

## NOTICE OF MEETING

<b>Meeting</b>	Executive Member for Environment and Transport Decision Day
<b>Date and Time</b>	Thursday, 23rd March, 2017 at 2.00 pm
<b>Place</b>	EII Court South, The Castle, Winchester
<b>Enquiries to</b>	members.services@hants.gov.uk

John Coughlan CBE  
Chief Executive  
The Castle, Winchester SO23 8UJ

## FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

## AGENDA

### Deputations

To receive any deputations in accordance with Standing Orders.

**1. REVISED COMMUNITY TRANSPORT OPERATING MODEL** (Pages 3 - 14)

To consider a report from the Director of Economy, Transport and Environment, which seeks approval and adoption of the Community Transport Operating Model following the engagement process with stakeholders, and approval for a pilot in the Fareham and Gosport areas.

**2. HAMPSHIRE FLY-TIPPING STRATEGY** (Pages 15 - 88)

To consider a report from the Director of Economy, Transport and Environment, which seeks approval to adopt the Hampshire Fly Tipping strategy.

**3. IMPLICATIONS OF NEW NATIONAL HIGHWAYS CODE OF PRACTICE** (Pages 89 - 102)

To consider a report from the Director of Economy, Transport and Environment, which informs the Executive Member of the new National Code of Practice 'Well-managed Highway Infrastructure' and the need to amend some areas of the current highway service in order to comply with this code.

**4. HIGHWAY ASSET MANAGEMENT STRATEGY (Pages 103 - 122)**

To consider a report from the Director of Economy, Transport and Environment, which seeks approval for amendments to the current version of Hampshire's Highway Asset Management Strategy.

**5. INTERIM REVIEW OF THE EFFECTIVENESS OF THE CASUALTY REDUCTION SCHEME AT THE A33/B3047 (CART AND HORSES) JUNCTION, WINCHESTER (Pages 123 - 134)**

To consider a report from the Director of Economy, Transport and Environment, which details concerns about the effectiveness of existing casualty reduction measures implemented at the Cart & Horses junction and seeking approval to implement alternative measures on an interim basis and to undertake monitoring.

**6. PROVISION OF TECHNICAL SERVICES TO AUTHORITIES USING THE STRATEGIC PARTNER CONTRACT (Pages 135 - 138)**

To consider a report from the Director of Economy, Transport and Environment, which seeks approval for the County Council to enter into arrangements with named authorities as and when deemed appropriate to enable highways and transportation services to be delivered under the provisions of the Strategic Partner Contract.

**ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

**ABOUT THIS MEETING:**

**The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact [members.services@hants.gov.uk](mailto:members.services@hants.gov.uk) for assistance.**

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Revised Community Transport Operating Model
<b>Reference:</b>	8131
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Kevin Ings

**Tel:** 01962 846986

**Email:** kevin.ings@hants.gov.uk

#### 1. Executive Summary

- 1.1. The purpose of this report is to seek confirmation for the revised operating model, outlined in Appendix 1 of this report, as the mechanism for how the County Council provides and supports community transport services in the future.
- 1.2. The report also seeks approval for a procurement process which will commission community transport and other transport services provided by the County Council, based on the approach set out in the revised operating model, across the Fareham and Gosport district council areas in Hampshire.
- 1.3. Both of these measures offer the opportunity to continue implementing a new approach to supporting community transport services which can respond to the current operating environment, work within current financial limits, and reflects the County Council's transformation agenda. These arrangements will help to ensure the continued reliability and financial sustainability of community transport services as this approach evolves and takes into account future requirements and demands.

#### 2. Contextual information

- 2.1. In partnership with other funders, mainly district councils, the County Council has previously awarded contracts to provide a network of Dial-a-Ride and Call and Go services across Hampshire. Dial-a-Ride and Call and Go services primarily serve the individual needs of people with mobility difficulties (frail, older and disabled people) whilst Call and Go services are also available to people without access to their own transport and who live more than 400 metres from their nearest bus stop. Services provide some 120,700 individual passenger trips per annum. These trips, which have to be pre-booked by registered users, are generally provided door to door.

- 2.2. The County Council also provides annual funding to the Minibus Group Hire Schemes in Hampshire. Four district councils in Hampshire (Eastleigh, East Hampshire, New Forest and Test Valley) also contribute to these schemes. These schemes provide a pool of wheelchair accessible minibuses which are available to provide transport for groups of people through voluntary and community groups. Some vehicles are also used in the delivery of Dial-a-Ride, Call and Go, Home to School and Social Care contracts. Funding from the County Council helps to support staff and office costs in overseeing the operation of these schemes. Schemes deliver over 250,000 passenger trips per annum.
- 2.3. The annual cost for 2017/18 of supporting these Community Transport services, which excludes annual contributions to the vehicle replacement reserve, is expected to be as set out in the table below.

<b>Cost of Community Transport Services</b>	<b>HCC £</b>	<b>Other Funders £</b>	<b>Total £</b>
Dial-a-Ride/Call and Go	440,338	475,106	915,444
Minibus Group Hire Schemes	282,793	43,403	326,196
Total cost of supporting these Community Transport Services	723,131	518,509	1,241,640

- 2.4. Whilst the overall approach has worked well there was a need to review the current arrangements and design an approach for the future, which could respond to the current operating environment, work within current financial limits and help develop a more sustainable model for the future. A proposed revised operating model for supporting these services was approved by the Executive Member at the decision day on 19 January 2016 for the purpose of engagement with existing providers, other funders and interested parties. This proposed that the Minibus Group Hire Schemes should be tendered alongside other County Council contracted services such as Dial-a-Ride and Call and Go. It also incorporates a suggested mechanism to replace end-of-life minibuses, introduce branding, review contributions from service users, and deliver services across wider areas.

- 2.5. The results of the engagement process with key stakeholders were reported to the Executive Member at the decision day on 12 October 2016. The report also outlined the next steps for further developing this approach prior to the proposed revised operating model being considered at a future decision day.

### **3. Revised Operating Model for Providing Community Transport Services**

- 3.1. Following the engagement process with key stakeholders during the early part of 2016, and the broad level of support which existed in responses for the proposed revised operating model, particularly from other funders, work in a number of areas was agreed in order to finalise the format of the revised operating model. Many of these areas have been the subject of ongoing discussions between the council and key stakeholders. Progress to date on these areas is set out below. The areas included developing the following:

- a proposal for re-distributing the County Council's existing funding to the Minibus Group Hire Schemes. Good progress has been made in this area where a number of options have been developed in partnership with key stakeholders. Further work is needed to refine these options into a more detailed proposal for consideration at a future date. Any changes to existing funding levels are unlikely to be applied until the next round of contract changes in April 2018.
- a process, guidelines, purchasing advice and business case template against which future vehicle replacement decisions will be made and payments made to operators. Working with stakeholders, drafts of each of these have been produced. The new arrangements for vehicle replacement are being built into contracts, which are awarded from 1 April 2017. Variations to existing contracts will also be introduced so that these new arrangements can also apply to these contracts from the same date.
- a proposal to commission community transport services across a number of district council areas in one part of the county. This would look to package together community transport services and other suitable transport in the area already commissioned or provided by the County Council. A proposal for this area of work is covered in Section 4 of this report.
- a "Community Transport" brand, and a process and timetable for implementing this. Some preliminary work has been undertaken in this area but further detailed work on this will take place as part of the proposal to commission community transport and other transport services across a number of district council areas.

- 3.2. Given the progress which has been made on these areas of work, this report seeks confirmation of the revised operating model, as outlined in Appendix 1 of this report, as the mechanism for how the County Council provides and supports community transport services in the future. This will provide the

framework and reference point against which community transport services can be supported and developed as this approach evolves and takes into account future requirements and demands.

- 3.3. It is also proposed that the Director of Economy, Transport and Environment be given the delegated authority to develop and implement the arrangements for the revised community transport operating model in consultation with the Executive Member for Environment and Transport.
- 3.4. The engagement process has formed part of an ongoing discussion between the council and key stakeholders regarding community transport services. Given the excellent working relationship the County Council enjoys with the community transport sector, it is intended to continue work with all parties (funders and operators) on developing and implementing all aspects of the operating model as this is introduced.

#### **4. Tendering Community Transport Services in Fareham and Gosport**

- 4.1. The revised community transport operating model will see the Minibus Group Hire Schemes being commissioned alongside their respective Dial-a-Ride and Call and Go services and other appropriate transport provided by the County Council in the future. This approach was successfully piloted through a recent procurement process in the Basingstoke area. Procuring services across wider areas which go beyond the existing district council boundaries is also proposed in the new operating model. A procurement process, based on rolling out the application of these two combined approaches, is now planned for the Fareham and Gosport borough council areas. This would result in the award of new contracts from 1 January 2018. Contracts would be awarded for two years with the option to extend for up to a further four years.
- 4.2. The Dial-a-Ride services which the County Council and district councils fund, and the Minibus Group Hire Schemes which the County Council supports in the Fareham and Gosport area are listed in the table below.

<b>Service</b>	<b>Contract Cost 2017/18</b>	<b>HCC Cost</b>	<b>District Councils</b>
Fareham Dial-a-Ride	52,044	26,022	26,022
Gosport Dial-a-Ride	45,292	22,646	22,646
Fareham Minibus Group Hire Scheme	10,560	10,560	
Gosport Minibus Group Hire Scheme	11,500	11,500	
<b>Total Annual Cost</b>	<b>119,396</b>	<b>70,728</b>	<b>48,668</b>

- 4.3. This shows an annual value of £119,396 in 2017/18 for these services. The County Council's annual contribution of £70,728 towards these services will be provided from the Community Transport Budget. The procurement exercise would look to package these services together with other suitable transport already commissioned or provided by the County Council in the area. These figures exclude vehicle replacement costs which are covered in a separate recommendation.
- 4.4. An engagement process with service users would take place prior to the tendering exercise and the tender design, and the arrangements for the tender will be developed in partnership with other funders for these services. Following contract awards this commissioning approach would be evaluated and the results used to inform future decisions on how this approach can be applied elsewhere in the county.
- 4.5. In order to award contracts for the above community transport services following the tendering process in the Fareham and Gosport area, it is proposed that the Executive Member for Environment and Transport give authority to procure and spend up to a value of £716,376 (six year cost) to enable the award of two years contracts with an option to extend for up to a further four years, subject where appropriate to the agreement of the respective district councils where they also contribute towards these services.
- 4.6. A separate recommendation seeks authorisation for use of funds from the vehicle replacement reserve up to the value of £160,000 over the six year period. These would be subject to the submission of a satisfactory business case by the operator. This is in accordance with the revised operating model which will see operators taking the responsibility for vehicle replacement arrangements with additional payments being made through contracts to cover the cost of this.
- 4.7. The services will be commissioned using the Dynamic Purchasing System for vehicles with 16 seats or fewer, and the County Council's contributions towards the community transport services will be met from the Community Transport Budget and existing vehicle reserves.
- 4.8. The contributions from the district councils towards the proposed contracts for the Dial-a-Ride services will need to be covered by Deeds of Agreement with the County Council. This will ensure that the 50:50 joint funding arrangements which the County Council has with the district councils for these services is maintained. The Deeds of Agreement will confirm district council financial contributions for the initial contract award period as set out in 4.5 of this report. The contracts themselves will have the option to run for an initial term of two years and further Deeds of Agreement may need to be put in place beyond the initial contract award to allow contracts to run their full term. It is therefore proposed that the Executive Member gives approval for the County Council to enter into Deeds of Agreement with each of the respective funding partners for the initial contract term and subsequently to cover any contract extensions as outlined in this report.

## **5. Conclusion**

- 5.1. Following the recent engagement process with key stakeholders this report seeks confirmation of the revised operating model, as outlined in Appendix 1, as the mechanism for how the County Council provides and supports community transport services in the future. These arrangements will help to ensure the continued availability and financial sustainability of community transport services as this approach evolves and takes into account future requirements and demands. The report also seeks authority for a procurement exercise which will see the Minibus Group Hire Schemes being commissioned alongside their respective Dial-a-Ride and Call and Go services, as well as other appropriate transport provided by the County Council across a number of district council areas as proposed in the revised operating model.

## **6. Recommendations**

- 6.1. That the revised operating model outlined in Appendix 1 of this report be confirmed as the mechanism for how the County Council provides and supports community transport services in the future.
- 6.2. That authority is delegated to the Director of Economy, Transport and Environment to develop and implement the arrangements for the revised community transport operating model in consultation with the Executive Member for Environment and Transport.
- 6.3. That the Executive Member for Environment and Transport gives authority to procure and spend up to the value of £716,376, of which £424,368 will be funded from Hampshire County Council resources, to enable the award of two year contracts for the services identified in 4.2 of this report, with the option to extend for up to a further four years, subject where appropriate to the agreement of the respective district councils where they also contribute towards these services.
- 6.4. That authority is delegated to the Director of Economy, Transport and Environment to authorise use of funds from the vehicle replacement reserve up to the value of £160,000 for vehicle replacement in accordance with the revised operating model.
- 6.5. That approval be given for the County Council to enter into Deeds of Agreement for funding with each of the respective funding partners for the initial contract term, and subsequently to cover any contract extensions as outlined in this report.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	no
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Future Community Transport Operating Model	7231	19 January 2016
Proposed Community Transport Operating Model and Contractual Arrangements	7529	12 October 2016
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. As the proposal will not amend existing arrangements for service users at this stage there should be no impact upon those with protected characteristics.

This is because the proposed revised operating model for community transport is primarily concerned with how the County Council commissions community transport services in the future and not about the level of service which will be provided to end users. A user engagement process will take place with service users in the Fareham and Gosport areas and this will inform the design of tenders for the proposed procurement exercise for this area and future contract awards. Each element of the operating model which is being proposed will also be subject to its own impact assessment as it is designed and implemented.

**2. Impact on Crime and Disorder:**

- 2.1. It is not anticipated that there will be any impact upon crime and disorder arising from this decision.

**3. Climate Change:**

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

The services will be able to provide group travel opportunities and so reduce the need for individual car journeys.

- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

As sustainable travel modes of transport become more important in mitigating climate change, the proposals support travel options for groups and individuals which are in keeping with the need to reduce carbon emissions.

## Appendix 1

**Proposed revised operating model for providing community transport services**

The existing approach for supporting community transport services was previously agreed by the Executive Member in October 2007. Whilst the overall approach has worked well there is now a need to move to a revised model for the future which can respond to the current operating environment, work within the current financial limits, and make a meaningful contribution towards the council's transformation agenda.

The revised operating model should enable value for money services to be provided and deliver the maximum benefit to both the local community and users alike. In particular the revised model should take the opportunity to enable a more co-ordinated approach to all the Community Transport services, in which the council is involved.

Given the above, the framework for the proposed revised operating model is set out below:

- Award contracts after 1 April 2017 following a competitive process. Two year contracts with the option to extend for up to a further four years will generally be preferred in order to secure the best value for money, encourage service investment from the operator and support and promote the sustainability of schemes;
- Review how the existing funding from the County Council for the Minibus Group Hire Schemes is distributed so that this more closely reflects population, need, and use across Hampshire;
- Procure services across wider areas which go beyond the existing district council boundaries. This could build on the existing work of the Councils for Voluntary Service (CVSs) to work in clusters and potentially offer efficiencies to accommodate any reduction in the funding which might be available for these schemes in the future;
- Support the replacement of vehicles for all services, as resources allow, through additional payments under the terms of individual contracts. Payments would be based on a business case submitted by the scheme and guided by a rigorous analysis of existing vehicle utilisation. The level of payment would ensure the Council's first claim on the vehicle asset. Operators would be required to purchase second-hand and demonstrator vehicles where possible to achieve greater value for money for the council;
- Commission the Minibus Group Hire Schemes alongside their respective Dial-a-Ride and Call and Go services and other appropriate transport provided by the County Council in the future. Given that many of these services are interdependent and complement each other, this would achieve

better value for the Council, as recently demonstrated through a procurement exercise in the Basingstoke area;

- Develop a common branding for schemes and vehicles. Service names such as Dial-a-Ride, Call and Go, and Group Hire could be simplified and advertised through on-board destination displays and not through the vehicle livery itself, thus offering the appearance of a more joined up “community transport offer” in the local community. This would be possible where the Council is the major shareholder in the vehicles which the operator uses to deliver the service;
- Review the contributions which users and organisations make to those community transport services commissioned by the County Council in order to explore the opportunities for differing service levels. This would include looking at and consulting on the discount available to concessionary fares pass holders who currently use Dial-a-Ride and Call and Go services. An equalities impact assessment would need to be undertaken before any changes were agreed.

This page is intentionally left blank

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Fly-tipping Strategy
<b>Reference:</b>	8130
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Vicky Beechey

**Tel:** 01962 845539

**Email:** vicky.beechey@hants.gov.uk

#### 1. Executive Summary

- 1.1. The purpose of this paper is to seek approval from the Executive Member of Environment and Transport to adopt the Hampshire Fly-Tipping Strategy.
- 1.2. This follows decisions taken by the Executive Member for Environment and Transport on 22 July 2016 and the 12 October 2016<sup>1</sup> to develop the strategy.
- 1.3. This paper seeks to:
  - set out the context of the development of the strategy and action plan to date;
  - summarise the content of the appended strategy and action plan;
  - outline the future governance, monitoring and delivery arrangements of the strategy and action plan.

#### 2. Contextual information

- 2.1. In early 2016, Hampshire County Council initiated the development of a fly-tipping strategy for Hampshire that would support collaborative working across partners and organisations (public and private) who have a role in tackling the problem. Approval to make initial progress on the strategy was given on 22 July 2016<sup>2</sup>.

---

<sup>1</sup> [Report Number 7822, Hampshire Fly-tipping Strategy](#)

<sup>2</sup> [Report number 7534. Household Waste Recycling Centre Service Efficiencies Implementation](#)

- 2.2. A draft fly-tipping strategy for Hampshire was developed and shared at a workshop held with the multi-agency stakeholders (including all the Hampshire District/Borough and Unitary Councils, private landowner organisations, Hampshire Constabulary and the Environment Agency) on 8 September 2016.
- 2.3. The September workshop provided opportunity for wider discussions around the vision and the draft aims and objectives, and it also helped to identify initial gaps in content and partners.
- 2.4. Approval to proceed to develop the strategy was given at the Executive Member for Environment and Transport's Decision Day on 12 October 2016. An additional update report was provided together with a verbal presentation on progress at the Economy, Transport and Environment Select Committee meeting on 3 November 2016<sup>3</sup>.

### **3. Progress Following Previous Decision (12 October 2016)**

- 3.1. Following the initial workshop, three working groups were set up in November 2016 with representatives from across the partners to develop the objectives, actions and tasks specific to the three key aims of the strategy:
  - Aim 1: Reporting, Collection & Disposal;
  - Aim 2: Investigation & Enforcement; and
  - Aim 3: Communications.
- 3.2. A final workshop was then held on 12 January 2017 to approve the final draft of the strategy and the proposed governance arrangements (see section 5).
- 3.3. This position was presented in a verbal update to the Economy, Transport and Environment Select Committee on 19 January 2017.
- 3.4. The final draft Hampshire Fly-tipping Strategy is appended to this report. A summary of the key points are outlined in Section 4 below.

### **4. Hampshire Fly-tipping Strategy**

- 4.1. The draft Hampshire Fly-tipping Strategy is appended to this report. In summary, the strategy sets the vision, provides the context and outlines the need for collaborative working to deal with the issue of fly-tipping and the significant negative impacts it has in Hampshire. The strategy is intended to be a live document that will evolve over time and will act as a mechanism for enhanced partnership working.

---

<sup>3</sup> [Report number 7879. Update on Fly-tipping. 3 November 2016](#)

4.2. The organisations other than the County Council that have been involved thus far are as follows:

- **Hampshire Waste Collection and Unitary Authorities**

- 
- Basingstoke and Deane Borough Council
- East Hampshire District Council
- Eastleigh Borough Council
- Fareham Borough Council
- Gosport Borough Council
- Havant Borough Council (Norse South East)
- Hart District Council
- New Forest District Council
- Portsmouth City Council
- Rushmoor Borough Council
- Southampton City Council
- Test Valley Borough Council
- Winchester City Council

- 
- **Other Organisations**

- 
- Country Land and Business Association
- Campaign to Protect Rural England Hampshire
- Environment Agency
- Farming Community Network
- Forestry Commission
- Local Farmers
- Hampshire Constabulary
- National Farmers Union
- National Trust
- New Forest National Park Authority
- South Downs National Park Authority

Additional organisations may be involved as the strategy and action plan are developed.

4.3. The strategy, in engagement with all partners, looks to address the following common issues:

- **Education of residents and businesses** – Many households are unaware of their ‘Duty of Care’ responsibilities when disposing of their waste (i.e. to keep waste safe, and to make sure it’s dealt with responsibly and only given to businesses authorised to take it).
- **Data recording** – Not all incidents of fly-tipping are recorded or are recorded in a consistent way. Work will be done to improve this across the board; and encouragement and support will be offered to private landowners to report any incident, even though it is their responsibility to remove any fly-tipping at their own cost.

- **Management of incidents on the highway** – The lack of clarity as to when it is the responsibility of the District or Borough Council or the relevant Highways Authority in two-tier areas to clear a fly-tipping incident that has occurred on the Highway.
  - **Partner enforcement resources and working with land owners** – Different levels of access to information, and resource to assist with investigation and enforcement activities against fly-tipping.
  - **Cross-border working with neighbouring local authorities** – With a focus on the wider national picture and in recognition that fly-tipping does not recognise any borders.
- 4.4. To address the priorities listed above the strategy will initially focus on delivering the following three key aims:
- **Aim one:** Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.
  - **Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.
  - **Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most efficient and cost effective way.
- 4.5. A number of objectives, actions and tasks have also been developed to achieve the aims. These are highlighted in Appendix A of the appended strategy.
- 4.6. It is anticipated that delivery of the aims and objectives will work towards achieving the following overall outcomes:
- It will become easier for people to understand how they can dispose of their waste responsibly.
  - Effective mechanisms are put in place to catch those responsible for fly-tipping, leading to a higher conviction rate with greater penalties being levied where possible.
  - A decrease in the number of fly-tipping incidents across Hampshire, improving the environment and reducing the cost to the taxpayer and private landowners.

## 5. Governance Structure

- 5.1. Project Integra (PI) is a partnership of the 11 Hampshire Waste Collection Authorities (WCAs), Hampshire County Council, the Unitary Authorities of Portsmouth and Southampton, and also Veolia UK, Hampshire County Council's integrated waste disposal contractor. A request has been made of PI to oversee and provide multi-agency co-ordination of the Fly-tipping Strategy.

- 5.2. PI will provide a reporting structure for the delivery of the aims within the strategy, this arrangement having been agreed by the PI board on 15 February 2017.
- 5.3. However, a number of organisations involved with the fly-tipping strategy, such as Hampshire Constabulary, the Environment Agency, and representatives from the Hampshire Rural Forum are not represented on the PI board.
- 5.4. Nonetheless, there has been positive support of this approach from all partners (both PI and non PI). To ensure equal representation between all organisations, clear and robust terms of reference will be developed and agreed. Furthermore, a representative fly-tipping working group will be set up to help deliver the aims, objectives and actions of the strategy.

## **6. Fly-tipping Partnership and Projects Officer**

- 6.1. To resource the delivery of the Hampshire Fly-tipping strategy, a Fly-tipping Partnership and Projects Officer is currently being recruited.
- 6.2. This role is fixed term for two years and is being funded by the Economy, Transport and Environment Department. The post will cost an estimated £50,000 per year, including both salary and on-costs.
- 6.3. The role holder will be hosted within Hampshire County Council's Trading Standards team, as this is where it will add the most value given the access to existing intelligence resources and enforcement partnerships.
- 6.4. The role holder will lead on delivering and reporting against the aims, objectives and actions of the strategy and will co-ordinate intelligence sharing and collaboration between partners.

## **7. Monitoring progress of the strategy**

- 7.1. The aims, objectives and actions to be delivered during 2017/18 are detailed in Appendix A of the strategy. To facilitate delivery, the Fly-tipping Partnership and Projects Officer will lead the fly-tipping working group referred to in Section 5.
- 7.2. To aid ongoing improvement, the strategy action plan includes a fourth aim to continually develop the strategy and action plan. This includes developing key performance indicators and reporting mechanisms.

## **8. Timescales and future direction**

- 8.1. It is intended that the Fly-tipping Partnership and Projects Officer will be in post by April 2017. Full delivery of the strategy and its action plan will then commence, in partnership with all relevant organisations.

8.2. The ongoing funding of the strategy will be reviewed at the end of the first year of delivery, with reference to both achievements measured against key performance indicators, and the potential for ongoing funding.

**9. Recommendation**

9.1. That the Executive Member for Environment and Transport approves the adoption of the Hampshire Fly-Tipping Strategy.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
<a href="#">Household Waste Recycling Centre Service Efficiencies Implementation</a>	7534	22 July 2016
<a href="#">Fly Tipping Strategy</a>	7822	12 October 2016
<a href="#">Update on Fly Tipping</a>	7879	3 November 2016

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

It is considered that the project/proposal will have no specific impact on groups with protected characteristics for the following reasons (taken from the Equalities Impact Assessment):

The Fly-Tipping Strategy for Hampshire will aim to meet the objective of the County Council and its partner organisations to reduce the impact of fly-tipping in Hampshire. In doing so it is intended that there will be positive impacts for all groups in Hampshire, including those for whom there is a statutory consideration to take into account protected characteristics, by reducing the harmful financial and environmental costs of fly-tipping to the County as a whole.

The only specific group that will be impacted upon to a greater degree than the above is those residents and businesses in Hampshire, regardless of other groupings or characteristics, which currently choose to dispose of their waste in an illegal manner. The impact for these residents and businesses is that it will become harder for them to do this in future.

**2. Impact on Crime and Disorder:**

- 2.1. The intention is to help prevent the illegal act of fly-tipping in Hampshire, and make it easier to investigate and enforce against those remaining businesses and residents who continue to commit this crime. Therefore, a positive impact is intended, namely a reduction in crime.

**3. Climate Change:**

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

By helping to prevent and enforce against the illegal act of fly-tipping, it is intended that wastes that would otherwise have been fly-tipped will instead be disposed of via legal means, encouraging proper consideration of the waste hierarchy and a reduction in the volume of waste that is sent to landfill. The associated benefit will be a reduction in harmful greenhouse gases that arise from the landfilling of wastes.

- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

N/A.

This page is intentionally left blank

# HAMPSHIRE FLY-TIPPING STRATEGY

**Contents**

**1. Introduction** ..... 3

    1.1 Vision of the strategy ..... 3

    1.2 Current situation – scale of the problem ..... 3

    1.3 Drivers for change..... 5

**2. Background** ..... 6

    2.1 What is fly-tipping?..... 6

    2.2 What are the factors are that contribute to fly-tipping in Hampshire? ..... 6

    2.3 Responsibilities and powers ..... 7

    2.4 Penalties for fly-tipping..... 7

**3. Scope** ..... 7

**4. Developing the strategy** ..... 8

**5. Aims and objectives** ..... 9

**6. Strategy governance**..... 11

**7. Monitoring progress of the strategy** ..... 11

**8. Costs and funding**..... 11

**Appendix A - Action Plan** ..... 12

**Appendix B - Fly-tipping Instances in Hampshire** ..... 25

**Appendix C - Fly-tipping Responsibilities in Hampshire** ..... 28

**Appendix D - Penalties for fly-tipping** ..... 30

## Foreword

*“Fly-tipping is a criminal act. It is a significant concern for Hampshire residents, and is a financial and environmental cost to Hampshire County Council, all of Hampshire’s other Local Authorities and a number of other bodies and Hampshire landowners. It impacts upon businesses, communities, and Hampshire’s natural environment, including its two National Parks (the New Forest and the South Downs), and its wide ranging rural areas.*

*For this reason, we are seeking to work in partnership to tackle the issue of fly-tipping head on. We will focus on developing new and robust tactics to raise awareness about fly-tipping and the responsibilities for dealing with waste, improve our reporting and intelligence on fly-tipping instances, and utilise resources efficiently to increase capture and prosecution of perpetrators.*

*Within this partnership approach and collective responsibility, we will seek to clarify all partners’ roles in dealing with fly-tipping incidents, and ensure that all are empowered to deal with these incidents effectively.*

*In doing so, we seek to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping. This will also ensure we keep Hampshire a beautiful place to live and work for generations come.”*

*Councillor Rob Humby – Hampshire County Council*

### 1. Introduction

#### 1.1 Vision of the strategy

This strategy will aim to deliver the vision of

*“A future for Hampshire where we work together to ensure that all parties take responsibility for their waste, so as to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping”.*

The Strategy will target illegal fly-tipping activities by coordinating, supporting and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle the problem and reduce the number of incidents in Hampshire.

The Strategy will be delivered through enhanced partnership working and increased collaboration between all relevant bodies and organisations in Hampshire, to ensure the best outcome for our residents and businesses.

Strategy delivery is set out in **Appendix A** of this report.

#### 1.2 Current situation – scale of the problem

*“Fly-tipping is a significant blight on local environments; a source of pollution; a potential danger to public health; a hazard to wildlife and a nuisance. It also undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law”* – Department of Environment, Food and Rural Affairs (DEFRA)<sup>1</sup>

Fly-tipping is a criminal offence and one of the most common forms of anti-social behaviour. It poses a significant negative environmental, social and financial issue nationally and in Hampshire. It blights the countryside, is a threat to livestock and local wildlife, a source of pollution, a danger to public health, and attracts other forms of anti-social behaviour and environmental crime such as arson, littering, graffiti and dog fouling.

Fly-tipping can also affect both the tourism and inward investment potential of an area as well as the value of local homes. It undermines legitimate waste businesses as illegal operators avoid waste disposal costs and undercut those who abide by the law.

The consequence of fly-tipping is not only a significant risk to local communities, but also a considerable draw on valuable local authority budgets and other responsible bodies' resources which could be better directed elsewhere, as well as a cost to private landowners.

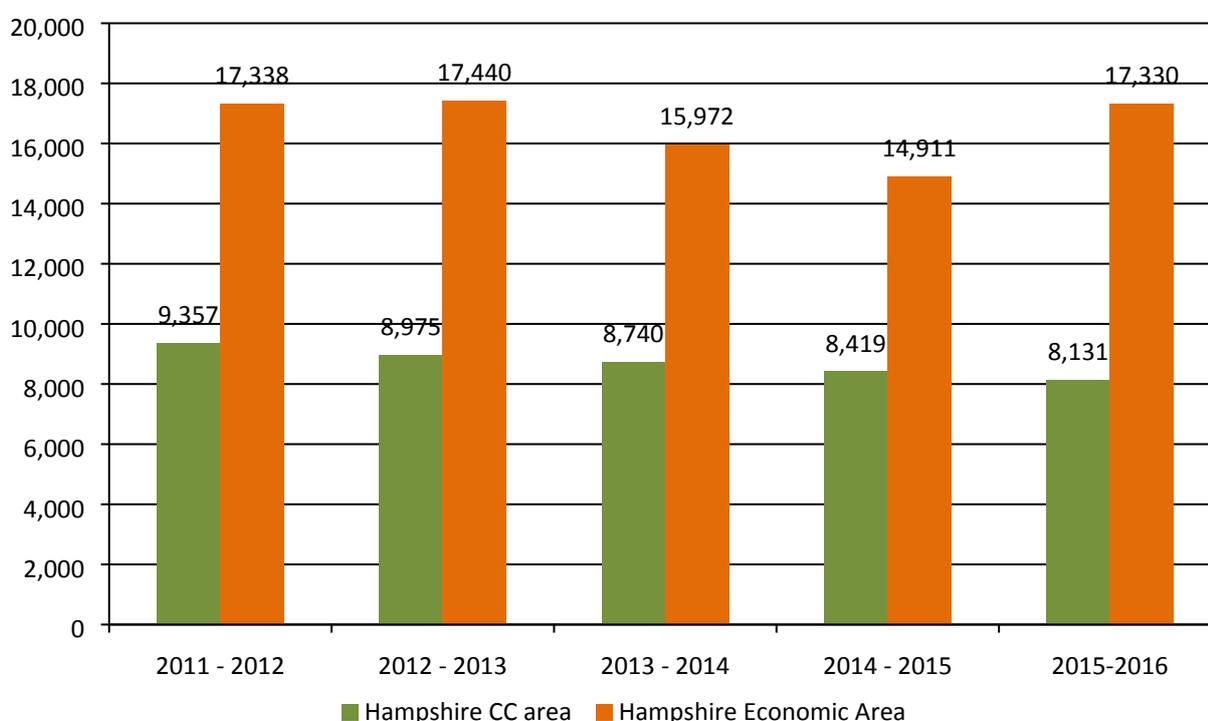
---

<sup>1</sup> DEFRA - Fly-tipping statistics for England, 2014/15  
[gov.uk/government/uploads/system/uploads/attachment\\_data/file/469566/Flycapture\\_201415\\_Statistical\\_release\\_FINAL.pdf](http://gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf)

According to the latest available data published by DEFRA, 900,000 incidents of fly-tipping were reported by Local Authorities in England in 2014/15 at an estimated cost to clear of nearly £50million, excluding disposal costs. This is up from 852,000 incidents reported in 2013/14, at an estimated cost of £45.2million to clear.<sup>2</sup> These costs however exclude much of the waste dumped on private land, for which landowners are liable to dispose of at considerable cost. It is estimated that the average cost to a rural landowner is £800 per incident.

Local fly-tipping incidents in 2015/16 in the Hampshire Economic Area (HEA area, including all Hampshire Local Authorities) have also increased from 2014/15 although it is observed that there has been a general decrease over the past five years in the Hampshire County Council area (excluding Portsmouth and Southampton City Councils).

Figure 1: Fly-tipping instances in Hampshire<sup>3</sup>



In 2015/16, there were still an estimated 8,131 incidents of fly-tipping reported in the HCC area, with the County Council and District and Borough councils spending an estimated **£710,000** of taxpayers' money on collecting, investigating and disposing of this illegally dumped waste.

The costs above do not include those that will have been incurred by private landowners during the same period.

<sup>2</sup> DEFRA - Fly-tipping statistics for England, 2014/15  
[gov.uk/government/uploads/system/uploads/attachment\\_data/file/469566/Flycapture\\_201415\\_Statistical\\_release\\_FINAL.pdf](http://gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf)

<sup>3</sup> DEFRA – Flycapture from 2011/12 - 2014/15 and WasteDataFlow from 2015/16 onwards

The most common place for those incidents which are reported to occur in Hampshire on public land is on the Highway (50% of incidents), on bridleways and footpaths (20%) and Council land (17%).

The type of material involved includes household, construction and commercial wastes. In terms of scale these are most commonly single item incidents (52%), the size of a small van load (18%) or the size of a car boot or less (17%). For further information, please refer to **Appendix B**.

### 1.3 Drivers for change

There are three key drivers for developing a joint approach to tackling and reducing fly-tipping in Hampshire:

**A. Environmental, social and financial impact:** The environmental and social harm caused by fly-tipping is unacceptable. If levels of fly-tipping remain constant in 2016/17 this will lead to a requirement to dispose of waste arising from over 8,000 incidents across Hampshire.

With increased costs for collection, investigation and disposal activities, the overall cost for 2016/17 could be greater than the £710,000 incurred in 2015/16, again not including the considerable cost to the private landowner. This money would be better directed towards other services, particularly in a climate where local authorities and other public bodies are increasingly required to make difficult decisions about where to focus their resources due to cuts in Government funding.

**B. Improved partnership working:** There are a number of bodies within Hampshire, as well as private landowners, who are impacted upon by fly-tipping and who incur costs as a result of fly-tipping incidents. However, the current position is relatively fragmented with various organisations in Hampshire tackling the issue within their own areas of jurisdiction to varying degrees of success.

The delivery of joined up anti fly-tipping campaigns has already proved to be successful in others areas of England including Buckinghamshire, Kent, Suffolk and Surrey, many of which have seen noticeable reductions in fly-tipping incidents following intervention.

There is also existing positive action already being taken within district and borough councils and other bodies in Hampshire to prevent and enforce against fly-tipping. The aim is to share information and resources to develop a holistic best practice approach in Hampshire to tackle the problem of fly-tipping through a joint strategy.

**C. Public perception:** It is acknowledged that fly-tipping is an issue of particular interest to Hampshire residents and businesses, evidenced by correspondence received by local authorities, regular concerns expressed by private landowners and other rural interests, and the level of coverage in the local media.

Fly-tipping impacts upon local environmental quality in a way that is immediately visible. It can have an impact upon house prices and local businesses and often can be viewed alongside other environmental crimes such as graffiti, whereby it is associated with a general decline in local standards. In Hampshire it is also particularly associated with a damaging impact upon the highly valued countryside. These are all reasons why it is an issue of concern to the public, and one which needs to be addressed.

Any perceived impacts on the levels of fly-tipping as a result of changes made to waste management in Hampshire should be monitored as part of the introduction of those changes.

## **2. Background**

### **2.1 What is fly-tipping?**

Fly-tipping is the illegal disposal of waste without an environmental permit and is a criminal offence, in line with Section 33(1) (a) of the Environmental Protection Act 1990. The types of fly-tipped waste can range from a black bag of household waste to large quantities of domestic, commercial or construction waste.

Fly-tipping is not the same as littering. There is no official statutory definition of litter, but it is most commonly assumed to include materials that are improperly discarded and in smaller volumes. Among the most common types of litter are cigarette butts, sweet packets and wrappers, non-alcoholic drink related litter and fast food related litter.

### **2.2 What are the factors are that contribute to fly-tipping in Hampshire?**

A report<sup>4</sup> referencing research by the National Fly-Tipping Prevention Group (NFTPG) found the primary causes of fly-tipping are:

- financial gains or savings
- lack of waste disposal facilities or access to them
- laziness and an attitude that it's someone else's responsibility to clear up the waste.

In addition to the above, there are a number of other reasons that are believed to be contributing to the amount of fly-tipping in Hampshire:

- Increased economic activity (e.g. housing/home development) contributing to larger amounts of construction waste.
- Agencies scaling back enforcement activities with fly-tipping not treated as a priority (likely to be associated with reduced budgets).
- Prevention measures not working.
- Rural characteristic of some areas of the county offers opportunities to fly-tip waste with relatively low chance of being spotted.

---

<sup>4</sup> <http://researchbriefings.files.parliament.uk/documents/SN05672/SN05672.pdf>

### 2.3 Responsibilities and powers

Local authorities and other responsible bodies have a legal or statutory responsibility in respect of dealing with fly-tipping, which varies depending on the circumstances. However, if waste is dumped on private land it is the responsibility of the landowner to remove and dispose at a cost to them. Please refer to **Appendix C** for detailed respective responsibilities in Hampshire.

The powers for enforcement in Hampshire lie with the Environment Agency and District and Borough Councils. The level of enforcement resource across the county is somewhat varied between the different District and Borough Councils. This has also been as a result of budgetary pressures on local authority funding.

### 2.4 Penalties for fly-tipping

Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can also attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties for fly-tipping, which can be found in **Appendix D**.

## 3. Scope

This strategy is a partnership approach led by Hampshire County Council, alongside Hampshire's Waste Collection Authorities, Unitary Authorities, and other organisations listed below. Not all organisations listed are directly responsible for dealing with Fly-tipping but all are working collaboratively to help address the issue.

### ***Hampshire Waste Collection and Unitary Authorities***

Basingstoke and Deane Borough Council  
East Hampshire District Council  
Eastleigh Borough Council  
Fareham Borough Council  
Gosport Borough Council  
Havant Borough Council (Norse South East)  
Hart District Council  
New Forest District Council  
Portsmouth City Council  
Rushmoor Borough Council  
Southampton City Council  
Test Valley Borough Council  
Winchester City Council

**Other Organisations**

Country Land and Business Association  
 Campaign to Protect Rural England Hampshire  
 Environment Agency  
 Farming Community Network  
 Forestry Commission  
 Local Farmers  
 Hampshire Constabulary  
 National Farmers Union  
 National Trust  
 New Forest National Park Authority  
 South Downs National Park Authority  
 Additional organisations may be involved as the strategy and action plan are developed.

**4. Developing the strategy**

This strategy has been and will continue to be developed through engagement with the relevant partner organisations, as shown in the timeline below:

<b>September 2016</b>	Outline of strategy and partnership approach agreed.
<b>September 2016 – November 2016</b>	Completion of three working groups helping to outline the action plan.
<b>December 2016 – March 2017</b>	Strategy, action plan and governance arrangements agreed, in consultation with all partners.
<b>April 2017 onwards</b>	Delivery phase including the publication of the strategy and action plan. Fly-tipping partnerships and projects officer in post.

The strategy is intended to be a live document that will evolve over time and will act as a mechanism for enhanced partnership working and collaboration.

This strategy will look to address the following common issues:

- I. **Education of residents and businesses** - Many households are unaware of their ‘Duty of Care’<sup>5</sup> responsibilities when disposing of their waste (i.e. to keep waste safe, and to make sure it’s dealt with responsibly and only given to businesses authorised to take it). Similarly, research shows that 56% of UK businesses are not complying with their ‘Duty of Care’ related regulations<sup>6</sup>.

<sup>5</sup> Waste Duty of Care Code of Practice: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

<sup>6</sup> <http://www.rightwasterightplace.com/news/2016/4/11/duty-of-care-awareness-campaign-launched-as-research-suggests-56-of-uk-businesses-are-not-complying-with-the-law>

- II. **Data recording** - Not all incidents of fly-tipping are recorded or are recorded in a consistent way. Encouragement and support will be offered to private landowners to report any incident, even though it is their responsibility to remove any fly-tipping at their own cost.
- III. **Management of incidents on the highway** - Lack of clarity when it's the responsibility of the District or Borough Council or the relevant Highways Authority in two-tier areas to clear a fly-tipping incident that has occurred on the Highway.
- IV. **Partner enforcement resources and working with land owners** - Different levels of access to information, and resource to assist with investigation and enforcement activities against fly-tipping.
- V. **Cross-border working with neighbouring local authorities** - With a focus on the wider national picture.

## 5. Aims and objectives

This strategy will initially focus on delivering the following three key aims and objectives, which will address the priorities listed above:

**Aim one:** Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.

Objectives:

- Creating awareness of the financial and environmental impacts of fly-tipping.
- Educating the residents and business about their “duty of care” responsibilities when disposing of waste.
- Highlighting the consequences of fly-tipping.
- Enabling and encouraging landowners to help prevent fly-tipping.
- Encouraging and enabling the reporting of fly-tipping incidents.
- Making it easier to report fly-tipping.

*(Addresses key issue/priority I and II in section 4 above)*

**Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.

Objectives:

- Establish and agree a common understanding of the legislation in relation to fly-tipping to help define roles and responsibilities in the process to make responses to instances more effective.

- Improve the recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.
- Explore the idea of a supplier framework agreement, which will allow any contracting body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.
- Work with neighbouring authorities and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.

*(Addresses key issue/priority II, III and IV in section 4 above)*

**Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most efficient and cost effective way, to achieve improved outcomes.

Objectives:

- Establish a network and platform to share intelligence on fly-tipping incidents, as well as best practice and resources on prevention and enforcement between partner organisations.
- Use technology to assist with intelligence gathering and enforcement activities.
- Identify resources that can be applied to enforcement activities and processes.
- Work with neighbouring authorities to investigate and bring enforcement action against serial offenders.
- Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.

*(Addresses key issue/priority III, IV and V in section 4 above)*

Key actions to be taken to achieve aims and objectives are highlighted in **Appendix A**.

The delivery of the aims and objectives in the strategy will work towards achieving the following outcomes:

- It will become easier for people to understand how they can dispose of their waste responsibly.
- Effective mechanisms are put in place to catch those responsible for fly-tipping, leading to a higher conviction rate with greater penalties being levied where possible.
- A decrease in the number of fly-tipping incidents across Hampshire, improving the environment and reducing the cost to the taxpayer and private landowners.

## 6. Strategy governance

Strategy oversight and multi-agency co-ordination will be provided through Project Integra (PI). PI is a partnership of the 11 Hampshire Waste Collection Authorities (WCAs), Hampshire County Council, the unitary authorities of Portsmouth and Southampton and Veolia UK, the integrated waste management contractor.

As a PI agreement would commit PI partners, it is intended that partner stakeholders outside of PI would be engaged through an agreed terms of reference. This document would be relevant for all partners (PI and non-PI).

A representative working group will be established to deliver the actions and support the strategy.

## 7. Monitoring progress of the strategy

The aims, objectives and actions to be delivered during 2017/18 are detailed in **Appendix A**.

Progress will be regularly monitored and reported to PI (as above). Key Performance Indicators will be developed to support reporting. These could potentially include numbers of incidents, volumes of waste, numbers of prosecutions, costs incurred, costs avoided.

## 8. Costs and funding

The delivery of the strategy will initially be financed by Hampshire County Council's Economy, Transport and Environment Department through the recruitment of a two year fixed term post. The post will cost an estimated £50,000 per year including both salary and on-costs.

The role holder will lead on co-ordinating the delivery and reporting of the aims, objectives and actions of the strategy and will co-ordinate intelligence sharing and collaboration between partners. To facilitate this, the post holder will develop and lead a fly-tipping working group including a reporting mechanism to PI.

The Fly-tipping Partnership and Projects Officer will sit within the Hampshire Trading Standards team as it is believed this is where it will add the most value given the access to existing intelligence resources and enforcement partnerships. This would support the delivery of the aims and in turn actively support the various partners' enforcement roles.

The ongoing funding of the strategy will be reviewed at the end of the first year of delivery, with reference to both achievements measured against key performance indicators, and the potential for ongoing funding.

It is intended that this post will be in place by April 2017.

**Appendix A - Action Plan** (\* Lead Partners identified at an early stage, subject to change)

Aim One: Communications	Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i> )	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
<ul style="list-style-type: none"> <li>• Creating awareness of the financial and environmental impacts of fly-tipping.</li> <li>• Educating the residents and business about their “duty of care” responsibilities when disposing of waste.</li> <li>• Highlighting the consequences of fly-tipping.</li> </ul>	Formally agree resources and communications plan.	Increase and improve the use of social media.  Highlight hotspots as case studies.	Hampshire County Council  Havant Borough Council  Test Valley Borough Council  Southampton City Council			
<ul style="list-style-type: none"> <li>• Enabling and encouraging landowners to help prevent fly-tipping.</li> <li>• Encouraging and enabling the reporting of fly-tipping incidents.</li> <li>• Making it easier to report</li> </ul>	Produce communications materials ahead of launch.	Develop branding and campaign material.  Target communications to: <ul style="list-style-type: none"> <li>• residents</li> <li>• perpetrators</li> <li>• businesses</li> <li>• planning applicants</li> <li>• landowners</li> </ul>	Hampshire County Council  Havant Borough Council  Test Valley Borough			

fly-tipping.		Review of engaged organisations including housing associations and Town and Parish Councils.	Council CPRE Hampshire Environment Agency National Farmers Union			
Page 38	Launch phased communications campaign.	Proactively share communications. Develop Fly-tipping area forums. Undertake community 'clear out days' in target areas. Target seasonal waste streams.	Hampshire County Council Test Valley Borough Council National Farmers Union Environment Agency Fareham Borough Council			

Aim Two: Reporting, Collection and Disposal	Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i> )	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
<p>Establish and agree a common understanding of the legislation in relation to fly-tipping to help define roles and responsibilities in the process to make responding to reported incidents more effective.</p> <p>Page 39</p>	<p>Undertake legal research on relevant legislation concerning:</p> <ul style="list-style-type: none"> <li>- definitions of fly-tipping</li> <li>- clarification over what is public &amp; private land</li> <li>- clarification over responsibilities with regards to highways and surrounding land.</li> </ul>	<p>Produce a guide to quickly identify who is responsible for what land.</p>	<p>Hampshire County Council</p> <p>Basingstoke and Deane Borough Council</p> <p>Environment Agency</p>			
<p>Improve the reporting and recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.</p>	<p>Ensure, as a start that all local authorities refer to the WasteDataFlow module guidance when reporting an</p>	<p>Seek to make reporting more consistent across Hampshire.</p>	<p>Hampshire County Council</p> <p>National Farmers Union</p>			

<p>Page 40</p>	<p>incident and report back any gaps in definition.</p>		<p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p>			
	<p>Ensure all local authorities record incidents in the same way that are a van load or higher, including information on location to inform county-wide intelligence mapping.</p>	<p>Reporting should include grid references to enable more efficient reporting and collection and mapping of 'hot spots'.</p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>Southampton City Council</p>			

Hampshire Fly-tipping Strategy

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 41</p>	<p>Establish a recording/reporting process for other bodies dealing with fly-tipping incidents.</p>	<p>Clear and consistent processes need to be developed for fly-tipping reporting on both public and private land.</p> <p><i>Seek to make reporting more consistent across Hampshire.</i></p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>National Farmers Union</p>			
	<p>Investigate the option for a single 'Hampshire' reporting tool for all (public &amp; private) fly-tipping incidents such as an app/website, etc.</p>	<p>Reporting needs to be simple and easy for residents, businesses and private landowners across Hampshire.</p> <p><i>Seek to make reporting more consistent across Hampshire.</i></p>	<p>Hampshire County Council</p> <p>CPRE Hampshire</p> <p>Southampton City Council</p>			

## Hampshire Fly-tipping Strategy

Page 42	Explore the idea of a supplier framework agreement, which will allow any contracting duty body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.	Produce an options analysis including procurement on how to proceed.	Contractual arrangements need to be explored to identify any barriers to this approach.	Hampshire County Council			
		Conduct research with WCAs and private landowners on types, volumes, frequencies of waste and current costs.		Hampshire County Council  East Hampshire District Council  Winchester City Council  Southampton City Council  Fareham Borough Council			
	Work with neighbouring authorities and wider partners and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.	Seek opportunities to feedback to DEFRA on reporting processes.		Hampshire County Council			

## Hampshire Fly-tipping Strategy

	Arrange regular communication with neighbouring local authorities, via existing waste management networks.		Hampshire County Council			
<b>Aim Three: Investigation and Enforcement</b>	<b>Work together to maximise investigation and enforcement resources to ensure we use these in the most cost effective way, to seek improved outcomes.</b>					
<b>Objectives</b>	<b>Actions</b>	<b>Key tasks (cross cutting against multiple actions <i>[italicised]</i>)</b>	<b>Lead and Partner(s)*</b>	<b>Progress to Date</b>	<b>Status</b> RAG	<b>Timescale</b>
Establish a network and platform to share intelligence on fly-tipping incidents, best practice and resources on prevention and enforcement between partner organisations.	Create an intelligence hub with a single point of contact.	Investigate opportunities to share databases.  Investigate the use of a Hampshire wide tactical operations manual and the benefits of a resource inventory.	Hampshire County Council  Southampton City Council  Basingstoke and Deane Borough Council  East Hampshire District Council  Hampshire			

Page 44			Trading Standards			
	Explore options for communications tools for information sharing networks.		Hampshire County Council			
	Create a protocol for fast access to local police intelligence on fly-tipping incidents.	Identify and take simple, rapid action in hotspot areas.	Hampshire County Council Test Valley Borough Council Basingstoke and Deane Borough Council Hampshire Constabulary			
	Establish a countywide fly-tipping enforcement group.	Investigate an 'enforcement panel' including a solicitor etc. Evaluate the use and effectiveness of Fixed Penalty	Hampshire County Council Winchester			

## Hampshire Fly-tipping Strategy

		Notices issued across Hampshire.	City Council			
Page 45	Use of technology to assist with intelligence gathering and enforcement activities.	Produce an options analysis on how to proceed.	Hampshire County Council			
	Research the use of mobile technology to photograph and plot fly-tipping incidents onto a real time mapping system.	Review existing technologies and applications; particularly where being used by other Local Authorities and organisations.	Hampshire County Council Test Valley Borough Council Hampshire Trading Standards			
	Develop a countywide map of larger scale incidents for use as both intelligence tool and public deterrent.	Consider joint prosecutions, learning from best practice.	Hampshire County Council Winchester City Council Southampton City Council			
Identify more resources that can be applied against enforcement activities and	Lobbying government for additional		Hampshire County Council			

## Hampshire Fly-tipping Strategy

processes.	funding and enforcement powers.					
Work with neighbouring authorities to investigate and bring enforcement action against serial offenders	Initiate intelligence sharing networks with neighbouring authorities, with designated points of contact.		<p>Hampshire County Council</p> <p>Test Valley Borough Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Eastleigh Borough Council</p>			
Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.	Provide information to magistrates on impacts of fly-tipping to encourage maximising available penalties.		<p>Hampshire County Council</p> <p>Hampshire Constabulary</p> <p>Winchester City Council</p>			

	Enabling Legal teams to share and improve best practice on enforcement and prosecutions.		Hampshire County Council			
	Investigate whether civil recovery action can be taken for cases of fly-tipping that go through the court process.		Hampshire County Council			

Page 47

<b>Aim Four: Development and delivery of the strategy</b>	<b>Continually develop the strategy and action plan, encourage and enable partnership working and lead on delivering the aims, objectives and actions of the strategy</b>				
<b>Objectives</b>	<b>Actions</b>	<b>Lead Partner(s)*</b>	<b>Progress to Date</b>	<b>Status</b> RAG	<b>Timescale</b>
Employ a fixed term co-ordinator post for an initial two year period.	Recruit post holder.	Hampshire County Council			
Develop and lead the fly-tipping working group	Set up group and manage regular meetings.	Hampshire County Council			
	Encourage and enable partnership working.	Hampshire County Council			

## Hampshire Fly-tipping Strategy

	Represent the group at PI.	Hampshire County Council			
	Develop Key Performance Indicators and reporting mechanisms.	Hampshire County Council			
Page 48	Update the fly-tipping strategy and action plan with partners	Hampshire County Council			
	Share examples of best practise.	Hampshire County Council			
	Encourage and identify work on cross cutting aims.	Hampshire County Council			
Cross-border collaboration	Liaise and work with other Local Authorities and representative fly-tipping groups and organisations.	Hampshire County Council			
	Ongoing review of best practice from other Local Authorities and organisations.	Hampshire County Council			
Review engagement with	Seek to engage	Hampshire County Council			

wider partners and organisations who are involved and/or impacted by fly-tipping.	Town and Parish Councils, Housing Associations, Community Partnerships and other organisations.				
---	---	--	--	--	--

DRAFT

**Appendix B - Fly-tipping Instances in Hampshire**

*The data below for 2011/12 to 2014/2015 inclusive is from FlyCapture. Data for 2015/16 onwards is now from WasteDataFlow.*

**Figure 2: Total reported Fly-tipping Instances in Hampshire**

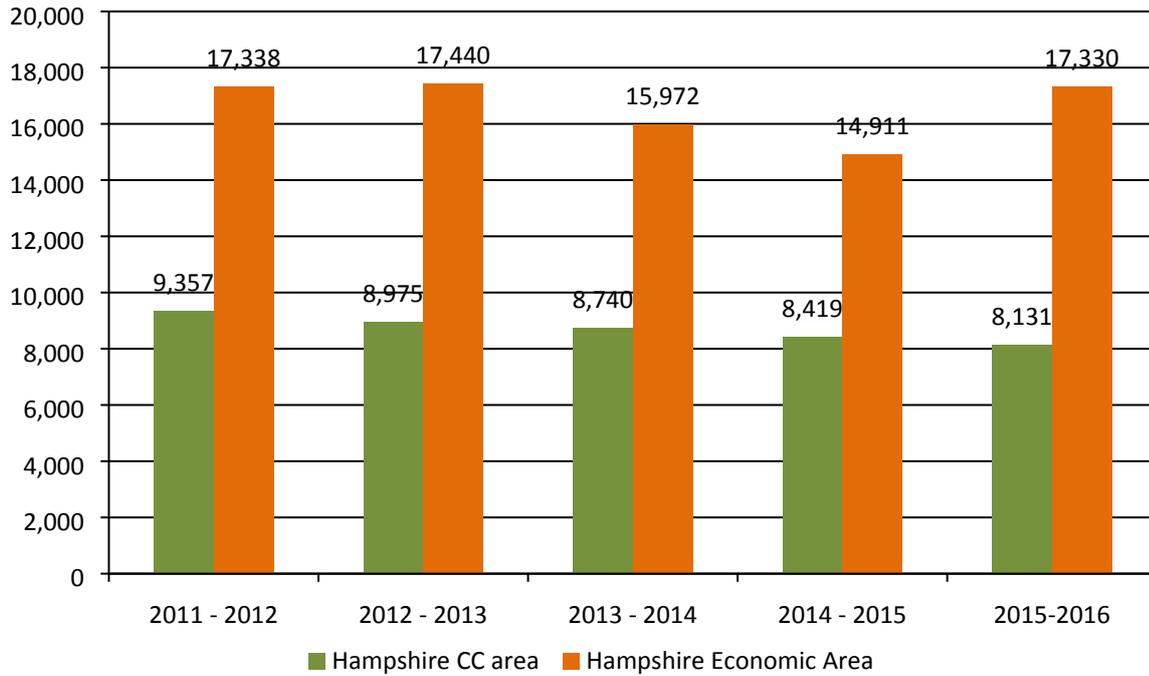


Table 1: Instances of reported Fly-tipping by Local Authority area

Total Number of Incidents	2011 - 12	2012 - 13	2013 - 14	2014 - 15	2015- 16	2015-16 change on year		2015-16 change from 2011-12	
						No.	%	No.	%
Basingstoke & Deane	2,391	2,198	1,798	1,308	1,036	-272	-21%	-1,355	-57%
East Hampshire	286	404	442	437	509	72	16%	223	78%
Eastleigh	554	428	529	604	614	10	2%	60	11%
Fareham	626	300	404	338	325	-13	-4%	-301	-48%
Gosport	436	321	423	511	500	-11	-2%	64	15%
Hart	602	702	711	602	749	147	24%	147	24%
Havant	930	1,167	1,239	1,503	1,130	-373	-25%	200	22%
New Forest	821	742	896	875	770	-105	-12%	-51	-6%
Rushmoor	913	1,314	1,147	1,102	901	-201	-18%	-12	-1%
Test Valley	1,257	785	523	536	851	315	59%	-406	-32%
Winchester	541	614	628	603	746	143	24%	205	38%
Hampshire CC Area	9,357	8,975	8,740	8,419	8,131	-288	-3%	-1,226	-13%
Portsmouth	626	646	1,029	923	1,099	176	19%	473	76%
Southampton	7,355	7,819	6,203	5,569	8,100	2,531	45%	745	10%
Hampshire Economic Area	17,338	17,440	15,972	14,911	17,330	2,419	16%	-8	0%

Figure 3: Proportion of reported Fly-tipping Instances by Location 2015/16

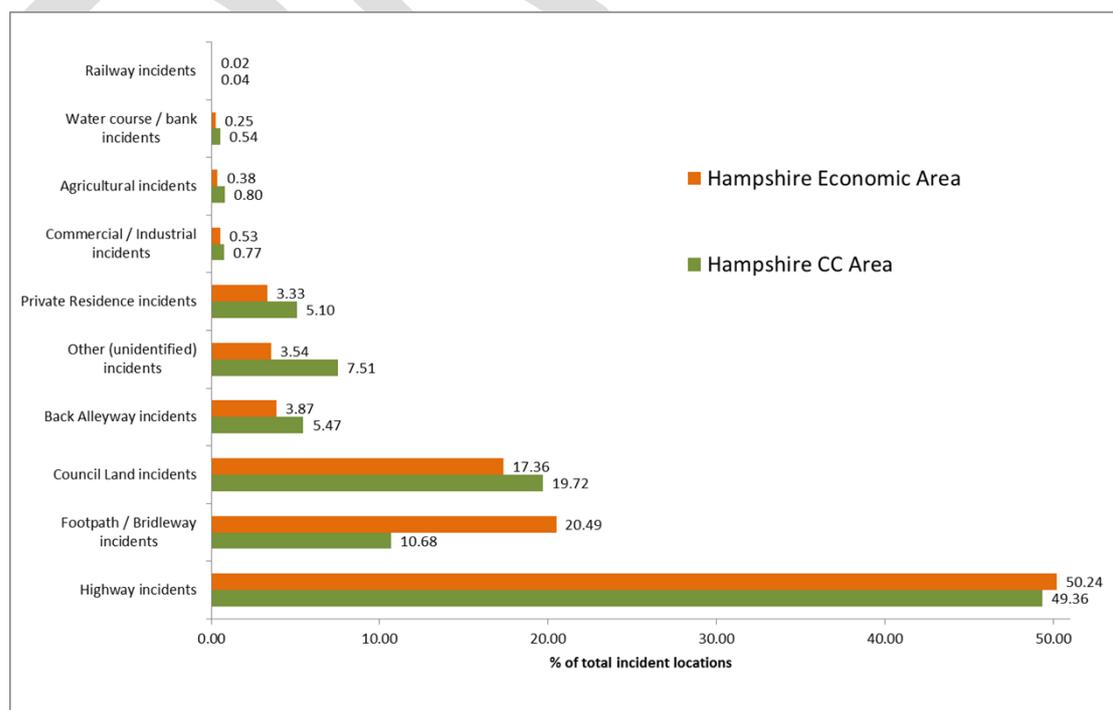
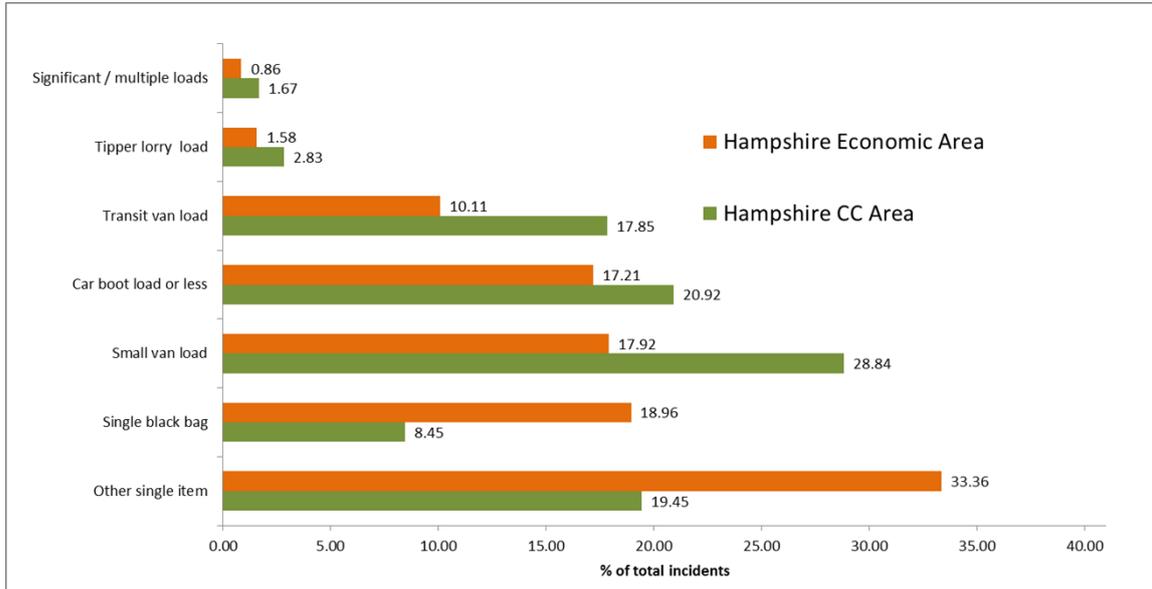


Figure 4: Scale of reported Fly-tipping Instances by Type of Incident 2015/16



DRAFT

**Appendix C - Fly-tipping Responsibilities in Hampshire**

<b>Organisation:</b>	<b>Responsible for:</b>
11 District and Borough Councils (Basingstoke & Deane, East Hants, Eastleigh, Fareham, Gosport, Hart, Havant, New Forest, Test Valley, Rushmoor, Winchester)	Responsible for investigating and clearing fly-tipping on all public land within their boundaries. Both the Highways Authority (Hampshire County Council ) and these local authorities have a responsibility for clearing waste from the Highway for roads which it is responsible for (not motorways or major trunk roads in Hampshire which Highways England are responsible for).
Forestry Commission	Responsible for clearing fly tipping incidents on the land they manage across the County. Specifically, within the New Forest National Park, this also includes Crown land.
Hampshire County Council	As the Waste Disposal Authority it is responsible for the disposal of any fly-tipped waste collected by District and Borough Councils. As the Highways Authority it is responsible with the Local Authorities for clearing waste from the Highway for roads which it is responsible for (not motorways and major trunk roads in Hampshire which Highways England are responsible for). As the Waste Planning Authority it also plays a role in enforcement on large-scale illegal waste dumping. Also responsible for clearing fly-tipping on its own land.
Hampshire Constabulary	Hampshire Constabulary will adopt a risk based approach to responding to any report of Fly Tipping, in general terms reports of fly tipping will not routinely result in the deployment of a police unit and the information will be passed on to the appropriate Local Authority. There may, however, be instances whereby the nature of the incident poses a hazard to the safety of the public and in these circumstances a police unit may be deployed. All such reports will be individually assessed.
Highways England	Responsible for clearing litter and fly-tipped material from motorways and major trunks roads.
Environment Agency	Responsible for investigating large-scale incidents of fly-tipping in Hampshire (more than a lorry load), hazardous waste fly-tipping, and waste dumped in a way that is a threat to human health or to the environment.

Network Rail	Responsible for all land between the tracks, as well as up to 100 metres from the end of a station platform. Responsible for all railway land in urban areas and key stations. Remaining stations are managed by train operating companies. In Hampshire this is South West Trains and First Great Western.
Land managers, farmers, land owners and occupiers of private land.	Responsible for clearing fly-tipping on private land. This includes private landowners, farmers, housing associations and other occupiers of private land in Hampshire.
Hampshire Residents & Businesses	Responsible for understanding their Duty of Care with regards to wastes they produce, to ensure these are disposed of in a legal manner.

DRAFT

## Appendix D - Penalties for fly-tipping

Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties including:

- **Duty of care failure:** Anyone who produces, imports, keeps, stores, transports, treats or disposes of waste must take all reasonable steps to ensure that waste is managed properly. This duty of care is imposed under section 34 of the Environmental Protection Act 1990 and includes a statutory Code of Practice. A breach of the duty of care could lead to a penalty of up to £5,000 if convicted in the Magistrates Court or an unlimited fine if convicted in the Crown Court.
- **Fixed penalty notices:** Local authorities can issue fixed penalty notices of £400 for small scale fly-tipping under new powers granted under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
- **Seizing property:** the Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015 came into force on 6 April 2015. These regulations establish the procedures which a waste collection authority, the Environment Agency and Natural Resources Wales must follow once they have seized a vehicle and/or its contents because of suspected involvement concerning the transport or disposal of waste (such as fly-tipping).

This strategy will also look to better inform magistrates about the impact of fly-tipping to encourage maximising available penalties and/or prison sentences.

This page is intentionally left blank

# HAMPSHIRE FLY-TIPPING STRATEGY

**Contents**

**1. Introduction** ..... 3

    1.1 Vision of the strategy ..... 3

    1.2 Current situation – scale of the problem ..... 3

    1.3 Drivers for change..... 5

**2. Background** ..... 6

    2.1 What is fly-tipping?..... 6

    2.2 What are the factors are that contribute to fly-tipping in Hampshire? ..... 6

    2.3 Responsibilities and powers ..... 7

    2.4 Penalties for fly-tipping..... 7

**3. Scope** ..... 7

**4. Developing the strategy** ..... 8

**5. Aims and objectives** ..... 9

**6. Strategy governance**..... 11

**7. Monitoring progress of the strategy** ..... 11

**8. Costs and funding**..... 11

**Appendix A - Action Plan** ..... 12

**Appendix B - Fly-tipping Instances in Hampshire** ..... 25

**Appendix C - Fly-tipping Responsibilities in Hampshire** ..... 28

**Appendix D - Penalties for fly-tipping** ..... 30

## Foreword

*“Fly-tipping is a criminal act. It is a significant concern for Hampshire residents, and is a financial and environmental cost to Hampshire County Council, all of Hampshire’s other Local Authorities and a number of other bodies and Hampshire landowners. It impacts upon businesses, communities, and Hampshire’s natural environment, including its two National Parks (the New Forest and the South Downs), and its wide ranging rural areas.*

*For this reason, we are seeking to work in partnership to tackle the issue of fly-tipping head on. We will focus on developing new and robust tactics to raise awareness about fly-tipping and the responsibilities for dealing with waste, improve our reporting and intelligence on fly-tipping instances, and utilise resources efficiently to increase capture and prosecution of perpetrators.*

*Within this partnership approach and collective responsibility, we will seek to clarify all partners’ roles in dealing with fly-tipping incidents, and ensure that all are empowered to deal with these incidents effectively.*

*In doing so, we seek to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping. This will also ensure we keep Hampshire a beautiful place to live and work for generations come.”*

*Councillor Rob Humby – Hampshire County Council*

### 1. Introduction

#### 1.1 Vision of the strategy

This strategy will aim to deliver the vision of

*“A future for Hampshire where we work together to ensure that all parties take responsibility for their waste, so as to bring about a significant reduction in the unacceptable social, economic and environmental harm caused by fly-tipping”.*

The Strategy will target illegal fly-tipping activities by coordinating, supporting and enhancing the prevention, investigation and enforcement activities of partner organisations to tackle the problem and reduce the number of incidents in Hampshire.

The Strategy will be delivered through enhanced partnership working and increased collaboration between all relevant bodies and organisations in Hampshire, to ensure the best outcome for our residents and businesses.

Strategy delivery is set out in **Appendix A** of this report.

#### 1.2 Current situation – scale of the problem

*“Fly-tipping is a significant blight on local environments; a source of pollution; a potential danger to public health; a hazard to wildlife and a nuisance. It also undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law” – Department of Environment, Food and Rural Affairs (DEFRA)<sup>1</sup>*

Fly-tipping is a criminal offence and one of the most common forms of anti-social behaviour. It poses a significant negative environmental, social and financial issue nationally and in Hampshire. It blights the countryside, is a threat to livestock and local wildlife, a source of pollution, a danger to public health, and attracts other forms of anti-social behaviour and environmental crime such as arson, littering, graffiti and dog fouling.

Fly-tipping can also affect both the tourism and inward investment potential of an area as well as the value of local homes. It undermines legitimate waste businesses as illegal operators avoid waste disposal costs and undercut those who abide by the law.

The consequence of fly-tipping is not only a significant risk to local communities, but also a considerable draw on valuable local authority budgets and other responsible bodies' resources which could be better directed elsewhere, as well as a cost to private landowners.

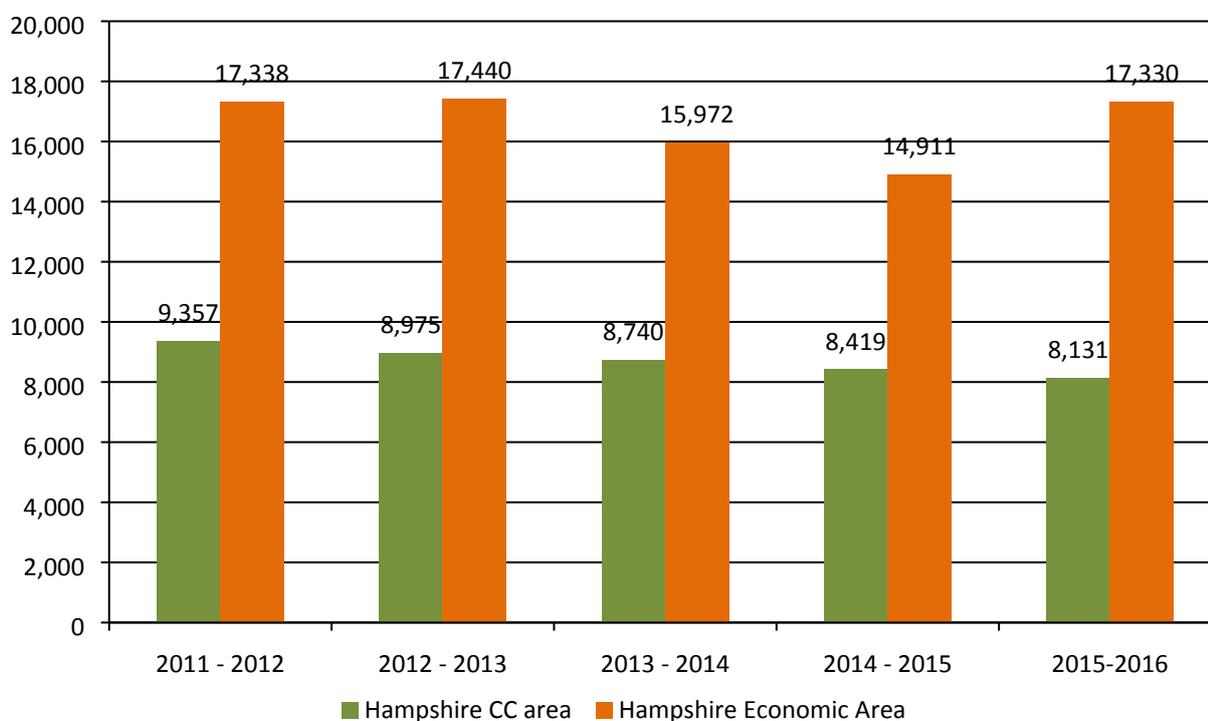
---

<sup>1</sup> DEFRA - Fly-tipping statistics for England, 2014/15  
[gov.uk/government/uploads/system/uploads/attachment\\_data/file/469566/Flycapture\\_201415\\_Statistical\\_release\\_FINAL.pdf](http://gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf)

According to the latest available data published by DEFRA, 900,000 incidents of fly-tipping were reported by Local Authorities in England in 2014/15 at an estimated cost to clear of nearly £50million, excluding disposal costs. This is up from 852,000 incidents reported in 2013/14, at an estimated cost of £45.2million to clear.<sup>2</sup> These costs however exclude much of the waste dumped on private land, for which landowners are liable to dispose of at considerable cost. It is estimated that the average cost to a rural landowner is £800 per incident.

Local fly-tipping incidents in 2015/16 in the Hampshire Economic Area (HEA area, including all Hampshire Local Authorities) have also increased from 2014/15 although it is observed that there has been a general decrease over the past five years in the Hampshire County Council area (excluding Portsmouth and Southampton City Councils).

Figure 1: Fly-tipping instances in Hampshire<sup>3</sup>



In 2015/16, there were still an estimated 8,131 incidents of fly-tipping reported in the HCC area, with the County Council and District and Borough councils spending an estimated **£710,000** of taxpayers' money on collecting, investigating and disposing of this illegally dumped waste.

The costs above do not include those that will have been incurred by private landowners during the same period.

<sup>2</sup> DEFRA - Fly-tipping statistics for England, 2014/15  
[gov.uk/government/uploads/system/uploads/attachment\\_data/file/469566/Flycapture\\_201415\\_Statistical\\_release\\_FINAL.pdf](http://gov.uk/government/uploads/system/uploads/attachment_data/file/469566/Flycapture_201415_Statistical_release_FINAL.pdf)

<sup>3</sup> DEFRA – Flycapture from 2011/12 - 2014/15 and WasteDataFlow from 2015/16 onwards

The most common place for those incidents which are reported to occur in Hampshire on public land is on the Highway (50% of incidents), on bridleways and footpaths (20%) and Council land (17%).

The type of material involved includes household, construction and commercial wastes. In terms of scale these are most commonly single item incidents (52%), the size of a small van load (18%) or the size of a car boot or less (17%). For further information, please refer to **Appendix B**.

### 1.3 Drivers for change

There are three key drivers for developing a joint approach to tackling and reducing fly-tipping in Hampshire:

**A. Environmental, social and financial impact:** The environmental and social harm caused by fly-tipping is unacceptable. If levels of fly-tipping remain constant in 2016/17 this will lead to a requirement to dispose of waste arising from over 8,000 incidents across Hampshire.

With increased costs for collection, investigation and disposal activities, the overall cost for 2016/17 could be greater than the £710,000 incurred in 2015/16, again not including the considerable cost to the private landowner. This money would be better directed towards other services, particularly in a climate where local authorities and other public bodies are increasingly required to make difficult decisions about where to focus their resources due to cuts in Government funding.

**B. Improved partnership working:** There are a number of bodies within Hampshire, as well as private landowners, who are impacted upon by fly-tipping and who incur costs as a result of fly-tipping incidents. However, the current position is relatively fragmented with various organisations in Hampshire tackling the issue within their own areas of jurisdiction to varying degrees of success.

The delivery of joined up anti fly-tipping campaigns has already proved to be successful in others areas of England including Buckinghamshire, Kent, Suffolk and Surrey, many of which have seen noticeable reductions in fly-tipping incidents following intervention.

There is also existing positive action already being taken within district and borough councils and other bodies in Hampshire to prevent and enforce against fly-tipping. The aim is to share information and resources to develop a holistic best practice approach in Hampshire to tackle the problem of fly-tipping through a joint strategy.

**C. Public perception:** It is acknowledged that fly-tipping is an issue of particular interest to Hampshire residents and businesses, evidenced by correspondence received by local authorities, regular concerns expressed by private landowners and other rural interests, and the level of coverage in the local media.

Fly-tipping impacts upon local environmental quality in a way that is immediately visible. It can have an impact upon house prices and local businesses and often can be viewed alongside other environmental crimes such as graffiti, whereby it is associated with a general decline in local standards. In Hampshire it is also particularly associated with a damaging impact upon the highly valued countryside. These are all reasons why it is an issue of concern to the public, and one which needs to be addressed.

Any perceived impacts on the levels of fly-tipping as a result of changes made to waste management in Hampshire should be monitored as part of the introduction of those changes.

## **2. Background**

### **2.1 What is fly-tipping?**

Fly-tipping is the illegal disposal of waste without an environmental permit and is a criminal offence, in line with Section 33(1) (a) of the Environmental Protection Act 1990. The types of fly-tipped waste can range from a black bag of household waste to large quantities of domestic, commercial or construction waste.

Fly-tipping is not the same as littering. There is no official statutory definition of litter, but it is most commonly assumed to include materials that are improperly discarded and in smaller volumes. Among the most common types of litter are cigarette butts, sweet packets and wrappers, non-alcoholic drink related litter and fast food related litter.

### **2.2 What are the factors are that contribute to fly-tipping in Hampshire?**

A report<sup>4</sup> referencing research by the National Fly-Tipping Prevention Group (NFTPG) found the primary causes of fly-tipping are:

- financial gains or savings
- lack of waste disposal facilities or access to them
- laziness and an attitude that it's someone else's responsibility to clear up the waste.

In addition to the above, there are a number of other reasons that are believed to be contributing to the amount of fly-tipping in Hampshire:

- Increased economic activity (e.g. housing/home development) contributing to larger amounts of construction waste.
- Agencies scaling back enforcement activities with fly-tipping not treated as a priority (likely to be associated with reduced budgets).
- Prevention measures not working.
- Rural characteristic of some areas of the county offers opportunities to fly-tip waste with relatively low chance of being spotted.

---

<sup>4</sup> <http://researchbriefings.files.parliament.uk/documents/SN05672/SN05672.pdf>

### 2.3 Responsibilities and powers

Local authorities and other responsible bodies have a legal or statutory responsibility in respect of dealing with fly-tipping, which varies depending on the circumstances. However, if waste is dumped on private land it is the responsibility of the landowner to remove and dispose at a cost to them. Please refer to **Appendix C** for detailed respective responsibilities in Hampshire.

The powers for enforcement in Hampshire lie with the Environment Agency and District and Borough Councils. The level of enforcement resource across the county is somewhat varied between the different District and Borough Councils. This has also been as a result of budgetary pressures on local authority funding.

### 2.4 Penalties for fly-tipping

Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can also attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties for fly-tipping, which can be found in **Appendix D**.

## 3. Scope

This strategy is a partnership approach led by Hampshire County Council, alongside Hampshire's Waste Collection Authorities, Unitary Authorities, and other organisations listed below. Not all organisations listed are directly responsible for dealing with Fly-tipping but all are working collaboratively to help address the issue.

### ***Hampshire Waste Collection and Unitary Authorities***

Basingstoke and Deane Borough Council  
East Hampshire District Council  
Eastleigh Borough Council  
Fareham Borough Council  
Gosport Borough Council  
Havant Borough Council (Norse South East)  
Hart District Council  
New Forest District Council  
Portsmouth City Council  
Rushmoor Borough Council  
Southampton City Council  
Test Valley Borough Council  
Winchester City Council

**Other Organisations**

Country Land and Business Association  
 Campaign to Protect Rural England Hampshire  
 Environment Agency  
 Farming Community Network  
 Forestry Commission  
 Local Farmers  
 Hampshire Constabulary  
 National Farmers Union  
 National Trust  
 New Forest National Park Authority  
 South Downs National Park Authority  
 Additional organisations may be involved as the strategy and action plan are developed.

**4. Developing the strategy**

This strategy has been and will continue to be developed through engagement with the relevant partner organisations, as shown in the timeline below:

<b>September 2016</b>	Outline of strategy and partnership approach agreed.
<b>September 2016 – November 2016</b>	Completion of three working groups helping to outline the action plan.
<b>December 2016 – March 2017</b>	Strategy, action plan and governance arrangements agreed, in consultation with all partners.
<b>April 2017 onwards</b>	Delivery phase including the publication of the strategy and action plan. Fly-tipping partnerships and projects officer in post.

The strategy is intended to be a live document that will evolve over time and will act as a mechanism for enhanced partnership working and collaboration.

This strategy will look to address the following common issues:

- I. **Education of residents and businesses** - Many households are unaware of their ‘Duty of Care’<sup>5</sup> responsibilities when disposing of their waste (i.e. to keep waste safe, and to make sure it’s dealt with responsibly and only given to businesses authorised to take it). Similarly, research shows that 56% of UK businesses are not complying with their ‘Duty of Care’ related regulations<sup>6</sup>.

<sup>5</sup> Waste Duty of Care Code of Practice: <https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

<sup>6</sup> <http://www.rightwasterightplace.com/news/2016/4/11/duty-of-care-awareness-campaign-launched-as-research-suggests-56-of-uk-businesses-are-not-complying-with-the-law>

- II. **Data recording** - Not all incidents of fly-tipping are recorded or are recorded in a consistent way. Encouragement and support will be offered to private landowners to report any incident, even though it is their responsibility to remove any fly-tipping at their own cost.
- III. **Management of incidents on the highway** - Lack of clarity when it's the responsibility of the District or Borough Council or the relevant Highways Authority in two-tier areas to clear a fly-tipping incident that has occurred on the Highway.
- IV. **Partner enforcement resources and working with land owners** - Different levels of access to information, and resource to assist with investigation and enforcement activities against fly-tipping.
- V. **Cross-border working with neighbouring local authorities** - With a focus on the wider national picture.

## 5. Aims and objectives

This strategy will initially focus on delivering the following three key aims and objectives, which will address the priorities listed above:

**Aim one:** Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.

Objectives:

- Creating awareness of the financial and environmental impacts of fly-tipping.
- Educating the residents and business about their “duty of care” responsibilities when disposing of waste.
- Highlighting the consequences of fly-tipping.
- Enabling and encouraging landowners to help prevent fly-tipping.
- Encouraging and enabling the reporting of fly-tipping incidents.
- Making it easier to report fly-tipping.

*(Addresses key issue/priority I and II in section 4 above)*

**Aim Two:** Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.

Objectives:

- Establish and agree a common understanding of the legislation in relation to fly-tipping to help define roles and responsibilities in the process to make responses to instances more effective.

- Improve the recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.
- Explore the idea of a supplier framework agreement, which will allow any contracting body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.
- Work with neighbouring authorities and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.

*(Addresses key issue/priority II, III and IV in section 4 above)*

**Aim Three:** Work together to maximise investigation and enforcement resources to ensure we use these in the most efficient and cost effective way, to achieve improved outcomes.

Objectives:

- Establish a network and platform to share intelligence on fly-tipping incidents, as well as best practice and resources on prevention and enforcement between partner organisations.
- Use technology to assist with intelligence gathering and enforcement activities.
- Identify resources that can be applied to enforcement activities and processes.
- Work with neighbouring authorities to investigate and bring enforcement action against serial offenders.
- Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.

*(Addresses key issue/priority III, IV and V in section 4 above)*

Key actions to be taken to achieve aims and objectives are highlighted in **Appendix A**.

The delivery of the aims and objectives in the strategy will work towards achieving the following outcomes:

- It will become easier for people to understand how they can dispose of their waste responsibly.
- Effective mechanisms are put in place to catch those responsible for fly-tipping, leading to a higher conviction rate with greater penalties being levied where possible.
- A decrease in the number of fly-tipping incidents across Hampshire, improving the environment and reducing the cost to the taxpayer and private landowners.

### 6. Strategy governance

Strategy oversight and multi-agency co-ordination will be provided through Project Integra (PI). PI is a partnership of the 11 Hampshire Waste Collection Authorities (WCAs), Hampshire County Council, the unitary authorities of Portsmouth and Southampton and Veolia UK, the integrated waste management contractor.

As a PI agreement would commit PI partners, it is intended that partner stakeholders outside of PI would be engaged through an agreed terms of reference. This document would be relevant for all partners (PI and non-PI).

A representative working group will be established to deliver the actions and support the strategy.

### 7. Monitoring progress of the strategy

The aims, objectives and actions to be delivered during 2017/18 are detailed in **Appendix A**.

Progress will be regularly monitored and reported to PI (as above). Key Performance Indicators will be developed to support reporting. These could potentially include numbers of incidents, volumes of waste, numbers of prosecutions, costs incurred, costs avoided.

### 8. Costs and funding

The delivery of the strategy will initially be financed by Hampshire County Council's Economy, Transport and Environment Department through the recruitment of a two year fixed term post. The post will cost an estimated £50,000 per year including both salary and on-costs.

The role holder will lead on co-ordinating the delivery and reporting of the aims, objectives and actions of the strategy and will co-ordinate intelligence sharing and collaboration between partners. To facilitate this, the post holder will develop and lead a fly-tipping working group including a reporting mechanism to PI.

The Fly-tipping Partnership and Projects Officer will sit within the Hampshire Trading Standards team as it is believed this is where it will add the most value given the access to existing intelligence resources and enforcement partnerships. This would support the delivery of the aims and in turn actively support the various partners' enforcement roles.

The ongoing funding of the strategy will be reviewed at the end of the first year of delivery, with reference to both achievements measured against key performance indicators, and the potential for ongoing funding.

It is intended that this post will be in place by April 2017.

Appendix A - Action Plan (\* Lead Partners identified at an early stage, subject to change)

Aim One: Communications	Stimulate and maintain a change in behaviour amongst residents, businesses and landowners that helps reduce the amount of fly-tipping in Hampshire, underpinned by a common understanding of fly-tipping as a socially unacceptable behaviour.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i> )	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
<ul style="list-style-type: none"> <li>• Creating awareness of the financial and environmental impacts of fly-tipping.</li> <li>• Educating the residents and business about their “duty of care” responsibilities when disposing of waste.</li> <li>• Highlighting the consequences of fly-tipping.</li> </ul>	Formally agree resources and communications plan.	Increase and improve the use of social media.  Highlight hotspots as case studies.	Hampshire County Council  Havant Borough Council  Test Valley Borough Council  Southampton City Council			
<ul style="list-style-type: none"> <li>• Enabling and encouraging landowners to help prevent fly-tipping.</li> <li>• Encouraging and enabling the reporting of fly-tipping incidents.</li> <li>• Making it easier to report</li> </ul>	Produce communications materials ahead of launch.	Develop branding and campaign material.  Target communications to: <ul style="list-style-type: none"> <li>• residents</li> <li>• perpetrators</li> <li>• businesses</li> <li>• planning applicants</li> <li>• landowners</li> </ul>	Hampshire County Council  Havant Borough Council  Test Valley Borough			

fly-tipping.		Review of engaged organisations including housing associations and Town and Parish Councils.	Council CPRE Hampshire Environment Agency National Farmers Union			
	Launch phased communications campaign.	Proactively share communications. Develop Fly-tipping area forums. Undertake community 'clear out days' in target areas. Target seasonal waste streams.	Hampshire County Council Test Valley Borough Council National Farmers Union Environment Agency Fareham Borough Council			

Aim Two: Reporting, Collection and Disposal	Jointly agree the most efficient process for reporting, collection and disposal of illegally dumped waste.					
Objectives	Actions	Key tasks (cross cutting against multiple actions <i>[italicised]</i> )	Lead and Partner(s)*	Progress to Date	Status RAG	Timescale
<p>Establish and agree a common understanding of the legislation in relation to fly-tipping to help define roles and responsibilities in the process to make responding to reported incidents more effective.</p> <p>Page 71</p>	<p>Undertake legal research on relevant legislation concerning:</p> <ul style="list-style-type: none"> <li>- definitions of fly-tipping</li> <li>- clarification over what is public &amp; private land</li> <li>- clarification over responsibilities with regards to highways and surrounding land.</li> </ul>	<p>Produce a guide to quickly identify who is responsible for what land.</p>	<p>Hampshire County Council</p> <p>Basingstoke and Deane Borough Council</p> <p>Environment Agency</p>			
<p>Improve the reporting and recording of fly-tipping incidents that are reported by all responsible bodies, working towards a consistent and comprehensive approach.</p>	<p>Ensure, as a start that all local authorities refer to the WasteDataFlow module guidance when reporting an</p>	<p>Seek to make reporting more consistent across Hampshire.</p>	<p>Hampshire County Council</p> <p>National Farmers Union</p>			

	<p>incident and report back any gaps in definition.</p>		<p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p>			
<p>Page 72</p>	<p>Ensure all local authorities record incidents in the same way that are a van load or higher, including information on location to inform county-wide intelligence mapping.</p>	<p>Reporting should include grid references to enable more efficient reporting and collection and mapping of 'hot spots'.</p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>Southampton City Council</p>			

Hampshire Fly-tipping Strategy

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 73</p>	<p>Establish a recording/reporting process for other bodies dealing with fly-tipping incidents.</p>	<p>Clear and consistent processes need to be developed for fly-tipping reporting on both public and private land.</p> <p><i>Seek to make reporting more consistent across Hampshire.</i></p>	<p>Hampshire County Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Basingstoke and Deane Borough Council</p> <p>National Farmers Union</p>			
	<p>Investigate the option for a single 'Hampshire' reporting tool for all (public &amp; private) fly-tipping incidents such as an app/website, etc.</p>	<p>Reporting needs to be simple and easy for residents, businesses and private landowners across Hampshire.</p> <p>Seek to make reporting more consistent across Hampshire.</p>	<p>Hampshire County Council</p> <p>CPRE Hampshire</p> <p>Southampton City Council</p>			

## Hampshire Fly-tipping Strategy

Page 74	Explore the idea of a supplier framework agreement, which will allow any contracting duty body to select from a number of registered suppliers for the removal of all waste including waste that is difficult to handle, ensuring best value from each clearance.	Produce an options analysis including procurement on how to proceed.	Contractual arrangements need to be explored to identify any barriers to this approach.	Hampshire County Council			
		Conduct research with WCAs and private landowners on types, volumes, frequencies of waste and current costs.		Hampshire County Council East Hampshire District Council Winchester City Council Southampton City Council Fareham Borough Council			
	Work with neighbouring authorities and wider partners and at a national level to improve reporting, given that fly-tipping doesn't stop at county borders.	Seek opportunities to feedback to DEFRA on reporting processes.		Hampshire County Council			

## Hampshire Fly-tipping Strategy

	Arrange regular communication with neighbouring local authorities, via existing waste management networks.		Hampshire County Council			
<b>Aim Three: Investigation and Enforcement</b>	<b>Work together to maximise investigation and enforcement resources to ensure we use these in the most cost effective way, to seek improved outcomes.</b>					
<b>Objectives</b>	<b>Actions</b>	<b>Key tasks (cross cutting against multiple actions <i>[italicised]</i>)</b>	<b>Lead and Partner(s)*</b>	<b>Progress to Date</b>	<b>Status</b> RAG	<b>Timescale</b>
Establish a network and platform to share intelligence on fly-tipping incidents, best practice and resources on prevention and enforcement between partner organisations.	Create an intelligence hub with a single point of contact.	Investigate opportunities to share databases.  Investigate the use of a Hampshire wide tactical operations manual and the benefits of a resource inventory.	Hampshire County Council  Southampton City Council  Basingstoke and Deane Borough Council  East Hampshire District Council  Hampshire			

			Trading Standards			
	Explore options for communications tools for information sharing networks.		Hampshire County Council			
	Create a protocol for fast access to local police intelligence on fly-tipping incidents.	Identify and take simple, rapid action in hotspot areas.	Hampshire County Council Test Valley Borough Council Basingstoke and Deane Borough Council Hampshire Constabulary			
	Establish a countywide fly-tipping enforcement group.	Investigate an 'enforcement panel' including a solicitor etc. Evaluate the use and effectiveness of Fixed Penalty	Hampshire County Council Winchester			

Hampshire Fly-tipping Strategy

		Notices issued across Hampshire.	City Council			
Page 77	Use of technology to assist with intelligence gathering and enforcement activities.	Produce an options analysis on how to proceed.	Hampshire County Council			
	Research the use of mobile technology to photograph and plot fly-tipping incidents onto a real time mapping system.	Review existing technologies and applications; particularly where being used by other Local Authorities and organisations.	Hampshire County Council Test Valley Borough Council Hampshire Trading Standards			
	Develop a countywide map of larger scale incidents for use as both intelligence tool and public deterrent.	Consider joint prosecutions, learning from best practice.	Hampshire County Council Winchester City Council Southampton City Council			
Identify more resources that can be applied against enforcement activities and	Lobbying government for additional		Hampshire County Council			

## Hampshire Fly-tipping Strategy

processes.	funding and enforcement powers.					
Work with neighbouring authorities to investigate and bring enforcement action against serial offenders	Initiate intelligence sharing networks with neighbouring authorities, with designated points of contact.		<p>Hampshire County Council</p> <p>Test Valley Borough Council</p> <p>East Hampshire District Council</p> <p>Winchester City Council</p> <p>Eastleigh Borough Council</p>			
Ensure enforcement is used to good effect with maximum penalties and fines to help serve as a deterrent to future incidents.	Provide information to magistrates on impacts of fly-tipping to encourage maximising available penalties.		<p>Hampshire County Council</p> <p>Hampshire Constabulary</p> <p>Winchester City Council</p>			

	Enabling Legal teams to share and improve best practice on enforcement and prosecutions.		Hampshire County Council			
	Investigate whether civil recovery action can be taken for cases of fly-tipping that go through the court process.		Hampshire County Council			

Page 79

<b>Aim Four: Development and delivery of the strategy</b>	<b>Continually develop the strategy and action plan, encourage and enable partnership working and lead on delivering the aims, objectives and actions of the strategy</b>				
<b>Objectives</b>	<b>Actions</b>	<b>Lead Partner(s)*</b>	<b>Progress to Date</b>	<b>Status</b> RAG	<b>Timescale</b>
Employ a fixed term co-ordinator post for an initial two year period.	Recruit post holder.	Hampshire County Council			
Develop and lead the fly-tipping working group	Set up group and manage regular meetings.	Hampshire County Council			
	Encourage and enable partnership working.	Hampshire County Council			

## Hampshire Fly-tipping Strategy

	Represent the group at PI.	Hampshire County Council			
	Develop Key Performance Indicators and reporting mechanisms.	Hampshire County Council			
Page 80	Update the fly-tipping strategy and action plan with partners	Hampshire County Council			
	Share examples of best practise.	Hampshire County Council			
	Encourage and identify work on cross cutting aims.	Hampshire County Council			
Cross-border collaboration	Liaise and work with other Local Authorities and representative fly-tipping groups and organisations.	Hampshire County Council			
	Ongoing review of best practice from other Local Authorities and organisations.	Hampshire County Council			
Review engagement with	Seek to engage	Hampshire County Council			

wider partners and organisations who are involved and/or impacted by fly-tipping.	Town and Parish Councils, Housing Associations, Community Partnerships and other organisations.				
---	---	--	--	--	--

DRAFT

**Appendix B - Fly-tipping Instances in Hampshire**

The data below for 2011/12 to 2014/2015 inclusive is from FlyCapture. Data for 2015/16 onwards is now from WasteDataFlow.

**Figure 2: Total reported Fly-tipping Instances in Hampshire**

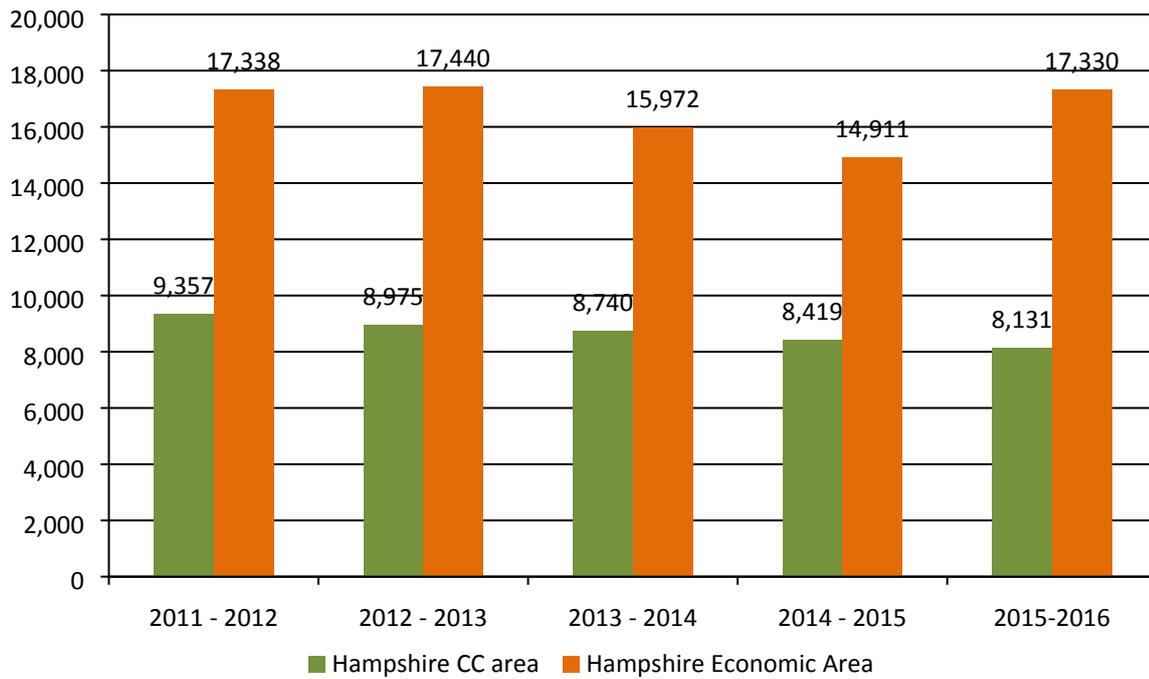


Table 1: Instances of reported Fly-tipping by Local Authority area

Total Number of Incidents	2011 - 12	2012 - 13	2013 - 14	2014 - 15	2015- 16	2015-16 change on year		2015-16 change from 2011-12	
						No.	%	No.	%
Basingstoke & Deane	2,391	2,198	1,798	1,308	1,036	-272	-21%	-1,355	-57%
East Hampshire	286	404	442	437	509	72	16%	223	78%
Eastleigh	554	428	529	604	614	10	2%	60	11%
Fareham	626	300	404	338	325	-13	-4%	-301	-48%
Gosport	436	321	423	511	500	-11	-2%	64	15%
Hart	602	702	711	602	749	147	24%	147	24%
Havant	930	1,167	1,239	1,503	1,130	-373	-25%	200	22%
New Forest	821	742	896	875	770	-105	-12%	-51	-6%
Rushmoor	913	1,314	1,147	1,102	901	-201	-18%	-12	-1%
Test Valley	1,257	785	523	536	851	315	59%	-406	-32%
Winchester	541	614	628	603	746	143	24%	205	38%
Hampshire CC Area	9,357	8,975	8,740	8,419	8,131	-288	-3%	-1,226	-13%
Portsmouth	626	646	1,029	923	1,099	176	19%	473	76%
Southampton	7,355	7,819	6,203	5,569	8,100	2,531	45%	745	10%
Hampshire Economic Area	17,338	17,440	15,972	14,911	17,330	2,419	16%	-8	0%

Figure 3: Proportion of reported Fly-tipping Instances by Location 2015/16

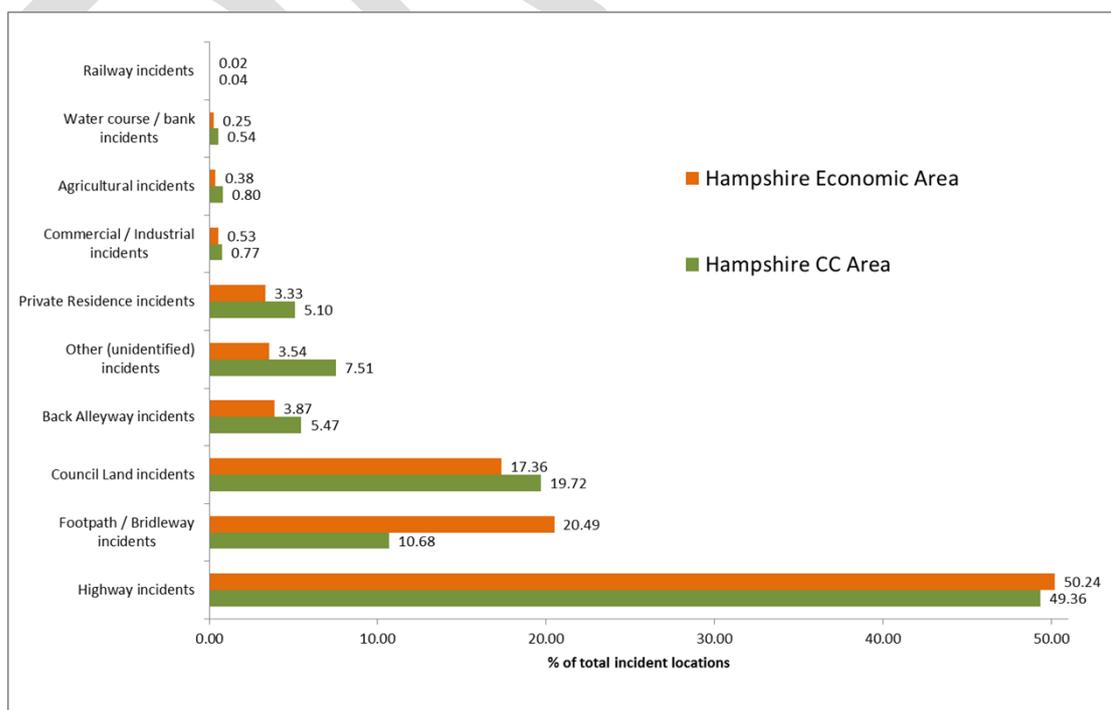
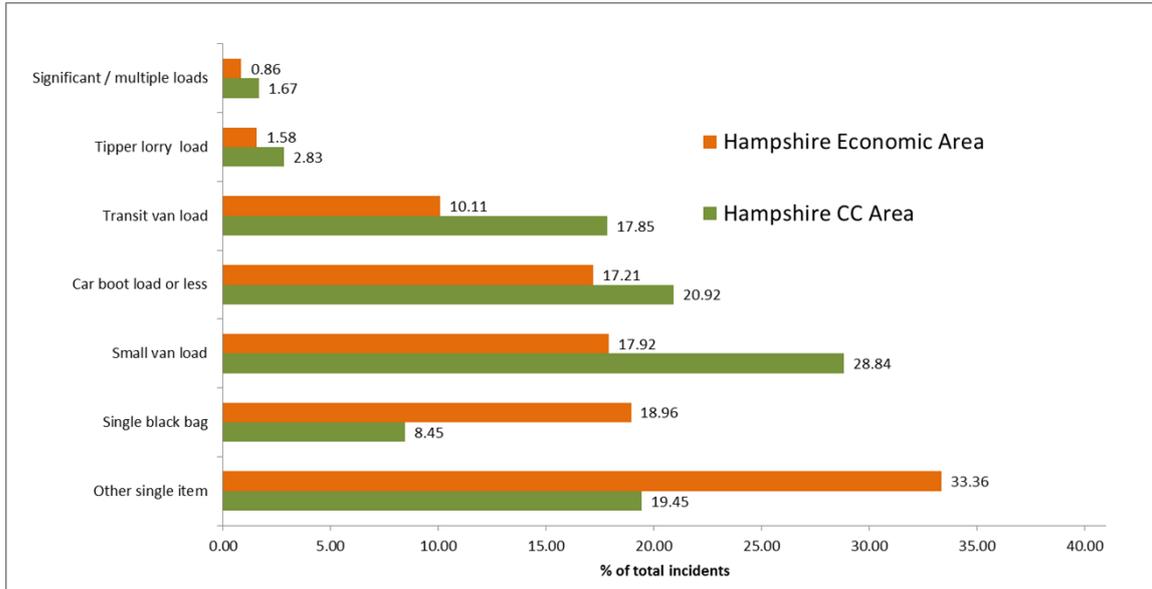


Figure 4: Scale of reported Fly-tipping Instances by Type of Incident 2015/16



DRAFT

**Appendix C - Fly-tipping Responsibilities in Hampshire**

<b>Organisation:</b>	<b>Responsible for:</b>
11 District and Borough Councils (Basingstoke & Deane, East Hants, Eastleigh, Fareham, Gosport, Hart, Havant, New Forest, Test Valley, Rushmoor, Winchester)	Responsible for investigating and clearing fly-tipping on all public land within their boundaries. Both the Highways Authority (Hampshire County Council ) and these local authorities have a responsibility for clearing waste from the Highway for roads which it is responsible for (not motorways or major trunk roads in Hampshire which Highways England are responsible for).
Forestry Commission	Responsible for clearing fly tipping incidents on the land they manage across the County. Specifically, within the New Forest National Park, this also includes Crown land.
Hampshire County Council	As the Waste Disposal Authority it is responsible for the disposal of any fly-tipped waste collected by District and Borough Councils. As the Highways Authority it is responsible with the Local Authorities for clearing waste from the Highway for roads which it is responsible for (not motorways and major trunk roads in Hampshire which Highways England are responsible for). As the Waste Planning Authority it also plays a role in enforcement on large-scale illegal waste dumping. Also responsible for clearing fly-tipping on its own land.
Hampshire Constabulary	Hampshire Constabulary will adopt a risk based approach to responding to any report of Fly Tipping, in general terms reports of fly tipping will not routinely result in the deployment of a police unit and the information will be passed on to the appropriate Local Authority. There may, however, be instances whereby the nature of the incident poses a hazard to the safety of the public and in these circumstances a police unit may be deployed. All such reports will be individually assessed.
Highways England	Responsible for clearing litter and fly-tipped material from motorways and major trunks roads.
Environment Agency	Responsible for investigating large-scale incidents of fly-tipping in Hampshire (more than a lorry load), hazardous waste fly-tipping, and waste dumped in a way that is a threat to human health or to the environment.

Network Rail	Responsible for all land between the tracks, as well as up to 100 metres from the end of a station platform. Responsible for all railway land in urban areas and key stations. Remaining stations are managed by train operating companies. In Hampshire this is South West Trains and First Great Western.
Land managers, farmers, land owners and occupiers of private land.	Responsible for clearing fly-tipping on private land. This includes private landowners, farmers, housing associations and other occupiers of private land in Hampshire.
Hampshire Residents & Businesses	Responsible for understanding their Duty of Care with regards to wastes they produce, to ensure these are disposed of in a legal manner.

DRAFT

## Appendix D - Penalties for fly-tipping

Fly-tipping is a criminal offence that is punishable by a fine of up to £50,000 or 12 months imprisonment if convicted in a Magistrates' Court. The offence can attract an unlimited fine and up to five years imprisonment if convicted in a Crown Court. There are also a range of other possible penalties including:

- **Duty of care failure:** Anyone who produces, imports, keeps, stores, transports, treats or disposes of waste must take all reasonable steps to ensure that waste is managed properly. This duty of care is imposed under section 34 of the Environmental Protection Act 1990 and includes a statutory Code of Practice. A breach of the duty of care could lead to a penalty of up to £5,000 if convicted in the Magistrates Court or an unlimited fine if convicted in the Crown Court.
- **Fixed penalty notices:** Local authorities can issue fixed penalty notices of £400 for small scale fly-tipping under new powers granted under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016.
- **Seizing property:** the Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015 came into force on 6 April 2015. These regulations establish the procedures which a waste collection authority, the Environment Agency and Natural Resources Wales must follow once they have seized a vehicle and/or its contents because of suspected involvement concerning the transport or disposal of waste (such as fly-tipping).

This strategy will also look to better inform magistrates about the impact of fly-tipping to encourage maximising available penalties and/or prison sentences.

This page is intentionally left blank

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Implications of New National Highways Code of Practice
<b>Reference:</b>	8200
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Clive Griffiths

**Tel:** 01962 847566

**Email:** [clive.griffiths@hants.gov.uk](mailto:clive.griffiths@hants.gov.uk)

#### 1. Executive Summary

1.1. This paper seeks to inform the Executive Member for Environment and Transport of the new national Code of Practice: 'Well-managed Highway Infrastructure' (October 2016) ("the Code") and the need to amend some areas of the current highway service in order to comply with this code. To achieve this, Hampshire County Council will need to develop a risk based approach in a number of areas of highway service delivery.

#### 2. Contextual information

2.1. The new Code for well managed highway infrastructure combines the three previous codes into one document. The three codes were:

- Well Maintained highways;
- Management of Highway Structures; and
- Well Lit Highways.

2.2. Adopting the new Code will require the involvement of a number of staff and create a substantial amount of work for the Highways Traffic and Transport Service Stream.

2.3. The Code contains 36 recommendations. (Refer to Appendix 1 for a list of the recommendation headings). To comply with these recommendations the highways service will have to change some of its current working practices. This may result in quite significant changes to highway maintenance and management policies, or more minor amendments to current processes and procedures. Once identified, any significant changes to either policy or service provision will be brought to future Executive Member decision days for consideration before October 2018.

2.4. The key change from the previous suite of Codes is a move away from prescriptive standards for maintaining highway assets to a risk-based

approach. The risk based approach allows Highway Authorities to define their own service levels and standards. In some circumstances this may relieve the obligations placed upon the Highway Authority by the old Codes. However developing and applying a risk based approach will require evidence to support the service decisions made.

- 2.5. The work to transform the service to align with the new Code has not been fully assessed but an initial review has identified key areas for focus and the need to include legal services from within the Authority.
- 2.6. Aligning with the new Code and applying a risk based approach is one of the objectives in the Highway Asset Management Strategy. This strategy is being updated and a report is on today's agenda.

### **3. Finance**

- 3.1. It is currently envisaged that the transitional work will be managed within existing resources.
- 3.2. The Code has been developed to allow Highway Authorities to define their own service levels without additional cost to the Authority.

### **4. Consultation and Equalities**

- 4.1. This report is for information regarding compliance with a new national Code of Practice. Any need to consult on specific issues has yet to be identified.
- 4.1. This report is for information regarding compliance with a new national Code of Practice. Impacts upon people with protected characteristics will be assessed as and when significant changes are made to policies in order to make the Authority compliant with the new code.

### **5. Future direction**

- 5.1. The Department for Transport has stated that Highway Authorities should be in a position to comply with this new Code by October 2018. At that time the old suite of codes will be made obsolete.

### **6. Recommendation**

- 6.1. That the Executive Member for Environment and Transport notes the content of the new code of practice 'Well-managed Highway Infrastructure' issued by the Department for Transport in October 2016, and delegates authority to the Director of Economy, Transport and Environment to make arrangements to ensure the County Council is compliant with the new code by October 2018.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>		
<u>Well-managed Highway Infrastructure: A Code of Practice</u>		<u>October 2016</u>

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

This report is for information regarding compliance with a new national Code of Practice. Impacts upon people with protected characteristics will be assessed as and when significant changes are made to policies in order to make the Authority compliant with the new code.

### **2. Impact on Crime and Disorder:**

2.1 No impact upon crime and disorder is anticipated from this proposal, which is to commence work to make Hampshire County Council compliant with a new national code of practice, from which future recommendations to the Executive Member may follow and will be duly assessed.

### **3. Climate Change:**

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

This report is for information regarding the compliance with a new national Code of Practice. The new Code has recommendations regarding climate change and these will be considered in this review.

This page is intentionally left blank

#### RECOMMENDATION 1 – USE OF THE CODE

This Code, in conjunction with the UKRLG Highway Infrastructure Asset Management Guidance, should be used as the starting point against which to develop, review and formally approve highway infrastructure maintenance policy and to identify and formally approve the nature and extent of any variations.

#### RECOMMENDATION 2 – ASSET MANAGEMENT FRAMEWORK

An Asset Management Framework should be developed and endorsed by senior decision makers. All activities outlined in the Framework should be documented.

(HIAMG Recommendation 1)

#### RECOMMENDATION 3 – ASSET MANAGEMENT POLICY AND STRATEGY

An asset management policy and a strategy should be developed and published. These should align with the corporate vision and demonstrate the contribution asset management makes towards achieving this vision.

(HIAMG Recommendation 3)

#### RECOMMENDATION 4 – ENGAGING AND COMMUNICATING WITH STAKEHOLDERS

Relevant information should be actively communicated through engagement with relevant stakeholders in setting requirements, making decisions and reporting performance.

(Taken from HIAMG Recommendation 2)

#### RECOMMENDATION 5 – CONSISTENCY WITH OTHER AUTHORITIES

To ensure that users' reasonable expectations for consistency are taken into account, the approach of other local and strategic highway and transport authorities, especially those with integrated or adjoining networks, should be considered when developing highway infrastructure maintenance policies.

#### RECOMMENDATION 6 – AN INTEGRATED NETWORK

The highway network should be considered as an integrated set of assets when developing highway infrastructure maintenance policies

#### RECOMMENDATION 7 – RISK BASED APPROACH

A risk based approach should be adopted for all aspects of highway infrastructure maintenance, including setting levels of service, inspections, responses, resilience, priorities and programmes.

#### RECOMMENDATION 8 – INFORMATION MANAGEMENT

Information to support a risk based approach to highway maintenance should be collected, managed and made available in ways that are sustainable, secure, meet any statutory obligations, and, where appropriate, facilitate transparency for network users.

#### RECOMMENDATION 9 – NETWORK INVENTORY

A detailed inventory or register of highway assets, together with information on their scale, nature and use, should be maintained. The nature and extent of inventory collected should be fit for purpose and meet business needs. Where data or information held is considered sensitive, this should be managed in a security-minded way.

#### RECOMMENDATION 10 – ASSET DATA MANAGEMENT

The quality, currency, appropriateness and completeness of all data supporting asset management should be regularly reviewed. An asset register should be maintained that stores, manages and reports all relevant asset data.

(HIAMG Recommendation 5)

### RECOMMENDATION 11 – ASSET MANAGEMENT SYSTEMS

Asset management systems should be sustainable and able to support the information required to enable asset management. Systems should be accessible to relevant staff and, where appropriate, support the provision of information for stakeholders.

(HIAMG Recommendation 12)

### RECOMMENDATION 12 – NETWORK HIERARCHY

A network hierarchy, or a series of related hierarchies, should be defined which include all elements of the highway network, including carriageways, footways, cycle routes, structures, lighting and rights of way. The hierarchy should take into account current and expected use, resilience, and local economic and social factors such as industry, schools, hospitals and similar as well as the desirability of continuity and of a consistent approach for walking and cycling.

### RECOMMENDATION 13 – WHOLE LIFE / DESIGNING FOR MAINTENANCE

Authorities should take whole life costs into consideration when assessing options for maintenance, new and improved highway schemes. The future maintenance costs of such new infrastructure are therefore a prime consideration.

### RECOMMENDATION 14 – RISK MANAGEMENT

The management of current and future risks associated with assets should be embedded within the approach to asset management. Strategic, tactical and operational risks should be included as should appropriate mitigation measures.

(HIAMG Recommendation 11)

#### RECOMMENDATION 15 – COMPETENCIES AND TRAINING

The appropriate competencies for all staff should be identified. Training should be provided where necessary for directly employed staff, and contractors should be required to provide evidence of the appropriate competencies of their staff.

(HIAMG Recommendation 10)

#### RECOMMENDATION 16 – INSPECTIONS

A risk-based inspection regime, including regular safety inspections, should be developed and implemented for all highway assets.

#### RECOMMENDATION 17 – CONDITION SURVEYS

An asset condition survey regime, based on asset management needs and any statutory reporting requirements, should be developed and implemented.

#### RECOMMENDATION 18 – MANAGEMENT SYSTEMS AND CLAIMS

Records should be kept of all activities, particularly safety and other inspections, including the time and nature of any response, and procedures established to ensure efficient management of claims whilst protecting the authority from unjustified or fraudulent claims.

#### RECOMMENDATION 19 – DEFECT REPAIR

A risk-based defect repair regime should be developed and implemented for all highway assets.

#### RECOMMENDATION 20 – RESILIENT NETWORK

Within the highway network hierarchy a 'resilient network' should be identified to which priority is given through maintenance and other measures to maintain economic activity and access to key services during extreme weather.

#### RECOMMENDATION 21 – CLIMATE CHANGE ADAPTATION

The effects of extreme weather events on highway infrastructure assets should be risk assessed and ways to mitigate the impacts of the highest risks identified.

#### RECOMMENDATION 22 – DRAINAGE MAINTENANCE

Drainage assets should be maintained in good working order to reduce the threat and scale of flooding. Particular attention should be paid to locations known to be prone to problems, so that drainage systems operate close to their designed efficiency.

#### RECOMMENDATION 23 – CIVIL EMERGENCIES AND SEVERE WEATHER EMERGENCIES PLANS

The role and responsibilities of the highway authority in responding to civil emergencies should be defined in the authority's Civil Emergency Plan. A Severe Weather Emergencies Plan should also be established in consultation with others, including emergency services, relevant authorities and agencies. It should include operational, resource and contingency plans and procedures to enable timely and effective action by the Highway Authority to mitigate the effects of severe weather on the network and provide the best practicable service in the circumstances.

#### RECOMMENDATION 24 – COMMUNICATIONS

Severe Weather and Civil Emergencies Plans should incorporate a communications plan to ensure that information including weather and flood forecasts are received through agreed channels and that information is disseminated to highway users through a range of media.

#### RECOMMENDATION 25 – LEARNING FROM EVENTS

Severe Weather and Civil Emergencies Plans should be regularly rehearsed and refined as necessary. The effectiveness of the Plans should be reviewed after actual events and the learning used develop them as necessary.

#### RECOMMENDATION 26 – PERFORMANCE MANAGEMENT FRAMEWORK

A performance management framework should be developed that is clear and accessible to stakeholders as appropriate and supports the asset management strategy.

(HIAMG Recommendation 4)

#### RECOMMENDATION 27 – PERFORMANCE MONITORING

The performance of the Asset Management Framework should be monitored and reported. It should be reviewed regularly by senior decision makers and when appropriate, improvement actions should be taken.

(HIAMG Recommendation 13)

#### RECOMMENDATION 28 – FINANCIAL PLANS

Financial plans should be prepared for all highway maintenance activities covering short, medium and long term time horizons.

#### RECOMMENDATION 29 – LIFECYCLE PLANS

Lifecycle planning principles should be used to review the level of funding, support investment decisions and substantiate the need for appropriate and sustainable long term investment.

(HIAMG Recommendation 6)

#### RECOMMENDATION 30 – CROSS ASSET PRIORITIES

In developing priorities and programmes, consideration should be given to prioritising across asset groups as well as within them.

#### RECOMMENDATION 31 – WORKS PROGRAMMING

A prioritised forward works programme for a rolling period of three to five years should be developed and updated regularly.

(HIAMG Recommendation 7)

#### RECOMMENDATION 32 – CARBON

The impact of highway infrastructure maintenance activities in terms of whole life carbon costs should be taken into account when determining appropriate interventions, materials and treatments.

#### RECOMMENDATION 33 – CONSISTENCY WITH CHARACTER

Determination of materials, products and treatments for the highway network should take into account the character of the area as well as factoring in whole life costing and sustainability. The materials products and treatments used for highway maintenance should meet requirements for effectiveness and durability.

#### RECOMMENDATION 34 – HERITAGE ASSETS

Authorities should identify a schedule of listed structures, ancient monuments and other relevant assets and work with relevant organisations to ensure that maintenance reflects planning requirements.

#### RECOMMENDATION 35 – ENVIRONMENTAL IMPACT, NATURE CONSERVATION AND BIODIVERSITY

Materials, products and treatments for highway infrastructure maintenance should be appraised for environmental impact and for wider issues of sustainability. Highway verges, trees and landscaped areas should be managed with regard to their nature conservation value and biodiversity principles as well as whole-life costing, highway safety and serviceability.

#### RECOMMENDATION 36 – MINIMISING CLUTTER

Opportunities to simplify signs and other street furniture and to remove redundant items should be taken into account when planning highway infrastructure maintenance activities.

This page is intentionally left blank

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Highway Asset Management Strategy
<b>Reference:</b>	8201
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Clive Griffiths

**Tel:** 01962 847566

**Email:** [clive.griffiths@hants.gov.uk](mailto:clive.griffiths@hants.gov.uk)

#### 1. Executive Summary

- 1.1. The purpose of this paper is to request that amendments to the current version of Hampshire's Highway Asset Management Strategy are recorded and approved.

#### 2. Contextual information

- 2.1. Hampshire's Highway Asset Management Strategy was first approved by the Executive Member for Economy, Transport and Environment in 2011. Since then there have been regular amendments to ensure consistency with national direction and to reflect continuous improvement. This is the fourth update of the strategy.

- 2.2. National good practice documents relating to Highway Asset Management include the:

- Highway Infrastructure Asset Management Guidance (HIAMG), May 2013;
- Well-Managed Highway Infrastructure: A Code of Practice, Oct 2016; and
- Department for Transport Incentive Fund guidance and self assessment requirements, issued in 2015 and updated annually.

These documents strongly recommend that a Highway Asset Management Strategy is adopted and embedded in the highway service.

- 2.3. Since the issue of the Incentive Fund Self-Assessment guidance in 2015 Hampshire has developed and is implementing a number of new initiatives.

This work has provided the necessary evidence to allow Hampshire to self assess as a Band 3 Authority, which in turn maximises funding from the Department for Transport over the next few years.

- 2.4. This latest version of the Strategy, version 4, incorporates the concepts of continuous improvement identified in the Department for Transport's Incentive Fund guidance. See Appendix 1 for Hampshire's Highway Asset Management Strategy – version 4.
- 2.5. The key changes to version 4 describe Hampshire's asset management approach to managing risk, performance, and service delivery. The changes also extend the Council's aims and objectives (Section 9) in meeting national good practice, such as:
  - Adapting the Council's highway service to comply with the new Code of Practice, Well-Managed Highway Infrastructure, by applying a risk based approach.
  - Designing with maintenance in mind to ensure that materials and designs provide the best solution for now and the future;
  - Ensuring that processes for adopting new highway infrastructure meet the demands of asset management;
  - Continuing to improve communications with stakeholders regarding the highway service; and
  - Developing asset information to improve service delivery and where possible provide efficiencies.

### **3. Finance**

- 3.1. Achieving full implementation of all the recommendations set out in the documents listed above will help to maximise structural maintenance funding for Hampshire as described in the Governments current proposals for Local Highway Authority structural maintenance to 2020/21.

### **4. Performance**

- 4.1. There are performance related items in the strategy document. The implementation of a performance management framework (PMF) is a key requirement in both the HIAMG and the Incentive Fund Self-Assessment. This strategy outlines the approach to performance management in the framework but it does not specify actual measures and targets.
- 4.2. However, the Highway Traffic and Transport Service Stream has identified initial strategic performance measures and these will be used to inform Service Delivery Planning in 2017/18.

## **5. Consultation and Equalities**

- 5.1 This strategy document sets out the County Council's approach to highways asset management. The proposed changes to the Strategy document will not amend the existing approach to assessing and mitigating impacts upon people with protected characteristics.

## **6. Other key issues**

- 6.1. The current direction for Government highway structural maintenance funding promotes competition for funds and requires evidence to support any assessment or bid. This decision will help to ensure that Hampshire's Highway Asset Management Strategy is up to date.

## **7. Future direction**

- 7.1. Hampshire's Highways Asset Management Strategy is reviewed annually by the Asset Management Planning Group and any major amendments required to reflect changes to national good practice or Hampshire County Council aims and objectives will be considered and reported to the Executive Member as appropriate. Minor textual changes and progress updates will be carried out by the Director of Economy, Transport and Environment under delegated authority.

## **8. Recommendations**

- 8.1. That the amendments to Hampshire's Highway Asset Management Strategy, being version 4, are approved.
- 8.2. That this version 4 of the Hampshire Highways Asset Management Strategy supersedes and replaces the currently published document as the basis for operational highways management.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
Hampshire's Highway Asset Management Strategy Version 3.	<u>Reference</u>	<u>Date</u> Jan 2016
<b>Direct links to specific legislation or Government Directives</b>		
Government capital funding initiatives for highway maintenance 15/16 – 20/21 and related Autumn budget statements.		<u>Date</u>

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

This strategy document sets out the County Council's approach to highways asset management. The proposed changes to the Strategy document will not amend the existing approach to assessing and mitigating impacts upon people with protected characteristics.

### **2. Impact on Crime and Disorder:**

2.1. It is not thought that the update of the Hampshire Highways Asset Management Strategy will have an impact upon crime and disorder.

### **3. Climate Change:**

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?
- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Adapting to climate change and providing resilience to the highway network is one of the Government's key drivers for asset management and is

incorporated into this strategy by implementing the relevant recommendations in the documents described in item 2.2.

## **Hampshire's Highway Asset Management Strategy**

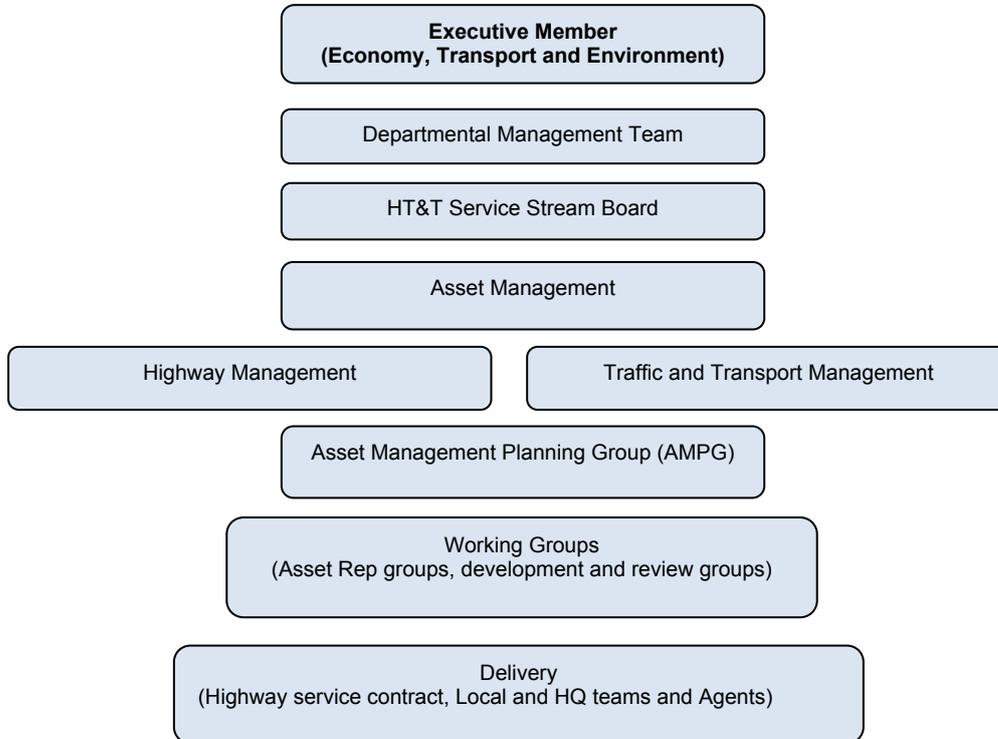
### **1 Implementing Effective Asset Management**

- 1.1 Hampshire County Council recognises the importance of the highway infrastructure in the context of the well being of all who use it. The County Council is committed to the good management of the highway asset not only for now but for future generations and recognises that asset management provides the right approach for efficient management of the network to deliver required levels of service.
- 1.2 Hampshire has therefore been developing and implementing highway asset management principles over a number of years. A Transport Asset Management Plan (TAMP) was drafted in 2005, linking various key documents to provide a consistent and uniform approach to the management of the highway infrastructure. Hampshire's first Highway Asset Management Policy and Strategy documents were approved by the Executive Member and issued in 2011 and became key to embedding highway asset management principles. In 2013 the Highway Infrastructure Asset Management Guidance (HIAMG) endorsed this approach and presented it as a best practice case study in the Guidance. Since then the documents have been regularly reviewed and updated in line with national guidance and good practice.
- 1.3 Hampshire's asset management approach gives priority to managing and maintaining asset information, promoting its effective use and developing processes that deliver required outcomes, through the use of appropriate tools. This information forms the basis for supporting investment, performance and lifecycle planning decisions.

### **2 Asset Management Framework in Hampshire**

- 2.1 This Asset Management (AM) Strategy sits within the wider asset management framework (*figure 2*) and is one of the key strategic documents related to the delivery of the Council's highway services.
- 2.2 Encompassed within the AM framework are two key documents; the Council's Highway Maintenance Management Plan (HMMP) and the Traffic Management Policy Guidance (TMPG), both contain the approved and adopted policies and policy guidance in respect to the Council's legal requirements and its service provision. These documents reflect the guidance set down in the national Code of Practice. The original strategy was based on the Code of Practice '*Well-maintained Highways*'. This Code was superseded in October 2016 with '*Well-Managed Highway Infrastructure: A Code of Practice*'. One of the key objectives of this strategy is to align with the new Code within the 2 year time frame, see section 9.

2.3 The Economy Transport and Environment Department has set up an organisational structure that reflects the importance asset management plays in the delivery of highway and transport services. This structure enables; the development, continual review and the embedding and promotion of asset management best practice, described in Figure 1.



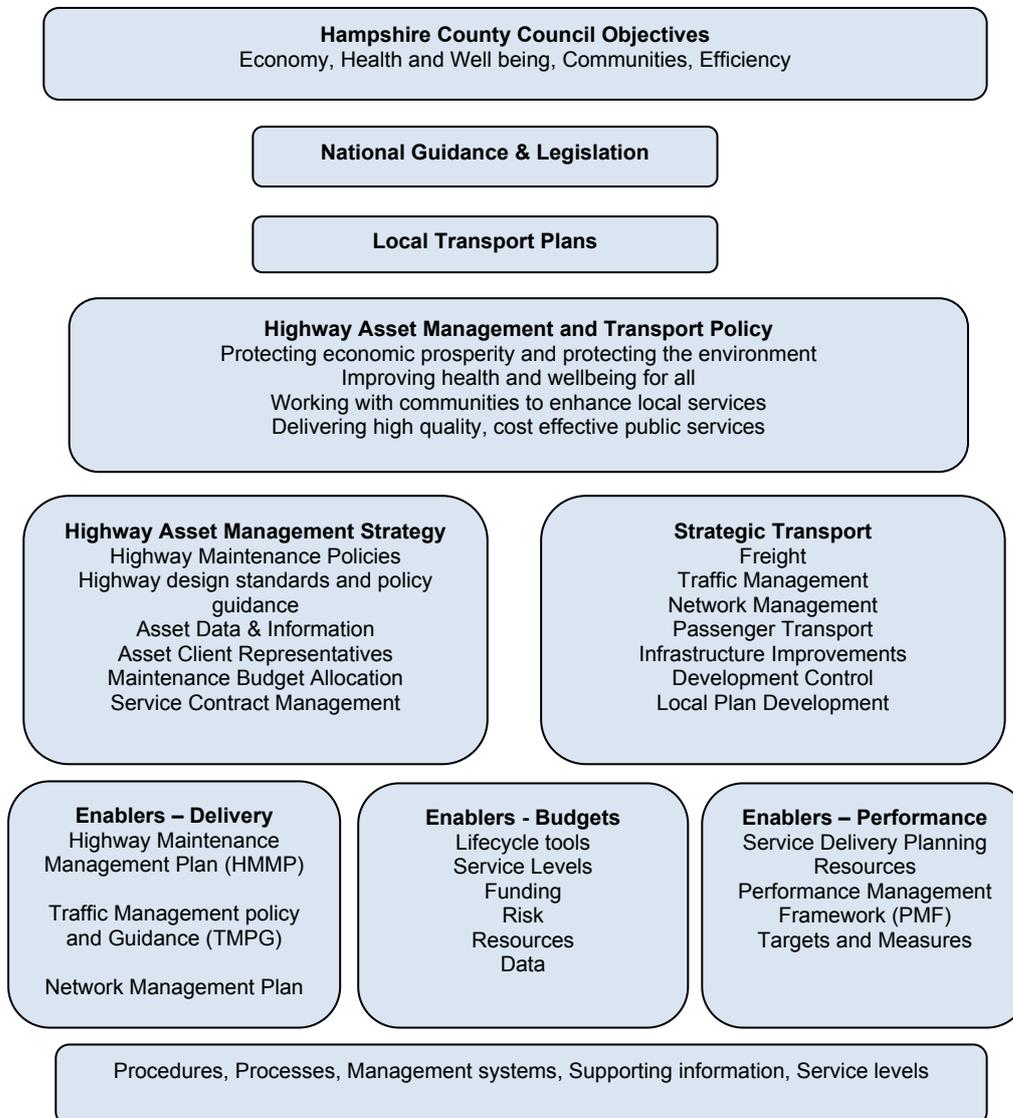
*Figure 1: Organisational Structure*

2.4 The implementation and management of this strategy is the responsibility of The Asset Management Planning Group (AMPG), whose role is to develop, embed and provide direction for the continuous improvement of asset management within the Highways, Traffic and Transport Service Stream. The aim of the Asset Management Team (AMT) is to support the AMPG in promoting the principles of asset management by implementing the Group’s associated improvement actions.

2.5 This Asset Management Strategy sets out how the Department’s Asset Management Policy is being achieved. In particular, it describes how Hampshire continues to work towards implementing an asset management approach for our highway network. It provides the framework for delivering our corporate priorities through effective, informed and evidence based decision making.

2.6 This strategy serves as a basis for the development of detailed asset management planning and its implementation, including enabling the organisation, its technology and its processes to adapt to change. It is based on the framework shown schematically in Figure 2 , and outlined in the following sections. The framework clearly identifies the relationships between asset management, the influences of corporate and national drivers and internally the

Departmental Delivery Plan and Transport Planning. The Asset Management Strategy informs priorities in the delivery planning process and therefore supports continual improvement in the management of the highway asset.



*Figure 2: Asset Management Framework*

- 2.7 This strategy covers all maintenance led activities from capital and revenue funding sources. Decisions relating to capital improvements and the transport needs of the network are not presently covered in this strategy. However the concept of whole life cost considerations for new construction is being developed, (see section 9).
- 2.8 This strategy explains how individual asset groups and components fit in the framework, describes how the asset management planning process is implemented in the Department and refers to tools currently employed, as well as links to other key documents. Finally, the strategy describes how the Department will embed a continuous improvement approach to highway asset management, including how national developments and good practice are

taken into consideration, as well as how the work carried out in Hampshire can influence the national asset management agenda.

### 3 Highway Asset Management Objectives

3.1 The Asset Management Framework illustrates the relationship between Hampshire County Council's corporate Aims and Objectives and the delivery of highway asset management practices. Our highway asset management objectives translate the corporate aims and objectives into asset management terms and these in turn inform the direction for asset management. The objectives described provide direction for; performance management, management of risk, decisions on asset data and information, service delivery, budget allocation and investment planning. The AM objectives are:

- Safety:** To provide a safe network where accidents and injuries to road users are kept to a minimum.
- Condition:** To monitor and maintain network condition and deliver long term solutions.
- Accessibility:** To maintain and where possible improve accessibility for all by minimising disruption and avoiding restrictions on the network.
- Customers:** To provide customers with accurate and prompt responses to all enquiries and highway related services.
- Value for Money:** To continue to improve highway asset management practices and use our limited resources efficiently
- Sustainability:** To promote whole life solutions and reduce waste by increasing the use of recycled materials.

### 4 Strategy for Individual Assets

4.1 As part of the asset management framework, and in accordance with national guidance, the highway asset has been divided into asset groups. Each group is then broken down into asset components and activities.

4.2 A key function of the asset management process is to understand the funding needs of each asset group, component and activity against performance, aims and objectives. This means understanding funding needs to meet:

- LTP objectives;
- Investment and service delivery planning
- Performance measures and targets.
- Key risks to the service – both strategic and operational

4.3 Inherent to this process is a need to understand the influence of budget decisions on customer satisfaction and the delivery of corporate priorities.

Understanding the impact of investment decisions and their effect on the asset and the people who use it is important when setting maintenance budgets. To this end, a Needs Based Budgeting (NBB) approach has been developed. This approach relates to all highway maintenance budget allocation decisions and is supported using proprietary lifecycle management tools for the major assets.

- 4.4 For the delivery of the highway service, Hampshire divides its highway network in geographical areas covering all routine and operational functions with a central office to administer the current Highways Service Contract and deliver the structural maintenance programmes.
- 4.5 Hampshire has adopted a lifecycle approach to managing its highway maintenance activities. Understanding how long specific maintenance treatments last, the relative cost of these treatments and the Levels of Service (LoS) provided are essential pre-requisites to good asset management. Hampshire's goal is to improve public satisfaction with its highway service whilst maintaining value for money and continuing to provide a safe highway network, in line with corporate priorities.
- 4.6 The scope and depth of information used to support NBB decisions will vary dependent on a number of factors, including: importance, asset value, age, deterioration etc. The asset management objectives and the risk and performance management frameworks then provide evidence to support and inform service delivery planning.
- 4.7 This approach allows budgets to be split at a strategic level based on a common set of criteria. Successful implementation of this approach relies on good understanding of the asset, its current and future performance, expenditure and customer feedback, as well as an understanding of the various service levels that may be achieved for the different funding options.
- 4.8 This understanding can only be achieved through reliable, current and robust data. Hampshire has developed data and information strategies, which prioritises its data collection needs, data management requirements and the IT infrastructure necessary to process and present this information, (see Section 7 below).

## **5 Asset Groups and Components**

- 5.1 Hampshire's highway asset has been divided into key asset groups, components and related activities. This approach has been in place for many years but it is continually refined to improve our works ordering and budget management processes with the service provider. For instance in collaboration with the service provider works activities and their records are continuously reviewed and improved. Therefore expenditure against specific activities can be recorded more accurately and this improves the works ordering processes and budget monitoring. Management reports are more detailed and this in turn supports continuous improvement and investment planning decisions.
- 5.2 Dividing the asset into component parts and identifying the relative costs and demand for planned, routine and reactive maintenance activities is considered

an essential process to achieve continuous improvement in Hampshire’s approach to asset management.

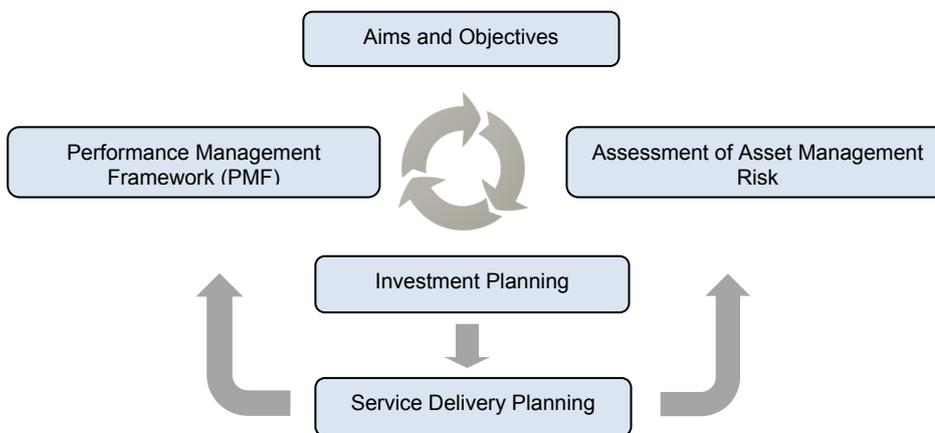
## 6 Asset Management Planning

### 6.1 Process and Procedure

The asset management strategy supports continual review and improvement of its policy guidance, processes and procedures ensuring, as far as possible, that the standards identified in relevant legislation and codes of practice are adopted. In addition this provides our customers with clear and concise information regarding the service that can be expected and the roles, responsibilities and duties that the Highway Authority is required to fulfil.

### 6.2 Performance, Risk and Service Delivery Planning

To assist and inform the asset management planning process a Performance and Risk Management Framework has been developed. This framework connects strategic aims to a set of targets and measures. It identifies key risks and informs service delivery planning, allowing projects and programme resources to be allocated, reflecting the strategic aims of the service.



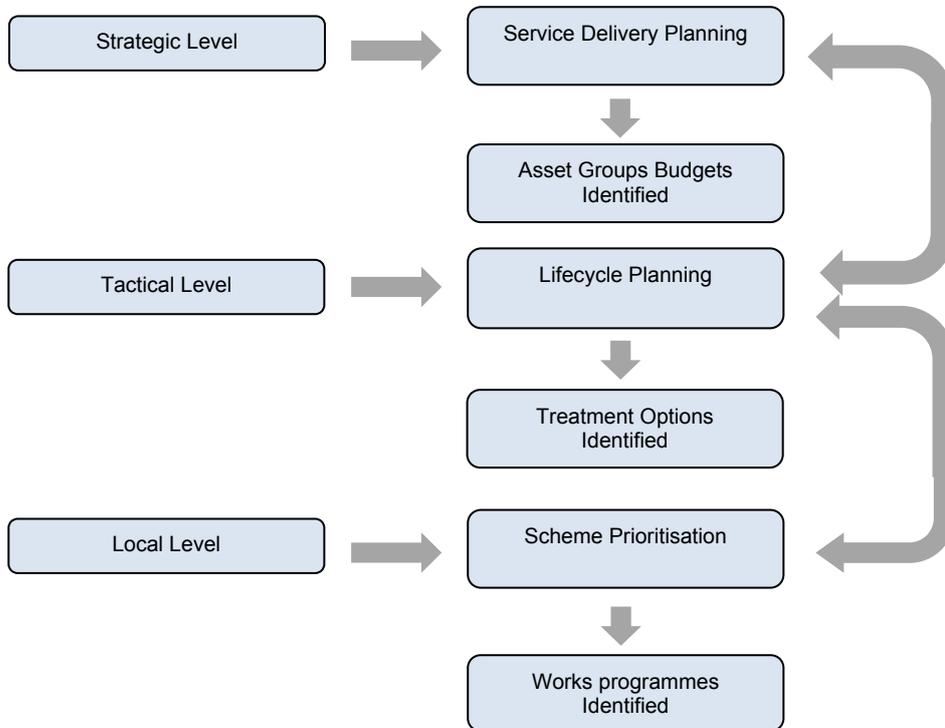
*Figure 3: Service Delivery Planning Process*

Hampshire have developed 18 strategic measures relating to the asset management objectives of; Safety, Condition, Accessibility, Customers, Value for Money and Sustainability.

Each one of these measures is linked directly to a target. The targets and measures are reviewed annually to ensure they are current and continue to meet the objectives set out in this strategy. The outputs from this process inform the service delivery planning for the coming year.

### 6.3 Needs Based Budgeting

Hampshire considers that NBB is fundamental to good asset management planning and robust investment and lifecycle planning decisions. Substantial resources have therefore been focussed on and will continue to support the development of processes and tools to inform budget decisions at strategic, tactical and local levels.



*Figure 4: Budget Allocation Process*

This approach allows a consistent budget allocation process and relates high level aspirations to scheme level decisions.

- 6.4 At the **strategic level** the process illustrated in 6.2, the Asset Management Objectives and the outputs developed from lifecycle analysis provide information for the senior decision makers to formulate budget allocations across assets.
- 6.5 The approach is evidence based and relates high level objectives to asset management; objectives, performance, risk and levels of service. It is flexible and allows decision makers to assess the impact of different investment options. Targeted investment and informed decisions are therefore encouraged, by identifying the level of service that can be achieved for a given budget allocation.
- 6.6 The methods employed to deliver **tactical level and local level** decisions vary. For major assets, such as carriageways and structures, proprietary toolkits with deterioration modelling built into them are used to develop investment options and ultimately maintenance programmes. For smaller or less valuable assets, less sophisticated tools are employed. This may include a combination of

lifecycle assumptions based on inventory data, condition and hierarchy. These methods identify the maintenance needs of the asset and provide options which relate to specific budgets and outcomes. However other information including customer feedback, local issues or constraints and engineering judgement will inform and prioritise the final work programmes.

### **Gross Replacement Cost and Depreciated Replacement Cost**

- 6.7 In 2013 CIPFA, supporting HM Treasury policy, released a Code of Practice for valuing Local Authority highway infrastructure assets. The Code sets out the processes and requirements that are intended for 2017 reporting to the HM Treasury for Whole of Government Accounts (WGA). When the process has been fully implemented, authorities will be required to meet the strict requirements for financial reporting of their highway asset. For this to be achieved, there is clear need for accurate and detailed inventory information and performance data. This requirement will support asset management by providing an improved understanding of network deterioration.
- 6.8 A strategy has been developed with the Department's Devolved Finance Unit to ensure asset management practices are in place to satisfy these requirements.
- 6.9 Hampshire embraces this approach and has developed the processes for collating the data needed to meet the WGA requirements, whilst developing good asset management practices that support continuous improvement in the delivery of the highway service.

### **6.10 Communications and Stakeholder Engagement**

The Communications Plan for highways and asset management is available on line and is now reviewed annually. Any feedback received in the year is considered at the annual review and, as appropriate, amendments to the plan will be incorporated in the document for the following year.

## **7 Data Management and Information Systems**

- 7.1 Hampshire recognise that good and robust data is key to implementing asset management and delivering potential benefits. However, the Authority believes that the collection, management and use of data needs to be based on a process, which identifies;

- Ownership
- Data Objectives – business case
- Responsibilities
- Costs to manage and maintain data

all of which need to be clearly defined.

To this end, an asset information strategy has been developed that provides guidance for the optimum use of available data. This information strategy encompasses; data needs (data collection decisions), data management, highway management IT systems, reporting requirements (business information) and corporate IT needs. It will be used to inform current data collection needs for both inventory and condition information. Key drivers for this include:

- The need to provide evidence based decisions
- Business need
- Performance monitoring
- Understanding customer and stakeholders wishes
- Valuation and depreciation of the highway asset
- Providing sufficient data management resources

7.2 Hampshire recognise that effective asset management and its implementation relies on systems, that can be used as tools to support decision making at all levels. The following tools are currently in use:

- Confirm, highway management system, covering most of highway management needs, including works order, public enquiries, street works, structures, network management, inspection process;
- MARCH - United Kingdom Pavement Management System (UKPMS);
- Yotta - Horizons Carriageway and Footway Lifecycle Modelling tool
- Hampshire's own carriageway lifecycle modelling tool
- Atkins – Structures toolkit for lifecycle modelling
- ESRI Arcmap GIS (as the core asset management database); and
- Hampshire specific tools to support all of these systems

## **8 Maintainability**

8.1 One of the aims of good asset management is to improve co-ordination between highway improvements and highway maintenance schemes. Taking into account the cost implications of maintaining the asset at the design stage will ensure that the whole life costs of a scheme is optimised. The Asset Management Strategy raises awareness of this issue and in accordance with national guidance, is developing processes for new infrastructure to adopt the most appropriate design option, using the most appropriate materials.

8.2 Hampshire has developed and is implementing a process for incorporating new works into the existing highway network. The process advocates lifecycle management values and introduces early communication between clients and maintaining agents to ensure that asset management principles have been considered and agreed as part of the scheme implementation.

- 8.3 This process will ensure that all capital and revenue investment options have been considered fully, where new works should only require maintenance in line with expected lifecycles.

## 9 Aims and Objectives

- 9.1 This strategy identifies Hampshire's key objectives for implementing a high quality asset management approach and allows progress to be measured by continually reviewing Hampshire's alignment to the recommendations in the Highway Infrastructure Asset Management Guidance (HIAMG) issued in May 2013 and other relevant documents. The foundations for good asset management have been developed and the practices that have been implemented since 2004 include:
- Developing data collection and management processes- Hampshire is embedding an information strategy that informs asset data collection decisions and relates them to business need. As a result Hampshire can prioritise resources and focus on areas where good data can provide best value.
  - Measuring performance against set objectives- Hampshire has developed a Performance Management Framework (PMF), related to asset management risk. The targets and measures within the PMF are used to illustrate our levels of service providing a method to report performance against the levels of service.
  - Improving the budget allocation process- In recent years lifecycle planning principles have been used to illustrate need and additional funding has been provided from local resources and prioritised for structural repairs. It is intended to develop further processes which align lifecycle planning, performance and service levels with investment planning.
  - Setting up formal structures to develop and lead asset management- This formal structure has been in place for over ten years and has overseen asset management development during that time.
  - Improving communications – A central operations team has been set up to focus on improving the service to all our customers, making performance, our standards and our policies more accessible.
- 9.2 This work continues under the direction of the Asset Management Organisational Structure and Hampshire is currently working on a number of key projects which will provide a more efficient service in the coming years, these include:
- Improving our current asset information – Adding to and improving our asset data to improve service delivery and provide efficiencies; informing maintenance contracts, informing the public and delivering online solutions where appropriate.

- Extending lifecycle planning- Continue to develop current lifecycle planning toolkits and expand these principles across all key assets.
- Continuing to develop a resilient network- Using our current Weather Emergency Plan and our experiences in managing extreme weather events in recent years
- Applying a risk based approach – Reviewing Hampshire’s current highway maintenance practices and aligning them with the 36 recommendations in the new ‘Well-Managed Infrastructure: A Code of Practice.
- Consolidating our investment planning processes- Aligning asset management, performance management and delivery planning processes.
- Designing with maintenance in mind – Reviewing our approach to highway maintenance and highway improvements to ensure that all expenditure on the asset has considered and implemented the most appropriate whole life maintenance solution, keeping future revenue and capital replacement and renewal costs to a minimum.
- Adopting new infrastructure – Improving processes to ensure that asset management principles and concepts are fully adopted and future maintenance costs are minimised. Ultimately achieving a combined highways and transport approach to asset management.
- Communications and stakeholder engagement – continuing to improve engagement with our stakeholders and improve communication across digital platforms.

## 10 Good Practice

10.1 Hampshire is committed to the development and implementation of asset management good practice and benefits from lessons learnt at National, Regional and Local levels. Officers from Hampshire County Council regularly contribute to, attend or have hosted:

- National and regional conferences;
- The Chartered Institute of Public Finance and Accountancy (CIPFA) Highways Asset Management Planning Network;
- South East Authorities Service Improvement Group (SEASIG).
- The South East 7

10.2 Furthermore, Hampshire is committed to the sharing of knowledge and experiences in implementing asset management with other Highway Authorities across the Country. To this end, officers from Hampshire present

examples of good practice nationally at workshops and conferences and are members of the following groups:

- Highways Asset Management Financial Information Group (HAMFIG);
- UK Roads Board;
- Footway and Cycletrack Maintenance Group (Chair);
- Road Condition Management Group (RCMG), the visual surveys sub-group; and
- ADEPT/TAG Asset Management Working Group.

## 11 Supporting Documentation

11.1 The Asset Management Strategy refers and is linked to a number of key documents, as listed below in Table 2, that combined facilitate and inform the asset management approach for Highway Infrastructure and support the delivery of the desired levels of service.

<b>National</b>	<b>Hampshire</b>
United Kingdom Roads Liaison Group (UKRLG) Code of Practice Well Managed Highway Infrastructure.	Highway Maintenance Management Plan (HMMP)
CIPFA Highway Infrastructure Code	Local Transport Plan 3
PAS 55 / ISO 55000	Approach to Service Delivery Planning
County Surveyors Society (CSS) Framework for Highway Asset Management	Performance Management Framework (PMF)
Maintaining a Vital Asset	Corporate Strategy
UKRB quick start documents	NBB process and lifecycle planning tools: including strategic, tactical and local.
Highway Infrastructure Asset Management Guidance (HIAMG) May 2013	Traffic Management Policy Guidance (TMPG)
HMEP Good Practice Guides - various	Asset Data Register and Strategy
	Asset Management Risk Management
	Asset Management - Levels of Service
	Asset Management Policy

*Table 2: Supporting Documentation*

## 12 Review Process

- 12.1 This strategy will be updated annually with minor amendments and reviewed on a three yearly basis to align with the HIAMG and other current national and local good practice requirements. This process will be managed and implemented by the AMPG.

## **13 Benefits of our Asset Management Strategy**

- 13.1 The benefits of implementing the asset management strategy are summarised below:
- Encourages engagement with other stakeholders, including Elected Members, Senior Officers and the public;
  - Readiness to respond to changes resulting from climate change, weather emergencies, contractors, resilience and finance,
  - Close working and integration of efforts with other parts of the Council, including Corporate aims and objectives;
  - Improved delivery within budget constraints – including procurement;
  - Efficiencies – better ways of doing things, or improved service, enhancing performance in a challenging environment.
  - Improved understanding of customer aspirations and expectations;
  - To influence and focus on the better use of resources.

This page is intentionally left blank

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Interim review of the effectiveness of the casualty reduction scheme at the A33/B3047 (Cart and Horses) junction, Winchester
<b>Reference:</b>	8202
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Adrian Gray

**Tel:** 01962 846892

**Email:** [adrian.gray@hants.gov.uk](mailto:adrian.gray@hants.gov.uk)

#### 1. Executive Summary

- 1.1. This report provides an overview of casualty reduction measures implemented at the A33/B3047 (Cart and Horses) junction, (“the Cart and Horses junction”) Winchester, and describes the impact of the measures on vehicle speeds at this location, which are a concern locally.
- 1.2. The report also seeks support for the approach proposed in response to concerns about the effectiveness of existing measures, and seeks authority to implement alternative measures on an interim basis, and to undertake further monitoring and assess further options, as set out in the report.

#### 2. Contextual information

- 2.1. Following a recent deputation to Hampshire County Council and the expression of critical views regarding the new junction layout, it has been decided to exceptionally bring forward an interim review of the effectiveness of the casualty reduction element of the scheme.
- 2.2. The new layout at the A33/B3047 Cart and Horses junction in Kings Worthy, Winchester, was the subject of a Project Appraisal submitted to the Executive Member for Economy, Transport and Environment on 9 September 2014. The Project Appraisal described safety and pedestrian access improvements proposed for the junction, and included casualty reduction measures developed to address the principal safety issue of vehicles waiting in the central reserve to turn right overhanging the A33 main carriageway.

- 2.3. During the development of the safety measures, consideration was given to introducing a 40 mph speed limit. Traffic speed data indicated mean speeds in the area just to the south of the junction to be 53.8 mph on the northbound carriageway and 50.6 mph on the southbound, confirming that the current 50 mph limit was generally well observed (see **appendix 1**).
- 2.4. The mean speeds suggested that introducing a 40 mph speed limit would be unlikely to have a significant effect on driver behaviour. Hampshire Constabulary concurred with this view, and did not support a reduced limit without further speed reduction measures. While a decision in respect of a speed limit is the responsibility of the County Council, the view of the Roads Policing Unit of the Constabulary is an important consideration, both in relation to its likely effectiveness, and to avoid creating an enforcement issue for them by raising a community expectation or demand for Police enforcement at a level which they would be unable to meet.
- 2.5. In light of the prevailing speeds and the proposal to introduce a new junction layout, it was agreed that further speed checks would be undertaken once the current scheme was implemented in order to assess whether the measures had reduced speeds in the area to a level that would be appropriate for a 40mph speed limit.
- 2.6. The County Council is the Highway Authority for the Cart and Horses junction itself, but the southern A33 approach to the junction forms part of the Motorway and Trunk Road Network for which Highways England is Highway Authority, and a number of measures were implemented on the Highways England road network which immediately abuts the junction to the south.
- 2.7. The main works for the scheme were finished on 25 May 2016. A stage three safety audit was carried out on 14 June 2016, and the final report received on 10 August recommended a number of remedial measures which were completed on 31 October 2016.
- 2.8. In the five year period prior to the initial scheme there were sixteen injury accidents at the Cart and Horses junction of which three involved serious injury. Of these the majority were concentrated on the southern arm of the junction at the London Road (Kings Worthy) turning. These accidents primarily involved right turning vehicles leaving London Road being struck by northbound A33 traffic, and right turning vehicles leaving the central reserve waiting area to travel towards the A34/M3 being struck by southbound vehicles.
- 2.9. In the interim period between the initial scheme completion and the remedial measures, there were a further four injury accidents. Of these, one involved a motorcyclist losing control on gravel when turning left from the Abbots Worthy arm, and another a left turning vehicle in collision with a northbound motorcyclist. Neither of these involved motorists negotiating the revised junction layout.

- 2.10. On 23 November 2016 there was a fatal accident at the Cart and Horses junction. The collision involved a car and a 21 year old pedestrian who was crossing the road at the junction. An inquest into the fatality has been set for 4 April 2017 and there are no final conclusions pending the Inquest.
- 2.11. A measured reduction in vehicle speeds has been achieved, with the results of the recent December 2016 speed surveys indicating mean speeds had reduced by 2.71mph at the Cart and Horses junction compared to those taken in July 2013 (see **appendix 1**).
- 2.12. Whilst current 24 hour mean speeds in the immediate vicinity of the Cart and Horses junction are appropriate for a 40mph limit, they are higher further away from the junction, particularly at the point furthest south, where vehicle speeds were 49.2mph southbound and 46.8 mph northbound. Further speed surveys in January 2017 at the potential 40mph terminal point showed southbound means speeds of 46.9mph and northbound mean speeds of 47.2mph. 12 hour survey results were also analysed to assess whether speeds are reduced further during the period when higher numbers of vehicle journeys are made, but these showed only a marginal difference in mean speeds compared to those averaged over 24 hours.
- 2.13. A further consideration in potentially implementing a 40mph limit is achieving sufficient distance between the existing 50mph limit terminal point located 1.14 km to the north.
- 2.14. The County Council, as Highway Authority, is able to set speed limits as considered appropriate. However, the view of Hampshire Constabulary is important in ensuring speed limits are enforced where necessary and appropriate. New speed limits are also subject to public consultation, and objections may be received to the formal advertisement for the associated Traffic Order even if a body of local support has been established, as is the case here. In this specific location Highways England would also need to be consulted on the change affecting their network.

### **3. Other key issues**

- 3.1. This report considers the development of specific casualty reduction measures for the A33/B3047 (Cart and Horses) junction, Winchester, and the impact of the scheme on vehicle speeds, which are an issue of particular local importance.
- 3.2. Alternative, high cost schemes to create a roundabout or traffic signal controlled crossroads would require external funding, which would likely only accrue from major local development or from the Local Enterprise Partnership (LEP) bringing forward development in the wider area, and as such are longer term options and outside the scope of this report.
- 3.3. At this stage, a major scheme (either full roundabout or signalisation) is not expected to be a viable short term option. The County Council would not be

able fund the high cost of the construction and land acquisition, and a scheme would be unlikely to attract LEP funding as it would not be likely to bring forward development.

- 3.4. Central government is targeting a spend of £175 million over the next four years on upgrading 50 of England's most dangerous local A roads where the risk of collisions causing death and serious injury is highest. Of the 50 roads, specific sections of the A32, A27 and A36 in Hampshire have been identified as potentially obtaining funding to improve road safety as part of the Safer Roads Fund initiative. The identification of the most dangerous roads in Britain stem from the British EuroRAP results for 2016 produced by the Road Safety Foundation, which rates the risk of a road user being killed or seriously injured on Britain's major road network. The Department for Transport has invited all the relevant Local Highway Authorities to submit bids for infrastructure interventions to improve the safety on these roads. The A33 between Winchester and Basingstoke does not feature in this listing of the 50 road sections with the highest safety incidents in England, and the County Council can only use allocations from the Safer Roads Fund to improve the eligible sections of the A32, A27 and A36 already identified.

#### **4. Proposals**

- 4.1. It is proposed to advertise and implement on an interim basis a 40 mph speed limit on the A33 in the vicinity of the A33/B3047 Cart and Horses junctions. Further work is required to determine the extent of the new limit, and will involve agreement with Highways England where the new limit affects their network. There is additionally a statutory consultation period for the associated Traffic Order, and subject to any objections, further authority to introduce the revised speed limit may be required. It is proposed that the effectiveness of a new limit be reviewed as part of proposed monitoring, and may be altered or removed as part of subsequent measures for this location.
- 4.2. It is further proposed to implement on an interim basis a restriction on turning movements at the A33/B3047 Cart and Horses junctions to reduce the conflict between turning traffic, and in order to respond to concerns about driver confusion with the current layout.
- 4.3. The specific turning movement to be prohibited is the right turn from the B3047 London Road to the A33. This will remove uncertainty over priority at the junction, which has been identified by residents and the local elected member as leading to conflict, while continuing to tackle the principal causes of earlier collisions at the junction arising from opposing turning movements. This will affect traffic travelling from Winchester towards M3 junction 9. The maximum volume of traffic making this movement is 152 in the morning and 190 in the evening (survey 23.10.2014). A number of alternative routes exist for this traffic.
- 4.4. While prohibiting this turning movement will respond to public concern about confusion regarding the priority of turning traffic here, it may potentially

create a new traffic related problem should motorists make U-turns to avoid the restriction. It is therefore proposed to additionally prohibit on an interim basis the U-turns at the A33/B3047 (to Alresford) junction.

- 4.5. Revisions to the physical layout of at the A33/B3047 Cart and Horses junctions may be required to discourage traffic from attempting the prohibited movements. Installing traffic surveillance CCTV will act as a further deterrent and will improve monitoring of the effectiveness of measures here. It may additionally support enforcement, with the agreement of the Hampshire Constabulary Roads Policing Unit.
- 4.6. To permit their swift introduction, it is proposed to introduce the restricted movements on an experimental basis for a maximum of up to 18 months.

## **5. Finance**

- 5.1. The costs of advertising and implementing the associated Experimental Traffic Regulation Orders for the prohibition of turning at the A33/B3047 Cart and Horses junctions will be met from the existing Traffic Management capital programme.
- 5.2. The costs of advertising and implementing the associated Traffic Order for the 40mph speed limit at the A33/B3047 Cart and Horses junctions will be met from the existing Traffic Management capital programme.
- 5.3. The costs of the altering the junction to deter drivers from contravening the turning restrictions will be met from the existing Safety Engineering casualty reduction capital programme.
- 5.4. The additional revenue costs associated with the operation of the proposed traffic surveillance CCTV is minimal, and will be met from the existing revenue allocation for the operation of CCTV operated by the Intelligent Transport Systems Group.

## **6. Future direction**

- 6.1. Introducing restricted turning movements will require drivers to use alternative routes, with the potential to displace traffic onto other local roads. Consideration will need to be given to the roads affected in order to avoid creating safety problems or community concerns in these locations. The proposal to introduce the restricted turning movements on an experimental basis provides an objection period during the first six months of operation. Any objections received will be considered, together with the results from monitoring, and a decision made after the first 12 months of operation to either make the restrictions permanent or to rescind the Traffic Regulation Order.
- 6.2. The proposal to advertise and implement a 40 mph speed limit on the A33 in the vicinity of the A33/B3047 Cart and Horses junctions involves a statutory

consultation period for the associated Traffic Order, and subject to any objections, a further decision may be required to introduce the revised speed limit.

- 6.3. It is proposed to implement the revised 40 mph speed limit on an interim basis, to be reviewed as part of proposed monitoring of the effectiveness of the measures. A further decision will be required to remove or alter the limit should further changes be proposed.
- 6.4. An independent review of the current casualty reduction element of the scheme has been commissioned. The review will comment on the as built layout in terms of compliance with, and/or departures from relevant design standards, and identify any non-conformity. Where appropriate, the review will also identify any potential improvements to the current casualty reduction element of the scheme in relation to tackling the causes of the collisions and reducing the driver confusion that is reported at the site. This review will form part of the further evaluation of options in determining whether to make permanent the interim measures described in this report.

## **7. Recommendations**

- 7.1. That the Executive Member for Environment and Transport notes the interim review of the effectiveness of the casualty reduction element of the scheme at the A33/B3047 (Cart and Horses) junction and supports the approach being taken in responding to concerns about the effectiveness of the casualty reduction measures as detailed in the report.
- 7.2. That the Executive Member for Environment and Transport agrees and authorises the implementation on an interim basis of a 40 mph speed limit on the A33 in the vicinity of the A33/B3047 (Cart and Horses) junction.
- 7.3. That the Executive Member for Environment and Transport agrees the approach proposed for further monitoring and authorises the implementation on an interim basis of additional restrictions on right turns onto the A33 from the London Road (B3047), and of U turns at the A33/B3047 (to Alresford) junction as set out in the supporting report.
- 7.4. That the Executive Member for Environment and Transport agrees and authorises the implementation on an interim basis of appropriate measures, including the installation of CCTV, to support enforcement of the new trial arrangements, providing the measures are agreed with the Hampshire Constabulary Roads Policing Unit where appropriate.
- 7.5. That authority is delegated to the Director of Economy Transport and Environment to proceed with the proposals for the A33/B3047 (Cart and Horses) junction, and to take all the necessary measures and steps to implement the changes on an interim basis, including the approval of associated Traffic Regulation Orders and any temporary works necessary to support the revised interim junction arrangements.

7.6. That monitoring arrangements are made in relation to assessing the impact of the trial arrangements.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u> Project Appraisal: A33/B3047 Cart & Horses Junction Safety & Pedestrian Access Improvements, Kings Worthy	<u>Reference</u> 6040	<u>Date</u> 9 September 2014
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

The proposals will have little or no impact upon groups with protected characteristics.

### **2. Impact on Crime and Disorder:**

2.1. No significant impact.

### **3. Climate Change:**

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

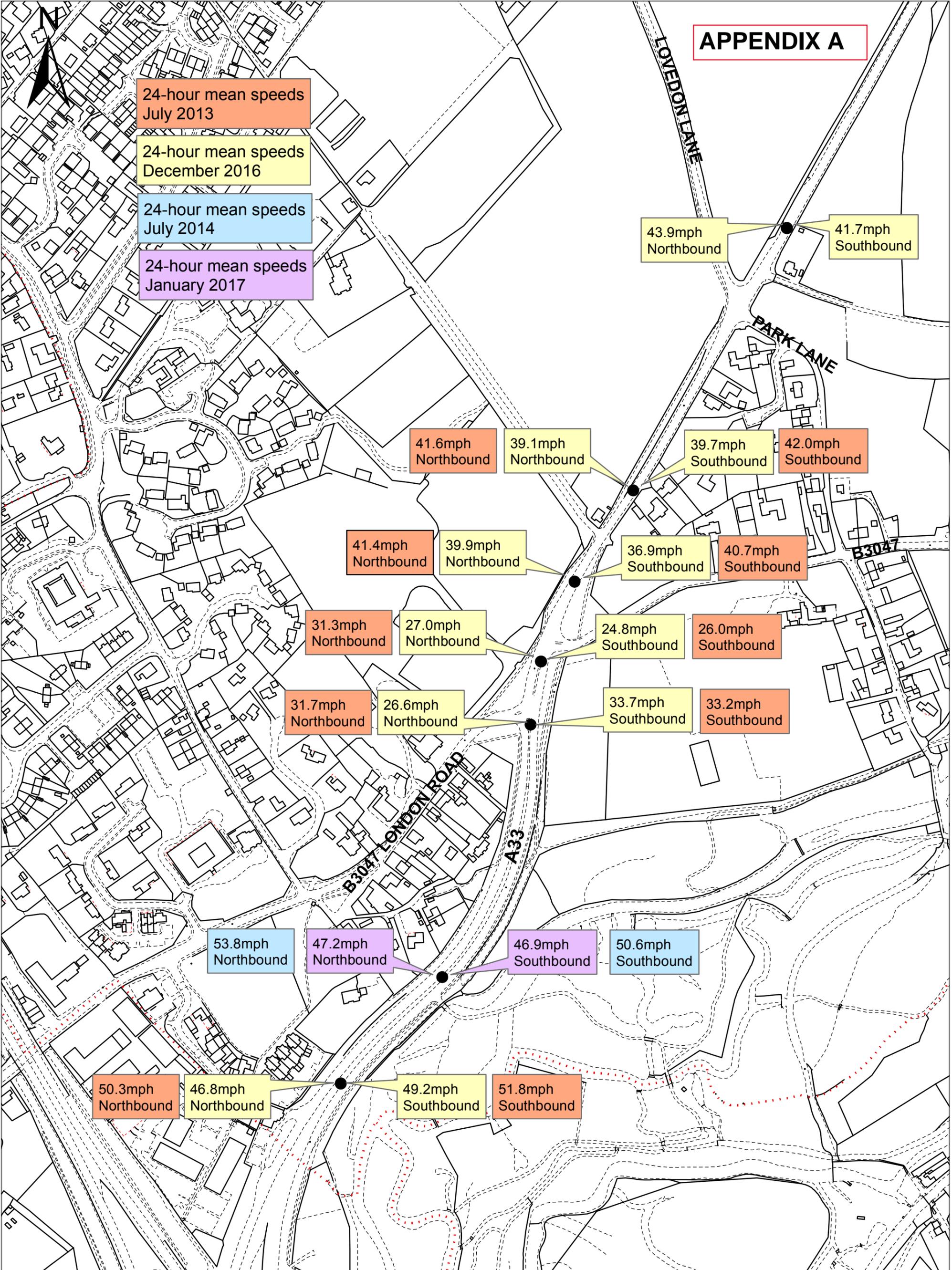
No significant impact.

3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No significant impact.

This page is intentionally left blank

**APPENDIX A**



SCALE: 1:3000	Drawn: AJS	Revision:
DATE: JAN 2017	Checked:	Drg. No.:

**A33 BASINGSTOKE ROAD  
 CART & HORSES JUNCTION  
 SPEED SURVEYS**

This page is intentionally left blank

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	23 March 2017
<b>Title:</b>	Provision of technical services to authorities using the Strategic Partner Contract
<b>Reference:</b>	8203
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Keith Gale

**Tel:** 01962 847271

**Email:** keith.gale@hants.gov.uk

#### 1. Executive Summary

- 1.1 In order to assist the County Council with the delivery of capital and revenue projects, the County Council entered into three Strategic Partner Contracts in April 2014 for the provision of Professional Services for the Built Environment. The Contracts were divided into three Lots - Lots 1 and 2 are primarily designed for design, supervision and cost management of building projects, but Lot 3 specifically caters for multi-disciplinary highways, transportation development and management services, with the management of the contract being delegated to the Economy, Transport and Environment Department.
- 1.2 Under the provisions of the Strategic Partner Contract, services may be delivered to County, Unitary, District and Borough Councils as named within the Official Journal of the European Union (OJEU) notice. This report seeks authority for the County Council to enter into arrangements with these named authorities as and when deemed appropriate.

#### 2. Contextual information

- 2.1 In order to stimulate economic development, and in fulfilment of its role as statutory provider and highways authority, the County Council requires access to construction management services for the built environment. Although a large percentage of service provision is delivered 'in-house', the demand upon such technical services requires engagement of external technical and engineering resources. Two resource streams are available to the County Council – a Technical Resources Framework (TRF) on the one hand, and on the other the Strategic Partner Contracts for the provision of Professional Services for the Built Environment (SPP). SPP is divided into three lots, with Lot 3 specifically catering for multi-disciplinary highways, transportation development, and management services. Management of the

Lot 3 contract is undertaken by the Economy, Transport and Environment Department, whereas Lots 1 and 2 are managed by the Culture, Communities, and Business Services Department.

- 2.2 One of the objectives of the Strategic Partner Contracts is to pioneer innovative public sector shared service arrangements to deliver demonstrable benefits to both the County Council and other authorities. These arrangements allow authorities to engage services and resources to provide capacity and skills, and allow operation of best practice with delivery of construction based activities.
- 2.3 All three lots were reviewed by the Buildings, Land and Procurement Panel on 19 March 2013, and approval to procure and spend was made by the Executive Member for Policy and Resources on 18 April 2013.
- 2.4 Included within the Lots at paragraph 5.04 is the ability for the Strategic Supplier to provide services via the Contracting Authority (the County Council) to authorities named in the OJEU Contract Notice.
- 2.5 Under these arrangements, the County Council will remain the Contracting Authority with service provision being delivered through an agreement with the respective authorities. Approval is sought by the Executive Member for Environment and Transport to enter into such arrangements for Lot 3 with the authorities named within the OJEU Contract Notice, with such arrangements to be implemented at an appropriate juncture by the Director for Economy, Transport and Environment.

### **3. Recommendations**

- 3.1 That the Executive Member for Environment and Transport provides authority for the County Council, as the Contracting Authority, to enter into agreements with the authorities named within the OJEU Contract Notice for the "Strategic Partner Contract for the Provision of Professional Services for the Built Environment", in order to provide those authorities with the services detailed in Lot 3 of that contract, as referenced in section 2 of this report.
- 3.2 That the Executive Member for Environment and Transport provides delegated authority to the Director of Economy, Transport and Environment, in consultation with the Head of Legal Services, to negotiate and complete the necessary legal agreements for the Strategic Supplier to provide services via the County Council to the authorities named in the OJEU Contract Notice, as and when required.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u> Corporate Procurement Update and Corporate Procurement and County Supplies Contracting Activity and Approvals for 2013/14	<u>Reference</u> 4567	<u>Date</u> 18 April 2013
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

This report sets out the County Council's arrangements for the delivery of highways and transportation services. The proposed changes to these arrangements will not amend the existing approach to assessing and mitigating impacts upon people with protected characteristics.

### **2. Impact on Crime and Disorder:**

2.1. No significant impact.

### **3. Climate Change:**

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

No significant impact.

3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No significant impact.