

Highways and Transport Committee

Agenda

Date:	Thursday, 22nd September, 2022
Time:	10.30 am
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings will be uploaded to the Council's website

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To note any apologies for absence from Members.

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. Minutes of Previous Meeting (Pages 3 - 10)

To approve as a correct record the minutes of the meeting held on 21st July 2022.

4. Public Speaking/Open Session

In accordance with paragraph 2.24 of the Council's Committee Procedure Rules and Appendix on Public Speaking, set out in the [Constitution](#), a total period of 15 minutes is allocated for members of the public to put questions to the committee on any matter relating to this agenda. Each member of the public will be allowed up to two minutes each to speak, and the Chair will have discretion to vary this where they consider it appropriate.

Members of the public wishing to speak are required to provide notice of this at least three clear working days' in advance of the meeting.

5. **Speed Management Strategy, Vehicle Restraint System Strategy and Skid Resistance Strategy** (Pages 11 - 180)

To consider a report which recommends the adoption of the Cheshire East Speed Management Strategy, the Cheshire East Vehicle Restraint System Strategy and the Cheshire East Skid Resistance Strategy.

6. **Notice of Motion: 'Safer School Streets'** (Pages 181 - 190)

To consider a report which responds to the Notice to Motion.

7. **It's Not Just Water** (Pages 191 - 276)

To consider a report which highlights the findings of the former Environment and Regeneration Overview and Scrutiny Committee's Working Group.

8. **Review of Highways Ward Member Budget Scheme** (Pages 277 - 288)

To consider a report which proposes a policy for a revised ward member budget scheme.

9. **Work Programme** (Pages 289 - 290)

To consider the Work Programme and determine any required amendments.

10. **Minutes of Sub-Committees** (Pages 291 - 298)

To receive the minutes of the meeting of the Public Rights of Way Sub-Committee on 1st August 2022.

11. **Reporting of Officer Delegated Decisions**

To note any officer decision records.

THERE ARE NO PART 2 ITEMS

Membership: Councillors S Akers Smith, M Benson, C Browne (Chair), L Braithwaite, B Burkhill, L Crane (Vice-Chair), H Faddes, A Gage, L Gilbert, C Naismith, M Sewart, D Stockton and P Williams

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Highways and Transport Committee**
held on Thursday, 21st July, 2022 in the The Capesthorpe Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor C Browne (Chair)
Councillor L Crane (Vice-Chair)

Councillors S Akers Smith, M Benson, L Braithwaite, B Burkhill, H Faddes,
A Gage, L Gilbert, C Naismith, M Sewart, D Stockton and P Williams

OFFICERS IN ATTENDANCE

Mrs S Baxter (Democratic Services Officer), Mr M Davenhill (Contract Asset Manager), Mr C Hindle (Head of Infrastructure), Mr R Hibbert (Head of Strategic Transport and Parking), Miss H Kirkham (HS2 Programme Director), Mr T Moody (Director of Highways & Infrastructure), Mrs S Oakden (Principal Accountant), Ms J Traverse (Executive Director - Place) and Mrs M Withington (Principal Lawyer)

10 APOLOGIES FOR ABSENCE

There were no apologies for absence.

11 DECLARATIONS OF INTEREST

In the interest of openness in respect of item 9 - National Bus Strategy - Enhanced Partnership Plan and Scheme, Mandy Withington, the Principal Lawyer, declared that her son was employed by a local bus company, but he was junior member of the company and had no involvement in the decisions of the company.

12 MINUTES OF PREVIOUS MEETING**RESOLVED**

That the minutes of the meeting held on 16 June 2022 be approved as a correct record and signed by the Chair.

13 PUBLIC SPEAKING/OPEN SESSION

Councillor D Murphy attended the meeting and spoke in respect of agenda item 5-Notice of Motion 'Car Free Days and Parklets'. He stated that the purpose of the motion was to encourage people to walk and cycle by

supporting such initiatives like World Car Free Day scheduled to take place on 22 September 2022.

A statement was read out by Mrs S Baxter, the Democratic Services Officer on behalf of Councillor R Moreton in respect of agenda item 6-Winter 2021/22 End of Season Review. Within his statement Councillor R Moreton explained his reasons for putting forward a motion at the recent full Council meeting, which requested that the Council, prior to carrying out the next planned review of the winter service gritting programme for the 2022/23 season and in advance of any changes to secondary gritting routes, the scoring assessments threshold for inclusion in the winter Gritting Programme should be reconsidered. Further to this he was of the opinion the scoring assessment criteria needed improving to include all school routes and areas which had steep hills and inclines, such as Timber's brook, Buglawton, Mossley and other areas within Congleton.

Councillor R Bailey attended the meeting and spoke in respect of agenda item 6-Winter 2021/22 End of Season Review. She thanked officers and the Committee for the work undertaken on the Winter 2021/22 End of Season Review. She requested that Members support the officer recommendation to reinstate Coole Lane Audlem to the winter gritting programme. Further to this she referred to the top up pilot scheme and explained she had met with all her parishes and hoped that they had responded to the Council directly. She advised that the main view of the parish of Audlem was that if engagement in a top up pilot scheme took place there could be risks associated with liability. She hoped this would be overcome for those areas who wanted winter gritting but where the finance was unavailable.

14 NOTICE OF MOTION 'CAR FREE DAYS AND PARKLETS'

Consideration was given to a report responding to the Notice to Motion raised at Council relating to the opportunities for town or parish councils and local communities to promote initiatives, as part of World Car Free Day, entitled "Car Free Days and Parklets".

The Committee generally supported the Notice of Motion put forward which encouraged people to change their mode of transport for one day. It was pointed out clear the motion did not prevent those people who needed to access a car from doing so.

A point was raised that any communication needed to make it clear to the public how any requests for put forward would be dealt with. Officers reassured the Committee that if an event promoter could not demonstrate that they had engaged with the community then a street closure notice would not be granted.

Councillor A Gage expressed a number of reservations about the motion submitted. He advised he had spoken to a number of individuals, none of whom had responded positively to the initiatives. He felt that the Committee were being expected to hand over a level of power to officers

with very little control and therefore could not support the recommendation.

In response the Chair confirmed that the powers Councillor A Gage had referred to were already in existence and that the Committee were merely being asked to approve a communication plan making it clear to those individuals who wanted to set up a parklet or road closure as the process to be followed in order to achieve this.

Councillor L Crane requested that the Committee support the motion subject to a minor amendment to the last sentence contained at paragraph 6.4.2 of the report which replaced the words 'on the 22nd September 2022' with the following the words 'World Car Free Day 2023. To be brought back to this Committee for review' in order for Members to be given the opportunity to debate the matter further.

RESOLVED

That the Highways and Transport Committee endorse the proposed response to the Notice of Motion (subject to the inclusion of the amendment as outlined above) which would be made available on the Council's highways webpage.

15 WINTER 2021/22 END OF SEASON REVIEW

Consideration was given to a report updating Members on the implementation of the revised policy for the winter gritting route network in the Borough during the winter of 21/22.

Members thanked officers for their hard work in what had been a long process to get to the stage where officers were now able to put forward final recommendations for approval by the Committee in respect of the winter treatment network for 2022/23.

Councillor D Stockton proposed an amendment to the recommendations to include a further recommendation under paragraph 3.1 of the report as follows:-

'The inclusion of Lacey Green, Wilmslow into the 2022/23 treated network'. This amendment was seconded, debated and a vote was taken in which the amendment was lost.

Councillor A Gage commented that the winter gritting network should be expanded in order to safeguard against the potential for loss of life and he expressed his surprise that Coole Lane had not been included previously within the winter gritting network. In addition he requested further reconsideration should be given by officers to those routes with tight bends which he felt were as important and should be treated with the same priority as those routes with inclines and declines. The Chair

responded that he was sure all Members would advocate expanding the gritting network, however any decision relating to this matter would form part of the budget setting process and therefore outside the remit of the Committee.

RESOLVED (Unanimously)

1. That the following amendments to the winter treatment network for implementation from the start of the 2022/23 winter season onwards be approved:

- The inclusion of Coole Lane, Audlem into the treated network.
- The inclusion of Brook Street, Macclesfield into the treated network.

2. That authority be delegated to the Director of Highways and Infrastructure in consultation with the Section 151 Officer to approve entering into funding agreements with Town and Parish Councils in relation to winter gritting 'top up' funded routes as described in paragraphs 7.19 to 7.21 and Appendix 2 of the report, to be implemented for the 2022/23 winter season.

3. That authority be delegated to the Director of Highways and Infrastructure to make minor operational changes to the Winter & Adverse Weather Policy, Adverse Weather Plan and roads included in the treated network, with any changes being subsequently reported to the Highways and Transport Committee.

16 ANNUAL PERFORMANCE REVIEW 2021/22

Consideration was given to a report updating Members on the performance across the Infrastructure and Highways services for the financial year 2021-22.

Comments were made in respect of the new monthly work programme on the website which was welcomed as well as the return of 'Fix My Streets'. In addition the extra emphasis the Council had placed on tree maintenance within the last year was also welcomed. Further to this it was requested whether or not it would be possible for the Committee to reconsider the matter relating to car parking charges and if this request be looked into expediently.

Reference was made to training on page 49 of the report and whether there was an update on this matter. In response to this Mr T Moody, the Director of Transport and Infrastructure advised he investigate the issue raised outside of the meeting and provide a written response.

Councillor L Gilbert reiterated his request he had made earlier in the year for copies of Highways policies. He had been informed operational

policies existed and that a schedule of policies would be provided by the previous Director Of Highways and Infrastructure. It was agreed that this matter would be investigated outside of the meeting and any relevant information would be circulated to Committee Members. The Chair suggested that any existence of such policies could form part of a future training exercise for Members.

It was noted bus patronage was still poor particularly in rural areas and that as much as possible should be done, including Members writing to local MP's in order to garner stronger support for the provision of public transport in rural areas.

Members asked if there had been any response from the DfT in respect of the decision by government not to allocate any funding to the Council's BSIP. In response officers confirmed that the DfT had written to the Council and the response would be circulated to Committee Members.

RESOLVED

1. That the report and comments outlined above be noted.
2. That the on-going work of the Highways Service to support delivering the Council's Brighter Futures customer strategy be noted.

17 ON-STREET ELECTRIC VEHICLE CHARGING

Consideration was given to a report on seeking Members approval for the delivery of electric vehicle charging points that supported residents who did not have the ability to charge their vehicle at home.

Members welcomed the recommendations contained within the report with comments focussing on the practicalities of the proposals including the siting of electric vehicle charging points, particularly for those properties fronting on to the highway with no off street parking, how the Council would ensure people only parked in electric charging spaces for charging and how would displacement parking be managed.

Further points were made in relation to including an item on the work programme regularly updating the Committee on the subject, that electric vehicle charges should be fair throughout the borough, and that the proposals were not being used as a method of taxing those individuals who did not have driveways.

In response to the request for an item to be included on the work programme, the Chair advised it could be included within the annual review rather than as a stand-alone item on the work programme.

RESOLVED (Unanimously)

1. That the delivery of the next phase of charge point locations noted in this report to support residents who did not have off street parking be approved, subject to formal approval of the application by Government.

2. That the next steps for the development and delivery of the wider electric vehicles infrastructure programme as set out in paragraph 2.7 of the report be noted, and that further reports would be submitted to the Committee to seek necessary approvals.

(Prior to consideration of the following item, the meeting was adjourned for a short break).

18 NATIONAL BUS STRATEGY - ENHANCED PARTNERSHIP PLAN AND SCHEME

Consideration was given to a report updating Members on the progress towards making the Cheshire East Enhanced Partnership (EP) Plan and Scheme documents, including an update on the Department for Transport's (DfT) Local Transport Fund and Network Review process.

It was commented that it was disappointing to hear no further update on funding opportunities beyond 4 October 2022. A request was made for Members to have access to the Network Review. In response Richard Hibbert, the Head of Strategic Transport and Parking confirmed that a concise summary of the review could be circulated to Members.

A further comment was made in respect of whether there should be an amendment to the recommendation to allow the opportunity for the Chair and Vice Chair to be consulted. The Chair reassured the Committee that as both he and the Vice Chair were Members of the EP Board therefore they would provide that oversight as members of the Board and as part of the governance arrangements there was a requirement the Chair and Vice Chair report back to the Committee.

RESOLVED (Unanimously)

1. That it be agreed the EP Plan and EP Scheme be made in Cheshire East in accordance with the regulations and that the Director of Highways and Infrastructure and the Director of Governance and Compliance be authorised to take all steps necessary to bring the EP Plan and EP Scheme into effect.

2. That it be agreed that arrangements be made for the inaugural meeting of the EP Board in September – with subsequent meetings arranged as defined in the EP Plan.

3. That the Director of Highways and Infrastructure be authorised to make all necessary arrangements to commence works as defined in the EP Plan and EP Scheme.

4. That the completion of a whole Network Review as required to access the final instalment of the Local Transport Fund be noted.

19 WORK PROGRAMME

Consideration was given to the work programme.

Mrs S Baxter, the Democratic Services Officer advised of the following amendments to the work programme:-

- That a report on 'It's Not Just Water: An investigation into the manageable causes and impacts of severe flooding across Cheshire East including flood risk management, recovery and the reduction of future risk' be considered at the September meeting.
- That the Flowerpot Junction Improvement Scheme be moved to the November meeting.
- That the item relating to the Greenway Crossing of the River Dane be moved to the November meeting.
- That the item relating to DfT Active Travel Social Prescribing Grant be removed from the work programme as the bid information was received in time for the July meeting and therefore would be dealt with under urgent powers if successful.

Councillor A Gage made reference to the Ward Budget Member Scheme and thanked the Chair for extending the deadline to allow an additional two weeks for Members to put forward proposals that could be funded from their ward budgets.

RESOLVED

That the amendments to the work programme be noted.

Prior to the close of the meeting the Chair announced that Mrs S Baxter, the Democratic Services Officer for the Committee and long standing employee of Cheshire East Council would be leaving the authority. On behalf of the Committee he thanked Mrs S Baxter for her contribution over the years, in particular her support to him as Chair and Vice Chair of both the Highways and Transport Committee and the Northern Planning Committee. He wished her all the very best with her future career.

In response Mrs S Baxter, thanked Members and officers for their support over the years and wished the Committee all the best for the future.

The meeting commenced at 10.30 am and concluded at 12.52 pm

Councillor C Browne (Chair)

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Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	22 nd September 2022
Report Title:	Speed Management Strategy, Vehicle Restraint System Strategy and Skid Resistance Strategy
Report of:	Tom Moody, Director of Highways and Infrastructure
Report Reference No:	HT/43/22-23
Ward(s) Affected:	All

1. Purpose of Report

- 1.1. The Purpose of this report is to bring forward the following documents for adoption into formal Council Practice:
 - The Cheshire East Speed Management Strategy (SMS) (Appendix 1)
 - The Cheshire East Vehicle Restraint System Strategy (VRS) (Appendix 2)
 - The Cheshire East Skid Resistance Strategy (SRS)(Appendix 3)
- 1.2. The implementation of these strategies will enable the further implementation of high quality asset management principles and the promotion of safety in the stewardship of the Borough's highway network.

2. Executive Summary

- 2.1. The strategies presented in this report are intended to contribute to the Council's core policy outcomes by:
 - Open** – updating and clarifying the policies and procedure that the highways service will employ when deciding on road safety measures, including the role that other agencies, including Town and Parish Councils, can play in these decisions.

Fair – taking full account of the needs of all road users and the wider community when deciding how our roads are used, including the priorities afforded to different road-users such as pedestrians and cyclists.

Green – ensuring that our approach to road safety and speed management contribute fully to the wider ambition to promote sustainable and active travel. The updated strategies will help to ensure that use of our highways empowers residents to make travel choices, thereby improving Health and Well-being whilst reducing transport-related carbon emissions.

- 2.2. The three strategies brought forwards for approval in this report will help the Council improve the way it manages and maintains the local highway network.

Speed Management Strategy (SMS)

- 2.3. The Cheshire East Speed Management Strategy sets out a clear and consistent approach which the Council needs to take to managing speed on the highway network.
- 2.4. The Strategy introduces an approach to speed management focused on Education, Enforcement and Engineering (3 E's). The document sets out a hierarchy of tools that the Council has available to manage speed on the highway network and also gives a framework as to how and when they will be applied. This will be the basis on which the Council will respond to the many requests in relation to speed management and speed limit compliance that are received each year. The strategy recognises that there may be occasions and circumstances where education and enforcement steps are bypassed in order to support and facilitate wider Council schemes and goals.
- 2.5. The strategy seeks to encourage and enable the Council's wider active travel goals which strive for a greener and healthier way of travelling
- 2.6. This strategy builds on the previous version published in 2016 and takes account of changing national and local aspirations of providing a safer road environment and encouraging an increased active travel approach. The updated strategy seeks to build on a further 3 E's of Encourage, Empower and Enable through collaborative working arrangements with key strategic partners, including ward members, town & parish councils, Cheshire Police and Cheshire Fire and Rescue Service. We will work closely with communities to deliver and enable speed management measures such as Speed Indication Devices (SIDs)etc.
- 2.7. Under the 2016 strategy, sites were mainly prioritised for speed management measure based on collision history. The new strategy proposes that sites with a collision history are funded through the road

safety programme, with a new proactive approach using a prioritisation matrix to identify locations for speed management measures.

The approaches set out in the proposed strategy will:

Empower – local communities, particularly Town and Parish Councils, to participate in the review, delivery and monitoring of local speed management measures, in accordance with a clearer framework for decision-making and investment.

Encourage – residents to place greater reliance on sustainable and active travel choices, where local roads are managed in ways that make walking and cycling more attractive by reducing the risks of conflicts with vehicles travelling at inappropriate speeds.

Enable – the Council and its partner organisations to prioritise investment in road safety measures by being informed by robust evidence and a clearer framework for decision-making. In turn, this approach will strengthen our case for continued and increased investment in road safety measures.

Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy

- 2.8. Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy covers the provision, maintenance and inspection of Vehicle Restraint Systems (VRS). VRS are a type of fence or crash barrier that prevent vehicles leaving the carriageway and striking objects, terrain or other vehicles. They are commonly found on bridges, embankments and central reserves on dual carriageways. VRS are a core part of the provision of safety on the highway network.
- 2.9. The Strategy sets out how the Council will manage the placement and maintenance of VRS on the highway network.

Skid Resistance Strategy (SRS)

- 2.10. The Skid Resistance Strategy sets out how the Council will address lengths of carriageway in the Borough that exhibit sub-standard skid resistance characteristics. Adequate levels of highway surface skid resistance are an important element of highway safety.

3. Recommendations

- 3.1. That the Highways and Transport Committee resolve that the Cheshire East Speed Management Strategy is adopted as policy and subsequently implemented operationally.

- 3.2. That the Highways and Transport Committee resolve that the Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy is adopted as policy and subsequently implemented operationally.
- 3.3. That the Highways and Transport Committee resolve that the Cheshire East Skid Resistance Strategy is adopted as policy and subsequently implemented operationally.
- 3.4. Authority is delegated to the Director of Highways and Infrastructure to make technical amendments to the Cheshire East Speed Management Strategy, the Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy and the Cheshire East Skid Resistance Strategy as required and to update the Highways and Transport Committee on any significant changes at a future meeting.
- 3.5. Authority is delegated to the Director of Highways and Infrastructure to amend/further develop the scheme prioritisation process for the Speed Management Strategy as required and to consider the need for changes to future investment programmes to reflect this process. Any proposed changes to investment programmes are to be reported to Committee as part of the annual investment programme cycle.
- 3.6. To approve the use of Speed Indication Devices (SIDs) on the highway network in accordance with the approach as set out in the Speed Management Strategy.

4. Reasons for Recommendations

- 4.1. The adoption of this strategy aligns with the Cheshire East Corporate Plan 2021-2025 aim of being 'A thriving and sustainable place' under the priority 'A transport network that is safe and promotes active travel'.
- 4.2. Adoption of the strategy will improve outcomes provided by the highways service by:
 - 4.2.1. Enabling a uniform approach to speed management across the Borough.
 - 4.2.2. Addressing the Council's statutory obligations under the Highways Act 1980.
 - 4.2.3. Aligning with industry best practice highlighted in the guidance document on Well Managed Highway Infrastructure.
 - 4.2.4. Facilitating the implementation of road safety, environmental and network management measures across the Borough.

5. Other Options Considered

- 5.1. The Council could choose not to adopt the three strategies however, this would;
 - 5.1.1. Hinder the implementation of a uniform approach across the Borough and would lead to a less efficient use of budgets in managing such issues.
 - 5.1.2. increase the risk of litigation against the Council and place public safety at greater risk.
 - 5.1.3. increase the risk of the Council not fulfilling its statutory duties under the Highways Act 1980

6. Background and Strategy Overview

Speed Management Strategy (SMS)

- 6.1. In 2016 the Council released the last version of the SMS, since then a number of themes have emerged which necessitate the update of the SMS. This includes the development of Cheshire East's Local Transport Plan in 2019, placing much greater emphasis on considering the needs of vulnerable road users and encouraging active travel measures.
- 6.2. The 2022 SMS sets a clear approach to the management of speed on the Cheshire East highway network through the implementation of Education, Enforcement and finally Engineering measures. This approach is known as the '3 Es' approach.

Education

- 6.3. The first step in managing speed on the highway network is to educate road users around the safe use of the highway network.
- 6.4. This education is delivered in conjunction with partner organisations such as Cheshire Police and the Cheshire Road Safety Group (CRSG). The SMS seeks greater co-operation with local town and parish councils through the placement of speed indication devices on the highway to inform drivers of their speed.
- 6.5. The SMS outlines the role of the Cheshire Fire and Rescue service in delivering a range of educational programmes and targeted publicity campaigns for road users on behalf of the Council.

Speed Indication Devices as Educational Tools

- 6.6. A Speed Indication Device (SID) is an electronic device, which can be securely fixed to a non-moveable structure, which is used to encourage drivers to keep within the speed limit.

- 6.7. The SMS gives advice on using SIDs as a speed management tool to educate motorists.
- 6.8. The Council is aware that there are already a number of historic SIDs on the network in Cheshire East installed by Town and Parish Councils. Under the SMS there are no proposals for the Council to install such devices. However, the Council will work with Towns and Parish Councils to formalise and facilitate their use.
- 6.9. Extensive feedback around the use of SIDs and demand to use them was provided as part of the SMS consultation exercise. Further details of this can be found in Section 7 of this report.
- 6.10. As a result of the consultation and to help inform the way forwards, published research on SIDs was reviewed alongside data collated from SIDs operating already in the Borough.
- 6.11. This study considered the effectiveness of SIDs as long term measure and concluded that the optimum amount of time a SID should be in place was very much location dependent. In some locations SIDs became less effective with time, whilst in other locations their effectiveness remained constant.

Enforcement

- 6.12. The Council, as highway authority, and by extension the Cheshire Road Safety Group, have functions and roles that support the Police enforcement of speed and red-light infringements.
- 6.13. The enforcement authority for speed limits within the Borough is Cheshire Police and they are responsible for all speed enforcement.
- 6.14. The Council will work with Cheshire Police to help deliver the aims of the strategy.

Engineering Measures

- 6.15. The Strategy provides information on the measures which can be used to support speed limits including traffic calming measures, camera technology and the role of education, training, publicity and enforcement and in doing so helps set out what might need to be considered to support speed limit compliance. Experience gained in Cheshire East where the wrong limits are applied they are generally ignored. This means that safety is compromised by drivers failing to comply as walkers and cyclists may be given a false sense of security. Therefore, it is important that a considered approach is followed using design to encourage self-compliance where possible. This is also the key principle in national guidance (DfT Circular 01/13 Setting Local Speed Limits).

- 6.16. The Department for Transport (DfT) Circular 01/2013 “Setting Local Speed Limits” provides guidance to local highway authorities on setting speed limits, the Cheshire East Strategy sets out a framework of requirements for different limits and a process for implementing them to ensure that a consistent approach to setting speed limits in line with national guidance is followed across the Borough.
- 6.17. Following the introduction of WMHI, the Council has adopted a Network Hierarchy to help identify the function of various parts of the network, this is considered as part of the Strategy to setting speed limits as identifying the function of a road is important when setting speed limits.
- 6.18. The Strategy gives guidance around both advisory and enforceable 20mph limits. With details given around areas where such speed limits may be suitable.
- 6.19. The Strategy also sets out that on proposed housing development sites, where appropriate, the council will mandate, at application stage, that a 20mph limit be applied to the minor residential access roads and residential access ways / shared surface roads.
- 6.20. The Speed Management Strategy allows consideration of the application of the appropriate speed limits in the below situations:
- Addressing Air Quality Management Areas (AQMAs) in line with the Council’s Air Quality Action Plan 2018-23 (AQAP)
 - On roads that cross between different Highway Authority boundaries where policies and practices may differ.
 - Where a buffer or shoulder zone speed limit between 2 different speed limits is necessary or desirable.
 - Accommodation of planned developments.

Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy

- 6.21. Cheshire East Borough Council currently maintains approximately 56 km of vehicle restraint systems which are distributed across a wide range of locations on our highway network with varying road speeds and traffic flows.
- 6.22. The purpose of providing a vehicle restraint system is to prevent vehicles from leaving or crossing the carriageway, reduce the severity of impact with roadside hazards such as large signs, lamp columns or where there is a large difference in level and to protect roadside equipment from damage. The Council are required to maintain vehicle restraint systems in an effective condition and to replace where necessary.

- 6.23. Overarching guidance on VRS is provided in the code of practice WMHI which was released in 2016 by the UK Roads Liaison Group (UKRLG) with the aim of moving UK highway authorities to a risk based approach to maintaining the highway.
- 6.24. National guidance on the installation and maintenance of VRS is provided by;
- CD377 of the Design Manual for Roads and Bridges (DMRB)
 - UKRLG's Provision of Road Restraint Systems on Local Highway Authority Roads, released in 2011.
- 6.25. The above mentioned documents largely cover the installation of vehicle restraint systems and as such the strategy is intended to provide guidance on the standards to be used for the provision and maintenance of vehicle restraint systems on the council's road network, using a risk analysis approach to the assessment process in order to prioritise issues within the available budgets.

Skid Resistance Strategy

- 6.26. The term skid resistance refers to the frictional properties of a surface in wet and damp conditions. A highway surface can have substantially lower resistance to skidding in wet and damp conditions than dry and therefore it is important for a highway to exhibit suitable skid resistance properties. The skid resistance of a surface will depend upon the type of stone used in the road surface material along with the level of traffic the surface experiences.
- 6.27. The industry guidance document WMHI includes guidance for highway authorities on skidding resistance surveys. It encourages authorities to form a strategy for managing skid resistance on the highway network and thus the Cheshire East Skid Resistance Strategy has been developed.
- 6.28. This is further informed at a granular level by document CS 228 (Skidding Resistance) of the Design Manual for Roads and Bridges, as published by National Highways.
- 6.29. In line with WMHI and CS 228, the Cheshire East Skid Resistance Strategy adopts a risk-based approach to the treatment of sites which are identified to be deficient in skid resistance.
- 6.30. The Cheshire East Skid Resistance Strategy recommends the acceptable levels of carriageway skid resistance in relation to the road environment (ie bends, roundabouts etc). Where lengths of carriageway are identified which are below the defined investigatory levels, further assessment is carried out

using the risk-based approach described in the Skid Resistance Strategy to determine if treatment is required.

- 6.31. This strategy doesn't routinely apply to the entire Cheshire East Council highway network as the structured survey programme will only apply to the Council's Resilient, Strategic and Main Distributor networks which are classified as A Roads as defined in the Network Hierarchy (Appendix 4). This is based on a risk management approach.
- 6.32. Where suspected skid resistance issues are identified by the Road Safety Team which are outside of the above networks, the process set out in the Skid Resistance Strategy will be used to investigate and if necessary address the issue.

7. Consultation and Engagement

Speed Management Strategy

- 7.1. On 16th November 2021 the Highways and Transport Committee resolved to consult on the draft Speed Management Strategy.
- 7.2. The consultation was carried out for 8 weeks between 1st December 2021 and 31st January 2022.
- 7.3. A total of 916 consultation responses were received. This volume of responses emphasises the strength of feeling towards the topic of speed management in Cheshire East.
- 7.4. As part of the consultation, meetings were held with Cheshire Association of Local Councils.

Questionnaire Feedback

- 7.5. Just over half of respondents agreed that the draft strategy will enable the Council to provide a safe highway network across Cheshire East (58% agree, 27% disagree), Is clear (54% agree, 28% disagree) and should be adopted (53% agree, 32% disagree).
- 7.6. Between 70% and 73% of respondents agree with each of the 3 sections of the 3 E's – Education, Enforcement, and Engineering (between 17% and 19% disagree).
- 7.7. Just less than half of respondents agreed the updated strategy supports walking and cycling (48% agree, 34% disagree) and caters for all highways users (45% agree, 38% disagree).

- 7.8. Large majorities of respondents agreed that speed management criteria should be applied consistently across the Borough (82% agree, 12% disagree) and sites requiring speed management measures should be prioritised based on evidence (78% agree, 1% disagree).
- 7.9. Just over half of respondents agreed with the sections in the strategy on 20 mph areas (56% agree, 36% disagree) and 40 mph areas (55% agree, 25% disagree).
- 7.10. A copy of the Consultation results summary can be found in Appendix 5.
- Amendments to the SMS Following the Consultation
- 7.11. Comments were received that the document was too long and bureaucratic and as a result of this the final draft has been reduced in length and the terminology has been reviewed.
- 7.12. Comments were received that the Council needs to take into account the views of local residents, Town/Parish Councils and Councillors when considering which sites require speed management measures. As a result of this we have given local concerns a higher value in the prioritisation matrix and also facilitated the use of SIDs on the network.
- 7.13. The consultation also provoked comments that the Council must not wait for accidents to happen before making changes. In response, the Council is proposing to fund collision sites through the road safety programme with a separate programme identified through the prioritisation matrix in the SMS for locations where there are no collisions.
- 7.14. Following comments that the language of the document was somewhat negative and blocking, the document has been reviewed to give a more positive approach and feel.
- 7.15. As a result of wider officer consultation, the roles of Cheshire East Council and other partner organisations have been clarified in the document.
- 7.16. There was significant levels feedback around the introduction of 20mph limits. The speed management strategy has always allowed for 20mph limits. As a result of the consultation the following wording has been added to the SMS 'On proposed housing development sites, where appropriate, the council will mandate, at application stage, that a 20mph limit be applied to the minor residential access roads and residential access way / shared surface roads.'

Cheshire Police

- 7.17. As an enforcement authority, the Speed Management Strategy has been consulted on with Cheshire Police and they have confirmed that they fully support the strategy and the measures within it.

Vehicle Restraint System and Skid Resistance Strategies

- 7.18. Due to the highly technical nature of these documents no public engagement has been undertaken, however internal consultation has been undertaken with officers across a variety of highways professionals and the documents have been developed to reflect industry best practice

8. Implications

8.1. Legal

Speed Management Strategy

- 8.1.1. Speed limits are determined by traffic authorities having regard to guidance issued by the Department for Transport (DfT) and as such the Council is responsible for setting speed limits on local roads within the Borough.
- 8.1.2. In order to set a speed limit the Council must follow the established Traffic Regulation Order process.
- 8.1.3. The placement of traffic signs on the highway is governed by legislation. This can be found in the Traffic Signs Regulations and General Directions 2016. As such all signage placed upon the highway must comply with these regulations unless specific dispensation has been given by the DfT.
- 8.1.4. In a letter to Highway Authorities in 2019, the DfT outlined the below:

‘I would also like to remind you that as a traffic authority you are responsible for ensuring that traffic signs you erect on your road network comply with legislation. The use of non-prescribed signs on public highways without authorisation might be deemed unlawful, with authorities using them acting beyond their powers. The erection of an unauthorised sign in the highway is an obstruction and the possible consequences of erecting or permitting the erection of obstructions can be severe.’
- 8.1.5. Prior to the above, the DfT had previously advised that SIDs are not prescribed signs and they would not authorise their use and therefore it should be noted that if the DfT issue further guidance regarding SIDs then the devices on the network may have to be removed.

- 8.1.6. Legislation regarding the placement of SIDs on the highway network is somewhat limited the Council proposes to permit the placement of SIDs on the highway network through issuing Section 171 Licences under the Highways Act 1980. These licences will only be issued for SIDS at locations that the Council consider to be appropriate.
- 8.1.7. This licensing process will also include the existing SIDs on the network however this is for the purpose of formalising their existence in a consistent way and ensuring that the Council has a full inventory of all such third party equipment installed across its highway network. It is not considered that any pre-existing SIDs will need to be removed as a result of this licensing process.

Skid Resistance Strategy

- 8.1.8. The implementation of this strategy, whilst not a legal requirement, will help the Council to fulfil its obligations under Section 41 of the Highways Act 1980.

Vehicle Restraint System Strategy

- 8.1.9. The implementation of this strategy, whilst not a legal requirement, will help the Council to fulfil its obligations under Section 41 of the Highways Act 1980.

8.2. **Finance**

Speed Management Strategy

- 8.2.1. A one off cost of up to £10k will be needed to collate information on the existing SIDs and infrastructure on the highway and set up the process for licencing and managing SIDs on the network. This also includes the cost of licensing pre-existing SIDs installations fees for which will be waived. The funding from this will have to be provided from within existing Highway revenue budgets.
- 8.2.2. The costs associated with the purchase, installation, licencing and maintenance of SIDs on the network will be cost zero to the Council as they will remain with the Town and Parish Councils. The fees and charges on the Councils website will be updated to reflect this approach.
- 8.2.3. The implementation of the Speed Management Strategy will place a financial pressure upon existing capital and revenue highway budgets. It is not possible to accurately determine the value of this as it is dependant on a number of factors which are yet to be investigated and external demands on the Service. As such in future years the funding of speed management measures will have to be prioritised against other competing highway demands and managed within the existing highway budgets.

- 8.2.4. There is a clear opportunity for the Council working in partnership with third parties like Town and Parish Councils to jointly fund and deliver speed management schemes in line with the policy.

Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy

- 8.2.5. Annual surveys are already funded through the highways capital budget. It is anticipated that to treat vehicle restraint sites identified as high priority, through the prioritisation process of the new strategy will cost the council approximately £250,000 - £350,000 of capital per annum. This will need to be managed through the existing highway maintenance capital budget.

Skid Resistance Strategy

- 8.2.6. Annual surveys are already funded through the highways capital budget. Through the new risk based prioritisation process described in the Strategy sites identified as a high priority will require funding to treat them. Treatment solutions would typically be treatments associated with the Level 2 and Level 3 Programmes
- 8.2.7. It is anticipated that in order to treat the skid resistance sites identified as high risk through the annual prioritisation process, approximately £150,000 – £300,000 per annum will be required. This will be prioritised ahead of traditional Level 2 and Level 3 schemes meaning there will be reduction in the traditional Level 2 and Level 3 programmes if there is no growth in overall highways budget.
- 8.2.8. It should be noted that the strategy aims to treat sites categorised as high risk in the current or next network maintenance works programme and medium risk sites within 2 years of completion of the site investigation.

8.3. **Policy**

Speed Management Strategy

- 8.3.1. The strategy sets out the conditions and features for all speed limits alongside the tools available to the council to manage vehicle speed.
- 8.3.2. However, the approach to mandatory 20mph speed limits on all new housing development on minor residential access roads and residential access way / shared surface roads, which are designed as 20mph roads, will need to be a policy that is applied by the planning authority.
- 8.3.3. It is important to note that for a legal speed limit order to be brought into place there is a statutory duty to consult on the proposal which may then influence whether the speed limit order can be made. This could result in such a planning condition not being discharged.

- 8.3.4. The Council has chosen not to adopt a blanket policy on introducing 20 mph speed limits. Instead they will be considered where they are appropriate, proportionate and affordable.
- 8.3.5. As per recommendation contained at paragraph 3.5 it should be noted that the current prioritisation process for implementation of 20mph zones is under development and will include appropriate weighted categories to ensure an equitable approach to all applications, considered in line with the budgets available to deliver such initiatives.
- 8.3.6. Further to the same the implementation of 20mph zones is a lengthy process due to the need for public consultation on the proposals, a requirement for Traffic Regulation Order process(es), procurement and the physical implementation on site. The likely timescale for implementation of a single 20mph zone is circa 18 months from the point that an application is received, subject to the outcome of the prioritisation process.

Vehicle Restraint Systems and Skid Resistance Strategies

- 8.3.7. Local highway authority policies and practices are guided by the national code of practice WMHI which was published in 2016 by the UK Roads Liaison Group.
- 8.3.8. WMHI states that 'Authorities should publish their Skid Resistance Strategy as part of their Asset Management Framework. WMHI also offers basic guidance on the maintenance of VRS.
- 8.3.9. Both of these strategies will form an integral part of the Council's asset management framework.

8.4. **Equality**

Speed Management Strategy

- 8.4.1. An Equality Impact Assessment has been completed for this strategy and can be found in Appendix 6
- 8.4.2. Where lower speed limits are to be considered, particularly 20mph, this will benefit vulnerable road users with protected characteristics such as children, the elderly and those with disabilities, both visible and non-visible.

Vehicle Restraint Systems and Skid Resistance Strategies

- 8.4.3. There are no Equality implications of either of these strategies.

8.5. Human Resources

- 8.5.1. Existing Council staff resources alongside those within Cheshire East Highways will be used to manage the implementation and delivery of the three strategies

8.6. Risk Management

- 8.6.1. The implementation of these strategies will help to reduce the risk of accidents across the Council's highways network.
- 8.6.2. The implementation of these strategies will assist in the Council fulfil its duties under Section 41 of the Highways Act 1980 and will reduce the risk of litigation against the Council

8.7. Rural Communities

- 8.7.1. There are no specific rural community impacts arising from the strategies reported in this paper.
- 8.7.2. Committee should note that the strategies related to the whole of the local roads network in Cheshire East, recognising the differences between urban and rural roads.

8.8. Children and Young People/Cared for Children

- 8.8.1. There are no specific Children and Young People/Cared for Children impacts associated with the implementation of these strategies. Committee should note that children and young people are a recognised group of vulnerable road users. As such, this group is expected to benefit from improved road safety measures in Cheshire East.

8.9. Public Health

- 8.9.1. There are no specific Public Health impacts associated with the implementation of these strategies. Improved speed management can positively contribute to public health improvement by reducing the number of road accident casualties, reducing the impact of noise, air pollution and severance arising from traffic.

8.10. Climate Change

- 8.10.1. There are no specific Climate Change impacts associated with the implementation of these strategies. Improved speed management can

encourage greater levels of active travel, as an alternative to motorised travel, thereby contributing to the Council's objectives for reducing transport-related carbon emissions.

Access to Information	
Contact Officer:	Matthew Davenhill Matthew.davenhill@cheshireeast.gov.uk 01260 371026
Appendices:	The Cheshire East Speed Management Strategy (SMS) (Appendix 1) The Cheshire East Vehicle Restraint System Strategy (VRS) (Appendix 2) The Cheshire East Skid Resistance Strategy (SRS)(Appendix 3) The Cheshire East Network Hierarchy(Appendix 4) Consultation Summary (Appendix 5) Equality Impact Assessment (Appendix 6)
Background Papers:	None

Cheshire East Speed Management Strategy

September 2022

Document history and status

Rev	Date	Description	By	Review	Approved
R0	01/10/21	DRAFT CEC SMS	<i>F Price</i>		

DRAFT

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1. Overview

1.1 Overview

The 2022 Speed Management Strategy covers Cheshire East and sets out the Council's ambitions as Local Highway Authority to promote safer roads and speed compliance across the Borough.

The strategy seeks to encourage and enable the Council's wider active travel goals which strive for a greener and healthier way of travelling.

This revised strategy builds on the previous version published in 2016 and takes account of changing national and local aspirations of providing a safer road environment and encouraging an increased active travel approach. The updated strategy seeks to [Encourage](#), [Empower](#) and [Enable](#) through collaborative working arrangements with key strategic partners, including ward members, town & parish councils, Cheshire Police and the Cheshire Fire and Rescue Service. We will work closely with communities to deliver and enable speed management measures such as Speed Indication Devices (SIDs) etc.

Our vision for speed management in Cheshire East is to provide a safer highway environment that promotes active travel as an option for Cheshire East's communities, with those using the network, feeling that the speed of travel is appropriate for the environment. The implementation of appropriate speed management measures is key in reducing casualties on the highway network. We also want our communities to feel that the Council listens to their concerns.

Managing speed throughout the Borough is a key responsibility of the authority and the use of this strategy will bring about a consistent approach when speed related concerns are raised. The strategy will be used as a tool to help determine the most appropriate way of dealing with such issues on the road network.

Changing speed limits should not be the default reaction to perceived issues relating to concerns of speeding traffic as there is a whole suite of options and tools available to the authority and its partners.

Where community concerns are raised, the principles of the 3 E's [Education](#), [Enforcement](#) and [Engineering](#) will be followed. This will enable the Council to pursue the most appropriate approach in resolving a speed management concern through engagement with the local community and evaluation. However, it is recognised that there may be occasions and circumstances where education and enforcement steps are bypassed to support and facilitate wider Council schemes and goals.

The Department for Transport, DfT,¹ guidance Setting Local Speed Limits outlines how local authorities should approach the process and strategies of selecting appropriate speed limits within their area of responsibility. Speed limits should be evidence-led and self-explaining and seek to emphasise people's assessment of what is a safe speed to travel. They should encourage self-compliance and acceptance that the road has the correct speed limit set.

¹ Department for Transport Circular 01/2013 – Setting Local Speed Limits

2. Introduction

2.1 Purpose of a Speed Management Strategy

Cheshire East's Speed Management Strategy sets out the consistent and transparent approach that the Council will use to provide a safer highway network that promotes active travel as one of the Council's priorities, as set out in the Local Transport Plan (LTP).

The Speed Management Strategy also aims to achieve the Government's national decarbonisation goals, set out in the LTP, striving to make Cheshire East a cleaner less polluted Borough.

This strategy sets the suite of options and tools that the Council and partners have available to manage speed and traffic flow to support the safety of all road users. These tools will be the basis on which the Council will respond to the speed management and speed limit compliance requests that are received each year.

The approach also supports, and enables, the Council's further policies, strategies, initiatives and work programmes which seek to encourage active travel, improve community safety and realise better health and well-being for residents.

The strategy is a framework to help ensure we have appropriate solutions to defined problems in the right places.

The Council will consider these through a 3E's approach of [Education](#), [Enforcement](#), and [Engineering](#). This is supported by engagement and evaluation to empower, encourage and enable stakeholders in the management of speed on the highway network.

The document aims to achieve a better integrated Speed Management Strategy with the goal of achieving a more holistic, engaged approach to speed management in Cheshire East, the Council will work with partner organisations to deliver, shared local goals plus relevant goals set on a national policy level. The strategy excludes temporary speed limits for traffic management purposes as these are risk assessed for specific circumstances and situations to the protect workforce and those travelling on the highway.

The previous Speed Management Strategy was adopted in 2016. Since then, there have been a number of changes both locally and nationally that have been taken into account in the development of this strategy, including:

- The introduction of The Code of Practice, "Well Managed Highway Infrastructure" which provides guidance to councils regarding the management and maintenance of local roads. As a result of this the Council has developed a road Network Hierarchy. This is used, in part, to inform the appropriate speed management measures.
- The revision of Traffic Signs Regulations and General Directions in 2016 which allowed Highway Authorities further discretion relating to certain traffic signage placement.
- Promotion of Active Travel initiatives in accordance with the Council's adopted Local Cycling and Walking Improvement Plans, taking into account national guidelines such as LTN 01/20 to respond to opportunities arising through Active Travel England.

- Updated national technical guidance on air quality in April 2021 which places a greater emphasis on partnership working across Council services and other agencies to address air quality issues.
- LTP decarbonisation goals defined in response to DfT's national Decarbonisation Plan and updates to LTP guidelines that place a responsibility for decarbonising local transport networks on the Council.

2.2 Roles and Responsibilities

Cheshire East Council is the Local Transport Authority for the Borough and, as such, is responsible for setting and maintaining local policies related to all modes of travel, including active travel, within the Borough.

In this context local priorities are defined in our Local Transport Plan through the 6 following strategic objectives:

- Connected Neighbourhoods
- Connected Cheshire
- Connecting to the North and the Midlands
- Connecting to the UK
- Connecting to Global Gateways
- SMART and Digital Connections

With regard to highway responsibilities Cheshire East Council (CEC) is the Highway Authority and the Traffic Authority for the Borough of Cheshire East pursuant to the Highways Act 1980 and the Traffic Management Act 2004 respectively. As such Cheshire East Council is responsible for setting local speed limits and introducing local road safety measures on all public roads in Cheshire East except the motorway and trunk roads which are operated by National Highways.

Cheshire Police are responsible for speed enforcement, referred to as the Police in this document.

The Cheshire Road Safety Group (CRSG) consists of representatives of Cheshire East, Cheshire West and Chester, Halton, and Warrington together with Cheshire Police, Cheshire Fire and Rescue Service and National Highways. The work of this group supports the aims of the strategy.

It is intended that the strategy will be read and used by Cheshire East Council officers and other interested stakeholder groups such as Cheshire Police, local members, town and parish councils and the public.

3. Policy Context

3.1 National Guidance

The Speed Management Strategy is underpinned by national guidance and regulations on speed limits as well as the required speed limit review procedures.

The responsibility for setting speed limits on roads lies between the Council (for local public roads in the Borough) and National Highways (for Motorways and Trunk Roads). The role of enforcement falls to the police, supported by both the Council and Cheshire Road Safety Group.

Community Safety Partnerships are a statutory requirement under the Crime and Disorder Act 1988. The Safer Cheshire East Partnership (SCEP) brings partners together including Cheshire East Council, Police, Cheshire Fire and Rescue Service, Probation Services, Police and Crime Commissioner (PCC), Health and the Voluntary Sector to provide strategic leadership to reduce crime and provide reassurance to communities that Cheshire East is a safe place to live and work.

Traffic impacts, especially inappropriate speeds, are a major contributory factor to communities feeling less safe, and thus less likely to consider active travel options. This strategy supports wider community safety initiatives, to ensure a focus is provided on the priorities identified across the borough and resources are appropriately allocated to impact on outcomes ensuring Cheshire East is a safer place to live and work.

3.2 Cheshire East Council Corporate Plan

The Council has developed a Corporate Plan which sets out three aims the Council wishes to achieve:

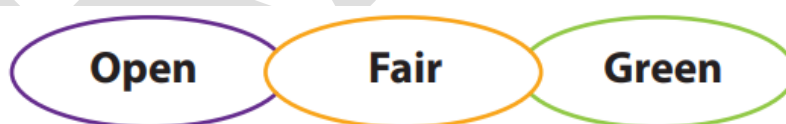


Figure 1 Corporate Plan aims

Open - We will provide strong community leadership and work transparently with our residents, businesses, and partners to deliver our ambition in Cheshire East.

Fair - We aim to reduce inequalities, promote fairness and opportunity for all whilst supporting our most vulnerable residents.

Green - We will lead our communities to protect and enhance our environment, confronting the climate emergency and striving for greater sustainability.

A key priority of the Plan is to '*provide safer and well-maintained roads*'.

3.3 Local Transport Plan

The Local Transport Plan (LTP) was adopted by the Council in October 2019. It sets out a framework for how transport will support wider policies to improve our economy, protect our environment, make attractive places to live, work and play and the role transport will play in supporting the long-term goals of the Council.

The Speed Management Strategy helps deliver the priorities of the LTP by setting out the criteria for how the Council will help manage issues around vehicle speeds in the Borough with the holistic view of the environment and active travel when setting speed limits and implementing speed management measures.

This Speed Management Strategy supports the LTP by helping implement measures which support active travel. Set out in [Section 7.8](#).

The Strategy also recognises that to support economic growth goals, there are roads that should be prioritised for traffic movement especially for efficient movement of freight and logistics. In contrast, there are many parts of the network where the management of volume and speed of traffic will prioritise movement of people - especially pedestrians, including young people, the elderly and those with disabilities. This is illustrated in [Section 7.5](#).

The process of prioritisation for speed management measures will be determined using the Prioritisation Matrix tool as set out in [Section 4.3](#).

4. 3 E's Approach to Speed Management

4.1 Introduction

Speed management involves using various tools and techniques to help motorists comply with a speed limit or travel at a speed that is suitable for the surrounding environment and prevailing conditions.

In response to community concerns the management of speeds will follow the 3 E's:

1. Education,
2. Enforcement, and
3. Engineering.

The process of which involves engagement and evaluation.

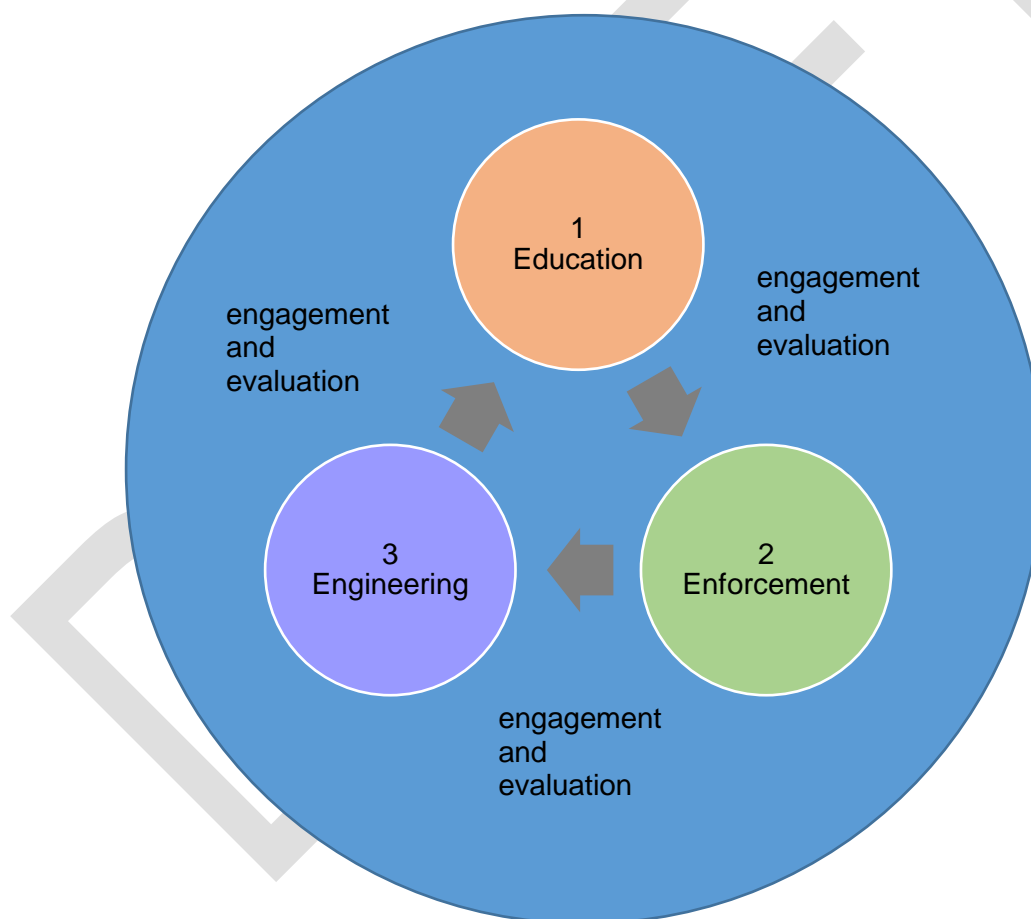


Figure 2 3 E's approach

These steps are gateways for entering into the next stage. This will ensure value for money measures are being explored at the outset rather than assuming more extensive and costly measures are the best approach. This process is key to empowering, encouraging and enabling stakeholders to understand, influence and participate in decision-making.

3 E's Approach to Speed Management- Gateways

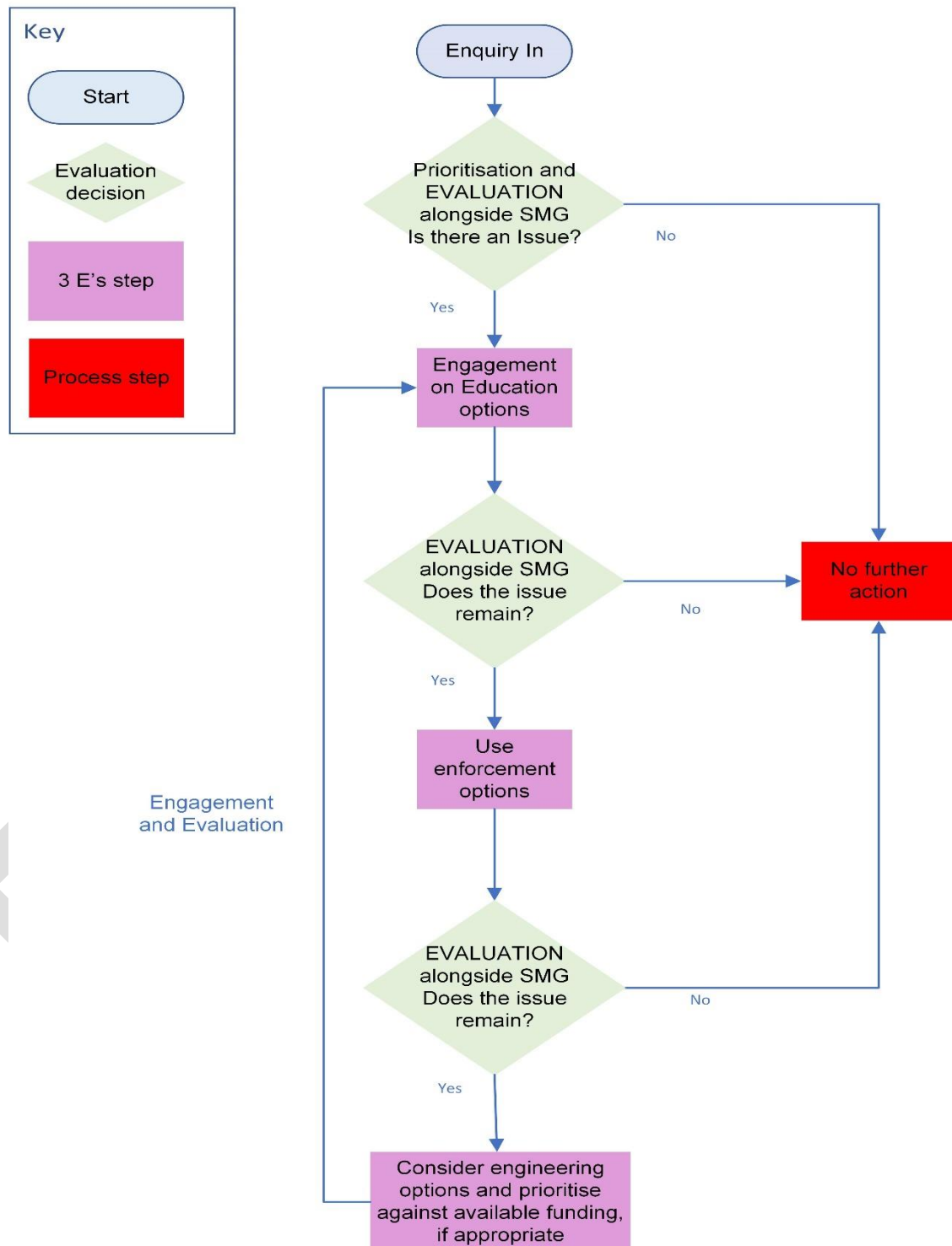


Figure 3 3 E's Approach - Gateways

4.2 Evaluation

Where each stage has not brought about desired compliance with the posted speed limit the Speed Management Group (SMG) will evaluate the information gathered to inform the next step in the 3 E's process.

The SMG is a policy-led officer group which meets regularly. The group do not propose or authorise engineering measures and has no budget allocation or resourcing. Officers attend the group as a function of their regular duties. Primarily, the SMG is an enabling group who ensure that the Strategy has been applied correctly and consistently.

The membership of the SMG is set out in Table 1 below:

Cheshire East Highways Road Safety Team
Cheshire East Council Highway and Infrastructure Teams
Cheshire East Council Development Management Team
Cheshire East Council Network Management
Cheshire Police Road Policing Unit (Operations)
Cheshire Police Road Policing Unit (Strategy)
Cheshire Fire and Rescue Service

Table 1 SMG Membership

Other departments or organisations, such as NHS, Public Health, Education or Social Services, may join or be requested to join the group should a need be identified. Membership of the group will be reviewed frequently to ensure appropriate officers, departments and organisations are involved.

The Council will:

- Collate all such location instances and requests for speed limit changes or management measures and prioritise them annually.
- Establish the location of latest 5-year injury collision history and contributory factors.
- Consider whether the speed limit meets the criteria set out in the Speed Limit Framework detailed in [Section 7.8](#).
- Establish the movement category for the location as set out in [Section 7.5](#).
- Consult the police and consider the outcomes of any speed enforcement activity they have undertaken.
- Engage with the local community via their representatives to understand and gather the local views.

4.3 Prioritisation Matrix

The Council receives many requests for speed management measures annually. Locations for progression through Education and Enforcement will be reviewed in the Speed Management Group meeting.

We will use the Prioritisation Matrix tool, see [Appendix A](#), annually, normally in the third quarter of the year, to produce a prioritised list of locations that need to be investigated further for engineering measures.

Any speed management measure promoted via the police would complement wider speed management outcomes for the Borough and will be reviewed and managed through the road safety program of work within the budget available.

Engineers will be able to use questions in the matrix to calculate a score for a site. A higher score will result in a more highly prioritised location. Any one site can be reviewed on a 3-year basis. Those scoring the highest will take priority for further investigation in the forthcoming financial year within the budgets available.

The questions used for the prioritisation may need to be updated to reflect updated National policy, guidance, advice or Council Policies. Any updates will be considered prior to the next annual prioritisation exercise.

When prioritising locations for Speed Management measures we will consider:

- Casualty Reduction
- Sustainable Travel
- Accessibility and Capacity
- Amenity
- Neighbourhood Engagement
- Local Concerns (including reducing risks and impediments to active travel)

Location prioritisation will be undertaken annually within the budgets available.

5. Education

5.1 Introduction

Education covers local and national road safety campaigns which help raise road safety awareness in the wider population and the targeted education of drivers by various means of encouraging compliance with speed limits.

The Council's road safety objectives are to help:

- Reduce the number of people killed and injured in road traffic collisions, and
- To reduce the number of collisions involving road users of all types.

The Council work in partnership with Cheshire Fire and Rescue Service in delivering road safety education to all primary and secondary schools each year. This helps to build road safety skills at an early stage which stays with individuals as they move into adulthood.

The Council supports and promotes national campaigns on speed awareness and safe driving behaviours using the following forums:

- Press releases
- Social media
- Webpages, and
- Staff and partner organisation activities and events.

Through engagement we will encourage Town and Parish Councils to raise local concerns regarding speeding in their areas via their own communications channels such as newsletters, notices, or websites.

We will support local and national campaigns and initiatives directed at improving driver behaviour for all forms of vehicles using our roads.

5.2 Driver Education

We will support local communities to encourage motorists to comply with speed limits. These can include:

- Use of Community Speed Watch
- Use of Speed Indicator Devices (SIDs), and
- Support of the local Police Community Support Officer (PCSO).

Parish and Town Councils play an important role in supporting local communities in wanting to address concerns of speeding. Many have access to an Electronic Speed Indicator Devices SID and deploy them to help address local concerns of speeding. They also regularly liaise with

local policing units and are supportive of community-led initiatives such as Community Speed Watch.

Establishing community support and participation is key in delivering the 3 E's approach.

5.3 Community Speed Watch Campaigns (CSW)

Community Speed Watch campaigns are a police-led initiative and empower local communities with regards to speed compliance in their local areas. CSW campaigns use a number of local residents to run the scheme and will apply roadside speed monitoring tools.

Community Speed Watch works as a deterrent and helps to get the message across that speeding drivers will not be tolerated in the community whilst reminding motorists that speed limits are there for a reason and must be followed.

Cheshire local policing units will be able to provide further information on community speed watch <https://www.cheshire.police.uk/a/your-area/>.

The Council can facilitate the provision of equipment to enable Community Speed Watch initiatives.

5.4 Speed Indicator Devices

Speed Indicator Devices (SIDs) are used as a speed management tool. They are an electronic device which can be securely fixed to a non-moveable structure and are used to empower communities, with regards to speed compliance within their local areas, and encourage drivers to keep within the speed limit. As best practice, they should only be used in locations signed as 40mph or below.

Cheshire East recognise the value that local communities place on them as a tool to encourage motorists to comply with the posted speed limit. The Council do not install SIDs but will work with third parties, such as Town and Parish Councils, to facilitate their use and empower them with regards to speed compliance within their local areas.

There is a strong preference for SIDs to be a temporary device that can be moved between locations on a regular basis, thereby they can be used over a wider area in an urban setting as a visible measure for the wider local community.

The Council recognises that the effectiveness of a SID is linked to its location on the network. Therefore, we will work with Town and Parish councils where a SID is being considered to review such locations prior to implementation of a SID.

5.5 Provision of Speed Indicator Devices

The Council will work closely and facilitate the use of SIDs as a service for Town and Parish Councils. This is to help empower, encourage and enable local communities to address speed management in their local area.

Town and Parish Councils will be empowered to manage and maintain SIDs with guidance and advice provided by Cheshire East Council.

To align with best practice SIDs will have the following characteristic and features:

- Have provision for being portable.
- Have provision for being free standing.
- Have provision for being battery powered.
- Use only white or yellow LED or fibre optic lighting in the display.
- Use only numerical or “Slow Down” text for display.

Third party SIDs on the network will need to be licenced annually

5.6 Existing Speed Indicator Devices

Where SIDs are currently being used as a temporary or permanent fixture, it is expected that those operating them carry out regular reviews of the SID data to ensure that the device is maintaining or lowering the speeds of passing vehicles, if not the device should be moved. A permanent fixture is one where there is no agreed plan for moving the unit during the licence period.

Where a SID is currently being used as a temporary device it is expected that those operating them have a program for relocating the device on a regular basis. A temporary device is one where there is an agreed plan for moving the unit during the licence period.

All locations where a SID is to be, or is, in place will need to be reviewed and licenced annually via the Council. Should a SID be installed on a lighting column surveys and reviews undertaken by the Council may identify that the lighting column is no longer suitable to accommodate the device for structural safety reasons. In such instances the SID must be removed immediately by the third party operator.

Once the SID location has been approved, and any permanent fixtures or facilities installed, it will be the responsibility of the local Town or Parish council to implement, manage and maintain the site including all the associated costs. It will also be the responsibility of the town or parish council to ensure SIDs are rotated on a scheduled basis covering all the approved sites for a minimum period.

Those operating and managing SIDs will need to review their SIDs data on a regular basis to confirm the effectiveness of the measure in a location.

6. Enforcement

6.1 Introduction

The enforcement authority is Cheshire Police and they are responsible for all speed enforcement.

The Council, as Highway Authority, and by extension Cheshire Road Safety Group, have functions and roles that support the police enforcement of speed and red-light infringements.

The Council serves as both the Highway and Traffic Authority and is responsible for the introduction of speed management measures and setting of speed limits on all public roads not under the control of National Highways.

6.2 Role of the Police

The Police will use their own speed management guide 'Cheshire Police Speed Management Process' (see flowchart in [Appendix B](#)).

The Police have a high demand for officer time countywide, and adherence to the process above will ensure that priorities are balanced accordingly. Each time a road traffic personal injury collision is reported to the police, comprehensive details about the circumstances involved are recorded on the Police incident database. Anonymised data is shared with the Council who use it to identify locations where educational or engineering activity may be used to address a particular problem.

For speed enforcement purposes the Police use this data to identify the locations that most frequently experience speed related collisions so they can be considered for enforcement.

Cheshire Police operate the static safety cameras throughout the Borough for enforcement purposes alongside the use of mobile camera technology.

The following camera technology is currently used in Cheshire East:

- Rearward facing static cameras.
- Red light / speed on green static cameras.
- Average speed cameras.
- Mobile vans equipped with enforcement technology.
- Temporary Average speed safety cameras for road works enforcement.

Details of current Safety Camera locations can be found on the CRSG website, which is hosted by Warrington Borough Council, at: <https://www.warrington.gov.uk/roadsafety>.

7. Engineering

7.1 Introduction

The Council follows national guidance on speed management measures.

Where measured speeds are above the thresholds for the desired limit (as set out in [Table 2](#)), additional measures may need to be considered to encourage compliance and adherence by drivers.

Engineering measures form the last step in the 3Es process; however, they may be proposed in isolation, as part of other works and programmes e.g., to encourage active travel, or in response to a development site. It is important, given the wide variety of possible sources, for there to be a uniform approach to speed management.

7.2 Implementing Engineering Measures

The first step is to consider whether the speed limit is suitable and appropriate for the environment prior to considering engineering measures. This may include a review of the extent of the existing limit to better match surroundings.

If, after consideration, there remains the need to implement measures those listed below have been identified as having the potential to influence vehicle speeds to varying degrees.

7.3 Engineering Measures

Typical engineering measures that can be considered for existing roads are:

- Roundels, dragons' teeth, SLOW road markings and all other road markings within the TSRGD.
- Warning signs, yellow or grey backed signs, flashing amber warning lights.
- Regulatory signs (One Way, No Entry etc).
- Information signs (e.g. Unsuitable for Heavy Goods Vehicles).
- Use of coloured road surfacing.
- Vertical measures (e.g. Tables, rumble strips).
- Horizontal measures (e.g. Priority narrowing's, village gateways and chicanes)
- Road or point closures.
- Mini roundabout(s).
- Road width (including formalised parking).

- Change of speed limit.
- Vehicle Activated Signs.
- Variable Message Signs.
- Hard standing areas for Police Enforcement.
- Static camera technology.

Typical Engineering measures that can be considered for new roads are:

- Alteration of road width (including formalised parking).
- Enforcement/Technological Measures.
- Alignment.
- New junctions.
- Roundabouts.
- Traffic signals.

Suitability of measures at individual locations will need to be considered and it is outside the scope of this strategy to provide technical design guidance. This may be found through nationally published Local Transport Notes including LTN 1/07 (Traffic Calming).

7.4 Principles of Setting Speed Limits

The Council's approach to the application of speed limits will be consistent across the Borough. This will enable road users to understand and comply with speed limits. This should also be the case across the country. It is recognised that where speed limits are inappropriate, they should be reviewed and revised accordingly.

DfT guidance states that speed limits should be evidence-led and self-explaining, seeking to reinforce people's assessment of what is a safe speed to travel. Speed limits should encourage self-compliance and should be seen by drivers as the maximum rather than a target speed.

There are many pieces of guidance referencing speed management including Manual for Streets, Active Travel guidance, Decarbonisation and Air Quality management strategies. However, the overriding principle, for applying speed limits, as outlined in DfT Circular 01/2013 Setting Local Speed Limits, that they should encourage self-compliance. To achieve this, speed limits must:

- Be appropriate for the physical environment.
- Reflect the level of use by both motor vehicles and vulnerable road users.
- Take account of the speed vehicles are currently travelling at and the degree to which it is appropriate.
- Account for any speed related injury collision history.

- Reflect the function of the highway corridor and the surrounding environment.

The aim is to ensure the speed limit for any road is appropriate and in keeping with its environment this will mean that, after assessment, we take the following core actions:

- **In some cases, where appropriate, we may lower speed limits.**
- **In some cases, where appropriate, we may raise speed limits.**
- **In some cases, where appropriate, we may not change anything.**
- **In some cases, where appropriate, we may need to change the design of a road to change behaviour.**

When setting speed limits, appropriate considerations include:

- Road function.
- Existing traffic speeds.
- The personal injury collision history.
- The level of use by vulnerable users such as pedestrians and cyclists.
- The surrounding environment, for example the presence of schools; medical facilities; and places people want to visit.
- The local road environment, including width, visibility, and parking.
- Future proposals for the locality, such as active travel schemes to promote more walking and cycling on a road.

The appropriate management of speed limits can assist with managing congestion and increasing journey efficiency across the local and wider network. This complies with statutory duties placed on the traffic authority under the Traffic Management Act (2004).

Speed Management is part of the overall picture that influences network performance and it complements the broader duty of Network Management, which is to expedite the movement of traffic in accordance with local policies. A reduced speed limit may benefit air quality in Air Quality Management Areas and also contribute to reducing the carbon impact of traffic and travel.

The Council's speed limit framework serves to condense these guiding principles into a reference alongside features of the desired speed limit.

This framework is provided in [Section 7.8](#) and is to be used as a starting point for identifying speed limits.

7.5 Road Function

The local environment and likely users of the road are important considerations when implementing changes, such as alterations to the speed limit. For example – urban residential areas, and town centre shopping areas are likely to have a higher number of pedestrians and cyclists, making lower speeds more suitable, whereas sparsely populated roads between destination points, such as, strategic and main distributor routes, with limited non-motorised travel are more suited to higher speeds.

Speed limits are a complementary factor to creating successful places. In general, locations or destinations on roads that people want to visit, such as our link or local access roads, have a high person movement value and roads which facilitate traffic are high vehicular movement value. The relationship between these two factors will contribute towards identifying where lower limits may be appropriate and whether changes to the environment need to be considered.

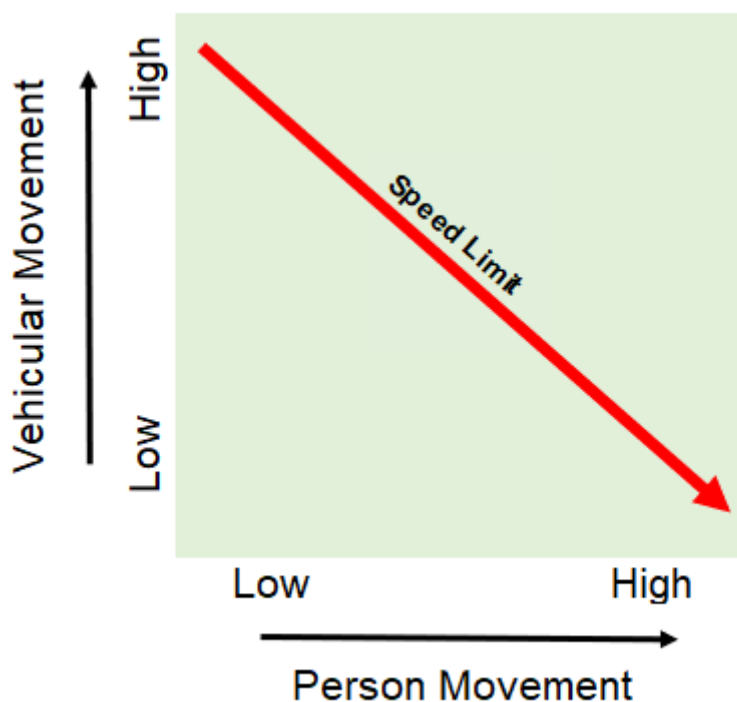


Figure 4 Movement framework

7.6 Existing Speeds

The current guidance DfT Circular 01/13 for setting local speed limits states that traffic authorities should continue to collect and assess both mean and 85th percentile speeds, but that mean speeds should be used as the basis for determining local speed limits.

Mean speeds are the sum of all vehicle's speeds measured over a period of time divided by the total number of vehicles over the same time period. Mean speeds are used for determining local speed limits.

85th percentile speeds are the speeds at or below which 85% of all vehicles are observed to travel under free-flowing conditions. This is a nationally recognised method of assessing traffic speeds.

Where there is not a consistent relationship between the 85th percentile and the mean speed, it will usually indicate that motorists have difficulty in deciding the appropriate speed for the road. This is informed by traffic data, usually captured over a 'typical' week.

This suggests that a better match between the road design and the speed limit is required. In such situations it may be necessary to consider the appropriateness of the limit or whether there is a need for additional engineering or enforcement measures.

Table 2 below shows the range of measured speeds that are used when assessing existing speed limits as detailed in the National Police Chiefs Council guidelines, to determine whether compliance of existing speed limits is being adhered to.

On roads where surveys indicate that the measured mean speed and/or 85th percentile speed are beyond these thresholds, the appropriateness of the speed limit without accompanying measures (either existing or proposed) should be reviewed.

Speed Limit	Mean Speeds	85th percentile speeds
20 mph	24 mph	28 mph
30 mph	30 mph	35 mph
40 mph	40 mph	46 mph
50 mph	50 mph	57 mph
60 mph	60 mph	68 mph

Table 2 Speed Limit ranges

If the current measured speeds are higher than these limits, then there are three potential outcomes based on the core principles of the strategy:

- Keep the speed limit as it is.
- Review the rationale for the existing limit – in some cases the environment may mean that a higher speed limit may be more appropriate for the section or part of it to help encourage the correct behaviour in the relevant environment.
- Introduce measures to manage mean speeds within the posted Speed Limit.

It may be necessary to collect speed data from multiple points on a road, route, or area depending on the extent of the scheme and differences in the local environment.

7.7 Safety and Speed Cameras

Fixed camera technology systems are an engineering option that facilitates enforcement by the Police. These can be designed and installed in the Borough as a measure of last resort in locations and on routes that have a history of collisions resulting in serious injury or death.

Average speed camera technology works best on roads with large distances between junctions, which enables monitoring over a reasonable distance. In urban areas more junctions require more camera locations to cover a zone and these systems do not allow for instances where, for example, a pedestrian crossing will stop traffic. This reduces their effectiveness as the approach and exit speeds can be high but, due to the delays during the journey, the average speed technology would not recognise an offence having been committed.

The criteria for assessing whether speed cameras should be considered are set out by the CRSG to provide a consistent Cheshire wide approach. The use of cameras should always be proportionate, targeted, consistent and transparent in line with current National Police Chiefs Council guidance.

The funding for camera technology on the highway can come from a range of sources including Government grants such as the DfT Safer Road Fund Scheme but is subject to available budgets and prioritisation.

CRSG will continue to monitor technology developments for speed management. This includes:

- Safety camera devices linked to Automatic Number Plate Recognition systems.
- Digital and radar sensor technologies.
- In vehicle technology such as intelligent speed assistance systems.

The Council will consider potential opportunities for piloting or trialling new types of system in conjunction with CRSG.

7.8 Speed Limit Framework

The speed limit framework serves as a guide for the identification and selection of speed limits in both urban and rural settings by documenting the traits and features of a suitable environment.

The speed limit framework will be considered alongside the Network Hierarchy. The framework is split into possible speed limits and is based on guidance from the Department for Transport in Circular 1/2013 Setting Local Speed Limits.

Note that not all features will be present in all cases, nor is there an expectation for all to be present. They are intended to be indicative of environment only.

20mph Speed Areas (Zones and Limits)

Rural and Urban Environments

Traffic authorities are able to use their power to introduce 20mph speed limits or zones on:

- Major streets where there are – or could be - significant numbers of journeys on foot, and/or where pedal cycle movements are an important consideration, and this outweighs the disadvantage of longer journey times for motorised traffic.
- Residential streets in cities, towns and villages, particularly where the streets are being used by people on foot and on bicycles, there is community support, and the characteristics of the street are suitable.

Where a 20mph speed limit is desirable outside a school this may be either advisory or mandatory as a variable speed limit.

20mph should be considered where there is proposed active travel scheme or where a fundamental change in the nature of the road would support such a speed limit.

On proposed housing development sites, where appropriate, the Council will mandate, at application stage, that a 20mph limit or zone be applied to the minor residential access roads and residential access way / shared surface roads.

20mph limits can be introduced over an area where mean speeds at or below 24mph are already achieved over a number of roads.

20 mph zones require at least one traffic calming measure (e.g. speed humps, chicanes) or repeater speed limit signing and/or roundel road markings at regular intervals.

When considering implementing a mandatory 20mph speed limit or zone, Cheshire East will consider the full range of options and their benefits, including road safety, wider community, environmental benefits, and costs.

30mph Speed Limits

This speed limit may be considered for all hierarchy classifications of the Well Managed Highway Network Hierarchy ([see appendix C](#))

Urban

- The national speed limit on street lit roads is 30 mph.
- The standard speed limit in urban areas is 30 mph.
- In other built-up areas (where motor vehicle movement is deemed more important), with development on both sides of the road.

Rural

- Suited to settlement areas which have a clearly defined core with shopping area, town/village green, etc.

Considerations affecting the definition of a 30mph speed limit includes the presence of the following:

- Facilities generating pedestrian/cycle activity – such as schools, shops, public house, play areas, etc.
- Almost continuous frontage development exceeding 600m in length
- Significant development in depth
- Significant pedestrian activity throughout the day with provision of footways and or crossings

40mph Speed Limits

This speed limit may be considered for main distributor, strategic and resilient network of the Well Managed Highway Network Hierarchy ([see appendix C](#))

Urban

- On higher quality suburban roads or those on the outskirts of urban areas where there is little development, with few cyclists, pedestrians or equestrians.
- On roads with good width and layout, parking and waiting restrictions in operation, and buildings set back from the road.
- On roads that, wherever possible, cater for the needs of non-motorised users through segregation of road space, and have adequate footways and crossing places
- Where there are no direct frontages.

Rural

- Settlement has shop(s), school(s), public house etc.
 - Significant development on both sides of road, but not necessarily continuous, with some development in depth
 - Some pedestrian/cycle activity throughout the day with possible peaks associated with schools etc.
 - Some provision for pedestrians/cyclists or acknowledged need and possible warning signs

50mph Speed Limits

This speed limit may be considered for main distributor and strategic network of the Well Managed Highway Network Hierarchy ([see appendix C](#))

Urban

On dual carriageway ring or radial routes or bypasses that have become partially built up, with little or no roadside development

Rural

Should be considered for lower quality A and B roads that may have a relatively high number of bends, junctions or accesses. Can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow.

For C and Unclassified roads with important access and recreational function the speed limit of 50 mph is only appropriate for the lower quality C unclassified roads with a mixed (i.e. partial traffic flow) function with high number of bends, junctions or accesses.

National Speed Limits

This speed limit may be considered for all hierarchy classifications of the Well Managed Highway Network Hierarchy ([see appendix C](#))

Urban and Rural roads

The national speed limit on the rural road network is 60 mph on a single carriageway and 70 mph on dual carriageways.

Recommended for most high-quality strategic A and B roads with few bends, junctions or accesses.

The default position is the national speed limit applies in areas without street lighting. The rural unclassified road speed limit is 60mph.

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7.9 20mph Areas

The introduction of 20mph areas has been shown to encourage the uptake of active travel within a locality¹. Mandatory 20mph speed limits and zones can be considered in those locations where self-compliance is or can be achieved through:

- The nature of the road layout
- The presence of traffic calming features
- Where a fundamental change in the nature of the road would support such a speed limit.

Nationally there are two definitions for roads with mandatory 20mph speeds, these are:

- 20mph speed limits (implemented with Traffic Regulation Orders, signage and roundels painted on the carriageway), and
- 20mph zones (implemented in the same manner as the 20mph speed limit plus additional engineering measures to encourage self compliance)).

It is recognised that the distinction between 20mph speed limits and 20 mph zones can create confusion, and they are often used interchangeably. To alleviate this, we will now use the collective term of 20mph areas. Engineers are required to follow national legislation for zones and limits with respect to the signage and measures that can be used.

When assessing an area for a 20mph zone the following will be considered:

- Potential for Active Travel.
- Pedestrians and Vulnerable Users.
- Infrastructure.
- Education facilities.
- Health facilities.
- Community facilities.
- Active frontage.
- Environment.

Alongside the above considerations, the following will be undertaken:

- The Council will collect speed data.

³ (Atkins, Aecom, and Professor Mike Maher (UCL), 2018)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/757302/20mph-technical-report.pdf

- The lead engineer will visit all roads in a proposed area.

The road function, considered through the movement framework (Figure 4), can be used to identify those areas which may be appropriate for lower speeds due to higher pedestrian and cycle movements (due to local land use) and relatively low vehicle movement. Such areas may benefit most from 20mph areas. As a starting point, 20mph areas are potentially appropriate on residential streets and town centres. Some high streets may also be suitable, depending on their character and location.

Whilst some locations may be appropriate for 20mph areas, they are also likely to require additional supporting measures to ensure compliance. Whilst the person movement value can provide an indication of suitability for 20mph, other criteria will need to be taken into account as detailed in [Section 7.8](#).

Where existing speeds are over 24mph, the implementation of a 20mph area will require traffic calming and/or technological measures to reduce and control speed to the appropriate levels and support self-compliance. Where the existing speeds are over 28mph extensive engineering measures will need to be considered and assessment of their likely effectiveness will need to be fully understood. As such these measure may be introduced as part of wider placemaking and street scene changes, where 20mph limits become part of wider low traffic neighbourhoods (also known as mini Hollands).

Advisory 20mph speed limits can be introduced outside schools. These advisory provisions are not legally enforceable and do not require a traffic regulation order but are a tool to encourage behavioural change. Any advisory 20mph speed limit will operate during school start and finish times.

These advisory limits do not preclude formal 20mph areas. Schools contribute to place value and are likely to benefit from 20mph areas should the environment be suitable or adaptable. The default position for the Council is that a 20mph area may be implemented – if the environment allows – when new schools are proposed, or where significant changes are made to existing school facilities.

7.10 Existing 20mph Areas

It is recognised that there are variances in how 20mph speed limits and zones have been implemented historically across the borough. These schemes were correct at the time of installation, though do not necessarily comply with the revised Speed Management Strategy. All schemes designed and delivered following the adoption of this document shall comply with the new strategy.

7.11 Zonal Rural Speed Limits

A zonal rural speed limit is a speed limit, below 60mph, over a series of interconnecting roads in a rural location; they are usually 40mph.

A process has been developed for the consideration of zonal rural speed limit. .

- Existing speeds are no greater than 40 mph on roads in the planned zone.
- The location has been agreed with the relevant Police traffic management officer.

- The zone would have a predominantly local, access or recreational function and/or form part of a recommended network of routes for vulnerable road users.
- A recognised or known collision history for the planned zone.

To support and inform these considerations the Council will collect speed data on all roads where there is a concern that vehicle speeds are high and the lead engineer will visit the location.

Should the zone be implemented it would need to be self-enforcing and approved by the DfT.

7.12 Considerations to setting speed limits

Considerations of whether the normal application of the speed limit framework should be applied will be limited to the following situations and conditions:

- Addressing Air Quality Management Areas (AQMAs).
- On roads that cross between different Highway Authority boundaries where policies and practices may differ.
- Where a buffer or shoulder zone speed limit between 2 different speed limits is necessary or desirable.
- Accommodation of planned developments.

7.13 Air Quality Management Areas (AQMAs)

Motor vehicle engines work most efficiently at around 50mph. While traffic is often slower than 50mph at peak times, having a consistently lower speed limit may help to improve journey time reliability by smoothing the traffic flow, because it reduces the number of times vehicles need to stop and start again. This in turn reduces the time traffic is stationary or moving slowly in queues and has a positive effect on air quality as vehicles' engines emit the most Nitrogen Dioxide emissions when they are switched on but not moving or moving slowly.

Where it is assessed as part of an action plan to address air quality within an AQMA and this is expected to be an appropriate tool, we may change a speed limit in an area to a level that does not necessarily satisfy the criteria set out in the speed limit framework outlined in [Section 7.8](#).

7.14 Cross Border Roads

It is important that neighboring traffic authorities work closely together, especially where roads cross boundaries, to ensure speed limits remain consistent.

Where a road crosses our authority boundary, we will discuss any proposed speed limit changes with the neighbouring Highway Authority to establish the reasoning for the speed limit change and safety benefits.

Before making any decision on the actions we take we will also consult with, and consider the views of:

- Cheshire Police,
- CEC local Member and,
- Speed Management Group.

This may mean we introduce a speed limit that does not satisfy the criteria set out in the speed limit framework outlined in [Section 7.8](#).

7.15 Buffer or Shoulder Zones

Where there are outlying houses beyond a village boundary or there are high approach speeds to a village an intermediate speed limit (buffer/shoulder zone) may be appropriate.

The use of such limits will be restricted to sections where immediate speed reduction causes the driver difficulty or would have minimal effect well into the extent of the lower limit.

In the case of high approach speeds, other speed management within the village limit, such as the use of signing or lining to create a visual impact or other physical measures to change the appearance of the roads, may be more appropriate to encourage compliance with the village.

7.16 Planned Developments

Where land has been approved for housing development in the Council's Local Plan, we will consider a speed management measure, on an existing road, to accommodate the future development of the site. The measure chosen will be informed by proposals brought forward by developers and, where appropriate, will be aligned to the Speed Limit framework criteria set out in [Section 7.8](#).

Any revision to a speed limit could be implemented on first occupation of the development.

The physical design of new residential roads should encourage motorists to drive at 20mph or less as set out in national guidance, (e.g DfT Manual for Streets). The default speed limit for new residential roads is 30mph, however, the council may, where appropriate, mandate at application stage that a 20mph limit be applied to the minor residential access roads and residential access way / shared surface roads.

Abbreviations and Acronyms

AQMA	Air Quality Management Areas
AONB	Area of Outstanding Natural Beauty
DfT	Department for Transport
LTP	Local Transport Plan
PCSO	Police Community Support Officer
SID	Speed Indicator Device
SMG	Speed Management Group
TRO	Traffic Regulation Order
TSRGD	Traffic Signs Regulations and General Directions 2016

Appendix A – Prioritisation Matrix

Consideration of engineering measures prioritisation									
Please ensure all white cells are set to "BLANK" and the score is ZERO before starting a new location score. Type only in the White Cells Please create a COPY of this sheet for each location and all questions									
Assessment by:						Ref No:			
Date of assessment									
Location				Has this location been assessed in the past 3 years? (If Yes all scores will be 0)		Blank		Road Classification: Blank	
my lane						Speed Limit: Blank		Environment: Blank	
A - CASUALTY REDUCTION									
1 Number of recorded injury collisions in last 5 years				Fatal		Serious		Slight	
				0		0		0	
2 Of these collisions, have any had speed identified as a causation factor? (Yes = 3, No = 0)				Blank				0	
3 Will this location be considered through an alternative programme of work? (E.g. Road Safety, S106, STEPS, Active Travel etc.) (If Yes all scores 0, No = 3)				Blank				0	
B – SUSTAINABLE TRAVEL									
4 On a bus route? (Yes = 2, No = 0)				Blank		No inserts "0" score for Q6		0	
5 Bus Frequency? (Hourly or more frequent = 5, Frequency is less than hourly = 2)				Blank				0	
6 On a cycle route? Yes on LCWIP route = 2, Yes not on LCWIP route = 1, No cycle route = 0				Blank				0	
7 Propensity for cycling Low = 1, Medium = 3, High = 5				Blank				0	
8 Level of Pedestrian activity Low = 1, Medium = 3, High = 5				Blank				0	
C - ACCESSIBILITY AND CAPACITY									
9 Are there terraced housing or houses close to the highway? (Yes = 2, No = 0)				Blank				0	
10 Is there a footway available? (Yes = 0, No = 2)				Blank				0	
11 Is the road narrow (less than 7.3m)? (Yes = 2, No = 0)				Blank				0	
12 Current or Planned Speed Management Measures in place? (Yes = 0, No = 4)				Blank				0	
D - AMENITY									
13 Is location in close proximity to a Conservation area? (Yes = 1, No = 0)				Blank				0	
14 Is location a AQMA site? (Yes = 2, No = 0)				Blank				0	
15 Is this a Residential location? (Yes = 5, No = 0)				Blank				0	
16 Is location in close proximity to an Equestrian centre? (Yes = 1, No = 0)				Blank				0	
17 How many Retail facilities are in close proximity? (E.g. Shops, Supermarkets, Hair & Beauty establishments.) (Under 3 = 0, 4 to 12 = 1, 13 or More = 2)				Blank				0	
18 How many Education facilities are in close proximity? (E.g. Nurseries, Schools, Colleges, Universities.) (0 = 0, 1 to 2 = 1, 3 or More = 2)				Blank				0	
19 How many Health Institutions are in close proximity? (E.g. Doctors, Hospitals, Care homes, Dentists, etc.) (0 = 0, 1 to 3 = 2, 4 or More = 3)				Blank				0	
20 How many Hospitality facilities are in close proximity? (E.g. Cafes, Restaurants, Takeaways, Bars, Hotels, etc.) (0 = 0, 1 to 10 = 1, 11 or More = 2)				Blank				0	
21 How many Places of Worship are in close proximity? (0 = 0, 1 to 2 = 1, 3 or More = 2)				Blank				0	
22 How many Tourist Attractions or Leisure Facility are in close proximity? (E.g. Museums, Garden Centre, Gardens, Historic Houses, Gyms, Parks, etc.) (0 = 0, 1 to 3 = 1, 4 to 6 = 2, 7 or More = 3)				Blank				0	
E – NEIGHBOURHOOD ENGAGEMENT									
23 Political Support (E.g. MP, Ward Member, Town Or Parish Council) (Yes = 5, No = 0)				Blank				0	
24 Police support/concerns (Yes = 10, No = 0)				Blank				0	
25 Other organisations (E.g. Resident association, Speed Watch Group) (Yes = 5, No = 0)				Blank				0	
F - LOCAL CONCERN									
26 Number of recorded resident and/or stakeholder concern for vulnerable road user safety on CONFIRM? (In Past 3 Years) (0 = 0, 1 to 2 = 5, 3 or More = 10)				Blank				0	
27 Do more than half of the recorded concerns above reference traffic speeds causing social issues (Severance)? (Yes = 10, No = 0)				Blank				0	
28 Does this location support wider active travel schemes in the locality? (Yes = 10, No = 0)				Blank				0	
<div>Enter information / responses only in the grey boxes. All other cells are protected</div>									
Ref no	Location	Assessed by	Date of assessment					Total Score	
0	my lane	0	00/01/2020					0	
Copy and paste the above line as VALUES into the Summary sheet									

Appendix B - Cheshire Police Speed Management Process



**Speed
Management
Process
August 2015**

Speed complaint to Police via Local Authority / other source

TM officer records complaint on Speed Management TeamSite

TM officer liaises with Local Authority re complaint including available Intel / history

TM officer & Local Authority decide on course of action based on below options

Available options – any one or a combination of the below (escalating in order)

NFA – Provide feedback / and recommendation

Further investigation – evidence gathering

Offer 'Road Safe Scheme' – *CWAC area only

Offer social media

Speed Indicator Displays (SIDS) – only if available

Community Speed Watch (CSW) – if available

Enforcement – LPU & RPU officers

Enforcement – RPU / Speed Vans

Local Safety Scheme

30 & 40 mph only
An informal speed management device operated by volunteers in accordance with a defined process and initiated by an identified community group.

30 & 40 mph only
An informal speed management process involving the use of speed guns at the roadside. Volunteers are trained and supported by either the Police, PCSOs or Safety Wardens. Vehicle details of those exceeding the relevant speed limit are recorded with drivers receiving warning letters

Appendix C – Well Managed Highway Network Hierarchy


Classification / Category	Criteria
Resilient Network	The most strategic roads within the Borough which are nationally and locally strategic.
Strategic Routes	Trunk and some Principal 'A' class roads between Primary Destinations, Routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions.
Main Distributors	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access.
Secondary Distributors	B and C class roads and some unclassified urban routes carrying bus. In residential and other built up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.
Link Roads	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions. In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads.
Local Access Roads	Roads serving limited numbers of properties carrying only access traffic. In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGVs. In urban areas they are often residential loop roads or cul-de-sacs

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Vehicle Restraint Systems: Installation, Inspection and Maintenance Strategy

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1. Introduction

- 1.1 Cheshire East Borough Council currently maintains approximately 56 km of vehicle restraint systems (VRS) which are distributed across a wide range of locations on our highway network with varying road speeds and traffic flows.
- 1.2 The Council are required to maintain these assets in an effective condition to prevent vehicles from leaving the carriageway, reducing the severity of impact with roadside hazards and to protect essential roadside equipment from damage.

2. Scope of the Document

- 2.1 This document promotes the use of a risk-based approach to the installation of new vehicle restraint systems, as well as the management and maintenance of existing VRS to ensure a consistent and optimum performance across Cheshire East.
- 2.2 The implementation of this strategy will ensure that:
 - New vehicle restraint systems are only installed after all other measures have been considered.
 - New vehicle restraint systems are installed to the appropriate standard.
 - Vehicle restraint systems are recorded on the Highway Asset Management System.
 - Maintenance of vehicle restraint systems will be prioritised following a risk-based approach.
 - Where a departure from national standards or guidance is proposed this decision is fully risk assessed and signed off by appropriate personnel.
- 2.3 As national guidance on vehicle restraint systems is not collated in one place and is complex, this document is intended to be a reference document to support design and highway maintenance engineers when considering vehicle restraint systems and to set the risk-based method by which the Council prioritises detailed inspection and minor maintenance; in order to optimise the funds available whilst reducing the risk.
- 2.4 Guidance and Departure from National Standards

This code of practice has been developed with reference to:

- Requirement for Road Restraint Systems CD377
- Design & Maintenance Guidance for Local Authority Roads Provision of Road Restraint Systems on Local Authority Roads (DMG-RRS)
- Well Managed Highway Infrastructure: A Code of Practice (WMHI)
- TAL 06/03 Managing accidental rail obstructions by road vehicles (TAL 06/03)
- IAN 97/07 Assessment and Upgrading of Existing Vehicle Parapets (IAN 97/07)
- British Standards Documents - BSEN1317 and BS7669-3
- Highways Act 1980 Section 41

The Council will use the above guidance wherever it is applicable and practicable to do so. The contents and scope for each of the vehicle restraint systems guidance notes listed above is included in **Appendix A**.

Where there are proposals from a departure from national standards or guidance, this decision will only be taken after carrying out the appropriate road safety audit and/or risk assessment and will be signed off by the Council.

3. Routine Safety Inspections

- 3.1 All vehicle restraint system installations are subject to a regular basic visual inspection as part of the Highway Safety Inspection policy which prescribes the frequency of inspection, the method of assessment, recording and repairing of highway defects.
- 3.2 All safety fences and barriers are checked visually for obvious accident damage during routine safety inspections. Inspections should be undertaken on foot where appropriate. Long lengths of fence or barrier and sections on high-speed roads may be assessed by means of a slow driven inspection provided the sections to be inspected are clearly visible.
- 3.3 A proportion of our vehicle restraint systems installations are also associated with structures. In accordance with WMHI, vehicle restraint systems will be inspected as part of the highway asset, as well as part of general and principal inspections for structures, where it is practical to do so.
- 3.3 Vehicle restraint system Emergency or Category 1 defects are identified:
 - If part of a section is missing from the vehicle restraint system.
 - If part of a section is bent or displaced from the vehicle restraint system.
- 3.4 In accordance with the Code of Practice for Highway Safety Inspections, if a Category 1 defect is identified it must be made safe within 2 working days. If it is identified as an Emergency, we will look to make the defect safe within 1 hour during the working day and 1.5 hours outside of working hours.

Depending on the severity of the defect and location, the following measures may be put in place to protect the public from the defect:

 - Displaying warning notices, coning off and fencing off the barrier.
 - Installation of a concrete barrier until a permanent repair is complete.
 - Reducing the speed limit and installing temporary traffic lights at the location.
 - Lane closure or closure of the road.

Where a temporary repair is made to a Category 1 defect, we will take reasonable steps to make a permanent repair within one calendar month. This will be dependent on network availability, design, resource and materials to undertake the works (**Appendix E**).

4. Specific Vehicle Restraint Annual Inspections

- 4.1 A visual inspection of the VRS will be undertaken annually in a risk-based approach in accordance with Well Managed Highway Infrastructure: A Code of Practice.
- 4.2 Approximately a quarter (25%) of the VRS assets will be inspected each year.
- 4.3 Inspections will be carried out by approved contractors that hold the National Highway Sector Scheme 10B accreditation.
- 4.4 Detailed inspections are carried out on each asset and an inspection sheet completed for each location. This provides a snapshot of the key characteristics of the asset including system type, physical condition, compliance with current standards and most importantly its purpose.
- 4.5 The above factors are then assessed and applied a condition and priority rating.
- 4.6 The rating established is based upon numerous factors, including the condition of the barriers, its design compliance, its expected performance and whether or not is suitable to protect the hazard in its current location and traffic scenario.

Consideration will also be given as to whether any temporary measures are required to protect the public from defects until such time as a permanent repair is actioned. **(See Section 3.4)**

Condition and Priority Rating

Red – The vehicle restraint system is severely damaged, has significant defects present or is a non-compliant system.

High Amber – The vehicle restraint system has major defects or is non-compliant with current design.

Amber - The vehicle restraint system has isolated minor defects or design issues present but still sufficient integrity to perform as originally designed.

Green – No obvious defects present.

The information collected can then be used to combine additional data intelligence such as accident statistics and hazard ratings. This combination of factors is then risk scored to produce an overall risk rating. **See Appendix D**

- 4.7 Logically, the programmes of service inspections & tensioning should initially be constructed around the repair / upgrading works programmes and follow, as far as practicable, the hierarchy of the condition, priority rating and overall risk rating.

5. Upgrade or Repair of VRS

- 5.1 CD 227 provides guidance on when consideration should be given to upgrading existing vehicle restraint systems which do not meet current standards and exceptions to this. CD 227 also provides guidance on when like for like repairs are permitted on VRS which do not meet current standards. We will follow this guidance, particularly in the case of our 'Higher Priority Sites', wherever it is practicable to do so.
- 5.2 In accordance with the with National Highways Quality Management Sector Scheme 2B and 5B only suitability qualified personnel should be employed to install, upgrade or repair vehicle restraint systems on our road network. Prior to starting works, contractors will be required to confirm that the personnel who will be engaged to undertake work are suitably qualified.
- 5.3 Comprehensive records of the processes followed, and the decisions made should be kept and stored in line with the relevant guidance and the requirements outlined in **Section 7 – Updating the Asset**.

6. Recovery of Costs

- 6.1 Where practicable, efforts will be made to recover all costs incurred in repairing sections of accident damaged fencing or barrier from the third party causing the damage or their insurance provider. This will include the costs of traffic management, making safe, administration and repair. Information will be required from maintenance contractors, police and insurance companies and should be followed up as soon as possible after receiving notice of the damage.
- 6.2 All costs recovered from insurance companies in respect of third-party accident damage will be credited back to the Council's highways department.

7. Updating the Asset

- 7.1 After the survey is complete all data and works are logged into the Asset Management system and digitised accordingly.
- 7.2 Details of existing installations are to be passed by the maintenance teams to the Asset Management Team in order to be checked against the asset register.

- 7.3 Details of new installations are to be passed by the commissioning project manager to the Asset Management Team for inclusion to the asset register.
- 7.4 All other information/documents relating to the assessment, design, installation, inspection and repair processes should be attached as documents to the relevant record.

8. Assessment of Need for the Provision of Vehicle Restraint Systems

- 8.1 It is expected that all practical attempts should be made to prevent new hazards being created and as such hazards should be designed out, thus avoiding the need for vehicle restraint system provision. Where this is not possible, this guidance is applicable.
- 8.2 Different guidance is available, depending on the location, speed limit, traffic flow and type of hazard within the risk appraisal process of a VRS site. Table 1 at **Appendix B** provides a guide to selecting the most appropriate risk appraisal guidance and associated risk assessment based on these criteria.
- 8.3 The Design & Maintenance Guidance for Local Authority Roads Provision of Road Restraint Systems on Local Authority Roads (DMG-RRS) gives examples of the circumstances and hazard types to justify and undertake the appraisal process to determine the need to implement a vehicle restraint system.
- 8.4 In order to give a consistency of approach to the interpretation of the results of the chosen risk assessment, **Table 2 in Appendix B** converts the results of the different risk assessment methods into the risk / priority bands of 'higher', 'medium' and 'lower'.
- 8.5 The risk assessment process is only part of the appraisal process and, regardless of the risk assessment band achieved by a vehicle restraint system site, consideration should be given to suitable, cost-effective and practicable alternative options which will reduce the level of risk to a level which will avoid the need to install / continue to provide a vehicle restraint system. **Design & Maintenance Guidance for Local Authority Roads Provision of Road Restraint Systems on Local Authority Roads (DMG-RRS)** provides examples of alternative solutions for consideration of sites on local roads. Such solutions include the removal or relocation of hazard, speed control or the installation of chevrons and signs etc.
- 8.6 CD 377 requires that road safety audits must be undertaken on all highway schemes involving removal, provision or improvement of vehicle restraint system.

- 8.7 Comprehensive records of the processes followed, and the decisions made should be kept and stored in line with the relevant guidance and the requirements outlined in **Section 7 – Updating the Asset**.
- 8.8 Where, as a result of the above procedure, a decision is made to install a vehicle restraint system, **Appendix C** provides guidance on the design and installation of said system.

9. Appendix A: Summary of Key Guidance

CD377 Requirement for Road Restraint Systems (DMRB)

The Design Manual for Roads and Bridges standard CD377 – Requirements for Road Restraint Systems has been developed using accident data for routes with over 5000 Annual Average Daily Traffic (AADT) and a speed limit of 50mph or greater. Application of the risk-based approach in that standard to low speed and low flow roads is likely to result in overuse of RRSs and not represent best use of limited resources. CD377 is therefore not suitable for use on the majority of the nation's local road network.

Design & Maintenance Guidance for Local Authority Roads Provision of Road Restraint Systems on Local Authority Roads (DMG-RRS)

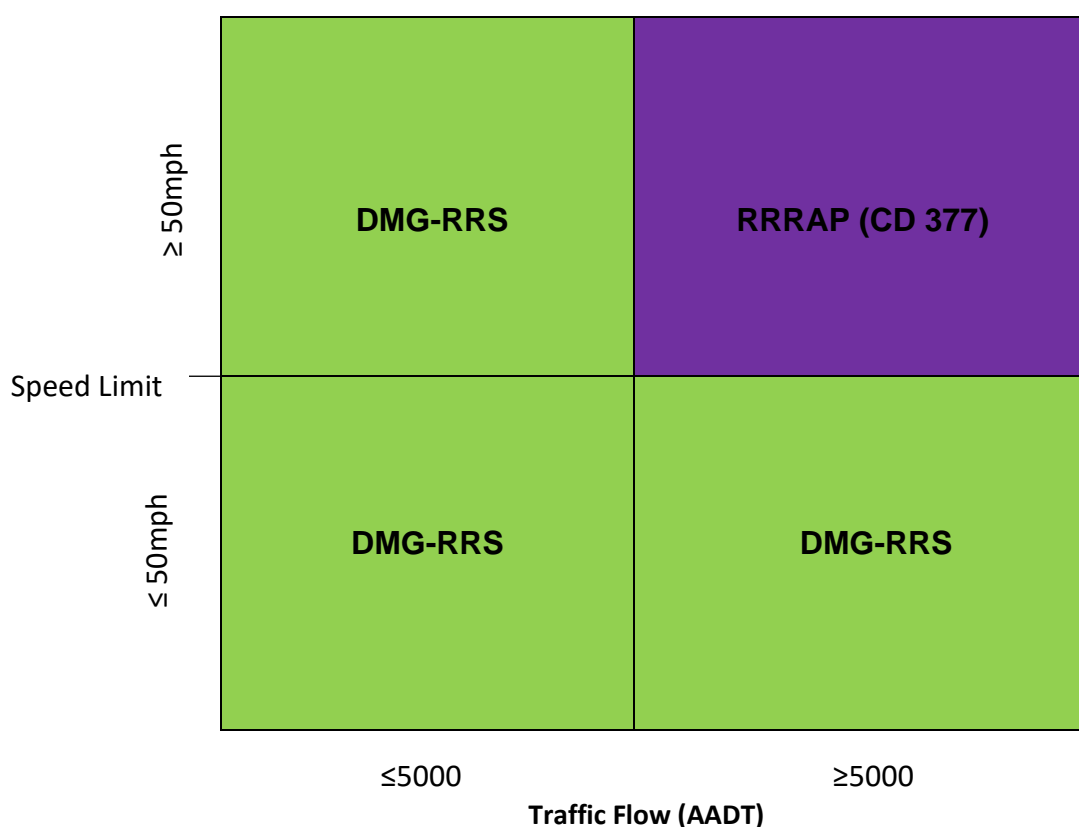
This United Kingdom Roads Liaison Group (UKRLG) Guidance Document is intended for use by highway authorities and their designers considering the introduction or replacement of vehicle restraint systems on roads with low traffic flows and/or low traffic speeds. It describes a process to assist highway authority decision making with regards to investing in a vehicle restraint system at a particular site. It includes the necessary supporting information to assist this process and takes account of risk, risk assessment methods, costs, benefits as well as further advice on performance specification and outline design. It is applicable to:

- New roads (and the adoption of roads)
- Road improvements e.g., widening, junction improvements
- Where a new hazard is introduced, or an existing roadside feature is altered e.g., the addition of roadside features
- Where the upgrade or replacement of a parapet is being considered.
- Maintenance schemes where a significant length of vehicle restraint systems is being replaced
- When the safety performance of a particular site has been questioned and risk reduction options are being assessed.

10. Appendix B: VRS Risk Appraisal

Different guidance is available for the risk appraisal process of a vehicle restraint system site. The most appropriate methodology is determined by several factors including type of road, traffic speed, traffic flows and location.

The table below provides a guide to the scheme designer for the selection of the most appropriate risk appraisal process and risk assessment type, based on these criteria.



Applicable methods for determining when a RRS is required

Table 1	Traffic Speed Limit		
AADT	<40 mph	40 mph	>=50 mph
<5000	VRS generally not required. (In exceptional circumstances apply	DMG-RRS with Method A, B* or C	DMG-RRS with Method A, B* or C
>=5000	DMG-RRS with Method A, B* or C)		CD 377 with RRRAP
All sites near railway lines – regardless of traffic speed / AADT: TAL 06/03 - 'Managing Accidental Obstruction Railway Approaches'			

(* Method B of DMG-RRS is based on the risk estimation tool which forms part of TAL 06/03)

Key to Abbreviations	
AADT	Annual Average Daily Traffic
DMG-RRS	Design & Maintenance Guidance for Local Authority Roads Provision of Road Restraint Systems on Local Authority Roads
TAL 06/03	Managing Accidental Obstruction Railway Approaches
CD377	Requirement for Road Restraint Systems

To give a consistency of approach for the interpretation of the results of the chosen risk assessment, the table below converts the results of the different risk assessment methods into the risk / priority bands of 'higher', 'medium' and 'lower'.

Table 2	Risk Assessment Method			
Risk / Priority Band	DMG-RRS - Method A	TAL 06/03 or DMG-RRS - Method B	DMG-RRS - Method C	CD377 - RRRAP
Higher	Above the KSI return period in Table 3.1 in DMG-RRS*	Score of ≥ 100	Score of 14 or more	'Unacceptable'
Medium		Score of ≥ 70	Score of 9-13	'Tolerable'
Lower	Below the KSI return period in Table 3.1 in DMG-RRS	Score of < 70	Score of 0-8	'Broadly Acceptable'

(*DMG-RRS acknowledges that determining the upper bound of a Medium Priority Site category is difficult and needs to be determined by the individual highway authority).

11. Appendix C: Design and Installation of VRS

Whether designing a vehicle restraint system for a new motorway or an existing low speed road the fundamentals of design process remain the same. Therefore, wherever practicable, the layout of vehicle restraint systems, including those on low speed and low flow roads, should be in accordance with the layouts and design guidance given in CD377, which recommends that vehicle restraint system provision is considered at an early stage in a scheme's development (i.e. before the land footprint or land purchase is decided) and design processes to:

- ensure that all factors that are under our control including land purchase, road and cross-section geometry, and location of hazards are considered in determining the overall optimum solution
- minimise the need for 'departures from standard'
- eliminate or mitigate, as far as reasonably practicable, factors that might be detrimental to the safety of those who use and work on the road, and of others that might be affected by use of the road. For example, consideration should be given to

prevent grass from growth in front of VRS so that grass cutting operations do not require operatives to be positioned in front of safety barriers

The RRRAP is an integral part of the design process in CD377; where reference is made to the results of the RRRAP, the designer should refer instead to the results of the relevant DMG-RRS risk assessment where this is applicable. A summary of some of the key information in CD377 relating to design and installation is also provided in DMG-RRS.

The results of the RRRAP procedure for each design must be included as part of the Health and Safety documentation required under CDM Regulations.

All vehicle restraint systems are to be designed by suitably qualified engineers with a working knowledge and experience of these systems to current standards.

In addition to complying with all appropriate standards and guidance the designer must also consider the whole of life costs of the vehicle restraint systems, including the future repair and maintenance needs.

Only vehicle restraint systems conforming to EN1317 standards will be permitted. Only personnel qualified in accordance with National Highways Quality Management Sector Scheme 2B and 5B should be employed to install, upgrade or repair VRS on our road network.

Where a departure from national standards or guidance is proposed, this decision will only be taken after carrying out the appropriate road safety audit and/or risk assessment and will be signed off by the Council and the decisions made should be kept and stored in line with the relevant guidance and the requirements outlined in **Section 7 – Updating the Asset**

12. Appendix D: Vehicle Restraint Risk Scoring Matrix

Road Category	Score
Resilient Network	6
Strategic Route	5
Main Distributor	4
Secondary Distributor	3
Link Road	2
Local Access Road	1

Hazard Type	Score
Electrical/Gas utility installation	10
Railway	10
Body of water/River/Canal/flood plain	9
Bridge/retaining wall over 3m with no parapet protection	9
Structural columns/Gantries	9
Known collision hot spot	8
Embankment (>6m drop)	8
Overpass	8
Central Res	7
Lighting columns (not passively safe)	6
Large signs (not passively safe)	6
Trees (>250mm Ø)	5
Embankment (1m – 6m drop)	5
Highway boundary walls (brick > 1.2m height)	5
Slipway	5
Lighting columns (passively safe)	3

Accident Record	Multiplier
No collisions	X1
Small collisions (minor injuries, or network disruption)	X1.5
Serious collisions (major injuries or network disruption)	X2
Fatal collision	X2.5

Condition/Rating	Priority	Multiplier
Red/Repair	1	X3
High Amber	2	X2
Amber	3	X1
Green	0	X0

Example

A barrier has been assessed and has a High Amber condition. The barrier is alongside a river and prevents vehicles from exiting the road and going into the water. There has been an incident where a vehicle has mounted the barrier.

The risk score methodology:

Road Category - Resilient (6)

Hazard Type - River (9)

Base Score – 15

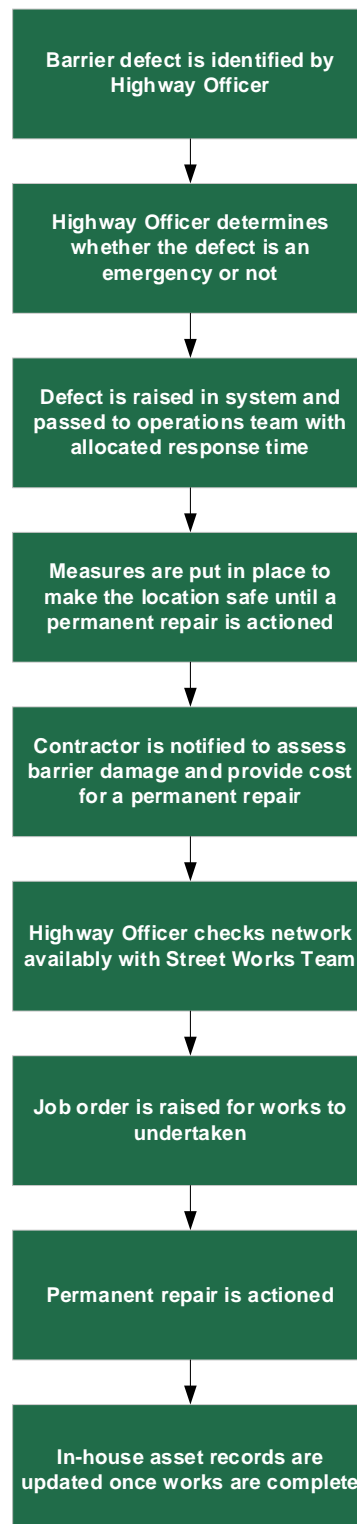
Condition Rating – High Amber x 2 = 15

Accident Record – Serious x 2 = 15

Total Risk Score - 45

The score would be recorded and listed along with other barriers across the Borough and used to determine which barriers present the Council with the highest risk.

13. Appendix E: Routine Inspections Flow Chart Process



Skid Resistance Strategy

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1. Introduction

- 1.1 An important aspect of asset management is ensuring the road network under the control of the local highway authority is safe for road users by providing adequate skidding resistance of the carriageway surface.
- 1.2 The purpose of this document is to outline Cheshire East Council's approach to maintaining the appropriate levels of skid resistance on the Authority's road network across the Borough and thus minimising accidents directly attributable to skidding.
- 1.3 Due to limited funding a risk-based approach is required in the management of highway skid resistance. Low skid resistant sites may in certain instances be shown to reduce the safety of a section of road; this reinforces the need to eliminate or address these sites in an appropriate manner.
- 1.4 The authority has recognised the need for a staged prioritisation process to identify the sites which may require investigation. The procedure provides a step-by-step approach to identifying and prioritising low skid resistant sites; this is covered briefly in Section 10 and is covered in detail in Appendix 2 of this document.
- 1.5 The procedures outlined in this document will assist in a consistent long-term strategy to manage the skid resistance of the Borough's network to a consistent and safe level. The need to prioritise the sites for treatment or alert following a structured approach is a highly recommended solution under asset management protocols based on: Sideway-force Coefficient Routine Investigation Machine (SCRIM) data, accident statistics, police reports, traffic volumes and road environment.
- 1.6 This process provides a tool to prioritise and treat sites, taking account of budget and programme considerations. This strategy provides the processes to enable Cheshire East Council to prioritise all their possible skid deficient sites.
- 1.7 A documented standard approach helps Cheshire East Council (CEC) to demonstrate that the sites are prioritised and programmed in a consistent manner. This will be achieved by using the best available technical survey data and information collected from site inspections by the Highway Service. Prioritisation will ensure that limited resources are directed to those sites in the most need and of the greatest risk. This demonstrates that the authority is doing all it can to meet its statutory duties and responsibilities.
- 1.8 This strategy is based on Highways England's Technical Standard CS 228 – Skid Resistance published in the Design Manual for Roads and Bridges (DMRB).
- 1.9 In line with the general principles of the Well-Maintained Highways Code of Practice, its successor Well-Managed Highway Infrastructure, and CS 288, this Strategy applies a risk-based approach to the management of skid resistance on our highway network.
- 1.10 The term 'skid resistance' used in this document refers to the frictional properties of a road surface, measured using a specified device, under standardised conditions. Skid resistance testing is carried out on wet or damp surfaces unless stated

otherwise as the skid resistance of a surface can be substantially lower than when the same surface is dry.

- 1.11 Skid resistance measurements are used as an empirical assessment of a road surface's level of grip and as an indication of the potential need for further investigation based on known acceptable limits. However, it should be noted it does not represent the definitive grip available to a road user making a particular manoeuvre at a particular time and at a particular speed.

2. Legislation

- 2.1 This section provides a brief overview of the statutory duties relevant to Cheshire East Council, as a Local Highway Authority (LHA).
- 2.2 Cheshire East Council as the Local Highway Authority for the roads in the Borough has a statutory duty under Section 41 of the Highways Act 1980 to maintain any highways maintainable at public expense.
- 2.3 Section 58 of the Highways Act 1980 does also provide some statutory defence to counter legal actions for negligence. The local authority must be able to prove in a court of law that it has taken 'such care as is in all the circumstances reasonably required to secure that part of the highway to which the action relates was not dangerous for traffic.' This is partly based on the following; however, the following is not exhaustive of the criteria which a court will consider:
- (a) The character of the highway and the traffic which was reasonably to be expected to use it;
 - (b) The standard of maintenance appropriate for a highway of that character and used by such traffic;
 - (c) The state of repair in which a reasonable person would have expected to find the highway;
 - (d) Whether the Highway Authority knew, or could reasonably have been expected to know, that the condition of the part of the highway to which the action relates was likely to cause danger to users of the highway.
 - (e) Where the Highway Authority could not reasonably have been expected to repair that part of the highway before the cause of action arose, what warning notices of its condition had been displayed."
- 2.4 The Highways Act 1980, Section 58 does not stipulate the standard of maintenance applicable to the highway and additionally it does not specify whether the highway authority had in fact provided a competent member of staff to supervise or carry out the maintenance of the highway to which the action relates.
- 2.5 It is accepted by the Courts that different standards of maintenance are applicable to the road network; this is related to vehicle and pedestrian usage as well as speeds of the vehicles using the highway. The court, therefore, takes in to account it would be

unrealistic for the Local Highway Authority to monitor and maintain adequate levels of skid resistance on the whole network and would not be deemed “reasonably practicable”

- 2.6 CEC has developed this skid resistance strategy to ensure a suitably structured procedure and strategy is implemented on the highway under its care and adequate levels of skid resistance maintained within reasonable expectations of an LHA outlined in the Highways Act 1980.
- 2.7 Importantly, having a skid resistance strategy in place will provide evidence if required that this strategy is actively used in a responsible, well documented and structured manner.

3. CS 228 Principals

- 3.1 In 2019 the Highways Agency (now National Highways) published a comprehensive methodology for managing carriageway skid resistance on motorways and trunk roads and this is set out in their design bulletin, CS 228.
- 3.2 The broad principles of CS 228 are as follows:
 - (a) Skid resistance surveys will be undertaken annually on defined parts of the highway network (see Appendix 3).
 - (b) The defined network will be assigned “investigatory levels” depending on a range of factors such as the speed limit and geometry of the road. This is detailed in Chapter 7 and Appendix 1.
 - (c) Skid resistance data obtained from the surveys and the investigatory levels can be recorded and managed within the authority’s asset management system (Confirm, etc).
 - (d) Skid resistance data for a particular section of road will be scrutinised and compared against its investigatory level.
 - (e) The further investigation will consider other factors such as whether there is a wet skid-related road traffic accident history at the site.
 - (f) Where remedial treatment is deemed to be of benefit, sites will be prioritised using a risk assessment approach and inserted into a work programme for action if necessary.
- 3.3 The above principles are applied on an ongoing basis so that skid resistance across the selected network within this strategy is continually monitored and managed appropriately.

4. Responsibilities

4.1 This section sets out the various roles and responsibilities for the management of the Skid Resistance Strategy (see below).

4.2 The authority is responsible for the following:

- a) Management, development, implementation and regular review of the authority's Skid Resistance Strategy.

The external provider is responsible for the following:

- c) The assignment of site categories and investigatory levels with agreement from the authority
- d) The procurement and management of the skid resistant survey.
- e) Processing, analysis and review of skid resistance data received from survey contractor.
- f) Maintaining the appropriate records of site visits and associated documents. This is detailed further in the 'Records' section of this strategy.
- g) Collaboration between highways departments of any issues affecting the site which may be contributory to skid resistance issues. For example, faded road markings or traffic signs will be reported to the appropriate Highways team.
- h) Providing a prioritised list of sites that would benefit from improvement works and making informed decisions about how these are integrated into annual and future carriageway programmes.
- i) Review of the site categories and investigatory levels for the road network subject to skid resistance surveys. This review will be carried out every 3 years.

4.3 The authority and external provider will ensure that the most appropriate remedial action is taken at sites which have been identified through the prioritisation process.

Some examples of the options available are;

- Erection of warning signs
- Re-apply the road markings
- Retexturing of the road surface e.g. surface dressing
- Resurfacing of the carriageway with appropriate asphalt material.

5. Methods of Surveying

5.1 There are currently three methods of testing skid resistance:

- SCRIM
- Grip Tester
- The Pendulum Test.

5.1 SCRIM and Grip Tester are acceptable methods for routine testing on the Principal, Resilient, Strategic and Main Distributor Network.

5.2 Pendulum testing is more suited to footway and footpath surveys, as it is hand operated and would hence be unsuitable to testing large areas.

5.3 SCRIM is the surveying method adopted by Cheshire East Council for surveying the network.

5.4 Cheshire East like most other authorities has adopted the single annual survey method. This method produces corrected CSC (Characteristic SCRIM Coefficient) values which are used in the monitoring of the highway network.

5.5 The full adoption of this survey methodology has meant that Cheshire East survey 100% of their Principal Resilient, Strategic and Main Distributor Network on a yearly basis.

5.6 SCRIM vehicles are subject to testing procedures to receive accreditation, as with many surveying vehicles. The Service Provider will ensure all vehicles used to survey the network are accredited appropriately.

6. Annual Survey Programme

6.1 A defined programme of sites held on Cheshire East's Asset Management System shall be tested annually and in both directions of each carriageway as identified in Appendix 3.

6.2 Skid Resistance is not a constant but is influenced by various factors, such as test speed, temperature, weather conditions and longer-term effects such seasonal weather variations or change of traffic flows. It is important to try and ensure conditions are as controlled as far as possible:

- Measurements of road skid resistance shall be carried out annually. The timing of the testing is to be varied within the seasons on a rotating 3-year rolling basis in accordance with the following criteria between:
 - Year 1 - Early Season
 - Year 2 - Mid Season
 - Year 3 - Late Season
- Specifying a standard testing speed
- By providing an up-to-date network plan for the survey contractor to use.

6.3 Additional sites will also be selected through consultation with the Road Safety Team. The following prioritisation criteria to establish a testing programme on the Non-Principal Road Network.

- Accident data: This is provided from the Road Safety Team and converted to a shape file format for the rest of Cheshire East Highways.
- Fatal or serious accident sites: Where fatal or serious accidents occur, and the skid resistance of the road surface may be a contributory factor, the surface condition and historical survey data will be assessed by the Road Safety Team within 30 days of the Council receiving notification of the accident.

7. Site Categorisation and setting the Investigatory Level

7.1 Setting an investigatory level is essential to monitoring the appropriate level of skid resistance for a site. It is important to set the Investigatory Level (IL) at the correct level for the location. Where site conditions have changed it may be appropriate to revise the IL.

7.2 All A roads that form the Resilient, Strategic and Main Distributor Network have been categorised for skidding investigatory levels in accordance with the requirements of CS228: Table 4.1 – Site Categories and Investigatory Levels of CS228, see Appendix.

The process to achieve site categorisation has been to conduct a combined desktop exercise and an on-site validation process.

Where the site Investigatory level set by the Highways Service is below that which is recommended in Appendix 1. The justification for setting the lower level shall be documented.

7.3 The Borough's Road network Investigatory Levels shall be reviewed when:

- A significant change to the network is made.
- Or as part of a regular review of all Investigatory Levels every 3 years.
- &
- There is an increase in the level of wet skid related accidents/incidents.
- The site IL has been incorrectly assigned.

7.4 In all cases, these changes must be undertaken and logged by a competent highways engineer in the site reclassification spreadsheet and the UKPMS highway network amended as necessary.

8. Process and Analysis of SCRIM data

- 8.1 Once the survey has been completed, the data collected will be validated and processed.

This process will involve:

- Correcting factors – i.e. where it was not possible to get the survey vehicle up to the specified test speed.
 - Multiplication by the index of Sideways Force Coefficient applicable to the test wheel when it was surveying
 - Calculation of the CSC.
- 8.2 Once data has passed through validation and processing, it will then be analysed using the Asset Management System.
- 8.3 This process will also highlight any sections which have not been surveyed. Retesting will be carried out where necessary, or where survey data does not exist, the previous year's data shall be used as a replacement.
- 8.5 No section shall have 2 consecutive years where no measurement has been taken.
- 8.6 SCRIM deficiencies shall be analysed against the relevant Investigatory Level to determine "realistic" scheme lengths.
- 8.7 The data will be scored and analysed and processed through the prioritisation strategy. This strategy is detailed in Appendix 2.
- 8.8 All such sites shall be prioritised and investigated by the Road Safety and Asset Management Team to determine if the intervention level is correct and whether treatment to improve the skid resistance is required or an alternative action is appropriate. Any such site visits will be documented using the appropriate forms featured in Appendix 5.

9. Identification for Site Assessment & Investigations

- 9.1 All locations on the SCRIM Network where the CSC is equal to or below the corresponding IL shall be considered for in-situ investigations. These sites will be prioritised based on hazard attribute risk factors, including the magnitude of skid resistance deficiency (See Appendix 2)
- 9.2 The process for analysis of SCRIM survey data is as follows:
- Import/update SC and IL data in UKPMS system.
 - Import CSC data into UKPMS and determine SCRIM Deficiency.
 - Import three-year accident data into the relevant GIS software.

- Undertake data analysis by desktop study of all sites at which the CSC is at or below IL to allow identification and prioritisation of sites at which a more detailed site investigation is warranted.
 - Prioritise sites using a risk-based scoring system as set out in Appendix 2. This allows prioritisation of sites to be investigated.
- 9.3 The identification of SCRIM deficient sites will be undertaken within 8 weeks of receipt of all relevant processed SCRIM survey, accident and traffic data.
- 9.4 For sites with a texture depth less than 0.6mm, a review of available works history records should be undertaken to identify sections where materials have low or negative texture by design.
- 9.6 To account for possible inaccuracies in the recording of accident locations, analysis will extend overall length of road extending 100m buffer in each direction from recorded accident locations. Inaccuracies may arise due to:
- Accident locations are often recorded where the vehicle(s) came to a stop, and it may therefore not be possible to accurately locate the point of accident.
 - Vehicles may have been moved before the recording of the accident so that an approximation of the location has to be made.
- 9.7 All road traffic collision incident data will be validated before being used for analysis to ensure there is no duplication.
- 9.8 Other factors which relate to risk such as speed limit, road classification and traffic levels are reconsidered when defining SC's and IL's, as detailed in the corresponding sections above.
- 9.9 Following this initial risk assessment, sites will be ranked in order of descending risk. Detailed site investigations will be carried out at all sites with a risk score of 19 or greater, as determined by the scoring criteria set out Appendix 2. This threshold is to account for the limited resources available to a local authority, while still balancing safety risks. This approach was determined by assessing various scenarios using potential combinations of the criteria in Appendix 2: Table 2. For example, a site with a "serious/fatal" likely crash impact and a skid resistance difference of between -0.10 and -0.15 would be assigned a risk rating of 10.

10. Site Investigation

- 10.1 All sites selected for detailed investigations following the initial risk assessment process will be passed on to the person(s) responsible for coordinating these investigations.
- 10.2 A schedule of investigations will be planned out in such a way as to undertake the work in as timely and efficient a manner possible – investigations should be carried out according to initial risk assessment:

- High risk (≥ 19): high-priority site investigation, to be carried out as soon as possible following initial risk assessment.
- Medium risk (6 – 18): investigate on a risk-prioritised basis, as resources and funding allow.
- Low risk (≤ 5): no further investigation required.

- 10.3 Site investigations must be undertaken by a competent person in highway maintenance, using the Site Investigation Form in Appendix 2 which is designed with reference to CS 228, and referring to the detailed guidance notes. Initially, this will be part of a desktop exercise.
- 10.4 Site investigations may be carried out on foot or from a vehicle – the decision shall be made based on factors such as assessed site skid risk, resources and/or time available, health and safety risks to inspectors, and prior knowledge of the site. In general, it is preferable for the investigator to walk the site to get the most detailed results, especially if skid risk is high.
- 10.5 In rare circumstances, detailed site investigations may be carried out without physically going on site, however this must be robustly justified – for example, due to health and safety risks. In these cases, the investigator should use (recent) photos/videos of the site wherever possible.
- 10.6 The health and safety of personnel conducting site investigations, maintenance operatives and other road users is paramount. As such, site investigations shall be undertaken in a manner that minimises risk to these groups. Health and safety risks should be managed in accordance with the Council's usual procedures.
- 10.7 During on-site investigations, the investigator(s) should take photos to illustrate/record key information where relevant and include these in the investigation report. A camera with geo-referencing should be used when possible.
- 10.8 As a result of the investigation, remedial actions to address skid resistance risk at the site may be recommended by the investigator(s). These will be clearly noted on the Site Investigation Form and addressed according to the approach set out in the following section.
- 10.9 Records of all site investigations will include sites at which remedial works are required, sites where other action is required, and sites at which no further action is considered necessary. Sites at which no further action is required will be reviewed the following year to monitor the performance of the road surface and to review the level of risk.
- 10.10 Site investigations may result in the need for various actions. These may include actions to reduce skid resistance risk (e.g.: carriageway works, improving signage, etc.).
- 10.11 The inspector may also recommend changes to the site IL and/or risk rating (as per Appendix 2) based on risk factors observed at the site. In these cases, a review will be undertaken, considering the site investigation report and inspector

recommendations, to determine whether the site IL and/or risk rating should be changed, and to what value(s).

- 10.12 Site investigations may also result in an outcome of “no action required”. These sites should be picked up by the process in the following year since they will have $SD \leq 0$ – in this way their skid risk will be continually monitored.
- 10.13 All such reviews will be documented, and records maintained. Where the site risk rating is changed following any review, this post-investigation risk rating will be applied for the purposes of determining the priority of remedial actions, as described in Section 11. Note that a change to the IL may affect site risk rating whether or not the risk rating is changed directly.
- 10.14 All site investigation outcomes will be reviewed and approved by a suitably qualified and experienced person – this person will sign off the investigation form.

11. Identification and Prioritisation of Remedial Actions

- 11.1 If, following detailed site investigation, the condition of the road surface is a contributory factor to unacceptable skid resistance at the site, it may be necessary to plan works to remedy this. These works will generally fall into one of two categories:
 - Surface improvement: involving the addition of a thin surface layer on top of the existing pavement surface.
 - Resurfacing: involving the removal of surface/binder course material to a given depth and laying new material.
- 11.2 The type of treatment (and extent, depth, etc.) will be decided by suitably qualified and experienced personnel, taking into consideration any recommendations from the site investigator(s). Scheme design is not covered in this document. Scheme design will follow all the usually applicable Council processes and conform to all applicable standards and guidance.
- 11.3 The programming and prioritisation of remedial works will be risk-based (using post-investigation site risk scores) as follows:
 - High risk (≥ 19): High priority implementation. Any necessary remedial works to be added to the current/next network maintenance works programme as high-priority schemes.
 - Medium risk (6-18): Implement as soon as reasonably practical, as far as resources will allow (See Appendix 2).
 - Low risk (≤ 5): Implement only if/when resources allow, and only if cost-effective as part of a wider programme.
- 11.4 Subject to the conditions above, works will be prioritised where necessary in order of descending skid risk in accordance with their post-investigation risk score. Works will be programmed in as part of the usual works programming processes – this will allow potential efficiencies to be identified where synergies are available between

works to improve skid resistance and general maintenance works to improve road condition.

11.5 Non-Invasive Remedial Actions

In addition to/as an alternative to pavement condition improvement, several non-invasive options for reducing skid risk may be recommended following site investigation. These include:

- Signage: removing redundant/confusing signs, cleaning/replacing signs, etc.
- Road markings: removing redundant/confusing markings, renewing markings, etc.
- Driver visibility: cutting back/removing vegetation, removing street clutter, etc.
- Pedestrian safety features: installing pedestrian barriers, crossing islands, etc.
- Traffic speeds: reduce speed limits, install traffic-calming measures, etc.
- Road cleansing: removal of debris, sweeping, etc.

11.6 Any sites that require resurfacing works must be added to a works programme and Slippery Road Warning Signs should be erected along the extent of the location and immediately remove once works are completed, in accordance with CS 228.

11.7 Any resurfacing works must be designed with reference to CD 236 and specifications. Refer Appendix 6 for more details.

11.8 Sites at which surface treatments are required to improve skid resistance will be added to the programme of works for the current year and prioritised according to the associated risk.

11.9 Where such actions are recommended in a Site Investigation report, they should be implemented according to the post-investigation risk rating:

- High risk (≥ 19): Implement with high priority
- Medium risk (6-18): Implement as soon as reasonably practical, as far as resources will allow
- Low risk (≤ 5): Implement only if/when resources allow, and preferably as part of a wider programme

11.10 Actions can be prioritised within categories by descending risk rating where necessary. A record of any works instigated due to Site Investigations must be archived along with the related Site Investigation forms.

12. Use of warning signs

12.1 Signs such as the slippery road sign are essential for notifying road users of any problematic areas of highway, which may require extra care and attention.

12.2 This document concerns itself mainly with the 'slippery road' sign to be used in accordance with the instructions contained in The Traffic Signs Regulations and General Directions 2016.

- 12.3 Where the skid resistance is considerably below the Investigatory Level consideration will be given to the erection of slippery road warning signs as a matter of urgency. This will be within 30 days of the appropriate form being completed.
- 12.4 Signs will not be erected unless there is clear evidence the skid resistance of the site is below the assigned Investigatory Level. This will be documented in the Site Investigation Form, featured in Appendix 5.
- 12.5 Should the step be taken to erect slippery road surface signs; they will be used in accordance with the guidelines and instructions in The Traffic Signs Regulations and General Directions 2016 and any subsequent amendments as appropriate.
- 12.6 In other cases, consideration to erecting slippery road warning signs as soon as practicable at all locations where a site investigation and a road safety audit has concluded. Signs will be erected within 60 days of the appropriate report being completed.
- 12.7 Slippery Road warning signs should be removed from site as soon as they are no longer required. This should be after any remedial treatment has been carried out and the Highways Service is satisfied that skidding resistance levels have been restored to an appropriate level. This may require skid resistance and texture depth testing to ensure that the necessary level has been achieved.
- 12.8 A site visit will be documented and kept on file when signs are both erected and removed.

13. Re-Classification of Site Investigatory Levels

- 13.1 Re-classification and amendments to the Investigatory Levels should only be undertaken with the approval of the authority and the service provider. The criteria for amending a site are:
- Incorrect site classification (CS 228 Table 4.1)
 - Changes to the network (classification usage alignment) resulting in a need to amend the site category.
 - Lowering of site category/investigatory level after a 3-year review in compliance with this document and fully documented using the form in Appendix 5
 - Re-classification due to the level of accidents.

14. Records

- 14.1 The following records shall be maintained to demonstrate implementation of this strategy; these shall be maintained within a database for the highway service:

- Setting of Investigatory Levels for the Resilient, Strategic and Main Distributor Network, including justification for any deviation from the recommendations of CS 228.
- Setting of Investigatory levels for selected sites on the Non-Principal Road Network if required, including justification for any deviations from the recommendations of CS 228.
- Documentation and certification from any survey contractors that the scrim machine has been tested against the criteria specified in Accreditation and Quality Assurance of Sideways Force Skid Resistance Survey Devices.
- Skid testing results and data analysis.
- Site investigation findings for any sites assessed.
- Priority lists of sites for remedial treatment to restore an adequate level of skid resistance.
- Details of completed works programmes, relating to remedial treatment for substandard skid resistance.

15. Aggregate Specification for Pavement Surfacing

- 15.1 Choosing the correct aggregate for road surfacing works is vital in the role of providing safe roads, meeting road users' needs, reducing the environmental impact and providing value for money.
- 15.2 CD 236 provides a summary of the different types of bituminous and concrete surfacing materials and techniques, providing advice and recommendations regarding the appropriate material for each situation. It is recommended that Cheshire East Council utilise the guidance from these documents when designing schemes.
- 15.3 Aggregate is graded depending on size and Polish Stone Value (PSV); an aggregate with a low PSV will polish quicker when compared to an aggregate with a higher PSV. PSV testing must be carried out in accordance with BS EN 1097-8:2000.
- 15.4 Due to the nature and risk of the Cheshire East Council Road network, different PSV aggregates can be used in different locations based on guidance from the CD236. Appendix 6 is the minimum PSV requirements depending on the Site Category/Risk Factor and Daily Traffic Flows.

16. Early Life Skidding Resistance

- 16.1 After much publicity regarding the early life dry skidding resistance of thin surfacing materials, the Highways Agency published IAN49/03 Use of Warning Signs for New

Asphalt Road Surfaces. IAN 49/03 was introduced to address concerns of potential increase skidding risk on new thin surfaces, pending finding from further research.

- 16.2 IAN 49/03 has been superseded by IAN 49/13 which is guidance based on further research, which concluded that the increases in accident risks effects all new asphalt surfaces and not just thin surfaces. Additionally, the overall increase in accident numbers over the initial six months is also accompanied by a significant decrease in the number of fatal incidents.
- 16.3 IAN 49/13 indicates that the increase in risk tends to occur on low-risk sites, not high-risk areas as had previously been envisaged.
- 16.4 Based on the national guidance provided by IAN 49/13, Slippery Road Warnings Signs will no longer be required along the length of new Thin Surfacing sites.

17. References

The Design Manual for Roads and Bridges Department For Transport

www.gov.uk/guidance/standards-for-highways-online-resources#thedesign-manual-for-roads-and-bridges

CS 228 on Skidding Resistance Department for Transport

<https://www.standardsforhighways.co.uk/ha/standards/dmrb/vol7/section3.htm>

Well-Managed Highway Infrastructure Roads Liaison Group

<http://www.ukroadsliaisongroup.org/en/codes/index.cfm>

Horses and Highway Surfaces British Horse Society/ADEPT (formerly County Surveyors Society)

<https://www.bhs.org.uk/go-riding/riding-out-hacking/common-incidents/slippery-roads/>

Manual of Contract Documents for Highway Works Department For Transport

www.gov.uk/guidance/standards-for-highways-online-resources#themanual-of-contract-documents-for-highway-works

Traffic Signs Regulations and General Directions Department for Transport

[The Traffic Signs Regulations and General Directions 2016](#)

NB: all referenced in this document may be retrieved from the location provided for the Design Manual for Roads and Bridges. The direct location is provided for CS 228 only given its significance for this document.

Appendix 1: Table of Investigatory Levels

In the table below sets the Authority's Investigatory Levels and is based upon the Department of Transport's CS228.

ST denotes the initial Investigatory Level (IL) used for the relevant site category.
LR indicates the minimum value the authority will allow the Investigatory Level to be changed to, when a deficient site investigation concludes that the Investigation Level should be changed.

Further guidance on the acceptable IL for each category is given in CS 228 and the IL shown in **bold** are the levels which have been set for Cheshire East.

Site category and definition		IL for CSC data (skid data speed corrected to 50km/h and seasonally corrected)							
		0.30	0.35	0.40	0.45	0.50	0.55	0.60	0.65
B	Non-event carriageway with one-way traffic	LR	ST						
C	Non-event carriageway with two-way traffic		LR	ST	ST				
Q	Approaches to and across minor and major junctions, approaches to roundabouts and traffic signals				ST	ST	ST		
K	Approaches to pedestrian crossings and other high risk situations					ST	ST		
R	Roundabout				ST	ST			
G1	Gradient 5-10%, longer than 50m				ST	ST			
G2	Gradient >10%, longer than 50m				LR	ST	ST		
S1	Bend radius <500m – carriageway with one-way traffic				ST	ST			
S2a	Bend radius <250m – ≥40 mph carriageway with two-way traffic				ST	ST	ST		
S2b	Bend radius <100m – ≥30 mph carriageway with two-way traffic ⁽³⁾				LR	ST			

1 Mini roundabout should be excluded from this Site Category. Category Q should be applied for the approach to and across mini roundabouts.

2 Categories G1 and G2 are not applicable to uphill gradients on carriageways with one-way traffic.

3 Where category S2 applies, and speed limit is ≤30 mph, the site may be classified as "Low" risk when setting the IL, unless other risk factors apply.

Appendix 2 : Prioritisation of SCRIM sites for treatment

It is important that the initial selection of hazard attributes and respective weightings should be considered by all relevant stakeholders. There should be no ad hoc changes made to the procedure and it should be reviewed annually to ensure it is still in line with the Asset Management Plan and meet the needs of the Stakeholders.

Risk assessment will be carried out using the risk-based site scoring system in table below which was taken from the previous version of the skid resistance document HD 28/15. The table must be used in conjunction with the accompanying guidance notes.

Other factors which relate to risk such as speed limit, road classification and traffic levels are considered when defining Site Categories and IL's, as detailed in the corresponding sections above.

The risk-based site scoring system below shows the criteria and scoring used in this prioritisation process.

	Scores and Criteria				
Number of crashes ¹	0	1	2	3+	
Score	0	4	8	12	
Likely impact of a crash ²	Slight	Slight/Serious	Serious	Serious/fatal	
Score	1	2	3	4	
Skid resistance Difference (SD) ³	>0	>-0.05 and ≤0	>-0.10 and ≤-0.05	>-0.15 and ≤-0.10	≤-0.15
Score	0	1	3	6	12
Site has SD≤ and poor texture at the same point ⁴	No	Yes			
Score	0	1			

¹ This refers to the total number of personal injury crashes in the last 3 years. Wet and wet skid crash counts are not considered separately here and should be investigated during the detailed investigation of the site. To account for possible inaccuracies in the recording of collision locations, analysis will extend over a length of road extending 100m in each direction from recorded collision locations. All road traffic collision incident data will be validated before being used in analysis to ensure there is no duplication.

² The likely impact of a crash shall be assessed on an individual site basis where required.

³ SD = CSC – IL. Where the site has multiple SD values the lowest value should be used

⁴ Poor texture is defined as ≤0.6 mm. 0.6mm is considered to be more applicable to local networks due to differences in traffic speeds and types and is the upper threshold value used for the 'amber' band of the SCANNER Road Condition Index [RCI] performance indicator which is nationally applicable to classified roads). For sites with texture depth ≤0.6mm, a review of available works history records should be undertaken to identify sections where materials have low or negative texture by design – if this is the case, a score of zero shall be applied for this criterion.

Table 1: Indicative likely impact of a crash by Site Category

Site Category Code & Description		Likely impact of a crash
B	Non-event carriageway with one-way traffic	Slight
C	Non-event carriageway with two-way traffic	Serious/fatal
Q	Approaches to and across minor and major junctions. Approaches to roundabouts and traffic signals.	Serious/fatal
K	Approaches to pedestrian crossings and other high-risk situations.	Serious/fatal
R	Roundabouts	Slight
G1	Gradient of 5-10% longer than 30m	Slight/serious
G2	Gradient of >10% longer than 30m	Serious
S1	Bend radius <500m – ≥50 mph carriageway with one-way traffic	Serious/fatal
S2a	Bend radius <250m – ≥40 mph carriageway with two-way traffic	Serious/fatal
S2b	Bend radius <100m – ≥30 mph carriageway with two-way traffic	Serious/fatal

Note: The likely crash impacts given in this table are indicative only. Where the characteristics of individual site warrant it, a specific assessment of likely impact should be undertaken.

Some key risk-based steps are summarised in Table 1 below, using site risk scores as described above.

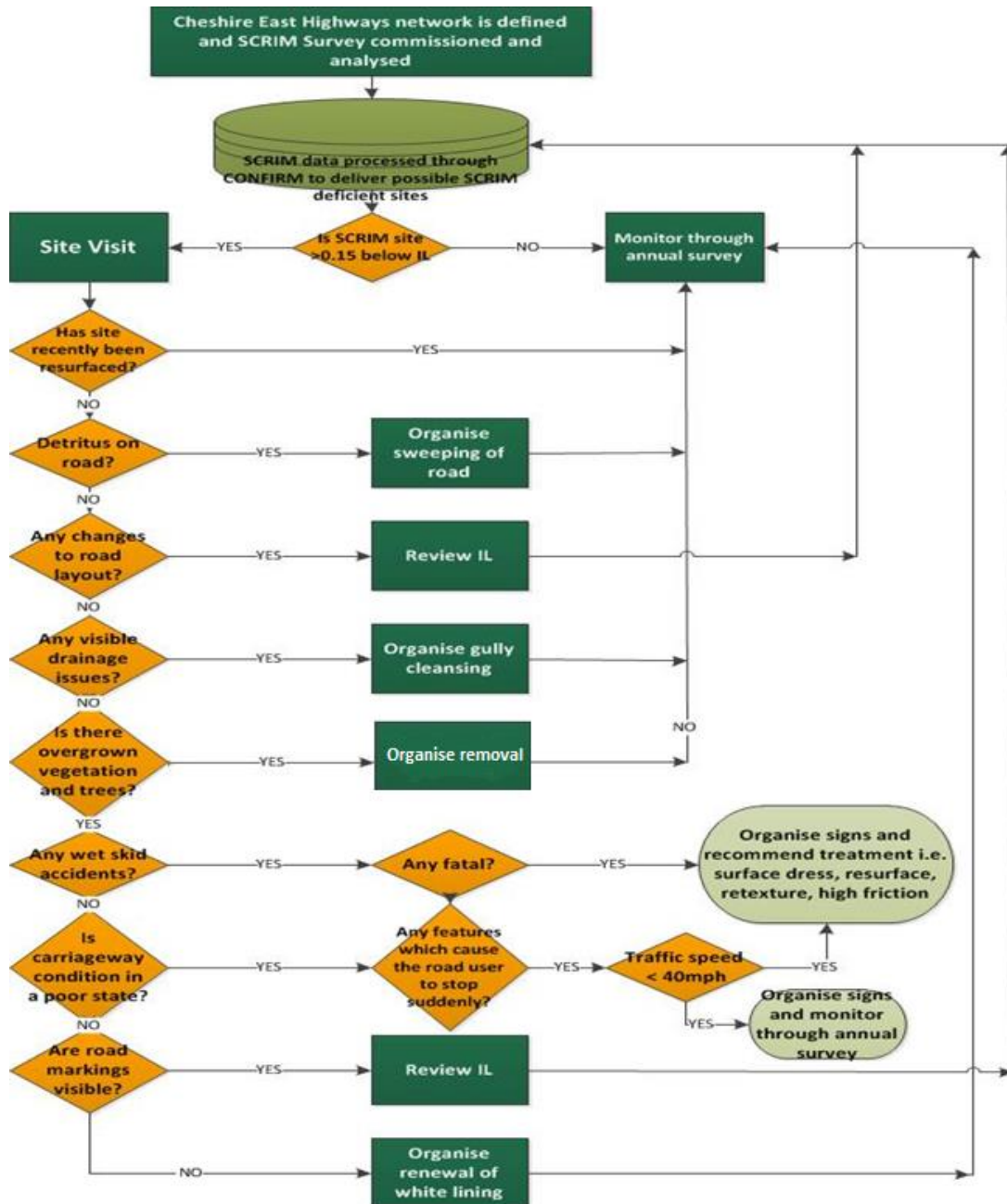
	Low Risk	Mid Risk	High Risk
Risk Score	< 5	6-18	≥ 19
Site Investigations (see Section 13)	No further investigation required	Investigate on a risk-prioritised basis, as resources allow, as soon as is reasonably practical following initial risk assessment	High-priority site investigation, to be carried out as soon as possible following initial risk assessment
Warning Signs (see Section 12)	None required	To be installed at identified locations as soon as is reasonably practical following site investigation	To be installed at identified locations as a matter of urgency following site investigation
Remedial Actions (see Section 11)	Implement only if/when resources allow, and only if cost effective as part of a wider programme	Implement as soon as is reasonably practical, and as far as resources will allow, and targeting completion within 2 years of completion of site investigation	Works to be added to the current/next network maintenance works programme as high-priority schemes

If any segment within the site has a score greater than or equal to 19 then the whole site should have a detailed investigation. Segments are continuous lengths with the same Site Category and IL. Segments should also have similar levels of skid resistance.

Appendix 3: Resilient, Strategic and Main Distributor Network Surveyed Each Year



Appendix 4: Site Investigation Flow Chart Process



Appendix 5 : Site Investigation Form						
Skid Site Investigation Report				Survey Year:		
Unit	Route		Site ID		Location	
Name of Managing Organisation and Overseeing Organisation's area/region designation	Road Code		Reference No.		Section(s)/Chainage	
Site Location and Use						
Location and nature of site:						
<ul style="list-style-type: none"> State the limits of ad nature of the site including speed limit and environment. List hazards e.g. junctions, lay-bys, other accesses, crossings, bends or steep gradients. 						
Current site category and IL:						
<ul style="list-style-type: none"> State current site category and Investigatory Level. Are these consistent with current guidance? 						
Pavement Condition Data						
Skid resistance and texture depth:						
Attach plot or spreadsheet showing the skid resistance, texture depth and other data if relevant. State here if low resistance or texture depth occurs where road users need to stop or manoeuvre.						
Other aspects of pavement condition:						
Note if there are any extreme values of rut depth or longitudinal profile variance that could affect the handling or drainage of water from the carriageway. Attach data if relevant.						
Crash Data						
Period		Number of Crashes			Analysis Length	
From:	To:	Total:	Wet:	Wet Skid:	Length (km):	Traffic (AADF):
		Site Data	Control Data			
			Similar Sites	Route Data	National Data	
Crashes/year						
Crashes/year/100km						
Crashes/10 ⁸ veh-km						
Crashes linked to surface condition?		Y / N	Does the position of wet or wet-skid crashes coincide with the lengths with low skid resistance?			
Other comments on crash data:						

Site Investigation		
Date:	Inspected by:	Method:
	Name	On site / desk study
Visual Assessment		
Type and condition of surfacing:	Consider variations across whole carriageway width	
Any inconsistencies with survey data:		
Presence of debris or other contamination:	Consider likely route taken by different road users	
Local defects (potholes fatting-up etc.):	Indicate position, extent and severity of defects	
Is drainage adequate?	List any indications that road does not drain adequately	
Road Users		
Volume and type of traffic:	Consider heavy vehicles and vulnerable road users	
Traffic speeds in relation to road layout:	Consider peak, day time and night time	
Type of manoeuvres and consequences of driver error:	Evidence of crash damage or near miss e.g. tyre tracks in the verge	
Road Layout		
Does it appear to meet current design specification?	Note unusual or confusing layouts	
Is layout appropriate for vulnerable road users?	Consider volume and type of vulnerable road users expected	
Are junctions appropriate for turning manoeuvres?	Note if junction sizes are appropriate for all vehicle movements and right turning vehicles are adequately catered for. Note whether traffic signals are operating correctly and are clearly visible.	
Marking Signs and Visibility		
Are markings and signs clear and effective in all conditions?	Sometimes old pavement markings have not been removed properly or there are redundant signs that could cause confusion.	
Roadside objects protected from vehicle impact?		
Clear sight line / visibility of queues / vegetation	Consider if sight lines through junctions / accesses. Is the end of likely vehicle queues visible? Will vegetation growth affect visibility or obscure signage?	
Additional information and other observations		
Please indicate if any:	Are any other sources of information available, such as reports or visual evidence of damage only crashes, or reports from the police?	
Recommendation		
Is treatment required?	Y / N	State why treatment is justified
What type of treatment?	Y / N	State if surface treatment is required or if any other treatment/actions can be applied instead to mitigate the existing risk.
Change IL?	Y / N	State reasons for changing IL
Other action required?	Y / N	State what other action should be considered and why
Approval		
Print name:	Signature:	Date:

Appendix 6: Minimum required PSV for chippings/aggregate in bituminous surfacing

Site Category	Site Description	IL	PSV required for given IL, traffic level and type of site					
			Traffic (CV/Lane/Day) at design life					
			1-250	251-500	501-750	751-1000	1001-2000	2001-3000
A	Motorway	0.30	50	50	50	50	50	55
		0.35	50	50	50	50	50	60
B	Non-event carriageway with one-way traffic	0.30	50	50	50	50	50	55
		0.35	50	50	50	50	50	60
		0.40	50	50	50	55	60	65
C	Non-event carriageway with two-way traffic	0.35	50	50	50	55	55	60
		0.40	55	60	60	65	65	68+
		0.45	60	60	65	65	68+	68+
Q	Approaches to and across minor and major junctions, approaches to roundabouts and traffic signals	0.45	60	65	65	68+	68+	68+
		0.50	65	65	65	68+	68+	68+
		0.55	68+	68+	HFS	HFS	HFS	HFS
K	Approaches to pedestrian crossings and other high risk situations	0.50	65	65	65	68+	68+	68+
		0.55	68+	68+	HFS	HFS	HFS	HFS
R	Roundabout	0.45	50	55	60	60	60	65
		0.50	68+	68+	68+	68+	68+	68+
G1	Gradients 5-10% longer than 50m	0.45	55	60	60	65	65	68+
		0.50	60	68+	68+	HFS	HFS	HFS
G2	Gradients $\geq 10\%$ longer than 50m	0.45	55	60	60	65	65	68+
		0.50	60	68+	68+	HFS	HFS	HFS
		0.55	68+	HFS	HFS	HFS	HFS	HFS
S1	Bends radius $\leq 500\text{m}$ - carriageway with one-way traffic	0.45	50	55	60	60	65	65
		0.50	68+	68+	68+	HFS	HFS	HFS
S2	Bends radius $\leq 500\text{m}$ - carriageway with two-way traffic	0.45	50	55	60	60	65	65
		0.50	68+	68+	68+	HFS	HFS	HFS
		0.55	HFS	HFS	HFS	HFS	HFS	HFS

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Appendix 4 - Network Hierarchy

Category	Criteria
Resilient Network	The most strategic roads within the Borough which are nationally and locally strategic.
Strategic Routes	Trunk and some Principal 'A' class roads between Primary Destinations, Routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions.
Main Distributors	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access.
Secondary Distributors	B and C class roads and some unclassified urban routes carrying bus. In residential and other built up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.
Link Roads	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions. In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads.
Local Access Roads	Roads serving limited numbers of properties carrying only access traffic. In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGVs. In urban areas they are often residential loop roads or cul-de-sacs.

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A summary of responses to Cheshire East Council's

Speed Management Strategy Consultation 2021



Executive summary

Purpose of the consultation

In 2021 Cheshire East Council consulted on an updated draft of its Speed Management Strategy. The consultation sought feedback on the updated strategy which would be considered before approval by the Highways and Transport Committee in 2022. In total 916 consultation responses and engagements were received.

Rating the strategy overall

Just over half of respondents agreed that the updated strategy:

- Will enable the council to provide a safe highway network across Cheshire East (58% agree, 27% disagree)
- Is clear (54% agree, 28% disagree)
- Should be adopted (53% agree, 32% disagree)

Just less than half of respondents agreed the updated strategy:

- Supports walking and cycling (48% agree, 34% disagree)
- Caters for all highways users (45% agree, 38% disagree)

Speed management – Overall

Large majorities of respondents agreed that:

- Speed management criteria should be applied consistently across the Borough (82% agree, 12% disagree)
- Sites requiring speed management measures should be prioritised based on evidence (78% agree, 1% disagree)

Speed management – Introduce 20mph zones across Cheshire East

A large proportion of feedback called for the introduction of widespread 20mph zones across Cheshire East to help achieve Active Travel ambitions – some felt the strategy should be proactive in achieving this. They felt:

- 20mph zones are required particularly in all residential areas, near schools etc.
- The council should not wait for accidents to happen before making changes

Speed management – Consistency is important

Respondents emphasised that consistency when applying speed control measures is important, feeling different areas should not be treated differently because of political pressure, or because some areas are more proactive than others in requesting speed control measures. There is a perception some areas are treated differently to others e.g. Sandbach.

Respondents felt consistency is important:

- In the interests of fairness
- So that car drivers will not be confused by different rules when driving from one local area to the next

Some suggested that consistency across the borough might be difficult to achieve when sites are being prioritised based on evidence, pointing out these are somewhat contradictory statements.

Speed management – Use of evidence is retrospective

Some felt the use of evidence to support the introduction of speed control measures is retrospective rather than proactive. They felt that such evidence does not exist for most streets in Cheshire East and would take a long time to collect. Instead, they felt speed control measures should proactively be applied across the borough as standard.

Speed management – Take account of local views when considering speed control measures

Some felt local residents, Town/Parish Councils and Local Councillors know the area better than anyone else, and should be able to lobby for action on speed limits on their own roads based on their local knowledge and experience. They felt local communities should be given more influence when developing local speed limits, and that there are too many bureaucratic obstacles in the strategy to bringing in 20mph limits.

There were also calls for the council to work more closely in partnership with local councils on increasing speed management initiatives in local areas, with local councils in particular calling for greater use of Speed Indicator Devices (SIDs).

20mph and 40mph areas

Just over half of respondents agreed with the sections in the strategy on:

- 20 mph areas (56% agree, 36% disagree)
- 40 mph areas (55% agree, 25% disagree)

The key themes highlighted by respondents about 20mph and 40mph zones were:

- Local communities should be enabled to create 20mph zones more proactively
- 20mph zones should not only be considered in locations which are already self-compliant – significant objections to this concept
- 20mph areas ought to apply to areas where there are high concentrations of vulnerable road users, regardless of current speeds. If speeds are kept at a higher level then Active Travel will be discouraged and therefore “the motorcar wins”
- The introduction of speed measures should be evidence based and consistent
- Cars dominate local environments
- The strategy is complex, contradictory, prescriptive and not flexible enough
- The strategy seems to be "anti-20mph".

The 3 E’s approach to speed management

Between 70% and 73% of respondents agree with each of the 3 sections of the 3 E’s – Education, Enforcement, and Engineering (between 17% and 19% disagree).

The prioritisation matrix

Levels of agreement that the right topics are in each of the categories of the prioritisation matrix were:

- Casualty reduction (82% agree, 8% disagree)
- Local concern (76% agree, 14% disagree)
- Neighbourhood engagement (73% agree, 14% disagree)
- Accessibility and capacity (66% agree, 14% disagree)
- Congestion (65% agree, 18% disagree)
- Amenity (59% agree, 14% disagree)

Some felt extra categories were needed in the prioritisation matrix when assessing an area for speed control measures, including measuring the amount of:

- Active Travel in an area, and how much it is desired in an area
- Near misses as well as actual collisions
- Car parking and bus stops
- HGVs and farm vehicles
- Cyclists and pedestrians
- Schools and hospitals
- Equine traffic

Exceptions

Levels of agreement with each of the exceptions were:

- Buffer or shoulder zones (65% agree, 17% disagree)
- Air Quality Management Areas, AQMAs (64% agree, 22% disagree)
- Cross border roads (55% agree, 20% disagree)
- Planned developments (53% agree, 21% disagree)

Some felt four exceptions are already too many, and that further exceptions are not needed.

Conclusions

A large consultation response

It is extremely positive to see such a large number of consultation responses – 916 in total. This emphasises the good efforts taken by the Highways Team to promote the consultation, but also indicates the strength of feeling towards the topic of speed control in Cheshire East. This certainly seems to be a topical issue at the moment, and as such may require further engagement in future with local Cheshire East stakeholders and communities.

Positive overall feedback

Overall feedback towards the strategy seems to be positive. It is very encouraging to see that a majority of respondents agree the strategy should be adopted (53% agree), though it is noted that a significant proportion disagree that it should be adopted (32%). This perhaps indicates that while the strategy is on the right track, it may need improving.

Introducing 20mph zones in Cheshire East

The main feedback received about the strategy was that it should do more to introduce 20mph zones within Cheshire East, with some calling for all residential areas in Cheshire East to be made 20mph by default, such as has been done in other areas including Cheshire West and Chester.

Respondents felt this would benefit communities significantly and would help the council achieve its Active Travel aims – there is a clear sense from some that council policy should put the needs of other highway users above those of car users, and that implementing 20mph zones across Cheshire East as standard would be a good step towards those aims.

However, it should be noted that not all respondents want 20mph zones imposing across Cheshire East as standard – it may be that separate consultation on this single issue will be needed before such a policy can be considered.

The strategy needs to be more enabling

There was also comment from some that the strategy is too prescriptive, too bureaucratic, does not enable communities to impose speed control measures in their local areas, and does not work in partnership with local communities.

Some felt that rather than waiting for accidents to occur before making changes, or only applying limits in areas which already adhere to the speed limit, a more proactive approach was needed, perhaps with 20mph zones becoming the standard, rather than the exception.

Others were concerned that it would take too long to collect the evidence in local areas to make a case for the implementation of speed control measures, and felt this was a bureaucratic barrier to achieving Active Travel in local communities.

There was also concern that the strategy will consider speed control measures in an area if Active Travel, or person movement, was already high, but pointed out that until car speeds are slowed then Active Travel movement may not be as high as it could be – this may be a chicken and egg situation.

Consistency Vs Enabling local communities

There was also concern expressed about the need for the strategy to be consistent – some were afraid that if some areas implement speed control measures on request, and others do not, that this could lead to unfairness across the borough, as well as confusion for drivers moving from one area to another.

That said, there were clear calls from some stakeholders for the council to enable local communities to create 20mph zones more proactively, and for the council to work more in partnership with local communities on speed management. It seems clear that some communities in Cheshire East do want to be much more proactive about controlling speed in their communities, and many felt the strategy should enable this to happen much more than it does. How this is achieved whilst remaining consistent across the borough is another tricky challenge.

Editing specifics in the strategy

Generally speaking respondents were fairly satisfied with the specifics of the strategy, though a number of specific improvements for the prioritisation matrix and list of exceptions were suggested, and these specifics can be found within the main report.

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Report produced 17 March 2022 by the Research and Consultation Team, Cheshire East Council. Email RandC@cheshireeast.gov.uk for further information.

Introduction

Purpose of the consultation

In 2021 Cheshire East Council produced a draft Speed Management Strategy as an update to the one that was published in 2016.

The strategy set out a consistent approach which the council will take to managing speed on the highway network, and had been updated to:

- Take account of changing attitudes towards speed and traffic management, particularly since the covid-19 pandemic when people's habits and priorities have changed
- Provide a safer road environment for all
- Encourage more Active Travel within Cheshire East
- Increase transparency about the way the council will manage speed and traffic flow.

The consultation sought feedback on the updated strategy, which is then to be updated based on the feedback received and considered for approval by the Highways and Transport Committee in 2022.

Consultation methodology

The consultation was approved to proceed via the Highways and Transport Sub Committee on 16 November 2021, and was live between 1 December 2021 and 31 January 2022.

The consultation widely promoted through:

- [Media releases beginning on 30 November 2021](#)
- Emails and reminders distributed to the stakeholders listed in Appendix 1 – Stakeholder distribution list
- Social media posts on Twitter and Facebook

Consultation feedback could be submitted by:

- Completing an online survey
- Submitting a document containing feedback in any format
- Emailing smsconsult@cheshireeasthighways.org
- Writing to Research and Consultation, Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ
- Completing a paper survey available in a local library and returning it to Research and Consultation, Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ.

Number of consultation responses

The total number of consultation responses and engagements was 916, and these were received as:

- 705 survey responses
- 133 email responses – see Appendix 2
- 66 social media engagements – see Appendix 4
- 12 focus group attendees – see Appendix 3

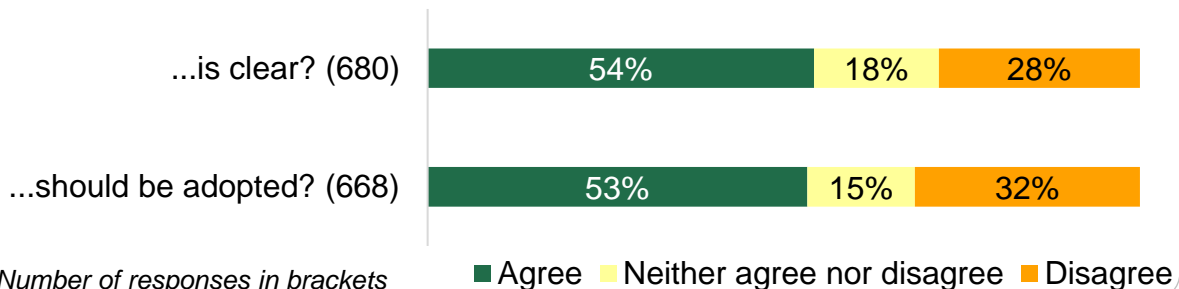
Rating the strategy overall

Clarity of the strategy

Just over half of respondents agreed that the updated strategy:

- Is clear (54% agree, 28% disagree)
- Should be adopted (53% agree, 32% disagree)

How strongly do you agree or disagree that the updated strategy...



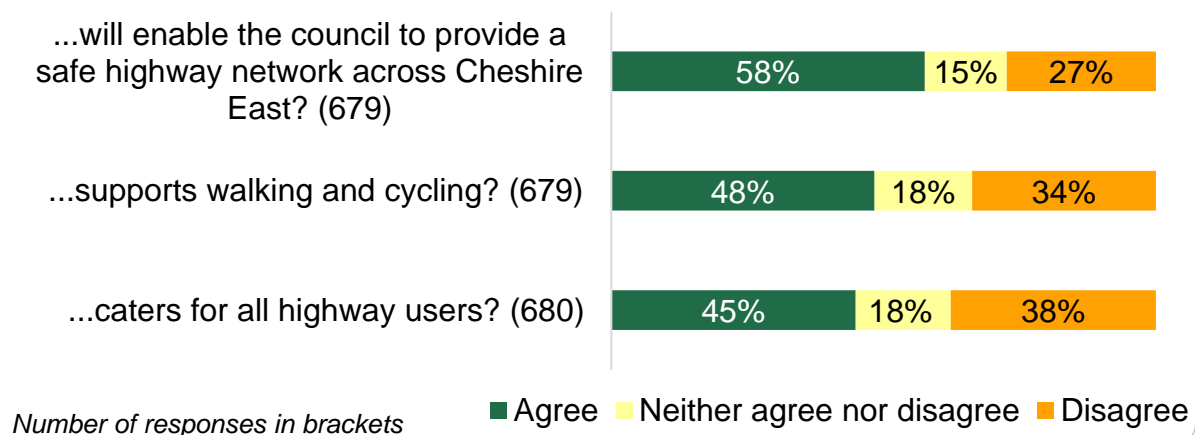
Active Travel ambitions

Just over half of respondents also agreed that the updated strategy will enable the council to provide a safe highway network across Cheshire East (58% agree, 27% disagree).

Just less than half of respondents agreed the updated strategy:

- Supports walking and cycling (48% agree, 34% disagree)
- Caters for all highways users (45% agree, 38% disagree)

How strongly do you agree or disagree that the updated strategy...



Speed management

Applying speed management criteria

Large majorities of respondents agreed that:

- Speed management criteria should be applied consistently across the Borough (82% agree, 12% disagree)
- Sites requiring speed management measures should be prioritised based on evidence (78% agree, 1% disagree)

How strongly do you agree or disagree that...

...speed management criteria should be applied consistently across the Borough? (698)

82%

12%

...sites requiring speed management measures should be prioritised based on evidence? (693)

78%

18%

Number of responses in brackets

■ Agree ■ Neither agree nor disagree ■ Disagree

Comments made about Speed Management

The following briefly summarises comments made by respondents in response to the 2 above questions. A full summary of responses can be found in Appendix 5.

The strategy should introduce widespread 20mph zones to help achieve Active Travel ambitions (277 comments)

- Significantly increase the number of 20mph zones in Cheshire East. (121 comments)
- The strategy should introduce speed control measures based on:
 - Active Travel ambitions. (43 comments)
 - The location of residential / built up areas, including villages. (24 comments)
 - The specifics of the geographical location, road conditions and layout. (15 comments)
 - The location of schools. (9 comments)
 - The narrowness of country lanes / rurality. (7 comments)
 - The location of playground areas / early years settings. (2 comments)
 - Noise levels. (2 comments)
 - Where there is evidence of current speeding. (2 comments)
- The council must not wait for accidents before making changes. (35 comments)

- Evidence takes a long time to collect – action is needed now. The use of evidence is retrospective and not proactive. (17 comments)

Opposition to the introduction of blanket speed limits (19 comments)

- Opposed to a blanket 20mph speed limit. (18 comments)
- Too many 50mph speed limits have been imposed on roads that do not require such a limit. (1 comment)

Take into account local views when considering speed control measures (38 comments)

- Take into account the views of local residents, Town/Parish Councils and Councillors when considering which sites require speed management measures. (38 comments)

Consistency when applying speed control measures across the borough is important (44 comments)

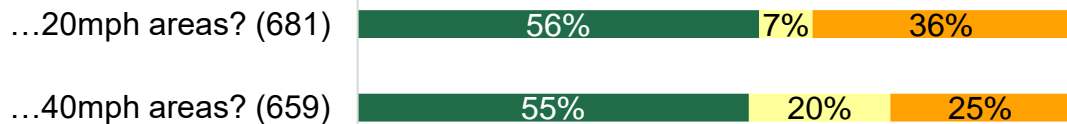
- Speed limits must not be set for political reasons. (11 comments)
- Some areas in Cheshire East are treated differently than others. (9 comments)
- Consistency and simplicity is important to ensure understanding by the public. The 2 statements in the survey contradict each other – how can speed management criteria apply across the borough, and yet sites for speed management measures be prioritised based on evidence? (9 comments)
- The same speed limits should apply across all of Cheshire to avoid confusion. (6 comments)
- Follow national and international guidance and schemes. (8 comments)
- Consistency would come with time. (1 comment)

20mph and 40mph areas

Just over half of respondents agreed with the sections in the strategy on:

- 20 mph areas (56% agree, 36% disagree)
- 40 mph areas (55% agree, 25% disagree)

How strongly do you agree or disagree with sections in the strategy on...



Number of responses in brackets

■ Agree ■ Neither agree nor disagree ■ Disagree

Comments made about 20mph and 40mph zones

The following briefly summarises comments made by respondents in response to the 2 above questions. A full summary of responses can be found in Appendix 5.

Enable communities to create 20mph zones more proactively (46 comments)

- Opposition to the concept that 20mph areas will only be considered in locations which are already self-compliant. 20mph zones are needed in places not just where speeds are already below 28mph, and would prefer a more proactive approach where 20mph is considered desirable even if average speeds are higher. They felt 20mph areas ought to apply to areas where there are high concentrations of vulnerable road users, regardless of current speeds. They stressed that if speeds are kept at a higher level then active travel will be discouraged and the higher speed limit will seem to be appropriate and therefore “the motorcar wins”. (33 comments)
- Local communities should be given more influence when developing local speed limits. (6 comments)
- There are too many bureaucratic obstacles in the strategy to bringing in 20mph limits. (5 comments)
- Improve the communications process for communities. (2 comments)

The introduction of speed measures should be evidence based and consistent (14 comments)

- Policies should be evidence based. (5 comments)
- Speed limits should only be introduced in areas where people are currently speeding. (6 comments)

- 20mph zones have only been introduced in areas where pressure groups have demanded them. (3 comments)

People drive too fast and existing speed limits should be enforced (46 comments)

- Enforcing existing speed limits should be the priority. (24 comments)
- People drive too fast on rural roads. (19 comments)
- People will drive as fast as the speed limit that is set (3 comments)

Cars dominate our environments (10 comments)

- Cars need to be stopped from dominating our environments. (8 comments)
- Pedestrianise town centres more (2 comments)

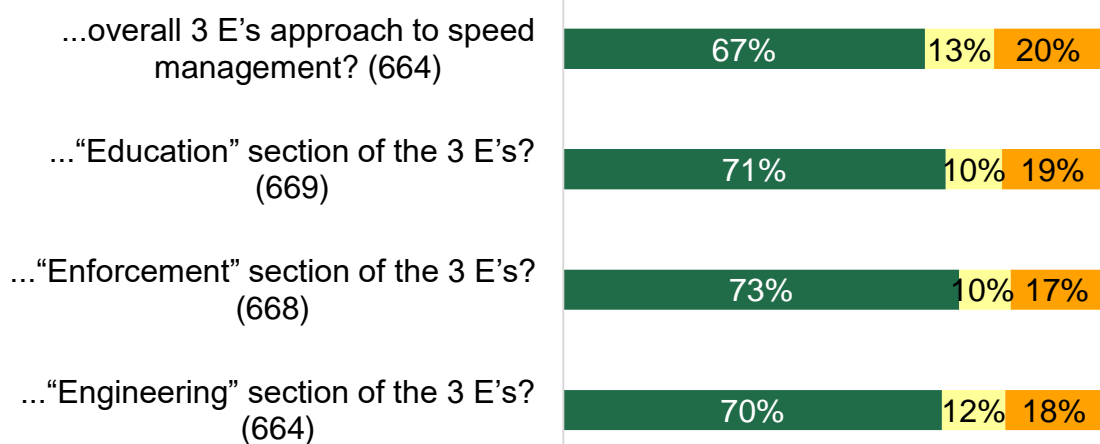
The strategy is complex, contradictory and not flexible enough (21 comments)

- The guidelines in the strategy are contradictory and not applied consistently. (8 comments)
- The strategy is long, complex and complicated. (6 comments)
- The strategy seems very prescriptive, and needs to be more flexible as it doesn't cover every eventuality. (5 comments)
- The strategy seems to be "anti-20mph". (2 comments)

The 3 E's approach to speed management

Between 70% and 73% of respondents agree with each of the 3 sections of the 3 E's – Education, Enforcement, and Engineering (between 17% and 19% disagree).

How strongly do you agree or disagree with the...



Number of responses in brackets

■ Agree ■ Neither agree nor disagree ■ Disagree

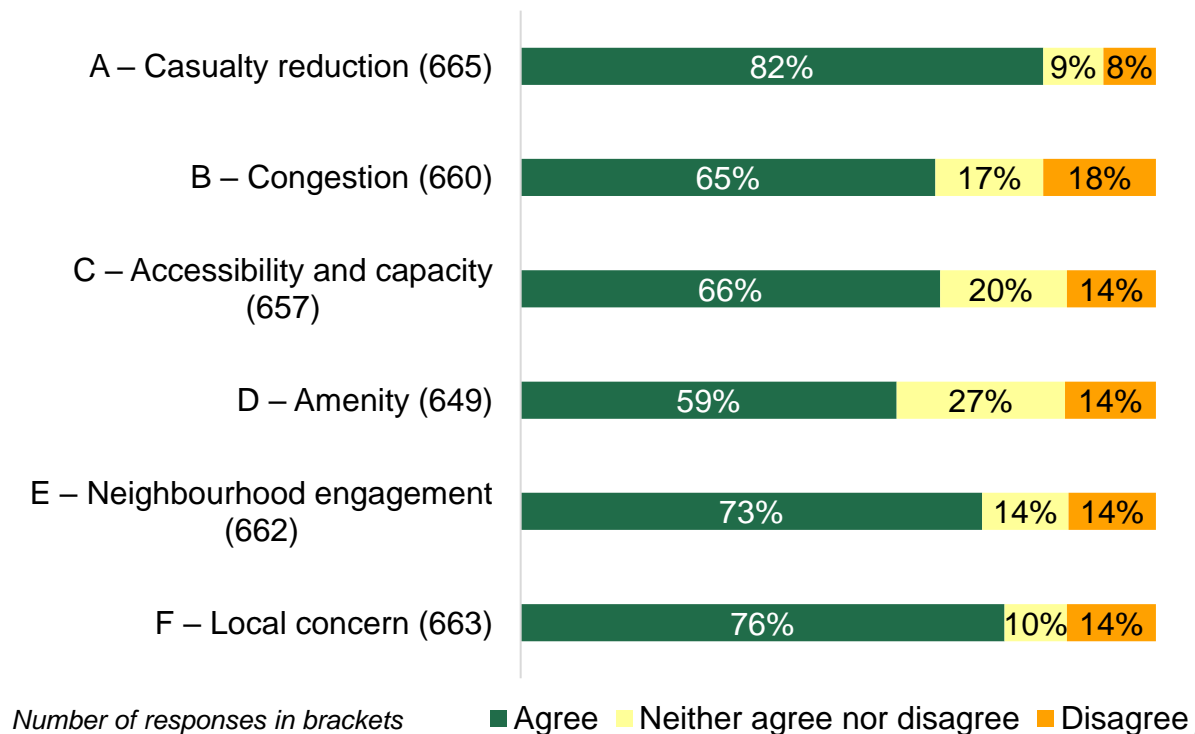
The prioritisation matrix

Prioritisation matrix categories and topics

Levels of agreement that the right topics are in each of the categories of the prioritisation matrix were:

- Casualty reduction (82% agree, 8% disagree)
- Local concern (76% agree, 14% disagree)
- Neighbourhood engagement (73% agree, 14% disagree)
- Accessibility and capacity (66% agree, 14% disagree)
- Congestion (65% agree, 18% disagree)
- Amenity (59% agree, 14% disagree)

How strongly do you agree or disagree the right topics are in each of the categories of the prioritisation matrix?



Comments made about the prioritisation matrix categories

The following briefly summarises comments made by respondents in response to an open question asking if respondents felt there were any other categories or topics be considered in the prioritisation matrix. A full summary of responses can be found in Appendix 5.

Section A – Casualty Reduction (21 comments)

New categories in this section should include:

- Near misses – These should be counted as well as actual collisions (6 comments)

General comments on this section included:

- We should not wait until there's an accident before making changes – the emphasis of the whole strategy needs to change (3 comments)
- Fatal accidents should be weighted higher (3 comments)

Section B – Congestion (26 comments)

New categories in this section should include:

- The amount of pavement parking and bus stops in an area (7 comments)
- The number of HGVs and farm vehicles using a route (4 comments)
- The number of cyclists and pedestrians using an area (3 comments)

Section C – Accessibility and Capacity (23 comments)

New categories in this section should include:

- The number of schools and hospitals in the area (8 comments)
- The number of pavements and cycle lanes in the area (3 comments)
- The number of pedestrian crossings in the area (2 comments)
- The number of additional on road hazards e.g. pedestrians on narrow rural roads / horses / tractors (2 comments)

General comments on this section included:

- Current traffic speeds are felt to be a barrier to Active Travel (pedestrians and cyclists) – if traffic speeds were lower levels of Active Travel might be higher (6 comments)

Section D – Amenity (40 comments)

New categories in this section should include:

- The amount of Active Travel in the area / How much of a priority it is to have Active Travel in the area (28 comments)
- The amount of equine traffic in an area (3 comments)
- The number of schools in the area (3 comments)
- The potential impact of future planning changes e.g. HS2 (3 comments)

- Whether there are any large event venues or events in the local area (2 comments)

Section E – Neighbourhood Engagement (13 comments)

General comments on this section included:

- There should be more focus on this section (10 comments)

Section F – Local Concern (32 comments)

General comments on this section included:

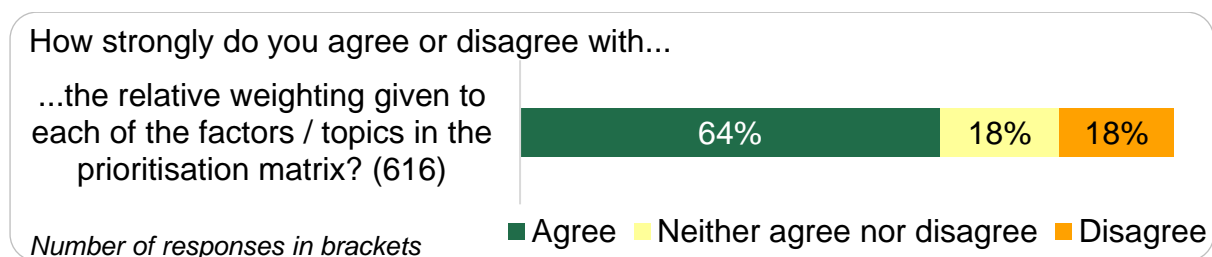
- There should be more focus on this section (23 comments)
- There should be more local influence over the Speed Management Group (SMG) (5 comments)
- Engagement rates in deprived areas are low and therefore a concern for their ability to influence (2 comments)

New suggested categories (10 comments)

- The local geography of the area should be a new category e.g. blind bends, lack of pavements (4 comments)
- The level of traffic noise should be a new category (3 comments)
- The amount of speeding in an area should be a new category (3 comments)

Prioritisation matrix weighting

A majority of respondents, 64%, agree with the relative weighting given to each of the factors / topics in the prioritisation matrix, 18% disagree.



Comments made about prioritisation matrix weightings

The following briefly summarises comments made by respondents in response to an open question asking why respondents disagree with the relative weighting given to each of the factors / topics in the prioritisation matrix. A full summary of responses can be found in Appendix 5.

Section A – Casualty Reduction (53 comments)

- Scoring is needed for near collisions or incidents without any casualties (20 comments)
- Scoring should be higher generally for this category (2 comments)
- A.1 Scoring should be higher (8 comments)
- A.1 Definition needs to be given to what constitutes a 'serious' injury (4 comments)
- A.2 Scoring is too open to interpretation (what counts as a speed related incident?) (12 comments)

Section C – Accessibility and Capacity (3 comments)

- C.14 Scoring should be higher e.g. 20 (1 comment)
- Scoring should be included for footpath condition (1 comment)
- Scoring should be included for nearby crossing points (1 comment)

Section E – Neighbourhood Engagement (7 comments)

- E.20 MP scoring should be reduced/removed (1 comment)
- E.21/22/23 Councillors scores should be increased to 30 (1 comment)

Section F - Local Concern (10 comments)

- Unsure how information for this category would be collected (1 comment)

General reasons for disagreeing with weightings (75 comments)

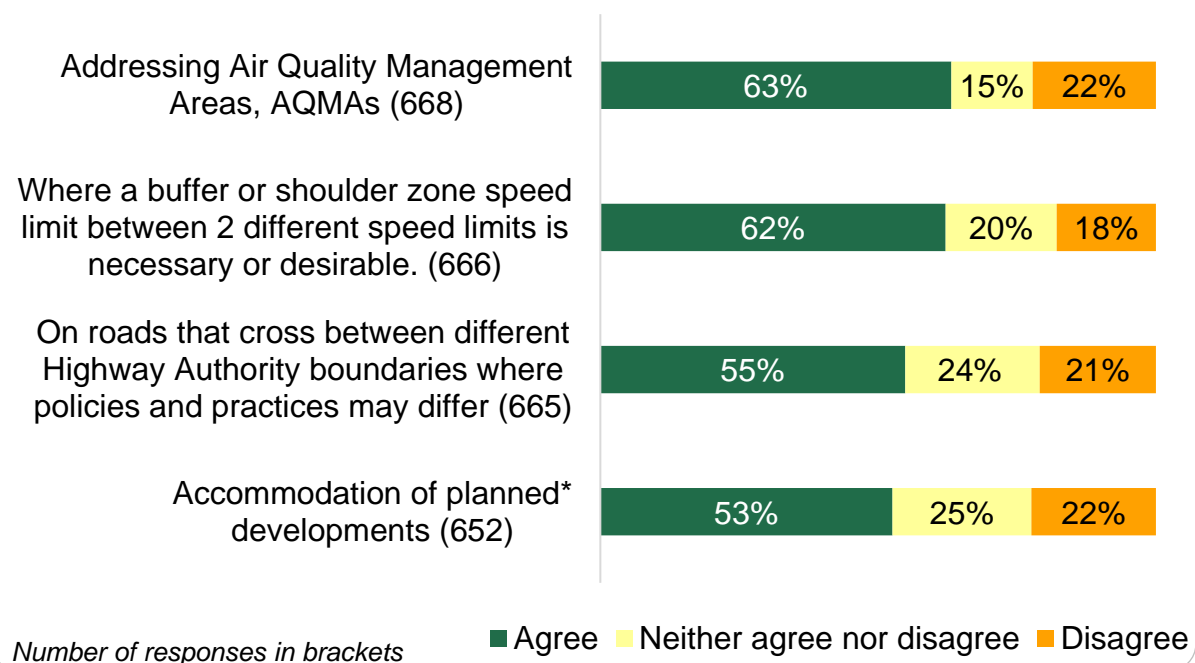
- Rather than assessing risk to decide whether to bring in speed control measures, measures should be taken now instead to reduce speeding across the board (25 comments)
- A category and scoring should be included for Active Travel users (11 comments)
- Needs to be consideration of what caused the incident, not just the results (7 comments)
- Scoring does not consider local conditions, blind bends width of roads or pavements, speed limits etc (5 comments)

Exceptions

Levels of agreement with each of the exceptions were:

- Where a buffer or shoulder zone speed limit between 2 different speed limits is necessary or desirable (65% agree, 17% disagree)
- Addressing Air Quality Management Areas, AQMAs (64% agree, 22% disagree)
- On roads that cross between different Highway Authority boundaries where policies and practices may differ (55% agree, 20% disagree)
- Accommodation of planned* developments (53% agree, 21% disagree)

How strongly do you agree or disagree with these exceptions?



*Planned developments are developments that have received planning permission.

Comments made about Exceptions

The following briefly summarises comments made by respondents in response to the above questions. A full summary of responses can be found in Appendix 5.

New exceptions are needed... (81 comments)

- In potential Active Travel areas. (29 comments)
- In all residential areas. (26 comments)
- Depending on local requests from Town and Parish Councils, Councillors, and local residents. (8 comments)
- Around all schools. (7 comments)

- In areas with noise problems. (6 comments)
- On rural roads that are too narrow (3 comments)
- Where road changes will lead to knock on speed effects. (2 comments)

Four exceptions are too many, further exceptions are not needed (26 comments)

- Four exceptions are too many – the fewer exceptions the better to help fairness and consistency. (24 comments)
- Cynicism about the motives for the exceptions. (1 comment)
- These are detailed questions which should be handled by experts. (1 comment)

Air Quality Management Area (AQMA) Exceptions (21 comments)

- Electric car technology is making air quality less of an issue. (7 comments)
- Slower driving does not help improve air quality. (6 comments)
- Lack of faith in the council's approach to air quality. (3 comments)
- Air quality is an important issue. (2 comments)
- Detail on AQMAs seems ambiguous. (2 comments)

Buffer or Shoulder Zone Exceptions (1 comment)

- These exceptions are important. (1 comment)

Planned Development Exceptions (4 comments)

- Limits implemented when 50% of houses on new developments are occupied seems arbitrary, why not apply limits on the first occupation? (2 comments)
- The default speed limit should be 20mph not 30mph. (2 comments)

Conclusions

A large consultation response

It is extremely positive to see such a large number of consultation responses – 916 in total. This emphasises the good efforts taken by the Highways Team to promote the consultation, but also indicates the strength of feeling towards the topic of speed control in Cheshire East. This certainly seems to be a topical issue at the moment, and as such may require further engagement in future with local Cheshire East stakeholders and communities.

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Respondents felt this would benefit communities significantly and would help the council achieve its Active Travel aims – there is a clear sense from some that council policy should put the needs of other highway users above those of car users, and that implementing 20mph zones across Cheshire East as standard would be a good step towards those aims.

However, it should be noted that not all respondents want 20mph zones imposing across Cheshire East as standard – it may be that separate consultation on this single issue will be needed before such a policy can be considered.

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Some felt that rather than waiting for accidents to occur before making changes, or only applying limits in areas which already adhere to the speed limit, a more proactive

approach was needed, perhaps with 20mph zones becoming the standard, rather than the exception.

Others were concerned that it would take too long to collect the evidence in local areas to make a case for the implementation of speed control measures, and felt this was a bureaucratic barrier to achieving Active Travel in local communities.

There was also concern that the strategy will consider speed control measures in an area if Active Travel, or person movement, was already high, but pointed out that until car speeds are slowed then Active Travel movement may not be as high as it could be – this may be a chicken and egg situation.

Consistency Vs Enabling local communities

There was also concern expressed about the need for the strategy to be consistent – some were afraid that if some areas implement speed control measures on request, and others do not, that this could lead to unfairness across the borough, as well as confusion for drivers moving from one area to another.

That said, there were clear calls from some stakeholders for the council to enable local communities to create 20mph zones more proactively, and for the council to work more in partnership with local communities on speed management. It seems clear that some communities in Cheshire East do want to be much more proactive about controlling speed in their communities, and many felt the strategy should enable this to happen much more than it does. How this is achieved whilst remaining consistent across the borough is another tricky challenge.

Editing specifics in the strategy

Generally speaking respondents were fairly satisfied with the specifics of the strategy, though a number of specific improvements for the prioritisation matrix and list of exceptions were suggested, and these specifics can be found within the main report.

Appendix 1 – Stakeholder distribution list

The consultation was promoted to the following stakeholders, mainly via email:

Local Government
All ward members
Town Councils
Parish Councils
Emergency Services
Police Liaison
Cheshire Constabulary
Police and Crime Commissioner
Cheshire Fire and Rescue
NWAS
Mid Cheshire NHS trust
East Cheshire NHS trust
Cheshire East Council – Internal departments / teams
Cheshire East Highways
Highways Strategic
Planning
Environment
Public Rights of Way (PROW)
Development Management
Passenger Transport
Education
School organisation and admission
Education participation and pupil support
Childrens Development and Partnerships
Governance
Taxi licencing
ANSA Environmental Services
Everybody Leisure
Health
Cheshire East Primary and Secondary Schools (via schools bulletins)
Motoring Groups
Mikro Coaches
First Potteries
Hollinsheads Coaches
High Peak (Centrebus)
Go Goodwins
Warringtons Own Buses
ARRIVA North West & Wales
D & G Bus
Stagecoach
TSS/ANSA

Congleton Advanced Riders and Driver Club
Road Haulage Association
Cycling Groups
CTC
Congleton Cycling Campaign
Crewe Clarion Wheelers
Cycle Knutsford
Cycle Wilmslow
Macclesfield Wheelers
Sustrans
Active Travel Crewe
Audlem Cycling Club
Cheshire Roads Club
Congleton Cycling Club
Congleton U3A Cycling Group
Frodsham Wheelers
North Cheshire Clarion Cycling Club
Sandbach Cycling Group
Seamons Cycling Club
South Manchester CTC
Stockport Clarion Cycling Club
Stockport Community Cycling Club
Weaver Valley Cycling Club
Adapt-e
Walking Groups
Alderley Edge and Wilmslow Footpaths Preservation Society
Cheshire Walkers
Congleton Ramblers Group
East Cheshire Ramblers
Mid Cheshire Footpaths Society
North and Mid Cheshire Ramblers
Peak and Northern Footpaths Society
Sandbach Footpath Group
South Cheshire Ramblers
Stockport Walkers
Wednesday Walking Group in South Cheshire
Horse Riding Groups
Wilmslow Riding club
Border Bridleways Association
British Horse Society
Mid Cheshire Bridleways
North Cheshire Riders
North Staffordshire Bridleways Association
Riding for the Disabled
Horse drawn and motorised vehicles
British Driving Society

Green Lane Association Ltd. (GLASS)
Cheshire Road Safety Group
Cheshire West and Chester
Warrington Borough Council
Halton Borough Council
Highways England
Cheshire Police
Cross Border Local Authorities
Derbyshire County Council
Staffordshire County Council
Shropshire County Council
Warrington Borough Council
Trafford Council
Manchester City Council
Stoke on Trent City Council
Newcastle Under Lyme Borough Council

Appendix 2 – Email response summary

The following appendix contains a summary of all email responses that were received as part of the consultation.

In total 133 email responses were received as part of the consultation, from a wide range of stakeholders including those listed below.

Local organisations:

- 1st Wilmslow Guides
- 20s Plenty Organisation
- Active Travel Congleton
- Bott & Co Solicitors Ltd
- Cheshire Association of Local Councils (ChALC)
- Cheshire East Councillors
- Cycle Wilmslow
- Prestbury Community Speed Surveillance Group
- Residents Committee Wilmslow
- Sandbach Cycling Group
- School of Biological Sciences, University of Manchester
- Seamons Cycling Club
- Senior Council Highways Officers
- Transition Wilmslow
- Wilmslow Education Partnership

Local town and parish councils:

- Alderley Edge Parish Council
- Alsager Town Council
- Brereton Parish Council
- Congleton Town Council
- Cranage Parish Council
- Crewe Town Council
- Disley Parish Council
- Goostrey Parish Council
- Goostrey Parish Council
- Holmes Chapel Parish Council
- Knutsford Town Council
- Marbury and District Parish Council
- Mobberley Parish Council
- Moston Parish Council
- Pickmere Parish Council
- Rope Parish Council
- Sandbach Town Council
- Sutton Parish Council

Local schools:

- Beechwood Primary and Nursery
- Edleston Primary School
- Gorsey Bank Primary School PTA
- Ivy Bank Primary School
- Monks Coppenhall Academy and Day Nursery
- St John the Evangelist CE Aided Primary School
- Wincle CE Primary School

Comments made within these emails have been summarised and grouped together into the following themes.

Theme: 20 and 40 mph speed limits (99 email comments)

- Supports 20mph speed limit (58 email comments)
 - Supports 20mph speed limit in Residential Areas (25 email comments)
 - Supports 20mph speed limit in Urban Areas (4 email comments)
 - Supports 20mph speed limit in Rural Villages (3 email comments)
- Doesn't support 20mph speed limit (4 email comments)
- Supports 40mph speed limit (1 email comment)
 - Supports 40mph speed limit on Rural Roads (4 email comments)

Theme: Speed control measures (29 email comments)

- Supports use of Speed Indicator Devices (SIDs) (10 email comments)
- Supports community speed watch (6 email comments)
- Supports Average speed cameras (AVC) (3 email comments)
- Supports use of speed cameras (1 email comment)
- Better measures installed on existing speed limits (6 email comments)
- Supports driver education (1 email comment)
- Look at rural roads safety to protect vulnerable road users e.g. bikes and horses (1 email comment)
- Introduce other measures such as table crossings, road markings and coloured surfacing when appropriate (1 email comment)

Theme: Community liaison (26 email comments)

- Consider local resident views (16 email comments)
- Supports working closely with local councils (7 email comments)
- Supports working with the police (2 email comments)
- Define how community supports will be achieved (1 email comment)

Theme: The strategy (14 email comments)

- Phrase (the strategy) more positively, (it is) too negative (8 email comments)
- The strategy is too long (1 email comment)
- Define how the strategy will be achieved (1 email comment)
- Refer to the 2016 strategy (1 email comment)
- Consistency and simplicity is needed to ensure understanding of public safety by the road users (1 email comment)
- Review evidence base for SMS (1 email comment)
- Supports national and international guidance (1 email comment)

Theme: Other comments (9 email comments)

- Doesn't agree with the idea of speed being 24mph or lower for a 20mph zone (2 email comments)
- Show a link between planning permission and speed management (2 email comments)
- Speed control measures should be in place judging off speed records and shouldn't be done after an accident to prevent this in the first place (2 email comments)
- Supports the request for equipment (1 email comment)
- Data to evaluate in speed watch section (1 email comment)
- Incorporate noise pollution (1 email comment)

Appendix 3 – Focus group feedback

Focus group 26 January 2022

On 26 January 2022 FP of Cheshire East Council facilitated a focus group to discuss the updated Speed Management Strategy, being consulted on during January 2022.

Attendees included Cheshire East Council officers, as well as stakeholders representing external organisations including Cheshire Association of Local Councils (ChALC), Cheshire Fire Service and Cheshire Police.

The focus group ran through a short presentation of the key discussion points within the updated strategy, with attendees being invited to comment as desired.

Focus group attendees

- Focus Group Facilitator
- Cheshire Association of Local Councils (CHALC) member, Parish Councillor
- Cheshire Fire Service representative
- Cheshire Police representative
- Cheshire East Highways Design Manager
- CEC Head of Strategic Transport and Parking
- CEC Road Safety Technician
- CEC Air Quality Officer
- CEC Senior Road Technical Road Safety
- CEC Contract Asset Manager Client Team
- CEC Network and Road Safety Manager
- CEC Consultation Team

Focus group material

During the focus group FP ran through [the following presentation](#), with content used to direct discussion.

Meeting notes

The following comments we made during the discussion by the various attendees. Comments have been summarised and grouped together into the following themes.

Theme: 20 mph zones – 22 comments

- Listening to the political debates on this – we will get considerable public and political pressure to considerably lower the current speed limits to "20 is plenty". How do we make sure there is provision to handle the desire for lower speeds?

- Most housing estates are designed for 20mph anyway.
- How we deal with speed enforcement in response to community concerns and linking that to other programs, particularly around programs for walking and cycling. There's probably a causal link between community concern about speed, and concern from parents about allowing children to walk and cycle to school. Address one issue, identify issues, and there are broader links into other issues including environmental.
- There has been a big campaign – people believe the strategy is about 20mph zones, but that is not what the consultation is about.
- This is the overriding concern we need to address – a lot of people are reading the strategy as it is, to mean we are preventing 20mph zones.
- It can be meaningful to improve the Place that people live through having more 20mph zones. This is consistent with a lot of other thing the councils want to do.
- 20mph measures can be effective, but most places asking for 20mph would need engineering works – we need to be clear about what an enforceable speed limit area is. It's not just about the police trying to catch as many people speeding as possible, physical engineering measures are needed to slow speeds down, they have been brought in outside schools, but the current data shows people are still speeding.
- Once you do bring in 20mph zones, what is the knock-on effect in other areas.
- We are getting a lot of pressure to introduce blanket 20mph zones in residential areas. Do you need a formal TRO for 20, when places are designed for speeds to be lower? The pressure I am getting is for the whole residential areas – a lot of spine roads which are designed for 30mph. I don't think blanket 20mph zones are the right thing to do. It's right to restrict speed to 20mph where roads have been designed for that. Will there be enforcement of 20mph in current 30mph zones? The strategy is right about where 20mph zones will be accepted, but we will be under pressure to accept wider areas for 20mph zones.
- The key for me is to have the right limit in the right place – What's the road designed for, what is meant in Well Managed Highways by road hierarchy. If the role is to move people from A to B, we need to look at other ways of keeping people safe, bringing in lower speed limits reduces the roads ability to move traffic and will increase congestion. A local access road for example, you could consider a lower speed limit. If it is a main distributor, we would need to be more resistant. We would need to consider road function when considering speed limits.
- I understand there is a road hierarchy, but there is a communication problem, what doesn't happen in the strategy is to explain the rationale – it just says we can't allow this, we can't allow that, without explaining the rationale. Without explaining we'll get political pushback. Have a dialogue about 20mph zones.
- We have had a lot of engagement with parish councils, but sometimes a 20mph zone doesn't solve the issue. Maybe we can do a campaign on the back of this

about speed management, explaining the reasons for our policy. Explaining that just putting up 20mph signs won't do anything. But we have to have facts behind why we are spending public funds and why.

- What measures would be necessary to bring the baseline speeds into line, and how much that would cost
- Modern average speed cameras will enforce 20mph.
- We have done advisory 20mph zones outside schools – no police expectation to enforce those. CW&C have gone down the 20mph route on all residential roads, though feeder roads tend to be 30mph, it will be interesting to see how police are finding enforcement in mixed 20 and 30 mph zones.
- There are a few 20mph zones in the borough already. 20mph zones is a comforting thing. We need to consider how we fund these – based on community concerns. Funding for this will need to come from somewhere.
- There are alternative funding mechanisms once areas are accepted for 20mph zones.
- Maybe we need to look at funding based on KSIs, but also on the level of community concern.
- When we do other strategy reviews – Winter Maintenance etc – we tend to run the assessment criteria and we create a borough map, indicating the impact on the borough. Can we model on a map of the borough showing where we think 20mph zones might be appropriate, can we include that in the strategy?
- No. We don't have that data available. We can't go public with that without having done the due diligence, and have a couple of years of data, and a couple of years of data to support any conclusions and future policy.
- When council's were more cash rich, when they had extensive data on traffic speed and volumes, but now our traffic data is very basic at best, but TfGM have been doing various items of work with phone providers on road usage – so 15% of people who have an O2 phone, traffic figures can be extrapolated from that. This could be something we start to look at in future, it is expensive, but it is getting cheaper. Understanding how our network works is imperative. This would overarch all our highways policies and strategies so this is something we should look at.
- That technology is available, but you have to pay to access that data, and it is an annual fee and it is quite high at the moment, but it is an option, but if it is a good area of resource then it is an avenue we can go down.

Theme: Speed Indicator Devices (SIDs) – 14 comments

- SIDs should only be used where evidence shows there are problems with accidents or speeding
- SIDs should only be temporary, not permanent

- Dorset published a study about the speed reduction was achieved with SIDs – results revealed average speeds decreased by 2.6 miles per hour after their implementation. 2 other studies from Leeds show similar findings.
- Local councils have good information about the speeds in their localities, supported by SIDs. There is benefit from SIDs, evidence backs that up, they do help collect data and they are valued by local communities.
- The approach of the strategy seems to be whether Cheshire East Council “we will allow things” – why have a prescriptive policy which states we can't have SIDs?
- The strategy is too dismissive of SIDs.
- Have we ever deployed a SID, and had it backed up by a speed camera van? They may work well effectively.
- Funding is an issue in relation to SIDs.
- The problem with SIDs is that if there are too many people will ignore them, and they also pick up accidental speeders.
- One concern is the number of permanent SID posts people want putting in. Some have faulty SID units sat there doing nothing for a number of years. Parishes put the units up and they are not maintained – more input is needed from local parishes.
- Where do liabilities for SIDs sit? Who is maintaining them, who is responsible for them?
- Regarding types of SID – Government guidelines state there shouldn't be smiley faces.
- If the DfT haven't agreed to them, individual agreements would need to be made for each individual unit.
- There will need to be a dialogue about existing SIDs, and that might be needed with individual parishes.

Theme: Speed enforcement – 12 comments

- A lot of correspondence we get is about speeding, and there is a belief the council can do something about speeding. The council is seeking to clarify what solutions are open to address problems which have been identified, and addressing our role in how we manage speeding.
- It's important to stress that it is the police that enforce speed limits. People come to the council to complain about speeding rather than going to the police – we need to be clear that people need to go to the police.
- A staggered approach is required. Intel, KSIs, road policing unit, we have a structure in place, when we need to link in to fire etc, true cam, speed vans, deployed on an intelligence led basis. We are in a good place in terms of enforcement.
- Our understanding is the policies escalate – get some data from police or surveys indicating there is a problem, the next stage in escalation is a SID, then

enforcement (perhaps a police van, or PCSO with a speed gun), then eventually a fixed camera.

- We link up with the police regularly, the police have difficulties in certain areas being able to enforce safely, so CE have put in a number of hard standing areas to enable the police to enforce speeding limits. We listen to concerns the police have throughout the year and assist where we can, we have seen improvements over the last 12 months. There are not many issues around enforcement now.
- Do we need to future proof the strategy, for circumstances where there might be an increasing number of speeding from autonomous cars which might be on the streets in 2 years. This strategy has a lifetime.
- We quite often get a push back because "the police won't enforce speed limits" – is that a real problem?
- The noise element of enforcement has also come up as an issue lately
- Sometimes we think the police won't enforce speed limits, a key issue today is in understanding what issues the police face in this regard, what can we do to help the police enforce speed limits – it would be useful to understand.
- How many fixed cameras are in CE? Not many. Fixed cameras are better than police enforcement. We are not saying fixed cameras are the only solution. There is an opportunity to fund average speed cameras, if there is evidence of a lot of speeding.
- (The police) do respond to community concern, but our resources are finite. PCSOs are in place to deal with local issues, our highways police deal with main roads including motorways. Not sure if the council targets 20mph, not sure we have cameras that measure at those speeds. A lot of communities have issues with speed, and the solutions have to come out of community.
- Funding is the issue – our ability to collaborate and enforce is based on funding, to give officers time to develop strategies etc. If we apply speed limits that cause issues to policing we need to understand that, we need to work more closely with partners.

Theme: Make the strategy more proactive, work with local partners – 5 comments

- The narrative of the strategy seems to be saying "you can't do that" instead of encouraging people to be proactive.
- The council is in danger of stopping the possible, because the strategy is too rigid. It prevents the council working in partnerships with others to deliver an important part of the strategy. Cheshire East Council needs to look at things through a different lens, to look at what we can achieve together, how can we help, rather than being told what we can't do.
- Police can't be in the locations when traffic is at the maximum, which is why ChALC wants to look at other solutions. We are not saying we are the highways authority or the police.

- Think of local councils as delivery partners – what can the strategy do to encourage them to be delivery partners?
- The strategy can't be too prescriptive. Be more open ended, you can finesse it.

Theme: Engineering – 5 comments

- Anything that slows traffic down is bad for air quality.
- For the strategy to be fully comprehensive we probably need to say something about vehicle engineering – this will be a major contributor to speed management and air quality. This needs referencing in the strategy.
- How we prioritise schemes is in the strategy, have we got that right? Funding is limited.
- We shouldn't write the strategy being constrained by funding – there are other avenues for funding. Lets get the strategy right first, then worry about funding later.
- We do get enquires to remove traffic calming measures – it's not all one way, some are opposed to it. It's a 2-way thing.

Theme: Wider education initiatives – 2 comments

- We've looked into the pop-up children, utilised outside schools, some schools do use them. They are a tool going forward, they won't be suitable for every area, can be used to guide children and stop unnecessary parking. But this is another area for the future, only currently aware of 1 or 2 schools that use them.
- Have we got appropriate references to other travel behaviour change initiatives, such as walk and cycle to schools. The success of those initiatives are closely linked to successful speed management on routes to schools.

Appendix 4 – Social media feedback

The following appendix contains a summary of social media engagements on Twitter and Facebook that were received as part of the consultation.

In total 66 social media engagements were received as part of the consultation, with a summary of these included below.

Twitter feedback

The following responses were found on a publicly accessible search on the phrases “Cheshire East” and “speed management”.



The hyperlink for the above is: https://www.20splenty.org/ce_sms_critique



CycleWilmslow @CycleWilmslow · 19 Jan

Please also try to have your say on the **Cheshire East Council Speed Management Strategy Consultation**. Attached is an explanation from our friends at @TransitionWilms and @20splentyforus @20sPlenty4Wilm . @CycleWilmslow supports their campaigning on this



Dear Families, Schools, Clubs, Societies and Businesses of Wilmslow,

- Is a **safer, greener Wilmslow** something you want for yourself, children and young people?
- Would you love to **cycle as a family** but **feel afraid of the local roads**?
- Would you like your children and young people to **walk safely to school**, **stay active** and travel with independence as they grow up, but feel the roads are too busy and hostile?
- Do you want to take local action around **climate change**?

Now's our chance to create change...

- **'20's Plenty for Wilmslow'** is a Wilmslow-wide speed reduction campaign from **Transition Wilmslow**,¹ (a community group supporting the vision of a sustainable Wilmslow). The Campaign champions 20mph as the default speed limit across the residential roads of our town.
- The **Cheshire East Council consultation** is taking place **now** on the Cheshire East Council Speed Management Strategy.²
- Responses by email to smsconsult@cheshireeasthighways.org and completing survey: <https://surveys.cheshireeast.gov.uk/s/ISOZZE/> by **31st Jan 2022**.

Key points:

- **Safety concerns about traffic speed** prevents people making sustainable transport choices.
- Traffic at slower speeds gives **shorter stopping distances** and **less severe injuries** and outcomes.
- 20mph as default would encourage **planet friendly transport choices** (walking, cycling etc.).
- Cheshire West and Chester, Halton and Warrington Councils have **already adopted 20mph as standard**. Cheshire East should do the same.
- 20mph is recognised by the **UN / WHO**³ as **international best practice** in urban areas with a mix of road users (cars; cyclists; pedestrians etc)

Reasons we hope you will support this campaign:



20s Plenty for Wilmslow and Ches... @20sPlenty4... · 20 Dec 2021

The **speed management** strategy that's out for consultation is outdated: we need you to email **Cheshire East** and in your own words say why you support 20mph limits... Look back at our tweets for prompts. 🙏❤️



ACTIVE Crewe Travel @ActiveTravelCre · 20 Dec 2021

Do you support 20mph in residential streets? Email the Cheshire East consultation team @20splentyforus @20sPlenty4Wilm





CycleWilmslow @CycleWilmslow · 31 Jan

...

It's the last day to comment on the **Cheshire East Draft Speed Management Strategy**. @CycleWilmslow and others believe it is flawed, watered-down & fails to always put vulnerable road users at the heart of the thinking.

surveys.cheshireeast.gov.uk/s/SpeedManagem...

@20sPlenty4Wilm @TransitionWilms



Rod King MBE 30kmh/20mph limit cha... @20splentyfo... · 30 Jan

We list 51 individual failures in the @CheshireEast Speed Management Strategy that is out for consultation till Monday. Please respond and tell them that they "must try harder" to meet the needs of communities for safer, quieter, healthier streets. 20splenty.org/ce_sms_critique



↻ 2

♥ 4



AI/Val Scaresbrook @ValandAlec · 24 Jan

...

Cheshire East's 20mph speed management strategy needs a response from all of us by end of Jan. The document and survey are in highways speak, so to make sense of it, take a look here for the doc summary and reaction (not good!):



transitionwilmslow.co.uk

20s plenty for us!

We have been campaigning for years for 20mph limits on residential roads to improve safety for all ...



Peaks & Puddles 🚲 @peaksandpuddles · 29 Jan

Another consultation! **Cheshire East** setting out a new **Speed Management** Strategy, and it's not looking great.



Rod King MBE 30kmh/20mph limit cha... @20splentyfo... · 29 Jan

We list 51 individual failures in the @CheshireEast Speed Management Strategy that is out for consultation till Monday. Please respond and tell them that they "must try harder" to meet the needs of communities for safer, quieter, healthier streets. 20splenty.org/ce_sms_critique



Transition Wilmslow @TransitionWilms · 26 Jan

Have you responded to **Cheshire East's Speed Management** Strategy?

I want young
people to gain
independence
around town,
safely



Do you?



20's Plenty
where people are

Have your say by 31 Jan

smsconsult@cheshireeasthighways.org

<https://surveys.cheshireeast.gov.uk/s/ISOZZE/>

@20splenty4Wilm Facebook/TransitionWilmslow

transitionwilmslow.co.uk

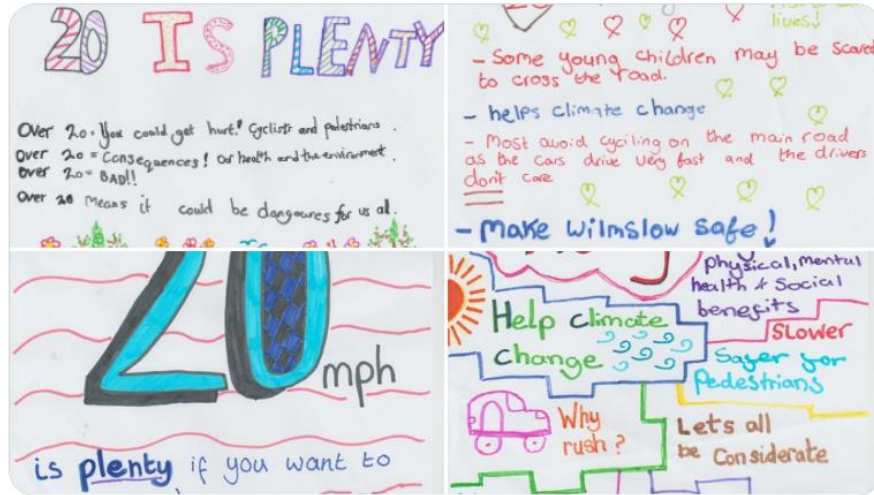
Have you responded to Cheshire East's Speed Management Strategy?

We don't like it much, so check out our 20splentyforus page where you'll find our summary of the strategy and Transition Wilmslow's ...



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 31 Jan ...

Wilmslow Girl Guides used their voice to respond to @CheshireEast Highways consultation. Have you?
Still time - closes at midnight tonight!



1

6

5

↑



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4W... · 28 Jan ...

3 days to go... have your say!

I want to cycle
safely and
help climate
change



Do you?

Have your say by 31 Jan

smsconsult@cheshireeasthighways.org

<https://surveys.cheshireeast.gov.uk/s/JSOZZE/>

@20splenty4Wilm Facebook/TransitionWilmslow


1

1

1

↑


↳ 20s Plenty for Wilmslow and Cheshire East Retweeted

 **Transition Wilmslow** @TransitionWilms · 28 Jan


Replying to @CllrAMalloy

And so do many people we speak to, too! We really hope @CECHighways will look at all the submissions they receive, whether answers to the actual consultation (which is very hard to do) or the very many email responses they will have received.



I want young people to gain independence around town, safely



20's Plenty
where people are




Do you?

Have your say by 31 Jan
smsconsult@cheshireeasthighways.org
<https://surveys.cheshireeast.gov.uk/s/ISOZZE/>
 @20splenty4Wilm  Facebook/TransitionWilmslow


↳ 1 ❤️ 3 ↗

↳ 20s Plenty for Wilmslow and Cheshire East Retweeted

 **Andrew Malloy** @CllrAMalloy · 28 Jan

Here is some guidance on how to respond to the Speed Management Strategy.

Most people I speak to want the road they live on to have a 20mph speed limit, so why not all residential streets by default, as in many neighbouring areas; Manchester, Cheshire West, Warrington etc.

 **Rod King MBE 30kmh/20mph limit cha...** @20splentyfo... · 28 Jan

Replying to @scottmlowe @CheshireEast and 2 others

See 20splenty.org/ce_sms_critique for our critique of the policy which fails in so many ways to meet the needs of communities

↳ 1 ↳ 3 ❤️ 6 ↗



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 27 Jan ...
 4 days to go... the proposed Speed Management Strategy definitely doesn't help with this. Please ask @CECHighways to re-write it, following the latest research and DfT guidance.

I want to
walk & cycle
safely, to stay
fit and active



Do you?

Have your say by 31 Jan
smsconsult@cheshireeasthighways.org
<https://surveys.cheshireeast.gov.uk/s/ISOZZE/>
 @20splenty4Wilm Facebook/TransitionWilmslow



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 27 Jan ...

4 days to go... "[...] 51% of people aged 75 live alone. 2/5ths of older people say TV is their main company." -@Sustrans

Our older relatives & neighbours need us to remove barriers to walking and cycling 4 exercise and to tackle social isolation. Tell @CECHighways @CheshireEast.

I want safer
roads for
elderly and
vulnerable
neighbours



Do you?

Have your say by 31 Jan
smsconsult@cheshireeasthighways.org
<https://surveys.cheshireeast.gov.uk/s/ISOZZE/>
 @20splenty4Wilm Facebook/TransitionWilmslow



1



2



10





20s Plenty for Wilmslow and Cheshire ... @20sPlenty4W... · 26 Jan ...

With the proposed SMS, CE Highways want to examine accident data before introducing lower speeds limits. That's the opposite of encouraging families to walk and cycle, which is also a stated aim. Parents and teachers don't want to wait for accidents 🙄



Gorsey Bank PTA @GorseyBankPTA · 26 Jan

This is a really important issue for all our children - if you have time, please get involved in this consultation which closes on Monday 👍
#gorseypshe

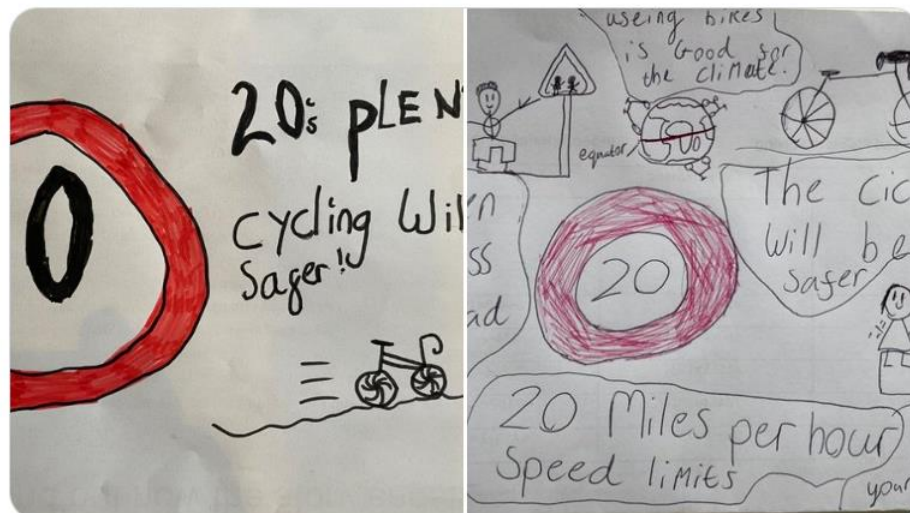


I want safer
walks to
school for my



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4W... · 24 Jan ...

Just been sent these... 🥰 The kids get it... Do you? #20sPlenty



💬 2

↻ 9

❤ 12





20s Plenty for Wilmslow and Cheshire ... @20sPlenty4W... · 20 Jan ...

The speed management strategy must be fundamentally changed to:
3) set out measures / timescale for systematic reduction in speeds of traffic in residential areas, inc. the adoption of a 20mph speed limit as the norm in residential roads.

Do you agree? [#20sPlenty](#)

[@TransitionWilms](#)



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 19 Jan ...

The Speed Management Strategy must be fundamentally changed to:
2) put the needs of vulnerable road users, children and the adoption of active travel central to the management of speed.

Any objections? [#20splenty](#)

[@WilmslowsWB](#) [@wilmslowcouk](#) [@socheshire](#) [@KnutsfordNews](#)





20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 19 Jan ...

Yes, please do. The report is overly technical and misinterprets DfT guidance.

The survey has leading questions, but you can skip most of it and give a general view at the end to say you support implementing wide area 20mph speed limits for the sake of ALL road users... 🙏❤️



CongletonTownCouncil @CongletonTown · 19 Jan

Cheshire East Council is urging residents to share their views on the authority's updated draft speed management strategy. To comment on the strategy, complete the survey online. The survey closes at midnight on 31 January 2022. See: zcu.io/q8wg



20s Plenty for Wilmslow and Cheshire ... @20sPlenty4Wi... · 18 Jan ...

The Speed Management Strategy must be fundamentally changed to:
1) acknowledge the centrality of traffic speed to the use of public space, including quality of life as well as collisions, injuries and deaths.

What do you think? [#20splenty](#)

[@CheshireEast](#) [@CECHighways](#)



↻ 20s Plenty for Wilmslow and Cheshire East Retweeted



ACTIVE Crewe Travel @ActiveTravelCre · 10 Jan



If you want slower safer residential streets email the team.

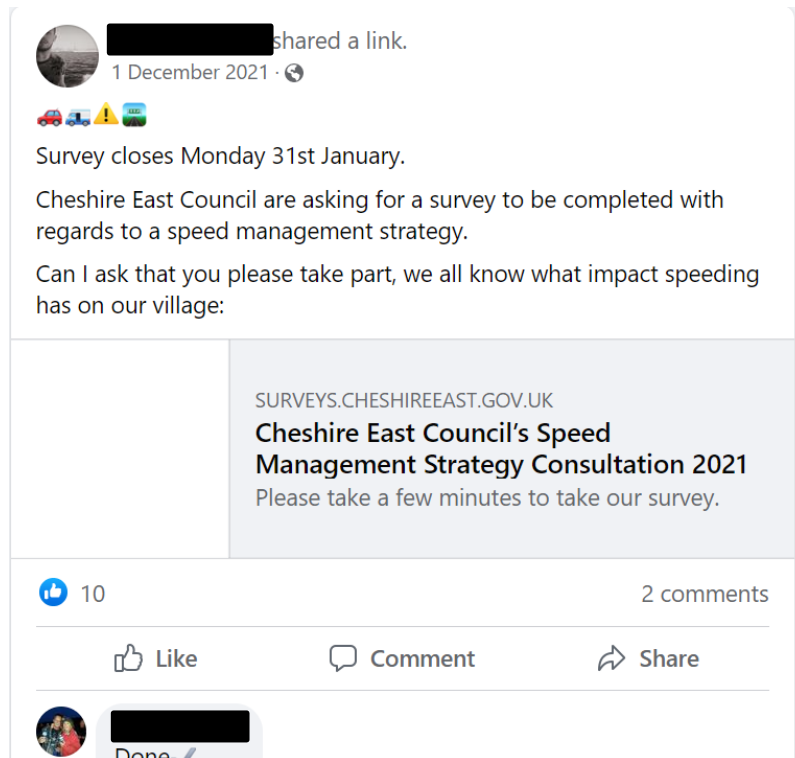
CEC Highways @CECHighways · 10 Jan

Did you know you can have your say on the updated Speed Management Strategy consultation? You can submit your comments up until 31 January: bit.ly/3JLZwJ6 management strategy: bit.ly/3HLiU7f bit.ly/3qQfWr7



Facebook feedback

The following responses were found on a publicly accessible search on the phrases “Cheshire East” and “speed management”.



Appendix 5 – Survey open comment summaries

The following appendix contains summaries of all open comments that were received in response to the open comment questions in the survey.

Comments made about Speed Management

The following comments were made in response to closed questions asking how strongly respondents agreed or disagreed:

- ...that speed management criteria should be applied consistently across the Borough?
- ...that sites requiring speed management measures should be prioritised based on evidence e.g. existing vehicle speeds, previous accident record etc?

Comments have been summarised and grouped together into the following themes.

Theme: The strategy should introduce widespread 20mph zones to help achieve Active Travel ambitions (277 comments)

Significantly increase the number of 20mph zones in Cheshire East. Everywhere should have 20mph speed limits. People drive too fast and the roads are dangerous, especially for vulnerable highway users such as pedestrians, cyclists and school children. Speed limits need enforcing, more police are needed to do so. Install average speed cameras. Have more community speed watching schemes. (121 comments)

The strategy should introduce speed control measures based on:

- Active Travel ambitions – Speed management should be aspirational, based on the desirable status: safer streets, more active travel, lower pollution, more environmental friendly communities, less noise, and less car usage especially for short journeys. Speed limits should be set depending on the number of vulnerable users in an area, such as walkers, cyclists, children, old people and disabled people. Speed management should be determined by the needs of ALL road users. The speed management strategy should be based on evidence that lower speeds encourage active travel, and protect vulnerable users including children – this evidence can't be measured before the measures are brought in. If the evidence states that few people walk and cycle in an area this should not be used to state that no changes are needed, this should be used as evidence that more restrictions are needed. It is the existing speeds of motor vehicles, and the large size of some vehicles (e.g. trucks, tractors and trailers) that put people off walking and cycling. (43 comments)
- The location of residential / built up areas, including villages, including in areas without any markings and that also have new large housing

developments built onto existing country lanes. 20mph zones should be applied in all residential areas. The evidence that somewhere is a residential street should be stronger than accident records. (24 comments)

- The specifics of the geographical location, road conditions and layout – the council should adopt a more local approach to implementing speed measures. Cheshire East has an extensive and varied road network that has to meet the different needs of different terrains, topography and urban, rural and semi-rural connectivity. (15 comments)
- The location of schools. (9 comments)
- The narrowness of country lanes / rurality. Rural roads carry 40% of road traffic, but account for 62% of road fatalities – see the following infographic for stats:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/448037/road-fatalities-2013-data.pdf. (7 comments)
- The location of playground areas / early years settings. (2 comments)
- Noise levels. (2 comments)
- Where there is evidence of current speeding. (2 comments)

The council must not wait for accidents before making changes. The council should implement speed control measures more proactively, and not wait for accidents to happen before measures are put forward. Previous accident records are a poor measure if the intention is to promote active travel, for example, the road may be avoided by non-motorised transport because it is unsafe – Maybe there haven't been accidents because cyclists and pedestrians avoid some sites that they feel are too dangerous? (35 comments)

Evidence takes a long time to collect – action is needed now. The use of evidence is retrospective and not proactive. Collecting evidence is time and resource consuming, and there is no evidence for most streets in Cheshire East. It would take a long time to collect enough evidence for many areas in Cheshire East. Instead speeds should be made consistent across the borough, and the roads in our towns and residential areas made safer more proactively. A five-year accident survey necessity appears to be a rather long time for a 'new road' or where there have been substantial changes to the environment. (17 comments)

Theme: Opposition to the introduction of blanket speed limits (19 comments)

Opposed to a blanket 20mph speed limit. While speed needs to be managed it should not be done as a blanket approach – reducing speed limits on all roads does not work it only causes friction and confusion to road users. Speed limits around schools and medical buildings should be dealt with on a national basis, and not by someone who is given a little bit of authority and lets it go to their head. Winter gritting policy is a blanket policy which does not work. Different villages / towns have different needs

speed wise and different approaches need to be made to fit the issue – one size does not fit all. Opposed to 20mph zones in general and speed bumps. (18 comments)

Too many 50mph speed limits have been imposed on roads that do not require such a limit. (1 comment)

Theme: Take into account local views when considering speed control measures (38 comments)

Take into account the views of local residents, Town/Parish Councils and Councillors when considering which sites require speed management measures. Residents who live in an area know it better than anyone else so their representations should be weighted heavily in consideration of any changes to speed management in the areas they live in. Local residents should be able to lobby for action on speed limits on their own roads based on local knowledge and experience. Past projects have been approved by people who do not know the area. (38 comments)

Theme: Consistency when applying speed control measures across the borough is important (44 comments)

Speed limits must not be set for political reasons. Keep road safety evidence based, otherwise those that complain the loudest will receive most of the funding. Consistency across the borough is important to avoid accusations of favouritism. Some roads have had speed limits reduced for no apparent reason. Political will and "something must be done" sentiment is not enough. Changes should be specific to individual roads and based on safety data not emotion and personal opinions. (11 comments)

Some areas in Cheshire East are treated differently than others. For example there are 20mph zones in Sandbach near schools but 40mph in Congleton. A consistent approach means treating all sites with the same measures, bringing speeds down across the board. Traffic speeds in built-up areas need to be standardised to leave no room for doubt. Imposing stronger traffic management measures and lower speeds in some areas and not others will direct traffic towards less-managed streets. (9 comments)

Consistency and simplicity is important to ensure understanding by the public. Inconsistency and a confusing strategy will make education and enforcement difficult. Consistency across the borough is important to avoid confusion for residents, and takes too much time to develop different rules for different areas. The strategy is overly complicated. The 2 statements in the survey contradict each other – how can speed management criteria apply across the borough, and yet sites for speed management measures be prioritised based on evidence? The questions are misleading. (9 comments)

The same speed limits should apply across all of Cheshire to avoid confusion. Consistency would be having the same speed limits across the whole borough. Traffic

speeds in built-up areas need to be standardised to leave no room for doubt. Imposing stronger traffic management measures and lower speeds in some areas and not others will direct traffic towards less-managed streets. (6 comments)

Follow national and international guidance and schemes. 20mph zones have already been adopted elsewhere, without the need for assessments. See Manchester, Lancashire, Cheshire West, and Scotland for examples. (8 comments)

Consistency would come with time – Manchester's scheme had a "dreadful" start but is doing well now. (1 comment)

Theme: Doubts about the accuracy of data used to inform decision making (11 comments)

Doubts about the accuracy of data held and how comprehensive it is. Things can be missed if we rely solely on data. For example, while there are accident records, near misses are not recorded, and not all accidents or injuries are reported. Also existing speed data fails to account for the fact that vulnerable road users may already be discouraged from using the roads, therefore the data is biased in favour of car use. Evidence also needs to be objective and put into context e.g. a drunk driver who crashes is more likely due to drink rather than the need to reduce speed on a road. Also how are current speeds being measured, as there are few speed cameras around? (11 comments)

Theme: Other comments (22 comments)

- Spend money on improving other things instead such as on improving the condition of the roads, cleaning the streets, fighting crime. (7 comments)
- Speed limits should not be set depending on current speeds. (3 comment)
- There is potential in future for councils to be given the power to enforce speed limits – is CEC aware of that? (1 comment)
- Speed limits should alter for different times of the day – why should people drive 20mph past a school outside of school hours? (1 comment)
- Apply criteria consistently, so long as geographical and demographic variations are taken into account (1 comment)
- Consistency shouldn't mean taking away what is already in place (1 comment)
- Whilst the consistent application of criteria is generally considered to be a fair approach it doesn't take into account the individual variables that may exist, there needs to be a sensible approach to dealing with exceptions. (1 comment)
- Speed limits should be set based on safety (1 comment)
- Speed limits should be set based on what's best for traffic flow, and keeping traffic moving efficiently (1 comment)
- The views of local residents and their experience SHOULD NOT be taken into account when making decisions on speed limits (1 comment)
- Publish up to date information on traffic speeds in local areas (1 comment)

- Areas should be pedestrianised based on potential community benefits (1 comment)
- Fixed SIDs are important for the collection of data so shouldn't be removed. (1 comment)
- A strong policy is needed for safety and the environment (1 comment)

Comments made about 20mph and 40mph zones

The following comments were made in response to closed questions asking how strongly respondents agreed or disagreed with sections in the strategy on

- ...20 mph areas?
- ...40 mph areas?

Comments have been summarised and grouped together into the following themes.

Theme: Enable communities to create 20mph zones more proactively (46 comments)

Opposition to the concept that 20mph areas will only be considered in locations which are already self-compliant. Respondents were opposed to the idea that "mandatory 20mph speed limits and zones will only be considered in those locations that are generally self-compliant due to the nature of the road layout". They felt that 20mph zones are needed in places not just where speeds are already below 28mph, and would prefer a more proactive approach where 20mph is considered desirable even if average speeds are higher. They felt 20mph areas ought to apply to areas where there are high concentrations of vulnerable road users, regardless of current speeds. They felt decisions on where to locate 20mph areas should be based on environment, pedestrians and cyclists, and not cars, and they should be considered for areas where promotion of active travel or local community environment improvement will be achieved. They stressed that if speeds are kept at a higher level then active travel will be discouraged and the higher speed limit will seem to be appropriate and therefore "the motorcar wins". Surely one of the functions of a speed management strategy should be to enable speed to be reduced where there is a need? (33 comments)

Local communities should be given more influence when developing local speed limits. Implementation of 20mph zones should not be dependent on collecting data on all roads, this would take years and the resource is not available – Local Councillors know the problem areas and what the residents want. Where there is a clear strength of feeling amongst residents in a local area that they would like to see speed limits reduced, Cheshire East Council should work with them to achieve this where practicable. (6 comments)

There are too many bureaucratic obstacles in the strategy to bringing in 20mph limits. Because of the bureaucracy proposed 20mph areas will be refused or dismissed when

they really will contribute to improved safety and perception of safety by pedestrians and road users other than motorists. In London most of the centre is 20mph, and I cannot believe they followed as bureaucratic a process as proposed – they just did it. The conditions for a 20mph speed limit to be imposed are too restrictive and too easily dismissed. (5 comments)

Improve the communications process for communities – It's not clear how people suggest areas for 20mph zones. There needs to be a clear communications information in the strategy about how zones will be implemented and why. (2 comments)

Theme: The introduction of speed measures should be evidence based and consistent (14 comments)

Policies should be evidence based. Areas should be evaluated on needs and merits, on population density etc. (5 comments)

Speed limits should only be introduced in areas where people are currently speeding, and according to the unique issues at each particular location. All types of road and areas cannot be bunched up together easily. Roads that farmers need to access farms cannot be bunched up with other rural or urban roads for example. (6 comments)

20mph zones have only been introduced in areas where pressure groups have demanded them. There are several examples where they have been applied to major through routes rather than using the criteria listed. (3 comments)

Theme: People drive too fast and existing speed limits should be enforced (46 comments)

Enforcing existing speed limits should be the priority. If the police do not have capacity to enforce speed limits, it should be achieved through greater use of cameras. (24 comments)

People drive too fast on rural roads, and they are unsafe for pedestrians, cyclists and equestrians – people are scared to use rural roads because of the speed cars drive on them, including up to 60mph. Respondents felt that rural areas that don't meet the criteria are put at a significant disadvantage. Some felt rural villages should also be designated as 20mph areas. Generally some felt the council must clamp down on high speed, especially to promote Active Travel. (19 comments)

People will drive as fast as the speed limit that is set (3 comments)

Theme: Cars dominate our environments (10 comments)

Cars need to be stopped from dominating our environments. Walking, cycling and public transport should have greater focus. How will the strategy support recent

changes to the Highway Code, including in rural areas? The strategy prioritises the needs of motorists to get somewhere faster rather than the needs of pedestrians and cyclists to be safe. (8 comments)

Pedestrianise town centres more (2 comments)

Theme: The strategy is complex, contradictory and not flexible enough (21 comments)

The guidelines in the strategy are contradictory and not applied consistently. The strategy should be clear on what principles are to be applied, and contradictory statements should not appear without explanation of which principles will take precedence. Examples of contradiction included (8 comments):

- Burley Dam has a 30mph limit on the A525 whereas it is 40mph on the A530
- The 20mph zone in Sandbach seems to fly in the face of the stated strategy
- According to your criteria, London Road in Stapeley should have a higher speed limit
- Section 7.8 sets out a 'speed limit framework' which 'serves as a guide for the identification and selection of speed limits'. This then explains '20mph speed limits and zones can be considered in built up areas where there are high concentrations of vulnerable road users where vehicle movement is not the primary function'. If the requirement for vehicle movement not to be the primary function is applied, then there are many areas where walking and cycling would be encouraged by a 20MPH speed limit which will not be considered. This is at odds with statements in sections 7.5 and 7.9 and appendix F where pedestrian potential for active travel footfall on narrow footways in historic areas is acknowledged.
- Page 29 refers only to rural settings and appears not to comply with the Speed Limit Framework outlined on page 26.

The strategy is long, complex and complicated. It would benefit from being in a more 'reader-friendly' format. (6 comments)

The strategy seems very prescriptive, and needs to be more flexible as it doesn't cover every eventuality. The strategy needs to allow greater flexibility, for example to enable rural roads to be reduced to 30mph between villages which are next-door with only a few hundred metres in between, and where the road is used by walkers. (5 comments)

The strategy seems to be "anti-20mph". The strategy reads as if it is designed to impede, deter or prevent change. The approach of the SMS is limited to the ineffective street by street approach. (2 comments)

Theme: Other comments (16 comments)

- More and clearer road signs are needed. (2 comments)
- Education of drivers and cyclists is needed rather than restrictions and enforcement. People should be encouraged / educated to drive according to the conditions they encounter. (2 comments)
- Equestrian business is important in rural areas and therefore needs to be taken into account in this strategy. As a horse rider I find drivers are driving far too fast on rural roads which often are narrow and have bends. (2 comments)
- Mobile speed vans are ineffective at stop speeding, they only collect revenue for the police. The police should solve crime and not generate revenue from speeding tickets. (2 comments)
- I am concerned about the application of the very loose term 'active travel'. It has certainly been used completely inappropriately in Sandbach. The residual of the mess is still on Sandbach streets. (2 comments)
- Cheshire East Council does not listen to feedback from consultations. (1 comment)
- Current limits that change a lot in a short distance are confusing and unnecessary (1 comment)
- Traffic is a problem in Disley (1 comment)
- Active speed control measures through deterrents tend to have a greater impact and longevity. (1 comment)
- Acoustic cameras are needed (1 comment)
- How often will the strategy be subject to review? (1 comment)

Comments made about Exceptions

The following comments were made in response to an open question asking if respondents felt there were any other Exceptions that should be considered, other than the 4 listed in the draft strategy.

Comments have been summarised and grouped together into the following themes.

Theme: New exceptions are needed... (81 comments)

In potential Active Travel areas – Walking and cycling exceptions. To ensure Highway Code requirements can be met or, in extreme circumstances where the existing speed creates a danger. Vulnerable users must be protected. (29 comments)

In all residential areas. All residential areas should be 20mph or should be treated as exceptions, especially as they change the nature of the surrounding area, and not just in new housing developments, Narrow pavements in urban areas and areas with high pedestrian volumes (e.g. shoppers and tourists) should be treated as exceptions. (26 comments)

Depending on local requests from Town and Parish Councils, Councillors, and local residents. If local people want the road speeds to be reduced you should have a very, very good reason to deny them this. (8 comments)

Around all schools. (7 comments)

In areas with noise problems, to curtail noisy cars (6 comments)

On rural roads that are too narrow for HGVs or that don't have pavements (3 comments)

Where road changes will lead to knock on speed effects on other roads, or where roads are used as "rat runs" or diversions. (2 comments)

Theme: Four exceptions are too many, further exceptions are not needed (26 comments)

Four exceptions are too many – the fewer exceptions the better to help fairness and consistency. Too many different rules makes things confusing. Speed limits that change too frequently create confusion. The number and proliferation of signs creates distraction from watching the road properly. We don't need speed limits going up and down in short succession. There is too much bureaucracy / the form is too complicated. (24 comments)

Cynicism about the motives for the exceptions and how they will be used. (1 comment)

These are detailed questions which should be handled by experts. (1 comment)

Theme: Air Quality Management Area (AQMA) Exceptions (21 comments)

Electric car technology is making air quality less of an issue, as is start stop technology. Have diesel / petrol engine exclusion areas. (7 comments)

Slower driving does not help improve air quality – this disputes the statements made in 7.13. Reducing speeds increases emissions. The information provided about air quality and pollution is incorrect. It is not the speed of the vehicle, it is the efficiency of the engine in different engine rev ranges. It happens that most vehicle manufactures design their vehicle to operate at peak efficiently at 50 to 55 mph. How does slower driving help? As people slow down they also speed up often aggressively because they have been restricted adding and extra workload to an engine. It is better to keep a consistent speed. (6 comments)

Lack of faith in the council's approach to air quality given past scandals (3 comments)

Air quality is an important issue. (2 comments)

Detail on AQMAs seems ambiguous. When will AQMAs be applied? (2 comments)

Experience tends to suggest AQMAs attract average speed cameras and as such the introduction of the areas are largely viewed by the public as cynically wrapping a revenue earring exercise in an environmental jacket (1 comment)

Theme: Buffer or Shoulder Zone Exceptions (1 comment)

These exceptions are important. (1 comment)

Theme: Planned Development Exceptions (4 comments)

Limits implemented when 50% of houses on new developments are occupied seems arbitrary, why not apply limits on the first occupation? (2 comments)

The default speed limit should be 20mph not 30mph. The current guidance says new residential roads will be designed for 20mph, but that the limit will be 30mph, which makes no sense. (2 comments)

Comments made about other categories for the prioritisation matrix

The following comments were made in response to an open question asking if respondents felt there were any other categories or topics to be considered in the prioritisation matrix.

Comments have been summarised and grouped together into the following themes.

Theme: Section A – Casualty Reduction (21 comments)

New categories in this section should include:

- Near misses – These should be counted as well as actual collisions (6 comments)

General comments on this section included:

- There should be more focus on this section (7 comments)
- We should not wait until there's an accident before making changes – the emphasis of the whole strategy needs to change (3 comments)
- Fatal accidents should be weighted higher (3 comments)
- There should be less focus on this section (1 comment)
- Areas with at least 2 incidents in the last 3 years should be considered high risk (1 comment)

Theme: Section B – Congestion (26 comments)

New categories in this section should include:

- The amount of pavement parking and bus stops in an area (7 comments)

- The number of HGVs and farm vehicles using a route (4 comments)
- The number of cyclists and pedestrians using an area (3 comments)

General comments on this section included:

- There should be more focus on this section (4 comments)
- There should be less focus on vehicle congestion, as higher congestion causes slower speeds (3 comments)
- The current infrastructure cannot handle current traffic levels (2 comments)
- Coordinate with route planners / Sat Nav companies to manage traffic more efficiently (1 comment)
- Consider the impact of bus route changes (1 comment)
- Traffic density shouldn't be calculated based on a single day reporting or incident (1 comment)

Theme: Section C – Accessibility and Capacity (23 comments)

New categories in this section should include:

- The number of schools and hospitals in the area (8 comments)
- The number of pavements and cycle lanes in the area (3 comments)
- The number of pedestrian crossings in the area (2 comments)
- The number of additional on road hazards e.g. pedestrians on narrow rural roads / horses / tractors (2 comments)

General comments on this section included:

- Current traffic speeds are felt to be a barrier to Active Travel (pedestrians and cyclists) – if traffic speeds were lower levels of Active Travel might be higher (6 comments)
- Local engagement should be included in this category (1 comment)
- There should be more focus on this section (1 comment)

Theme: Section D – Amenity (40 comments)

New categories in this section should include:

- The amount of Active Travel in the area / How much of a priority it is to have Active Travel in the area (28 comments)
- The amount of equine traffic in an area (3 comments)
- The number of schools in the area (3 comments)
- The potential impact of future planning changes e.g. HS2 (3 comments)
- Whether there are any large event venues or events in the local area (2 comments)

General comments on this section included:

- There should be less focus on this section (1 comment)

Theme: Section E – Neighbourhood Engagement (13 comments)

General comments on this section included:

- There should be more focus on this section (10 comments)
- There should be less focus on this section / this category is not needed (2 comment)
- Strategies should be devolved to town councils (1 comment)

Theme: Section F – Local Concern (32 comments)

General comments on this section included:

- There should be more focus on this section (23 comments)
- There should be more local influence over the Speed Management Group (SMG) (5 comments)
- Engagement rates in deprived areas are low and therefore a concern for their ability to influence (2 comments)
- There should be less focus on this section / this category is not needed (1 comment)
- This does not match / compliment the CEC Transport Strategy (1 comment)

Theme: New suggested categories (10 comments)

- The local geography of the area should be a new category e.g. blind bends, lack of pavements (4 comments)
- The level of traffic noise should be a new category (3 comments)
- The amount of speeding in an area should be a new category (3 comments)

Theme: Other comments (75 comments)

- Agree with lowering speed limits – More efforts to reduce speeding are needed, including speed limits, speed cameras, fines for speeding, road furniture to slow traffic (22 comments)
- Disagree with lowering speed limits (4 comments)
- Focus on improving air quality and reducing emissions (14 comments)
- Focus on road repairs to reduce accidents (6 comments)
- Focus on improving public transport (1 comment)
- General disagreement with the prioritisation matrix (8 comments)
- General satisfaction with the prioritisation matrix (5 comments)
- No one category should have priority over the other (3 comments)

- The measures not financially feasible (1 comment)
- Prioritise access for emergency vehicles (2 comments)
- The Engineering section overall should be less of a focus (2 comments)
- Refer to updated DfT guidance (2 comments)
- Clearer road markings needed (1 comment)
- Too much focus on personal vehicle pollution and not enough on commercial vehicles (1 comment)
- Speed bumps should not be used as they cause acceleration (1 comment)
- Focus should be on safety technology e.g. speed limiters, seat belts (1 comment)
- CEC should stop using tarmac for environmental reasons (1 comment)

Theme: Comments on the consultation (17 comments)

- The consultation, including the consultation document, is too complicated (7 comments)
- The strategy and the consultation is a waste of CEC resources (7 comments)
- Need for less specific strategy (3 comments)

Comments made about why people disagree with relative weightings

The following comments were made in response to an open question asking why people disagree with the relative weighting given to each of the factors / topics in the prioritisation matrix.

Comments have been summarised and grouped together into the following themes.

Theme: Section A – Casualty Reduction (53 comments)

- Scoring is needed for near collisions or incidents without any casualties (20 comments)
- Scoring should be higher generally for this category (2 comments)
- A.1 Scoring should be higher (8 comments)
- A.1 Definition needs to be given to what constitutes a 'serious' injury (4 comments)
- A.1 The serious injury score is too high (1 comment)
- A.2 Scoring is too open to interpretation (what counts as a speed related incident?) (12 comments)
- A.2 Scoring should be lower (2 comments)
- A.2 Scoring should be higher (1 comment)
- A.3 Scoring should be higher (1 comment)
- A.4 Scoring should be higher (1 comment)
- A.5 Scoring should be lower (1 comment)

Theme: Section B – Congestion (1 comment)

- Scoring for this section should be reduced (1 comment).

Theme: Section C – Accessibility and Capacity (3 comments)

- C.14 Scoring should be higher e.g. 20 (1 comment)
- Scoring should be included for footpath condition (1 comment)
- Scoring should be included for nearby crossing points (1 comment)

Theme: Section D – Amenity (0 comments)

- No comments made.

Theme: Section E – Neighbourhood Engagement (7 comments)

- This category generally should score higher (3 comments)
- Reduce/remove scoring from this category generally (1 comment)
- Unsure how information for this category would be collected (1 comment)
- E.20 MP scoring should be reduced/removed (1 comment)
- E.21/22/23 Councillors scores should be increased to 30 (1 comment)

Theme: Section F - Local Concern (10 comments)

- This category generally should score more highly (5 comments)
- Reduce/remove scoring from this category generally (4 comments)
- Unsure how information for this category would be collected (1 comment)

Theme: General reasons for disagreeing with weightings (75 comments)

- Rather than accessing risk to decide whether to bring in speed control measures, measures should be taken now instead to reduce speeding across the board (25 comments)
- A category and scoring should be included for Active Travel users (11 comments)
- Needs to be consideration of what caused the incident, not just the results (7 comments)
- Scoring does not consider local conditions, blind bends width of roads or pavements, speed limits etc (5 comments)
- Is the scoring 'nationally agreed' upon? (4 comments)
- Areas of high incidents should have the road layout reviewed / altered (3 comments)
- Scores generally too low (3 comments)

- Include category and scoring for air pollution and its effects on health (3 comments)
- Include category and scoring for nearby school / carehome / hospital etc. (3 comments)
- Scoring should be up to interpretation within a set limit for each item (2 comments)
- Respondent knows person(s) involved in previous incident (1 comment)
- Replace junctions with mini roundabouts (1 comment)
- More car free zones (1 comment)
- Scoring should not be over thought/valued when making decisions later (1 comment)
- Strategy doesn't go far enough, total overhaul needed (1 comment)
- Refers to 20s Plenty Campaign response to strategy (1 comment)
- Risk of incidents on some roads dissuades there use (1 comment)
- Record of incidents need to be taken before and after strategy to measure its success (1 comment)
- Refer to DfT guidance (1 comment)

Theme: Other comments (32 comments)

- The strategy document is too complicated, it's not clear what scoring is for each item (27 comments)
- The consultation is too complicated (4 comments)
- Not confident of CEC investment in scheme (1 comment)



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EQUALITY IMPACT ASSESSMENT

TITLE: Speed Management Strategy

VERSION CONTROL

Date	Version	Author	Description of Changes
13/9/21	Original	Fay Price	<p>Revised the brief description of the impact assessment in light of revisions made to the Speed Management Strategy as it has developed</p> <p>Revised information regarding engagement with Stakeholders to reflect initial consultation undertaken to develop the SMS rather than reflect the Public Consultation to be undertaken and given outcome</p>
20/10/21	V2	Fay Price	<p>In Stage 2 'who and evidence of affected' updated text to reflect evidence of how speed is calculated to support original text and identify how different groups may be affected by changes in speed limit or management measures</p> <p>Updated outcomes for some groups by adding in text to illustrate that air quality sites may benefit from lower speeds</p> <p>Stage 4 Deleted all text in mitigation as there are no adverse impacts on the protected characteristics groups</p>

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28/10/21	V3	Fay Price	Stage 2 Updated impacts for different groups relating to vulnerable road users
30/08/22	V4	Matt Davenhill	Updated following final draft of the Strategy

CHESHIRE EAST COUNCIL –EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Cheshire East Highways		Lead officer responsible for assessment		Fay Price	
Service	Traffic and Road Safety		Other members of team undertaking assessment		N/A	
Date	28/10/21		Version		V3	
Type of document (mark as appropriate)	Strategy X	Project	Function	Policy	Procedure	Service
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	New		Existing		Revision X	
Title and subject of the impact assessment (include a brief description of the aims, outcomes, operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service	<p>Speed Management Strategy – Sets out the Councils approach to setting of speed limits and speed management within the Borough.</p> <p>The overall purpose of the Speed Management Strategy is to set out the consistent approaches for</p> <ul style="list-style-type: none"> • A wholistic approach to speed management on the highway network • setting speed limits based on the function and nature of the route as set out in the Department for Transport, DfT Guidance Document Circular 01/2013 – Setting Local Speed limits. <p>The Council and police receive many requests in relation to speed management and speed limit compliance. The council will consider these through a 3 E's approach:</p> <ul style="list-style-type: none"> • EDUCATION • ENFORCEMENT • ENGINEERING <p>The strategy also outlines the role of Cheshire Road Safety Group and police in speed management</p> <p>The strategy considers these tools and provides the following:</p>					

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	<ul style="list-style-type: none"> • A consistent approach to setting speed limits based on the function and nature of the route. • A consistent approach to the implementation of speed management traffic calming measures. • Criteria for the selection of safety camera sites. • Clarification of the role of the Cheshire Constabulary, Cheshire Road Safety Group, (CRSG), and Cheshire East Council, (CEC), as Highways Authority in relation to setting speed limits and speed management. <p>The strategy aims to encourage, empower and enable communities in the management of speed on the highway network.</p> <p>The strategies presented in this report are intended to contribute to the Council's core policy outcomes by:</p> <p>Open – updating and clarifying the policies and procedure that the highways service will employ when deciding on road safety measures, including the role that other agencies, including Town and Parish Councils, can play in these decisions.</p> <p>Fair – taking full account of the needs of all road users and the wider community when deciding how our roads are used, including the priorities afforded to different road-users such as pedestrians and cyclists.</p> <p>Green – ensuring that our approach to road safety and speed management contribute fully to the wider ambition to promote sustainable and active travel. The updated strategies will help to ensure that use of our highways empowers residents to make travel choices, thereby improving Health and Well-being whilst reducing transport-related carbon emissions.</p> <p>The strategy excludes temporary speed limits for traffic management purposes as these are risk assessed for specific circumstances and situations to protect workforce operations and those travelling on the highway.</p>
Who are the main stakeholders and	Members Town and Parish Council's

have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)	<p>Emergency Services Cycling Groups Schools Cheshire Road Safety Group Bus operators Road Haulage Association AA RAC General Public Internal departments - Planning, Highways Development Management, Passenger Transport, Highways, Environmental Services(air quality)</p> <p>The Police, Cheshire Fire and Rescue Services, Internal departments of Highways, Planning, Development Management and Environmental Services have been consulted during the development of the strategy. This has resulted in the 'exemptions' being identified such as where developments or air quality issues arise and gave a focus of the 3 Es approach. Cheshire Police have confirmed their support for the Speed Management Strategy</p>	
Consultation/ involvement carried out.	YES X	NO
What consultation method(s) did you use?	Group face to face meetings with Highways representatives (prior to Covid) and TEAM calls with highways colleagues (post Covid.) Emails also sent to department leads and technical officers in the development consultation group	

Stage 2 Initial Screening

Who is affected and what evidence have you considered to arrive at this analysis?	Police have to undertake speed enforcement and this directly impacts them from a resources point of view. This was established during discussions with the Police.
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(This may or may not include the stakeholders listed above)	All road users - speed limits and speed management affect everyone who uses the highway in all modes of travel. Those using non motorised forms of travel (pedestrians, Cyclists etc) may be benefited from lower speed limits but motorists may find this more intrusive to their journeys.
Who is intended to benefit and how	<p>It is intended that the strategy will be read and used by:</p> <ul style="list-style-type: none"> • Cheshire East Council officers. • Officers with a professional interest in speed management. • Local Members. • Town and Parish Council • Cheshire Constabulary. • Members of the public. • Other stakeholders such as developers of new roads. <p>The strategy is intended to help the Council develop a consistent approach to implementing speed management measures, using the most appropriate tools for doing so. The strategy is also aimed at providing clarity for residents, members, partner organisations and wider stakeholders across the borough on the processes we will follow when concerns relating to speed management are raised.</p>
Could there be a different impact or outcome for some groups?	<p>Yes potentially those who walk and cycle i.e. non-motorised forms of transport. Such highway users may benefit from the introduction of 20mph speed limits where the location is identified as suitable for such a speed limit.</p> <p>As such this Strategy will be viewed with greater importance by Highway users who are identified to be in the more vulnerable categories.</p> <p>Locations where air quality is a concern may also benefit from lower speed limits as this may help keep traffic moving as it is the idling in congestion that creates air quality issues.</p> <p>The strategy looks to facilitate wider Council goals and schemes which could help to protect vulnerable road users.</p>
Does it include making decisions based on individual	Speed limits and management measures are based on local environment of the location, function of the road and person movement. They are not based on a persons characteristics, needs or circumstances.

characteristics, needs or circumstances?								
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)			Speed limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users. This may lead to either group feeling they should have been considered differently					
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?			<p>The overall purpose of the Speed Management Strategy is to set out the consistent approaches for:</p> <ul style="list-style-type: none"> • Speed management • setting speed limits based on the function and nature of the route as set out in the Department for Transport, DfT Guidance Document Circular 01/2013 – Setting Local Speed limits. 					
Is there an actual or potential negative impact on these specific characteristics? (Please tick)								
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N
		✓			✓			✓
Disability	Y	N	Pregnancy & maternity	Y	N	Sex	Y	N
		✓			✓			✓
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N
		✓			✓			✓

Stage 3 Evidence

	Level of Risk
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What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts		(High, Medium or Low)
Age	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Marriage and Civil Partnership	. Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Religion	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Disability	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Pregnancy and Maternity	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Sex	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Gender Reassignment	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>
Race	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	<i>low</i>

Sexual Orientation	Speed limits and management measures are based on local environment of the location, function of the road and person movement . Speed Limits and speed management are not based on an individuals characteristics. However, in some locations it will favour the non motorised user in others it will favour motorised transport users	low
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Stage 4 Mitigation

Protected characteristics	Mitigating action <i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i>	How will this be monitored?	Officer responsible	Target date
Age	N/A	NA	NA	NA
Marriage and Civil Partnership	N/A	NA	NA	NA
Religion	N/A	NA	NA	NA

Disability	N/A	NA	NA	NA
Pregnancy and Maternity	N/A	NA	NA	NA
Sex	N/A	NA	NA	NA
Gender Reassignment	N/A	NA	NA	NA
Race	N/A	NA	NA	NA
Sexual Orientation	N/A	NA	NA	NA



5. Review and Conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed

Speed limits changes and Speed Management measures are based on a location rather than characteristics of an individual. However, non-motorised highway users (Pedestrians and cyclists) are likely to benefit from the introduction of 20mph speed limits where the location is considered suitable.

However, we acknowledge that in some locations a speed limit change or speed management measure will favour the non-motorised user in others it will favour motorised transport users. This may lead to either group feeling they should have been considered differently

Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
If a speed limit is to be adjusted a statutory consultation process will be followed	Any objections received will be considered. This may or may not influence the introduction of the adjusted speed limit. This will be recorded via the Council's ODR process limit	Promoting officer	After the statutory consultation period has expired (i.e at least 21 days after advertising the proposed order)
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?	When the Speed Management Strategy is revised again. This is likely to occur when there is updated guidance or best practice.		
Are there any additional assessments that need to be undertaken in relation to this assessment?	N/A		

Lead officer sign off	 Matthew Davenhill	Date	30/08/2022
Head of Service sign off	 Tom Shuttleworth	Date	08/09/2022

Please publish this completed EIA form on the relevant section of the Cheshire East website



Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	22 nd September 2022
Report Title:	Notice of Motion: 'Safer School Streets'
Report of:	Tom Moody, Director of Highways & Infrastructure
Report Reference No:	HT/65/22-23
Ward(s) Affected:	All

1. Purpose of Report

- 1.1. This report responds to the Notice to Motion proposed at Council seeking a process that would allow a Safer School Street to be created for all schools, where supported by those schools, which will provide a safer environment and enable children to walk and cycle to school safely.
- 1.2. This report outlines actions required to address the issues raised by the Notice to Motion to Council in July 2022, where Council resolved that the matter be referred to the Highways and Transport Committee.

2. Executive Summary

- 2.1. This paper proposes the preparation of a short report that outlines the process for identifying suitable School Street locations, the required legal process for the implementation of School Streets including consultation, enforcement requirements and commitments required from the school community to support implementation.
- 2.2. The recommendations in this report align with the Council's Corporate Plan. They support the objective of being an open and transparent council as well as supporting sustainability initiatives within our communities which promote a local response to the climate challenge.

3. Recommendations

- 3.1. Highways and Transport Committee is recommended to endorse the proposed response to the Notice of Motion, which will be made available on the Council's highways webpage.

4. Reasons for Recommendations

- 4.1. There have been several requests from school communities in the Borough to implement School Street closures. There have also been a small number of unauthorised road closures by schools, particularly during the Covid-19 pandemic, where local action has been taken to reduce traffic levels and increase space for social-distancing.
- 4.2. Any future implementation of Schools Streets will support delivery of the Council's adopted Sustainable Modes of Travel to Schools (SMOTS) strategy, which is available at;
https://www.cheshireeast.gov.uk/schools/school_transport/sustainable-modes-of-travel.aspx#:~:text=The%20SMOTS%20Strategy%20is%20one,are%20significant%20links%20between%20them.&text=We%20have%20assessed%20home%20to%20school%20travel%20and%20transport%20needs.
- 4.3. Clearly defining the procedures for developing School Streets will enable schools to identify whether or not the locality is suitable for implementing this type of measure. Clearer guidelines will assist in managing expectations, prevent unauthorised closures and mitigate the potential legal implications of unauthorised measures.

5. Other Options Considered

- 5.1. No other options were considered. In the interests of being open and transparent, the response to this Notice of Motion to Council will be considered by the relevant service Committee in accordance with the Council's Constitution.

6. Background

- 6.1. A School Street is a road outside a school that is subject to a temporary restriction/prohibition of motorised traffic for defined time-limited periods during school drop-off and pick-up times. The restrictions would apply to both school-related and through traffic, during term-time only.
- 6.2. School Street schemes aim to offer a proactive solution for school communities to tackle air pollution, poor health and improve road safety. It can encourage active travel to school, a healthier lifestyle and lead to a better environment for everyone. Further information is available at <http://schoolstreets.org.uk/>

- 6.3.** Local authorities in the UK have powers under the Road Traffic Regulation Act 1984 to regulate traffic and restrict access:
- to avoid danger to persons or other traffic using the road;
 - to facilitate the passage on the road of any class of traffic (including pedestrians);
 - to prevent the use of a road by vehicular traffic where such use is inappropriate given the street context.
- 6.4.** Any School Street scheme would require a Traffic Management Order to be applied to a street around a school, temporarily restricting access to motorised vehicles so that the street will, in effect, become a pedestrian (and cycle) only zone. Access for cycles would not be automatic for all Orders, rather it would be assessed on a case-by-case basis.
- 6.5.** A range of measures can be used by local authorities to enforce School Streets, in addition to the essential road signs indicating No Entry to motorised vehicles during stated time periods. The measures can include rising bollards, gates or Automated Number Plate Recognition cameras. Cheshire East Council currently has no defined plans for the installation of ANPR cameras in the borough.
- 6.6.** School Street closures are usually co-ordinated on a day-to-day basis by volunteers from the school community, who supervise the street closure and advise motor vehicles that are required to use alternative routes. The availability and training of sufficient volunteers would be a key consideration during the development of each School Street scheme.
- 6.7.** The Council's SMOTS team has been actively engaged with a small number of schools in the development of school access improvements which have considered School Streets as an option. This experience indicates that the following considerations are important in developing viable schemes, including:
- 6.7.1.** The volume and nature of traffic passing the school
 - 6.7.2.** The quality and consistency of Active Travel – walking and cycling - routes to the school
 - 6.7.3.** The suitability of roads onto which traffic would be displaced due to the road closure
 - 6.7.4.** Analysis of road safety records over the preceding 5-year period to assess any impacts on road accident casualties.
 - 6.7.5.** Consultation responses from statutory consultees and the local community
 - 6.7.6.** The level of support from the school community, including parents, teachers and school governors.

- 6.8.** The procedures for creating a School Street are equivalent to those for making any other Traffic Management Order. This is expected to include a period of informal consultation with stakeholders, include ward councillors, during the feasibility stages. Once a firm design proposal has been developed, this would then be subject to a period of Statutory Consultation before a decision is made on the making of the Order.

7. Consultation and Engagement

- 7.1.** It is essential that School Streets schemes actively engage with the local school community and residents that will be directly affected by any School Streets closures. This will ensure that practical considerations such as access to properties, deliveries and access for vulnerable or disabled persons can be fully considered during development of the scheme. Cheshire East Council would expect there to be general support for the School Streets closure.
- 7.2.** Consultation will be carried out as part of the legal process in making the appropriate Traffic Regulation Order. Statutory consultees including Police, Fire, Ambulance services and public transport operators need to be supportive of a School Street proposal.
- 7.3.** Cheshire East Council routinely engages communities in 2 phases of consultation as traffic schemes develop. Initially a period of informal consultation would inform the design process, followed by a period of Statutory Consultation.

8. Implications

8.1. Legal

- 8.1.1.** There are no direct legal consequences of this report.
- 8.1.2.** Each School Street scheme will need to be compliant with the closure processes, identified under the Road Traffic Regulation Act 1984.

8.2. Finance

- 8.2.1.** A modest amount of staff time is required to prepare the School Streets procedure and update the Council's webpages, as a guide to school communities on this theme. This will be covered through existing highway revenue budgets.
- 8.2.2.** The budget for specific School Street schemes will be considered, on a case-by-case basis, with budget allocations determined as part of the annual LTP capital programme which is reported to Committee at the start of each programme year. Depending on the level of interest arising from schools, there is likely to be a need to prepare a prioritised programme of schemes which would be reported to Committee as part of the annual capital programme.

8.3. Policy

- 8.3.1.** There are no policy implications as a result of this response to the Notice of Motion, as School Streets may be implemented under existing policies and programmes adopted by the Council.

8.4. Equality

- 8.4.1.** There are no equality implications as a result of this response to the Notice of Motion.
- 8.4.2.** Equality impact assessments will be prepared for any proposed School Streets scheme, on a case-by-case basis, as part of the scheme development process.

8.5. Human Resources

- 8.5.1.** There are no Human resource implications arising as a result of this Notice of Motion.

8.6. Risk Management

- 8.6.1.** There are no risk management implications arising as a result of this Notice of Motion.
- 8.6.2.** Risks arising from any proposed School Streets scheme will need to be assessed on a case-by-case basis.

8.7. Rural Communities

- 8.7.1.** There are no specific rural communities' implications as a result of this Notice of Motion. The proposed approach would apply equally to all schools within the borough.

8.8. Children and Young People/Cared for Children

- 8.8.1.** The introduction of School Streets can have positive impacts for Children and Young People/Cared for Children within the borough. Well-designed School Street schemes in appropriate locations can have positive impacts on children's health and well-being by encouraging greater levels of active travel. There is evidence that increasing active travel can have positive impacts on students participation with learning and readiness-to-learn.

8.9. Public Health

- 8.9.1.** The introduction of School Streets can have positive impacts on public health within the borough. Well-designed School Street schemes in appropriate locations can have positive impacts on levels of air quality, noise, road accident casualties and health/wellbeing.
- 8.9.2.** The design process will need to ensure that the negative outcomes of poorly specified schemes are avoided, such as displacement of problems to neighbouring areas.

8.10. Climate Change

- 8.10.1.** Committee will note that the implementation of well-designed School Street schemes within Cheshire East can make a positive contribution to more active and sustainable journeys to school, reducing congestion, improving road safety, improving air quality and reducing carbon emissions from motorised vehicles.

Access to Information	
Contact Officer:	Richard Hibbert, Head of Strategic Transport and Parking Richard.hibbert@cheshireeast.gov.uk
Appendices:	A) Notice of Motion to Council B) Process Flow Chart
Background Papers:	Notice of Motion to Council 21 st July 2022, “Safer School Streets” – Proposed by Cllr Suzie Akers-Smith, Seconded by Cllr Lata Anderson

Appendix A :

Notice of Motion to Council - Safer School Streets

Proposed by Cllr Suzie Akers Smith and Seconded by Cllr Lata Anderson.

Motion:

That Council creates a process that allows a Safer School Street to be created for all schools, where supported by those schools, which will provide a safer environment and enable children to walk and cycle to school safely.

Background

Many towns and villages across the Borough have asked for a Safer School Street. It is a big change but is necessary if we want to bring in the benefits to children as described below.

The School Streets Initiative is an advisory group that provides resources to school communities interested in promoting a school street

<http://schoolstreets.org.uk/>

A Safer School Street is a road outside a school with a temporary restriction on motorised traffic at school drop-off and pick-up times. The restriction applies to school traffic and through traffic. The result is a safer, healthier and more pleasant environment for everyone.

School Street Schemes offer a proactive solution for school communities to tackle air pollution, poor health and road danger reduction. A School Street Scheme will encourage a healthier lifestyle and active travel to school for families and lead to a better environment for everyone.

Recently in Congleton a young girl was knocked over by the driver of a car. Luckily, she escaped with cuts and bruises, but if the school had a Safer School Street, there would have been no cars to knock her over and would create a safe place for children to access their local school without worrying about speeding motor vehicles.

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Appendix B – Process Flowchart

A process that allows a Safer School Street to be created for all schools, where supported by those schools, which will provide a safer environment and enable children to walk and cycle to school safely.



Key

Responsibility of School

Responsibility of the Council

Joint responsibility

*Funding to be agreed on a case by case basis

Suitability Criteria

- Road length requiring closure
- Road Layout – Class of the Road
- School street affecting shops / Bus route
- 85th% speed
- Level of Air Pollution
- Road Collision Data
- Access Impacts
- Number of affected residents/businesses
- Buy-in from local residents/businesses
- Buy-in from local ward councillor
- Buy-in from school community
- If school is engaging with Modeshift STARS/travel planning
- Confirmation from school that they will volunteer to maintain the daily closures
- Capacity from parking service team
- Impact on local highway network
- Displacement of Through Traffic
- Displacement of School Traffic
- Traffic evaporation
- Are other traffic measures more appropriate?
- The volume and nature of traffic passing the school
- The quality and consistency of Active Travel – walking and cycling – routes to school
- The suitability of roads onto which traffic would be displaced due to the road closure
- Analysis of road safety records over the preceding 5-year period to assess any impacts on road accident casualties.
- Consultation responses from statutory consultees and the local community
- The level of support from the school community, including parents, teachers and school governors



Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	22 September 2022
Report Title:	It's Not Just Water
Report of:	Jayne Traverse, Executive Director of Place
Report Reference No:	HT/64/22-23
Ward(s) Affected:	All

1. Purpose of Report

- 1.1.** This report seeks to highlight the findings of the former Environment and Regeneration Overview and Scrutiny Committee's Working Group.

2. Executive Summary

- 2.1.** The Working Group of the former Environment and Regeneration Overview and Scrutiny Committee comprised six Committee Members and one co-opted Member. It began a Task and Finish piece of work at the beginning of 2021 to investigate the manageable causes and impacts of severe flooding across Cheshire East, including flood risk management, recovery, and the reduction of future risk.
- 2.2.** The review was commenced during the pandemic and was conducted entirely remotely using Microsoft Teams. No site visits were possible at that time.
- 2.3.** The Working Group met with industry partners, technical experts, a peer local authority, residents and David Rutley MP to better understand their respective experiences of this topic. This was with the aim of helping to form the key recommendations coming out of the review.
- 2.4.** This report commenced via the Scrutiny Committee under the cabinet system of governance. Cheshire East Council adopted a committee system of governance in April 2021 and the originating committee no longer exists. The Highways and Transport Committee is now the relevant committee to receive this report.

- 2.5.** It's Not Just Water and accompanying Appendices are the findings of the Working Group presented to the Highways and Transport Committee.

3. Recommendations

- 3.1.** That the Highways and Transport Committee:
- 3.1.1.** Receive from the Task and Finish Group the report "It's Not Just Water" as contained at Appendix A, relating to the important issue of effective flood risk management.
 - 3.1.2.** Note the recommendations of the report.
 - 3.1.3.** Note that the some of the recommendations within the "It's Not Just Water" report have financial implications that are not covered by the current MTFS.
 - 3.1.4.** Note the proposals contained within the report require additional funding which is not within the current budgetary framework.
 - 3.1.5.** Invite the Executive Director Place to present a further report to a future committee, upon what recommendations can be progressed, in line with the MTFS.

4. Reasons for Recommendations

- 4.1.** This report is part of the Council's commitment to being open and transparent.
- 4.2.** During the review, Cheshire East Council moved from a Cabinet form of governance to a Committee style of governance, and a "Transitional Provisions and Future Constitutional Work" report was approved by Council on 19 April 2021. This report is within the remit of that report, which forms the basis of why the matter is being reported to the Highways and Transport Committee.
- 4.3.** The oversight of the delivery of the Lead Local Flood Authority (LLFA) has been delegated by Cheshire East Council to the Highways and Transport Committee. Cheshire East Council is unable to delegate the statutory responsibility of the Lead Local Flood Authority to any other third party.
- 4.4.** The new Scrutiny Committee retains terms of reference is restricted to Local Government Act 2000 section 9JB in relation to scrutiny of a risk management authorities¹ flood risk management function which may affect Cheshire East.

¹ Risk management authorities and flood risk management are defined in the Flood and Water Management Act 2010 Sections 4 and 6.

5. Other Options Considered

5.1 Other options considered include:

Do nothing-

a) Not inviting the Executive Director to report back

or

b) Inviting scrutiny to review/reconsider/update the proposals taking into account Highways Committee comments.

or

c) Setting up a sub-group of Highway Committee to consider further.

5.2 The reason for not recommending these at this stage is to allow the Executive Director to report back on feasibility of the proposals which may then lend itself to one of the above, i.e.do nothing or do something.

6. Background

6.1. The LLFA is a statutory function of the Council, which is responsible for working with flood risk management authorities, publishing the local flood risk management strategy, issuing guidance about the application of the strategy and to facilitate managing the local risk of flooding from surface water, ordinary watercourses, and groundwater sources.

6.2. Cheshire East Council is the lead local flood authority and is also the Highways Authority. The Highways Authority is the flood Risk Management Authority ("RMA") for Highways, under the Flood and Water Management Act 2010 ("FWMA").

6.3. The LLFA is one of a number of statutory bodies which have a responsibility for flood risk management in the Cheshire East borough with the other notable third parties being the Environment Agency and United Utilities. (FWMA S.6 (13))

6.4. The day-to-day delivery of the LLFA function is undertaken by Ringway Jacobs via the highways contract, alongside a host of other services relating to management, maintenance and improvement of the Councils single largest asset, the public highway.

6.5. The highways contract with Ringway Jacobs commenced in 2018 and has a fixed 8 year initial duration followed by further annual performance based extensions up to a maximum of 15 years. The contract has a series of performance indicators which are reported to Highways and Transport Committee bi-annually.

- 6.6. On the 21 September 2020, the Environment and Regeneration Overview and Scrutiny Committee resolved to establish a Task and Finish Committee to undertake an in-depth examination and review of flooding and flood risk management across Cheshire East.
- 6.7. The review asked members to understand, scrutinise and review the impacts of the 2016 and 2019 flooding events that occurred across various areas of Cheshire East (e.g., Poynton, Kettleshulme, Adlington, Prestbury, Nantwich and Bollington).
- 6.8. The review sought to consider the manageable causes and impacts of severe flooding across Cheshire East including flood risk management, recovery and reducing the future risk of flooding.
- 6.9. A summary of the process, engagement undertaken by and conclusions of the Working Group are contained in the report titled “It’s Not Just Water”, which can be found at Appendix A.

7. Consultation and Engagement

- 7.1. A volume of consultation and engagement has been undertaken by the Working Group a detailed summary of which can be found at Appendix A.

8. Implications

8.1. Legal

- 8.2. The legal implications of specific proposals will be addressed in the further report to committee

8.3. Finance

- 8.3.1. The “It’s Not Just Water report contains a number of proposals and recommendations that have financial implications that are not covered by the current MTFS. .
- 8.3.2. The financial implications of specific proposals will be addressed in the further report to committee.

8.4. Policy

- 8.4.1. The Flood and Water Management Act 2010 (FWMA2010) places a number of statutory duties on the Council
- 8.4.2. As part of its statutory duties as lead Local Flood Authority the Council has developed its Local Flood Risk Management Strategy which sets out a framework for managing the risk of local flooding in Cheshire East.
- 8.4.3. This report presents no additional policy related implications.

8.5. Equality

8.5.1. There are no equality related implications of this report.

8.6. Human Resources

8.6.1 None.

8.7. Risk Management

8.7.1 A summary of the risks associated with legal, financial and human resource implications of a decision to support the Working Group recommendations have been set out in the relevant sections of this report

8.8. Rural Communities

8.8.1 The risk of flooding is present to both rural and urban communities and is very much location and weather event specific.

8.9. Children and Young People/Cared for Children

8.9.1 Flooding may cause displacement and homelessness during and after the event and schools may be important facilities to form part of the emergency response by providing shelter for local residents affected. This will cause disruption in various ways including to the education of children and young people.

8.9.2 The Council as LLFA will work with the residents, the local community, emergency services and other flood risk management stakeholders to help best prepare for such events, deal with the emergency and recovery afterwards to provide resilience and mitigate the impacts.

8.10. Public Health

8.10.1 Floods may cause injury/death, infectious disease outbreak, chemical contamination. The Council uses its powers as far as reasonably practicable as the LLFA to mitigate and reduce these risks.

8.11. Climate Change

8.11.1 Climate change implications and their direct effect on flooding and flood risk management have been considered in detail at section 4 of the Working Group report, see Appendix A.

Access to Information	
Contact Officer:	Tom Shuttleworth Interim Head of Highways tom.shuttleworth@cheshireeast.gov.uk
Appendices:	Appendix A – 'It's Not Just Water' Working Group Report

	Appendix B – Summary of proposed additional LLFA roles
Background Papers:	<p>The resolution by the Environment and Regeneration Overview and Scrutiny Committee to form the Task and Finish Group: Agenda for Environment and Regeneration Overview and Scrutiny Committee on Monday, 21st September, 2020, 10.00 am Cheshire East Council</p> <p>The resolution by the Environment and Regeneration Overview and Scrutiny Committee for Members to establish the Task and Finish Group: Agenda for Environment and Regeneration Overview and Scrutiny Committee on Monday, 19th October, 2020, 10.00 am Cheshire East Council</p> <p>Appendix One: Flooding Major Incidents: Experiences of Poynton Residents</p> <p>Appendix Two: Section 9JA and 9JB of the Local Government Act 2000</p> <p>Appendix Three: Section 19 (1) and (2) of the Flood and Water Management Act (2010)</p>

“It’s Not Just Water”

An investigation into the manageable causes and impacts of severe flooding across Cheshire East including flood risk management, recovery, and the reduction of future risk

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Chair's Foreword

Flooding is a natural phenomenon that often proves damaging to both people and property.

Notwithstanding the recent heatwave, UK rainfall records indicate that not only is more rain falling each year, but rainfall events are now more intense resulting in an increased likelihood of residents in Cheshire East experiencing flooding from groundwater, surface water and local watercourses.

The title of this report *It's Not Just Water* is a direct quote from a resident of Poynton who experienced first-hand the flooding of their property and possessions.

They elaborated:

"We watched in disbelief as the water climbed higher and higher up the patio doors and then began to come in through the walls. We moved what we could to upstairs. It was relentless. We were helpless. It was filthy, not just water but the contents of drains and sewers.

We didn't know where to go for advice or help".

No one should have to experience the trauma of a significant flood event. This Task and Finish Group was formed with the purpose of investigating the manageable causes and impacts of severe flooding across Cheshire East to work towards a reduction in future risk. Through this investigation we have consulted several sources, including people living within communities devastated by flooding as their homes and personal possessions were inundated and often destroyed by the floodwater.

We met with multiple agencies and specialist officers, and very quickly it became clear that the issue of flooding is not in the hands of one person or agency.

Together with the issue of the long-term impacts expected from climate change, it will take a combination of strategic partnerships, time, resources, and funding to begin to proactively work towards ensuring fewer of our Cheshire East communities experience the horror and the aftermath of flooding.

The recommendations outlined in this report should enable us to support those residents already living in and tackling flood prone areas within Cheshire East, and contribute to reducing any future risk in other areas.

The committee would like to thank all of those who contributed to this Task and Finish review, especially the residents of Poynton who shared their experiences.

Special thanks also go to Paul Reeves and Vicky Venn for their time and assistance in compiling this report.

Particular mention must be made of Helen Davies who conscientiously and expertly steered and managed the project from the start.

Thanks and Acknowledgements

The Group would like to extend thanks to those who directly helped support and shape this review:

- A consultant at The Flood Hub
- A Flood Programme Manager, Calderdale Metropolitan Borough Council
- Councillor Scott Patience, Calderdale Metropolitan Borough Council
- The Clerk to Poynton Town Council
- Macclesfield Member of Parliament, David Rutley
- Representative of the Poynton Residents Flood Action Group
- Paul Reeves, Flood Risk Manager, Cheshire East Highways
- Vicky Venn, Flood Risk Engineer, Cheshire East Highways
- Ian McLellan, Contract Manager, Cheshire East Highways
- Matthew Davenhill, Contract Asset Manager, Cheshire East Council
- Helen Davies, Democratic Services Officer
- A Senior Advisor, Flood Risk Management at The Environment Agency.
- Tom Shuttleworth, Interim Head of Highways, Cheshire East Council
- Councillor Michael Beanland, Poynton West and Adlington (substituted for Councillor Sewart at the Environment Agency meeting).

Calendar of Meetings

- **21 September 2020:** Resolution to form a Task and Finish Group at Environment & Regeneration Overview & Scrutiny Committee
- **18th October 2020:** Membership of Task and Finish Group approved by Committee
- **29th October:** Scoping Meeting 1 (setting objectives, project title and identifying who to meet with)
- **17th November:** Scoping Meeting 2 (finishing off from meeting 1)
- **17th December 2020:** Meeting with Flood Officers and Manager from Cheshire East Council
- **9th February 2021:** Meeting scheduled with a Consultant for The Flood Hub
- **11th February 2021:** Meeting scheduled with 1 Elected Member and Flood Manager from Calderdale Council, a peer with extensive experience of significant flooding
- **8th March:** Preliminary meeting with Key Flood Hub residents and Poynton Town Council
- **16th March 2021:** Poynton Town Council and MP David Rutley
- **18th March 2021:** Poynton Flood Hub & Poynton Town Council Flood Group and MP David Rutley
- **24th May 2021:** Meeting with Team Manager, Joint Cheshire Emergency Planning Team
- **10th June 2021:** Meeting with a Senior Advisor for Flood Risk Management at The Environment Agency
- **13th August 2021:** Meeting with United Utilities
- **8th February 2022:** Meeting with Internal Highways Officers
- **4th July 2022:** Meeting with Interim Head of Highways
- **12th July 2022:** Meeting with Interim Head of Highways

1. Executive Summary

- 1.1. Flooding is an issue that effects everybody. Across the borough of Cheshire East, residents have experienced flooding in 2016, 2019, 2020 and 2021.
- 1.2. Cheshire East Council exercises several statutory roles in relation to flooding, these include acting as the highway authority responsible for the roads in the borough. They are also the Lead Local Flood Authority (“LLFA”) responsible for managing the local risk of flooding from surface water, ordinary watercourses, and groundwater sources; in addition they are a Risk Management Authority (“RMA”) who have a key role in the management of flood risk under the Flood and Water Management Act 2010 (“FWMA”).
- 1.3. Poynton has seen two significant instances of flooding in 2016 and then again in 2019, with the latter affecting one in every 200 homes.
- 1.4. In November 2020, a presentation and statutory report into the requirements of Section 19 of the Flood and Water Management Act 2010 (specifically the 2019 flooding in Poynton) was given to the Environment and Regeneration Overview and Scrutiny Committee. The Committee noted the 2019 event was declared a major incident by the Council and resolved to undertake an in-depth review of flooding and flood risk management in Cheshire East.
- 1.5. This review sought to consider the manageable causes and impacts of severe flooding across Cheshire East including flood risk management, recovery and reducing the future risk of flooding.
- 1.6. As part of the review, it has been necessary to take evidence from a variety of people and organisations who have either been affected by flooding of their properties or work within similar organisations dealing with the investigation and the after effects of the flooding.
- 1.7. It should be noted that the review was undertaken during the second and third wave of the national lockdown during the Covid-19 pandemic. Consequently, it was not possible to carry out any site visits or physical meetings with a reliance on remote working, including the use of Microsoft Teams to conduct business.
- 1.8. This report outlines five key recommendations detailed below that the Group believe will help to proactively support those already tackling flood prone areas, and that through collaborative working, proactive steps can be taken now to help reduce the future risk of flooding across the borough. The Group acknowledged that some of the recommendations are directly linked and have a correlation to many of the points addressed in recommendations 2-5 that stemmed from recommendation one.

Recommendations

1 – Governance & Democracy

- The information the Group had drawn out through the life of the review was significant and that to ensure transparency, accountability and fully embed any work undertaken as a response to these recommendations, this group (or similar type of sub-committee) should be maintained, and these Members should be consulted on any matters of flooding across Cheshire East.
- The Environment and Communities Committee would be deemed the most appropriate committee to agree LLFA decisions and documents to enable the Council's duties as a Lead Local Flood Authority (LLFA), which are the responsibility of the Council under the Flood and Water Management Act 2010 (Flood Risk Management) to be discharged without prejudice
- A review of the Current Councils constitution is undertaken to ensure that the roles and responsibilities of the Lead Local Flood Authority duties are correctly considered, and represented to be compliant with legislation and transparent to residents.

2 – Delivery of the LLFA Function

- Cheshire East should no longer continue with the current arrangements in subcontracting the LLFA. Whilst other statutory duties are outsourced by the local authority, the Group were unable to find similar arrangements to Cheshire East elsewhere in the northwest and was not convinced the LLFA can appropriately regulate the Highways Authority whilst being governed by it.
- The restructuring of the LLFA in-house will draw a distinct difference between the work of the Highways Authority, the Planning Authority and the LLFA. This can be reflected across all communications with residents, including the external website, to avoid confusion and transparently demonstrate how Cheshire East is meeting the statutory requirements of the Flood and Water Management Act 2010. An in-house operation will enable better connectivity with other council departments enabling a more joined up work force, less duplication or error.
- Having reviewed the evidence from other similar sized local authorities, the Group believe the LLFA should be placed within the remit of the Environment and Neighbourhood Services, in line with Planning, to draw a distinct difference in work to that of the Highways department and Highways Authority.

3 – Resources & Resilience

- The LLFA should be resourced adequately to ensure it can carry out its statutory and non-statutory duties, including supporting towns and villages across the borough to ensure that they understand their roles and responsibilities during a major flooding incident and become more resilient.
- The LLFA should ensure that it is adequately resourced to allow collaboration with stakeholders and to develop the necessary business cases to capitalise on existing external funding opportunities.
- The LLFA should consider how its existing and any new staffing resource is prioritised, to help support community resilience by becoming the interface between the council and local Flood Action Groups.

4 – Funding Opportunities

- MPs should be lobbied to bring about change to national flood funding, as national funding has been allocated for large fluvial (river) floods and not surface water flooding which is most of the flooding across Cheshire.
- Aligned to Recommendation 3 - the LLFA should ensure that it is adequately resourced to allow collaboration with stakeholders in order that robust business cases can be developed to capitalise on existing external grant funding opportunities. For example, Flood Defence Grant in Aid (FDGiA) and Local Levy for projects where there is a strong business case.

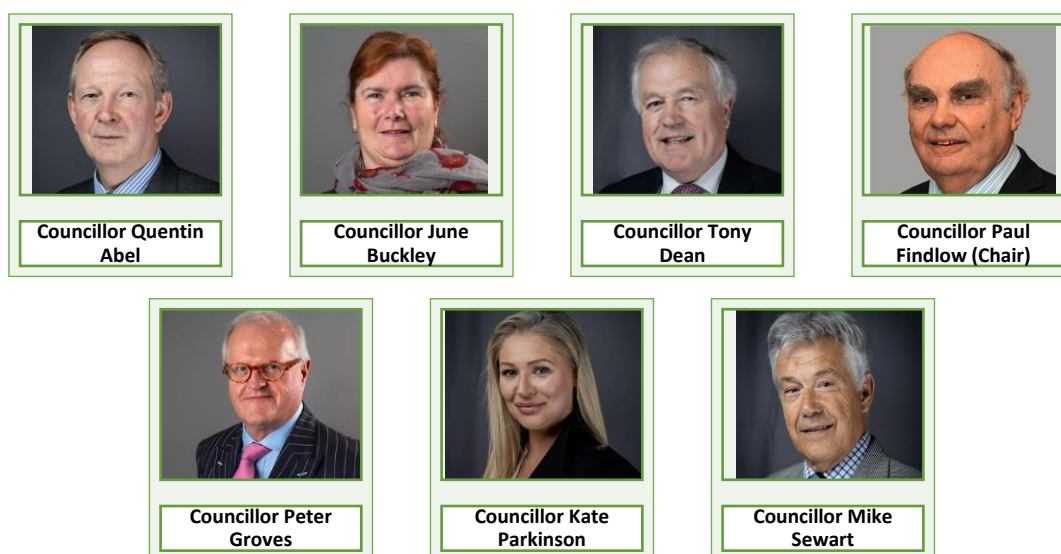
5 – Planning and Stakeholder Communications

- Where appropriate, the Local Planning Authority should promote the incorporation of innovative Green Infrastructure into any new development proposals. Consideration should be given to the introduction of policies within any new and emerging planning policy documents.
- Cheshire East Council corporately need to do more towards encouraging local people and businesses to make their assets resilient, and any opportunities to underpin flooding content messages generated in partnership should be used on council platforms where appropriate (social media, website, printed communications etc.)

2. Introduction, Purpose and Scope

- 2.1.** On the 21 September 2020 the Environment & Regeneration Overview & Scrutiny (EROSC) resolved to establish a Task and Finish Committee to undertake an in-depth examination and review of flooding and flood risk management across Cheshire East.
- 2.2.** The review involved members to understand, scrutinise and review the impacts of the 2016 and 2019 flooding events that occurred across various areas of Cheshire East (e.g., Poynton, Kettleshulme, Adlington, Prestbury, Nantwich and Bollington).
- 2.3.** At the Committee meeting on the 18 October 2020, the Task and Finish Group (hereafter referred to as the Group) membership was agreed. At the meeting held on 16 November the initial membership had to be reviewed as it was found that Poynton and Bollington Members had been co-opted onto the group; and due to both Members being part of the Cabinet, they were excluded from participating in any Scrutiny led reviews. It was therefore necessary to co-opt Councillor Mike Sewart from Poynton into the group.

Task and Finish Group



Officer Support

- 2.4.** Expertise from Flood Officers was provided by:
- Paul Reeves- Flood Risk Manager, Cheshire East Highways
 - Vicky Venn- Flood Risk Engineer, Cheshire East Highways

3. Objectives of the Review

3.1. The following four points were agreed by the Group as key objectives to the review;

3.2. **Objective 1 - To investigate why there are recurring instances of flooding- what can be done to mitigate the risk.**

In order, to achieve this objective, it was necessary to consider which outside organisations or members of the public should be engaged with:

- Poynton flood working group
- Poynton flood action group: Residents action group
- Poynton residents as they are concerned about future flooding events
- The Environment Agency- (communication techniques, engineering side, inspecting side)
- United Utilities
- Cheshire East Council
- Town and Parish councils

Other groups to engage with:

- Cheshire Wildlife Trust
- Mersey Forest
- Cheshire and Mid Mersey group

3.3. **Objective 2 - Issues with communications to residents and businesses related to flooding issues- can this be improved?**

In order, to achieve this objective, it was necessary to consider which outside organisations or members of the public should be engaged with:

- Cheshire East Council- Comms team
- Poynton action group especially residents concerned about flooding
- Flood working group, to provide a technical background and to consider the work to be undertaken in the wider area to benefit all residents.
- Building Control
- CEC Emergency Planners-.
- Poynton Town Council
- Social Media Groups for Poynton

- Number of resident groups, housing estates with issues, formed smaller groups and worked with them. To mitigate flooding or risk or property resilience.

3.4. Objective 3 - Look at the specific support provided to residents and businesses and properties affected by flooding- anecdotal instances and what have CEC and partners done to support people?

The people to engage with:

- Insurance Companies
- Poynton Town Council
- Residents
- Businesses
- UU
- EA- operate flood warning system,
- Cheshire East
- Local resilience forum

3.5. Objective 4 - Are the public confident that the council and providers have procedures in place to offer support? To investigate the Place issues (logistics with flooding) and the People issues (support in place for People).

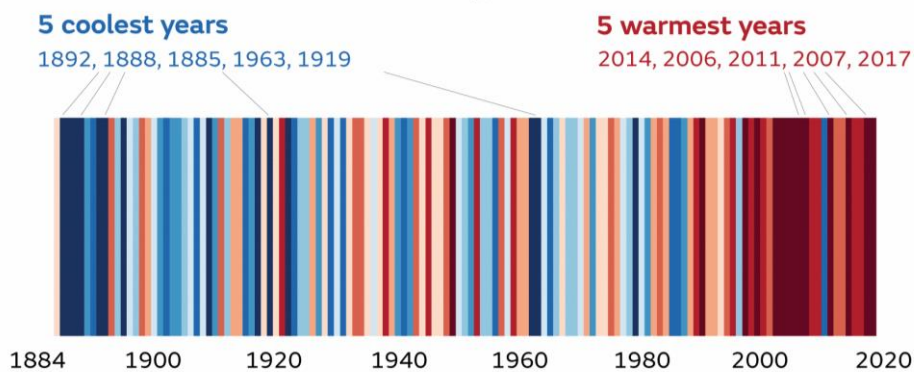
Objectives 3 and 4 contain enough crossover to be considered together.

4. The Climate Emergency Context

- 4.1. The climate of the Earth is changing, for 11,000 years the average temperature across the world was a stable 14°C. The Industrial Revolution began in the mid-1800s when humans began to burn fossil fuels (coal, oil, and gas). This practice released greenhouse gases (carbon dioxide, methane, and nitrous oxides) into the air where large quantities have built up in the atmosphere- rising by 40% during the 20th and 21st century.
- 4.2. By the 1980s the 'greenhouse effect' had been noticed and by the end of the decade the International Panel on Climate Change had been established to provide governments with information in tackling climate change.
- 4.3. Data held by the Met Office shows the coldest years and warmest years in the UK. Notably the warmest years have all occurred since 2006.

 Met Office

UK annual temperature



- 4.4. The long-term effects of climate change in the UK are expected to be:
 - Warmer and wetter winters
 - Hotter and drier summers
 - More frequent and intense weather extremes
- 4.5. And by 2070 projections show:
 - Winters will be between 1 and 4.5°C warmer and up to 30% wetter
 - Summers will be between 1 and 6°C warmer and up to 60% drier
- 4.6. Changes to the climate system include:
 - Rising ocean levels- glaciers and ice sheets will melt adding more water to oceans, elevating levels, and expanding the ocean space with warmer water.
 - Ocean acidification- through the absorption of carbon dioxide.

- Extreme weather events- becoming more intense and frequent such as heatwaves, droughts, and floods.

Climate Change: Cheshire East Council Response

- 4.7.** At the Council meeting on 22 May 2019 the Elected Members of Cheshire East Council (CEC) approved the following Notice of Motion relating to Climate Change.

“This Council notes that on 1 May Parliament declared an environment and climate emergency and

- a) Requests that a Cheshire East Environmental Strategy is brought forward as a matter of urgency.
- b) Commits to the target of Cheshire East Council being carbon neutral by 2025 and asks that details of how to meet this commitment are included in the Environmental Strategy.
- c) Will work to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint by reducing energy consumptions and promoting healthy lifestyles.”

Building the case for action

- 4.8.** It is widely accepted that de-carbonising will offer many co-benefits. These include:

- **Health improvements** – Due to cleaner air, warmer homes, more exercise, and better mental health.
- **Quality of Place** – Less traffic congestion, job creation in the low-carbon sector, operational cost savings via increased energy efficiency and waste reduction
- **Green Infrastructure** – investments in natural solutions to climate change (i.e., tree planting, peatland management, etc.) can have a wide range of additional benefits including:
- **Biodiversity** – natural spaces in urban and rural settings create refuges for wildlife.
- **Water management** – regulation of water availability & quality and flooding.
- **Heat regulation** – vegetation provides cooling/ warming in the summer/ winter, respectively
- **Economic benefits** – e.g., increased productivity through greater wellbeing; new revenue streams.
- **Health & wellbeing** – e.g., increased recreation; reduced stress; spiritual connection to nature.

- 4.9.** However, recent science indicates that decarbonisation needs to accelerate, and as a result, not only are we forgoing opportunities to live better, healthier lives, we are exposing ourselves to more frequent, extreme weather events, such as flooding and heat stress (among many other adverse impacts).

Cheshire East Council
Carbon Neutrality Action Plan 2020-2025

Flooding Context: 2007 Flooding in the UK

- 4.10.** The summer of 2007 was the wettest recorded since records began in 1766. There was 414mm of rainfall across England and Wales from May to July. Surface water and river flooding affected more than 55,000 homes and businesses across the country. 7,000 people were rescued, 17,000 families had to leave their homes and 13 people died. Estimates shortly after the floods put the total losses at approx. £4bn of which insurable losses were reported to be approx. £3bn.

The Environment Agency

Post-2007: The Pitt Review and Lead Local Flood Authorities

- 4.11.** Following the devastation of the 2007 floods, the government commissioned a review, led by Sir Michael Pitt, which recommended that "Local authorities should lead on the management of local flood risk (from surface water, groundwater and ordinary watercourses), with the support of the relevant organisations", (The Pitt Review, 2008). This led to the Flood and Water Management Act (2010) ("FWMA") with the aim of providing better, more comprehensive management of flood risk for people, homes, and businesses.

Types of Flooding

- 4.12.** There are five common types of flooding:
1. Tidal flooding- from sea and tidal rivers.
 2. Fluvial flooding-rivers bursting their banks or overflowing.
 3. Groundwater flooding - when the earth is saturated and can hold no more water.
 4. Flash flooding (pluvial) - when soils or drainage systems are overwhelmed by intense, sustained rainfall, often worsened by saturated ground or impermeable surfaces like paving/concrete or decking in gardens or urban areas and
 5. Sewer flooding- when there are failures with sewerage systems.

5. Roles and Responsibilities

- 5.1.** There is no single body responsible for managing flood risk in the UK.

5.2. Responsibility is joint among several bodies; therefore collaboration is key.



5.3. The sources of flooding and the responsible Risk Management Authority are shown in the matrix below:

Flood Source	Environment Agency	LLFA	District/Unitary Council	Water Company	Highway Authority (Local & National)
Main River*	x				
Ordinary Watercourse*		x	x		
Surface water from highway					x
Surface water from other sources		x			
Sewer flooding				x	
The sea			x		
Groundwater flooding		x			
Water supply infrastructure				x	

Table 1: Sources of flooding : responsibility matrix

The Government

5.4. The Department for Environment, Food and Rural Affairs (“DEFRA”) is the policy lead for flood and coastal erosion risk management in England.

OFFICIAL-SENSITIVE

5.5. National policies are delivered by Risk Management Authorities (“RMAs”) which are.

- Environment Agency
- Lead Local Flood Authorities
- District and Borough Councils
- Coast protection authorities
- Water and sewerage companies
- Internal Drainage Boards
- Highway authorities.

5.6. The Flood and Water Management Act 2010 (“FWMA”) requires these RMAs to:

- co-operate with each other
- act in a manner that is consistent with the National Flood and Coastal Erosion Risk Management Strategy for England and the local flood risk management strategies developed by LLFA
- exchange information.

5.7. They have flexibility to form partnerships and to act on behalf of one another.

The Environment Agency (“EA”)

5.8. The EA is responsible for taking a strategic overview of the management of all sources of flooding and coastal erosion and are responsible for managing the risk of flooding from main rivers, reservoirs, estuaries, and the sea.

Local Authorities

5.9. District and Borough Councils are RMAs and key partners in planning local flood risk management. They carry out flood risk management works on minor watercourses working with LLFAs and other RMAs to ensure risks are managed effectively, including in relation to taking decisions on development in their area.

Planning Authorities

5.10. The planning authority is often the Local Authority. They are responsible for developing Local Plans, setting out how areas will develop in the future. They also make decisions through Planning Committees on which planning applications get approval. Communities can shape development in their areas through the production of Neighbourhood Plans.

Highways Authorities

5.11. Responsible for providing and managing highway drainage and roadside ditches. They must ensure that road projects do not increase flood risk.

National Highways are responsible for motorways and major trunk roads. Local authorities or national park authorities are responsible for other roads.

Internal Drainage Boards (IDBs)

- 5.12.** IDBs are independent public bodies responsible for water level management in low lying areas (approximately 10% of England at present), working in partnership with other authorities. IDBs do not apply to any area of Cheshire East.

Water and sewerage companies

- 5.13.** Water and sewerage companies are RMAs and are responsible for managing the risks of flooding from piped water and foul or combined sewer systems providing drainage from buildings and yards.

Coastal protection authorities

- 5.14.** District and unitary authorities in coastal areas are Coastal Protection Authorities. They lead on coastal erosion risk management activities in their area. They are responsible for developing Shoreline Management Plans ("SMPs") which provide a long-term holistic framework for managing the risk of coastal change on their section of the coast.

- 5.15.** In addition, other stakeholders such as residents and communities have an important role to play.

Canal and River Trust

- 5.16.** The Canal & River Trust are not an RMA under the FWMA. The responsibilities of the Canal and River Trust relate to its function as a navigation authority. It is not funded for flood risk management except in the context of maintaining the canals and their feeder streams, by-passes and discharge weirs fit for purpose.

Riparian Owners

- 5.17.** A Riparian owner is anyone who owns a property or land where there is a watercourse adjacent to the boundary of their property. A watercourse can include a river, stream, or ditch. A riparian owner is also responsible for watercourses or culverted watercourses passing through their land. As a riparian owner they have certain rights and responsibilities to maintain the watercourse.

Property Owners

5.18. People are responsible for looking after their own property, including reducing the risks of water entering it and causing damage. Therefore, it is important that people are aware of their flood risk and can take measures to better protect themselves, where appropriate.

5.19. The drainage pipes located beneath a person's house, garden or driveway belong to them and are their responsibility. These cease to be their responsibility the moment the pipes reach outside the boundary of their property and/or connect to pipes serving another property. If there is a problem with a private drain or sewer, it is up to homeowner to pay for an independent drain clearing company to carry out any clearance work.

Lead Local Flood Authorities (LLFAs)

5.20. LLFAs are Unitary (such as Cheshire East Council) or County Councils and are responsible for:

- coordinating flood risk management in the area.
- managing the risk of flooding from surface water, groundwater and ordinary watercourses and lead on community recovery; and
- maintaining a register of flood risk assets and surface water risk.

5.21. LLFAs work in partnership with other RMAs (Environment Agency, Highways Authorities and water and sewerage companies) and are required to:

- prepare and maintain a strategy for local flood risk management in their areas, coordinating views and activity with other local bodies and communities through public consultation and scrutiny, and delivery planning. They must consult RMAs and the public about their strategy. (The Local Government Association (LGA) in November 2011 produced a "Framework to assist with the development of the Local Strategy for Flood Risk Management. A living Document" to assist LLFAs)
- carry out works to manage local flood risks in their areas (the power for works in relation to minor watercourses sits with either the district council or unitary authorities outside of IDB areas)
- maintain a register of assets – these are physical features that have a significant effect on flooding in their area.
- investigate significant local flooding incidents and publish the results of such investigations.
- have powers under the Land Drainage Act 1991 to regulate ordinary watercourses (outside of internal drainage districts) to maintain a proper flow by:
 - issuing consents for altering, removing, or replacing certain structures or features on ordinary watercourses; and
 - enforcing obligations to maintain flow in a watercourse and repair watercourses, bridges, and other structures in a watercourse
- undertake a statutory consultee role providing technical advice on surface water drainage to local planning authorities major developments (10 dwellings or more)

- co-operate with other Risk Management Authorities
 - play a lead role in emergency planning and recovery after a flood event. Local authorities are 'category one responders' under the Civil Contingencies Act and must have plans to respond to emergencies, and control or reduce the impact of an emergency.
- 5.22.** LLFAs and the Environment Agency and all other RMAs need to work closely together and ensure that the plans they are making both locally and nationally link up. An essential part of managing local flood risk is taking account of new development in land use plans and strategies.
- 5.23.** By working in partnership with communities, LLFAs can raise awareness of flood and coastal erosion risks. Local flood action groups (and other organisations that represent those living and working in areas at risk of flooding) will be useful and trusted channels for sharing information, guidance, and support directly with the community. The National Flood Forum may be able to provide information on flood action groups in local areas.
- 5.24.** LLFAs should encourage local communities to participate in local flood risk management. Depending on local circumstances, this could include developing and sharing good practice in risk management, training community volunteers so that they can raise awareness of flood risk in their community and helping the community to prepare flood action plans. LLFAs must also consult local communities about their local flood risk management strategy.
- 5.25.** From 15 April 2015, the LLFA became a statutory consultee for major developments (such as housing or industrial estates) which have surface water or other local flooding impacts.
- 5.26.** Now the roles and responsibilities have been established, the following teams within Cheshire East Council collaborate to mitigate flooding across the borough.

During a flood event:

- Cheshire Resilience Forum (shared service CEC & CWAC)
- Lead Local Flood Authority (LLFA)
- Public Health
- Children Team
- Highways Authority
- Local Planning Authority
- Facilities Management (Countryside / Parks / Assets)

During a significant flood event:

- 5.27.** In line with the Civil Contingencies Act 2004 and the council's Major Incident Plans and Multi-Agency Flood Plan a Strategic Recovery Co-ordination

Group is called in response to a “Major Incident Standby” or a “Major Incident Declared”.

- 5.28.** A council-led Strategic Recovery Co-ordination Group is formed of all the teams listed above with support from Public Health England, the Environment Agency, British Red Cross, Cheshire Fire and Rescue and Cheshire Police as required.
- 5.29.** Following each flood event, a lessons learnt session is held and feedback is collated via good practice and areas identified for improvement. This is then used to enhance the service provided by the council and its partners.

Pre / Post a flood event:

Team	Main responsibility with regards to flooding
Lead Local Flood Authority (LLFA)	Delivery of Local Flood Risk Management Strategy Duty to Investigate <u>Significant</u> Flood Incidents Consent and Enforcement Powers (development within 8m of a river) Responsible for all other sources including ordinary watercourses, surface water, groundwater Powers to Designate Features/Make byelaws Sustainable Drainage Systems (revised LLFA statutory consultee arrangements from April 2015) Required to Maintain an Asset Register Collaboration with other RMAs to develop flood mitigation schemes and more resilient communities
Local Planning Authority	Strategic planning and development Flow balanced developments Sustainable urban drainage Building enforcement
Cheshire Resilience Forum	Design and implement multi-agency flood plans and major incident plans develop more resilient communities
Highways Authority	Keep the highway safe

	<p>Respond to emergencies on the highway, including flooding</p> <p>Close roads where roads are unsafe due to flooding</p> <p>Ensure that landowners do not discharge water onto the highway</p> <p>Maintain highway assets so to not cause flooding to private properties</p> <p>Repairing flood damaged assets on the highway and structures associated with highway bridges over watercourses</p>
ANSA	Cleanse highways, support with post flood clean ups
Facilities Management (Countryside / Parks / Assets)	<p>Riparian responsibilities</p> <p>Ensure reservoir are maintained in line with the Reservoirs Act</p>
Council tax	Reduced Council tax and business rate relief for flood affected properties
Housing	Emergency housing for flooded residents

Table 2: Responsibility matrix – pre and post flooding events

6. Recommendation No.1: Governance and Democracy

- 6.1. The Council as the LLFA must comply with statutory provisions relating to flooding, these are shown in the Table 3.
- 6.2. It should be noted that the EU Floods Directive 2007 has been incorporated into the Flood Risk Regulations 2009, and the Flood and Water Management Act, 2010.

European Legislation	Acts of Parliament	National Policy	Current Flood Risk Policy
<ul style="list-style-type: none"> EU Floods Directive 2007 	-	<ul style="list-style-type: none"> Flood Risk Regulations 2009 	<ul style="list-style-type: none"> Preliminary Flood Risk Assessments Flood Risk Management Plans
-	<ul style="list-style-type: none"> Public Health Act 1936 Reservoirs Act 1975 Water Resources Act 1991 Water Industry Act 1991 Land Drainage Act 1991 Flood and Water Management Act 2010 [Appendix 3] Environment Bill 2020 Agriculture Bill 2019-2021 	<ul style="list-style-type: none"> National Planning Policy Framework 2012 25 Year Environment Plan 2018 	<ul style="list-style-type: none"> Local Planning Policy National Flood and Coastal Erosion Risk Management Strategy* Local Flood Risk Management Strategies* <p>*Requirement under the Flood and Water Management Act 2010</p>
-	<ul style="list-style-type: none"> Civil Contingencies Act 2004 	-	<ul style="list-style-type: none"> Multi Agency Flood Framework Community Level Plans

Table 3: Relevant National, Regional and Local Legislation

- 6.3.** These duties are discharged by collaborative working by several teams within the Council including the LLFA, Resilience planning (shared service), Local Planning Authority, Facilities Management etc.

The Flood and Water Management Act 2010

- 6.4.** The Flood and Water Management Act 2010 (“FWMA”) was enacted to provide a more comprehensive management of flood risk for homes and businesses. The FWMA created LLFAs.
- 6.5.** The 2007 Pitt Review on flooding stated that ‘the role of local authorities should be enhanced so that they take on responsibility for leading the co-ordination of surface water flood risk management in their areas’.
- 6.6.** LLFAs lead in managing local flood risks (i.e., risks of flooding from surface water, ground water and ordinary (smaller) watercourses). This includes ensuring co-operation between the all the RMAs in their area including the Highways Authority, Highways England, Environment Agency, and United Utilities.
- 6.7.** Within the Cheshire East Constitution (May 2022) it is noted that Flooding is allocated to two different Committees as follows:

Highways and Transport Service Committee

- 6.8.** - are responsible for the discharge of its functions as the highway authority and as the LLFA; the determination of policies and making decisions in relation to flooding in co-ordination with the Scrutiny Committee.
- 6.9.** This aligns with the process that any decisions or investigations regarding flooding of the highway should be investigated by the Highways Authority.

Scrutiny Committee

- 6.10.** - duties include those under section 9JA and 9JB of the Local Government Act 2000 (LGA 2000) in relation to flood risk management.
- 6.11.** The Scrutiny Committee’s statutory role in relation to flood water management is to review and scrutinise the exercise of the functions by the risk management authority of its flood risk management duties. It can issue such reports and recommendations as it considers appropriate. The Council acting as the Highway Authority (i.e. a Risk Management Authority) must comply with any requests made by the Committee. In addition, it can influence the policies and decisions made by the Council and other organisations involved in delivering public services; it gathers evidence on issues affecting local people and makes recommendations based on its findings. Therefore the Scrutiny Committee can make recommendations relating to policies in relation to the forward planning of works to mitigate surface water, ordinary water and ground water flooding.

- 6.12.** Under the current constitution it is unclear as to the division of the statutory functions as it indicates that the Highways and Transport Committee oversee all flooding matters regardless of the type of flooding.
- 6.13.** Currently flooding within the Council is categorised into 3 levels dependent upon the number of times the property has flooded: -
- Level 1- the property has been flooded once.**
- 6.14.** Once the Highways Authority are aware and have investigated the flooding instance any works that may be required may deal with that issue as part of a maintenance budget, and as such will not have been reported to the LLFA; therefore they may never know there was an issue.
- Level 2- the property has been flooded for a second occasion.**
- 6.15.** Should the property be flooded again this may be dealt with through enhanced maintenance, and again, this may not be reported to the LLFA, or advice may not be sought, and no investigation as to causes of the flooding may take place. In order to address this issue, the LLFA has, over the last 12 months, been meeting with those completing level 2 works to carry out joint investigations in order to become as informed of the issues as soon as possible.
- Level 3 – third instance of flooding**
- 6.16.** This is usually when the LLFA have become notified; however, there may be instances where no notification was given at either Level 1 or Level 2; this is perhaps the residents first interaction with the LLFA despite having been flooded on two previous occasions. This can be very frustrating for the residents and may give them the perception that this is another failing by the council.
- 6.17.** The current system has a negative impact on the reputational risk of the council from the perception of flooded residents. Ideally in instances where highways flooding has affected a resident's property, the LLFA should investigate, inform the Highways Authority of what steps it needs to take and the time period in which to do so, and if necessary, take enforcement action to ensure that the necessary action has been taken and in instances where the LLFA have had to carry out the works in default to reclaim all monies back from the Highway Authority.
- 6.18.** Currently as the LLFA function is outsourced as part of the Highways Service it means it is more difficult to carry out the statutory duties under the FWMA legally or effectively as potential conflicts could arise.
- 6.19.** During a flood, RMAs have a duty to respond and support residents in line with the relevant legislation. In response to a flood the LLFA have a statutory duty to ensure that all Risk Management Authorities (including the Highways Authority, Highways England, Environment Agency, and United Utilities)

have responded adequately and recommend future actions to manage and mitigate flooding.

- 6.20. As part of the reporting process, where a fault is found with any asset that has an impact on local flood risk, the Risk Management Authority responsible are informed and are required to restore/replace or maintain that asset in line with LLFA guidance.
- 6.21. As the LLFA sits within an integrated highways contract this presents a conflict of interest; it lacks transparency.

Council's Constitution

- 6.22. In addition, to the above the Councils constitution adds to the confusion and division of responsibilities. On the subject of flooding and flood risk management, the May 2022 version of the Constitution states that:

Chapter 2, Part 4, Page 21:

The purpose of the Scrutiny Committee is to undertake reviews and make recommendations on services or activities carried out by other organisations and which affect residents, businesses as well as the Council and its Committees. 1 The Committee's responsibilities include: The discharge of the Council's responsibilities set out in section 19 of the Police and Justice Act 2006, section 244 of the Health and Social Care Act 2006, and section 9JA and 9JB of the Local Government Act 2000 [Appendix 2] in relation to flood risk management.

Chapter	2,	Part	4,	Page	17
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Highways and Transport Committee:

2.3 discharge of the Council's responsibilities as Highway Authority; local transport authority; parking authority; and lead local flood authority

2.4 determination of policies and making decisions in relation to flooding and accessibility, in co-ordination with the Scrutiny Committee.

Chapter 6 Page 74:

Scrutiny – Scrutiny provides an opportunity for members of the Council to examine the way in which the Council provides its services, by questioning how and why decisions are made, and by making recommendations on existing and future Council policies, primarily focussed on Health and Wellbeing, Flood Risk Management and Crime and Disorder

Chapter 2 Page 5:

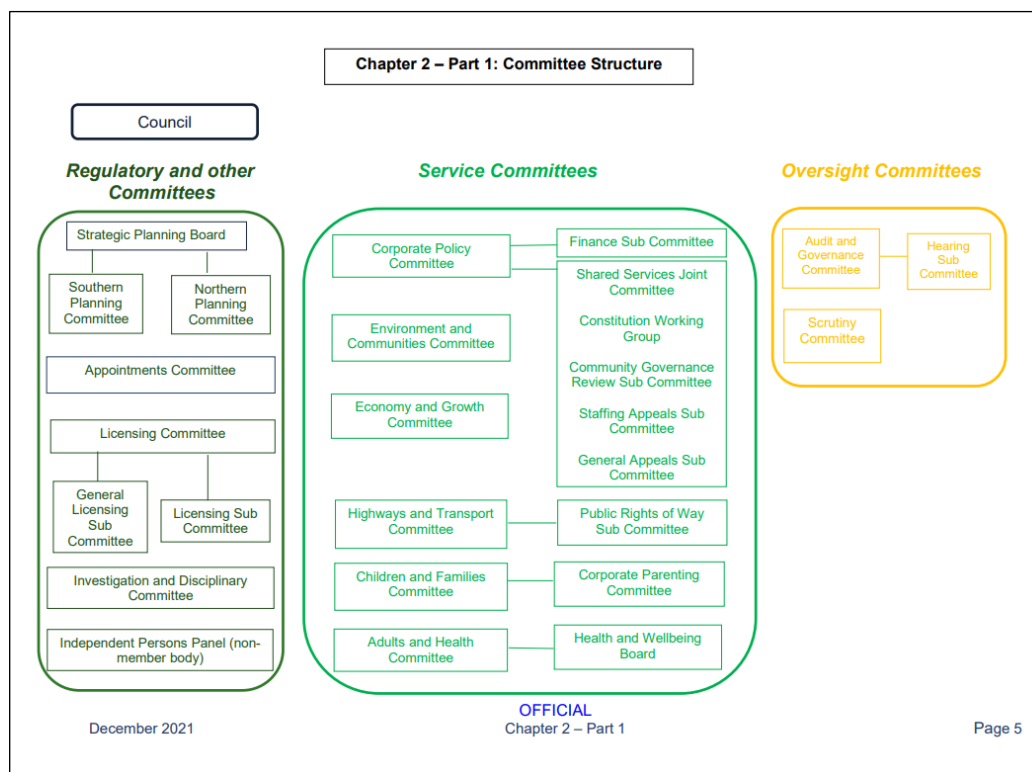


Figure 1: graphic of Committee structure

- 6.23.** Figure 1 shows how the governance of the Committee System works. Currently the work of the LLFA is scrutinised by two committees, the Highways and Transport and Scrutiny Committee.

Scrutiny Committee

- 6.24.** As part of its statutory scrutiny function under s9FH of the Local Government Act 2000, these powers entitle the scrutiny function of councils which are lead flood authorities to carry out investigations into matters relating to flooding – including calling in evidence from “risk management authorities” (which include councils, water companies, the Environment Agency, and Highways England, amongst others) and.

Highways and Transport Committee.

- 6.25.** The Highways and Transport Committee consider issues relating to both highways and the LLFA, it is therefore important that when employing a robust overview and scrutiny to the LLFA (as part of an outsourced highways contract) it will also be scrutinising the highways function as part of the Highways Authority. It is recommended that this function is removed from the Highways and Transport Service Committee and transferred to Environment and Communities Committee, which deal with other unrelated statutory

functions such as Planning and Licensing who are statutory regulatory bodies.

Recommendation One:

- To ensure transparency, accountability and to fully embed any work undertaken as a response to these recommendations, this group (or similar type of sub-committee) should be maintained, and these Members should be consulted with on any matters of flooding across Cheshire East.
- Considering the potential conflict of interest, the Environment and Communities Committee is deemed the most appropriate committee to agree Lead Local Flood Authority (LLFA) decisions and documents, which are the responsibility of the Council under the Flood and Water Management Act 2010 (Flood Risk Management), to be discharged without prejudice.
- A review of the Current Councils constitution is undertaken to ensure that the roles and responsibilities of the Lead Local Flood Authority duties are correctly considered and represented to be compliant with legislation and transparent to residents.

7. Recommendation Two – Delivery of the LLFA Function

- 7.1. As part of this review, the Group undertook a peer discussion with Calderdale Council. Calderdale has suffered from flooding on numerous occasions, with the most severe incidents occurring in Summer 2012 and with unprecedented levels in December 2015. The Group were informed that the Council dealt with climate change with the creation of a dedicated Climate Change Resilience Committee who consider the three corporate priorities of the Council:

Strong and Resilient Towns

- 7.2. Building strong, resilient, and sustainable towns linked to the fact that a lot of the towns in Calderdale are the places that flood. Some towns through the national Towns Fund had attracted large sums of capital funding, with sustainable urban drainage, rainwater harvesting and moving towards active travel being included in those funding bids.

Reducing Inequalities

- 7.3. Reducing inequalities linked back to climate and social justice the people who are disproportionally affected live in less secure housing etc.

Climate Emergency

- 7.4. These three priorities align with the issue of flooding and climate in general.

- 7.5. The Group noted the way in which the LLFA function was structured at Cheshire East was different and through this review they took the opportunity to compare structures with other councils.

LLFA Comparison Exercise

- 7.6. To be able to appropriately compare the different ways in which LLFAs operate the following context has been provided for that at Cheshire East Council.

- The LLFA is known as the Flood Risk Management Team and is contracted to Ringway Jacobs as part of a Highways contract sitting within the Highways and Infrastructure Directorate.
- Unlike at Cheshire West and Chester where river flooding is more prevalent, Cheshire East is prone to surface and ground water flooding.
- Cheshire East Council has the same statutory duties as all other LLFAs. These are defined by the FWMA and can be seen on page 18 onwards.
- In addition to these duties, the LLFA also manages a programme of highway drainage improvements funded by the Council and the Department for Transport.
- The Flood Risk Management Team has grown from 3 FTE to 7 FTE in 2021/2022; however, 2 FTE are employed to manage and supervise the

delivery of the highway drainage improvement programme and so are not included in the core LLFA function.

- 7.7. Table 4 shows a summary of resources available over a 6-year period. Figure 2 shows the structure of the team as at 2021/22.

Year	2021/22	2020/21	2019/20	2018/19	2017/18	2016/17
Revenue	213K	193K	189K	139K	162K	131K
Capital - Surface Water Management	0	50K	50K	50K	50K	50K
Capital - Highway Drainage Improvements	1.55M	500K	350K	200K	450K	200K
FDGiA / Local Levy	0	0	0	0	0	600K
DfT Highway Drainage	400K	0	0	0	0	0
LLFA Staff Nos.	7	5	5	4	4	3

Table 4: CEC Flood Risk Management Team resources summary

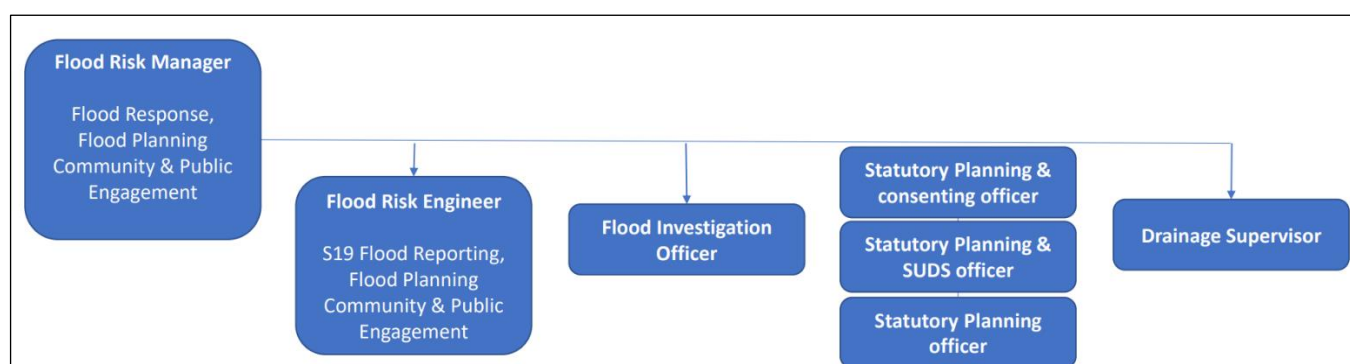


Figure 2: CEC Flood Risk Management Team structure chart (2021/22)

- 7.8. The resources available within the team and hence its resilience are explored further in Recommendation 3.
- 7.9. The second stage of the comparison process was to compare the CEC function with other Local Authorities. In order to do this eleven Unitary and County Councils were approached and asked specifically how the council had structured its LLFA function in the form of a survey. Of those contacted, six responses were received which are set out below. Each Local Authority was asked to give a brief overview of the work undertaken as part of the LLFA, to establish a level of consistency even though the LLFA statutory duties are universal, mandatory and outlined in the FWMA.

Cheshire West and Chester Council

- 7.10. The LLFA is a client function and sits within the Highways and Transportation Directorate with observations as follows;
- Work: Cheshire West was prone to river flooding more than any other type of flooding.

- The Council as LLFA have appointed Planning Consultants, Atkins Ltd to carry out the Section 19 flood investigations, Betts Associates to carry out the site investigations and additional Cheshire West and Chester Council resources have been appointed to manage and to assist with the investigations.
- On a day-to-day basis, LLFA staff respond to customer enquiries about localised flooding issues and land drainage consents.
- For significant flooding events, council resources are appointed from departments such as Highways, Streetscene and Communications; and partnership engagement was carried out strategically by the Locality teams.
- Staffing: 1.5FTEs however, at the time of writing, the Director of Environment and Communities was proposing that a Flood Risk Management team be constituted to consist of dedicated officers to carry out the LLFA statutory role with the additional staffing requirement of 4 FTEs to deliver the following functions at a cost to the revenue staff budget of circa £147,000. The Council would include within its budget planning framework for 22/23 onwards, the inclusion of a dedicated Flood Risk Management Team.

St Helens Borough Council

- 7.11.** The LLFA function sat up until very recently in the within the Highways & Infrastructure service of the council. More recently it has transferred to sit with other teams in a newly formed strategic growth area.

Staffing: There are a total of 1 FTEs LLFA core funded

- 1FTE - LLFA Officer

- 7.12.** It should be noted that the bulk of work relating to planning application responses is outsourced to a third party consultant, hence the reason for a small client staff. The same can be said for the support to a number of other LLFA functions relating to investigations, funding bids and the like. Therefore drawing comparisons with CEC this is a similar arrangement of outsourcing but again where the Council in question retains ultimate responsibility for the statutory duties.

Warrington Borough Council

- 7.13.** The LLFA function sits within the larger Engineering and Flood Risk Team with the wider Highways services of the council.

Staffing: There are a total of 2 FTEs LLFA core funded

- 0.5FTE – Group Manager

- 1FTE - LLFA Officer
- 0.5FTE - Flood Risk Engineer – planning application responses

7.14. A number of County Councils also responded to the survey however it should be noted that these organisations are significant in scale, operate two tier structures i.e. they have District Councils fulfilling some of their functions and in two cases also have the likes of coastal flood risk to consider. As such whilst comparisons can be made these may not be as relevant as those to similar sized borough councils previously stated.

Cumbria County Council

7.15. The LLFA sit within the Flood and Development Management Team of the council.

Staffing: There are 5.5 FTEs LLFA core funded for most, the rest are capital funded:

- 1FTE Manager Flood and Development Management (part)
- Flood Works Team consists of;
 - 1FTE Coastal Development Management Officer
 - 1FTE Project Lead Officer
 - 2FTEs DMO project leads
 - 0.5FTE Assistant Development Management Officer
 - 1FTE Programme Officer

Lancashire County Council

7.16. The LLFA is delivered from within the wider Highways Service by a Flood Risk Management Team.

7.17. Staffing: The team is comprised of 12 full time posts with one additional post part-funded through the Northwest Regional Flood and Coastal Committee to support and facilitate partnership working for the Lancashire Strategic Partnership (all the flood risk management authorities for the administrative areas of Lancashire, Blackpool and Blackburn-with-Darwen). This post holder does not actively contribute to the daily LLFA functions of the team.

7.18. Specialist technical services for various projects may be procured from the council's technical services framework consultants, where these are required to supplement the skills & resources of the team.

Essex County Council

7.19. The LLFA sit within the Place and Public Health Directorate under the Director of Climate, Action and Environment.

7.20. The work of the LLFA includes:

- LLFA functions (Section19 investigations, Section 21 Asset Register, Watercourses, Surface Water Management Plans, Sustainable drainage systems, Scheme Delivery and Property Flood Resilience Grant) with a few exceptions.
- Consultancy support for flood modelling is outsourced and scheme design work but deliver everything else in house. We do offer support and services to other LLFAs too.
- Staffing: There are 5.5 FTEs LLFA core funded, the rest are Climate Action Commission funded. A structure chart is included at Figure 3.



Figure 3: Essex CC – Climate Change Team structure chart

7.21. A summary is included at Table 5, produced to demonstrate the comparisons. Also included is a column which indicates the number of responses required to be made in 2021/22 by the respective flood risk management teams,

where this information was available. This gives a clear indication as to the level of demand on this function when compared with other local authorities in the region.

Local Authority	Method of Delivery	Department	Staff (FTE)	No. properties at risk from surface water flooding	No. of Watercourse Consents	No. of planning applications (2021/22)
Unitary Authorities						
Cheshire East	Outsourced	Highways & Transportation	5	26,000	41	1,027
Cheshire West and Chester	Client	Highways & Transportation	1.5 to 4	21,000	30	431
St Helens BC	Client	Highways & Transportation	1	Info not available	Info not available	110
Warrington BC	Client	Highways & Transportation	2.5	Info not available	2	111
County Councils						
Cumbria	Client	Highways & Transportation	12	21,000	\	\
Essex	Client	Place and Public Health Directorate under the Director of Climate, Action and Environment.	21	12,000	\	\
Lancashire	Client	Highways & Transportation	13	19,000	\	\

Table 5: Comparison of LLFAs

Risks

- 7.22.** Currently the way that the LLFA is organisationally structured creates a potential statutory compliance and reputational risks for the Council. Under the FWMA if a LLFA is considered to have breached its statutory duty to provide Flood and Water Management as part of the LLFA function, DEFRA could serve notice on the Council using its power under section 20 of the FWMA. Subject to the severity of the alleged breach and any investigation that follows it can instruct another organisation to carry out the LLFA role, recovering the costs from the Council. The Environment Agency Area

Director would monitor progress and report back to DEFRA with their findings. It is however considered that this risk is low.

Task and Finish Group review

- 7.23.** The Group reviewed the organisational information and were concerned that both authorities in Cheshire have taken a different approach with the formation of the LLFA function than anywhere else in the UK.
- 7.24.** When the Committee met with the Consultant within The Flood Hub (a funded organisation, providing advice and guidance to support householders, businesses, and communities across the North-West in becoming more flood resilient), this particular issue was raised and they were informed that they had not seen any evidence to support that this approach had been taken anywhere else in the country.
- 7.25.** It was evident that in places where councils had experienced significant flooding events, the issue of climate change and the LLFA function had become a top priority and was very much embedded within the structure of the constituent Local Authority.
- 7.26.** Following a meeting with a Senior Advisor on Flood Risk Management across Greater Manchester, Merseyside and Cheshire for The Environment Agency, this concern increased.
- 7.27.** The Group were informed that whilst the communication and the working relationship between the Environment Agency (EA) and Cheshire East Council was good, the EA were frustrated with the capital scheme delivery.
- 7.28.** For example, the Strategic Cheshire East Local Flood Strategy identified 26,000 properties across Cheshire East that are at risk of surface water flooding (to a depth of 0.1m) and 11,000 properties (to a depth of 0.3m). By using this data together with the data held by the LFFA about “hot spots”, schemes are nominated for Capital Works Programme funding from the Environment Agency to try and reduce these risks of surface water flooding.
- 7.29.** During the period 2015-2021 the government set a target to better protect 300,000 homes. Cheshire East was given a target of protecting 203 homes and put forward schemes for funding which equated to £2.1 million in flood defence grants. In June 2021, the scheme had delivered protection for 17 properties out of the 203 target, with the total spending being £0.6 million from the £2.1 million total grant. It is understood that half of the £600,000 was spent on the scheme and half on the study. The EA have concerns over the capital programme delivery across Cheshire East. As the flood defence grants are allocated in-principle but require the submission of a business case which is required to be approved before the funding can be awarded. The EA pointed out that this issue is not unique to Cheshire East and is seen in other areas of the country, however the EA deal with 5-6 other Local Authorities in the Northwest including an overview of Greater Manchester and mid-Mersey. They suggested that there is a shared resource around

capital programmes available for the Council to use, this is the Local Levy which is paid into by all the regional local authorities and is available to Cheshire East to bid for. They are aware that it appears that other Councils have better prioritisation of the issues. The evidence would suggest that the exacerbated delays may be due to the structures that are in place in Cheshire East.

- 7.30.** The Group had been made aware that the resources and structures were, and continued to be problematic for Cheshire East. It was appreciated that geographically, the counties of Essex and Lancashire are larger than Cheshire East (Cheshire is 904.6 sq. miles as opposed to Essex at 1417 sq. miles and Lancashire at 1189 sq. miles). However, Calderdale within West Yorkshire is 140.5 sq. miles and at higher risk of significant flooding events, the resources committed to the LLFA in all these authorities were higher than Cheshire East and West combined.

Potential Joint Lead Local Flood Authority

- 7.31.** Given that rainfall and the water flow is not governed by political boundaries the group considered that it could demonstrate better value for the residents of Cheshire, if Cheshire East Council, Cheshire West and Chester Council were to adopt a multi-agency approach and form a joint Lead Local Flood Authority, that is jointly funded and adequately resourced to operate throughout its area of jurisdiction.
- 7.32.** Whilst better value for money may be a by-product of such an arrangement this has seen no scrutiny and would need to be the subject of a robust business case process before it could be taken further.
- 7.33.** The business case would need to consider that there are a number of risks to this approach, notably but not limited to the following;
- The significant task of establishing such an arrangement and how it would be resourced, considering the current demands in this area.
 - Organisational and wider political support for such an initiative
 - Corporate and local governance arrangements
- 7.34.** Whilst this was considered by the Group as something that could add value, due to the above it should be noted as a potential future aspiration and which could be explored when the appropriate resource and support is in place to do so.

Potential Insourcing Option

- 7.35.** To address the above concerns there is the potential to bring back in-house the LLFA function.

- 7.36. It is envisaged that this would remove all risk associated with the issues set out in paragraph 7.22.
- 7.37. It was however acknowledged by the Group that **overall responsibility for the efficient and effective discharge of statutory duties associated with the LLFA function has always remained with the Council.**
- 7.38. In considering the future of the LLFA function for Cheshire East there is a need to have a clear understanding of the practical implications of any changes to how the function is currently delivered.

Delivery Partner - Cheshire East Highways (Ringway Jacobs)

- 7.39. Subsequent to the completion of the main review Ringway Jacobs were formally notified that the potential to insource the LLFA function was being explored as part of this review. At the same time they were asked to provide commentary on the proposals.
- 7.40. Their response can be summarised as follows;
- The insourcing of the LLFA function would be a change to the scope of the contract as procured, hence compensation would be payable at the point the service transfers. A mechanism in the contract exists to enable this. Subject to the remaining duration of contract (approximately a minimum 5 years, maximum 12 years) the level of compensation would be £100k - £250k at current day prices. These figures do not factor in annual inflation which would need to be considered.
 - There are some clear risks relating to TUPE regulations as the current staff terms and conditions will be different from those which the Council could offer. Hence some staff may choose not to transfer and create gaps within the existing LLFA staff structure which would then need to be filled by the Council.
 - A suggestion was put forward to segregate the current LLFA statutory function from the non-statutory (delivery related) function within the Ringway Jacobs team structure. This would be a route to mitigating the concerns as set out under paragraph 7.22 of this report.
 - They are ready to support the Council in whatever decision is taken.

Human Resource Implications

- 7.41. Any proposal to insource the LLFA function would involve the movement of staff from a private company (Ringway Jacobs) over to the Council. Advice was sought from the Council's HR department on the process and as per the feedback received from Cheshire East Highway this inherently carries a number of risks, as follows;
- the Council would have to give notice of a change of provision /contract variation in order to enact a TUPE transfer of staff;

- in regards to the staff we have to build in to the time scale a period for consultation with the relevant staff (Ringway Jacobs would do this initially) and the Trade Unions. Failure to consult with the Trade Unions is an absolute requirement under the TUPE legislation;
- if the matter is straight forward and both parties are supportive of the transfer then it could be achieved in 3 months if it is proactively planned and resourced accordingly; and
- there needs to be consideration by the Highways client team as to their management resource implications of both the TUPE transfer process and that required to adequately manage any additional staff.

Conclusions

- 7.42.** Whilst there are obvious benefits to the potential insourcing of the LLFA function there are also some clear disadvantages to the Council in the form of the financial and human resources risk set out in earlier paragraphs.
- 7.43.** It should also be considered that all of the recommendations which follow are not specific to how the LLFA duties are delivered i.e. in house or continue to be out sourced.
- 7.44.** It was however the view of the Group that the potential risk of challenge to the day-to-day delivery of the LLFA function being outsourced was greater than those direct financial and human resource implications of insourcing.
- 7.45.** The potential for a Joint Lead Local Flood Authority (as outlined on page 35) was viewed by the Group as something that could add value and should be noted as a potential future aspiration, which could be explored when the appropriate resource and support is in place to do so.

Recommendation Two

- Cheshire East should no longer continue with the current arrangements in subcontracting the LLFA as the Group were not convinced the LLFA can appropriately regulate the Highways Authority whilst being governed by it.
- The restructuring of the LLFA in-house will draw a distinct difference between the work of the Highways Authority, the Planning Authority and the LLFA. This can be reflected across all communications with residents, including the external website, to avoid confusion and transparently demonstrate how Cheshire East is meeting the statutory requirements of the Flood and Water Management Act 2010.
- Having reviewed the evidence from other similar sized local authorities, the Group believe the LLFA should be placed within the remit of the Environment and Neighbourhood Services in line with Planning to draw a

distinct difference in work to that of the Highways department and Highways Authority.

8. Recommendation Three – Resources and Resilience

- 8.1. The LLFA at Cheshire East has seen first-hand that it took two significant instances of flooding in Poynton before resilience to flooding began to establish itself. Flood Action Groups, Flood Warning Groups and the Town Council were able to coordinate reports from the community back to the council for targeted resources where they were needed.
- 8.2. One of the key factors for any homeowner is understanding their personal flood risk. Agencies such as the Environment Agency and the Met Office provide weather and flood warning services that any resident or business can sign up for.
- 8.3. Residents should be encouraged to check locally to see if there are flood action groups to join or in instances where they are not available, to sign-up to receive flood related content electronically. The most pertinent social media accounts would include the Local Authority, Environment Agency, United Utilities, the Met Office, and The Flood Hub, all would relay important flood related messages out through their channels.
- 8.4. The Flood Hub is unique to the Northwest and no other region has such an organisation coordinating flooding messages for the entire region with a knowledge of specific flooding typography and demographic spread.
- 8.5. This post emergency phase of a flooding incident is the most important phase as this is when most of the data is collected. The data can include taking witness statements from residents, determining where the water came from, how it behaved and how quickly it entered and left spaces. As once the recovery begins, residents concentrate on getting back to normal as quickly as possible and often fail to report any flooding as they fear that they may be penalised by insurance companies, especially if the water flowed away quickly as the flooding may not always be evident. This can have serious implications for flood recovery support.
- 8.6. The Group considered post-flooding events, given that people who have been flooded require answers. Flooding Officers and Flood Community Groups often hold post-flood community events; it is important that all data collected is shared with the Environment Agency and United Utilities and that the data is stored confidentially. Cheshire East has a role in helping provide government with flooding data.
- 8.7. Until the significant instances of flooding in Poynton, there were no Cheshire East Flood Action Groups in operation. In 2016 the residents formed the Poynton Flood Action Group (PFAG). The membership is eight people, one of whom is a university lecturer on flooding, but PFAG has a larger following online with hundreds of people across the town. In addition, the Town Council set up a flood group to help liaise with the Council and other partner organisations, to act as a conduit for information particularly with issues that can be time consuming such as lobbying for effective change, all the way to government level.

8.8. Flood Action Groups are particularly effective in:

- monitoring local conditions and coordinating volunteers.
- being vigilant and report matters that could contribute to flooding such as blocked drains.
- identifying vulnerable members of the community.
- preparation and action during a flooding event.
- identifying key flooding issues within the community and who is responsible.
- building relationships and lines of communication with key agencies.
- lobbying decision makers and commenting on government consultations; and
- influencing the development of future flood schemes and opportunities to manage flood risks better.

8.9. The group heard about the Whalley and Billington Flood Action Group (WBFAG), in 2015, when following torrential rainfall six severe flood warnings were issued in Lancashire and Yorkshire and 300 properties in Whalley and Billington flooded.

8.10. The WBFAG was formed because of this flooding and devised a 3-point action plan:

Action 1: Flood Risk Reduction

- Alleviate flooding of property and possessions in Whalley and Billington
- Obtain and maintain full community support
- Encourage agencies to work in harmony on the Whalley and Billington flood issues
- Initiate engineering solutions

Action 2: Resilience Plan

- Ensure a support plan is available for businesses and homeowners to respond to a serious flood warning
- Create a Localised Flood Action Plan for Whalley and Billington to dovetail into the statutory agencies.

Action 3: Create a platform for reasonable insurance policies

8.11. To date, the group have achieved 2 of their 3 goals, they have a resilience team, flood wardens, Personal Protective Equipment (PPE), resources, a local flood plan and storage. They are in communication with the local council and give out pre-warnings and get prepared if they are made aware of an event. They have worked with the councils to repair culverts, drainage, watercourses and monitoring in the area. They have also built a string of walls around the river which has saved the village from flooding on several occasions.

- 8.12.** The initial figures by the Environment Agency for Storm Christoph in 2020-21 show that between 24-26,000 properties were protected against the flooding whilst 4-6,000 properties flooded in comparison to the 7,000 that flooded in Cumbria alone in 2015. This illustrates that communities are becoming more resilient to instances of flooding.
- 8.13.** Some members of the Group had first-hand experiences of residents who invested heavily in specialist advice and equipment following flooding in 2019, however this did not make any difference to future flooding. The members were made aware that some residents had made their homes 'floodable' by installing stainless steel kitchens and lifting plug sockets to ensure the water drained out.
- 8.14.** For the community to rebuild following a flooding instance, to build resilience to ensure the impacts of flooding are as minimised as possible, or build back assets to a higher standard, will require financial inputs.

Recommendation Three

- The LLFA should be resourced adequately to ensure it can carry out its statutory and non-statutory duties, including supporting towns and villages across the borough to ensure that they understand their roles and responsibilities during a major flooding incident and become more resilient.
- the LLFA should ensure that it is adequately resourced to allow collaboration with stakeholders and to develop the necessary business cases to capitalise on existing external funding opportunities.
- The LLFA should consider how its existing and any new staffing resource is prioritised, to help support community resilience by becoming the interface between the council and local Flood Action Groups.

9. Recommendation Four – Funding Opportunities

- 9.1. Throughout the review funding was regularly raised as an issue. The consultant at Flood Hub informed the Group of an instance where a flooded resident found themselves homeless. Whilst the resident may receive some financial assistance from their home insurance, they may also be entitled to receive £500 emergency payments and reductions to Council Tax.
- 9.2. Poynton residents never specifically benefitted from any Government Repair and Renew grants (approximately £5,000 per property to assist with making the property resilient) because the criteria were restrictive and applies to how many days of flooding there were and how many properties were affected, and Cheshire East fell short of the minimum needed.
- 9.3. Alongside financial support, residents can receive support for mental health for 12-18 months after a flood as they can experience anxiety awaiting another flooding incident. In Calderdale, a group 'Healthy Minds', was set up and funded to enable outreach to groups and individuals who are suffering anxiety due to flooding; this included vulnerable people who were upset to see what was happening in their village. In those instances, the hubs felt less like a flood hub and became a social hub.
- 9.4. During the discussions with Calderdale Council the Group were informed of the impacts of the public commitments made by MPs and government bodies as to funding and resources because of the scale of the flooding experienced.
- 9.5. They also discovered how the groups originally formed as part of the rebuilding and recovery aspects of post-flooding, were able to evolve into a resilience group once the damaged structures and assets had been repaired and they were able to apply for external funding.
- 9.6. Issues also surround Central government funding as the criteria doesn't remain consistent each year and it is not evident as to how these changes occur; this is an issue that could be considered by MPs. For example, following the 2014-15 flooding the Government introduced Government Repair and Renew grants, that provided £5,000 per property to assist owners to make the property resilient to future flooding. However, in 2020 those criteria changed and only 25 properties were eligible. Therefore, for properties that flooded in Poynton the owners were not eligible to apply for the funding due to the restrictive eligibility criteria (how many days of flooding there were and how many properties were affected).
- 9.7. It was noted that there are opportunities for the faith, voluntary and third sector organisations to attract funding that the local authority are not always able to apply for.
- 9.8. Through the national Towns Fund, large towns can apply for large sums of capital funding. In Calderdale, sustainable urban drainage, rainwater harvesting and moving towards active travel was incorporated into their funding bids.





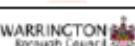
- 9.9. The Portfolio Holder for Climate Change in Calderdale informed the Group of the need for a rounded national strategy relating to flooding and the damage caused to assets within the local authority's area, as the collective voice is more powerful. The last major government fund for flooding was £5.2billion (nationally over five years); despite this only small sums of money were dedicated to Natural Flood Management (NFM) as it is not always possible to concentrate funding in the construction of building walls and defences. There needs to be a balance on how funding is spent and the formula used to calculate the funding needs to be more transparent. It has been found that issues revolve around where the funding arises from as there is a difference between revenue and capital funding. Revenue funding is used to fund day to day activities such as gully cleansing. The difficulties lie in the lobbying of government for revenue expenditure. Calderdale have worked with neighbouring authorities and the Local Enterprise Partnership (LEP) supported them, as funding was received through the LEP.
- 9.10. Recommendation Two details information from the EA regarding the impact of the current structuring of the LLFA function of CE as it is presently within the Highways Contract. **As previously covered, the schemes Cheshire East have already put forward have seen 17 of the 203 targets realised at a cost of £0.6 million with £1.5million earmarked funding untouched.**
- 9.11. The Group discovered that due to the LLFA function having been subcontracted out as part of the highways contract, the ability to apply for capital funding is diminished, largely because the team are busy with an expanding programme of work, the majority of which is focussed on highway related flooding issues. It is noted that officers work is focused on making the links between properties and the property flooding. The main issues relate to the capacity, skills and expertise required for compiling the business case.
- 9.12. The LLFA should concentrate on its statutory duties predominantly preventative work in areas prone to flooding.
- The Local Levy
- 9.13. Funds are raised by a levy on local authorities. Regional Flood and Coastal Committee (RFCC) committee members are appointed from LLFAs and the Environment Agency onto the RFCC who plan and invest in flood and coastal erosion risk management.
- 9.14. Each year Regional Flood and Coastal Committees (RFCC) raise a Local Levy from their Lead Local Flood Authorities which is used to fund work by flood risk management authorities to reduce flood risk and to increase climate resilience.
- 9.15. The majority of flood and coastal erosion risk management projects are funded by central government (Grant in Aid (GiA)); this must be applied for with priority being given based on the benefits each scheme will deliver.

- 9.16.** The Local Levy Annual contribution for Cheshire East is £290,000; this is included within the Council Tax and is based upon the number of properties that fall within Council Tax Band D; there are numerous properties within Cheshire East that are Band D. Of 26 authorities that make up the Regional Flood Risk Committee Cheshire East is the 3rd highest contributor.
- 9.17.** Local Levy is a local source of funding which the RFCC decides how to spend and there is greater flexibility on the type of work it funds.
- 9.18.** Unlike many other public finances, local levy balances can be carried forward to subsequent financial years and can be earmarked for use in future years; this provides the flexibility to respond to evolving needs and programme changes.
- Since 2015, Cheshire East Council have contributed £1,344,414 towards the local levy pot.
 - Cheshire East have completed 1 scheme with a value of £135,000 since 2015 (some of which was GiA funded) (Council Only Led Schemes)
 - Environment Agency Led Scheme – Northwich (in Cheshire West) Flood Defence c.£7m (£500,000 from Local Levy – in 2016)

Quick Win Funding

- 9.19.** Each year RFCCs allocate 'Quick Win' funding of £50,000 per year to each of the five sub-regional partnerships that can be used for small scale intervention schemes.
- 9.20.** Cheshire East are within the Cheshire Mid-Mersey Partnership who actively utilise this funding source. However, since 2015, Cheshire East have accessed none of this funding. Table 6 below gives a summary of this.

Historic allocation of Quick Wins within Cheshire Mid-Mersey FCERM Partnership

Authority	Amount claimed per financial year (£k)						Total number of schemes	Total number of households better protected
	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21		
 Cheshire East Council	-	-	-	-	-	Schemes to be identified / business cases to be developed	-	-
 Cheshire West and Chester	-	-	-	-	-		-	-
 HALTON Council	-	-	7 (1)	-	25 (2) [3]		3	3
 St. Helens Council	-	30 (2)	-	-	28 (2) [2]		4	2
 WARRINGTON Borough Council	-	15 (2)	44.5 (2) [7]	25 (N/A)	40 (3) [12]		8	19
Total	0	45	51.5	25	93		15	24

() – Number of schemes, [] – Number of properties protected

- 9.21.** Figure 4 is taken from the Flood Hub website accurately depicts the level of grant funding attracted into Cheshire in comparison to other parts of the country.

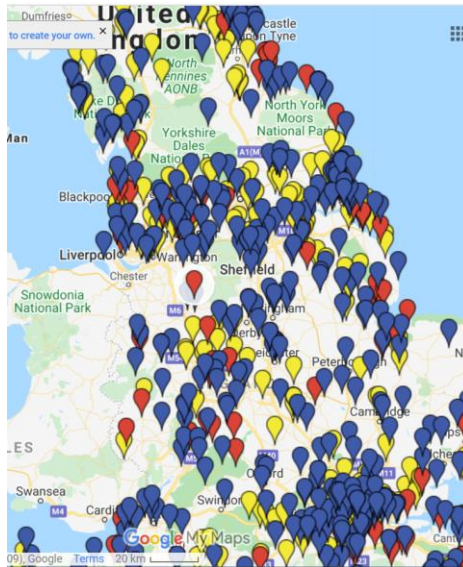


Figure 4: grant funding awards map

Recommendation Four

- MPs should be lobbied to bring about change to national flood funding, as national funding has been allocated for large fluvial (river) floods and not surface water flooding which is most of the flooding across Cheshire.
- Aligned to Recommendation 3 - the LLFA should ensure that it is adequately resourced to allow collaboration with stakeholders in order that robust business cases can be developed to capitalise on existing external grant funding opportunities. For example, Flood Defence Grant in Aid (FDGiA) and Local Levy for projects where there is a strong business case.

Recommendation Five - Planning and Stakeholder Communications

Planning – the role of Green Infrastructure

9.22. The Group became aware of networks of multi-functional green spaces for solving urban and climatic challenges by building with nature. The consultant at The Flood Hub spoke of the importance of Green Infrastructure.

9.23. According to the Town and Country Planning Association:

Green Infrastructure is not simply an alternative description for conventional open space. It includes parks, open spaces, playing fields, woodlands- and street trees, allotments private gardens, green roofs and walls, sustainable drainage systems (SuDS) and soils. It includes rivers, streams, canals, and other water bodies, sometimes called: blue Infrastructure.

- **Natural Flood Management (NFM)** can be found upstream, more trees, more peatbogs, holding the water for longer and slowing the flow of the water.
- **Maintenance** is also an important factor in flood risk management. Maintenance including dredging and clearing brash (bushes and vegetation) and blockages from watercourses when appropriate.
- **Strengthening and improved defences**, for example, increasing the height of flood gates and improving old defences that have been improved with technology etc.
- **Resilient Communities.** Giving back the ownership to residents as much as possible through initiative such as Flood Action Groups. Communities need to be as prepared as possible.

9.24. Representatives from Calderdale Council, The Flood Programme Manager, and the Portfolio Holder emphasised the importance of green infrastructure during their meeting with the Group.

Calderdale Council experiences

9.25. Calderdale has suffered from flooding on numerous occasions, with the most severe incidents occurring in Summer 2012 and unprecedented levels in December 2015. During this time is not known exactly how many properties flooded, though the best estimates listed in the Joint Strategic Needs Assessment (JSNA) 2016 were 7,924 residential and business premises.

9.26. During this time partnership working was strengthened particularly with the Environment Agency with whom the Council had always had a good working relationship, and Yorkshire Water, who are a major landowner in the upper catchment area, also having responsibility for a significant number of small reservoirs.

- 9.27.** Following the 2015 floods Calderdale Council investigated 4 distinct areas, three of which directly relate to green infrastructure. These are detailed below:

Looking at the major defences

- With the scale of flooding in Calderdale, media interest in the event meant that local MP's and government bodies made public commitments to prevent this happening again, and additional monies were injected into the area, in addition to the funding received from the usual levies. The consequence of this was that it enabled a specific scheme in Mytholmroyd to happen quickly including the ability to procure and quickly source and use suppliers via the Environment Agency Framework as opposed to having to procure suppliers through the Local Authority.

Natural water management/nature-based solutions

- Calderdale benefits from established community groups. As everyone in the valley is affected by flooding in some way or another, there is plenty of local support for each other and support to tackle flooding. For example, a group called *Slow the Flow* locally plant trees; this group are good at self-promotion and have managed to get on television from time to time. Another group, *Moors for the Future*, worked on high moorland helping to restore the moorland by putting in breaks in the moorland to collect excess water. The group works in partnership with other organisations such as Yorkshire Water, whose representative chairs the group. Yorkshire Water is a major landowner therefore their support was essential to enable the scheme to commence. In Hardcastle Cragg, a good partnership has developed between Yorkshire Water and the National Trust where Natural Flood Management (NFM) measures have been implemented; these can now be monitored to track their effectiveness, as this information has previously been difficult to demonstrate.

Recovery works

- During the flooding, many structures were so badly damaged that they needed to be rebuilt. Canal bridges were swept away and had to be rebuilt in partnership with the Canal and River Trust, with funding from the Department for Transport. The Council set up a group to oversee and coordinate the rebuilding of the numerous structures; upon completion of work the group became a Resilience Group with the main focus being maintenance and understanding the assets by developing an asset record.

Community resilience.

- Prior to the flooding in 2015 some of the local communities in Calderdale had flood groups already in existence; after the flooding Calderdale Council helped new ones to be formed. The Council supported Flood

Wardens who came forward from specific areas (including Councillors) and had flood stores to hold goods. The flood groups are independently run as charities with their own finances with the council replenishing stocks where possible and helping where groups have had issues obtaining third party liability insurance.

- 9.28.** Calderdale Council is proactive in communicating to the public; it actively encourages the public to consider the issues that can be experienced before a flood event and how to plan for a flood event, in conjunction with the Environment Agency who send out Flood Warnings prior to an imminent flooding event. The residents are encouraged to check social media for any important flood messages.
- 9.29.** The *Eye On Calderdale* website, provides updates and information to residents about local schemes, NFM, opportunities for volunteering, and it shows river levels at any point in time.
- 9.30.** The Council can take a proactive approach as it has a fully funded Flood communications office who works in partnership with the Environment Agency, the Officer deals with the website, social media and publishes a bi-annual newsletter.
- 9.31.** The Council also funds an NFM Project Officer; the council was one of first to fund that post. The officer works throughout region and with EA and other authorities in the area.
- 9.32.** Also, worth noting were initiatives like the Catchment Based Approach (CaBA), a community-led approach that engages people and groups from across society to help improve water environments; for this approach to work, all partners must work together. Currently, the closest one to Cheshire East is the *Weaver Gowy Catchment Partnership* and is operated by Groundwork Cheshire, Lancashire, and Merseyside.
- 9.33.** Calderdale worked with landowners on a broader catchment plan, as it not just civil engineering schemes that help to prevent or protect land and properties from flooding. The council have worked over the past 3-years with Yorkshire Water to reduce levels in their reservoir to make a difference. Natural Flood Management (NFM) work has been effective in changing legislation such as that introduced to assist with the issue of moorland burning. The Council worked with landowners to carry out NFM but also put in practical measures such as the maintenance of drainage ditches on former farmland that is now owned by domestic residents.
- 9.34.** The majority of the work at Calderdale has been to understand the effect that climate change is having on the environment, Calderdale has always flooded but the frequency and the extremity of flooding is more severe.
- 9.35.** Calderdale form part of West Yorkshire and sits within the Yorkshire Regional Flood and Coastal Committee. Calderdale have strong ties with partners and good partnership working across the area.

The Environment Agency

- 9.36.** Finally, a Senior Advisor at the EA who deals with Flood Risk Management across Greater Manchester, Merseyside, and Cheshire discussed at length the relationship of green infrastructure.
- 9.37.** The EA explained that a key part of understanding flooding is mapping; as the main rivers are the responsibility of the EA whilst the surface water and ground water are Local Authority responsibilities. The Government website (Gov.uk) has mapping that shows flooding associated with main river and surface water flooding and the associated flood risk. The surface water flooding maps belong to the LLFA and Cheshire East, but the EA produce them on behalf of the authorities.
- 9.38.** The Performance Team at EA consider these maps combined with on the ground evidence data and produce the Local Flood Risk Management Strategy, this outlines what can and can't be done and identifies the risk.
- 9.39.** Surface water maps are based on the topography of the ground in order to determine where water will accumulate, water is poured onto the ground and the metrics are then considered to identify where water escapes and where it doesn't. The areas shown on the surface water maps are areas that the LLFA will be aware of, or have been made aware of from the maps and it is their responsibility to investigate and to plan any necessary works.
- 9.40.** The EA suggested that issues arise where assumptions are made about the drainage network. This can happen in instances where equipment is unable to be tested, assumptions are made and these assumptions then pose a greater risk.
- 9.41.** Where a flood risk problem is known it is the role of the relevant RMA to reduce the risk. For example, this could include holding more water upstream (attenuate) on main rivers. It is the responsibility of the landowner to keep attenuated ponds clear.
- 9.42.** The EA have looked at ways that the water can move across the flooded areas, including the dredging of main rivers but this is not sustainable due to the cost of carrying out the dredging and the benefit in terms of water level reduction is not a long-term solution. There are instances where a one-off intervention of dredging could work, but if it is used on a regular basis, it will incur maintenance costs. Depending on the situation, it may be advantageous to consider other ways to improve hydraulic flows, such as eliminating narrow bridges downstream.
- 9.43.** The majority of flooding in Cheshire East is from surface water. With most towns having a rural area upstream, it is evident that when ditches are cleared upstream the accumulated water can flow more quickly from the land and consequently the flooding issues downstream will be worse.

- 9.44.** Government have announced an Environment Land Management Scheme (ELMS). The Agriculture Act 2020, introduces the idea of public money for public good. Public good is defined as ecosystem services, e.g. transmission or holding of water on land. Therefore it incentivises paying farmers to store the water in ponds already on the land. Until recently land payments from the Rural Payments Agriculture (RPA) were based on the amount of land owned. For example, if the land-owner had 900 hectares of land and 10 hectares were being used as ponds or water storage, under the old system the landowner would not be paid for the 10 hectares. The ELMS addresses that issue and incentivises the land designated for water storage. It is envisaged that this should assist with the movement of water from rural to urban areas.

Cheshire East

- 9.45.** Councillors were aware that Cheshire Fire and Rescue had maps showing ponds and ditches that had since been filled in. Landowners are not always aware of the consequences of their actions to both their properties and those adjacent by infilling culverts.
- 9.46.** When acts or omissions by riparian owners impact on others, enforcement action is possible.
- 9.47.** Cheshire East as the LLFA has powers to take enforcement action against a riparian owner if they have carried out works that impact on others (e.g. building a dam on a watercourse or a wall to keep water out of a particular area), or if they fail to carry out necessary maintenance work to their watercourses. **A key fact that is not widely understood is that a riparian owner (by a river, a small water course or culvert) must receive water from upstream and allow the water to pass it through the curtilage of the property without causing it to be diverted, or obstructed.**
- 9.48.** The LLFA has enforcement powers for ordinary watercourses and the EA have enforcement powers for main rivers.
- 9.49.** The Group considered the advice from the Town and Country Planning Association and noted that key features of green infrastructure are important as they can:
- support people's mental health and physical health;
 - encourage active travel;
 - cool urban areas during heat waves;
 - attract investment;
 - reduce water run-off during flash flooding;
 - carbon storage; and
 - provide sustainable drainage.

- 9.50.** The extent to which green infrastructure can provide these benefits is dependent upon how it is designed and maintained and the maturity of the health of the elements (such as trees) that form it.
- 9.51.** It may also be necessary to consider how buildings are designed and used in future especially at the planning stage where the development is near to a watercourse, for example, the property could be designed so that the lower section of the property is used as a garage and all upper floors are living spaces, this would minimise the damage of a flood at the property.
- 9.52.** A core function of the LLFA is the consideration of drainage as any development in flood zone 3 would be deemed for refusal by the LLFA and the decision supported by the Environment Agency until the risks of flooding were adequately addressed. Flood zone 2 is on the fringes of flooding, the Environment Agency would give advice to any developer and check the responsibility for land management with a heavy scrutiny on developers plans.
- 9.53.** The Group were in agreement that developers should be thinking creatively on the subject of water; for example storage of water and the protection of properties downstream can help during periods of drought. The approach taken to the use of land and the way in which people treat land needs to be considered; tarmacking over driveways, for example, encourages more water to go into the drainage systems. United Utilities constantly raise awareness about acceptable items to flush down drains (such as wet wipes/fat etc). Overall, flooding is driven by the scale and interest following recovery events from previous flooding.
- 9.54.** The main risk for local communities is cloud burst over a short period. Cloud burst have short lead-in times, but require the same approach to its management; the objective is to hold water on the land.
- 9.55.** The LLFA at Cheshire East worked successfully in partnership with the Environment Agency in Poynton specifically with the upper catchment to minimise run-off water using Natural Flood Management (NFM). However, this approach identifies opportunities and is dependent on land-owners support to achieve results.

Stakeholder Communications

- 9.56.** The Group looked at the ways in which Cheshire East communicates with the public by looking at its external website. It found that when a search was carried out on the website no reference could be found to inform the public of the Council's statutory role as the LLFA; only one reference could be found within the planning pages:

A multi-agency team responds to flooding within Cheshire East. This includes teams from Cheshire East Council, the Environment Agency, United Utilities, and the Emergency Services.

- 9.57.** There was general reference to flooding information and what to do in the instance of a flood, whereas when the Cheshire West website was checked it clearly stated:

Under Government legislation, we are the Lead Local Flood Authority (LLFA) and are required to formally investigate flooding incidents where appropriate.

- 9.58.** The Cheshire East website does refer to preliminary flood risk assessment, but only in relation to planning; it was found that the website did not have an explicit link to the LLFA to allow members of the public to search for this statutory function.
- 9.59.** The Group noted that the current outsourcing of the LLFA function has had a direct correlation with the lack of information contained within its website and the ability to meet the requirements set out in the legislation which in turn has associated risks.
- 9.60.** Following the discussion with the Team Manager for the Emergency Planning Team, the Group were advised that emergency events are always classified as major events as they can involve flooding and the impact of severe weather. However the emergency planners are not the blue light emergency services; it is important to note that in an emergency reliance on staff awareness is critical; when a call is received into the council any officers that respond must be aware of the process of what to do when the call comes in. Training in this area should be mandatory from the call-centre all the way through to key officers.
- 9.61.** After each emergency event the Council holds both an internal and external debriefing to establish if improvements could be made for the future. All communications into the council are monitored to establish where the information came from, was relayed to and where any improvement is needed.

Improvements in Communications and Engagement

- 9.62.** The Highways Service is being used to trial the corporate Customer Experience Initiative and since February 2022 it has undertaken a significant investment in improving its communication and engagement with customers. This involves;
- a refresh of existing and new webpages to make these more user friendly, accessible and to focus the content;
 - a monthly newsletter;
 - new and enhanced information around the significant social media coverage via Facebook, Twitter and other channels;
 - Members Engagement Events;
 - briefings with key stakeholder groups;
 - enhanced working with partners such as United Utilities, particularly at a strategic level to resolve issues; and

- a Members, Town and Parish Council satisfaction survey, the results of which will inform a detailed action plan to be fed back in Quarter 3 2022.
- 9.63.** These initiatives which, although given strategic direction by the Highways Client Team, are substantially delivered by resource provided through the contract with Ringway Jacobs. Hence, there is therefore significant scope to enhance how issues and initiatives directly related to the flood area of work are delivered, through what are now existing lines of communication. This is particularly relevant when referring to how internal teams within Ringway Jacobs contribute to this effectively and efficiently.

Recommendation Five

- Where appropriate, the Local Planning Authority should promote the incorporation of innovative Green Infrastructure into any new development proposals. Consideration should be given to the introduction of policies within any new and emerging planning policy documents.
- The LLFA should continue to be included in all planning applications including pre-applications as a statutory consultee to consider flooding and sustainable drainage systems (SUDs).
- Cheshire East corporately need to do more towards encouraging local people and businesses to make their assets resilient, and any opportunities to underpin the proactive publication of flooding messaging. The framework for this is already in place (set out within paragraph 9.62) with recommendations for delivery.

10. The Views of Internal Departments within Cheshire East Council

- 10.1.** As part of this review, the Group met with internal officers within the Highways and Infrastructure department to discuss the findings of this review.
- 10.2.** Officers agreed that the Council had two separate and distinct statutory roles as the LLFA and as the Highways Authority and that issues could arise in relation to the operation and management of the LLFA as the functions were contained within the outsourced highways contract.
- 10.3.** A significant issue raised related to the funding of the department, as it was significantly underfunded for the work it was required to do. The responsibilities need to be defined and more funding and resources for flooding issues needed to be sought.
- 10.4.** Officers identified an issue in relation to the work required after a flooding incident, as the key priority should ideally be the logging and recording of all drainage records after a flood incident but they acknowledged that this was not possible as there was not the resource to undertake this, as there are number of other authorities that have to be consulted as they have drainage systems separate from the Highways Authority.
- 10.5.** The Group questioned whether the budget could be apportioned directly to the LLFA as a way of it commissioning its own resources and staff.
- 10.6.** Officers agreed that this would align with the structural way the Council organise functions. However, there was a strong likelihood the LLFA would need to increase the resource and associated funding.
- 10.7.** Due to the backlog of applications within the planning service, the Executive Director of Place had commissioned a deep dive review as to the causes. Officers felt that this could have a consequential effect within both the LLFA and the Highways Authority as each area will be required to provide comments and input into any planning application responses. Officers felt this must be considered as part of the same Deep Dive Review, as when making fundamental changes in one area of the business the impacts will be felt in others.
- 10.8.** Officers were aware of collaborative working and interdepartmental communication as, when a flooding incident occurs it can be a particularly anxious time for the person who has been flooded, and it was therefore important that the resident received the same messages from other agencies as from the council.
- 10.9.** Officers acknowledged the work done by the Group and gave reassurances that they were asking the right questions and in attempting to achieve the right outcomes.

12 Access to Information	
Contact Officer:	Helen Davies, Democratic Services Officer Helen.davies@cheshireeast.gov.uk (01270) 685705
Appendices:	<p>Appendix One: Flooding Major Incidents: Experiences of Poynton Residents</p> <p>Appendix Two: Section 9JA and 9JB of the Local Government Act 2000</p> <p>Appendix Three: Section 19 (1) and (2) of the Flood and Water Management Act (2010)</p>
Background Papers:	None

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APPENDIX 1

Flooding Major Incidents: Experiences of Poynton Residents

Poynton Resident:

I sit on the Flood Working Group comprising Poynton residents with experience and/or expertise in areas that affect flooding, so there is an architect, a drainage engineer involved in planning and myself with 40 years experience in the natural and engineered environment. We are coordinated by Poynton Town Council Clerk who has a very good grasp of the issues and understanding of localised problems. The Working Group was formed in response to flooded resident, calling for Poynton residents with relevant skills to come forward and assist with a Poynton lead response to the 2 main flooding events of 2016 and 2019. That response is to be pro-active toward future flood prevention. The Working Group differs from the Action Group in that the latter is resident lead, but there is, for example, a retired drainage architect on the group who experienced flooding as well as MMU head lecturer in urban geography (specialising in flooding) who has provided support. Since the formation of the two groups there has been a lot of information gathering to understand the specific nature of flooding in Poynton and nature of the agencies involved in its mitigation, their relationship to each other, their limitations and so on

While difficult to pinpoint, there is the sense of a culture from agencies to ignore and dismiss residents. This happens to a greater or lesser extent, whether it through simply not responding to requests right down to being told we are wasting their time, as was said in not so many words at the first multi-agency meeting. While it may be frustrating to deal with shouty residents, and they do exist, there is also a valuable local human resource to tap into. I believe one of the greatest outcomes of the task and finish group would be for some kind of acknowledgement of this through establishing a recognised communication channel, such as through the town clerk, whereby their specific and considered requests cannot just be ignored. One positive outcome at the very least, would be less shouty residents through knowing someone on their side is being heard

There has been some really positive work done by the agencies and this is ongoing, no doubt with the higher priority and the easiest identifiable problems dealt with first. There are some outstanding issues and the task and finish group will hear about them and may wish to focus on these. However, other issues as yet not known, will arise in the future because the nature of flooding is not static. I feel it would be pragmatic to establish that recognised channel of communication between the eyes and ears of Poynton with the LLFA so that future problems can be addressed with greater ease and without the frustration of feeling ignored

June 2016. Two Children of residents watch on as we start to grow increasingly concerned about the sheer volume of water that has started to envelope our home. Our home. Our sanctuary. Our safe place. You think that when you flood you would have time – time to move ‘stuff’ time to remove your children from the situation, time to find your pets, move your precious photos. That’s not always the case. I had time to get our wedding album and the two soft toys that my children

have slept with since being babies. Everything else in the downstairs of our house would be destroyed by dirty brown water that rose to thigh height within an hour. You call the fire brigade – surely they can help? They were apologetic and understanding but said there was nothing they could do due to the sheer volume of water. If they pumped it out, the only way it could go was back into the waterway which would likely then flood more homes further down the chain. Our home was beyond help so we let the water carry on pooling in an attempt to stop other properties further down the waterway be affected. That night we enthusiastically told the kids we would be ‘camping’ in the upstairs of our house. Camping because we had one bed between four of us (our main bedrooms are downstairs). Camping because we had no electricity – no lights, no heating. The four of us slept in one bed – my husband and I awake all night listening to the house creaking, listening to water flowing – wondering what the heck we would do in the morning. There were many more sleepless nights to come as my daughter started sleep walking and having night terrors. We felt optimistic when we were told that it was a ‘once in 100 year’ incident. Really unfortunate, but the findings of the S19 report were clear – we were incredibly unlucky. We lived in the upstairs of our house for 7 months. We had to carry on our normal lives, work, school – and everything that an intensive re-build/refurbishment of the bottom of the house brought with it. Trusting people to be in our house while we weren’t there, making decisions about the build, re-purchasing the entire contents of the downstairs of our house, dealing with insurance companies, worrying about our premiums. But it was OK, because we had just been really unlucky. This wasn’t going to happen again. We put some flood defences in place just in case. Life got back to normal. Then in 2019 – 3 years after the initial flood, and 2 years after we got our home back - it happened again. Even worse this time. The water was higher. We knew what the next 12 months of our lives were going to entail. We knew that we could no longer tell the children that this was a ‘one off’ that their home, their sanctuary really was a safe place. We knew the reality. One of the children started having night terrors. They were now the same age as their sibling was when we first flooded. We did everything again. Camped upstairs on the first night. Lived upstairs for 5 months. We welcomed back the same builders who had re-built the downstairs the first time. This time we looked long-term – we spoke to the council about whether we could re-divert the ‘drain’ that ran through our bottom garden (of course you can but you will need CE Council approval, Local council approval, Highways approval as there is a public footpath, and the private landowners approval – and you’ll also need to fund all of this yourselves at a cost of between £60-£100k). We have worked with the landowner to ‘wiggle’ the stream/drain on their land (at their own cost) to slow the flow down. We have built essentially a dam wall on our own property between the garden and the house (at our own cost). We have traced the waterways and mapped where the water is coming from (in our own time) and we have installed a sump pump and flood barriers (at our own cost). I became a member of our local Flood Action Group in a bid to try and help ourselves and others moving forwards.

All of these things have made me feel better about the situation – but the fact is, only a month ago during heavy rain, the water came within a foot of the top of the wall (it’s a 5ft wall) and instead of my husband going to bed, he lay on the sofa all night with one eye on the CCTV. We saw photos of people on social media carrying their children through the water that had – again – flooded the path near the local primary school. It’s still happening. I am also in no doubt that the

measures we have put in place to protect our own property, might have an adverse effect on other properties. This I have to live with. And it appears through experience that the people with power to effect change are happy to live with this. Poynton continues to flood and will continue to flood unless the causes of flooding are looked at holistically. The world has changed. There is less greenbelt and more building. The paths of the waterways have altered in the last 100 years – these need tracking and rectifying. As riparian owners, we can change the water flow on our own land, but we are reliant on everybody taking responsibility. Poynton floods for a variety of reasons in a variety of ways – surface water flooding, main and secondary waterway flooding, inadequate drainage and utilities – all these things need to be addressed so we can all sleep well at night and feel secure in our homes.

Poynton Resident

I am writing in respect to the flooding in Poynton in 2016 and 2019. My home was flooded on both occasions to a depth of approximately between one and two feet. The flood in 2019 was much deeper than in 2016. My property is a bungalow with only one floor and so all my furniture and belongings were affected by the water and I had and have nowhere to escape from flood water.

The flood water comes down the Road and then down my driveway. My property is extremely vulnerable to the water and It is very difficult to protect my property from the flood water. I am a pensioner and live alone in the home and having nowhere else to go have had to remain in my home during the cleaning up process. These traumatic events have had significant impact on my physical and mental wellbeing.

Due to insurance issues I have had to bear the entire cost of the clean up and replacement myself on both occasions, and being unable to cover replacement costs a second time am currently living with water damaged furniture. Many irreplaceable items of great sentimental value have been lost due to water damage, family photographs etc. I have had to rely heavily on family and friend to help with the cleaning up process. In 2019, in trying to reach my home to give support, my son became trapped in his car, for some hours, in flood water outside Poynton.

As a result of the trauma of the flooding the relationship between myself and my neighbours (who were also flooded) has completely broken down. This fracture currently continues.

I am now very anxious about further flooding and live with ongoing insecurity. Having been unable to escape from my property in the flood of 2016, due to the depth of the rising waters, one of my greatest fears is being trapped in my property in a flood. I am extremely anxious whenever heavy rain is in the weather forecast and during the recent thunder storms in the night, I stayed awake all night due to fear of again being trapped in my home by flooding.

Needless to say any actions to reduce or prevent any future flooding would impact very positively on this stress anxiety and mean considerable peace of mind not only for myself, but also my two sons, who live some distance away, and close friends who are concerned for my wellbeing.

I do hope you will feel able to consider working with and for the community in Poynton and the appropriate agencies in helping to address flood prevention. I do thank you for your time and attention in this matter.

Poynton Resident

ITS NOT JUST WATER.

June 2016. A Saturday afternoon, sudden intense rainfall

Within hours unable to get down our road as the drain was surcharging like a geyser into the street.

The road filled up, looked like a river.

The garden began to fill up.

We watched in disbelief as the water climbed higher and higher up the patio doors and then began to come in through the walls. We moved what we could to upstairs.

It was relentless. We were helpless. It was filthy, not just water but the contents of drains and sewers.

We didn't know where to go for advice or help

We had to move out. We had to hunt down somewhere to rent. We camped there for 5 months with most of our possessions stored in boxes. Pack for winter we were warned.

More than a year but finally the S19 report. It was a once in 300-year occurrence, the experts said. Phew! After all the house had been there 40 years and never even been close to flooding before.

July 2019. Working in Knutsford, it's not even raining and a call from a neighbour saying it's happening again. 2 hours to get home due to floods in Wilmslow and Bramhall.

Neighbours desperately baling trying to save homes.

It was relentless. We were helpless. It was filthy, not just water but the contents of drains and sewers.

So off we went again, saving what we could, hunting down a property to rent, camping for 6 months while we battled again with insurance and contractors.

This time we wanted to know

- Why had we allowed ourselves to be complacent?
- Why weren't we warned by the authorities that flooding is increasing?
- Why hadn't the authorities taken measures to mitigate the damage?
- Why were the drains blocking?
- Why were the streams breaking their banks?
- Why is Poynton flooding when it never had before 2016?

I have lived in Poynton for 53 years.

In June 2016 my home flooded for the first time. On this occasion the damage and loss was limited to one room and the garage contents.

In July 2019 a surge of flood water spread across the rear garden and poured through my home. All ground floor areas remained under water for over 4 hours

until pumped out by the Fire Brigade. They then declared my home unsafe and I was immediately evacuated to temporary accommodation

Every item at ground level was completely destroyed. All electrical items, plug sockets and floor standing gas boiler rendered useless.

Salvage work did not commence for 4 days.

To initially see my home under water was heart breaking. To subsequently return and squelch on saturated smelly carpeting to allow Insurance Loss Adjusters to evaluate the damage was utter despair. Flood level lines on all walls, furniture and soggy soft furnishings.

OVERVIEW OF THE ORDEAL

I was out of my house for six months. I have received no Council Tax rebate.

To try and mitigate the anxiety of hearing it rain, which I know sounds dramatic, but believe me the worry does not go away. I have had flood defences installed at considerable personal expense. This goes some way to alleviating the stress, but it is not a failsafe solution.

I am a pensioner and a widow and would now like to downsize. The prospect of a successful sale is very doubtful.

This painful experience has impacted on my health. The initial shock and then the stress of dealing with the aftermath, e.g. insurers, building contractors etc. and living in temporary accommodation sent my Blood Pressure to dangerously high levels. I am now on permanent Blood Pressure medication.

The anxiety is still there. Heavy rain is a constant threat. We know it will happen again.

BEING ANXIOUS AND STRESSED WHEN IT RAINS IS NO WAY TO LIVE.

Poynton Resident since 2002. Now pensioners.

June 11th 2016 (the day after we returned from a family holiday) a huge storm occurred which forced us to vacate our home for 10 months. The drains and culverts and streams were unable to take the deluge of water, and they overflowed. Watching water coming up through floorboards into your home is a sickening sight.

Cheshire East told us that it was a once in a lifetime occurrence, and we 'shouldn't worry too much.'

Nonetheless, we were also told that we would have to continue paying our Council tax, even though we weren't living there (eventually the insurance company repaid us).

The stress created by the upheaval of vacating your home in these circumstances is immeasurable. Then you have to deal with insurance companies, packing and unpacking, building contractors, private landlords for temporary accommodation, the list goes on and on....not happy times.

We moved back home in February 2017 and I had a scheduled aortic heart valve replacement in March.

In July 2019, another huge storm and another flood. For details and the effect it had on us, please reread the above. But this time on top of the shock we feel angry that exactly the same thing happened, with overflowing streams and culverts which led me to believe that little or no action had been taken in this area to deal with the potential problem after June 2016.

The 1st Section 19 report contained very little reasoning and proposals and the 2nd Section 19 report told us that a culvert had been 'filled in without the

knowledge of CEC in 2017'. That culvert is now cleared and the stream has been deepened and widened which now means that water flows freely. Can I ask how CEC can be precise as to the year it was 'filled in'. Was it actually checked after the 1st flood? The clearance works took around 3 weeks so there must have been a huge blockage.

Is there a routine maintenance/check program for these services?

Home insurance is getting more difficult to obtain at a reasonable cost. More house building puts additional pressure on facilities and services

We do worry about the future. We'd also like to see a more open relationship with CEC on their thoughts and proposals for dealing with this huge topic of climate change, and to engage with local communities on proposed works in the locality of where they live. Poor communication only adds to the frustrations we feel.

Poynton Residents

We have lived at our address since 1981 and until the 2016 flood event were unaware that our address and area had been categorised as 'High Risk of Flooding'.

The volume of the June 2016 and July 2019 downpours created a downhill overland surge of water. The surge then formed a large pool of water adjacent to our home.

The pool rapidly deepened and spread across our gardens and within minutes flooded our own and neighbours' homes throughout.

The June 2016 flood water level within our home was only ankle deep but did result in the loss of all hard and soft floor finishes, skirting boards, low level plaster, fitted furniture from within the house and the majority of our garage contents. The drying out and remedial works were extensive and were not completed until February 2017.

The July 2019 flood was considerably worse and resulted in knee depth contaminated water remaining for several hours throughout the house. 12 other homes within our immediate vicinity were similarly affected.

The consequences were devastating. Virtually all our possessions, furniture, fittings, electrical goods etc. from the ground floor were lost, floors were uplifted, doors, frames and skirtings were removed and plaster was scraped off all walls up to waist height. The house was unliveable, we therefore had to seek temporary accommodation for 6 months and hand our home over to a chain of contractors who dried, refitted, rewired and redecorated. We moved back into an unfinished shell in mid-February 2020 and began the long task of cleaning up, making good builders defective work and replacing our possessions. Total costs were in excess of £90,000.

Sadly our home which now suffers from property blight will never be the same again.

The financial and emotional effects are considerable and ongoing and we now live in constant fear of reoccurrence, this being highly likely given the forecasted change in our weather patterns.

We live in hope that action can and will be taken to prevent or mitigate this life affecting issue.

Poynton Residents

1. We have lived here for 22 years and the garage has flooded on three occasions and the house once, on the 31 July 2019.
2. A pool of water often collects about ten yards from the entrance, on consistent heavy rain days, effectively cordoning off homes, if on foot.
3. On 31 July 2019 our home was submerged by six inches of water for about four hours causing considerable damage and outside in places the water was nearly three feet deep stopping any access to the houses.
4. While our neighbours moved out for building work to commence we had to stay put due to our pets and live upstairs while work was implemented.
5. We have been in the village now for 37 years and soon wish to downsize but feel that if no preventative work is done around the area it would be unfair to pass this blighted property onto someone else.

Poynton Resident

As a Poynton Resident the following outlines the impact of the event:

1. My home and garden was flooded to a height of 2.5 feet of water within the home. The result of a culmination of the following:

- a) The river level rising over the bank and unable to flow under the bridge
- b) A tsunami wave of water flowing alongside the river with an unknown origin
- c) Flood water sweeping into the property as a result of surface water on the main road and an unmanaged situation which allowed continuing heavy traffic to proceed through the flood water causing waves of water to flow back into properties.

2. Consequence

Financial

- a) £155,000 insurance claim
- b) Relocation into rental property for 13 months +
- c) Loss of personal property acquired over a lifetime
- d) Increased insurance premium costs
- e) £8,000 cost of flood defences

Emotional and Psychological

Mental and physical health impact on myself and partner as a result of

- a) Loss of home and security
- b) Inordinate amount time and energy spent in the reinstatement of my home requiring administration, attendance in supervision and organisation of works
- c) Continuous battle on a daily basis with loss adjuster, insurance company, builders, surveyors
- d) Lack of financial support and action by agencies Cheshire East, Environment Agency, Local Council etc.

3. Action Required

A co-ordinated approach

Despite having an Environment Agency Flood Level Box outside the home no flood warning was given.

Social media as a form of communication is not appropriate at a time of emergency, better communication needed.

No physical help in flood prevention given Crisis management plan was absent.

Ownership of responsibility for lack of maintenance of the Brook, highways, drainage etc.

Post flood action planning Future planning and funding for flood prevention by appropriate agencies. Direct communication with affected parties by appropriate authorities.

Poynton Resident

I in Poynton with my spouse and child. Unfortunately, our home was flooded in the July 2019 flood event. My house was in the direct path of a large flow of surface water. My house was seriously affected along with our neighbours close by.

My Experience:

- We were on holiday in Europe at the time of the flooding so we were powerless to act and had to return with a sense of dread at what we would find.

- We were sad to find a significant amount of mud and debris around the house with water marks on the walls showing that there had been 1.5 feet of water surrounding the house. The water had filled our basement and completely saturated the flooring in the living area above.
- In the following days our house was stripped bare on the ground floor and set up with industrial drying equipment to dry the house and remove the smell. This process lasted 3 weeks during which time we needed stay in local budget hotels.
- Our insurance company would not pay for long term accommodation, so once the house was sufficiently dry, we moved back in whilst the work to refurbish the ground floor was undertaken by numerous tradesmen. This was not an ideal situation and quite a stressful time as you can imagine.
- After months of struggle, it was a relief to get our home back to some normality once again, but we do not have the same peace of mind as we once did and find ourselves nervously checking the weather and flood reports whenever storms are forecast.

My concerns:

- I have taken some steps to protect my property including installing water resistant airbricks, but I feel I am limited at what I can do given the size of the problem and it seems inevitable that we will have to deal with another significant flooding event in the not distant future.
- After the 2016 flooding in Poynton a Cheshire East report proposed that this flood was a rare and unusual occurrence, but just 3 years later that assessment was proven inaccurate with this more serious flooding event.
- A particular area is not directly in the vicinity of a water course and at first inspection may be dismissed as of lower risk of flooding and not warranting attention for flood prevention measures. However, there is obviously a serious problem with surface water drainage in the area which combined with the geography of the land that makes residents prone to flooding.
- A search of my address on the government flood risk website now reveals that my property is designated “High Risk” of surface water flooding – this was not the case in 2017 when I purchased the property. The local government has acted to warn potential property buyers of flood risk in the area, since myself and my neighbours obviously already realize this fact.
- I sincerely hope Cheshire East and local authorities are not going to abandon affected Poynton residents and will put into place a positive set of preventative measures that will reduce this risk level in the near future.

My questions:

- After the flooding in 2019 it appeared the council initiated a short-term program of clearing drains and gullies. Is there an ongoing plan for preventative maintenance/checking of drains and gullies in Poynton? In past years I recall seeing council workers proactively clearing drains but now it appears the onus is on residents to report a problem first which is obviously not ideal in a high flood risk area.

- I believe residents have been provided with plenty of information on action they can take in a flood emergency and what limited measures which they can take to protect their properties on their own accord. In addition, I would like to know what overall action is being taken or planned on a larger scale to reduce the risk of flooding for Poynton residents?
- What is Cheshire East Council's role and remit in addressing the flooding problems in Poynton? What can residents expect?

Poynton Resident at the time of the flood events

To give some context, previously we were not on a floodplain nor were advised of any potential flood issues when we moved in.

June 2016

We were all at home, it was a Saturday and it had been raining heavily for some time, which wasn't unusual in the North West!

A neighbour messaged to say she had water coming into her garage and it was rising quickly. We headed into our kitchen/diner to check in our garage and could see about 30-40cm of water had already entered the garage and all our possessions were floating. We went back in to the dining area and could see the back garden was already under water and dirty, silt-filled water was seeping through the patio doors. We had never experienced this before so had to think quickly, we called my in-laws and asked them to pick up the children, who were only 5 and 7 at the time and were crying and scared. They waded through the front garden and were taken somewhere safe while we ran around the house, in vain, throwing towels at the water seeping in and trying to mop the floors. We couldn't believe how fast that time went and how quickly the water entered the ground floor. When we realised we were fighting a losing battle, we then desperately tried to save what we could off the floor, either piling things on top of tables, sides and sofas or taking as much as we could carry upstairs. We were in huge shock and almost on autopilot. We got advice to turn off the electricity etc and tried to make sure the neighbours were ok, all 4 of us in a row flooded. The water entered the whole ground floor up to above the skirting boards. When it receded, it stank, leaving silt, dirt and debris everywhere.

We had to stay with my in-laws for 3 weeks, it was the most stressful time in very cramped conditions with hardly any of our belongings for a time, trying to keep the kids calm, go through all the necessary paperwork, talk to endless people, subcontractors etc to try and get everything sorted. The insurers were taking a while to find us a rented property, as a fair few houses had flooded too. After many calls, I managed to find one for us, then we had to sort all the paperwork and payments for that, including a large deposit, which we finally managed to get the insurers to refund us. We completely moved house and stayed in the rental for 6 months, moving back home in Dec 2016.

The whole restoration process in the house was hugely stressful, so many different people involved and it took far too long, absolutely not cost effective for anyone. There were a lot of cut corners and botched jobs that added further stress. They didn't even wait for us to witness what they were throwing out, tons of things, many with sentimental value and some of which had not even touched the water, got thrown in a huge skip.

We were told it was a 'one in a hundred year occurrence' and would never happen again. To the best of our knowledge, very little was done about investigating the causes of the flooding, nor was any remedial work undertaken.

In the intervening time, as we'd been told it would never happen again, we settled back into our home. We still got nervous whenever it rained heavily but truly believed it wouldn't happen again. Our home insurance increased but we were able to stay with the same insurer.

2019 – 31 July

Again, heavy rain fell. All the neighbours were very anxious, two were home on their own with children / grandchildren. We were home with the kids too. Water started rising in the drive and the garage and we were frantically messaging each other. As soon as it started entering the garage, we knew we had to get moving. We turned off all electricity etc and moved as much as we could upstairs and made sure the kids were safe. I remember crying in disbelief that it was happening again while we were running around. I went to all my neighbours, made sure they had turned off everything and helped them to shift and move things off the floor. Once it fully entered the ground floor, we knew we couldn't do any more. Our next door neighbour to the left of us, who hadn't been fully affected before, was battling to get water off her drive, it was coming so fast, so many of us brushed and bucketed water off the drive and into large bins, taking it to the nearest grid...so many of us worked to save their house and we did, thank goodness.

We again went to my in-laws. We were out of the house for just under 6 months and had to move, due to the lack of availability of rentals, 12 times in that time, with two young children and a dog and trying to run our business. We moved from hotel to hotel and Airbnb. It was horrendous, living out of suitcases, coming back to refill them at my in-laws. We genuinely did not know where anything was. Our daughter broke her leg in the midst of all this and we had to navigate hotels with crutches.

As the restoration of the house last time was managed by the insurers and various sub-contractors and went very badly, we decided to settle for an amount paid by the insurers and do the restoration ourselves, so we could have some control over it. The initial throwing out and drying process is still, however, contracted out by the insurers. Things were thrown out that had not even touched the water, inventories of things thrown and packed were missing things and things went missing. Again, added stress to an already stressful situation.

We had to work through tens of pages of inventories, try and remember everything and order all the new equipment etc in time for our move back home.

A large community action group was set up and saw hundreds go to the initial meeting. There was understandably a lot of anger and upset that it had happened again and nothing had been done since 2016.

After this flood, it became clear to us that we were at risk of future flooding and so we invested thousands of pounds of our own money (as there were no grants available) in putting in our own flood resilience measures in place: raised plug sockets, flood angel bricks and physical barriers for the garage, patio, front and back doors. For us, it was about our personal peace of mind. However, we dreaded any time it rained heavily and constantly looked at the EA website for warnings. Unfortunately, our home insurers didn't take the flood resilience measures we had taken into account.

Fortunately, CEC did do some work locally, widening the culvert on Glastonbury Drive, which took off a lot of the pressure and helped it to manage the flow better.

It also undertook a 'without prejudice' clearing of hundreds of tons of rubble which had been blocking the culvert running under the neighbourhood for who knows how long. If only this had been done earlier, we would have avoided this second more stressful and hugely expensive occurrence.

After the second flood, we've struggled more with insurers and even though we have now moved house, our original insurers refused to quote for the new house because of our past claims, despite the fact that we were moving out of what was now labelled a flood risk area.

Although the work undertaken by CEC and partners seems to have removed the immediate flood risk, this will need to be maintained or the culverts will again block. Other flood mitigation work needs to be continued to slow the flow of water to, take the pressure of the culvert system.

We believe that there are so many improvements that can be made to the end to end flood experience that people have to endure, many of which will relieve some of the pressure and would drastically reduce the expense.

Poynton Residents

The ground floor of our house, garage and out buildings were submerged by 100mm of flood water, causing substantial damage to the building and its contents. Many irreplaceable personal items were lost.

The house was uninhabitable, forcing us to move into temporary accommodation for 4 months.

We were on the third day of a two week holiday which we had to cut short and return home. This caused us to lose out financially as well as losing out on the holiday.

One of our cars was written off due to it being submerged in the flood water.

The flood also affected us financially as insurance premiums have risen and the cost of trying to protect our house from any future flooding has cost us a considerable amount of money.

The distress that was caused by the flood was far worse than any physical damage to the house. This distress continues whenever there is a persistent rainfall or flood warnings.

Our flooding wasn't caused by overflowing water courses and was purely due to insufficient drainage so if anything can be done to prevent a situation like this in the future it's got to be worth looking into.

Poynton Residents

We'd only recently moved to Poynton in June 2019. The relevant searches as part of the purchasing process highlighted that we were in a "high risk" area for surface water flooding. The sellers of the Property did also disclose the 2016 floods within the property information pack and advised that the garden flooded as well as the garage. However, we didn't comprehend the reality and what could and did actually happen.

As noted, we'd only been in the house a month by the time the 2019 floods occurred. On the actual day, my spouse was in the house alone with our (at the

time) baby. If it wasn't for family who live around the corner and the preventative action, the consequences could have been far worse.

In the grand scheme of things and in comparison to some of our neighbours, we were extremely lucky. The back garden flooded with the water to at least 18 inches entering through air bricks under our floor in the back room. The water also entered our garage and as we'd only moved into the house a month prior, the garage still contained boxes of house possession, some of which were extremely personal and irreplaceable. Unfortunately, a good number of these boxes got damaged and had to be thrown out.

Since 2019, any periods of heavy rain/warning notices etc... we naturally start to worry and keep our fingers crossed hoping for the best. In fact, since 2019 our garden has flooded 5 or 6 times. The natural flow of the water means that our garden is one of the first places for the water to collect. Luckily the 5 or 6 times the garden has flooded in addition to the "big" flood in 2019, the water has stayed in the garden and hasn't affected our property.

The recent erection of out-buildings by neighbours has also led us to worry. In 2019 and several times thereafter, there was dense foliage at the bottom of the garden meaning that there was a way out for the water. Since the erection of the out-buildings and effectively a wall along the bottom of our garden, we fear that the water may not have anywhere else to go which of course would cause greater detriment to our property.

We fully appreciate all the work our neighbours have done campaigning for drain/culvert clearances as well as the recent Poynton brook maintenance works.. If these hadn't been undertaken I'm sure there would have been more instances of flooding.

Poynton Resident

Our family home has flooded twice now resulting in the whole downstairs having to undergo structural and cosmetic work. The water was waist high throughout the whole bottom floor of the house in both 2016 and 2019. We have two children, and on both occasions we have all ended up living on one floor of the property for 7 months each time. We have a 'drain' that runs through our bottom garden (looks like a stream but is in fact a drain from an old pool that was situated in the field behind the property during the 18 and early 1900s). The problem we have arises when the waterfall volume is high or quick, i.e. flash flooding). The field behind us which is privately owned fills up with water that has to go through the stream in our garden and take a sharp right angle back into the field next to us. Because we are 'one' property and it hasn't yet backed up high enough to flood the properties on the road adjacent to ours, we are left with no resolution as the council focus on main roads and areas where multiple properties flood. The owners of the field behind and to the side of us have tried to mitigate risk at their own cost – and although this has slowed down the flow of water, it still reached 4 feet in our garden (we have now built a large wall to protect the house).

Flooding Major Incidents: Experiences of a Poynton Business

Brook House Farm Pre-School Centre

Flooding 11th June 2016 and 31st July 2019

Background

2016 saw flash flooding affecting large areas of Poynton, Cheshire. This was the first time in living memory flooding on this scale had been seen in Poynton. Brook House Farm Pre-School Centre was purchased in 1989 and opened for business in 1990. It is set off Park Lane and consists Tudor aspects (dating back to the 1600s) to the building with an extension to the rear in 1989. The brook runs in front of the building, separating the premises from Park Lane.

Owner ensured the brook was kept clear of debris and regularly maintained the waterway, including digging out excess silt and removing excess plant life. Prior to 2016, even during periods of heavy rainfall there had been no issues with the brook or drains causing flooding to either the grounds or premises.

The business was fully insured for flood cover prior to the 2016 flooding, and the area was not considered a flood risk with a one in every 516 years chance of flooding. The flash flood was deemed a one-off event with a low risk of repeat flooding. The business was therefore re-insured with a larger premium. There was little activity from the various authorities following 2016 flooding. There was no drain cleaning programme, no checking of blocked culverts and no monitoring of the brook.

2016

Flooding

The water levels devastated the ground floor and outdoor areas of the business. All content in these areas was destroyed including:

- Toys and childrens equipment
- Furnishings
- Decorative items
- Kitchen and kitchenette
- Fridges and freezer
- Computers and tablets
- Filing cabinets and records
- Past records, accounts and banking
- Childrens coats, shoes and bags

The building damage was also extensive

- Contamination of carpark, driveway, outdoor playground and building
- Removal of plaster in outbuildings and downstairs of the main building
- All downstairs windows and doors had to be replaced
- Stone work repointed

- Flooring and carpet
- Electrics and plumbing

The flooding in 2016 occurred on a Saturday, so children did not need to be evacuated. However, it was a staff training day, so staff had to evacuate and several cars that were parked in the car park were destroyed by the flood.

Temporary Premises

Temporary premises secured after extensive trawling of the surrounding areas to find premises that were available and suitable to accommodate 50 children and babies. The Methodist church/PCF kindly offered their premises for 2-3 weeks until the outdoor areas could be decontaminated, and the site cleared of debris and assessed for damage. Children were temporarily relocated to this site. Ofsted were contacted for approval and placed on offsite time limit.

Recovery

The insurance team allocated a project manager to organise clean up, inventory and building works.

1. The owners persuaded the insurance to allow temporary cabins to be erected onsite for the babies, younger and older toddlers who usually occupied the downstairs of the main building. This allowed the business to remain onsite, fulfilling OFSTED requirements. The rear staircase was assessed for damage, decontaminated, re-plastered and carpeted during the 3 weeks offsite so the pre-school could access the upstairs of the building while avoiding the building site. The cabins were challenging to get on and offsite, they required cranes and specialist equipment. They needed plumbing, electric and drainage. They cost in excess of £90,000 to install, remove and rent. The plumbing and electric were at an additional cost. They had to be secured with specialised ramps and purpose built fencing and gates at additional cost.
2. The building was dried out during the 3 weeks offsite, safety features were installed to separate the building site and a complete decontamination, replastering, new flooring, carpets and decoration occurred and the building re-opened on 31st October. There was a lot of red tape to get through before building work could commence. Additional challenges to the building work included working around opening times and ensuring the building site remained safe and secure while the business continued. Owner was allowed choice of builder which meant building was of a suitable standard for the type of building and ensuring the business suffered minimal interruption. The team worked evenings and weekend to get the building work completed in a short time and the children were back in before winter. The insurance company were pushing for building contractors based in Scotland that would have further delayed works.
3. The cabins were fitted out with appropriate toys and furnishings. A kitchenette/office was installed with toasters so the children could be provided with their breakfast. Poynton as a village came together to support the nursery, and many donations of

toys and equipment were made. Staff had to check suitability and safety of all donations and these were used during the period prior to going in the cabins.

4. Cooking was completed offsite and had to be transported to the nursery, so children could have their hot lunch and tea. This took extra staff and resources.

Impact

The short- and long-term impact of flooding was challenging for the business and included:

- Loss of customers
- Loss of earnings
- Challenge to gain new customers
- Extra work communicating and reassuring current customers
- Maintaining a high standard with extremely challenging circumstances
- Keeping staff moral up
- Keeping children settled
- Preparation for future floods
- High insurance premiums
- Flood related paperwork on top of everyday business
- Recovering lost records

2019

Flooding

In 2019 the flooding affected far more properties across the Poynton area. Unlike 2016 flash flooding, staff were able to monitor water levels rising over the course of the day.

Following the 2016 flooding revised risk assessments and a flood evacuation plan had been put in place.

Once water levels reached an unacceptable level with no sign of the rain stopping the decision was made to start evacuation. This included:

- Turning the electric off
- Phoning parents using mobile phones (the weather conditions made this extremely challenging and it took longer than anticipated to reach every parent)
- Evacuating the children through the garden into the neighbouring property. The brook cuts park lane off and much of park lane was flooded as were the roads in and out of Poynton. The neighbouring property is set at a higher level. - Ensuring the children had food, drink, coats and blankets

The water level did not reach the same height as 2016, but the damage was as extensive.

Following 2016 the business took the decision to digitise any records that had survived and use digital records going forward. Computers were switched to all-in-ones so there were no towers on the floor to get destroyed.

The recovery and impact were similar to 2016.

Finance

After 2 floods and the cabins being of poorer quality, the weather being continuously worse and colder as it was later in the year, there was a bigger financial impact. There was a much longer financial recovery.

Insurance

The area is now listed as a flood risk area so it impacts the insurance, and level of flood cover. As the property is commercial the company cannot access the government flood insurance scheme.

Flood Defences

As Poynton is now at flood risk, with uncertainty regarding insurance renewal options and to put the protection and welfare of the babies, toddlers, young children and staff, the decision was reached to install flood defences.

- The water course (brook) was not touched as part of the defences.
- The existing walls and hedges behind the brook were replaced with a defence wall.
- An engineer was employed to draw up the plans
- Consulted with Environment Agency
- The wall was constructed using steel reinforcement
- Flood gates have been installed across the bridge
- Pumps and sumps have been installed to remove excess surface water
- Joined the Poynton flood group
- Consulted with the Environment Agency for a detailed Emergency Flood Evacuation Plan
- Cost in excess of £50K with no financial support that was originally promised.

Impact on Mental Health

Flooding twice in a short period of time has had a huge impact on mental health:

- Constant fear of flooding
- The business is the current owner's life work, it has been built up over 30 years and flooding threatens its future.
- Devastation and helplessness when the flooding occurs
- Exhaustion – working 7 days a week, very long hours, to keep up with the excess work load and fighting to keep the business going with its reputation intact.

Risk of Future Flooding

Actions taken

Following 2019 flooding, Poynton residents were advised to make their own defences. As outlined above Brook House Farm Pre-School Centre has done this.

Cheshire East Council have organised the cleaning out of culverts and drains.

The Environment Agency investigated and carried out work on watercourses and flooding areas. They have been working with flood groups and landowners and other relevant authorities.

United Utilities have also undertaken their own investigations and carried out works.

Lyme Park have undergone their own defences.

Future Actions

Brook House Farm, like many other affected businesses, would like to see greater commercial support:

- **More preventive action** o A programme of maintenance of drains and culverts
 - o Installation of early warning systems with support from rescue services
 - o Upgrading the waste water system
 - o Separate ground water system
 - o Careful consideration of building programmes over land. While individual projects may not cause flooding the extensive building programme is taking away land for water to drain, changing the surface water course and is contributing to the flooding now being seen in Poynton and the surrounding areas. Especially with the climate change we are now seeing. It is worth noting the dates coincide with the construction of the new road, which constantly floods.
- **Financial support** o Insurance – Flood RE, currently this is only available for domestic o Grants for defence and defence maintenance
- **Evacuation support** o Priority evacuation (50 under 5 years old to evacuate)
 - o Wider support for the Poynton Community, with a detailed flood plan in place, including Emergency Services. 2019 highlighted how unprepared Poynton was for flooding.

Appendix 2

Section 9JA and 9JB of the Local Government Act 2000 states that:

- 1) A committee system local authority that is a lead local flood authority must review and scrutinise the exercise by risk management authorities of—
 - (a) flood risk management functions, or
 - (b) coastal erosion risk management functions,which may affect the local authority's area.
- 2) A local authority may issue such reports and recommendations as it considers appropriate in the course of exercising the function in subsection (1).
- 3) A risk management authority must comply with a request made by a local authority in the course of exercising the function in subsection (1) for—
 - (a) information;
 - (b) a response to a report.
- 4) The Secretary of State may make regulations about the duty under subsection (3) which may, in particular, include provision—
 - (a) about the procedure to be followed in relation to requests and compliance with them,
 - (b) about notices to be served in relation to requests,
 - (c) for exemptions from the duty,
 - (d) requiring persons to attend to give information orally,
 - (e) about the nature of the information and responses that may be requested, and
 - (f) about the publication of requests, information and responses.
- 5) A risk management authority must have regard to any reports or recommendations mentioned in subsection (2) that relate to it.
- 6) Expressions used in this section have the same meaning as in Part 1 of the Flood and Water Management Act 2010.]

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Appendix 3

Section 19 (1) and (2) of the Flood and Water Management Act (2010) states:

19 Local authorities: investigations

1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate—

a) which risk management authorities have relevant flood risk management functions, and

b) whether each of those risk management authorities has exercised, or is proposing to exercise, those functions in response to the flood.

2) Where an authority carries out an investigation under subsection (1) it must—

a) publish the results of its investigation, and

b) notify any relevant risk management authorities.

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Appendix B - Highways Service – LLFA Additional Resource Summary					
Area	Job Title	Key focus areas	FTE	Estimated Cost*	Notes
Lead Local Flood Authority	Flood Investigation Officer	Take the day-to-day lead role in ensuring LLFA is meeting statutory duties specifically relating to planning, enforcements and flood investigations, plus land drainage consenting.	1FTE	£35,000 - £40,000	Role is responsive and will need to visit multiple sites daily. Will work in tandem with the Flood Risk Engineer role.
	Capital Projects Engineer	Take a lead role in developing external funding bids / business cases. Role would then manage any projects which funding granted for.	1FTE	£45,000- £55,000	Potential for role to be substantially funded via external grant monies once established. Role will be strongly linked with existing asset management teams to identify viable projects.
	Flood Risk Engineer	Take a lead support role in managing the increased demand in statutory responses to planning applications, interface with HS2, statutory Flood Risk Management Plans	1FTE	£40,000 - £50,000	Potential for a proportion of the role to be funded via a new planning pre-application advisory service offer. Line management responsibility for Graduate Flood Risk Officer.
	Graduate Flood Risk Officer	Support to the wider LLFA team but in particular in managing the increase demand in general planning applications, enforcement matters and development of statutory FRMP type documents.	1FTE	£25,000 - £30,000	A temporary resource is currently in place to support flood risk inputs in to planning determination process – needs longer term solution.

*Includes employment on costs

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Working for a brighter future together

Highways and Transport Committee

Date of Meeting:	22 nd September 2022
Report Title:	Review of Highways Ward Member Budget Scheme
Report of:	Tom Moody, Director of Highways and Infrastructure
Report Reference No:	HT/42/22-23
Ward(s) Affected:	All

1. Purpose of Report

- 1.1. To propose a policy for a revised ward budget scheme based on experience gained and lessons learned, to be implemented for 2023/24 onwards.

2. Executive Summary

- 2.1. In line with the Council resolution this report summarises the background to inception and results of the initial period of the ward budget scheme, including issues raised and lessons learned.
- 2.2. From the issues observed and feedback offered, a review of the way forward with highways ward Member budgets was deemed necessary and a summary of the key points considered is as follows;
- What has been the level of engagement in the scheme?
 - How successful has the current administration process been in terms of supporting the schemes objectives?
 - What are the lessons learned from the first two years of the scheme?
 - What is an appropriate budget per Member per annum for the scheme?
 - Considering the above, how should a policy on ward Member budgets be progressed going forward?

- 2.3. Based on the above the report then sets out a preferred option and its benefits to implementing a revised scheme for the next 4 financial years.
- 2.4. The proposal provides an uplift to the individual annual ward budget of over 50% from the current £4,200 per annum.
- 2.5. The proposal would equate to an uplift in the total annual ward budget to £553k from £370k (+£183k). The balance of these monies would have to be found from the current highway capital allocations contained in the Medium Term Financial Strategy (MTFS).
- 2.6. The report also seeks to align the proposed revised approach to the themes coming out of the analysis of responses to the recent Highways satisfaction survey.

3. Recommendations

- 3.1. That the Highways and Transport Committee resolve that the following proposals are adopted as the new policy in relation to the ward Member budget scheme;
 - 3.1.1. That the annual budget per Member is increased to £6,500 per annum.
 - 3.1.2. The revisions to how the scheme is administered, as set out under Section 8.1 of this report are implemented.
 - 3.1.3. That the revised scheme operates for a fixed 4 year period with delivery commencing in April 2023.
- 3.2. To approve the re-allocation of a maximum of £255k underspend from the initial 2 year allocation to the ward budget scheme to those initiatives as listed under paragraph 9.2.8 of this report.

4. Reasons for Recommendations

- 4.1. To clearly set out the revised framework for a highways ward member budget scheme, applying lessons learned.
- 4.2. To enable greater efficiency and hence increased value for money in the delivery of the ward member budget scheme.
- 4.3. The adoption of this proposal would align with the Cheshire East Corporate Plan 2021-2025 aim of being 'A thriving and sustainable place' under the priority 'A transport network that is safe and promotes active travel'.

5. Other Options Considered

- 5.1. The Committee could choose not to extend the ward budget scheme beyond the initial 2 year period however this would not be in line with the resolution from Full Council.

6. Background

- 6.1. During the debate on the MTFS for 2021-25 at the council meeting of 17th February 2021, the following amendment to the budget resolution was proposed and approved;

... to establish devolved ward member highways budgets of at least £4,200 per Ward Member for the financial year 2021/2022, with the proposal to be funded from the current allocation of Capital Grant funding to the Area Highway Groups of £350,000 and that the Committee System review achievements of the ward budgets scheme in 2021/22 with a view to widening the scheme in 2022/23 and beyond with a significant increase in the budget amount to be allocated to each Ward Member.
- 6.2. Subsequently a detailed proposal was developed in line with the Council resolution, reallocating budget from the former Area Highway Groups to the ward member budget scheme. This funding comes from the Local Transport Plan highway capital grant from the Department for Transport (DfT).
- 6.3. The Council has previously determined, including in its returns to the DfT that this grant funding is spent on improvements to the highway and transport networks within the borough. The ward budget 'pilot' scheme was developed to be consistent with this requirement. It should be noted that officers were in a position of having to interpret a Council decision with minimal guidance from the DfT due to the impact of the Covid pandemic and that there had been no pre-work in terms of setting a clear policy and system for the operation of the scheme in advance of the Council resolution.
- 6.4. The Ward Budget scheme has been termed as a 'pilot' in the context of a trial of the administrative processes which underpin the delivery of the ward budget scheme, rather than a trial of the principle of having a ward budget scheme in its own right. This is in line with the original resolution on the basis that a review was proposed and approved in order to understand the scheme's achievements. This highlighted areas of potential improvement to these processes.
- 6.5. The scheme was initially developed for ward Members, but given the nature of the highway works under consideration, applications from any Town and Parish Council have also been considered. These organisations would be able to use the same mechanism to deliver schemes that they could commit to funding either in full or by working with the relevant ward Member.
- 6.6. Briefings were rolled out and all ward members and representatives of all Town and Parish Councils were invited.
- 6.7. The Highways & Transport Committee received an update on the ward budget scheme at its meeting in January 2022 with the intention that a final

report will be submitted to the committee in September 2022 with recommendations on how to deliver and manage the scheme in future years.

7. Overview

- 7.1. In the last and current financial year, ward Members were each individually issued £4,200 to spend on highway related issues within their ward. These amounted to a total budget of £370k inclusive of a circa £20k allowance for staffing costs relating to administering the scheme.
- 7.2. During the early stages of the scheme, enquiries were initially slow in being submitted but started to pick up following a series of reminders sent to Members by Cllr Browne and more recently the Interim Head of Highways.
- 7.3. Ward budgets have been able to be spent on a variety of highway assets or maintenance activities and so far, successful schemes have included street lighting upgrades, footway patching, carriageway patching, additional road signage, replacement road name plates, drainage works and road markings.
- 7.4. The original deadline of 30th June 2022 for applications was subsequently extended to 15th July. The reason for a deadline for applications was as follows;
 - To ensure that adequate time remains for the assessment and delivery of the works.
 - To have a defined end date, to enable a review of the scheme to be undertaken, which is required in advance of budget setting for 2023/24.
- 7.5. As at 12 September 2022 progress on the applications received is as follows

:Progress on formal applications:	No. of Schemes
Delivered	18
Programmed for delivery	15
Currently being designed / costed for quotation	52
Received and awaiting assessment / Member meeting arranged	4
Checks for policy compliance underway	0
Declined - not policy compliant	11
Declined - insufficient budget (or rescinded on same basis)	21

Declined - schemes already in Highway Service core programme	16
Total No. of Schemes To date	137

- 7.6. Although there have been 137 formal applications there have been a much larger number of informal enquiries raised which have needed to be responded to. The officer time to service the current application led process has been significant.
- 7.7. 48 applications (35% of all applications) were declined on the basis of being either non policy compliant, unaffordable or already on the highways work programme.
- 7.8. The restrictions on how the money can be spent (i.e. on highway activities only) has led to representations from some Members who thought these monies could be used to fund wider public realm type initiatives such as park benches or provision of litter bins, for example.
- 7.9. Some Members have been disappointed with the level of funding available especially given the size of their wards, as this can limit their ability to deliver any meaningful works.
- 7.10. In summary therefore the following issues have been observed during the initial duration of delivery of the ward budget scheme:
- The scheme has not seen a full take up by all Members, as a result of the above the allocated 2 year budget will not be spent and hence will require re-allocation in year.
 - The scheme as designed with a formal application process is administration heavy both for the Members and the delivery team.
 - As applications can be submitted at any time, together with the existing demands on the Service, this makes accurate work programming difficult and has led to frustration by Members at the apparent lack of progress in getting schemes delivered.
 - Similar to the above the more ad-hoc nature of works means that there is very limited availability for the Service to proactively look at “buying in bulk” i.e. collecting specific elements of work funded by the ward budget scheme in to larger scale programmes.
 - In specific cases there are known highways defect issues which have been reported to the Council but are overlooked for other initiatives of lower value to the Council’s highway asset.
- 7.11. It should however be noted that there are a number of examples where a good outcome has been achieved, working collaboratively with ward Members.
- 7.12. Therefore there is a clear need to consider opportunities as to how to address the issues observed at paragraph 7.10.

7.13. The Highways Satisfaction Survey, which was sent out to Members, Town and Parish Councils, recently closed and whilst analysis is not yet complete a number of themes have emerged.

- Defects are reported potentially several times over an extended period (up to 3 years) which when assessed on a wider highway asset management basis are only of a low to very low priority.
- These defects are generally those which are seen as locally important, in particular to the Town and Parish Councils.
- The lack of ability to effectively collate these “low asset priority, high local importance issues” and place them into a work programme to give certainty around when they will be addressed, has a direct impact on levels of customer satisfaction.

7.14. Therefore, there is a clear opportunity to consider how we combine the ward Members budget and addressing the feedback gathered through the satisfaction survey.

7.15. There is also however a clear picture that based on the lessons learned there is a need to refine the approach focussing on these improvements exclusively on highways and not seeking to expand the scope of work beyond this at the current time.

8. Preferred Option

8.1. Whilst addressing the key shortcomings of the current system and retaining Members ability to influence what works are undertaken the suggested preferred option is as follows;

- Uplift the current £4,200 per annum ward budgets to £6,500 per annum from the Highways capital budget over the next 4 years, commencing on 1st April 2023/24. Please note commentary under section 9.2 of this report.
- Cheshire East Highways develop a rolling 2 year look ahead programme of work for each ward which is based on valid highway defects reported by the relevant Member and the related Town and/or Parish Councils through the Fix My Street or MES systems. These programmes would be lower priority work not already contained on existing highways work programmes but raised due to their local importance.
- This 2 year rolling work programme is then issued to each ward Member for approval with an offer of a 121 discussion should they so wish. Members would then have the ability to re-prioritise specific items of work within their ward programme, as they saw fit.

- These work programmes would be issued to Members in advance of the start of next year's work programme i.e. as part of already established highways contract business planning process, so provisionally mid-January 2023.
- In advance of each of the subsequent years making up the 4 year period (again provisionally January) a review would be offered to all Members, informed by new data, allowing any re-prioritisation of the remaining years work programmes as they felt was appropriate.
- Members may however choose to accept the work programme proposed "as is". For any wards whose Member do not respond within a set timeframe the proposed annual works list for their ward would be implemented by default.
- It is recognised that there is the potential for a number of new Members post the May 2023 elections who may wish to review priorities within their ward. The proposal therefore is to have for 2023/24 only a further round of direct engagement with new Members only with the purpose of reviewing their ward works list, provisionally mid to late June.
- It is considered that the above measures alongside an increase of staffing resource attached to managing the scheme will streamline and enhance performance related to the overall administration of the ward budget scheme.

Benefits

8.2. The benefits to this revised approach are as follows;

- Members will retain the flexibility to prioritise / re-prioritise the work at the start of each year and whether to spend their allocation equally over the 4 years, combine multiple years or fellow Member ward budgets to deliver larger value investments.
- Avoids the current situation of applications being voided on the basis that they are either non policy compliant or are already being delivered within the committed Highways work programme.
- This gives some level of timescale certainty to have these locally important issues addressed, often lacking at the moment due to their relative low priority in many cases – in direct response to a key theme coming out of satisfaction survey feedback.

- The process would allow a known quantum of work to be programmed from the start of each year rather than trying to fit in ad-hoc as and when Member applications are received and validated. This would make delivery of the Member budgets more cost efficient and generate increased value for money.
- We have the data available already in our reporting tools i.e the Fix My Street system to create the ward programme works lists so this would offer a much less administration heavy approach of developing valid work programmes.
- We would have much greater certainty around budget spend each year, as removes reliance on receipt of valid Member applications to be able to do so.
- Frees up resource both Highways Client and CEH to focus on other Service delivery issues.
- A positive impact on reducing the number of defect reports / repeated defect reports if this group of customers can see that the works are programmed.
- It directly links back to one of the themes coming out from the now closed Highways Customer Satisfaction Survey – closer engagement with Members and our Town and Parish Councils, hence demonstrates how we are listening to their concerns and taking action to address.

9. Implications

9.1. Legal

- 9.1.1. The Council has a duty under the Highways Act 1980 to maintain the highways network within Cheshire East. The proposal shifts more funding away from the core highways maintenance programme and it has been noted that this may in time affect the Council's status as a Band 3 authority. The risk is that should the Council cease to be classified by the Department for Transport as a Band 3 authority it would see its funding decrease on an annual basis.

9.2. Finance

- 9.2.1. The proposal equates to a 50% + uplift in the annual ward budget available to each Member.

- 9.2.2. The proposal would equate to an uplift in the total annual ward budget to £553k from £370k (+£183k). The balance of these monies would have to be found from the current highway capital allocations contained in the Medium Term Financial Strategy (MTFS). Hence other area(s) of highways investment will have to be reduced to allow this, areas which will be proposed as part of a highways budget paper to Committee in early 2023.
- 9.2.3. At present it has not been determined where these funds would be reallocated however it is proposed that for the first two years the additional funding for the scheme is 'top sliced' from the Council's own additional highways capital investment.
- 9.2.4. A number of risks are relevant to the proposed 4 year duration which Members are advised to take in to consideration when considering the recommendations, notably;
- The known 'static' Local Transport Plan capital grant settlement from the Department for Transport (DfT), thus providing the Council with a level of certainty on future funding would extend only to year 3 of the scheme;
 - Recent communications have shown that the DfT are looking to steer more towards "performance" influencing capital budget settlement £values with likely initial impact from 2024/25. It is not clear how this will work at present with a consultation to follow, but the risk is that DfT settlement decreases;
 - Conclusion of the current tranche of additional Council capital investment midway through the 4 year period, hence removing any ability to smooth out other grant funded budget changes;
 - Members will still be able to roll budgets over to accrue or combine ward budgets to fund larger schemes but now over a longer period and hence the potential for observed underspends is greater if a large proportion of members choose to do this.
 - The proposed 4 year period goes beyond current MTFS so will be subject to a further approval as part of the Council's budget setting for 2023/24.

Increased Value for Money

- 9.2.5. It should be noted that the revised approach is intended to make the ward budget scheme more efficient from a delivery perspective allowing

earlier planning and programming of work, rather than the somewhat ad-hoc nature of the current system.

- 9.2.6. This will also enable the Council's delivery partners to make more effective use of funding via integration of the delivery of these smaller value works into larger programmes.

Budget Reallocation

- 9.2.7. Members are advised to note that due to the reasons contained at paragraph 7.10 there is a maximum £255k underspend from the first two years of the ward budget scheme.

- 9.2.8. As per recommendation at paragraph 3.2 of this report it is not proposed to roll these monies over in to 2023/24 and instead reallocate the maximum underspend to allow the final underspend value to be spent in full by March 2023. The following priority areas have been identified for this additional in year investment;

Level 2 carriageway repairs	£172k
Lining Work	£43k
Development and design for 20mph zones (aligned to emerging Speed Management Strategy 2022) -	£40k (fixed sum)

9.3. **Policy**

- 9.3.1. There are no policy related implications of this report other than those set out within.

9.4. **Equality**

- 9.4.1. There are no equality implications as a result of this report.

9.5. **Human Resources**

- 9.5.1. Existing staff resources within Cheshire East Highways will be used to manage and administer the proposed revised ward budget scheme, hence there are no human resource implications of this strategy.

9.6. **Risk Management**

- 9.6.1. The legal risks to the proposal for a revised ward budget scheme are set out under section 9.1 of this report.

9.6.2. The financial risks to the proposal for a revised ward budget scheme are set out under section 9.2 of this report.

9.6.3. The revised approach is designed to reduce delivery risks based on the ability to plan and programme work more effectively.

9.7. Rural Communities

9.7.1. There are no rural community impacts as a result of the content of this report.

9.8. Children and Young People/Cared for Children

9.8.1. There are no Children and Young People/Cared for Children impacts as a result of the content of this report.

9.9. Public Health

9.9.1. There are no public health impacts as a result of the content of this report.

9.10. Climate Change

9.10.1. There are no climate change impacts as a result of the content of this report.

Access to Information	
Contact Officer:	Tom Shuttleworth Interim Head of Highways tom.shuttleworth@cheshireeast.gov.uk
Appendices:	NA
Background Papers:	Ward Members Highways Budget Pilot Scheme – Update, Highways and Transport Committee report, 13 th January 2022 (pg 89-94 of agenda pack) (Public Pack)Agenda Document for Highways and Transport Committee, 13/01/2022 10:30 (cheshireeast.gov.uk) Full Council meeting minutes, 17 th February 2021 Minutes Template (cheshireeast.gov.uk)

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Work Programme – Highways and Transport Committee – 2022/23

Reference	Committee Date	Report title	Purpose of Report	Report Author /Senior Officer	Consultation and Engagement Process and Timeline	Equality Impact Assessment Required and Published (Y/N)	Part of Budget and Policy Framework (Y/N)	Corporate Plan Priority	Exempt Item and Paragraph Number
HT57/22/23	24 Nov 2022	Greenway Crossing of the River Dane	To approve the preferred solution for the Greenway crossing of the River Dane, Congleton and agree the development of the scheme through the SCAPE framework.	Director of Infrastructure and Highways	No.	Yes.	No.	Welcoming, safe and clean neighbourhoods	No.
HT/53/22-23	24 Nov 2022	Idling Vehicle Engines	Officers to undertake a feasibility study in relation to whether the Council should adopt powers that would allow Civil Enforcement action on engine idling.	Director of Infrastructure and Highways	TBC.	TBC.	TBC.	Welcoming, safe and clean neighbourhoods	No.
HT49/22-23	24 Nov 2022	Mid-Year Financial Review of 2022/23	To receive a mid-year review on the financial position for 2022/23 To note or approve virements and supplementary estimates as required.	Director of Infrastructure and Highways	No.	No.	Yes.	Ensure that there is transparency in all aspects of council decision making	No.
HT/62/22-23	26 Jan 2022	Asset Management Documents and Resilient Network Strategy	To receive the Asset Management Policy, Asset Management Strategy, Highway Infrastructure Asset Management Plan and Resilient Network Strategy.	Director of Infrastructure and Highways	No.	TBC.	TBC.	Welcoming, safe and clean neighbourhoods	No.
HT/26/21-22	26 Jan 2023	Flowerpot Junction Improvement Scheme	Authorise to make Compulsory Purchase Orders and Side Road Orders for the delivery of the Flowerpot Junction Improvement Scheme and to approve the forward funding of the additional developer contributions in accordance with the capital programme.	Director of Infrastructure and Highways	Yes.	Yes.	Yes.	Welcoming, safe and clean neighbourhoods	Yes in part.

Reference	Committee Date	Report title	Purpose of Report	Report Author /Senior Officer	Consultation and Engagement Process and Timeline	Equality Impact Assessment Required and Published (Y/N)	Part of Budget and Policy Framework (Y/N)	Corporate Plan Priority	Exempt Item and Paragraph Number
HT50/22/23	26 Jan 2023	MTFS Budget Consultation	Respond to Budget consultation (Highways & Transport).	Director of Infrastructure and Highways	Yes.	Yes.	Yes.	Ensure that there is transparency in all aspects of council decision making	No.
HT51/22-23	2 Mar 2023	Second Financial Review of 2022/23	To receive an update on the financial position for 2022/23. To note or approve virements and supplementary estimates as required.	Director of Infrastructure and Highways	No.	No.	Yes.	Ensure that there is transparency in all aspects of council decision making	No.
TBC	2 Mar 2023	Highways Tree Safety Inspection Policy'	To seek Committee approval to the tree safety inspection policy for highways to allow its implementation from 2023/24 onwards.	Director of Infrastructure and Highways	No	No	Yes	Ensure that there is transparency in all aspects of council decision making	No
HT/44/22-23	TBC	Middlewich Eastern Bypass Full Business Case Approval	To approve the full business for the scheme for submission to DfT	Director of Infrastructure and Highways	N/A.	TBC.	No.	Welcoming, safe and clean neighbourhoods	No.
HT/45/22-23	TBC	A500 Full Business Case Approval	To approve the full business for the scheme for submission to DfT.	Director of Infrastructure and Highways	N/A.	TBC.	No.	Welcoming, safe and clean neighbourhoods	No.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Public Rights of Way Sub Committee**
held on Monday, 1st August, 2022 in the Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor L Crane (Chair)
Councillor S Edgar (Vice-Chair)

Councillors S Akers Smith, H Faddes, L Gilbert and D Stockton

OFFICERS IN ATTENDANCE

Laura Allenet, Public Path Orders Officer
Genni Butler, Acting Public Rights of Way Manager
Richard Doran, Countryside Service Development Manager
Vicky Fox, Planning Lawyer
Marianne Nixon, Public Path Orders Officer
Karen Shuker, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Moreton.

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 MINUTES OF PREVIOUS MEETING

That the minutes of the meeting held on 14 March 2022 be confirmed as a correct record.

4 PUBLIC SPEAKING TIME/OPEN SESSION

There were no public speakers.

**5 TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
PROPOSED DIVERSION OF PUBLIC FOOTPATHS NO. 12 AND 14 IN
THE PARISH OF WARDLE**

The Committee considered a report detailing the investigation to divert parts of Public Footpath Nos. 12 and 14 in the Parish of Wardle. The proposal had been put forward as an application had been received from AEW Architects on behalf of Philip Posnett, as detailed within planning reference 21/6382N.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013:

“(1A) Subject to section 259, a competent authority may by Order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that—

an application for planning permission in respect of development has been made under Part 3, and if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.

Diversion of parts of Public Footpath Nos. 12 and 14 had been requested to allow for the development of a spine road and other associated infrastructure works, as detailed within planning reference 21/6382N. It was noted that as planning application 21/6382N had not been approved yet, the proposed diversion would not come in to affect until such time that it was approved.

The Committee considered the application and noted that no objections had been received from the ward member for Bunbury, the user groups, statutory undertakers, adjacent residents, and Cheshire East’s Nature Conservation Officer.

The Committee concluded that it was necessary to divert parts of Public Footpath Nos. 12 and 14 in the Parish of Wardle to enable development to be carried out.

The Committee unanimously

RESOLVED: That

- (1) That an Order be made under Section 257 of the Town and Country Planning Act 1990 to divert parts of Public Footpath Nos. 12 and 14 in the Parish of Wardle, as illustrated on Plan No TCPA/070 on the grounds that the Council is satisfied that it is necessary to do so to allow development to take place.
- (2) Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, and in the event that planning consent has been granted, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
- (3) In the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

**6 TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 3 IN THE
PARISH OF HENHULL**

The Committee considered a report detailing the investigation to divert part of Public Footpath No. 3 in the Parish of Henhull. The proposal had been put forward as an application had been received from Malbank School and Sixth Form College as detailed within planning reference 21/4557N.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013:

“(1A) Subject to section 259, a competent authority may by Order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that—

an application for planning permission in respect of development has been made under Part 3, and if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.

Diversion of part of Public Footpath No.3 had been requested to allow for the replacement of an existing 3 rail timber fence, as detailed within planning reference 21/4557N. The existing alignment of Public Footpath No.3 would be directly affected by construction of the new steel fence; therefore, the diversion was required to preserve the public right of way. The associated planning application, 21/4557N, had been approved.

The Committee considered the application and noted that no objections had been received from the ward member for Bunbury, Action, Edleston and Henhull Parish Council, the user groups, statutory undertakers, and Cheshire East's Nature Conservation Officer. The Committee noted further information reported verbally by the Public Rights of Way Officer.

The Committee concluded that it was necessary to divert part of Public Footpath No. 3 in the Parish of Henhull to enable development to be carried out.

The Committee unanimously

RESOLVED: That

- (1) That an Order be made under Section 257 of the Town and Country Planning Act 1990 to divert part of Public Footpath No.3 in the Parish of Henhull, as illustrated on Plan No TCPA/074 on the grounds that the Council is satisfied that it is necessary to do so to allow development to take place.

- (2) Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, and in the event that planning consent has been granted, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
- (3) In the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

**7 TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
PROPOSED DIVERSION OF PUBLIC FOOTPATHS NO. 2 IN THE
PARISH OF LEIGHTON.**

The Committee considered a report detailing the investigation to divert part of Public Footpath No. 2 in the Parish of Leighton. The proposal had been put forward as an application had been received from Knights Plc, on behalf of Torus62 Developments as detailed within planning reference 20/3210N.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013:

“(1A) Subject to section 259, a competent authority may by Order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that—

an application for planning permission in respect of development has been made under Part 3, and if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.

Diversion of part of Public Footpath No.2 had been requested to allow for the construction of up to 400 dwellings and associated infrastructure, as detailed within planning reference 20/3210N. The existing alignment of Public Footpath No.2 would be directly affected by construction of a new road and associated infrastructure; therefore, the diversion was required to preserve the public right of way.

The Committee considered the application and noted that no objections had been received from the ward member for Leighton, Minshull Vernon and District Parish Council, the user groups, statutory undertakers, and Cheshire East's Nature Conservation Officer.

The Committee concluded that it was necessary to divert part of Public Footpath No. 2 in the Parish of Leighton to enable development to be carried out.

The Committee unanimously

RESOLVED: That

- (1) That an Order be made under Section 257 of the Town and Country Planning Act 1990 to divert part of Public Footpath No.2 in the Parish of Leighton, as illustrated on Plan No TCPA/071 on the grounds that the Council is satisfied that it is necessary to do so to allow development to take place.
- (2) Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, and in the event that planning consent has been granted, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.
- (3) In the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

**8 TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
PROPOSED DIVERSION OF PUBLIC FOOTPATH MOSTON 7Y (PART)**

The Committee considered a report detailing the investigation to divert part of Public Footpath No. 7Y in the Parish of Moston. The proposal had been put forward as an application had been received from Taylor Wimpey as detailed within planning references 09/2083C, 14/4218C and 14/4212C.

Taylor Wimpey had also been granted consent for the change of use of an area within their development, the 'Yew Tree Farm complex', for residential and non-residential development in the future.

In accordance with Section 257 of the Town and Country Planning Act 1990 as amended by Section 12 of the Growth and Infrastructure Act 2013:

“(1A) Subject to section 259, a competent authority may by Order authorise the stopping up or diversion in England of any footpath, bridleway or restricted byway if they are satisfied that—

an application for planning permission in respect of development has been made under Part 3, and if the application were granted it would be necessary to authorise the stopping up or diversion in order to enable the development to be carried out.

Diversion of parts of Public Footpath No.7Y had been requested to enable the development of residential homes and businesses with associated infrastructure and public open space as detailed in planning references 09/2083C, 14/4218C and 14/4212C.

The rear gardens of residential homes situated between points D-E-F highlighted in Plan No. TCPA/072 would obstruct the current footpath, therefore it was considered necessary to realign the footpath via the diversion proposal such that it would pass outside the gardens and preserve the right of passage for the public.

Further, the diversion proposal would realign the footpath such that it would no longer run across the estate roads and pavements at the points shown between a-b and c-C on Plan No. TCPA/072.

Finally, the diversion proposal would by default, resolve obstruction by an electricity substation located between points C-D on Plan No. TCPA/072.

The Committee considered the application and noted that no objections had been received from the ward member for Brereton Rural, Moston Parish Council, the user groups or statutory undertakers.

The Committee noted the objection received from Network Rail in relation to expected increased number of users, and types of user, at the level crossing that carries Moston Public Footpath No.7Y over the railway.

In response, it was explained that the proposed diversion would not have any impact on the number of users or types of user reaching the level crossing. The number and types of user would be the same irrespective of whether users approached via the current route or the proposed diversion route. The proposed diversion would only change the alignment of Moston Public Footpath No.7Y within the development and have no impact on user types or numbers reaching the level crossing that lies outside of the development.

The Committee concluded that it was necessary to divert part of Public Footpath No 7Y in the Parish of Moston to enable development to be carried out.

The Committee unanimously

RESOLVED: That

- (1) That an Order be made under Section 257 of the Town and Country Planning Act 1990 to divert part of Public Footpath No.7Y in the Parish of Moston, as illustrated on Plan No TCPA/072 on the grounds that the Council is satisfied that it is necessary to do so to allow development to take place.
- (2) Public Notice of the making of the Order be given and in the event of there being no objections within the period specified, and in the event that planning consent has been granted, the Order be confirmed in the exercise of the powers conferred on the Council by the said Act.

- (3) In the event of objections to the Order being received, Cheshire East Borough Council be responsible for the conduct of any hearing or public inquiry.

9 INFORMATIVE REPORT - PUBLIC RIGHTS OF WAY ANNUAL REPORT 2021-22 AND WORK PROGRAMME 2022-23

The Committee considered a report which detailed the achievements of the Public Rights of Way team during 2021-22 and set out the proposed work programme for the year 2022-23.

The Acting Public Rights of Way Manager reported on the work carried out during 2021-22 by the Network Management and Enforcement Officers, Technical Administration Officer, Public Path Orders Officers and Definitive Map Officers. Specific performance was detailed in the Appendices to the report.

The Covid-19 pandemic had created financial pressures due to reduced income and increased expenditure which had resulted in an £108k pressure on the budget which had only been partly covered by a government grant. In addition, it was noted that the team would continue to face budget pressures in future due to continued supplies and services price rises which will have a consequent reduction in outputs on the PROW network.

It was also noted that extreme weather events, coupled with the increased usage during the Covid-19 lockdowns, had resulted in increased reports about the network, damaged bridges, put path surfaces under pressure and caused landowners issues.

In the legal order process area of work, the waiting list for Public Path Orders was at 67 applications due to complexities of current cases, other work priorities and a long-term absence in the team. At the end of the 2021-22 year, the waiting list of Definitive Map Modification Order applications stood at 48, with additional resource having been secured for the following year to help address this.

The Public Rights of Way Team had continued to deliver an excellent service across all functions despite the challenges caused by the Covid-19 pandemic. Additional resources would be required in order to continue the maintenance of the PROW network and services in the future given the pressures outline earlier, therefore business cases would be submitted.

The good condition of the network was highly regarded by user groups, the processing of legal orders continued to serve both users and landowners, and the high standard of response and service from the team as a whole was widely recognised.

The anticipated implementation of the Deregulation Act 2015 represented a risk to the capability of the team to meet their duties of the Highway

Authority with regards to Public Rights of Way. The effect of the Act once implemented would require an appraisal of processes and policies for dealing with Definitive Map Modification Orders and Public Path Orders. Tight timescales would be introduced by the legislation requiring application processing within specified time limits and additionally the processing of Public Path Orders would become a duty rather than a discretionary service.

The Committee congratulated the Public Rights of Way Team on their hard work and achievements over the last twelve months, acknowledged the challenges they faced going forward and offered their full support.

RESOLVED

That the report be noted

10 INFORMATIVE REPORT ON CASES OF UNCONTESTED PUBLIC PATH ORDERS DETERMINED UNDER DELEGATED DECISION

The Committee received an information report on the uncontested Public Path Order cases that had been determined under delegate decision.

One decision had been taken under delegation which related to Town and Country Planning Act 1990 Section 257 for the Proposed Diversion of Public Footpath Hulme Walfield No.3 (Part).

AGREED

That the uncontested Public Path Order case determined under delegated decision be noted.

The meeting commenced at 2.00 pm and concluded at 3.05 pm

Councillor L Crane (Chair)