number of applicants that can apply to the LHI Initiative is not restricted, each applicant is limited to one application outside of the City area. Organisations that represent larger communities, such as Town Councils, are often in a position to support local community groups by funding their applications in addition to their own, but this is currently restricted.
- 6.2 It is therefore proposed that the maximum number of applications that a Town Council may submit be aligned to the number of County Council divisions within its authority area. This would allow Whittlesey and March Town Councils to each submit and fund two applications, for example.

7.0 PRIVATELY FUNDED HIGHWAYS IMPROVEMENTS (PFHI)

- 7.1 A new process to provide a more effective service for the delivery of PFHI schemes is also proposed. The initial stage of this process is aligned with the LHI Initiative and again proposes a non-refundable application fee, with similar key decision points for applicants throughout the process. The project budget will also be required to incorporate funding to cover an estimate of the resources required to deliver the scheme, replacing the current fixed fee of 20% of the construction cost. Applicants would need to enter into an agreement with the Council to pay the full and actual cost of the scheme delivery at the time of commissioning work and in return, the Council will commit to keep applicants fully informed of spend on the project.
- 7.2 Applications to deliver PFHI schemes will be accepted throughout the year, as per the process and estimated timeframes outlined in **Appendix C**.

8.0 ALIGNMENT WITH CORPORATE PRIORITIES

8.1 Developing the local economy for the benefit of all

Investing in local communities, particularly the issues that are often of greatest local concern, promotes community development and provides benefits to all local residents.

8.2 Helping people live healthy and independent lives

Facilitating the use of sustainable forms of transport and improving and promoting safe movement within communities provides a positive contribution to this priority.

8.3 Supporting and protecting vulnerable people

Many of the schemes that are brought forward have outcomes that improve road safety, particularly for vulnerable users, such as the young, elderly or particular user types, such as pedestrians and cyclists.

9.0 SIGNIFICANT IMPLICATIONS

9.1 Resource Implications

The report highlights the proposed recovery of costs associated with the provision of appropriate resources to deliver the outlined services in an efficient and effective manner. The resource implications are contained within the body of the report.

9.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

9.3 Statutory, Legal and Risk Implications

There are no significant implications within this category.

9.4 Equality and Diversity Implications

The LHI and PFHI Initiative empowers community groups to bring forward improvements that would not ordinarily be able to be prioritised by the Council. This gives local people a real influence over bringing forward improvements that benefit their local community.

9.5 Engagement and Communications Implications

Further engagement and consultation will take place on each project as it is developed, in conjunction with the applicant.

9.6 Localism and Local Member Involvement

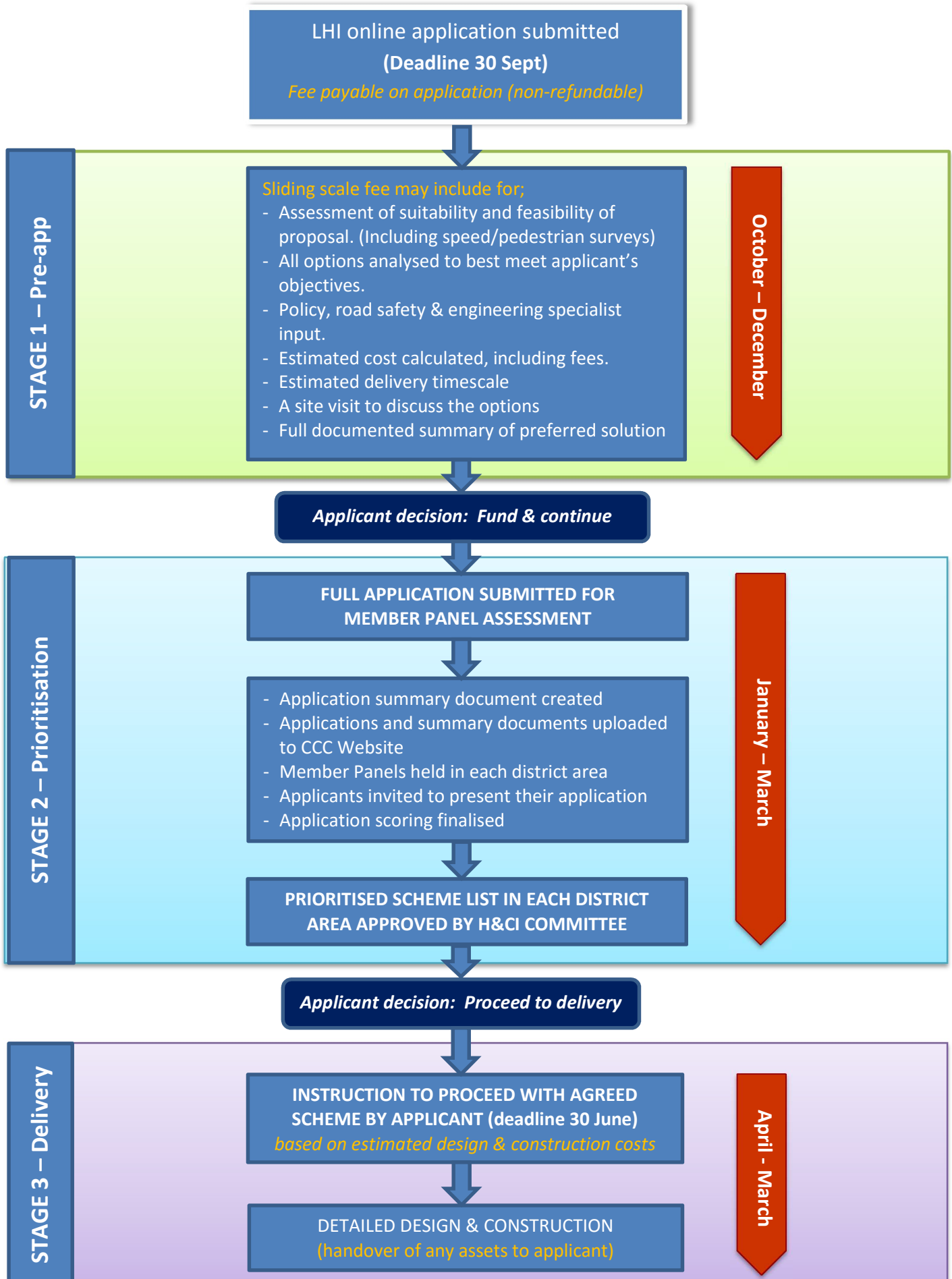
The Local Highway Improvement Initiative gives local people a real influence over highway improvements in their community. The Council will work closely with the successful applicants and local community to help deliver the improvements that have been identified. The Local Member will be a key part of this process and will be involved throughout the development and delivery of each scheme.

9.7 Public Health Implications

- The majority of schemes aim to improve road safety, which may subsequently contribute to reducing the risk of injuries on the highway network.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Sarah Heywood
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by Finance?	N/A Name of Financial Officer: N/A
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes Name of Legal Officer: Fiona McMillan
Have the equality and diversity implications been cleared by your Service Contact?	No response Name of Officer: Tamar Oviatt-Ham
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Eleanor Bell
Have any localism and Local Member involvement issues been cleared by your Service Contact?	No response Name of Officer: Tamar Oviatt-Ham
Have any Public Health implications been cleared by Public Health	No response Name of Officer: Iain Green

Source Documents	Location
n/a	n/a



Administrative Costs (all applications)

Task	Resource Grade (hrs)					Total
	A	B	C	D	E	
General correspondence with applicants throughout application window e.g. email reminders, booking time slots at panel mtgs, answering queries and requests for updates.					16	£516.80
Collate and summarise applications received for all 5 district areas					8	£258.40
Arrange all 7 Member panel meetings					5	£161.50
Attendance at 7 Member panel meetings	58	58			58	£8,526.58
Input Member scores and prioritise applications	0.5	2			8	£391.67
Write & present reports to H&CI Spokes & Committee	5					£320.50
GRAND TOTAL						£10,175.45
Assume 170 Applications						£59.86

Limited Feasibility (per application)

Task	Resource Grade (hrs)					Total
	A	B	C	D	E	
Correspondance with applicant throughout application window					1	£32.30
Estimate cost, including fee quotation				1		£34.83
Consult Contractor & estimate delivery timescale				0.5		£17.42
Provide documented summary of above to applicant		0.25			1	£44.95
GRAND TOTAL						£129.50

Some Feasibility (per application)

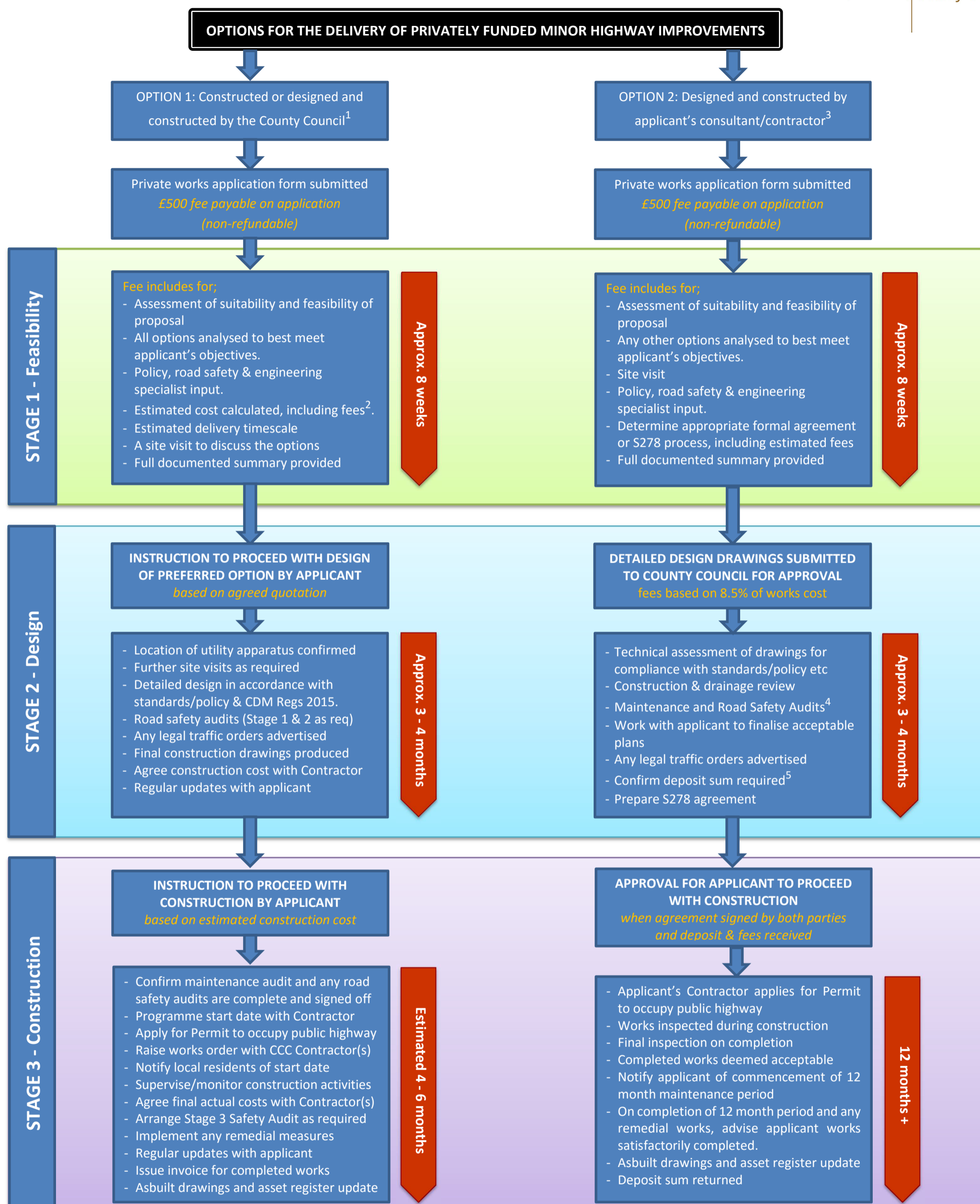
Task	Resource Grade (hrs)					Total
	A	B	C	D	E	
Correspondance with applicants throughout application window					1.5	£48.45
Analyse other options to meet objectives			1.5			£72.11
Consult other teams etc on objective and solutions				1		£34.83
Estimate costs for options, including fee quotation				0.5		£17.42
Consult Contractor & estimate delivery timescale				0.5		£17.42
Visit site to discuss and present options feedback etc			3			£144.21
Provide documented summary of above to applicant		0.5			1	£57.61
GRAND TOTAL						£392.03

Considerable Feasibility (per application)

Task	Resource Grade (hrs)					Total
	A	B	C	D	E	
Correspondance with applicants throughout application window					2	£64.60
Analyse other options to meet objectives			3			£144.21
Consult other teams etc on objective and solutions				2		£69.66
Estimate costs for options, including fee quotation				1		£34.83
Consult Contractor & estimate delivery timescale				1		£34.83
Visit site to discuss and present options feedback etc			3			£144.21
Provide documented summary of above to applicant		0.5			1.75	£81.83
GRAND TOTAL						£574.17

Grade	Description	Hourly Rate
A	Service Manager	£64.10
B	Project Manager	£50.61
C	Engineer	£48.07
D	Assistant Engineer	£34.83
E	Technician	£32.30

Hourly rates based on actual cost plus overheads



Referenced notes:

1. Cambridgeshire County Council as the Highway Authority carry out the improvement works using their highway services contractor and therefore take full responsibility for the works.
2. The estimated cost of delivering the solution will include a breakdown of all fees associated with the estimated time spent by officers designing, managing and supervising construction, including any costs associated with independent road safety audits and legal traffic regulation orders that may be required. Design services could be procured separately by the applicant, but a maintenance audit and any road safety audits, along with any legal traffic regulation orders would need to be carried out by the County Council prior to construction. Stage 2 is therefore an optional service.
3. If improvement works are not proposed to be implemented by the County Council as highway authority, then a formal agreement is required to authorise and manage improvement works to the public highway by an external third party.
4. The completion of any road safety audits that may be required is not included in the 8.5% fee and would be an additional cost.
5. The deposit sum is based on the total tendered price for constructing the works.

THE PROPOSED NETWORK RAIL (CAMBRIDGESHIRE LEVEL CROSSING REDUCTION) ORDER

To: Highways and Community Infrastructure Committee

Meeting Date: 11th July 2017

From: Camilla Rhodes, Asset Manager – Information

Electoral division(s): Burwell, Ely North, Ely South, Fulbourn (Six Mile Bottom) Sawston & Shelford, Littleport, March North & Waldersey, Melbourn & Bassingbourn, Soham North & Isleham, Soham South & Haddenham, Sutton, Waterbeach, Whittlesey South, Woodditton

Forward Plan ref: n/a **Key decision:** No

Purpose: To update Members on Network Rail's project to reduce level crossings affecting the highway network, and to seek approval of the County Council's proposed full response to the legal Order.

Recommendation: Committee is asked to:

- a) Agree the proposed full response to the draft Network Rail (Cambridgeshire Level Crossing Reduction) Order
- b) Recommend to Full Council that it approves this response, in accordance with statutory requirements
- c) To agree that officers should continue negotiations with Network Rail, and that any changes to the Council's position prior to the Public Inquiry should be delegated to the Executive Director ETE in consultation with the Chair or Vice Chair of HCI Committee

<i>Officer contact:</i>	
Name:	Camilla Rhodes
Post:	Asset Manager – Information
Email:	Camilla.haggett@cambridgeshire.gov.uk
Tel:	01223 715621

1. BACKGROUND

- 1.1 This matter has been well-rehearsed through recent Committee papers, and the following is a summary of events. In June 2016 Network Rail (NR) initiated a major project to close or downgrade over 30 public rights of way (PROW), road and private level crossings across Cambridgeshire as part of a wider strategy to reduce the number of crossings in East Anglia. NR's objectives include improving the safety of crossing users and reducing NR's asset liability. The proposals are available on NR's website at <http://www.networkrail.co.uk/anglialevelcrossings/>. There has been much concern about the proposals, and a public inquiry will be held towards the end of 2017. Further information on the project, the timescale and a link to an online map of the local public rights of way network can be found at Appendix 1.
- 1.2 NR intends to implement its proposals via an order granted by the Secretary of State for Transport (SoS) under the Transport & Works Act 1992 (the 'TWA'). The relevant legal framework is set out at Appendix 2. In summary, the TWA provides that the SoS can make an order for an applicant relating to 'the operation of a railway' and authorising the stopping up and alteration of roads and footpaths, and the compulsory creation of rights across land to achieve this. The only legal test with regard to public rights of way is that extinguishment cannot take place without provision for a satisfactory alternative right of way, unless the SoS is satisfied that the provision of an alternative is not required. The Department for Transport's *Guide to TWA Procedures* advises that the SoS will need to be satisfied that any alternative will be a convenient and suitable replacement for users.
- 1.3 NR held two public consultations in June and September 2016, with a further, limited, consultation in December 2016. Officers have liaised with stakeholders including County Councillors, Parish Councils, Public Health, user groups and members of the public to understand local concerns and to assess each proposal against the relevant legal tests and policies. The discussions have informed ongoing negotiations to agree solutions with NR.
- 1.4 Following reports to Highways & Community Infrastructure (HCI) Committee in December 2016, January and February 2017 to resolve Member concerns and to deal with changes arising from ongoing negotiations, a pre-Order response was sent to NR on 21st March 2017 setting out the County Council's ('CCC's') initial position, as approved by Members.
- 1.5 On 14th March 2017 the SoS published *The Network Rail (Cambridgeshire Level Crossing Reduction) Order* for formal consultation. This can be seen online at <https://www.networkrail.co.uk/running-the-railway/our-routes/anglia/anglia-level-crossings/>. As this consultation coincided with the local election purdah period, the Executive Director ETE in consultation with the HCI Chair was given delegated authority to make a holding response¹. This was made on 19th April 2017 (Appendix 3) on the basis that a full response be made through the democratic process, via the HCI Committee, culminating in Full Council, as required by statute. This is the purpose of this paper.
- 1.6 New members have been apprised of the work undertaken to date, and their comments have been incorporated into the latest proposed response. Draft orders have also been made in Suffolk and Essex, Hertfordshire and Southend. Public inquiries will also to be held into these orders. CCC has objected separately to the closure of the S22 Weatherby crossing in Newmarket, which is in the Suffolk Order but affects the communities of Cheveley and Woodditton.

¹ This can be done under s239 Local Government Act 1972

2. MAIN ISSUES

- 2.1 CCC remains supportive of Network Rail's overall strategic ambition to improve the transport network in the region and the safety of all users. However, CCC is concerned about NR's approach to its project and the adverse impact of its proposed Order for the following reasons:
- i. The lack of a joined up approach across administrative boundaries arising from 3 separate orders in Cambridgeshire, Suffolk and Essex/Hertfordshire;
 - ii. The appropriateness of a TWAO rather than the usual s118A/119A Highways Act 1980 and relevant legal tests and maintenance provisions;
 - iii. The severing of the PROW network and a lack of suitable, safe alternative routes;
 - iv. The adverse impact on communities and implications for their physical and mental well-being;
 - v. A material impact upon three promoted routes, potentially affecting tourism;
 - vi. The substantial transfer of, and increase in, asset liability to CCC;
 - vii. The significant cost to CCC arising from non-compensated officer time (in excess of 600 hours and £40,000 to date, and likely to be more than £100,000 by the end of the scheme)
- 2.2 The proposed full response is at Appendix 4. A list of the crossings, affected highway, proposed position and summary of grounds is at Appendix 5. It is proposed to object to 15 of the 29 proposals. Key reasons for objecting include: lack of a safe alternative route; diminution of the connectivity of the network; diminution of enjoyment or access to green space for physical and mental well-being; an unreasonable increase in liability for the Highway Authority; and significant adverse impact on promoted routes.
- 2.3 Objections to eight proposals remain as before. It is now also proposed to object to seven further proposals because the final proposals do not provide satisfactory alternative routes (C04 FP4 Harston; C29 FP1 Brinkley; C27 Willow Row Drove Littleport), or because the proposals would result in unacceptable increased maintenance liability.
- 2.4 In addition, it is proposed to make holding objections to four proposals either because no information has been made available to enable analysis of the implications despite repeated requests for information, or because further information is now required (C31 Littleport station).
- 2.5 HCI Committee is asked to agree the proposed full response to the Secretary of State. The resolution will then be presented to Full Council on 18th July, for approval, in accordance with statutory requirements. HCI Committee is also asked to agree that officers should continue to negotiate with NR to resolve as many of the objections as possible before the inquiry. Whilst, the three months following the Full Council decision will allow further negotiation, it will not accommodate further papers to be taken to Committee., Therefore Committee is also asked to agree the delegation of any changes to the Council's position prior to the Public Inquiry to the Executive Director ETE in consultation with the Chair or Vice Chair of HCI Committee. Local Members will continue to be consulted in discussions materially affecting crossings in their areas.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

There are no overall significant implications for this priority. However, some crossing proposals could have significant implications in those areas. In the Ely area, it is proposed to close five footpath crossings. Three of these (C08, C09 and C24 at Appendix 5) give direct access to the countryside and river to the north-east of the city, and were cited during the planning process for the major Ely North development as being important facilities for the health and well-being of

the new community. An additional link has been secured to mitigate the loss of C09 and C24; it is important to achieve this as part of the Order.

The paths along the River Ouse at Ely are popular promoted routes called the Fen Rivers Way and the Ouse Valley Way, which support the local economy through tourism. Closure of crossings C21 and C22 will affect this if it is not possible to agree suitable mitigation for flood events on the alternative routes. 'A Furlong Drove', Littleport, which is part of the long distance route the 'Hereward Way' would also be diverted by the closure of crossing C11.

3.2 Helping people live healthy and independent lives

There are no overall significant implications for this priority. However, some individual crossing proposals could have significant implications in those areas, as detailed at 3.1 above. In addition, at Soham, new housing is planned in the area near the proposed closure of footpath crossing C20 Leonards. There are also a number of routes used by local heart watch walking groups, such as C25 Clayway, FP11 Littleport. The alternative routes for closures proposed in Meldreth and Harston could significantly deter users. Closure of these routes could limit the scope for people to live healthily and independently. Solutions must recognise the importance of these paths in engendering the physical and mental well-being of communities through access to the wider network and common land.

3.3 Supporting and protecting vulnerable people

There are no overall significant implications for this priority. However, some individual crossing proposals could have significant implications in those areas. NR produced a Diversity Impact Assessment Scoping Report (DIA) in August 2016. CCC considered that this was fundamentally flawed in a number of ways in respect of its duties under the Equalities Act 2010. In particular, it did not adequately assess the impact of the closures and the alternative routes on users, communities, and vulnerable groups. CCC made a detailed response to NR on 09.11.2016. NR's consultant responded on 15.12.2016 and, whilst they acknowledged that full DIAs were necessary, these have not yet been received, and concerns remain over the methodology used and the implications for determining closures.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

Sections 2.1, 3.2 and 3.3 above and paragraphs 2.9-2.13 of the full response at Appendix 4 set out the cost to the Authority resulting from NR's decision to use a blanket TWAO instead of Highways Act applications; the consequence of an inadequate approach to consultation; and of having to make representation at a major public inquiry.

4.2 Statutory, Legal and Risk Implications

There are potentially significant implications within this category. As a whole the TWAO will have a significant effect, as it will permanently alter the local highway network. A number of detailed issues (highlighted at sections 2.1) concerning maintenance liability of the highway authority will need to be resolved through the public inquiry. These issues are set out at 3.1-3.7 and 3.17-3.24 of the full response at Appendix 4. There is also a potential increased safety risk to users and reduced health in the community, as noted at 2.1 iii-iv and 3.3 above and detailed in the full response at 2.2-2.8 of Appendix 4.

4.4 Equality and Diversity Implications

There are no significant implications within this category. However, the points at 3.1-3.3 above should be noted. These are expanded upon at 2.2-2.7.

4.5 Engagement and Communications Implications

There are no significant implications in this category. However there may be publicity which will need careful handling.

4.6 Localism and Local Member Involvement

There are no significant implications within this category. There are some implications on specific proposals which are noted in Appendix 5, but these have been mitigated through engagement with members and local communities as set out at 1.3-1.6 above.

4.7 Public Health Implications

There are no significant implications within this category. However, the points at 2.1 3.1-3.3 above should be noted.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Sarah Heywood
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by Finance? N/A	
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes Name of Legal Officer: Mike Kelly
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Tamar Oviatt-Ham
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Sarah Silk
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Tamar Oviatt-Ham
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Iain Green

Source Documents	Location
Network Rail proposals including maps	http://www.networkrail.co.uk/anglialevelcrossings/
Department for Transport <i>Guide to TWA Procedures</i>	https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/4502/procedures-guide.pdf
Cambridgeshire Rights of Way & Improvement Plan	http://www.cambridgeshire.gov.uk/info/20006/travel_roads_and_parking/66/transport_plans_and_policies
Cambridgeshire Health & Well Being Strategy	http://www.cambridgeshire.gov.uk/info/20004/health_and_keeping_well/548/cambridgeshire_health_and_wellbeing_board

APPENDIX 1 – BACKGROUND INFORMATION

1.1 Network Rail's stated aims and objectives are to:

- Improve the safety of level crossing users
- Deliver a more efficient and reliable railway
- Reduce the ongoing operating and maintenance cost of the railway
- Reduce delays to trains, pedestrians and other highway users
- Improve journey time reliability for railway, highway and other rights of way users

1.2 This is the first stage of five proposed stages in Network Rail's Anglia Level Crossings Strategy, aimed at closing crossings that Network Rail consider will have little impact on users or for which alternative routes can be readily found without the need for a new bridge. Cambridgeshire County Council's own assessment of the impact of the proposals can be found in its response to the Diversity Impact Assessment Scoping Report dated 9th November 2016 and in its table of reasons for the County Council's position on each crossing proposal at Document A of Appendix 3.

1.3 Network Rail intend to achieve the closures through a Transport & Works Act Order (TWAo). Normally, changes to the network are made on an individual basis by application to Cambridgeshire County Council as the Highway Authority, who then makes the relevant orders under specific sections of the Highways Act 1980, holding a public inquiry if appropriate. The Authority is reimbursed for its costs. By contrast, a TWAo would enable the closures to the network to be effected in bulk; the County Council is a statutory consultee but cannot recover its costs.

1.4 The draft TWAo was published on 14th March 2017 following application to the Secretary of State. It is likely that a public inquiry will be held before the decision is made in early 2018. The detailed timeline can be seen online at <http://www.networkrail.co.uk/anglialevelcrossings/>. This is a pilot project for Network Rail which, if successful, will be used as a mechanism elsewhere.

Maps of public rights of way

Public rights of way links in context of their communities can be seen at the County Council's online mapping at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx?MapSource=CCC/AllMaps&Layers=row,row-tab=maps>

Policy documents

The County Council's Highway Infrastructure Asset Management Plan, Rights of Way Improvement Plan (revised 2016) and the Cambridgeshire Health & Well-Being Strategy 2012-17 are policy documents that have informed the County Council's approved position to date in terms of asset liability and access to a rights of way network that links communities, for the physical and mental well-being of residents (see Appendix 1 for web link).

Web links

Highway Infrastructure Asset Management Plan

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-plans-and-policies/transport-delivery-plan-and-highway-policies/>

Rights of Way Improvement Plan

http://www.cambridgeshire.gov.uk/info/20006/travel_roads_and_parking/66/transport_plans_and_policies and

Health & Well-Being Strategy

http://www.cambridgeshire.gov.uk/info/20004/health_and_keeping_well/548/cambridgeshire_health_and_wellbeing_board

Anglia Level Crossings – Cambridgeshire

Transport & Works Act statutory tests

Extracts from the Transport & Works Act 1992

<http://www.legislation.gov.uk/ukpga/1992/42/contents>

The authorising power

1-(1) The Secretary of State may make an order relating to, or to matters ancillary to, the construction or operation of a transport system of any of the following kinds, so far as it is in England and Wales—

(a) a railway;...

Schedule 1 to the Act provides that the matters to be considered within Section 1 of the Act above are: ...

4--The creation and extinguishment of rights over land (including rights of navigation over water), whether compulsorily or by agreement.

The key legal test

5-(6) An order under section 1 or 3 above shall not extinguish any public right of way over land unless the Secretary of State is satisfied—

(a) that an alternative right of way has been or will be provided, or

(b) that the provision of an alternative right of way is not required.

How representations are taken into consideration

10-(2) Subject to the following provisions of this section, the Secretary of State shall not make a determination under section 13(1) below to make an order without first taking into consideration the grounds of any objection in respect of which rules under this section have been complied with.

10-(3) If an objection is withdrawn or appears to the Secretary of State—

(a) to be frivolous or trivial, or

(b) to relate to matters which fall to be determined by a tribunal concerned with the assessment of compensation, he may make a determination under section 13(1) below without further consideration of the objection

The Government's *Guide to TWA Procedures*

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/4502/procedures-guide.pdf

Your ref:
Our ref: 20170419
Date: 19th April 2017
Contact: Mrs Camilla Rhodes
Direct Dial: 01223 715621
Contact Centre: 0345 045 5212
E Mail: Camilla.Haggett@cambridgeshire.gov.uk



Economy, Transport & Environment
Executive Director, Graham Hughes

Secretary of State for Transport
c/o Transport & Works Act Orders Unit
General Counsel's Office
Department for Transport
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33 Horseferry Road
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Highways Service, Box No. SH1313
Infrastructure & Management Operations
Directorate
Shire Hall
Castle Street
Cambridge
CB3 0AP

By Email and Post

Dear Sirs,

**Re: The Network Rail (Cambridgeshire Level Crossings Reduction) Order 2017
Cambridgeshire County Council holding response**

I write with reference to The Network Rail (Cambridgeshire Level Crossings Reduction) Order 2017 ('the Order'), deposited on 14th March 2017.

As explained in our letter of 21st March 2017, unfortunately Network Rail's timescale and period for formal representations coincides with the County Council's purdah period running up to elections on 4th May. This means that the County Council is not able to take a report to Committee and to Council for approval of its formal response to the Order until purdah is over. Consequently, on 21st February, our Highways and Community Infrastructure Committee ('HCI Committee'), delegated to me the authority, in consultation with the Chair of the Committee to make a holding response, pending its democratic process allowing a full response, in accordance with s239 Local Government Act 1972 and s4.7 of the Department for Transport's *A Guide to TWA Procedures*. I am therefore now writing to you accordingly.

In our letter of 21st March we advised that the County Council objected, as at 21st February, to nine of the 30 proposals currently in the scheme, and had holding objections to a further six. A copy of this letter is attached. I acknowledge that proposal C30 Westley Road has since been modified in the Order in line with the County Council's request, for which we are grateful.

I have consulted with Councillor Mac McGuire, the HCI Committee Chairman, and Cambridgeshire County Council hereby makes a **holding objection** to the Order on the same basis as the views cited in our letter of 21st March (with the exception of C30 Westley Road, to which the County Council is now unlikely to object), until such time as it is able to provide a full response through its democratic process. We anticipate this being in July 2017, after the County Council's Full Council has considered the objection and endorsed the Council's position at its meeting on 18th July.

The County Council's grounds for its objection are as follows:

Objection to eight of the proposals, as identified in the attached Appendix

- The alternative routes are unsatisfactory due to the lack of a safe alternative routes;
- The proposals would result in significant diminution of the connectivity of the ROW/highway network;

- The proposals would result in significant diminution of enjoyment for users;
- The proposals would significantly reduce access to green space for the physical and mental well-being of local communities;
- There would be an unreasonable increase in liability for the Highway Authority; and because
- There would be a significant impact on promoted routes.

Holding objections

In addition, the County Council makes holding objections to six of the proposals as identified in the attached Appendix, where information is still awaited to enable the Authority to fully evaluate the implications of the proposals, or where updated proposals have only been made available as part of the deposited Order, and so the County Council has similarly not yet had the opportunity to assess them.

The County Council's current position on each proposal and reason for its position is set out in brief in the attached Appendix.

The County Council anticipates requesting a public inquiry to be held to enable a full hearing of the case for each of the proposals to which it objects or has a holding objection.

I would be grateful if you would kindly acknowledge receipt of this letter.

Yours sincerely,



Graham Hughes
Executive Director, Economy Transport & Environment

Cc Richard Schofield, Route Managing Director Anglia Route
Nicholas Eddy, Network Rail
Isaac Adjei, Network Rail
Andrew Kenning, Network Rail
Steve Day, Network Rail
Jason Smith, Mott MacDonald

The Proposed Network Rail (Cambridgeshire Level Crossing Reduction) Order

Cambridgeshire County Council Formal Response – Representations and Objections

1 Introduction

- 1.1 This document provides Cambridgeshire County Council's formal, full response to the proposed Network Rail (Cambridgeshire Level Crossing Reduction) Order ('the Order') deposited on 14th March 2017 for public consultation. The County Council ('CCC') made a holding response to the Secretary of State on 19th April 2017 in accordance with s239 Local Government Act 1972, as it was not able to respond within the required timescale due to purdah for local elections.
- 1.2 CCC recognises Network Rail's ('NR') strategic reasons for the proposed Order as part of its wider Anglia Level Crossing Reduction Strategy ('ALRCS'), and supports in principle the ambition of increasing public safety, improving journey times, and developing the transport network to accommodate growing demand and to encourage more sustainable travel choices. CCC has similar duties and responsibilities regarding the safety, accessibility and sustainability of the highway network. The changes proposed principally, and significantly, affect the highway network for which CCC is the Highway Authority ('HA'). However, CCC observes that this is also an asset-reduction exercise, and believes that NR needs to understand that its proposals would, in many cases, increase liability for the HA without necessarily improving safety.
- 1.3 CCC's position is that NR must have sound justification for any diminution of the highway network on grounds of safety, efficiency and long term impact on public health. CCC is, in principle, willing to accept the loss of some routes, where the case is proved on these grounds and where it is acceptable to communities. However, good alternative routes need to be provided that: are reasonably convenient and at least as enjoyable for users; maintain or encourage good health habits; do not add unreasonable liability to the HA; and do not put users more at risk than on the existing routes. CCC believes there needs to be a balanced approach if the two organisations are to work in partnership towards improving both transport systems for the benefit of the public.

2. Approach to the TWAO

- 2.1 CCC has significant concerns over NR's approach to this Order, as set out below.

Evidence base

- 2.2 NR's reasons for the proposed Order are cited at NR4 of its Application. CCC understands that the purpose of the ALRCS is to improve safety; allow Network Rail to more effectively manage its assets in the Anglia Region; reduce the ongoing maintenance liability of the railway and help enable various separate enhancement schemes to be developed in the future for the benefit of passengers and other highway users. It is understood that this is based on crossing risk scores, cost of maintenance,

legal status, operational requirements, and the potential for future improvement of a line.

- 2.3 However, CCC observes that there is no new scheme or works in connection with a scheme as envisaged by the Transport & Works Act 1992 ('the TWA') under which the Order is drafted, except for C31 Littleport Station. CCC has raised concerns with some of NR's methodology in relation to the Order. In particular, the diversity impact assessment ('DIA') was only a scoping opinion and the parameters were considerably narrower than CCC would apply to any diversion application, particularly one related to development. The analysis did not appear to take into account CCC's Rights of Way Improvement Plan policy 2016 ('ROWIP')¹, its Policy on Public Path Order Applications to divert or extinguish footpaths and bridleways (Document A); the Cambridgeshire Health & Well Being Strategy 2012-17 ('the CHWBS')² and the Joint Needs Assessment Strategy ('JSNA')³, which identifies the future care needs for the health and wellbeing of the county's population and strategic delivery. The health benefits of easy access to the countryside are well-evidenced in these and other documents⁴, and public rights of way ('PROW') also support the economy through rural tourism and reducing the NHS bill. In February 2017, CCC also adopted a new NMU Adoption Policy, which sets out CCC's criteria and score which all proposals must achieve in order for the County Council to accept them⁵. The criteria incorporate the standard legal tests, public health, sustainable transport, safety and asset management tests.
- 2.4 The CHWBS, JSNA and ROWIP work with CCC's Business Plan 2017-18⁶ to:
- Support older people to be independent, safe and well.
 - Encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices.
 - Create a safe environment and help to build strong communities, wellbeing and mental health.
 - Create a sustainable environment in which communities can flourish.
- 2.5 Using data from the JSNA is particularly important when looking at the impacts in the Fenland area, which tends to have poorer health outcomes and a shortage of networks of public rights of way (PROW).
- 2.6 According to NR's risk assessment data for each crossing available online⁷, there were only four recorded incidents across the 24 public crossings in the Order. CCC was not made aware of those incidents at the time they occurred, and although details have been requested they have not been received. CCC will continue to seek this

¹ <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-plans-and-policies/local-transport-plan/>

² <https://www.cambridgeshire.gov.uk/residents/be-well/cambridgeshire-health-and-wellbeing-board/>

³ <http://cambridgeshireinsight.org.uk/JSNA>

⁴ See for example Department of Health, *At least five a week: evidence on the impact of physical activity and its relationship to health – a report from the Chief Medical Officer*, 2004

⁵ See Appendix 8 of the Highway Infrastructure Asset Management Plan at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-plans-and-policies/transport-delivery-plan-and-highway-policies/>

⁶ <https://www.cambridgeshire.gov.uk/council/finance-and-budget/business-plans/>

⁷ <http://archive.nr.co.uk/transparency/level-crossings/?View=onMap&postcode=0&radius=0>

information. The issues most cited as risk factors are sun glare and frequent trains, with 'Deliberate misuse or user error' also being cited. However, the last factor does not appear to relate to actual incidents recorded, and without detailed information it is impossible to know what the problem actually was or is. CCC's concern is that problems could be associated with poor crossing infrastructure, which, if improved, would reduce risk and user error. CCC has repeatedly requested NR to improve crossing infrastructure, particularly changing stiles to gates which makes it easier for users to more quickly exit from the railway environment, particularly if they have dogs and children. However NR has been extremely reluctant to do so. In addition, surfaces are often poorly laid, if they exist at all, and few PROW crossings have any assistive technology such as lights or whistleboards.

- 2.7 The proposed alternative routes are often to existing road crossings, which have a worse incident record and increase safety risk, because they require vulnerable users to mix with vehicular traffic, including HGVs. CCC's road safety team has not been consulted as CCC requested, and would raise issues with a number of the proposals. At present, few of NR's proposals actually meet CCC's NMU Adoption Policy.
- 2.8 Further, CCC considered that NR's traffic censuses, undertaken in June 2016 to inform NR's decision-making, to be seriously flawed. This was because it was based on an urban methodology unsuitable for the rural nature of the Cambridgeshire paths, and because several crossings were obstructed by NR works during the census period. The County Council wrote to NR and their contractor on the 15th July 2016 setting out its concerns in detail. It was also not clear how the results were going to be used in assessing which crossings were proposed for closure. Although some of the censuses were repeated, most of the issues raised have not been addressed, calling into question the validity of the results and subsequent decisions to proceed with the proposals.

Use of the Transport & Works Act & Resourcing

- 2.9 CCC observes that, by seeking changes to the highway network through a TWA, NR have been able to avoid paying fees to CCC that would be associated with usual applications under the specific provisions of s118A and s119A Highways Act 1980 for rail crossing extinguishments and diversions respectively. These contain appropriate tests to ensure that the PROW concerned are properly considered, and provisions to protect highway authorities in terms of ongoing maintenance liability and to ensure that the changes are accurately effected on the Definitive Map & Statement ('DM&S') (the legal record of PROW). The TWA contains little in the way of such provisions.
- 2.10 Resourcing for a major public inquiry is significant, and might not have been necessary had individual applications been made under the HA80. Further, we note that NR cited in its letter to the Ramblers' Association on 15th November 2016 (see Document B) that a benefit of using a TWA is that: 'The workload on highway authorities is reduced. Network Rail prepares all the paperwork and runs the consultation events.'
- 2.11 The workload on HAs is increased rather than reduced. We have not been able to programme the work or recover costs, and the significant problems with the lack of consultation, poor communication, and inadequate methodology have meant that

officers have had to be proactive in endeavouring to rectify these problems. For a project of this size, the HA would normally have commissioned a dedicated project officer. However, because CCC has not been able to recover its costs, this has not been possible. Time has been diverted to the above problems, and it has not been able to dedicate the usual amount of attention that it would to a public path order proposal, potentially affecting the quality of the outcome and associated long term implications for users and CCC. It is estimated that the cost to CCC will be well over £100,000 by the end of the project.

- 2.12 The Department for Transport ('DfT') is funding officer time spent working with Highways England on the delivery of the A14 road scheme. On 21st March 2017 CCC asked NR to discuss a similar agreement for the delivery of NR's TWAO in order to enable the Authority to recover its costs associated with NR's scheme. NR has not yet responded to this request.
- 2.13 Given that this the first time that the TWA is being used for this purpose, it is in the interest of all stakeholders affected that they are able to have confidence in the ultimate decision, and that the possibility of challenge (at further expense) is avoided. CCC therefore requests:
- a) That an experienced Rights of Way Inspector should be appointed to determining the Order at Inquiry, or, alternatively, a panel of two inspectors including one from the Rights of Way team;
 - b) The application of analogous tests in accordance with the *Guide* at p105;
 - c) That additional provisions are included enabling detailed design by agreement with the HA; certification; and the accurate recording of the changes on the DM&S, as set out at 3.2, 3.5 and 3.17 below; and
 - d) That, in addition to the requirement for commuted sums, dealt with at 3.7 below, NR reimburses CCC for its time in agreeing the detailed design; certification; and LEMOs as set out at 3.2, 3.5 and 3.20 below.

Stakeholder Communication

- 2.14 CCC welcomes the engagement that NR and its contractors have made with all stakeholders to work on the proposals, and the public consultations that have been undertaken. However, communication with stakeholders has been variable, with an apparent lack of resource making it difficult for CCC to make progress with the proposals and to manage customer enquiries. This has meant that CCC has been unable to analyse the implications for a number of the proposals.
- 2.15 CCC is aware that similar proposals are being taken forward separately in neighbouring Suffolk and Essex. However, this is an Anglia-wide scheme, and usage does not recognise the administrative boundaries. CCC, Suffolk County Council, Essex County Council and Hertfordshire County Council have endeavoured to engage over common issues, but it would have been easier for all had NR taken a co-ordinated approach.
- 2.16 Notwithstanding the above problems, CCC continues to work with NR in the interest of optimising the outcome for users of both the highway and broader transport networks.

Whilst CCC in principle supports some of the proposals, to date it considers there to be a significant number that it cannot support. These are detailed below in section 4.

3 General principles in the TWAO

- 3.1 CCC wishes to raise a number of general principles arising from the Order that are of significant concern.

Maintenance – acceptance of new routes

- 3.2 CCC will not agree to take on any new routes before commuted sums, as-constructed asset records, Agreement In Principle, and certification have been agreed. This is comparable to what has been agreed with DfT for the A14 scheme, and to what happens for public path order applications under the Highways Act 1980 and the Town & Country Planning Act 1990 ('PPO applications'). The reasons are set out in more detail below.
- 3.3 Article 16(1) of the draft Order provides for NR to maintain the new routes and works for a period of 12 months. Article 16(11) provides that the new highways are to be completed to the reasonable satisfaction of the HA, and are to be maintained by and at the expense of NR for 12 months from their completion, after which they are to be maintained at the expense of the HA. CCC has to respond within 28 days of receiving a request for certification that it is satisfied with the works, or else the new highways will be treated as complete.
- 3.4 With PPO applications, it is usual for the highway authority to inspect the proposed alternative route with the landowner and to agree the suitability of the route, and any works that might be necessary. The TWAO process means that officers have not been able to visit many of the proposed new routes with the landowner to assess practical issues. Therefore CCC objects to article 16(1) and 16(11) on grounds that these provisions are insufficient to ensure that the new assets will be adequate for the purpose and ongoing maintenance. CCC requests that a new clause be inserted into article 16 to enable CCC to make pre-works inspections with NR to agree the works and design prior to construction. Technical approval in principle ('AIP') to the Design Manual for Roads & Bridges and other design principles agreed with CCC must be agreed before NR proceeds with any works.

Certification of new routes

- 3.5 The 28 days set out in article 16(11) is insufficient for the highway authority to undertake the necessary inspections and administrative work. This would equate to more than one site a day, and the sites are spread wide across the county, with many requiring a long walk to reach them. As we do not know the programme of works, CCC does not wish to be committed to requirements it may simply not be able to meet. Therefore CCC considers it reasonable to request that the 28 days be amended to 56 days.
- 3.6 CCC also notes that there is provision for arbitration in article 40. Whilst this provision is acceptable in itself, CCC is concerned that articles 16(11) and 40 are insufficient to explain the mechanism as to what happens if CCC reasonably refuses to certify

because the works are unsatisfactory. Therefore we object to article 16(11) and request that it be expanded to clarify the mechanism.

Commuted sums

3.7 Normally with rail crossing path diversions under the Highways Act, NR would be liable to maintain the new routes in perpetuity. The TWA covers compensation for private landowners, but is silent on compensation and ongoing maintenance provision for highway authorities, except for the limited provision in article 16(1). NR held an initial meeting with CCC regarding commuted sums on the 17th January 2017. As this matter affects all the highway authorities concerned with NR's three orders, principles were agreed at a meeting of the regional Rights of Way ADEPT including Suffolk, Essex, Hertfordshire and Cambridgeshire County Councils shortly afterwards. These principles are that it is reasonable to require NR to pay commuted sums for:

- The ongoing maintenance of new structures, length of network and associated new street infrastructure in excess of the amount of CCC's existing assets.
- 1x replacement of PROW bridges plus remedial works @ 25% cost of initial works
- Other structures to the Structures ADEPT formula, e.g. steps and ramps

3.8 CCC therefore **objects** to this element of the Order and requests that NR agrees with CCC the commuted sum packages before any construction work commences.

Infrastructure & design principles

3.9 NR's design guide is set out at NR12 of its Application. It was based on discussions that took place in October 2016. Unfortunately, several routes and therefore design had not been agreed at that stage. There are thus a number of issues that need resolving.

Gaps, gates, stiles

3.10 BS5709:2006 sets out the order of preference for infrastructure on PROW. It is based on the principle that access should start with the least restrictive, being a gap; then a gate, and lastly a stile. Stiles are obstructive not only for wheel-chair users but also for those with hip and knee problems, and for dogs. CCC has been working for decades to remove stiles on the network in accordance with the BS and Equality Act 2010. There is a long-standing problem with the use of stiles on NR's crossings where gates would resolve accessibility and safety issues.

Surfaces

3.11 CCC requests that the following design principles be agreed:

- Where private crossings are closed and agricultural traffic is diverted to public roads or rights of way, the latter are to be brought up to standard in order to enable them to take the immediate additional wear and tear. Passing places on narrow roads should be installed.
- Where byways are diverted or will be subject to additional wear and tear, they should be built to a Forestry Commission track-style specification.

- 3.12 CCC therefore **objects** to crossing closures C27, C33, C34 and C35 and the proposed alternative routes on this basis and requests that NR agree with us these design principles.

Fences and landscaping

- 3.13 Fencing has been included in a number of the proposals in the Order. It is not clear at this stage where it is proposed to locate the fencing. CCC has, in discussion, requested that any fences are located a minimum of 0.5 metres away from the legal boundary of all new routes. This is because placing a fence on the boundary soon starts to cause maintenance problems. The HA is not responsible for fencing, but it is our experience that NR do not maintain the vegetation that quickly grows up/out from it, restricting access. Machinery cannot tackle vegetation wound around fencing, requiring expensive handwork. This causes an additional burden on the highway authority. The clearance of overhanging vegetation would also be a NR responsibility that could be enforced by the HA (HA80 s154) – this increased burden on NR could be avoided if fencing placed further back.
- 3.14 Similarly, any landscaping planting should be set back a minimum of 2m from the legal boundary of all new highways, in accordance with CCC's *Guidance for developers & planners*⁸ to prevent obstruction and an unnecessary enforcement burden on CCC.

Haul routes

- 3.15 CCC is not yet aware of NR's intention with regard to access for works. As a general principle, PROW should not be used as haul routes for works, due to the arising wear and tear (it is an offence under s1 Criminal Damage Act 1971). Any proposed use should be agreed with CCC in advance, in order that mitigating works can be agreed.

TTROs

- 3.16 CCC notes that, by virtue of article 32, Part 4 that NR is responsible for making any such Temporary Traffic Regulation Orders ('TTROs') as are required. CCC welcomes the provision that NR will be required to consult CCC as the Traffic Authority on such orders.

Legal issues

Widths& Grid References

- 3.17 DEFRA Circular 1/09, Annex C, paragraph 9, relating to public path and rail crossing orders, states that the width of a path should be included in the any public path order schedule. The authority for this is the Public Path Order Regulations 1993, the Town & Country Planning (Public Path Order) Regulations 1993 and the Wildlife & Countryside Act (Definitive Maps & Statements) Regulations 1993. The Planning Inspectorate Rights of Way Advice Note 2016⁹ states:

⁸ <https://www.cambridgeshire.gov.uk/residents/libraries-leisure-&-culture/arts-green-spaces-&-activities/definitive-map-and-statement/>

⁹

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/516940/public_advice_note_16_Widths_6th_revision_April_2016.pdf

4. Both public path orders and rail crossing orders involve the express creation of new rights of way. As such, the width of the new way should be determined as part of the order making process. Where an order is received without a specified width, the Inspector may, where appropriate, use his power of modification to add one. If this is not appropriate, the Inspector may refuse to confirm the order.

3.18 CCC's policy for new routes is a minimum of 2m for footpaths and 4m for bridleways in accordance with national practice (see Document D). The national minimum for a BOAT is 5m.

3.19 Highway authorities are also required by the same statutes to include Ordnance Survey grid references in all orders. Although Schedule 2 column (4) in the TWAO is entitled 'Status and extent of highway', this only deals with the start and end point by letters annotated on the plans. 2.4.2-2.4.3 of the Design Guide at NR12 of the Application cites that new footpaths are to be 2m wide, and bridleways 3m. However, the Design Guide is not a legal event sufficient for the purposes of the DM&S. Neither the TWAO nor the EIA contain any proposed widths or OSGRs. CCC **objects** to the lack of widths and OSGRs in the TWAO, and requires that they be inserted into Schedule 2 column (4), in order to enable it to comply with its statutory duties. CCC further **objects** to the proposed 3m width for bridleways. This is inadequate; CCC policy is 4m, particularly if routes are to be fenced on one or more sides. The British Horse Society prefer 5m.

Changes to the DM&S – Legal Event Modification Orders required

3.20 When any changes are made to PROW recorded on the DM&S through a public path or other order, an HA is required, under s53 Wildlife & Countryside Act 1981, to make a subsequent 'legal event modification order' ('LEMO') to make the changes legally effective on the actual record. The initial order is not sufficient in itself. Therefore every change arising from NR's TWAO will require a LEMO. These Orders also have to contain widths and OSGRs, and so CCC again **objects** to this missing information in the Order.

3.21 Further, it is CCC's policy to recover its costs from applicants for the LEMOs arising from PPO applications, in accordance with its published Schedule of Charges¹⁰. CCC therefore requests that NR are similarly required to pay for the legal orders required at the market rate. There is precedence for this with Highways England paying for all LEMOs arising from the current A14 scheme.

BOATs – UCRs status

3.22 At Schedule 14 of the draft Order it is cited that two unclassified roads ('UCRs') are to be redesignated as byways open to all traffic ('BOATs') (crossings C27 Poplar Drove in March and C30 Westley Bottom Road in Westley Waterless). CCC does not believe that this is legally possible, because a BOAT is legally a public carriageway, defined by section 66(1) of the Wildlife and Countryside Act 1981 as:

¹⁰ <https://www.cambridgeshire.gov.uk/business/highway-searches/>

“a highway over which the public have a right of way for vehicular and all other kinds of traffic, but which is used by the public mainly for the purpose for which footpaths and bridleways are so used”.

- 3.23 As the two UCRs in question are public carriageways, the only real difference between the two categories relates to maintenance liability, whereby HAs only have to maintain BOATs commensurate with their use. As NR is responsible for the level crossings, it is assumed that they consider this will somehow benefit their asset management. However, as private vehicular rights will still remain over both crossings, it is difficult to see what benefit the change in status would bring. The only change in rights that is desired is to prohibit vehicles with more than two wheels from using the crossing, which will be achieved in both instances through the application of a Traffic Regulation Order.
- 3.24 Changing the status would require more LEMOs, and is, in CCC's opinion, administratively unnecessary and legally awkward at best. Therefore CCC **objects** to these redesignations as a point of principle and requests that they be removed from the Order.

Planning conditions

- 3.23 NR have applied to SoSdFT for planning permission for certain works under Rule 10(6) of the TWA Rules 2006 (Tab NR10 in NR's Application). CCC **objects** to NR's request that approval for detailed design and external appearance for footbridges be approved only by the local planning authority ('the LPA'). First, there is also a bridle bridge being proposed. Second, such standard bridges are not normally subject to planning permission. Thirdly, obtaining planning permission will not necessarily make a bridge acceptable to the HA, and all structures must ultimately be approved by the HA. If the condition is needed, it should be amended to:
- 'No development for a footbridge shall commence until written details of its design... have been submitted in writing for prior approval by the highway authority and may then be submitted in writing to and approved by the local planning authority.'
- 3.24 Similarly, CCC **objects** to the request for landscaping approval due to the reasons set out at 3.13-3.14 above. The condition should be modified to say that the location of any proposed boundary treatment, including planting and fencing, for all routes should be agreed in writing with the HA before submission to the LPA.
- 3.25 CCC further requests a condition requiring that no development shall commence until haul roads affecting public rights of way have been agreed in writing with the HA, for the reasons cited at 3.15 above.

4 Individual Crossing Objections

4.1 C04 No Name No. 20, FP10 Meldreth

CCC **objects** to the proposed closure of this popular crossing, as the alternative route is less safe for users than the existing route, and involves a lengthy diversion. NR point

out there has been deliberate mis-use or user error, but NR's online summary of risk assessment does not identify any incidents.

- 4.2 The alternative route takes users past active poultry farm units, bringing them into conflict with busy HGV movements, and onto a narrow, unlit footway on Station Road near the summit of bridge. The width would not allow users to pass side-by-side without stepping into the carriageway, and would particularly affect wheelchair and pushchair users. The lack of a good footway is a known problem to local residents. It removes a pleasant off-road countryside circular route linking to Bury Lane byway and other footpaths. The path also links directly to the Bury Lane Farmshop. The majority of responses in the public consultations objected to closure, together with the County Councillor, the Parish Council and the MP.
- 4.3 CCC consider that the existing route is safer than the proposed route, and that more could be done to make the crossing safer if required, such as a whistleboard and miniature crossing lights and enable retention of the path.

C07 No Name No. 37, FP4 Harston

- 4.4 The existing footpath enables a safe off-road walking, linking with a multi-user path in the verge towards the village of Newton. It is accessible to all, as there are only gates on the railway crossing. It links to a popular nearby path leading to the Wade monument.
- 4.5 Whilst the benefit of the additional utility link in the road verge towards Newton is welcomed, overall the proposed solution is unsatisfactory, because takes away an easy country path, replacing it with a considerably less enjoyable, more complex path that cannot be used by all abilities. It is significantly worse for the less able, due to the introduction of five major hazard points where there was previously only one, namely the railway crossing. The new hazards comprise two long (6m) flights of steps and three crossings over a byway and a busy B road, including on-road walking at a dangerous pinch point over the railway bridge.
- 4.6 The area is likely to see an increase in demand for countryside access, due to a large new housing development in Hauxton just to the north of Harston and a 500 unit care home. CCC requested a bridleway link on field-side of hedge north of road linking directly to BOAT 3 Harston (Donkey Lane) as mitigation for loss of the countryside path. This would support section 106-funded countryside access from the major Cambridge Southern Fringe development north of Hauxton.
- 4.7 Closure of this path could result in a negative impact on user behaviour away from physical activity, with associated impact on mental health.
- 4.8 The alternative would involve significantly greater asset liability due to the steps and additional length of off-road and verge path. There are no recorded incidents on this crossing. CCC **objects** to this proposal.

C08 Ely North Junction, FP11 Ely

- 4.9 This path is the gateway to the countryside north of the growing city of Ely. The path network has been cited in recent large housing developments as an important amenity.

The proposed width of 1.5m for the northernmost section of the proposed alternative does not comply with the County Council's adopted policy for diverted paths, which is an unobstructed 2m. Fencing means that maintenance would be constrained, costing CCC, as set out at 3.13 above. The proposal achieves 20% in CCC's NMU Adoption scoring criteria (the threshold is 70%).

- 4.10 CCC therefore **objects** to the proposal as it stands. Should the width issue be resolved, CCC will withdraw its objection. The proposed retention of the dead-end eastern section represents an additional maintenance burden but CCC reluctantly agrees to retain it on the basis of its public benefit for local ecological and historical interest, and dog walks. This is on the proviso that the width issue is resolved, and that the extent is agreed on the basis of consultation with local users, as cited to NR in CCC's letter of 21st March 2017.

C11 Furlong Drove, BOAT 33 Little Downham

- 4.11 CCC **objects** to the proposed closure of this BOAT, as the alternative involves long and unpleasant diversions of up to 1.5km for vulnerable users on narrow roads with heavy haulage. The BOAT is a pleasant off-road route which afford equestrians a rare 2km gallop. It also forms part of the long distance promoted path known as 'The Hereward Way', and runs between Little Downham and Welney at the Washes. No incidents have been recorded at the crossing. CCC is aware that the Trail Riders Fellowship ('the TRF'), the British Horse Society ('BHS') and the Ramblers' Association all object to closure of the route.
- 4.12 CCC Accident Investigation's initial comments are that the alternative on-road route is unsuitable for equestrians because the road is so narrow; the verges are unsuitable refuges due to variability in width and uneven surfaces, which could result in horses pitching their riders into the ditches or the road. They are also likely to be startled by heavy agricultural haulage. The alternative eastern route in particular is less safe than the existing route. The pedestrian lines on the alternative road level crossing at Main Drove go into rail infrastructure on either side, and there is no refuge. The crossing also needs work to better forward visibility as it is on a bend.
- 4.13 CCC would prefer the crossing to be formalised with a Traffic Regulation Order ('TRO') to retain connectivity for all NMUs and motorcyclists. The crossing could be realigned to make it perpendicular and thus safer to cross.
- 4.14 If the SoSDfT decides against CCC's position, CCC considers that it would be reasonable for BOAT 33 to remain at that status to the north of the railway, and for proposed bridleway link to be upgraded to BOAT to retain connectivity for motorcyclists, with or without a Traffic Regulation Order ('TRO') over this section. In order to retain connectivity and avoid the creation of a cul-de-sac, CCC in earlier consultations requested a link from the southern section to run west and join with BOATs 34 and 35, but NR considered this was not possible. CCC requests that this be reconsidered.

C13 Middle Drove, March

- 4.15 CCC does not object in principle to public rights being downgraded to bridleway status, and welcomes the retention of the miniature warning lights and telephone. However, it is concerned to protect its ability to access the highway on either side for maintenance purposes. CCC therefore **objects** to the lack of provision in the Order of private rights of access for CCC for future maintenance purposes, and requests that CCC is granted these rights as a registered user.

C16 Prickwillow 1, FP17 Ely

- 4.16 The proposed closure of this crossing and alternative using steps down the steep flood bank will significantly increase maintenance liability for CCC, because (i) of the introduction of two flights of steps and (ii) the fact that, currently, CCC's mowing contractor can drive over the crossing and continue along the bank. With the crossing closed and the steps in place, this will no longer be possible. Whilst it will be acceptable for the contractor to retrace his steps on the southern side, it is unreasonable to expect this on the northern side due to the long distance of several kilometres to the nearest ramped public access. This will significantly hinder maintenance and increase the time spent on the job. CCC has consistently requested that a ramp with private rights of access be provided in mitigation. It is apparent from the Order and proposed works on p39 f NR12 that this has not been provided.
- 4.17 Therefore, whilst CCC does not object to the closure and diversion of public rights via steps, it does **object** to the proposal on grounds of unreasonable increase in maintenance burden on the HA, and requests that the Order makes provision for a maintenance ramp with private rights of access to be built as near as possible to the steps on the northern side.

C17 Prickwillow 2, FP57 Ely

- 4.18 The issues with this proposal are the same as for C16 Prickwillow 1, FP17 Ely. CCC **objects** to the proposal on grounds of unreasonable increase in maintenance burden on the HA, and requests that the Order makes provision for a maintenance ramp with private rights of access to be built as near as possible to the steps on the northern side.

C20 Leonards, FP101 Soham

- 4.19 CCC **objects** to this proposal on the basis that the alternative route is not a suitable replacement because:
- The majority of users travel from the south, making circular routes with South Horse Fen Common and the popular 'Wicken Walks'. People walk to the pub in Wicken to the south-west. The alternative route is two and a half times as long for these users (rising from 200m to 555m).
 - Local opinion is that the enjoyment of these users would be significantly affected by the closure.
 - NR has recently invested in the crossing with new gates, and the County Council has recently installed two new bridges, none of which could be reused on the new route.

Closure would therefore represent a waste of resources at a time of scarce public resource.

- There are no recorded safety incidents. It is a long, straight stretch of line. The crossing is close enough to the Mill Drove road crossing that footpath users may be able to hear the automated warning sounds from the road crossing when a train is approaching.
- In addition, the Ramblers consider that the approach along FP114 would be unattractive, as it traverses a heavy clay field.

4.20 Should the Secretary of State allow the proposal, CCC would offer an alternative solution that would make the proposal more acceptable to the County Council and stakeholders.

C24 Cross Keys, FP50 Ely

4.21 CCC has welcomed the response to objections from the public to the proposals for C10 Second Drove, Ely, C23 Adelaide and C24 Cross Keys, which needed to be viewed as a package due to the impact of the wider network. The improved solutions negotiated were vital in order to ensure that this important amenity for the well-being of local residents was retained. The mitigating solutions already require two additional steel/timber footbridges, which CCC will have to take on. CCC is surprised to note in the proposed Order plan (Folder 2, Sheets 9-12) that a third bridge 14m long is proposed where an existing private culvert is available nearby. This represents an unacceptable additional liability for CCC. CCC therefore **objects** to the proposal and requests that the route be amended to run over the culvert.

4.22 CCC has pointed out that the proposed changes will divert users to BR25 Ely as part of the circular route. The associated railway crossing is currently poorly surfaced and has a heavy vehicular gate that cannot be used by equestrians, and generally increases safety risk. CCC has requested that NR undertakes works to ensure that the crossing is easily accessible and safe to use by all users.

C25 Clayway, FP11 Littleport

4.23 The proposed closure of this path legally amounts to an outright extinguishment, as the alternative route is purely on an existing road. It represents the loss of a valued route regularly used by health groups. There are few public rights of way in the area, and so closure would have a considerable diminution of enjoyment for users and a potentially significant impact on healthy activity in a deprived area. CCC is concerned that if the route is extinguished, it could quickly impact on health activities in the area. For example, if the leader decides they are no longer attracted to lead walks, the whole group could cease to meet.

4.24 A previous attempt to close this path in 2006 in connection with the nearby housing development was unsuccessful, with the Inspector holding that the alternative road route and crossing was less safe than the existing route as it put users into direct conflict with road traffic. It also held that work could be done to make the existing crossing safer. Although NR proposes to create additional footway to reduce on-road walking, pedestrians would still have to share vehicular road space over the busy crossing.

- 4.25 There are no recorded incidents for the crossing, and CCC considers this to be a strong case where the existing access could be improved, as access is via a stile which could be changed to a gate allowing quicker exit from the railway. This is particularly important given that the route is well-used by local heartbeat groups. CCC therefore **objects** to the proposed extinguishment, and requests that mitigating improvements are made to make the crossing safer.
- 4.26 CCC would observe that Plot 30 appears to be very near the road, and that the land required for a 2m footway would appear to be on private land, as it is not already highway (cf plot 27 on Sheet 13). CCC also notes that the level crossing light on Plot 29 on Sheet 13, which is due to be used for the creation of the footway, currently obstructs the proposed route and will need moving.
- 4.27 CCC further notes that there is an anomaly between the legal line of FP15 Littleport and the walked route P045-P046, to which NR intends to create a connecting path. If the SoSDfT approves this proposal, CCC requests that the Order is amended to delete the section of FP15.

C27 Willow Row Drove, BOAT 30 Littleport (and C26, Poplar Drove, Littleport)

- 4.28 CCC welcomes the work that NR have undertaken with CCC to date to agree a solution for C26 Poplar Drove and C27 Willow Row Drove crossings and rights of way. is aware that the Trail Riders Fellowship ('TRF'), an acknowledged user group, object to the closure of BOAT 30, as it provides them with access to an extensive byway network, which would be lost.
- 4.29 CCC acknowledges that there is no reason why these users should be so singled out, particularly as access for motorcyclists is being retained at the adjacent C26 Poplar Drove crossing. CCC therefore considers it reasonable to request that the BOAT simply be diverted over the line of the proposed bridleway link, with a Traffic Regulation Order ('TRO') made, prohibiting 4x4 vehicles from using it. The TRO would ensure that maintenance liability for CCC could be controlled, and that unauthorised access to adjoining farmland could be prevented. The TRF confirmed to CCC that this would mitigate their concerns sufficiently to withdraw their objection. CCC wrote to NR with this proposal on 21st March 2017, and would welcome further discussion with NR to agree the solution. In the meantime, CCC **objects** to this proposal and requests that the proposal is modified as set out above.
- 4.30 In addition, CCC notes that the resident of The Bungalow adjacent to the Poplar Drove Crossing has raised concerns about the safety of users of the crossing, as he has observed the gate being left open by private users on a regular basis. Under NR's proposal, the vehicular gate at the Poplar Drove crossing would be locked and access given only to registered key holders, with a bridlegate installed alongside to allow public access for non-motorised traffic and motorbikes. If Willow Row Drove crossing is closed to all users, this would generate additional agricultural traffic along Poplar Drove, which could pressurise non-motorised leisure traffic. It could also increase the incidence of the gate being left open, putting lives at risk, affecting other user journeys, and increasing the potential for collateral damage to The Bungalow, should a collision occur. Therefore, if this proposal is carried through, CCC requests that NR responds to these concerns and considers additional safety measures.

C29 Cassells, FP1 Brinkley

- 4.31 FP1 Brinkley is a pleasant off-road country path linking directly to FP11 Little Wilbraham, popular with local walkers and rambling groups. The proposed closure of this path legally represents an extinguishment, as the alternative route is primarily on the existing road or adjacent to it. There is an embankment between the road and NR's land where NR propose to create a new section of path, and it is not clear whether steps will be required or not. If so, this would significantly alter the accessibility of the route, as it is a gated crossing. If NR owns all of plot 07, it could put a ramp in to maintain a similar level of accessibility under the Equality Act 2010.
- 4.32 Brinkley Road is a UCR but it carries traffic to a busy junction leading to the A11 trunk road. It has been the site of 6 accidents since 2011, with a further accident on Brinkley road itself. Whilst CCC has been willing to consider extinguishment of the path due to its short length, in the interest of NR's strategic objectives, this is dependent on there being a satisfactory safe alternative. CCC has repeatedly requested NR to consult CCC's Highways Development Management team due to concerns about the safety of pedestrians in the road and additional infrastructure that would be required. NR has not done so to date.
- 4.33 The section concerned is completely unlit. There are already pedestrian markings on the road crossing. Whilst this infrastructure is NR's responsibility, if pedestrians are diverted to the road their safety becomes CCC's liability. Speed reduction measures would be required as users would have to cross at the level crossing where there is a kink in the road.
- 4.34 It is not clear what the status of the path on NR's land would be. The status must be definitive public highway. A permissive path would not be acceptable, as the rights could be withdrawn at any time.
- 4.35 CCC currently considers that the safest route is the existing footpath, and therefore **objects** to this proposal on grounds that the alternative route is not satisfactory. CCC requests NR to ask CCC's Accident Investigation Team to undertake a full road safety audit, and to work with CCC to identify if a satisfactory design can be agreed that meets CCC's safety and asset maintenance requirements.

C33 Jack O'Tell private crossing, Waterbeach

- 4.36 Closure of this private crossing severs the landowner's link to his yard and means that agricultural traffic would have to use the highway network, which would result in a long diversion. The Order plans do not show the alternative routes. CCC considers that there would be a significant adverse impact on the local highway and PROW network, resulting in an increased HA liability. The highways concerned are small fen roads, and are in a poor condition due to nature of subsoil and existing traffic. Therefore additional heavy agricultural machinery will exacerbate the problem and CCC's liability.
- 4.37 Existing farm traffic is known to run off Long Drove carriageway, causing deep hazards to the edge of the road and users. Increasing the volume of private farm traffic onto this road likely to increase number of claims against the HA, again increasing the burden on CCC. Carriageway patching would be required to bring up to standard, and four passing places would need to be created to take additional passing traffic.

- 4.38 Part of the alternative route would be over FP17 Waterbeach, causing damage to the route which again increases HA liability. Sharing the route with agricultural traffic would also diminish enjoyment for pedestrians.
- 4.39 CCC is disappointed that NR has not, until 14th June 2017, responded to requests to discuss the matter. It is hoped that a meeting can be arranged in July to move the matter forward. In the meantime, CCC **objects** to this proposal on grounds that the alternative routes are unsatisfactory and have a disproportionately negative impact on the highway network and CCC maintenance liability.

C34 Fyson's private crossing, Waterbeach

- 4.40 The issues are largely the same as for C33 Jack O'Tell, except that no public footpaths would be affected. CCC therefore **objects** to this proposal on grounds that the alternative routes are unsatisfactory and have a disproportionately negative impact on the highway network and CCC maintenance liability. CCC requests that NR agrees mitigation measures with CCC to enable CCC to remove its objection.

C35 Ballast Pit private crossing, Waterbeach

- 4.41 The issues are largely the same as for C33 Jack O'Tell, except that Public BOAT No. 14 Waterbeach would also be affected. This byway surface is soft and additional traffic would impact upon its condition and public enjoyment, which would put additional resource pressure on highway authority to resolve. The surface would require improvement to CCC's satisfaction.
- 4.42 CCC is aware that the proposed new town at Waterbeach could result in this BOAT 14 being incorporated into the development in due course. However, this is some years away, and so the highway network will still require the mitigating improvements in the meantime. CCC therefore **objects** to this proposal on grounds that the alternative routes are unsatisfactory and have a disproportionately negative impact on the highway network and CCC maintenance liability. CCC requests that NR agrees mitigation measures with CCC to enable CCC to remove its objection.

S22 Weatherby, Newmarket [This section will not be included in CCC's response, as it concerns the Suffolk Order. A separate response will be made to that Order.]

- 4.43 Although this crossing proposal is in Newmarket and is contained in the draft Network Rail (Suffolk Level Crossing Reduction) Order, it affects Cheveley and Woodditton parishes in Cambridgeshire. The route is not recorded as a highway but it has been very well-used by the public on foot for many years, including by residents of Woodditton and Cheveley. These parish councils, Newmarket District and Suffolk County Councillors all object to the proposed closure. This would effectively be an extinguishment, as the alternative route is on existing roads.
- 4.44 CCC recognises the importance of the route to the local community and its role as a connecting route for pedestrians to retail and community services located north of the railway corridor. Retaining the route also encourages healthy activities, and supports the physical and mental well-being of the local communities. As the path carries a heavy usage by pedestrians, CCC therefore **objects** to the proposal, and requests the removal of the proposal from the draft Order. CCC strongly supports the deferral of the

future of the crossing to a later phase of the Anglia level Crossing Reduction Strategy when alternative solutions can be considered.

5 Individual Crossing Holding Objections

C03 West River Bridge, FP7 Little Thetford

- 5.1 This path is located on a high bank above the Old West River, and is part of Fen Rivers Way long distance promoted route. The proposed alternative diverts the path down under the railway bridge at river level. CCC has repeatedly requested flood data in order to enable us to fully analyse the implications and agree any mitigation required. CCC has no mechanism to provide a warning to users if the river is in flood. People may take a risk in the water or be faced with long diversions, as there are very few crossing points over the river.
- 5.2 Surface improvements must be made under the railway bridge to enable it to withstand flooding and pedestrian use. Any required mitigation infrastructure must be installed to CCC and Environment Agency ('EA') approval, and commuted sums may be required.
- 5.3 CCC therefore makes a **holding objection** until such time as these issues are resolved, and reserves the right to object if a solution cannot be found.

C21 Newmarket Bridge, FP24 Ely

- 5.4 This path is located on a high flood bank on the eastern side of the River Great Ouse. CCC has repeatedly requested flood data in order to enable the Authority to fully analyse the implications and agree any mitigation required. It is also not clear from the description of proposals on p40-41 of the design guide at NR12 how users are expected to descend and ascend the bank to the underpass. Any required infrastructure must be installed to CCC and EA approval, and commuted sums may be required. CCC has no mechanism to provide advance warning to users if the river is in flood. People may take a risk in the water or be faced with long diversions, as there are very few crossing points over the river.
- 5.5 CCC therefore makes a **holding objection** until such time as these issues are resolved, and reserves the right to object if a solution cannot be found.

C22 Wells Engine, FP23 Ely

- 5.6 This is a popular long distance, double-designation promoted path, the Fen Rivers Way and the Ouse Valley Way. It is located on a high flood bank on the western side of the River Great Ouse, which flows from Huntingdon to Ely and beyond to the Washes. The Fen Rivers Way runs along the River Cam from Cambridge to King's Lynn, joining the Great Ouse at Little Thetford to the south of Ely. The routes support rural tourism and the local economy. The Fen Rivers Way between Cambridge and Ely is particularly popular, with often walking the 16 miles one way and then catching the train home.
- 5.7 The proposed alternative diverts the path down under the railway bridge at river level. CCC has repeatedly requested flood data in order to enable the Authority to fully

analyse the implications on users, health and well-being, and tourism, and to agree any mitigation required. Any required infrastructure must be installed to CCC and EA approval, and commuted sum may be required. CCC has no mechanism to provide advance warning to users if the river is in flood. People may take a risk in the water or be faced with long diversions, as there are very few crossing points over the river.

- 5.8 CCC therefore makes a **holding objection** until such time as these issues are resolved, and reserves the right to object if a solution cannot be found.

C31 Littleport Station, Station Road Littleport

- 5.9 The purpose of this proposal is to assist in enabling NR's King's Lynn-Cambridge 8-Car Scheme through the closure of the private barrow crossing in the station, used by passengers to access the platforms. Pedestrians would be diverted to CCC's highway underpass. NR proposes to achieve this by making a TRO prohibiting vehicles from using the underpass (see at Sch15 of the draft Order (TR003-TR004, Sheet 14)). CCC supports the 8-car scheme, as it will play an important role in the development of the local economy.
- 5.10 However, CCC observes that no traffic impact assessment has been provided to justify the closing underpass to vehicles, particularly with regard to the projected future growth of Littleport. Intensification of use of the station and the planned growth of Littleport requires complementary infrastructure to be provided if the underpass is to be closed to vehicles. CCC therefore makes a **holding objection** to this proposal, and requires that the assessment be provided to enable CCC to undertake the necessary analysis.
- 5.11 CCC also notes that the planning permission ref 16/01729/F3M for a new car park adjacent to the railway, approved by East Cambridgeshire District Council on the 3rd March 2017, obviates need for proposed Traffic Regulation Order. This is because, if the planning permission is implemented, the development will provide the safe pedestrian walkway required by CCC for the NR scheme. Further, the proposed raised walkway is not a permanent solution to the drainage problem, and positive drainage is required. CCC therefore requests that, if the planning permission is implemented, NR does not implement the TRO, and that NR agrees the drainage solution with CCC before any works commence. CCC requests that this be inserted into Request for Planning Permission as a **planning condition**.

6 Summary

- 6.1 In summary, the Cambridgeshire Order, as drafted, would result in:
- Three total path extinguishments, replaced with on-road walking;
 - Diversions resulting in an increase in path length of over 7km and associated maintenance;
 - Extinguishments and diversions resulting in 7.7km of on-road walking, cycling or horse-riding;
 - Extinguishments resulting in an additional 20km of diversion for vehicles;
 - An increase of more than twice the number of existing bridges (9 instead of 4) and associated maintenance liability;
 - Six new flights of steps up to 7m long and one culvert;

- At least 258m of additional street infrastructure liability; and
- The diversion of agricultural traffic onto 27km of highway and associated additional wear on the network.

6.2 Whilst the proposals would clearly benefit NR's asset management, it is not, in general, clear how they would directly improve transport services. However, the disbenefits associated with the proposed changes are more evident. CCC's principal concerns relate to the impact of closures on public health and well-being (physical and mental), and the associated cost to the public purse; the net increase in safety risk for NMUs arising from 'diversion' of many routes onto roads with additional crossing points; the significant transfer of risk and asset liability to CCC from NR; and the cost to the Authority involved in responding to and implementing the Order. CCC would have preferred to have been able to work with NR for longer to agree solutions, whether for the immediate GRIP stage or future stages¹¹. Consequently, CCC is objecting 15 of the 29 proposals. CCC would welcome continued working with NR to resolve these objections prior to inquiry.

6.3 CCC acknowledges that this is the first time that the TWA has been used for the proposed purpose. It has identified a wide range of in-principle problems with the draft Order, leaving CCC no option but to object to these points. CCC trusts that these issues can be resolved, not only in its own interest but in the broader interest of future schemes, and hopes that NR will continue to work with CCC to improve the wider transport network for all.

¹¹ 'GRIP' is the Governance for Railway Investment Projects

NR REF	ORDER REF	NAME	HIGHWAY/PROW REF	PARISH	CCC POSITION at 11.05.17	SUMMARY GROUNDS
C01	Folder 2 Sheets 28, 29	Chittering	Waterbeach FP18	Waterbeach	No objection	None provided proposal delivered in full
C02	Folder 2 Sheets 26, 27	Nairns No. 117	Private Crossing	Waterbeach	No objection	N/A- No highways affected.
C03	Folder 2 Sheets 24, 25, 26	West River Bridge	Little Thetford FP7	Little Thetford	Holding Objection	Still awaiting flood data and mitigation proposals. Any required infrastructure must be installed to CCC and EA approval; commuted sum may be required
C04	Folder 2 Sheet 36	No Name No 20	Meldreth FP10	Meldreth	Object	Alternative option unsatisfactory as significant length on or adjacent busy road; less attractive; breaks connectivity of ROW network; discourages healthy activity; no known issues with crossing; increased conflict with vehicles on private track and adjacent to busy road.
C05	N/A	Flambards	Proposal removed	Shepreth	N/A	N/A Proposal removed
C06	N/A	Barrington Road	Highway (Barrington Road) - Bridleway crossing	Foxton	N/A	Proposal removed. Request for NR to work with CCC and City Deal on long term solution
C07	Folder 2 Sheets 34, 35	No Name No. 37	Harston FP4	Harston	Object	Proposed solution unsatisfactory; alternative worse for the less able due to introduction of steps x2; increased on-road walking; less enjoyable; greater maintenance; does not resolve dangerous pinchpoint over rail bridge. Introduces 6 major hazard points where previously only one.
C08	Folder 2 Sheet 18	Ely North Junction	Ely FP11	Ely	Object	Alternative option unsatisfactory as insufficient width to meet CCC policy/national standard. Introduces increased maintenance liability.
C09	Folder 2 Sheet 8	Second Drove	Ely FP49	Ely	No objection	Provided agreed solution delivered
C10	Folder 2 Sheet 7	Coffue Drove	Downham BOAT 44	Downham	No objection	Provided required infrastructure delivered
C11	Folder 2 Sheets 5, 6	Furlong Drove	Downham BOAT 33	Downham	Object	Insufficient mitigation for southern section of BOAT for all users. Upgrade of FP9 Downham should be to a BOAT to accommodate motorcyclists. Would then be willing to countenance loss of crossing and southern section.
C12	Folder 2 Sheet 4	Silt Drove	Public Highway (Silt Drove, March)	March	No objection	Provided bridleway access, existing warning systems, and private rights retained
C13	Folder 2 Sheet 3	Middle Drove	Public Highway Middle Drove (March)	March	Object	CCC wish to retain private rights of access for future maintenance purposes. Maintain lights and warning system.
C14	Folder 2 Sheet 2	Eastrea Cross Drove	Whittlesey FP50	Whittlesey	No objection	Provided agreed solution delivered
C15	Folder 2 Sheet 1	Brickyard Drove	Whittlesey FP48	Whittlesey	No objection	Proposed diversion is different to that consulted upon. Now crossfield instead of headland. Longer for users coming from N, more direct from south.
C16	Folder 2 Sheet 17	Prickwillow 1	Ely FP17	Ely	Object	Implication of alternative routes shown on draft Order plan is that NR plan to install steps. CCC objects to steps as significantly hinders maintenance, no longer able to drive a compact tractor along bank. CCC has consistently requested ramps. Could be mitigated if ramp with private rights of access provided for section north of crossing.
C17	Folder 2 Sheet 17	Prickwillow 2	Ely FP57	Ely	Object	Implication of alternative routes shown on draft Order plan is that NR plan to install steps. CCC objects to steps as significantly hinders maintenance, no longer able to drive a compact tractor along bank. CCC has consistently requested ramps. Could be mitigated if ramp with private rights of access provided for section north of crossing.
C18	N/A	Munceys	Fordham FP19	Fordham	N/A	N/A Proposal removed 14.03.2017
C19	N/A	Wicken Road	Soham FP106	Soham	N/A	N/A Proposal removed 05.12.2016
C20	Folder 2 Sheet 20	Leonards	Soham FP101	Soham	Object	No need to close as no records of problems on existing route. Alternative option unsatisfactory as longer for majority of users; diminution in enjoyment as a result; impact on healthy activity. Alternative route would be a significantly increased maintenance liability due to soft low-lying, poorly drained land. No issues identified on existing route. Regret loss of resolution to FP114, but problems introduced by proposal for FP101 far outweigh benefits.
C21	Folder 2 Sheet 19	Newmarket Bridge	Ely FP24	Ely	Holding Objection	Flood data and mitigation proposals not yet received. Unable to analyse impact of proposal on tourism, health and well-being. Long distance path with no easy alternative routes.

C22	Folder 2 Sheet 19	Wells Engine	Ely FP23	Ely	Holding Objection	Flood data and mitigation proposals not yet received. Unable to analyse impact of proposal on tourism, health and well-being. Path is part of popular long distance promoted path the Fen Rivers Way and Ouse Valley Way.
C23	N/A	Adelaide	Ely FP49	Ely	N/A	N/A Proposal removed
C24	Folder 2 Sheets 9, 10, 11, 12	Cross Keys	Ely FP50	Ely	Object	Proposal changed requiring new 14m bridge where adjacent existing private culvert is available, making 3 new bridges. No reason provided. Unacceptable additional liability for HA. Work required to alternative BR25 route to make BR crossing safe to use.
C25	Folder 2 Sheet 13	Clayway	Littleport FP11	Littleport	Object	Loss of valued route regularly used by health groups. Alternative option unsatisfactory, legally amounts to extinguishment as alternative simply on road. Significant diminution of enjoyment and impact on healthy activity in deprived area. Used as regular route for Heartbeat groups. Existing access could be improved.
C26	Folder 2 Sheet 15	Poplar Drove No. 30	Public Highway (Poplar Drove)	Littleport	No objection	Provided BOAT 30 diverted as a BOAT for C27 proposal, and that solution for Poplar Drove delivered
C27	Folder 2 Sheet 15	Willow Row Drove	Littleport BOAT 30	Littleport	Object	Agree with principle of solution but bridleway link needs to be BOAT status to accommodate motorcyclists, i.e. divert BOAT 30 as a 5m BOAT, with TRO to prevent 4 wheeled vehicles and mitigate maintenance liability. Detailed design needs to be agreed.
C28	Folder 2 Sheet 16	Black Horse Drove	Public Highway (Black Horse Drove)	Littleport	No objection	Provided all highway rights stopped up west of crossing. Refuse area to be created east of crossing. Turning area already available for buses.
C29	Folder 2 Sheet 33	Cassells	Brinkley FP1	Brinkley	Object	Proposal equals extinguishment. Ramblers object also to loss of amenity. NR have not consulted CCC Highways Development Management as requested. Advice is that road too narrow: no room on crossing to introduce pedestrians - creating a conflict; unilluminated; verge grass - need to be levelled and metalled; not room to do so within highway. Transfer of liability from NR to HA - unacceptable. Status of section on NR land unidentified and may require steps - more hazardous for pedestrians. Current route already provides best alternative to road. Proposal significantly adversely impacts vulnerable users.G39
C30	Folder 2 Sheet 32	Westley Road	Public Highway (Westley Road, Westley Waterless Road)	Westley Waterless; Brinkley	No objection	Provided solution proposed delivered in full. Further discussion over detailed design required, through Road Safety Audit. Proposed signage incorrect - should be sign 619.1 TSRDG 2016.
C31	Folder 2 Sheet 14	Littleport station	Station Road	Littleport	Holding Objection	ECDC planning permission ref 16/01729/F3M approved 03.03.17 obviates need for proposed Traffic Regulation Order at Sch15 (TR003-TR004, Sheet 14), if implemented, as safe pedestrian walkway will be provided. No traffic impact assessment provided to justify closing underpass to vehicles. CCC require this to assess in light of future growth of Littleport. Intensification of use of station and planned growth of Littleport requires complementary infrastructure to be provided if underpass closed to vehicles.
C33	Folder 2 Sheets 28, 29	Jack O'Tell	Private crossing - alternative affects FP16 & FP17, and public UCRs (Cross Drove and Long Drove)	Waterbeach	Object	Closure severs link to yard and means agricultural traffic has to use highway network; long diversion. Plans do not show alternative routes. Significant adverse impact on local highway and PROW network, and increased highway authority liability; diminution of enjoyment for NMUs sharing routes. Carriageway patching required to bring up to standard plus four passing places to take additional passing traffic. NR has not responded to requests to discuss.
C34	Folder 2 Sheet 30	Fyson's	Private crossing - alternative affects Cross Drove and Long Drove UCRs	Waterbeach	Object	Significant adverse impact on local highway network and increased highway authority liability. Carriageway patching required to bring up to standard plus four passing places to take additional passing traffic. NR has not responded to requests to discuss.
C35	Folder 2 Sheet 31	Ballast Pit	Private crossing - alternative route affects BOAT 14 Waterbeach, Long Drove and Cross Drove	Waterbeach	Object	Significant adverse impact on local highway and PROW network, and increased highway authority liability; diminution of enjoyment for NMUs (currently green route in good condition). Carriageway patching required to bring up to standard plus four passing places to take additional passing traffic. BOAT 14 will need a 5.5m proper track constructed suitable to take modern agricultural haulage. NR need to draw up design and submit to CCC for approval. NR has not responded to requests to discuss.
S22		Weatherby	Private crossing. All users diverted to use Cheveley Road underbridge, along footways alongside Cricket Field Road, New Cheveley Road and Granary Road	Newmarket, Suffolk	Object	Proposal is still to close crossing despite well-evidenced use and objections from community, councillors and authorities. CCC support ongoing negotiations to resolve the matter and enable continued access of this well-used crossing for local communities and their health, well-being and sustainability.

**CAMBRIDGESHIRE COUNTY COUNCIL POLICY
ON
PUBLIC PATH ORDER APPLICATIONS TO DIVERT OR EXTINGUISH
PUBLIC FOOTPATHS AND BRIDLEWAYS**

APPROVED BY CABINET 25TH May 2010

1. Applications

Applicants are advised that prior to formally submitting their diversion or extinguishment application to the Rights of Way & Access Team, they must continue to complete informal consultations with the prescribed bodies (see below). This will identify at an early stage whether the proposal is likely to be accepted by the public, and all responses received should be attached to the application form.

2. What the Council will do

The Council will:-

- Consider all applications for diversion and extinguishment orders received on the Council's standard application form
- Consider all applications as appropriate and in accordance with its biodiversity duty under section 40 of the Natural Environment & Rural Communities Act 2006
- Determine all applications in accordance with its prioritisation programme.

NB Where an alternative route is to be provided (for example where a path cannot be technically diverted but has to be changed using concurrent extinguishment and creation orders), the criteria will be slightly different in accordance with relevant legislation but will largely follow the diversion order criteria.

3. Criteria for Diversion Orders

The Council will make orders where the following criteria are met:

- i. Pre-application consultations have been carried out with the prescribed bodies.
- ii. The existing route is available for use and any 'temporary' obstructions have been removed, in order to allow a comparison to be made. Any request for exemption will be decided by the Director Highways & Access as to whether or not that is appropriate.
- iii. A suitable alternative path is provided for every path that is to be diverted.
- iv. The proposed new route is substantially as convenient to the public as the original
- v. The proposed new route is not less convenient for maintenance than the original
- vi. No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal.

- vii. The maintenance burden on the County Council is no greater than that of the original. If the maintenance burden is greater, the landowner may be required to enter into a maintenance agreement with the County Council.
- viii. A minimum width of 2m is provided for a diverted footpath, and a minimum width of 4m for a diverted bridleway. In exceptional cases, e.g. cross-field paths, it may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.
- ix. That all the works required to bring the new route into operation are carried out at the expense of the landowner and to the County Council's specifications unless otherwise agreed.

Please note that the County Council reserves the right to refuse to make an Order where it feels the criteria of the legislation are not met, even where consultation responses suggest there are no public objections.

4. Criteria for Extinguishment Orders (s118 Highways Act 1980)

The Council will make orders where the following criteria are met:

- i. Pre-application consultations have been carried out with the prescribed bodies
- ii. Section 118 of the Highways Act 1980 is satisfied i.e. the applicant must demonstrate that the path is not needed for public use
- iii. The confirmation test of section 118 (i.e. how much would the public use the route if it was not extinguished) is met
- iv. The applicant provides clear evidence to show the path is not needed for public use, for example in the form of letters from the Parish Council, and all affected landowners/occupiers.
- v. 'Temporary' obstructions have been removed to allow the public the opportunity of using the route so that 'need' can be assessed, as far as reasonably possible. We will therefore not make an order where a path is 'temporarily' obstructed, but will expect the path to be opened up and made available for public use for a period of not less than 2 months, to see if the public wish to use route. Any request for exemptions will be decided by the Director Highways & Access as to whether or not that is appropriate.
- vi. Where there is a desire line on the ground that is not on the definitive route because that is obstructed we will consider that to be evidence of a desire to get from points A-B, and will require the definitive route to be opened up or diverted onto the desire line or another mutually agreed route.
- vii. The County Council will not automatically consider that a route is not needed if there is a parallel route, as parallel routes can serve a useful purpose especially if close to a village by providing a short circular walk for small children, or people with reduced mobility.

Please note that the County Council reserves the right to refuse to make an Order where it feels the criteria of the legislation are not met, even where consultation responses suggest there are no public objections.

List of Statutory Consultees

Ramblers Association 2 nd Floor Camelford House 87-97 Albert Bank London SE1 7TW
British Horse Society Stoneleigh Deer Park Kenilworth Warwickshire CV8 2XZ
Auto-Cycle-Union Auto-Cycle-Union House Wood Street Rugby Warwickshire CV21 2YX
Open Spaces Society 25 a Bell Street Henley-on-Thames Oxon RG9 2BA
Byways and Bridleways trust PO Box 117 Newcastle-Upon-Tyne NE3 5YJ
Local representative of the Ramblers' Association (varies with District)
Local representative of British Horse Society (varies)
Local representative of Auto-Cycle Union (varies)



Ms Natasha Clayton
Ramblers
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Route Managing Director
Network Rail
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London
E20 1EJ

15 November 2016

Dear Natasha,

Thank you for your letter of 6 October regarding our proposals to close or divert level crossings in the East of England. I have been asked to respond as the Managing Director responsible for the Anglia Route and the delivery of this project.

Level crossings do put pedestrians directly in the path of approaching trains so they are inherently dangerous places; supported by our Rail Regulator, the Office of Rail and Road (ORR) it is therefore Network Rail's objective to mitigate risk at level crossings. The East Anglia scheme represents a turning point in our approach to closing level crossings, where closure is the correct way forward for mitigating this risk. Our scheme represents a phased strategic approach to closure; however, closure does not necessarily mean we are seeking to remove a right of way from the footpath network.

The initial tranche of 133 crossings across 7 local authorities has identified mainly smaller public footpath crossings where there is an existing piece of infrastructure nearby. We are not intending to build any additional infrastructure for these crossings. We will, where necessary, add mitigation measures to make proposed diversionary routes safer and more accessible for all.

Although the public consultation began in June we have been consulting with local authorities and statutory bodies since 2015. The initial list of crossings was devised through such meetings. Our work with the rights of way team in each local authority has been extensive. We have also briefed local access forums ahead of the public consultation, which had representation from the Ramblers. With regard to landowner visits, this work has been carried out by our land agents who again, were speaking to land owners ahead of public consultation where appropriate.

As you are aware we have carried out two rounds of informal consultation in June and during September/October. The events were publicised well in advance, with flyers posted at all the level crossings, local residential properties and local newspapers. Information was released on the day of the consultation in line with standard practice. This allowed for a robust consultation period within a set window. Quantitative data was taken from responses to the process through questionnaires that were also available online. I appreciate that for your members who undoubtedly come into contact with a number of crossing in any given area, responding to each one is a burden. However, I must stress that 21 days is an accepted amount of time for informal consultation and allows for building a robust evidence base.

It has been through the initial consultation that we have refined our plans. In many cases the diversions which we had suggested in the initial round have now changed as a direct result of that consultation. As we look to submit the orders we will strive to keep the public and our stakeholders updated on which individual crossing proposals which we intend to proceed with. Also, where we have made significant changes to the routes proposed in the second round of consultation, we will be informing stakeholders of those changes.

We understand that crossings provide key connectivity for communities and for the countryside beyond. We understand the need to maintain connectivity for users of the Public Rights of Way network and that is why our proposals show diversionary routes that link into and utilise nearby alternative paths, and, in some cases we are planning to create new public paths. At each crossing we have carefully considered the impact of our proposals in terms of safety, accessibility and amenity. Where we are providing new routes we will identify new opportunities to create new, or upgraded pathways, and will, if necessary enhance safety at the point at which pedestrians may come into contact with vehicles. We will not progress with proposals to close a crossing without providing a suitable and safe alternative point at which to cross the railway. We are trying to take users away from level crossings, which in fact are less accessible for some users.

There are currently 773 level crossings on Anglia route. As Network Rail has a duty under the Government's "Managing Public Money" initiative, we think it makes sense where we are seeking the closure of level crossings to maximise the use of existing infrastructure. The opportunity for diversion to other infrastructure, or extinguishment where a path is no longer required, fulfils the requirement for efficiency rather than provision of unnecessary bridges, which can then be utilised at other sites at a later date where bridging is the only viable option. In approaching level crossings of this nature first, we can listen to feedback and, if it is accepted that our current proposal is not feasible, the proposal can be withdrawn.

Network Rail accepts that it is not feasible to close all level crossings at this time. Technological solutions can reduce the risk at level crossings, and we have a rolling programme of risk assessment and mitigation works to make those crossings that we cannot close as safe as reasonably practical. Nevertheless, people crossing in front of trains will always be at risk; especially where users have an impairment or vulnerability, or may be distracted by wearing clothing to obscure vision or hearing

(such as hoodies) or where they may be wearing earphones or looking at mobile phones. Walkers in groups, with children or walking dogs also increase the level of risk. Each of these risks has, at certain locations, unfortunately been the cause of a fatality at a level crossing. Even with ongoing risk assessments, maintenance, and improvements to education and level crossing equipment, it is inevitable that incidents will continue to occur so long as level crossings remain open.

We have chosen to apply for county-wide Orders under the Transport and Works Act 1992, for these level crossing closure proposals for the following reasons:

1. A large volume of level crossing closure proposals can be assessed systematically, allowing a more holistic approach to rights of way in an area. Consultation events and local public inquiries (if held) can cover more than one crossing, leading to efficiencies.
2. The workload on highway authorities is reduced. Network Rail prepares all the paperwork and runs the consultation events.
3. Rail Crossing Diversion or Extinguishment Orders may only be used in the interest of public safety. A Transport and Works Act Order allows wider benefits to railway operations to be taken into account, such as improved efficiency, network reliability, and potential for capacity or linespeed enhancements.
4. A Transport and Work Order guarantees that the process will be progressed, unlike with an Order under s118A or 119A of the Highways Act 1980, a Highway Authority may decline to promote an order,
5. Transport and Works Act Orders can grant Network Rail powers to create diversionary rights of way on private land, or compulsorily acquire private land to enable closure of private level crossings. Compensation is payable on the same basis as under the Highways Act or the compensation code, rather than at commercial rates. They can also allow Network Rail to make alterations to highways on diversionary routes, such as the installation of traffic calming measures or segregated footways.
6. There is no restriction on the status of level crossing which may be altered. Rail Crossing Diversion and Extinguishment Orders cannot be used on Cycleways, Byways open to all traffic or public carriageways.
7. Unlike orders promoted under the Highways Act, which have one round of formal public consultation, the public consultation process for Transport and Works Orders is robust and iterative, allowing proposals to evolve to take account of comments that are received. After 2 rounds of public consultation, there is a further 42 days for the statutory objections period once the Order is made.

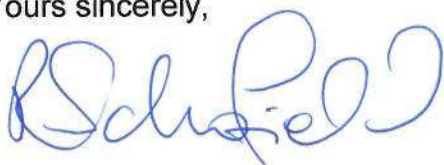
This is the first time Network Rail has applied this strategic approach to closing level crossings. In further funding periods we will be seeking funding to tackle those crossings which will require an infrastructure solution (e.g. a bridge) in order to divert. We will, of course, be learning lessons and we have tried to reflect this in each subsequent round of consultation. If successful, this approach may be rolled

out across the network; nevertheless, we do recognise that it is vital to have dialogue with you and your members so that we understand the specific local concerns.

Please do not hesitate to contact me if you have any further questions. I, along with my colleague, Mark Brunnen, Head of Level Crossings, will be happy to meet with you to discuss your concerns further, with regard to this project and our approach to level crossings at a national level.

Please contact Laurie Southwell on laurie.southwell@networkrail.co.uk if you would like to arrange a meeting.

Yours sincerely,



Richard Schofield
Route Managing Director (Anglia)
Network Rail

FINANCE AND PERFORMANCE REPORT – MAY 2017

To: Highways and Community Infrastructure Committee

Meeting Date: 11th July 2017

From: Executive Director, Economy, Transport and Environment
Chief Finance Officer

Electoral division(s): All

Forward Plan ref: For key decisions *Key decision:* No

Purpose: To present to Highways and Community Infrastructure Committee the May 2017 Finance and Performance report for Economy, Transport and Environment (ETE).

The report is presented to provide Committee with an opportunity to comment on the projected financial and performance outturn position as at the end of May 2017.

Recommendations: The Committee is asked to:-

- review, note and comment on the report.

<i>Officer contact:</i>	
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Email:	Sarah.Heywood@cambridgeshire.gov.uk
Tel:	01223 699714

1. BACKGROUND

- 1.1 The appendix attached provides the financial position for the whole of the ETE Service, and as such, not all of the budgets contained within it are the responsibility of this Committee. To aid reading of the report, budget lines that relate to the Economy and Environment Committee have been shaded, and those that relate to the Highways and Community Infrastructure Committee are not shaded. Members are requested to restrict their questions to the lines for which this Committee is responsible.
- 1.2 The report only contains performance information in relation to indicators that this Committee has responsibility for.

2. MAIN ISSUES

- 2.1 The report attached as Appendix A is the ETE Finance and Performance report for May 2017.
- 2.2 **Revenue:** At this early stage of the financial year, ETE is currently showing a £62K forecast overspend. However, there are emerging potential pressures on the waste service and work is underway to model and evaluate the implications of different levels of performance at the waste plant on the budget, and at the same time all budgets across ETE are being reviewed to identify any areas of underspend which can be held, if required, to offset any waste pressures.
- 2.3 Budget virements have been processed for waste demography of £170K and £200K to correct the under-allocation of inflation as the inflation estimated in the Business Plan was lower than the actual contractual uplift indices.
- 2.4 The Business Plan savings are being monitored with a “tracker” report – a tool for summarising delivery of savings – and this will be made available for Members on a quarterly basis. The tracker as at mid-June is included as Appendix 2 to this report.
- 2.5 Within the tracker the forecast is shown against the original saving approved as part of the 2017-18 Business Planning process. If pressures arise in-year further mitigation and/or additional savings will be required to deliver a balanced position.
- 2.6 **Capital:** The capital programme is forecast to be on target.
- 2.7 **Performance:** The Finance & Performance Report (Appendix A) provides performance information for the new suite of key indicators for 2017/18. At this stage in the year, we are still reporting 2015/16 information for some indicators. H&CI Committee has nine **performance indicators** reported to it in 2017-18.
- 2.8 Of these nine, two are currently red, two are amber, and five are green. The indicators that are currently and are forecast as red at year-end are:
 - Classified road condition – gap between Fenland and the other areas of the County.
 - Killed or seriously injured casualties – 12 month rolling total

- 2.9 At year-end, the current forecast is that two will be red, three will be amber, and four green.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

There are no significant implications for this priority.

3.2 Helping people live healthy and independent lives

There are no significant implications for this priority.

3.3 Supporting and protecting vulnerable people

There are no significant implications for this priority.

4. SIGNIFICANT IMPLICATIONS

4.1

- Resource Implications –The resource implications are contained within the main body of this report.
- Statutory, Legal and Risk – There are no significant implications within this category.
- Equality and Diversity – There are no significant implications within this category.
- Engagement and Communications – There are no significant implications within this category.
- Localism and Local Member Involvement – There are no significant implications within this category.
- Public Health – There are no significant implications within this category.

Economy, Transport & Environment Services**Finance and Performance Report – May 2017 for Highways & Community Infrastructure Committee****1. SUMMARY****1.1 Finance**

Previous Status	Category	Target	Current Status	Section Ref.
Green	Income and Expenditure	Balanced year end position	Green	2
Green	Capital Programme	Remain within overall resources	Green	3

1.2 Performance Indicators – Predicted status at year-end: (see section 4)

Monthly Indicators	Red	Amber	Green	Total
Current status this month	2	2	5	9
Year-end prediction (for 2017/18)	2	3	4	9

2. INCOME AND EXPENDITURE**2.1 Overall Position**

Forecast Variance - Outturn (Previous Month) £000	Directorate	Current Budget for 2017/18 £000	Current Variance £000	Current Variance %	Forecast Variance - Outturn (May) £000	Forecast Variance - Outturn (May) %
	Executive Director	206	+3	+2	0	0
	Infrastructure Management & Operations	58,147	-79	-2	+23	0
	Strategy & Development	12,094	-53	-4	+38	0
	External Grants	-32,051	0	0	0	0
	Total	38,397	-128	-2	+62	0

The service level budgetary control report for May 2017 can be found in [appendix 1](#).

Further analysis of the results can be found in [appendix 2](#).

2.2 Significant Issues**Waste PFI Contract**

From when the Waste PFI Contract first started in 2008, the annual budget setting process was kept separate to the standard County Council approach. The budget flexed up or down annually depending on the relative performance of the MBT Plant and any pressures or flexibilities. In 2016/17, this approach changed, and the underlying pressure of £1.4m was not funded but “held” pending consideration of discussions with experts from DEFRA on possible savings. This underlying pressure rolled forward into 2017/18 so although there is a £5m of savings target across the next three years, the profile of these savings did not address the fact that there was an underlying pressure of £1.4m which limited the ability to achieve the savings target in the first year as the first savings only brought the budget back into balance .

Significant work is currently underway to model different levels of MBT performance and come to a view on the likely in-year financial position. At the same time, all budget holders across ETE are reviewing their budgets to identify if there are any areas of underspend (either one-off, which will help offset the waste pressure this financial year) or ongoing (which can be brought out in the Business Plan) which can be used to offset the in year pressure in waste. The overall financial position will be reported in the June Finance & Performance Report.

2.3 Additional Income and Grant Budgeted this Period (De minimis reporting limit = £30,000)

There were no items above the de minimis reporting limit recorded in May 2017.

A full list of additional grant income can be found in [appendix 3](#).

2.4 Virements and Transfers to / from Reserves (including Operational Savings Reserve) (De minimis reporting limit = £30,000)

Waste

In the Business Plan, the financial impact of the predicted 1.4% population growth on service provision across the Council was held within Corporate Services, pending services demonstrating there has been an impact due to the population growth which cannot be contained within their revenue budget. Excluding the impact of garden waste, which is variable and dependent on seasonal weather and growing conditions, waste tends to increase proportionate to the population increase, and this has been the case across the last year and hence the £170K demand funding is required to fund the increased landfill tax costs and recycling credits based on a 1.4% increase in population. The virement is reflected within the May F&PR on the basis that it will be approved by GPC. If GPC were not to approve the virement, this would create an additional pressure within the waste budget.

In the Business Plan, an estimated figure was included for the inflationary uplift of the Waste contract, the actual contract increase is in fact higher than that budgeted and will incur additional costs of £200k. The virement of £200k is reflected within the May F&PR on the basis that it will be approved by GPC. If GPC were not to approve the virement, this would create an additional pressure within the waste budget.

A full list of virements made in the year to date can be found in [appendix 4](#).

3. BALANCE SHEET

3.1 Reserves

A schedule of the Service's reserves can be found in [appendix 5](#).

3.2 Capital Expenditure and Funding

Expenditure

King's Dyke

Final land negotiations are concluding and some pressures are emerging which are being evaluated and quantified. A more detailed position will be presented to E&E Committee in August.

Ely Southern Bypass

The phasing of the work is being reviewed due to issues with service diversions as well as the profile of expenditure and any impact on costs. Once the outcome of this work is finalised it will be reported and reflected in the forecast position.

Funding

Two additional grants have been awarded from the Department for Transport since the published business plan, these being Pothole grant funding (£1.155m) and the National Productivity fund (£2.89m).

All other schemes are funded as presented in the 2017/18 Business Plan.

A detailed explanation of the position can be found in [appendix 6](#).

4. **PERFORMANCE**

4.1 **Introduction**

This report provides performance information for the new suite of key Economy, Transport & Environment (ETE) indicators for 2017/18. At this stage in the year, we are still reporting 2015/16 information for some indicators.

New information for red, amber and green indicators is shown by Committee in Sections 4.2 to 4.4 below, with contextual indicators reported in Section 4.5. Further information is contained in Appendix 7.

4.2 **Red Indicators (new information)**

This section covers indicators where 2017/18 targets are not expected to be achieved.

a) **Highways & Community Infrastructure**

No new information this month.

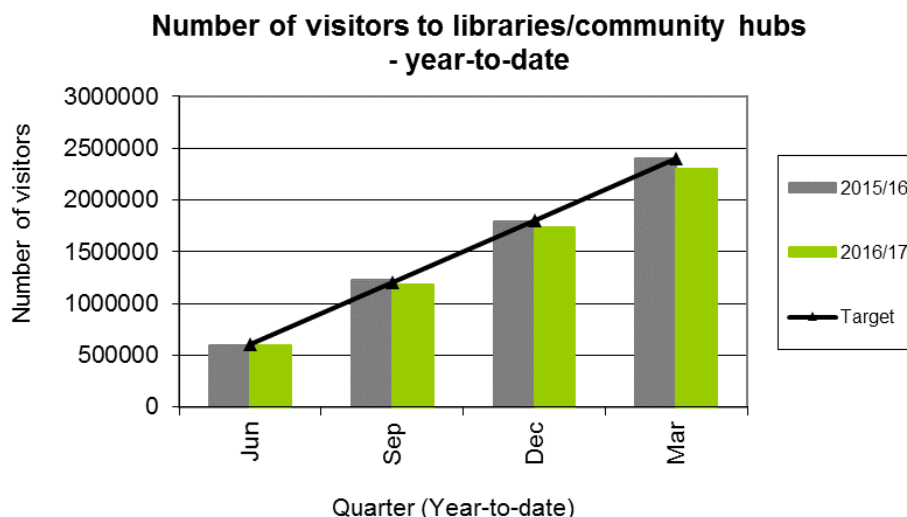
4.3 **Amber indicators (new information)**

This section covers indicators where there is some uncertainty at this stage as to whether or not year-end targets will be achieved.

a) **Highways & Community Infrastructure**

Library Services

- Number of visitors to libraries/community hubs - year-to-date (to March 2017)
Overall there has been a 4% drop in visits to libraries in the past 12 months to 2,303,593. This is due to a variety of factors including: a 406 hours reduction in library opening hours from 15/16 to 16/17; a 9% reduction in library events for children during the same period; a reduced book fund so readers are increasingly not able to find the book they want; and the introduction of a new reservation charge which has led to a 42% drop in reservations, from 219,804 in 15/16 to 128,582 in 16/17



4.4 Green Indicators (new information)

The following indicators are currently on-course to achieve year-end targets.

b) Highways & Community Infrastructure

Exploiting digital solutions and making the best use of data and insight

- Increase digital access to archive documents by adding new entries to online catalogue (to March 2017)

The figure to the end of March 2017 is 426,530, which means the year-end target of 417,000 has been achieved.

Some of the larger contingents to be added recently are the Histon Manorial records, Children in care institutional records, County Council departmental records relating to the children in care function, March Urban District Council building byelaw plans and the Fulbourn Hospital Collection.

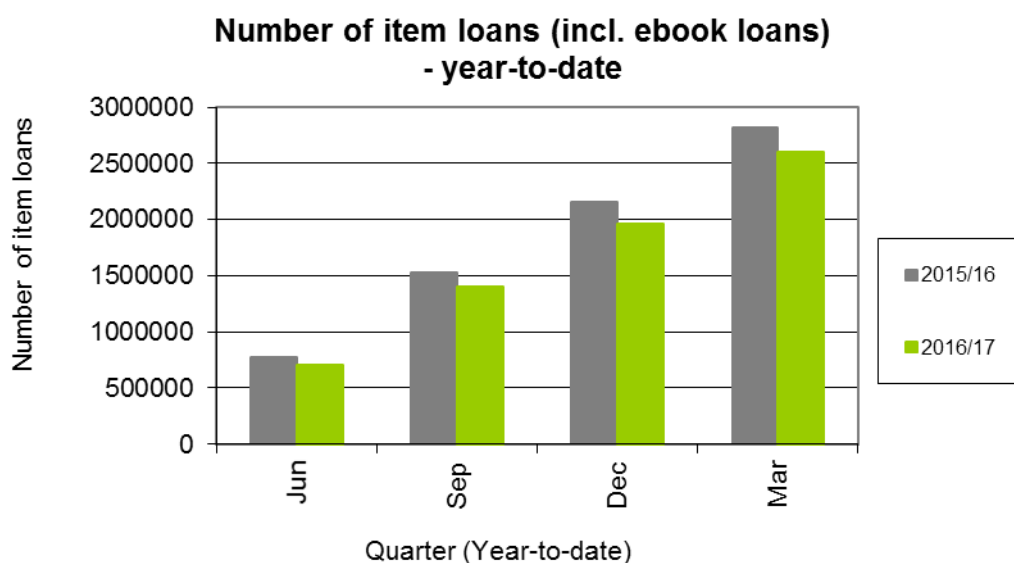
4.5 Contextual indicators (new information)

a) Highways & Community Infrastructure

Library Services

- Number of item loans (including eBook loans) – year-to-date (to March 2017)

The previous 12 months has seen a 1% drop in library opening hours as well as a 25.3% drop in the stock fund from £946,985k in 15/16 to £707,000k in 16/17. This change has had a significant impact on the public library service and contributed to a 7% drop in issues overall to 2,604,931 in 16/17 from 2,811,980 in 15/16. Specifically between 15/16 and 16/17 adult issues have dropped by 10% and children's issues have dropped by 4%. This has been further exacerbated by the introduction of fees to reserve items and this had created a drop of 58% in reservations by adult customers over the last year from 146,599 in 15/16 to 61,211 in 16/17.



Rogue Traders

- Money saved for Cambridgeshire consumers as a result of our intervention in rogue trading incidents - annual average (to March 2017)
£8,796 was saved as a result of our intervention in five rogue trading incidents during the fourth quarter of 2016/17. The annual average based on available data since April 2014 is £119,457.

It is important to note that the amounts recovered do not reflect the success of the intervention. In many cases the loss of a relatively small amount can have significant implications for victims; the impact can only be viewed on a case-by-case basis.

APPENDIX 1 – Service Level Budgetary Control Report

Service	Current Budget for 2017-18	Expected to end of May	Actual to end of May	Current Variance		Forecast Variance - Outturn May	
	£'000	£'000	£'000	£'000	%	£'000	%
Economy, Transport & Environment Services							
Executive Director	-62	155	143	-12	-8	+0	+0
Business Support	268	45	60	+15	+33	+0	+0
Direct Grants	-23,000	0	0	+0	+0	0	0
Total Executive Director	-22,794	200	203	+3	+2	+0	+0
Directorate of Infrastructure Management & Operations							
Director of Infrastructure Management & Operations	144	24	21	-3	-13	+0	+0
Waste Disposal including PFI	34,160	1,975	2,163	+187	+9	+0	+0
Highways							
- Road Safety	332	22	45	+23	+109	+0	+0
- Traffic Management	1,384	331	244	-87	-26	+0	+0
- Highways Maintenance	6,636	725	726	+1	+0	+0	+0
- Permitting	-1,333	-194	-165	+28	-15	+0	+0
- Winter Maintenance	1,975	0	-38	-38	+0	+0	+0
- Parking Enforcement	0	-573	-705	-132	+23	+0	+0
- Street Lighting	9,505	805	723	-82	-10	-44	-0
- Asset Management	537	62	82	+19	+31	+0	+0
- Highways other	584	286	257	-29	-10	+0	+0
Trading Standards	706	-2	-7	-5	+250	+0	+0
Community & Cultural Services							
- Libraries	2,930	522	515	-7	-1	-8	-0
- Archives	347	60	53	-7	-11	+3	+1
- Registrars	-541	-100	-26	+74	-74	+0	+0
- Coroners	780	99	79	-21	-21	+72	+9
Direct Grants	-6,635	0	0	0	+0	0	20
Total Infrastructure Management & Operations	51,512	4,043	3,964	-79	-2	+23	+0
Directorate of Strategy & Development							
Director of Strategy & Development	142	24	22	-1	-6	+0	+0
Transport & Infrastructure Policy & Funding	97	119	110	-9	-7	0	+0
Growth & Economy							
- Growth & Development	564	83	130	+47	+57	+0	+0
- County Planning, Minerals & Waste	304	-21	-84	-63	+296	+0	+0
- Historic Environment	53	35	91	+56	+162	+0	+0
- Flood Risk Management	329	18	12	-6	-34	-0	-0
- Highways Development Management	21	-21	-118	-97	+453	+0	+0
- Growth & Economy other	165	37	25	-12	-32	+0	+0
Major Infrastructure Delivery	0	0	55	+55	+18,440	+0	+0
Passenger Transport							
- Park & Ride	193	538	573	+35	+6	+38	+20
- Concessionary Fares	5,393	530	480	-50	-9	+0	+0
- Passenger Transport other	2,236	83	74	-9	-11	+0	+0
Adult Learning & Skills							
- Adult Learning & Skills	2,596	-104	-121	-17	+17	+0	+0
- Learning Centres	0	0	19	+19	+0	+0	+0
Direct Grants	-2,416	0	0	0	+0	0	0
Total Strategy & Development	9,678	1,319	1,267	-53	-4	+38	+0
Total Economy, Transport & Environment Services	38,397	5,562	5,434	-128	-2	+62	+0

MEMORANDUM							
Grant Funding	£'000	£'000	£'000	£'000	%	£'000	%
- Combined Authority funding	-23,000	0	0	+0	+0	+0	+0
- Street Lighting - PFI Grant	-3,944	0	0	+0	+0	+0	+0
- Waste - PFI Grant	-2,691	0	0	+0	+0	+0	+0
- Adult Learning & Skills	-2,416	0	0	+0	+0	+0	+0
Grant Funding Total	-32,051	0	0	0	0	0	+0

APPENDIX 2 – Commentary on Forecast Outturn Position

Number of budgets measured at service level that have an adverse/positive variance greater than 2% of annual budget or £100,000 whichever is greater.

Service	Current Budget for 2017/18 £'000	Current Variance		Variance	
		£'000	%	£'000	%
Waste Disposal incl PFI	34,160	+187	+9	0	0
The waste budget assumes the MBT is operating at 35% performance but in the first two months of the financial year performance was 28%, and also there is a significant pressure on 3 rd Party Income. However, we are currently reviewing the activity data in detail and will be able to report the actual in-year pressure, once known, in the June F&PR.					
Parking Enforcement	0	-132	+23	0	0
Income from City centre access cameras is currently ahead of budget but is not expected to continue at this level as drivers get used to the new restrictions.					
Coroners	780	-21	-21	+72	+9
Costs in this area has increased partly due to more deaths and also an increase in costs relating to Assistant Coroners.					
Concessionary Fares	5,393	-50	-9	0	0
There is likely to be a significant underspend on concessionary fares based on last year's level of activity but until the first set of performance data confirms the trend is ongoing service is forecasting a nil variance. The updated position will be reported in the June F&PR.					

APPENDIX 3 – Grant Income Analysis

The table below outlines the additional grant income, which is not built into base budgets.

Grant	Awarding Body	Expected Amount £'000
Grants as per Business Plan	Various	32,051
Non-material grants (+/- £30k)		0
Total Grants 2017/18		32,051

APPENDIX 4 – Virements and Budget Reconciliation

	£'000	Notes
Budget as per Business Plan	38,682	
Apprenticeship Levy	61	
Implementation of the Corporate Capacity Review	-698	
Allocation of Waste inflation	200	
Waste – allocation of demand funding to cover increased costs	170	
Non-material virements (+/- £30k)	-18	
Current Budget 2017/18	38,397	

APPENDIX 5 – Reserve Schedule

Fund Description	Balance at 31st March 2017 £'000	Movement within Year £'000	Balance at 31st May 2017 £'000	Yearend Forecast Balance £'000	Notes
General Reserve					
Service carry-forward	2,229	(762)	1,467	0	To be transferred to central reserve
Sub total	2,229	(762)	1,467	0	
Equipment Reserves					
Libraries - Vehicle replacement Fund	218	0	218	218	
Sub total	218	0	218	218	
Other Earmarked Funds					
Deflectograph Consortium	57	0	57	57	Partnership accounts, not solely CCC
Highways Searches	55	0	55	0	
On Street Parking	2,286	0	2,286	2,000	
Bus route enforcement	117	0	117	0	
Streetworks Permit scheme	98	0	98	0	
Highways Commuted Sums	620	0	620	620	
Community Transport	0	562	562	562	
Guided Busway Liquidated Damages	1,523	0	1,523	300	This is being used to meet legal costs if required.
Waste and Minerals Local Development Fra	59	0	59	59	
Proceeds of Crime	356	0	356	356	
Waste - Recycle for Cambridge & Peterborough (RECAP)	291	0	291	250	Partnership accounts, not solely CCC
Fens Workshops	61	0	61	61	Partnership accounts, not solely CCC
Travel to Work	211	0	211	211	Partnership accounts, not solely CCC
Steer- Travel Plan+	72	0	72	72	
Northstowe Trust	101	0	101	101	
Archives Service Development	234	0	234	234	
Other earmarked reserves under £30k - IMO	36	0	36	0	
Other earmarked reserves under £30k - S&D	(174)	0	(174)	0	
Sub total	6,003	562	6,565	4,883	
Short Term Provision					
Mobilising Local Energy Investment (MLEI)	669	0	669	0	
Sub total	669	0	669	0	
Capital Reserves					
Government Grants - Local Transport Plan	0	21,860	21,860	0	Account used for all of ETE
Government Grants - S&D	786	0	786	0	
Government Grants - IMO	0	0	0	0	
Other Capital Funding - S&D	5,788	(3,693)	2,095	5,000	
Other Capital Funding - IMO	699	40	739	200	
Sub total	7,274	18,207	25,480	5,200	
TOTAL	16,393	18,007	34,400	10,301	

APPENDIX 6 – Capital Expenditure and Funding

Capital Expenditure

2017/18						TOTAL SCHEME	
Original 2017/18 Budget as per BP	Scheme	Revised Budget for 2017/18	Actual Spend (May)	Forecast Spend - Outturn (May)	Forecast Variance - Outturn (May)	Total Scheme Revised Budget	Total Scheme Forecast Variance
£'000		£'000	£'000	£'000	£'000	£'000	£'000
	Integrated Transport						
200	- Major Scheme Development & Delivery	200	40	200	0	200	0
682	- Local Infrastructure Improvements	863	87	863	0	863	0
594	- Safety Schemes	594	-82	594	0	594	0
345	- Strategy and Scheme Development work	345	-21	345	0	345	0
2,362	- Delivering the Transport Strategy Aims	4,178	193	4,178	0	4,178	0
23	- Air Quality Monitoring	23	0	23	0	23	0
14,516	- Operating the Network	16,409	1,234	16,409	0	16,409	0
	Infrastructure Management & Operations Schemes						
6,269	- £90m Highways Maintenance schemes	6,000	-52	6,000	0	90,000	0
0	- Pothole grant funding	1,155	0	1,155	0	1,155	0
395	- Waste Infrastructure	395	0	395	0	5,120	0
2,060	- Archives Centre / Ely Hub	1,975	0	1,975	0	5,180	0
284	- Community & Cultural Services	592	0	592	0	1,540	0
0	- Street Lighting	736	0	736	0	736	0
0	- National Productivity Fund	2,890	0	2,890	0	2,890	0
	Strategy & Development Schemes						
4,370	- Cycling Schemes	4,852	233	4,852	0	17,598	0
850	- Huntingdon - West of Town Centre Link Road	1,510	0	1,510	0	9,116	0
25,000	- Ely Crossing	25,891	-734	25,891	0	36,000	0
0	- Chesterton Busway	0	3	0	0	0	0
1,370	- Guided Busway	1,200	124	1,200	0	148,886	0
11,667	- King's Dyke	6,000	50	6,000	0	13,580	0
0	- Wisbech Access Strategy	170	116	170	0	1,000	0
1,000	- Scheme Development for Highways Initiatives	1,000	0	1,000	0	0	0
100	- A14	142	29	142	0	25,200	0
0	- Soham Station	500	3	500	0	6,700	0
	Other Schemes						
3,590	- Connecting Cambridgeshire	4,217	0	4,217	0	36,290	0
0	- Other Schemes	200	0	200	0	200	0
75,677		82,037	1,223	82,037	0	423,803	0
-9,664	Capital Programme variations	-14,742		-14,742	0		
66,013	Total including Capital Programme variations	67,295	1,223	67,295	0		

The increase between the original and revised budget is partly due to the carry forward of funding from 2016/17, this is due to the re-phasing of schemes, which were reported as underspending at the end of the 2016/17 financial year. The phasing of a number of schemes have been reviewed since the published business plan and this has included a reduction in the required budget in 2017/18, for King's Dyke. This still needs to be agreed by GPC.

Two additional grants have been awarded since the published business plan, these being Pothole grant funding and the National Productivity fund.

The Capital Programme Board have recommended that services include a variation budget to account for likely slippage in the capital programme, as it is sometimes difficult to allocate this to individual schemes in advance. As forecast underspends start to be reported, these are offset with a forecast outturn for the variation budget, leading to a balanced outturn overall up to the point when slippage exceeds this budget. The allocations for these negative budget adjustments have been calculated and shown against the slippage forecast to date.

King's Dyke

Final land negotiations are concluding and some pressures are emerging which are being evaluated and quantified. A more detailed position will be presented to E&E Committee in August.

Ely Southern Bypass

The phasing of the work is being reviewed due to issues with service diversions and the profile of expenditure and any impact on costs. Once the outcome of this work is finalised it will be reported and reflected in the forecast position.

Capital Funding

2017/18				
Original 2017/18 Funding Allocation as per BP £'000	Source of Funding	Revised Funding for 2017/18 £'000	Forecast Spend - Outturn (May) £'000	Forecast Funding Variance - Outturn (May) £'000
17,991	Local Transport Plan	20,075	20,075	0
2,483	Other DfT Grant funding	18,635	18,635	0
19,231	Other Grants	10,367	10,367	0
4,827	Developer Contributions	5,636	5,636	0
18,742	Prudential Borrowing	17,747	17,747	0
12,403	Other Contributions	9,577	9,577	0
75,677		82,037	82,037	0
-9,664	Capital Programme variations	-14,742	-14,742	0
66,013	Total including Capital Programme variations	67,295	67,295	0

The increase between the original and revised budget is partly due to the carry forward of funding from 2016/17, this is due to the re-phasing of schemes, which were reported as underspending at the end of the 2016/17 financial year. The phasing of a number of schemes have been reviewed since the published business plan and this has included a reduction in the required budget in 2017/18, for King's Dyke.

Two additional grants have been awarded since the published business plan, these being Pothole grant funding and the National Productivity fund.

Funding	Amount (£m)	Reason for Change
Rolled Forward Funding	6.0	This reflects slippage or rephasing of the 2016/17 capital programme to be delivered in 2017/18 which will be reported in July 17 for approval by the General Purposes Committee (GPC)

Additional / Reduction in Funding (Specific Grant)	-9.0	Rephasing of grant funding for King's Dyke (-£1.0m), costs to be incurred in 2018/19. Grant funding for Ely Crossing now direct from DfT previously part of Growth Deal funding (-£8.3m)
Revised Phasing (Section 106 & CIL)	-0.8	Revised phasing of Guided Busway spend and receipt of developer contributions.
Revised Phasing (Other Contributions)	-3.2	Revised phasing of King's Dyke spend
Additional Funding / Revised Phasing (DfT Grant)	11.6	New Grant funding – National Productivity Fund (£2.9m) and Pothole Action Fund (£1.2m). Grant funding for Ely Crossing now direct from DfT previously part of Growth Deal funding (£11.3m)
Additional / Reduction in Funding (Prudential borrowing)	-3.2	Rephasing of grant funding for Ely Crossing reduced the requirement for borrowing (-£3.0m)

APPENDIX 7 – Performance (RAG Rating – Green (G) Amber (A) Red (R))

b) Highways & Community Infrastructure

Frequency	Measure	What is good?	Dir'n of travel	Latest Data		2017/18 Target	Current status	Year-end prediction	Comments
				Period	Actual				
Archives									
Quarterly	Operating Model Enabler: Exploiting digital solutions and making the best use of data and insight								
	Increase digital access to archive documents by adding new entries to online catalogue	High	↑	To 31-Mar-2017	426,530	417,000	G	G	<p>The figure to the end of March 2017 is 426,530, which means the year-end target of 417,000 has been achieved.</p> <p>Some of the larger contingents to be added recently are the Histon Manorial records, Children in care institutional records, County Council departmental records relating to the children in care function, March Urban District Council building byelaw plans and the Fulbourn Hospital Collection.</p>
Communities									
Yearly	Operating Model Outcomes: People lead a healthy lifestyle and stay healthy for longer & The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents								
	Proportion of Fenland and East Cambs residents who participate in sport or active recreation three (or more) times per week. Derived from the Active People Survey	High	↑	2015/16	22.7%	24.2%	A	A	<p>The indicator is measured by a survey undertaken by Sport England. The Council's target is for Fenland and East Cambridgeshire to increase to the 2013/14 county average over 5 years. Applying this principle to Sport England's revised baseline data gives a 5-year target to increase the participation rate in Fenland and East Cambridgeshire (combined) to 26.2%.</p> <p>The 2013/14 figure was 21.3% and the 2014/15 figure improved to 21.9%. The 2015/16 figure has continued the improving trend at 22.7% but is slightly off track.</p> <p>The 2014/15 figure has improved slightly to 21.9%, but is slightly off track.</p>
Library Services									

Frequency	Measure	What is good?	Dir'n of travel	Latest Data		2017/18 Target	Current status	Year-end prediction	Comments
				Period	Actual				
Quarterly	Operating Model Outcomes: The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents & People lead a healthy lifestyle and stay healthy for longer								
	Number of visitors to libraries/community hubs - year-to-date	High	↑	To 31-Mar-2017	2,303,952	2.4 million	A	A	Overall there has been a 4% drop in visits to libraries in the past 12 months to 2,303,593. This is due to a variety of factors including: a 406 hours reduction in library opening hours from 15/16 to 16/17; a 9% reduction in library events for children during the same period; a reduced book fund so readers are increasingly not able to find the book they want; and the introduction of a new reservation charge which has led to a 42% drop in reservations, from 219,804 in 15/16 to 128,582 in 16/17
	This indicator does not link clearly to a single Operating Model outcome but makes a key contribution across many of the outcomes as well as the enablers.								
	Number of item loans (including eBook loans) – year-to-date	High	↑	To 31-Mar-2017	2,600,639	Contextual		The previous 12 months has seen a 1% drop in library opening hours as well as a 25.3% drop in the stock fund from £946,985k in 15/16 to £707,000k in 16/17 This change has had a significant impact on the public library service and contributed to a 7% drop in issues overall to 2,604,931 in 16/17 from 2,811,980 in 15/16. Specifically between 15/16 and 16/17 adult issues have dropped by 10% and children's issues have dropped by 4%. This has been further exacerbated by the introduction of fees to reserve items and this had created a drop of 58% in reservations by adult customers over the last year from 146,599 in 15/16 to 61,211 in 16/17.	
Road and Footway maintenance									
Yearly	Operating Model Outcomes: The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents & People live in a safe environment								
	Principal roads where maintenance should be considered	Low	↔	2016/17	2.8%	3%	G	G	Final results indicate that maintenance should be considered on 2.8% of the County's principal road network. This has worsened from the 2015/16 figure of 2% but is better than the Council's 2016/17 target of 3%.

Frequency	Measure	What is good?	Dir'n of travel	Latest Data		2017/18 Target	Current status	Year-end prediction	Comments
				Period	Actual				
	Classified road condition - narrowing the gap between Fenland and other areas of the County	Low	↑	2016/17	2.68% gap	2% gap	R	R	Provisional figures show that there was a gap of 2.68% between Fenland and other areas of the County during 2016/17. The gap has narrowed slightly (improved) from the 2015/16 level of 2.9%, but it is above (worse than) the target of 2%. Fenland areas have soils which are susceptible to cyclic shrinkage and swelling. This is exacerbated in periods of unusually high or low rainfall and this movement can aggravate cracking and subsidence along roads in affected areas. Additional funding is being directed towards addressing this problem.
	Non-principal roads where maintenance should be considered	Low	↔	2016/17	6%	8%	G	G	Final results indicate that maintenance should be considered on 6% of the County's non-principal road network. This is the same as the figure for 2015/16 and better than the Council's 2016/17 target of 8%.
	Unclassified roads where structural maintenance should be considered	Low	↔	2016/17	33%	Contextual			The survey undertaken in 2015/16 covered 20% of the available network and targeted roads where condition was known to be deteriorating in order to identify those roads where maintenance may best be directed. However, this has had the effect of making the indicator for unclassified roads appear to worsen from 27% to 33%. In reality, the condition of unclassified roads is generally stable. The 2016/17 annual survey will look to address this anomaly.
Road Safety									
	Operating Model Outcomes: People live in a safe environment & The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents								

Frequency	Measure	What is good?	Dir'n of travel	Latest Data		2017/18 Target	Current status	Year-end prediction	Comments
				Period	Actual				
Monthly	Killed or seriously injured (KSI) casualties - 12-month rolling total	Low	↑	To 31-Dec-2016	342	<276	R	R	<p>The provisional 12 month total to the end of December is 342, compared with a 2016 year-end target of no more than 276, and the 2016 target has not been achieved.</p> <p>This year, police forces across the country have been introducing a new national Collision Recording and Sharing System (CRASH), which was implemented for Cambridgeshire in April.</p> <p>We have discussed our increase in reported serious injuries with the Head of Road Safety Statistics at the Department for Transport (DfT), who advised that there have been increases in recorded serious injury statistics across Great Britain by police forces who have adopted CRASH, and that this is likely to be due to better recording of injury type.</p> <p>We are waiting for outstanding data for all previous months in 2017 from the police and we are liaising with them to obtain this information.</p>
	Slight casualties - 12-month rolling total	Low	↑	To 31-Dec-2016	1754	Contextual			<p>There were 1,754 slight injuries on Cambridgeshire's roads during the 12 months ending December 2016 compared with 1,561 for the same period the previous year.</p> <p>We are waiting for outstanding data for all previous months in 2017 from the police and we are liaising with them to obtain this information.</p>
Rogue Traders									
Quarterly	Operating Model Outcomes: People live in a safe environment & The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents								
	Money saved for Cambridgeshire consumers as a result of our intervention in	High	↔	To 31-Mar-2017	£119,457	Contextual			£8,796 was saved as a result of our intervention in five rogue trading incidents during the fourth quarter of 2016/17. The annual average based

Frequency	Measure	What is good?	Dir'n of travel	Latest Data		2017/18 Target	Current status	Year-end prediction	Comments
				Period	Actual				
	rogue trading incidents. (Annual average)								on available data since April 2014 is £119,457. It is important to note that the amounts recovered do not reflect the success of the intervention. In many cases the loss of a relatively small amount can have significant implications for victims; the impact can only be viewed on a case-by-case basis.
Street Lighting									
Monthly	Operating Model Outcomes: People live in a safe environment & The Cambridgeshire economy prospers to the benefit of all Cambridgeshire residents								
	Percentage of street lights working	High	↔	To 28-Feb-2017	99.6%	99%	G	G	The 4-month average (the formal contract definition of the performance indicator) is 99.6% this month, and remains above the 99% target.
	Energy use by street lights – 12-month rolling total	Low	↑	To 28-Feb-2017	10.0 million Kwh	9.94 million Kwh	G	A	Actual energy use to February is 10.0 Kwh, and is now on target.
Waste Management									
Monthly	Although this indicator does not link directly to an Operating Model outcome, it has a large financial impact on the Council								
	Municipal waste landfilled – 12-month rolling average	Low	↔	To-31-Mar-2017	32.6%	Contextual			During the 12-months ending March 2017, 32.6% of municipal waste was landfilled.

Savings Tracker 2017-18

					Planned £000					Forecast £000										
					50	-2,026	-449	-431	-476	-3,382	-801	-540	-675	-1,114	-3,130	252				
Reference	Title	Description	Transformation Workstream	Investment 17-18 £000	Original Phasing - Q1	Original Phasing - Q2	Original Phasing - Q3	Original Phasing - Q4	Original Saving 17-18	Current Forecast Phasing - Q1	Current Forecast Phasing - Q2	Current Forecast Phasing - Q3	Current Forecast Phasing - Q4	Forecast Saving	Variance from Plan £000	Saving complete?	RAG	Direction of travel	Forecast Commentary	
B/R.6.001	Senior management review in ETE	A review of senior management in ETE to reduce cost and simplify structures, as well as sharing services with partners.	Workforce planning & development	0	-250	0	0	0	-250	0	0	0	-63	-63	187	No	Red	↓	Given timescales this will now only be a part year saving, but other efficiencies may make up the difference.	
B/R.6.101	Improve efficiency through shared county planning, minerals and waste service with partners	Reduced costs to the Council by sharing our services for minerals and waste planning applications with other Councils.	Commissioning	0	-25	0	0	0	-25	0	0	0	0	0	25	No	Red	↔	These savings were originally to be made by sharing services with the District Councils. The focus of sharing services is now with Peterborough City Council and work is underway to develop options. This saving will therefore be made later than originally anticipated and there is only likely at best to be a part year saving in 2017/18.	
B/R.6.102	Improve efficiency through shared growth and development service with partners	Reduced costs to the Council by sharing our services with other councils to process major planning applications and negotiate financial contributions from developers that can be used to pay for essential infrastructure such as schools and roads.	Commissioning	0	-25	0	0	0	-25	0	0	0	0	0	25	No	Red	↔	These savings were originally to be made by sharing services with the District Councils. The focus of sharing services is now with Peterborough City Council and work is underway to develop options. This saving will therefore be made later than originally anticipated and there is only likely at best to be a part year saving in 2017/18.	
B/R.6.002	Centralise business support posts across ETE	Costs will be reduced by centralising business support for the whole of ETE.	Workforce planning & development	0	0	0	-20	0	-20	0	0	0	-5	-5	15	No	Red	↓	This will follow on from the senior management review so not yet started	
B/R.6.103	Reduction in Concessionary fare payments	To remove £300k from the Concessionary Fare budget for 2017-18 following actual underspend of £300k for 2015-16 and projected underspend of £300k for 2016-17	Environment, transport & economy	0	-75	-75	-75	-75	-300	-75	-75	-75	-75	-300	0	No	Green	↔	Budget reduced to match reduction in demand	
B/R.6.202	Upgrade streetlights to LEDs	This will involve upgrading street light bulbs with LEDs where this offers good value for money, such as the energy savings are greater than the cost of conversion. This links to capital proposal B/C.3.109. This is the full year effect of a saving made in 2016-17.	Contracts, commercial & procurement	0	0	-14	0	0	-14	0	0	-14	0	-14	0	No	Green	↔	LED project plan for accrued street lights has been agreed with Balfour Beatty and Connect Roads. The contract change is being written and the deed of variation should be signed by the end of June. Once signed the order will be placed and work will take place in Q3.	
B/R.6.203	Rationalise business support in highways depots to a shared service	Move to shared service business support across the highway depots.	Workforce planning & development	0	-25	0	0	0	-25	-25	0	0	0	-25	0	Yes	Green	↑	Vacant post has been deleted from the establishment.	
B/R.6.205	Replace rising bollards with cameras	The rising bollards in Cambridge are old and becoming increasingly expensive to maintain. This will save the annual maintenance cost of the bollards.	Commissioning	0	-25	0	0	0	-25	-25	0	0	0	-25	0	Yes	Green	↑	Three sites went live in 16/17 (Emmanuel Rd, Bridge St & Regent St). Station Road is due to go live imminently and there is the potential for two further sites in 2017/18 (Silver St, Worts Causeway), both of which are being investigated further.	

Planned £000						Forecast £000					
50	-2,026	-449	-431	-476	-3,382	-801	-540	-675	-1,114	-3,130	252

Reference	Title	Description	Transformation Workstream	Investment 17-18 £000	Original Phasing - Q1	Original Phasing - Q2	Original Phasing - Q3	Original Phasing - Q4	Original Saving 17-18	Current Forecast Phasing - Q1	Current Forecast Phasing - Q2	Current Forecast Phasing - Q3	Current Forecast Phasing - Q4	Forecast Saving	Variance from Plan £000	Saving complete?	RAG	Direction of travel	Forecast Commentary
B/R.6.207	Highways Services Transformation	The Council is replacing its existing contract for highway works such as road maintenance and pot hole filling. This will allow us to achieve greater value for money and reduce costs significantly while improving service quality.	Contracts, commercial & procurement	0	0	-267	-267	-266	-800	0	-267	-267	-266	-800	0	No	Green	↔	The new highway contract has been procured, with Skanska the successful bidder. The contract starts on 1 July and the year one saving (nine months) of £800k has been captured through the price of the tender.
B/R.6.209	Reduce library management and systems support and stock (book) fund	One year reduction of £325k in spending on new library stock, together with further savings in deliveries and some IT systems support. Any further reduction in support would impact the ability of communities to take on their libraries and there is reputational risk in reducing the book fund.	Commissioning	0	-340	0	0	0	-340	-340	0	0	0	-340	0	Yes	Green	↑	expect to be able to deliver the saving through cutting back on new stock acquired
B/R.6.211	Road Safety projects & campaigns - savings required due to change in Public Health Grant	This is a removal of a one off Public Health grant. This has funded specific work and campaigns which have now ended and so the money is no longer required.	Commissioning	0	-84	0	0	0	-84	-84	0	0	0	-84	0	Yes	Green	↔	This funding has been removed and therefore this saving achieved. The Road Safety team is utilising opportunities through the PCC To continue certain activities.
B/R.6.213	Move to full cost recovery for non-statutory highway works	Communities and Parish/Town Councils can pay for additional highway works such as traffic calming and yellow lines that are extra to the Council's normal work. The Council delivers these works but has not in the past recovered the full cost of delivery of schemes and officer time in preparing them will be charged.	Commissioning	50	-100	0	0	0	-100	0	0	-50	-50	-100	0	No	Green	↔	New process has been drafted. Due to go to H&CI in July for approval. Subject to member approval, will launch late July to coincide with the next round of LHI applications. The £100k saving this year has been achieved by top slicing the budget. Therefore achievement of savings is not dependent on performance of the new scheme this financial year.
B/R.6.214	Street Lighting Synergies	Cambridgeshire County Council can make an £8m joint saving with Northamptonshire if both parties enter the same Street Lighting PFI contract. In order for this to happen, CCC will have to pay a Break Cost estimated to be £800k. This cost can be paid upfront or over time. It is proposed that CCC pays the Break Cost upfront.	Environment, transport & economy	0	-32	-32	-32	-33	-129	-32	-32	-32	-33	-129	0	No	Green	↔	"£800k investment in 16-17 The streetlighting synergies were signed in March 2017, but the full realisation of the saving will not be achieved until year end, with the savings made throughout the year"

Planned £000						Forecast £000					
50	-2,026	-449	-431	-476	-3,382	-801	-540	-675	-1,114	-3,130	252

Reference	Title	Description	Transformation Workstream	Investment 17-18 £000	Original Phasing - Q1	Original Phasing - Q2	Original Phasing - Q3	Original Phasing - Q4	Original Saving 17-18	Current Forecast Phasing - Q1	Current Forecast Phasing - Q2	Current Forecast Phasing - Q3	Current Forecast Phasing - Q4	Forecast Saving	Variance from Plan £000	Saving complete?	RAG	Direction of travel	Forecast Commentary	
B/R.6.215	Contract savings for the maintenance of Vehicle Activated signs (VAS) and traffic signal junctions/crossings	A new 5 year contract is now in place to provide maintenance for traffic signalled junctions, crossings and vehicle speed activated signs (VAS). The proposed saving is realised from sharing fixed contract overhead costs with neighbouring authorities and the reallocation of risk. Funding will no longer be available to replace VAS signs if they cannot be repaired unless they are safety critical.	Contracts, commercial & procurement	0	-17	-17	-18	-18	-70	-17	-17	-18	-18	-70	0	No	Green	↔	The new contract will be paid for on a monthly basis and therefore the total saving will be achieved at year end	
B/R.6.302	Renegotiation of the Waste PFI contract.	The Council has a contract with Amey to process and recycle the waste collected across Cambridgeshire. Through negotiation, the Council is seeking to reduce the cost of this contract.	Contracts, commercial & procurement	0	-920	0	0	-80	-1,000	-100	-100	-200	-600	-1,000	0	No	Green	↔	Savings of approximately £500,000 have been identified that will be delivered in this financial year. It is anticipated that further savings will come on stream in year that will contribute to achieving the overall £1m annual target.	
B/R.7.100	Increase income from digital archive services	The Council currently charges for digital versions of documents from our archive. As more documents are being digitised each year, the Council expects income to increase.	Environment, transport & economy	0	-5	0	-15	0	-20	0	-5	-15	0	-20	0	No	Green	↔	This saving was predicated on better facilities available in new Ely archives centre, which is significantly delayed. However some additional funding should be forthcoming from deals with TNA and Ancestry, which should go some way to meeting the target - aiming for -£20k	
B/R.7.109	Introduce a charge for commercial events using the highway	Large commercial events that require closures of roads such as cycling and running races currently cost the council money to administer. In future, the cost of the Council's work will be recovered. This will not impact on small community events.	Environment, transport & economy	0	-2	-3	-3	-2	-10	-2	-3	-3	-2	-10	0	No	Green	↔	This charge was introduced in 16/17 and subject to events continuing to be staged on the public highway then this saving will be achieved.	
B/R.7.110	Increase highways charges to cover costs	This relates to a wide range of charges levied for use of the highway such as skip licences for example. All charges have been reviewed across ETE. Further targeted review and monitoring of charges will continue to ensure they remain relevant.		0	0	-1	-1	-1	-2	-5	-1	-1	-1	-2	-5	0	No	Green	↔	Fees & Charges increased inline with inflation for statutory services, whilst discretionary functions have been reviewed and increased accordingly.
B/R.7.111	Introduce a highways permitting system	This proposal will allow the Council to better control works on our roads being carried out by utility and other commercial companies through the use of permits. This will mean better coordination of road works, reduced delays and the ability to fine companies when they do not work efficiently on our roads.	Environment, transport & economy	0	-100	-40	0	0	-140	-100	-40	0	0	-140	0	No	Green	↔	Permitting scheme implemented Oct 16. Already seeing overachievement in the first six months. Although likely to plateau and drop off slightly as the scheme beds in, the income target will be achieved.	

HIGHWAYS AND COMMUNITY INFRASTRUCTURE POLICY AND SERVICE COMMITTEE AGENDA PLAN

Published 3rd July 2017

Cambridgeshire
County Council

Notes

Committee dates shown in bold are confirmed.

Committee dates shown in brackets and italics are reserve dates.

The definition of a key decision is set out in the Council's Constitution in Part 2, Article 12.

* indicates items expected to be recommended for determination by full Council.

+0 indicates items expected to be confidential, which would exclude the press and public. Additional information about confidential items is given at the foot of this document.

Draft reports are due with the Democratic Services Officer by 10.00 a.m. eight clear working days before the meeting.

The agenda dispatch date is six clear working days before the meeting.

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
11/07/17	Finance and Performance Report	Chris Malyon	Not applicable	28/06/17	30/06/17
	Introduction of an application fee for Local Highways Improvement applications	Andy Preston	2017/032		
	Network Rail's Transport & Works Act Order Application to close level crossings	Camilla Rhodes	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
<i>[15/08/17] Provisional Meeting</i>				02/08/17	04/08/17
12/09/17	Finance and Performance Report	Chris Malyon	Not applicable	30/08/17	01/09/17

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
	Cambridge Residents' Parking Schemes Delivery Plan	Sonia Hansen	2017/033		
	Trading Standards Update – Annual Report	Peter Gell/ Christine May	Not applicable		
	Library Service Transformation	Christine May	Not applicable		
	Business Planning	Graham Hughes	Not applicable		
	Risk Management	Tamar Oviatt-Ham	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
10/10/17	Finance and Performance Report	Chris Malyon	Not applicable	27/09/17	29/09/17
	Procurement of a new Real Time Passenger Information Contract	Sonia Hansen	2017/034		
	Business Planning	Graham Hughes	Not applicable		
	Library Service Transformation	Christine May	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
14/11/17	Finance and Performance Report	Chris Malyon	Not applicable	01/11/17	03/11/17
	Road Safety across Cambridgeshire	Andy Preston/Matt Staton	Not applicable		
	Business Planning	Graham Hughes	Not applicable		
	Safety Camera Digitalisation	Matt Staton	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
05/12/17	Finance and Performance Report	Chris Malyon	Not applicable	22/11/17	24/11/17
	Business Planning	Graham Hughes	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
16/01/18	Finance and Performance Report	Chris Malyon	Not applicable	03/01/18	05/01/18
	Business Planning	Graham Hughes	Not applicable		
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
<i>[13/02/18] Provisional Meeting</i>	Highway Contract Monitoring	Richard Lumley	Not applicable	31/01/18	02/02/18
13/03/18	Finance and Performance Report	Chris Malyon	Not applicable	28/02/18	02/03/18
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		
	Highways Infrastructure Assets Management Plan 2017/18	Richard Lumley/ Mike Atkins	Not applicable		
	Highways Infrastructure Assets Management Plan 2017/18	Richard Lumley/ Mike Atkins	Not applicable		
	Highways Contract 6 monthly update	Richard Lumley	Not applicable		
<i>[10/04/18] Provisional Meeting</i>				28/03/18	30/03/18
22/05/18	Finance and Performance Report	Chris Malyon	Not applicable	09/05/18	11/05/18
	Agenda Plan/Appointments to Outside Bodies/Training Plan	Dawn Cave	Not applicable		

July 2018: Annual review of the Highways Contract **September 2018:** Highway Contract Monitoring (R Lumley)

Notice made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in compliance with Regulation 5(7)

1. At least 28 clear days before a private meeting of a decision-making body, public notice must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.

Forward plan reference	Intended date of decision	Matter in respect of which the decision is to be made	Decision maker	List of documents to be submitted to the decision maker	Reason for the meeting to be held in private

Decisions to be made in private as a matter of urgency in compliance with Regulation 5(6)

3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chairman of the Council.
4. Compliance with the requirements for the giving of public notice has been impracticable in relation to the business detailed below.
5. The Chairman of the Council has agreed that the Committee may hold a private meeting to consider the business referred to in paragraph 4 above because the meeting is urgent and cannot reasonably be deferred for the reasons stated below.

Date of Chairman's agreement	Matter in respect of which the decision is to be made	Reasons why meeting urgent and cannot reasonably be deferred

For further information, please contact Quentin Baker on 01223 727961 or Quentin.Baker@cambridgeshire.gov.uk

HIGHWAYS & COMMUNITY INFRASTRUCTURE COMMITTEE TRAINING PLAN

Ref	Subject	Desired Learning Outcome/Success Measures	Priority	Date	Responsibility	Nature of training	Cllrs Attending	Percentage of total
1.	Waste – visit to treatment plant at Waterbeach			12/07/17 (9am-1pm) Waterbeach		Visit		
2.	The budget and ETE business planning process	<ul style="list-style-type: none"> • An overview of the Council's budget and how it works in ETE • A understanding of the business planning process and cycle • The committee process for approving, delivering and monitoring business cases and transformation ideas 		09/08/17 (10am-12) KV Room	Amanda Askham			
3.	Highways - minibus tour to see work out on the network including dragon patcher					Tour/visits		
4.	Highways – depot open days					Visit		
5.	Community and Cultural Services – 'package tour' to see libraries, archives, registration and					Tour/visits		

Ref	Subject	Desired Learning Outcome/Success Measures	Priority	Date	Responsibility	Nature of training	Cllrs Attending	Percentage of total
	coroner services working closely together in Huntingdon							
6.	follow up visits to (4) e.g. coroner inquest, citizenship ceremony, local libraries/LAPs					Visits		
7.	Trading Standards – diary dates to accompany various campaigns					Visits		

Updated 03/07/17