

Report to: Place Scrutiny Committee

Date of meeting: 13 September 2018

By: Director of Communities, Economy and Transport

Title: Provision of a Dropped Kerb Policy

Purpose: To update the Committee on the development of a proposed 'Dropped Kerb Policy' and associated prioritisation framework within East Sussex County Council's emerging Cycling & Walking Strategy.

RECOMMENDATIONS: The Committee is asked to:

- 1. consider the draft 'Dropped Kerb Policy' and the associated prioritisation framework which will be included within the emerging Cycling and Walking Strategy.**
 - 2. note the allocation of £50,000 from the 2018/19 capital programme of local transport improvements to deliver dropped kerbs identified and assessed as high priorities through the prioritisation framework.**
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1 Background Information

1.1. At the Economy, Transport and Environment Scrutiny Committee 22 November 2017, an update was provided to a previous Scrutiny report dated 13 June 2008, which outlined a number of recommendations to enable the provision of dropped kerbs in the County.

1.2 Whilst a number of these recommendations had been progressed, two fundamental issues remained, namely there being a lack of a clear policy framework to support the prioritisation of dropped kerb requests, and the availability of any direct funding to deliver dropped kerb schemes.

1.3 At the November 2017 meeting, the Committee noted that there had been around 1,500 requests for dropped kerbs since 2010. Although funding for dropped kerb requests came from a number of sources, it appeared that such requests were not being treated as priorities amongst the other schemes that required funding. The Committee considered that there is evidence of an unmet need and such needs require to be addressed to enable the County Council to meet its obligations under the Equality Act. The Committee agreed that ideally there should be an identified budget for dropped kerb provision and a prioritisation process for requests. The Committee understood that the work on the Cycling and Walking Strategy aimed to address these issues.

1.4 Accordingly, the Committee resolved to have a further report to see how the Walking and Cycling Strategy work would address these issues.

2 Supporting Information

Policy Development

2.1 The Government published its National Cycling and Walking Investment Plan in April 2017. This encourages local authorities to develop their own plans to deliver future cycling and walking infrastructure. In response, the County Council commissioned Sustrans in summer 2017 to help develop a local Cycling and Walking Infrastructure Plan for East Sussex. This is being undertaken in two stages, the first of which is to carry out an audit of existing cycling and walking infrastructure and identify future provision on an area by area basis. The second stage is the development of the

strategy which will integrate the outcomes of the audit with the identification of cycling and walking policies, which will support infrastructure delivery and opportunities to secure future funding.

2.2 As part of the strategy development, one of the policy areas being looked at is improving accessibility through dropped kerb provision and developing an approach for responding to requests.

2.3 In order to support the development of a policy for the provision of dropped kerbs in the County for inclusion in the emerging Cycling and Walking Strategy, officers have liaised with representatives from the key user groups who would benefit from the policy. Officers have met with representatives of Eastbourne Access Group (EAG), who highlighted some of the key issues and experiences associated with people who are using mobility aids including wheelchairs or mobility scooters, or who have a visual impairment or a health condition, for which the use of dropped kerbs would enable easier and safer access. These included: -

- **the lack of dropped kerbs on corresponding footways**, leaving users stranded in the highway, and no way of crossing from one side of the road to the other,
- **illegal parking on dropped kerbs, despite protection by double yellow lines**, resulting in users not being able to use the dropped kerb,
- **cars parked up against a dropped kerb** which obstructs visibility. EAG has requested that the County Council considers an agreed distance either side of a dropped kerb facility, with appropriate lining to stop parking.
- **the design of dropped kerbs**, which often make these difficult for people in wheelchairs or using mobility aids to use, especially where the road camber has resulted in a steeper gradient of dropped kerb. A representative of EAG, cited their experience of their wheelchair tipping backwards when trying to use dropped kerbs in these instances.
- **the challenges in requesting dropped kerbs** and the **availability of funding** to deliver these.

2.4 Discussions were also undertaken within the Council with other teams and services involved with dropped kerb provision, including Transport Development Control, Road Safety, Parking, Public Transport, Contracts Management – as well as with the Highways Design team. This research focussed on the key issues highlighted by the Eastbourne Access Group, a review of existing practices and identifying any issues or opportunities associated with future funding.

2.5 The outcome of these discussions is set out in Appendix 1, with the key messages being:

- The **guidelines for dropped kerbs should reflect current and available guidance** from the Department for Transport (DfT), especially with regard to the upstand, the use of tactile paving, and gradient, and must not be prescribed in the policy. The County Council propose to deal with each site according to the site specific requirements and the availability of resources.
- An approved **policy would enable Transport Development Control to place greater weight on securing dropped kerb provision** through responses to planning applications, and the funding associated with this.
- **Opportunities have been identified to improve the consideration of dropped kerbs as part of wider transport infrastructure schemes, to utilise funding streams more effectively.** Dropped kerbs are now specifically included within Highways team scheme briefs, to ensure that they are considered at the initial scheme design phase.
- Liaison is ongoing with Contracts Management Group to identify opportunities to make it easier for people to request and for officers to record dropped kerbs requests.

2.6 To complement local research, officers have also approached Poole Borough Council who have had an approved dropped kerb policy in place since 2009. This policy includes a framework to enable the prioritisation of a small amount of capital funding on an annual basis, and has been used to inform the development of a similar framework for the County.

2.7 The above issues have been used to develop a draft Dropped Kerb Policy which is mindful of the Equalities Act 2010. The County Council's Equalities Manager has had oversight of the development of the prioritisation framework and has confirmed that it reflects equalities requirements, but that this should be subject to a review after one year. The draft policy is at Appendix 2.

2.8 The final version of the dropped kerb policy will be included in the emerging Cycling and Walking Strategy which will be published for consultation later this year.

Updates to Department for Transport policy regarding inclusive transport and dropped kerbs

2.9 The DfT published 'The Inclusive Transport Strategy' in July 2018; the consultation document was referred to as the 'Transport Accessibility Action Plan', however the final document has been changed to the above title following the consultation process to reflect the needs of both visible and less visible impairments or disabilities.

2.10 The Inclusive Transport Strategy states that further guidance and advice will be published in the near future in relation to 'Local Transport Note 1/11: Shared Space, Tactile Paving and Inclusive Mobility' and 'Local Transport Note 2/08 Cycling Infrastructure'. Therefore when this updated guidance is published, we will need to consider whether any amendments to the dropped kerb policy and the wider Cycling & Walking Strategy will be required.

Funding for Dropped Kerbs

2.11 With the County Council facing ongoing financial challenges it was essential that the policy is designed to ensure that it maximises the delivery of dropped kerbs through local transport schemes, using funding allocated or secured towards such schemes, or as localised accessibility improvements associated with new development, thereby ensuring that these schemes provide greater value for money. This will be alongside strengthening the opportunity to secure dropped kerbs through other sources of funding such as development contributions.

2.12 However, it is recognised that there will always be requests that cannot be funded and delivered by these means. Whilst the Community Match Fund provides one route, it requires the provision of match funding which can sometimes act as a barrier. Therefore a specific allocation of £50,000 has been included in the 2018/19 capital programme of local transport improvements which was approved by the Lead Member for Transport and Environment at his decision making meeting in March 2018, that focusses on delivering measures to support accessibility, including dropped kerbs, which are unlikely to be secured by other funding streams. It is proposed that this level of funding is maintained in the capital programme of local transport improvements until at least 2020/21 to coincide with the end of the second Local Transport Plan Implementation Plan period, and is reviewed at that juncture.

Draft Prioritisation Framework

2.13 In order to prioritise this available funding, a draft prioritisation framework has been developed as part of the dropped kerb policy. This is in a simple matrix format and requires the assessor to score a series of questions which reflects the needs of the person who has requested the dropped kerb, the location area of the request and the impact on their ability to access local services. The assessment results in an overall score. The benchmark score required to secure funding will be established on an annual basis and based on the requests received. A copy of the draft framework is outlined in Appendix 3. The results of the testing of this will be presented to the Place Scrutiny Committee meeting on 13th September 2018.

2.14 Whilst the County Council does hold a historical list of nearly 1,500 requests received since 2010, it would be impractical to assess all of these requests. Therefore, it is proposed in order to prioritise funding for 2018/19, the requests received to date this financial year will be assessed with schemes prioritised, developed and delivered accordingly.

3 Conclusion and Reasons for Recommendations

3.1 Following the Scrutiny review in November 2017 two recommendations were made in relation to further work being undertaken on a policy and identifying funding for the provision of dropped kerbs in the County.

3.2 As outlined in section 2 of this report, extensive engagement has been undertaken with both users and officers to develop a draft policy and the prioritisation framework for the provision of dropped kerbs, which has regard to the Equality Act 2010. The policy seeks to maximize the opportunities available for the provision of dropped kerbs through local transport schemes or localised accessibility improvements associated with new development, alongside ensuring that value for money is a key component of this.

3.3 However, it is recognised that there will always be requests for dropped kerbs that cannot be achieved by these means. Accordingly, an allocation of £50,000 has been included in the 2018/19 capital programme for local transport improvements for delivering measures to support accessibility, including dropped kerbs. It is proposed that this level of funding is included in the capital programme for local transport improvements over the next three years. The prioritisation framework will be used to assess dropped kerb requests received this year, and thereby identify which of these requests are progressed to delivery by Highways.

3.4 The Committee are therefore asked to comment on the draft dropped kerb policy and the associated prioritisation framework for inclusion in the County Council's emerging Cycling & Walking Strategy, as well as the allocation of funding for accessibility improvements, including dropped kerbs, within the capital programme of local transport improvements.

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