

Report to District Development Control Committee

Date of meeting: 7 April 2009

Subject: Highway Authority Service Level Agreement

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Committee Secretary: S Hill Ext 4249**



**Epping Forest
District Council**

Recommendation(s):

That the Head of Planning and Economic Development be authorised to enter into the 'Highway Authority Development Management Service Level Agreement with District & Borough Local Planning Authorities' with Essex County Council Highway Authority

Report Detail

Background

1. At present there is no Service Level Agreement (SLA) or operating protocol between this council and the highway authority on matters relating to planning and highway development control or management.
2. This has led to a certain amount of interpretation, misunderstanding and confusion, which in the past has had a resultant impact on timescales for responses from ECC Highways, quality of information provided and relationships between authorities.
3. The purpose of the SLA is to create a level playing field of understanding between the authorities where roles and responsibilities are clearly defined and everyone knows what to expect from each other. In reality it is formalising to some extent what is now occurring in any case, but in this way, it ought to lead to a more efficient process on both sides.

Detail

4. The attached document is the conclusion of various drafts discussed with the Essex Planning Officers Association over the last year resulting in this final version. It is therefore being rolled out across all the Essex authorities, not just this council and therefore is not being presented as a draft for revision to members.
5. Without repeating the contents of the attached document, there is now clarity on a number of key issues:
 - Recognition of performance indicators in respect of the time frame to make decisions on planning applications and therefore a commitment from Essex Highways Authority to provide a formal response to the Planning Officers within 21 days of being notified.

- Attendance of Highway Officers at pre-planning application meetings when required.
- Attendance at Planning Committees, when requested. (in recent months, this has already taken place at Area South and Area East meetings).
- Monitoring of highway and transportation related to legal agreements to be done by the Highway Authority and financial contributions will be spent in accordance with the requirements of the legal agreement.
- Present and defend the highway case at all types of appeals, unless the planning application has been refused on highway grounds against Highway Authority recommendation or where not consulted (though where not consulted, the Highway Authority will provide support and assistance in preparing appeal statements).
- Generally, the Highway Authority will not normally pay towards appeal costs awarded against the Council on highway grounds, but cost sharing on a case by case basis, where highway matters would be the only reason for objection and subsequent appeal, can be agreed.
- A commitment to assist with the resolution of highway related enforcement issues.

Summary

6. The benefit of a SLA is that it clearly defines the relationship between this council and Essex County Council on highway matters. There are no extra cost implications for this council as their service is part of the Highway Authorities statutory function with the Essex authorities.

7. Adherence to the SLA will ensure that this Council's highway advice needs are identified and defined, areas of possible conflict are reduced and that there is a framework of understanding and dialogue between the two parties. Development Control Planning Officers consider there have been difficulties at times in liaising with Highway Officers since the area highways office was relocated out of the Civic Centre to their present offices in Harlow a few years ago, and that this SLA goes a long way to re-establishing clearer and more frequent consultation.

8 The Committee is therefore requested to agree for the Head of Planning and Economic Development to sign and enter into the SLA.