



**CABINET – 24 OCTOBER 2023**

**LEICESTERSHIRE HIGHWAY DESIGN GUIDE REFRESH -  
APPROVAL OF POLICIES AND PRINCIPLES**

**REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to:
  - a) Provide the Cabinet with an update on the work of the Leicestershire Highway Design Guide (LHDG) refresh project and to seek approval of the draft policies, principles and approaches set out in Part B of this report for the purposes of engagement and consultation.
  - b) Seek agreement for the approach to consultation on the draft LHDG.

**Recommendations**

2. It is recommended that the Cabinet:
  - a) Notes the key influencing factors and work undertaken to date during the development of the new Leicestershire Highway Design Guide (LHDG) as set out in Part B of this report, with particular reference to:
    - i. the draft policies and principles developed in the context of changes to national policy and guidance and the potential for subsequent additional maintenance requirements for the Council.
    - ii. the proposed approach to commuted sums and road adoption.
  - b) Approves the draft policies, principles and approaches presented in paragraphs 32-65 of the report and appended for the purposes of consultation on the draft LHDG.
  - c) Delegates the authority to make minor changes as needed in advance of the consultation to the Director of Environment and Transport, in consultation with the Cabinet Lead Member.
  - d) Delegates the authority to agree non-material changes to core policy, principles, guidance and standards during future reviews to the Director of

Environment and Transport, in consultation with the Cabinet Lead Member.

### **Reasons for Recommendation**

3. The LHDG needs updating following changes to national policy and guidance. A particular focus is required on the Council's approach to facilitating active travel and environmental sustainability elements of highway the Council adopts, alongside a detailed review of the commuted sums schedule and LHDG policy.
4. Changing national policy and guidance could increase pressures on diminished maintenance budgets due to the requirement to maintain additional assets within adopted highway that deliver environmental sustainability and active travel outcomes. The Council is supportive of the ambition to help tackle climate change and deliver on its carbon net zero commitments. In meeting this critical challenge additional burden on budgets should be minimised so that the Council can continue to provide its essential services.
5. The Government funding that contributes towards the maintenance of "standard" elements of the adopted highway (carriageway, footway etc.), has been in decline in real terms over recent years and is far from sufficient to cover the costs of maintaining even existing highway assets in their current states of condition.
6. Commuted sums are attracted from new development for the future maintenance of alternative materials or areas that are "extra over" standard provision (that do not contribute to the safe functioning of the highway) within adopted highway. A Schedule of rates and items that the Council recovers maintenance income for is included in the LHDG. The rates and assets included under the Council's Schedule need reviewing, particularly at a time when inflation is markedly increasing the costs of materials and labour.
7. Project development work has indicated additional areas for review and update, including how the Council permits new accesses onto the existing road network (current LHDG Policy IN5).
8. The confirmation of the policies and principles of the LHDG is critical in drafting the remaining detailed technical guidance and approval processes and will ensure that work progresses in the right direction. The delegation of authority to approve the undertaking of consultation on the draft LHDG, subject to non-material changes, to the Director of Environment and Transport will minimise the requirement for reporting to critical junctures in the project.

### **Timetable for Decisions (including Scrutiny)**

9. The Highways and Transport Overview and Scrutiny Committee will be asked for its views on the draft LHDG as part of the consultation activity scheduled to begin in Spring 2024.

10. Following consultation on the draft LHDG, a report will be presented to the Cabinet to highlight the outcomes of consultation, present the draft guidance for adoption and seek approval to publish.

### **Policy Framework and Previous Decisions**

11. On 16 December 2022, the Cabinet noted the early work undertaken on the development of the new LHDG and the key influencing factors regarding national policy and budgetary constraints. Additionally, the Cabinet agreed that the proposed engagement could proceed with key stakeholders.
12. The Council's Strategic Plan (adopted in March 2022) outlines the Council's five key outcomes for 2022 to 2026. As a tool providing policies and guidance for development and the basis for the Council's highway observations as a statutory consultee in the planning process, the LHDG helps to support these outcomes, and particularly that of a "Strong Economy, Transport and Infrastructure".
13. The LHDG is also a key supporting document of the Local Transport Plan 3 2011-2026 (LTP3), helping to deliver the Plan's six priorities.
14. On 15 May 2019, the County Council declared a Climate Emergency, with a commitment to achieve carbon net zero by 2030 for its own emissions and 2050 for Leicestershire emissions. The Council's Environment Strategy sets out how it will reduce the environmental impacts of travel and transport and a Net Zero Strategy is in the final phase of development.
15. The outcome of this work will help to inform the development of the next Local Transport Plan and its associated programmes. Through provision of guidance on the development of active travel options, the LHDG supports this ambition. The LHDG project will undertake a Strategic Environmental Assessment of the LHDG to evaluate opportunities to integrate environmental and net zero carbon objectives.
16. In line with new national guidance, the Council adopted its Cycling and Walking Strategy in 2021, which presents a vision "for Leicestershire to become a county where walking and cycling are safe, accessible and obvious choices for short journeys and a natural part of longer journeys, helping to deliver healthier, greener communities." The LHDG supports this ambition through provision of guidance on the design of new development that supports active travel.

### **Resource Implications**

17. The LHDG project work is being delivered almost entirely in-house and is funded from the Highways and Transport Programmes within the refreshed Medium Term Financial Strategy 2023-27, approved by the Cabinet in September 2023. Consultant support is required to deliver a Strategic Environmental Assessment (SEA) and an estimated cost of £27,000 is included within the current forecast.

18. Current spend on the development of the LHDG is £201,000 with an estimated cost forecast for the remaining work of £112,000. This cost is for internal staff time with the exception of the SEA work. Costs and the volume of work will be dependent on the outcomes of consultation and engagement work and changes in related policy during the delivery programme.
19. The highway maintenance budget is under huge pressure at a time when the number of highway assets requiring maintenance is increasing. This is against the fact that, for 12 of the past 13 years, there has been a real term year on year reduction in Government funding.
20. Leicestershire's population is projected to rise by 19% between 2021 and 2043. This population increase will require growth in housing and associated highway infrastructure to support this. At the same time, the new National Planning Policy Framework (NPPF) and National Design Guidance emphasise that development should create "beautiful places" where street trees should be a prominent feature. These factors have the potential to worsen the already significant pressures on maintenance budgets, putting into question the future affordability to the Council of maintaining ever more highway assets.
21. The highway maintenance budget is supplemented through developer contributions, the details of which are set out within the LHDG's commuted sums policy. It is considered that current rates charged within LHDG do not reflect levels of inflation or changes in the national context. The LHDG refresh project includes a review of the current commuted sums schedule.
22. Project activities such as the production of limited palettes of materials acceptable for use within adopted highway (see paragraphs 58-61 of this report) will enable environmental sustainability considerations to be built into the new LHDG but also help evaluate the durability and resilience of assets the Council agrees to take on, thereby minimising impacts on maintenance budgets.
23. The Director of the Corporate Resources has been consulted on the content of this report.

### **Legal Implications**

24. The LHDG supports the Council's responsibilities as the Local Highway Authority (LHA). There are matters that will require consideration by the Council's Legal Services in the development of the LHDG refresh, including issues of road adoption, liability, and risk management that form part of the LHDG.
25. The Director of Law and Governance has been consulted on the content of this report.

### **Circulation under the Local Issues Alert Procedure**

26. This report will be circulated to all members.

**Officer(s) to Contact**

Ann Carruthers  
Director, Environment and Transport  
Tel: (0116) 305 7000  
Email: [ann.carruthers@leics.gov.uk](mailto:ann.carruthers@leics.gov.uk)

Janna Walker  
Assistant Director Development and Growth, Environment and Transport  
Tel: 0116 305 0785  
Email: [janna.walker@leics.gov.uk](mailto:janna.walker@leics.gov.uk)

## **PART B**

### **Background**

27. The Leicestershire Highway Design Guide (LHDG) provides guidance regarding highways and transportation infrastructure for new developments.
28. The LHDG is the basis for the Council's highway observations on planning applications as a statutory consultee to the planning process.
29. A full refresh of the LHDG is now underway. The key influencing factors on the development of the new LHDG, as detailed in the report presented to the Cabinet on 16 December 2022, are:
  - a) A change in emphasis within the latest NPPF, which necessitates that all planning authorities create design guides or codes consistent with the National Design Guide and National Model Design Code, updated in 2021 and that they reflect an aspiration for places to be "beautiful, healthy, greener, enduring and successful".
  - b) The Government's introduction of Local Transport Note (LTN) 1/20, which provides new guidance for local authorities on designing high-quality, safe cycle infrastructure in tandem with the announcement that Active Travel England (ATE) is to be made a statutory consultee on planning developments.
  - c) The publishing of the Council's Net Zero Strategy and Action Plan in response to the Climate Emergency. The Action Plan requires that environmental and net zero carbon objectives are integrated into the new LHDG.
  - d) The financial pressures faced by both the Council and private developers, brought on by high inflation and in the case of the Council, a reduction in real terms Government funding.
30. The Council is supportive of new national policies and guidance, but its application within a new LHDG needs to be carefully considered if it is not to place undue pressure on already stretched maintenance budgets.
31. To date the project has focused on the policies, principles and approaches that underpin the guidance within the LHDG in the light of new national policy and guidance.

### **Commuted Sums and Road Adoption**

#### Scenario Testing

32. The purpose of commuted sums as set out in the national guidance document "Commuted Sums for Maintaining Infrastructure Assets", now managed by the Association of Directors of Environment, Economy, Planning and Transport (ADEPT), is to ensure there is a mechanism by which the highway authority can recover costs from a developer for the maintenance of adopted "extra over"

assets and areas (that do not contribute to safe functioning of the highway), or alternative materials that may incur additional maintenance costs. These assets represent a small proportion of new adopted highway infrastructure adopted by the Council.

33. All other “standard” highway assets such as the carriageway, footways and signals are not eligible for attracting commuted sums. The Government funding for road maintenance that contributes towards the maintenance of “standard” assets has been in decline in real terms over recent years and is no longer sufficient for the Council to satisfactorily maintain both the existing and future adopted highway network.
34. In consideration of the future approach to commuted sums, an assessment has been undertaken on two options that may assist in alleviating the short fall in maintenance funding:
  - a) **Option 1(a):** A full review of the base rates charged and items and maintenance activities considered under the current commuted sums schedule.
  - b) **Option 2:** Charging commuted sums for the maintenance of all adopted highway infrastructure, including those items considered as standard under current national guidance.
35. The options were tested against financial and qualitative criteria, including an assessment of the commuted sums charged, Council policy and priorities, legal implications and potential impacts on growth. A financial appraisal of the options was carried out by comparing the outcomes in terms of costs recovered to recently delivered residential development in Leicestershire.
36. Option 2 was assessed favourably from a financial perspective, with an increase in maintenance costs recovered through commuted sums of 175% increase in comparison with 34% increase for Option 1a. However, significant concerns have been raised regarding the non-financial implications of Option 2, including:
  - a) The likely impact on the viability of development of significant increases in commuted sums and the consequential effects on the Leicestershire economy. Highways are only one aspect of many obligations placed on developers by local authorities to provide contributions towards the provision and future maintenance of community. These pressures are already being seen to influence the viability of development. The current additional demand of inflation is expected to exacerbate the situation.
  - b) Reputational risk to the Council of adopting an approach outside the principles of ADEPT guidance that is followed by the majority, if not all, highway authorities.
  - c) The heightened risk of legal challenge by developers regarding the type of assets the Council asks commuted sums for.
  - d) The potential increase in the number of private roads within new estates as developers opt not to seek adoption, which could lead to sites being constructed below the Council’s expected standards.

- e) Typically, a new road is adopted through a legal agreement entered into between the landowner and the LHA under Section 38 of the Highways Act. Section 38 agreements set out the conditions of adoption and the commuted sums payable for future maintenance of new highway. Where negotiations between the LHA and a developer/landowner break down over the terms of the agreement, including demands for excessive commuted sums, the developer can employ Section 37 of the Highways Act and can give notice to the authority that it intends to dedicate a road or street as a public highway. Although a Section 37 can be challenged, should the developer be successful, the LHA must adopt the road but without entitlement to claim commuted sums or inspection.

37. On the balance of risk and with consideration of the principle set out in national guidance and the views of the primary internal LHDG users, it was agreed by Project Board that support should be sought from the Cabinet for Option 1(a).

#### Road Adoption Policy

38. In most cases, roads within new housing and larger employment developments will be adopted by the LHA. This means that roads will become the responsibility of the LHA to maintain once completed and will be constructed to its expected standards. The adoption process normally takes place through an agreement under Section 38 of the Highways Act 1980 (the Act).

39. In assessing opportunities to minimise the future maintenance burden on the Council, consideration was given to amending current road adoption policy so that:

- a) Roads would need to serve a larger number of dwellings before being considered for adoption, and/or
- b) More stringent criteria would apply regarding the requirement for wider community benefit.

40. However, there are several critical drawbacks to this approach, including:

- a) As raised in paragraph 36, the risk to standards of road construction and adoption through Section 37 of the Highways Act 1980
- b) A reduction in the costs recovered through developer contributions for highway maintenance through commuted sums in the shorter-term.
- c) The increase in private roads is likely to be controversial among key stakeholders, including future residents. Residents may raise concerns about their future interests not being protected and object if they feel that they have future financial and legal responsibilities for maintenance of highway infrastructure.
- d) The greater risk of challenge against an approach that does not align with most other highway authorities.
- e) Increasing the number of dwellings that a road would need to serve before being considered for adoption could impact disproportionately on small housing scheme developers, who may consider challenging the approach.



41. The resource required to assess the financial benefits of reduced maintenance across the network against loss of income through commuted sums/inspection fees is significant and would impact the LHDG delivery programme. Furthermore, avoiding successful challenges would require establishing robust rationale based on data evidence.
42. Although this matter may be reconsidered in future, it is proposed that for the purposes of this review the Council's current road adoption policy is retained, specifically adoption will be considered for:
  - a) Residential roads that serve more than five dwellings, or
  - b) Multiple-building, multiple-occupation industrial and commercial developments (developments occupied by more than one company).

#### Other Commuted Sum Matters

43. As reported to the Cabinet in December 2022, a small number of local authorities have taken the decision not to adopt new "standard" street lighting on certain road types as a matter of course. This would be a fundamental shift from the current approach by the County Council, and given implications such as the challenge of securing a third party to take on the maintenance of lighting in these circumstances, this matter will be considered further in addition to the LHDG refresh.

#### LHDG Highway Development Management Policy

44. As a general principle, any revised policy proposals for inclusion within the LHDG that relate to highway observations the LHA makes to the local planning authority on planning applications, will reflect NPPF (2023).
45. A revision to current Policy IN5 "Access to the Road Network" has been proposed. Current policy allows limited flexibility when considering the creation of new accesses or the increased use of existing accesses onto A and B roads. The current approach applied through the policy has been the source of challenge from developers during the planning process, particularly where sites are allocated in Local Plans.
46. It is proposed that future guidance comprises a risk-based approach to assessment, with consideration of traffic volumes, measured speeds, personal injury collisions, and proximity to sensitive receptors e.g., schools, all forming part of the evidence-based assessment. An assessment tool is under development to support this policy.
47. Where there is evidence to suggest that creation of new/intensification of existing accesses would have an unacceptable impact on highway safety, the LHA will seek to resist the proposals.
48. The intended purpose of the existing LHDG Policy IN6 "Sustainability Standards for Residential Developments" is to assist the LHA when making observations on walking, cycling and passenger transport provision within

planning application submissions. However, the policy has limited weight compared with policies within the NPPF which the LHA relies on.

49. It is therefore proposed that it is withdrawn. However, the Council is committed to aligning with the values of the Government's 'Gear Change' document by delivering a step change in the creation of new cycling and walking facilities by developing clear principles and technical guidance. The new LHDG will include changes to reflect LTN 1/20 guidance and the Council's own Cycling and Walking Strategy.

### LHDG Principles

50. The Project Board has agreed the following seven draft principles (as appended to this report) that provide the foundation for the LHDG:
- a) Working Collaboratively
  - b) Facilitating Safe and Effective Highway
  - c) Creating Road Types for All Road Users
  - d) Creating Durable and Easily Maintained Highway
  - e) Encouraging Active and Sustainable Travel
  - f) Supporting Inclusive Highway
  - g) Tackling Climate Change and Protecting the Environment.
51. Paragraph 29 of this report identifies the key influencing factors on the development of the LHDG, with a particular focus on major changes to national policy and guidance. The principles above have been developed following consideration of how new national policy and guidance should be observed in relation to LHDG, and the implications of decisions to endorse them on the future affordability of highway maintenance.
52. The significant issues raised during this process are:
- a) The consequences of an increase in adoption of assets that are not currently a common component of the road network such as segregated cycle infrastructure or enhanced green infrastructure.
  - b) The Council's responsibilities further to the adoption of its own Cycling and Walking Strategy and Net Zero Strategy.
  - c) The implications of Active Travel England's role as statutory consultee to the planning process.
  - d) The reputational and financial risk of not endorsing new policy and guidance. For instance, being ambitious about the delivery of active travel infrastructure is an important step in achieving a higher "Active Travel and Capability" rating, thereby accessing enhanced Government funding.
  - e) Increased pressure on authorities to assess the carbon impacts of large transport projects that are bidding for Government funding to enable delivery.
  - f) The challenge of delivering carbon reductions through LHDG guidance across the whole lifecycle of highway projects. Issues have been discussed regarding the use of materials that claim to deliver carbon

reduction benefits but that are relatively unknown in terms of their performance and durability.

53. Despite the challenges highlighted in this report, adhering to these Principles can provide the basis from which positive benefits for Leicestershire can be delivered. Although there are likely to be increased maintenance liabilities that could intensify pressure on budgets, conversely there are also financial and reputational risks to not becoming an early adopter of new policy and guidance.
54. Furthermore, the early-stage impact assessments undertaken have highlighted the potential for substantial community benefits from supporting a step change in environmental sustainability for health and wellbeing, resilience of assets, accessibility for all road users, meeting net zero ambitions and biodiversity.
55. Discussions will continue to take place regarding ensuring the Council covers its costs in relation to new developments and reducing future liability and costs regarding maintenance. This work will progress outside of the LHDG project so that the original scope can continue to be delivered effectively.
56. To ensure that green infrastructure, which is intended to be adopted as part of the highway, does not place an unnecessary maintenance burden on the Council, it is proposed that it is treated consistently with other highway assets. The suggested approach comprises:
  - a) Stricter specification requirements, including the adoption of the Value of Trees approach in design.
  - b) The appointment of dedicated staff for the technical approval of green infrastructure elements of highway development. This option requires further discussion, alongside the review of fees and charges relating to LHDG work. However, it is considered that there would be future maintenance savings in ensuring that tree planting and landscaping schemes are properly designed and delivered.
  - c) In accordance with other highway assets, investigating the opportunity for pre-submission requirements related to green infrastructure for inclusion in Section 38 agreements.
57. The Government has stated that it will expect a commitment to adoption of LTN 1/20 if local authorities are to access future funding for active travel schemes. The LHDG Refresh will therefore develop an approach to integration of LTN 1/20 that ensures delivery of any new infrastructure within the Leicestershire context.

#### The Development of Acceptable Palettes of Materials

58. The use of alternative materials can help support local distinctiveness in new development. However, the inclusion of these materials within new development can also be the cause of future maintenance issues. Problems regarding availability of like-for-like materials during future maintenance activities or statutory undertaker works can result in a patchwork appearance that undermines the original intention of their use.

59. The Department for Transport's Manual for Streets advocates that:  
 "One way of enabling designers to achieve local distinctiveness without causing excessive maintenance costs will be for highway authorities to develop a limited palette of special materials and street furniture. Such materials and components, and their typical application, could, for example, be set out in local design guidance and be adopted as a Supplementary Planning Document".
60. To consider how this guidance might be applied in Leicestershire two limited palettes of surfacing materials are being developed comprising:
- a) A standard palette of materials that are easily available within the local supply chain, have a history of successful use and are easy to maintain.
  - b) An enhanced palette of materials that will offer a balance between a desire for local distinctiveness and the Council's requirements relating to environmental sustainability, performance and on-going maintenance. Items from the enhanced palette will usually attract a commuted sum for future maintenance.
61. It is proposed that any materials that are not included within the palettes, but that are being promoted for use in new highway schemes, will be subject to stringent assessment. The developer will be required to evidence that the material meets key criteria such as: availability, maintenance requirements and sustainability.

### Electric Vehicle Charging

62. To help to decarbonise transport and contribute to the Council's net zero ambitions for the county, the Council is keen to support residents in switching to electric vehicles (EV).
63. The Council is working with district councils, businesses and other parties to help develop a countywide EV infrastructure strategy. This will define the role of the Council and evaluate options for a public charging point network in on and off-street locations.
64. In the forthcoming iteration of the LHDG the Council will define the legal requirements for the provision of EV infrastructure in new development. It will also state the current position regarding the provision of on and off-street charging facilities in Leicestershire. The new LHDG guidance will be updated following the adoption of the EV Strategy.

### Web Proposals and Technical and Approvals Guidance

65. A new web-based format and structure is being developed for the new LHDG that is intended to be user friendly, interactive, accessible across multiple devices, adaptable and intuitive.

### Engagement and Consultation

66. The Council's approach to engagement and consultation was detailed in the report presented to the Cabinet on 16 December 2022.
67. It is the intention that the engagement activities with key stakeholders, chiefly private developers and district councils in their role as local planning authorities, will continue until the start of the formal consultation scheduled for Spring 2024.
68. A web-based consultation exercise, principally aimed at users of the LHDG and other primary stakeholders, will take the form of a questionnaire prompting responses to any significant changes and an open opportunity to comment on the draft text. The focus of the consultation will be on the written content of the new LHDG. However, it is also the intention to present example pages of how the new LHDG will look and feel, including illustrative drawings and diagrams.
69. The Highways and Transport Overview and Scrutiny Committee will consider a report during the formal consultation exercise.
70. A further report detailing the outcomes of formal consultation and presenting the draft LHDG will be presented to the Cabinet in Autumn 2024.

#### Proposed full LHDG refresh programme

71. The timetable (Table 1) below is subject to the Cabinet approval and ongoing refinement further to engagement and consultation work.

<b>Action</b>	<b>When</b>
Consultation on the Draft LHDG	Spring 2024
Highways and Transport Overview and Scrutiny Committee – Draft LHDG consultation	Summer 2024
Cabinet LHDG final version approval	Autumn 2024
LHDG published	Autumn 2024

#### Future Review Proposal

72. It is proposed that an annual LHDG review schedule is devised to ensure that any updates to national and local policy, standards and guidance are considered at regular intervals. The schedule will comprise a regular yearly publishing date at which point key stakeholders will be notified that either a new version of the LHDG has been published with revisions or that the document has been reviewed and no changes made. A cover sheet will detail any revisions made for easy reference by stakeholders.

#### **Equality Implications**

73. The Equality Act 2010 requires the Council to consider the need to eliminate discrimination and to promote equality of opportunity between different protected groups.

74. The current LHDG guidance has been developed with the intention of facilitating developments that are “accessible to all people”. Throughout the course of the Refresh project, impacts on protected characteristic groups will continue to be assessed.
75. An Equality Impact Screening Assessment exercise has been undertaken and presented to the Departmental Equalities Group. At this stage, it is thought that the overall impact of the refreshed LHDG is likely to be neutral or positive. However, as further detailed work and evidence gathering needs to be completed to confirm this, the overall impact is currently classed as unknown.
76. It has been assessed that age and disability protected characteristic groups have the greatest potential to be impacted by the project. Consultation will be undertaken to ensure the views of these groups are properly understood.
77. The LHDG draft Principle 6 “Supporting Inclusive Highway” states that the LHDG will aim to be a ‘beacon for inclusive design’ and create highway where people feel safe, enjoy spending time, and that function in a way that meets the needs of communities.

### **Human Rights Implications**

78. A Human Rights Impact Screening Assessment has been undertaken. It has been determined that the LHDG has the potential to have positive and negative impacts on human rights and that further assessment is required to ensure that full consideration is given to these issues through the development of the guidance.
79. Examples of where the LHDG has the potential to impact on Human Rights includes:
  - a) Access to services such as education or health care facilities;
  - b) The potential for new highway development to impact on an individual’s peaceful enjoyment of property;
  - c) Ensuring accessibility of transport infrastructure for all.

### **Health Implications**

80. The World Health Organisation defines a Health Impact Assessment (HIA) as ‘a practical approach used to judge the potential health effects of a policy, programme or project on a population, particularly on vulnerable or disadvantaged groups.’
81. A HIA E-Form screening exercise has been undertaken to assess the likely impacts of the new LHDG on highway users in Leicestershire.
82. Although the assessment recognises that the transport sector can have negative effects on communities, including noise and air pollution, there are significant changes that can be made to the LHDG to deliver positive benefits, including:

- a) Improving social inclusion and the health of residents by supporting active travel infrastructure within highway schemes.
- b) Encouraging the use of low carbon materials and methods of construction to help lessen effects of climate change. Research has found that climate change can disproportionately impact low-income neighbourhoods, where there can be less resilience to issues such as flooding.
- c) Creating attractive environments through facilitation of green infrastructure that can deliver ecosystem services such as reducing flooding and the impact of higher temperatures and encourage people to leave their cars behind and participate in active travel.
- d) The provision of inclusive cycling and walking infrastructure that enables those without private vehicles to access employment opportunities or critical health services.

83. A full Health Impact Assessment will be undertaken on completion of the draft LHDG, informed through consultation with stakeholders, including key protected characteristic groups under the Equality Act.

### **Crime and Disorder Implications**

- 84. The delivery of highway design approaches that design out crime and create positive spaces is dependent on adoption of principles by designers. The Council's ability to influence design is largely restricted to roads the Council is being asked to adopt.
- 85. Regarding highway safety, the LHDG draft Principle 6 "Supporting Inclusive Highway" states that: 'Consideration must be given to methods of designing out crime as part scheme design including issues relating to natural surveillance, access control (physical and symbolic barriers to opportunities for crime), territorial reinforcement (defensible space) and space management.'
- 86. Design factors relating to provision of green infrastructure or other built assets can provide opportunities for crime to take place. For example, how communal car parks are designed could present issues with regard to safety.
- 87. The new LHDG will aim to ensure that developers follow the latest national guidance regarding designing out crime so that new highway minimises perceived and real personal safety risk.
- 88. The impact of the LHDG on crime will be assessed through via Health Impact Assessment.

### **Environmental Implications**

- 89. The LHDG refresh is a significant project where there is potential for policy and guidance to have consequential impacts, both negative and positive, on the environment. A screening exercise has been carried out and the decision taken to undertake a Strategic Environmental Assessment to understand the implications of any changes to the LHDG.

90. There are several key areas where the LHDG has the potential to impact on the environment, including:
- a) Setting standards regarding criteria for acceptable materials such as their carbon impacts.
  - b) How the LHDG facilitates active travel to reduce dependency on the car.
  - c) Supporting green infrastructure within the highway that can deliver ecosystem services.
  - d) The resilience of the Council's future road network.

### **Partnership Working and Associated Issues**

91. Discussions will be undertaken with district councils, primarily regarding their role as Local Planning Authorities and any concerns relating to new proposals for the LHDG. Additionally, it is the intention to engage with other highway authorities to understand their approach to highway design guidance and any recent experience of reviewing their guides within the context of more recent national policy and guidance.

### **Risk Assessment**

92. A project risk assessment has been established to identify potential issues that could impact on project delivery. In addition to this, a strategic risk assessment will be maintained and updated through the course of the project. This will assess the risks in relation to changes in policy and approach.
93. Financial risk relating to the project are presented in Part A "Resource Implications".

### **Background Papers**

Report to the Cabinet 16 December 2022 - Leicestershire Highway Design Guide Refresh: Approval to Undertake Engagement.

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MId=6746&Ver=4>

National Planning Policy Framework – Section 9. Promoting sustainable transport

<https://www.gov.uk/guidance/national-planning-policy-framework/9-promoting-sustainable-transport>

Commuted Sums for Maintaining Infrastructure Assets

<https://bit.ly/3H617KQ>

Leicestershire Highway Design Guide webpage

<https://bit.ly/3OZNnTF>

### **Appendix**

Draft Leicestershire Highway Design Guide Principles