

Report to the Council

Committee: Cabinet

Date: 28 April 2009

Portfolio Holder: Councillor Richard Bassett

Item: 11

1. ESSEX LOCALISM INITIATIVE - LOCAL HIGHWAYS PANEL

Recommending:

- (1) That a Highways Panel be established from the commencement of the 2009/10 municipal year;**
 - (2) That the officers be authorised to draw up a Constitution for the Panel based on the principles set out in the Essex County Council's Localism Manual;**
 - (3) That 11 District Council Members be appointed to the Panel in accordance with pro-rata rules at the Annual Council meeting in May 2009;**
 - (4) That the officers be authorised to make the necessary consequential changes to the Constitution; and**
 - (5) That the structure and operation of the Panel be reviewed in 12 months**
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Introduction

1. Since the Highways Agency was brought to an end in April 2005, the amount of influence that district and local council members have had in respect of highways matters has been very limited. There has been a facility to comment upon the County Council's works programmes, but this process has tended to be somewhat late in the overall planning process with little scope available to affect local priorities. The County Council's Highways and Transportation Portfolio Holder, Councillor N Hume, has recognised this situation and as part of the County Council's overall localism agenda has asked the district councils if they wish to be more involved in the delivery of local Highway Services.
2. The County Council has already undertaken three pilot localism schemes, in Brentwood, Colchester and Castle Point and these have been considered a success. As a result the County Council is seeking to expand the scheme across the County as a whole and this Council is being asked to engage in the process from May 2009.
3. The County Council has produced a manual for Highways Localism which suggests how the process might be managed locally, including the creation of a Highways Panel and its composition.
4. We fully support the suggestion that the District Council should be more involved in the delivery of local Highways Services and we are recommending that a Panel be established in accordance with the principles set out in the County Council's Localism Manual.
5. The establishment of a Highways Panel will require changes to the Council's Constitution as the County Council's Localism Manual suggests that the Panel should

comprise of at least 10 members, 25% of whom should be non-district council members. It is also suggested that membership should be for a minimum of three years, that the Panel quorum should be 50% of its membership and that meetings should be held in public.

Composition of the Panel

6. We are proposing that the number of District Councillors serving on the Panel should be 11, divided among the political groups in accordance with pro rata rules and representing the three geographical areas utilised by Area Plans Sub-Committees and the Safer, Cleaner, Greener initiative (i.e. East, West and South):
7. The current political make-up of the Council would result in a Panel comprising of:

Conservative Group - 7 members;
Liberal Democrats Group - 2 members;
Loughton Residents Association Group - 1 member; and
BNP Group - 1 member.
8. In accordance with the County Council's guidance of at least 25% of the total membership being non-district council members we are proposing that there should be three Parish/Town Council representatives on the Panel. This suggestion was discussed at the last meeting of the Local Councils' Liaison Committee and it was agreed that the Epping Forest Branch of the Essex Association of Local Councils would make these appointments.
9. We are recommending that the Panel should be chaired by the Civil Engineering and Maintenance Portfolio Holder who will be counted as one of the nominees of the appropriate political group. We are proposing that a Vice-Chairman be appointed from among the other District Councillors. We are also proposing that only District Council Members of the Panel will have voting rights.

Meetings

10. In addition to the members of the Panel, we are proposing that representatives of Parish and Town Councils should be able to attend Panel meetings to speak, provided that they have given advance notice of matters they wish to raise so that an appropriate item can be included on the agenda for the meeting of the Panel. Similarly we are suggesting that District Councillors who are not members of the Panel should be able to attend and speak on the same basis.
11. As the proceedings of the Panel are likely to be of interest we are proposing that the meetings should be open to the press and public and held in the evenings at the Civic Offices. We are further proposing that the agenda and minutes of the Panel should be circulated to each District Councillor and to each Parish/Town Council.
12. We are recommending that a minimum of six meetings be held each year and that Essex County Council Highways should nominate a Lead Officer to support the Panel. We envisage the County Council Portfolio Holder for Highways and Transportation attending meetings when necessary.
13. Since this is a new arrangement and we want to ensure that they meet the requirements of Members, we are recommending that the structure and operation of the Panel be reviewed after 12 months

Objectives

14. The objectives of the Panel will be:

- (a) to consider proposals for funding (including joint funding) submitted by constituted bodies such as the District Council, local councils, residents associations, parish meetings or similar bodies that represent the local community;
- (b) to consult the public on its proposals and priorities using existing or new networks;
- (c) to oversee and set priorities in terms of localism funded projects and the work of the Highway Rangers;
- (d) to make recommendations for project approval to the County Council Cabinet Member for Highways and Transportation;
- (e) to consider progress on the processing and delivery of approved projects through reports received from the County Council's Area Highways Manager or their representative;
- (f) to consider issues that arise through the Highway Surgeries and as reported by the County Council's Area Highways Manager or their representative;
- (g) to liaise with the County Council at the relevant Area Highways Office as the point of contact between the Panel and the County Council

Need and Implications:

- 15. The community sees the condition of the highways within the District as a key issue. The introduction of the Panel will provide a much desired ability for the community to express, through its elected representatives, its concerns, aspirations and priorities for the use of highway resources within the District.
- 16. There is a risk that the initiative will be seen as a slightly different version of the former Agency Agreement in that whilst the District and Parish/Town Councils through the Panel will be agree to seek to influence the County Council's use of resources locally, the final decision will rest with the local Highway Managers. This could result in the District Council being seen as responsible for decisions made elsewhere. However, we consider that this risk is sufficiently outweighed by the benefits of much closer working with the County Council and its officers, and the ability to influence priorities.

Recommendation:

- 17. Accordingly we recommend as set out at the commencement of this report.