

<b>Report to:</b>	<b>Lead Cabinet Member for Transport and Environment</b>
<b>Date of meeting:</b>	<b>17 November 2020</b>
<b>By:</b>	<b>Director of Communities Economy and Transport</b>
<b>Title:</b>	<b>Highway Maintenance - Consideration of Character</b>
<b>Purpose:</b>	<b>To consider a new policy on the approach materials and equipment used in highway maintenance.</b>

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**RECOMMENDATIONS:** The Lead Member is recommended to:

- (1) Approve the proposed new policy Highway Maintenance – Consideration of Character set out in Appendix 3;**
  - (2) Rescind policy PS 7.3 Maintenance of Footways set out at Appendix 1; and**
  - (3) Approve the proposed amendments to existing policy PS 10.1 Street Lighting set out in Appendix 2.**
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## **1 Background Information**

1.1. East Sussex has a wealth of historic towns and villages which contribute to the overall character and distinctiveness of the county. The County Council recognises the importance of these areas and the impact that the local highway network can have on their character.

1.2. At present there are two highway policies that set out the approach to maintenance of assets with particular conservation or historical interest. These cover highway footways and street lighting. Copies can be found in Appendix 1 and 2. However, these no longer reflect local priorities and a new more flexible approach covering all types of highway assets is proposed. This will help to maximise value for money where resources are limited.

1.3. It should be noted that, under the Planning (Listed Buildings and Conservation Areas) Act, some structures and the materials on some streets (e.g. some of the cobblestones in Rye), have been granted special status as “listed buildings”.

1.4. There are no other direct legal requirements on the authority to maintain historic assets or use sympathetic materials. Best practice guidance generally recommends that consideration is given to the character of an area, or the value of a historic asset, when making maintenance decisions. However, the statutory duty to maintain a safe and usable network must be the priority when considering maintenance against the available funding. A summary of national legislation and guidance relevant to this policy can be found in Appendix 4.

## **2 Supporting information**

### Current Policies

2.1. The current policies were created following a consultation with District and Borough Councils in 2006 about maintenance of the public realm. At that time a pilot study was introduced to given consideration to the feasibility of a sympathetic replacement policy for all footways and street lights in Conservation Areas. The cost was estimated to be around 90% and 70% of the entire footway and street lighting budgets for these works alone.

2.2. Therefore, a policy decision was made by Lead Member to carry out sympathetic repairs on footways and street lights only in the 18 streets used in the pilot study, as these streets were considered to be of “more than local” importance.

2.3. As a result, the policies set out in Appendix 1 and 2 were developed. They state that standard materials will be used for maintenance, but that non-standard materials may be used in the 18 streets named in the pilot study. They also require consultation to take place with local planning authorities and that they are given the opportunity to fund or seek funding for the use of non-standard materials in other streets within Conservation Areas. For all other highway assets, maintenance decisions are based on need, safety and value for money.

2.4. However, where funding allows, alternatives may be considered. For example, in the past this has included: a local Council taking over the responsibility for maintenance of decommissioned street lighting columns; funding embellishments to make new lighting columns look more traditional; and moving historic assets from one area to another area where they are considered to have a more important contribution to the street scene.

### **Proposed new policy**

2.5. The current approach outlined above specifically focuses limited resources on the 18 streets from the pilot study. However, these may no longer represent the priorities of local communities and planning authorities. For example, Keere Street in Lewes, a well-known historic street with a cobbled surface, is not included within the 18 streets.

2.6. A review has recently been carried out on current policies and procedures, taking into consideration best practice and feedback from stakeholders including Conservation Officers and Highway engineers.

2.7. All stakeholders support increased collaboration with interested parties working together to develop creative solutions to target those areas, and those assets, which will benefit most from limited funds.

2.8. It is recognised that not all asset types on a given street will contribute equally to the character of an area or have the same priority in terms of conservation. It is also recognised that it is often the wider streetscape that determines the character of an area. Therefore, continuing to focus limited resources on a small number of streets may be detrimental to the overall character of streets in the county.

2.9. Following consultation, it is considered that a more flexible policy, with maintenance decisions made on a case by case basis, would better maximise the potential for preserving the character of streets across the county.

2.10. Therefore, a new conservation policy to replace the existing policy on footway materials and street lights is proposed (see Appendix 3). It sets out the approach to management of all highway assets of particular historical interest as well as highway assets that are not historic but contribute to the character of an area. It should be noted that this policy only covers maintenance of existing materials, not enhancements.

### **3 Equality Impact Assessment**

3.1 An Equality Impact Assessment has been carried out and a summary of the findings is detailed in Appendix 5. Research suggests that although some non-standard materials, such as paving slabs, can be more costly to maintain in a safe condition, the impact on those with protected characteristics will be minimal. This is because there are other policies and procedures in place to provide mitigation e.g. the Highway Inspection Policy.

3.2 Ongoing maintenance costs will be taken into consideration when decisions are made, and materials avoided where these might cause an unacceptable risk to members of the community with protected characteristics.

## **4 Financial Appraisal**

4.1 The statutory duty to maintain a safe and usable network using affordable standard materials will continue to be the priority and to provide value for money. Non-standard materials will only be used where sufficient funding is available or can be identified from other sources.

## **5 Conclusion and Reasons for Recommendations**

5.1 The Lead Member is recommended to approve the proposed changes to policy. This will ensure that the County Council maintains a more flexible approach to conservation across all highway asset types, retains character as far as possible and maximises value for money where resources are limited.

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### LOCAL MEMBERS

All

### BACKGROUND DOCUMENTS

[Lead Member report on Maintaining and Improving the Public Realm in East Sussex, October 2007](#)