

Agenda Item No. 4(c)

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER - HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE

17 May 2018

Report of the Strategic Director – Economy, Transport and Environment

AMENDMENT TO VEHICLE CROSSING PROVISION ON ADOPTED
HIGHWAY

(1) **Purpose of Report** To seek approval for the proposal to amend current service provision by ceasing to provide (constructing) vehicle crossings upon request on adopted highways and to streamline processes to manage and approve vehicle crossing works where requested.

(2) **Information and Analysis** A vehicle crossing, often referred to as a dropped kerb, provides the legal means to allow a resident to access their property safely over the adopted highway using a car or other domestic vehicle.

Householders do not automatically have the right to have a crossing and each site is assessed individually against prescribed standards. Any approvals are managed by Derbyshire County Council as Highway Authority.

Currently, the Economy, Transport and Environment Department not only manages approvals but, in addition, offers to construct vehicle crossings using in-house direct labour.

The Council has no legal duty to provide a vehicle crossing service on adopted highways, only to approve the works themselves.

Section 184 of the Highways Act 1980 says “*any person may request the highway authority for a highway maintainable at the public expense to execute such works as are specified in the request for constructing a vehicle crossing over a footway or verge in the highway, and the authority may approve the request with or without modification, or may propose alternative works or reject the request*”.

The provision of the Council undertaking vehicle crossing works is not statutory and the Council is not allowed to bring in an income (profit) from works undertaken.

As part of a strategic overview in providing the vehicle crossing service, two options have been considered, when looking at the future direction of the service:

- ceasing to provide the works service, or
- continuing to provide the service with a redesign to ensure consistency and efficiency.

This report recommends that the Department ceases undertaking the construction aspect of vehicle crossing works and moves to a process where it approves the crossing but requires the householder to use a private approved contractor for the works instead of the County Council.

The rationale behind this is that ceasing to provide a non-statutory service would seem to be the best and most efficient use of the Council's resources that are best focused on more urgent priorities. If approved, work will be needed on reviewing public information, the website, an approved contractor list using Derbyshire County Council Trusted Trader scheme, and ensuring the licensing process covers costs. However, this work will lead to a more cost efficient process for the Council.

Moving to a 'licence' only model will allow the Department to review/realign area based operational resources to other programmed priorities and reactive works which have a higher profile and benefit the community as a whole.

The Council would still be required to 'licence' any work being done and undertake a final inspection to ensure works are undertaken to standard, so this does not remove all costs and administration, but it will make the budget more controllable and enable the re-focussing of teams in areas to support more publicly requested services, such as repairing potholes, whilst also reducing an uncontrolled financial burden upon the Highway Maintenance Revenue budget.

Ceasing to provide the works on request would also mean that the Council no longer has to engage time and expense in chasing up or writing off debt should a customer's circumstances change.

Any changes to provision will still be flexible and not place rigidity upon the Council to the extent it no longer has discretion to undertake the works if appropriate, for example as part of a highways scheme or as part of a enforcement action to rectify illegal works within the highway.

(3) Financial Considerations The Authority currently charges an administration charge of £10 for vehicle crossings works undertaken by the in-house direct labour and a charge of £50 is levied for vehicle crossing works undertaken by others (private contractors) to cover the cost of inspection of

the works and administration. The £10 fee will cease to be recovered if we cease to construct vehicle crossings but the likelihood is the number constructed by others will increase off-setting the loss of this income. The charges for the administration and inspection works undertaken by others will be reviewed to reflect revised processes, and included in Schedule of Fees and Charges approved on an annual basis.

(5) **Social Value Considerations** There are circumstances whereby social services request vehicle crossings to assist mobility/health issues. Any changes to the provision will still be flexible so that, if appropriate, such works could still be undertaken for social services.

It is proposed that the approved Contractor list for constructing vehicle crossings will be held within the Derbyshire County Council Trusted Trader Scheme, and that this will help local people find local traders which agree to construct vehicle crossings at a fair price and commit to providing good customer service.

Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(6) **Key Decision** No.

(7) **Call-in** Is it required that call-in be waived in respect of the decisions proposed in the re report? No.

(8) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Alan Tulloch, extension 38556.

(9) **OFFICER'S RECOMMENDATIONS** That:

9.1 The Cabinet Member approves the proposal to amend current service provision by ceasing to provide (constructing) vehicle crossings upon request on adopted highways, and to streamline processes to manage and approve vehicle access works where requested.

9.2 The revised procedures be implemented from 1 June 2018.

Mike Ashworth
Strategic Director – Economy, Transport and Environment