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Leicestershire Highway Design Guide Consultation and Engagement Report and Analysis (2024)

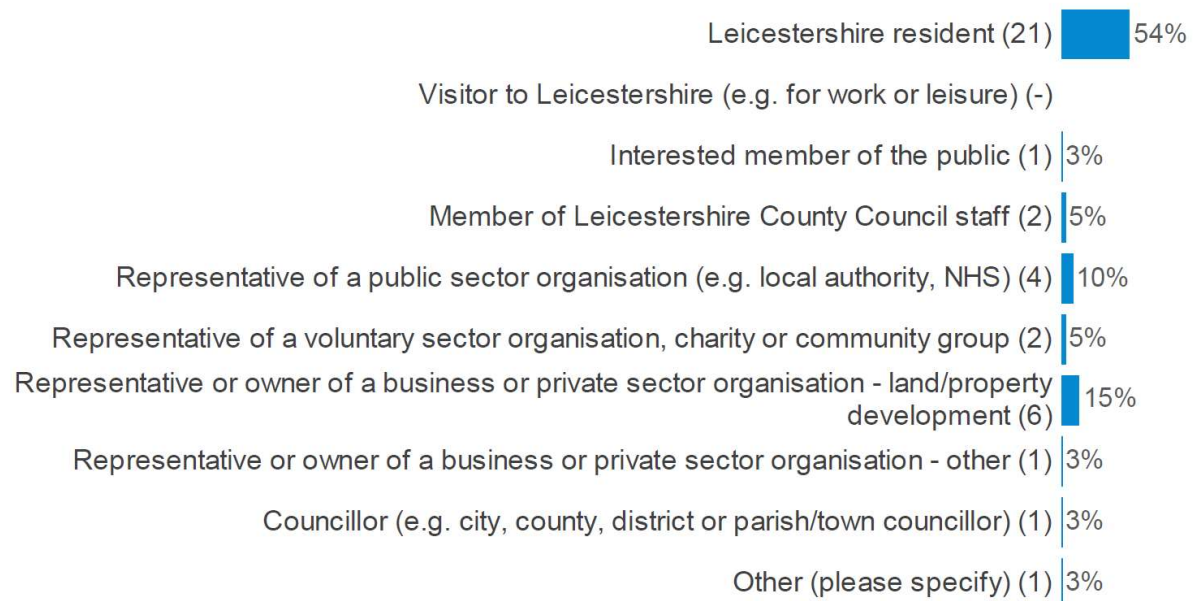
Headlines

- 40 Snap survey responses
- 22 responses by other method (email, phone)
- Overwhelming support for the LHDG Principles
- High levels of satisfaction with all sections of the draft documents

The Leicestershire Highway Design Guide (LHDG) is a technical document, primarily used by developers and their consultants and Leicestershire County Council's Engineering Services during the highway design process.

Most responses were from Leicestershire residents, followed by developers and local authorities. A number of charity or community organisations also responded, including those representing people with disabilities.

In addition to the public consultation, a number of engagement workshops have been undertaken with developers and groups and organisations representing disabled people, including Leicestershire Equalities Challenge Group and the Royal National Institute of Blind People (RNIB).



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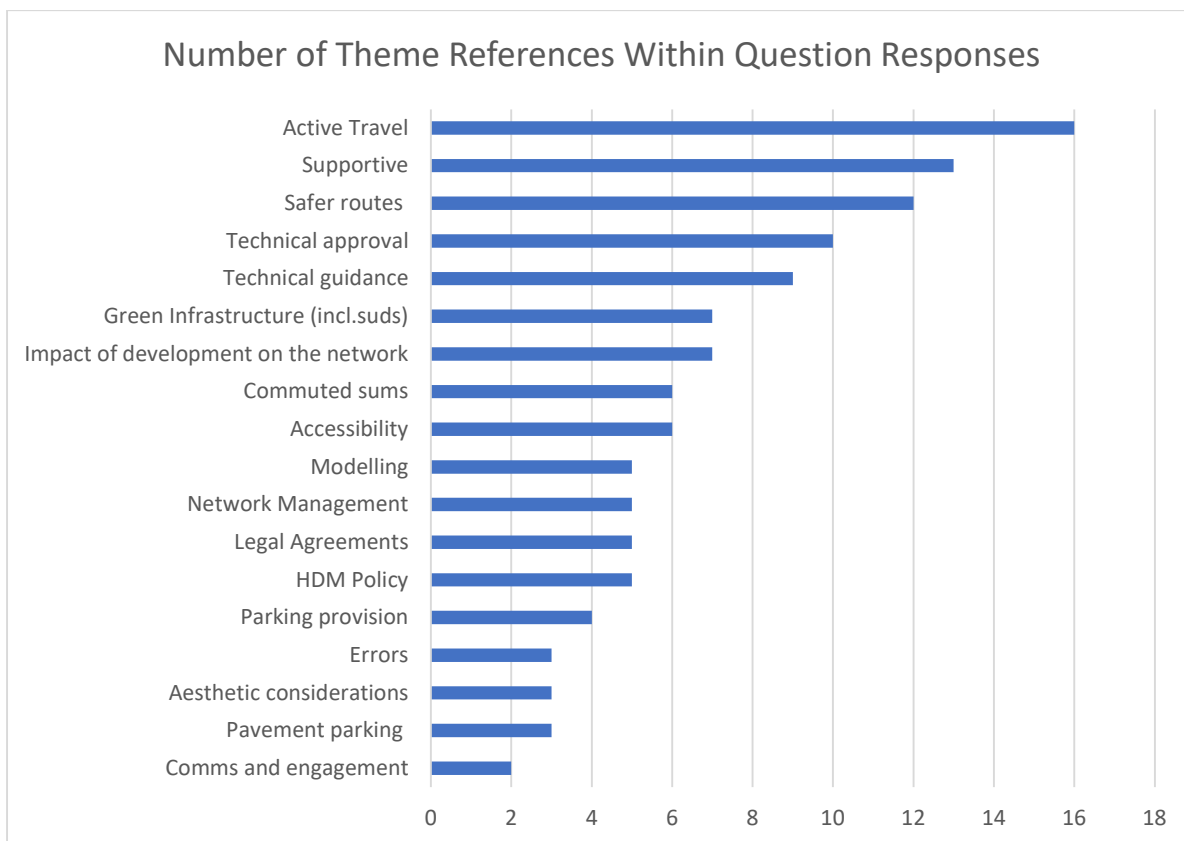


Fig 1. Percentage of responses by stakeholder

Consultation Demographics

Consultees were offered the opportunity to respond to a set of demographic questions, of which:

- 68% were male and 32% female.
- The highest proportion were aged 45-54, 65% of responders aged between 35 and 64.
- 17% responded that they have a long-standing illness, disability or infirmity.
- 100% identified themselves as being in the White ethnic group.
- 53% had no religion and 47% identified as Christian.
- 88% stated they were heterosexual and 12% gay or lesbian.

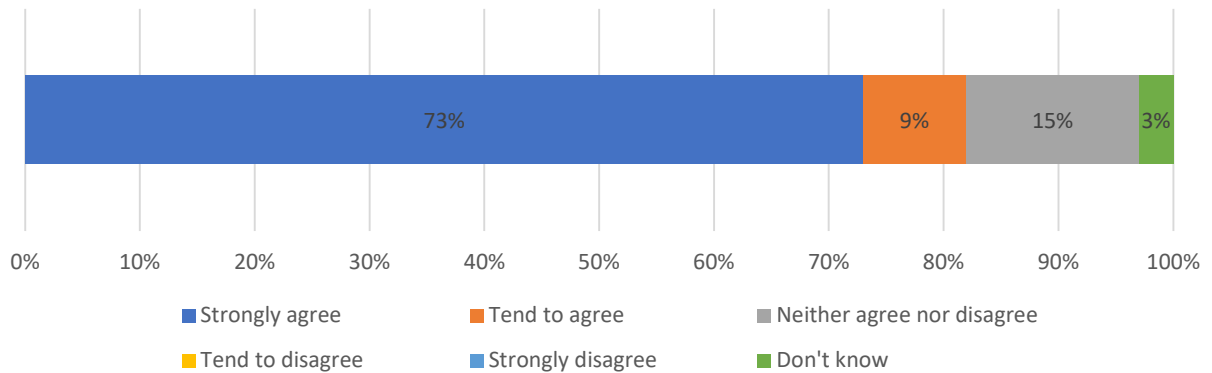
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Are the LHDG Principles the Right Ones?

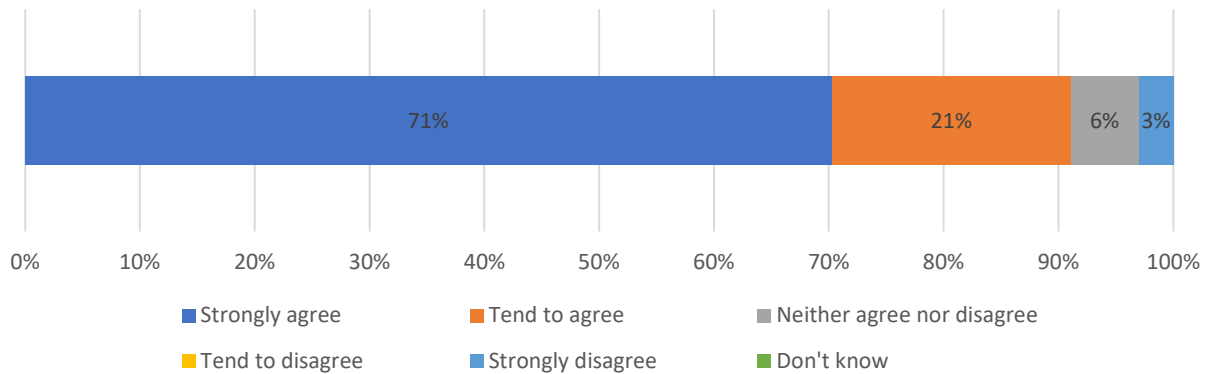
The following questions were set to gain an understanding of whether it was felt by consultees that the draft LHDG Principles were the right ones for guiding future highway development.

There was overwhelming support for the Principles, although there were comments from consultees that important detail was missing from some of the supporting text.

To what extent do you agree or disagree that the following principles are the right ones?
(Working collaboratively)

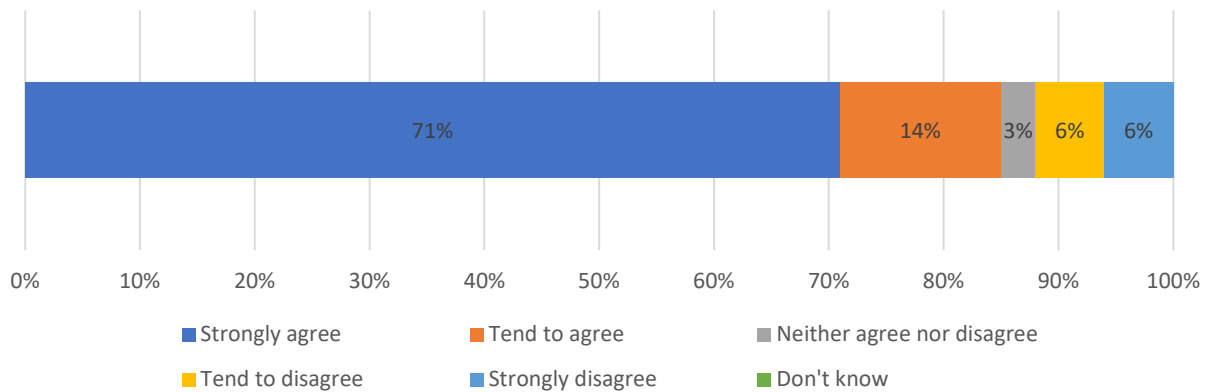


To what extent do you agree or disagree that the following principles are the right ones? (Facilitating safe and effective highways)

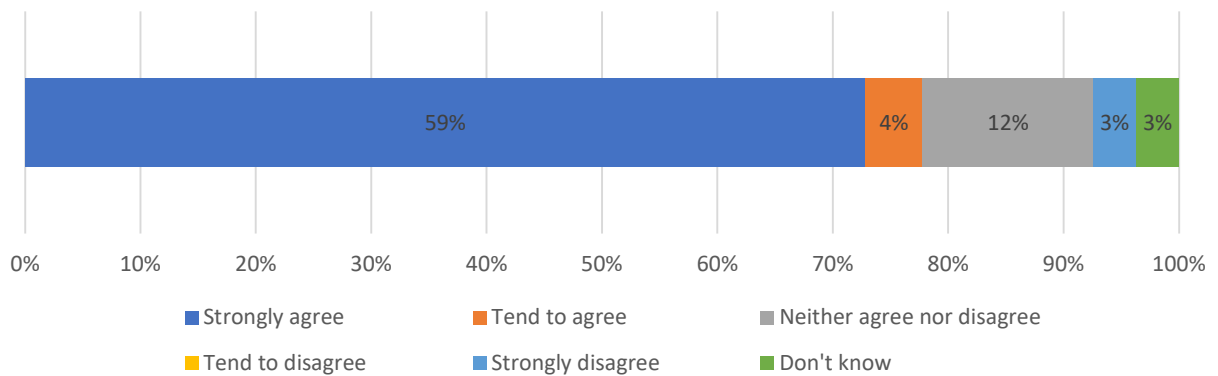


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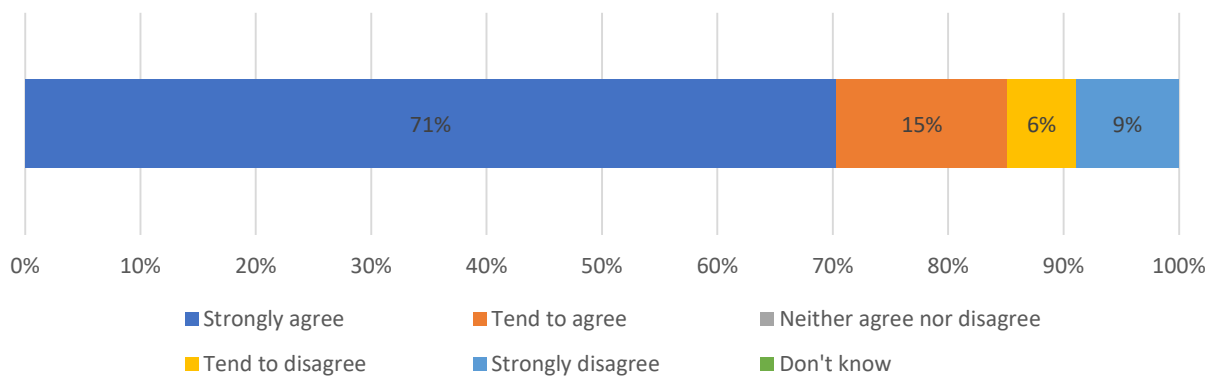
To what extent do you agree or disagree that the following principles are the right ones?
(Creating road types for all users)



To what extent do you agree or disagree that the following principles are the right ones?
(Creating durable and easily maintained highways)

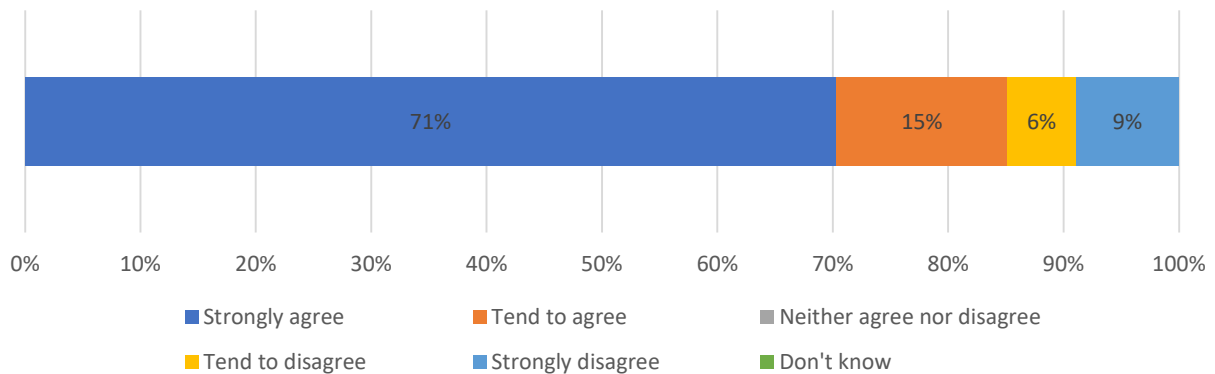


To what extent do you agree or disagree that the following principles are the right ones?
(Encouraging active and sustainable travel)

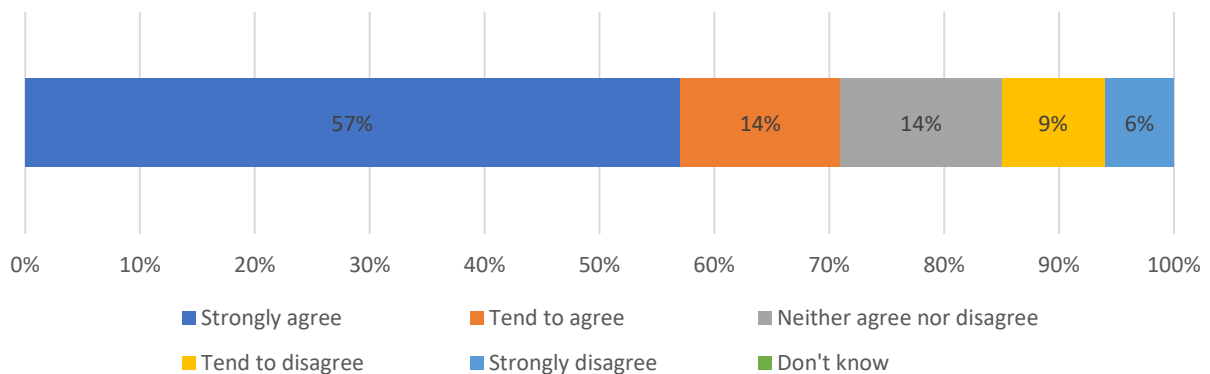


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To what extent do you agree or disagree that the following principles are the right ones?
(Supporting access for all)



To what extent do you agree or disagree that the following principles are the right ones?
(Tackling climate change and protecting the environment)



LHDG Principles Open Questions Summary

Overall, the Principles received a high level of support, with most consultees feeling that they covered the appropriate themes. A number of supporting comments were also received:

1. Consultees were particularly keen to see accessibility issues managed better in future, including greater support for active travel modes.

Action/response – Changes have been made to create more robust guidance relating to accessibility of new highway, including signposting to best practice and updates to the Design Layouts and Maintenance and Construction parts of the LHDG.

Equality and Health Impact Assessments have been undertaken and a number of actions/responses assigned to consider where improvements can be made.

2. Safety must remain a priority.

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Action/response – New Road Safety Audit policy and guidance has been drafted that defines LCC’s expectations around when audits will be required. Road safety guidance will be reviewed to assess where improvements might be made.

3. General support for reducing the number of private vehicles from roads was a common theme

Action/response – New guidance and policy aims to facilitate and encourage the provision of active and passenger transport infrastructure within new highway, which will give people the opportunity to choose alternative modes of travel.

4. Some consultees requested further detail about how collaborative working would work in practice. Greater collaboration, particularly on electric vehicle charging was requested.

Action/response – LCC will consider the inclusion of a more detailed communication section of the LHDG.

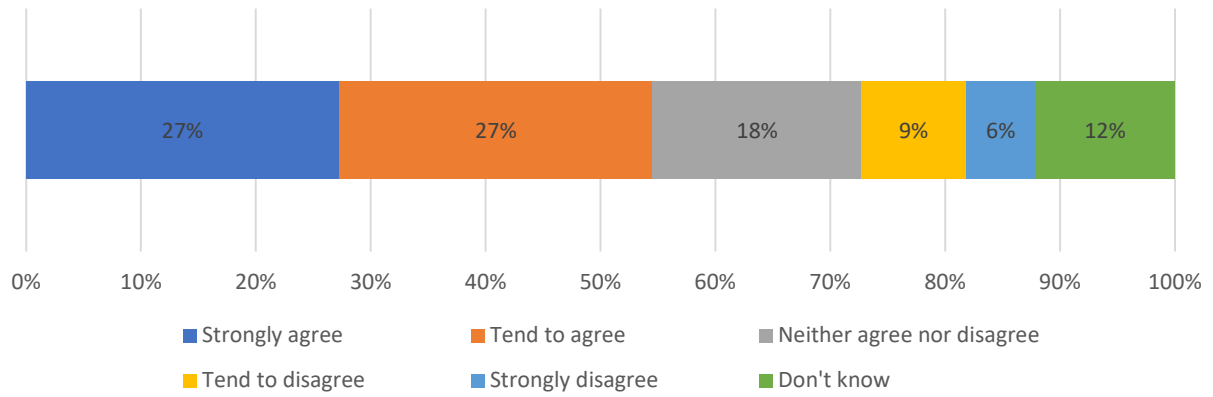
To what extent do you agree or disagree that the draft Leicestershire Highways Design Guide provides clear and appropriate guidance on Highway Development Management?

The draft Highway Development Management Part of the LHDG is divided into four sections highlighted below. Consultees were asked whether the sections provided clear and appropriate guidance:

1. Highway Development Management Policy - 54% of consultees agreed that the section provided clear and appropriate guidance, 18% neither agreed nor disagreed, whilst 15% disagreed.
2. Preparing Development Proposals – 45% agreed, 21% neither agreed nor disagreed and 21% disagreed.
3. Road Safety Audits (RSA) – 36% agreed, 33% neither agreed nor disagreed and 21% disagreed.
4. Data Collection and Modelling – 48% agreed, 33% neither agreed nor disagreed and 9% disagreed.

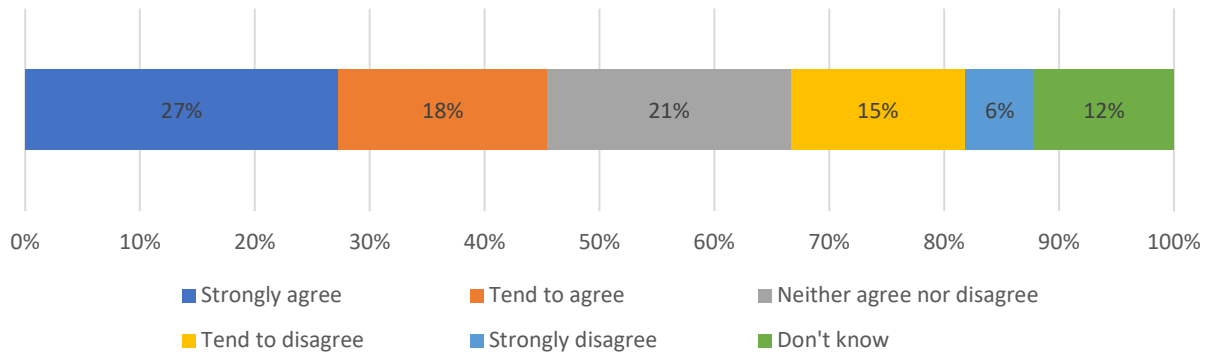
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To what extent do you agree or disagree that the draft
Leicestershire Highways Design
Guide provides clear and appropriate guidance on the following?
(Highways
Development Management Policy)

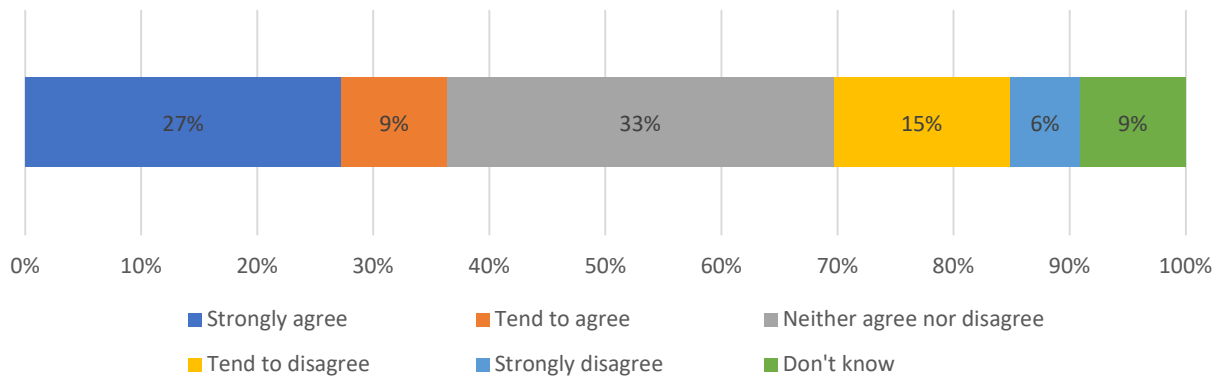


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To what extent do you agree or disagree that the draft
Leicestershire Highways Design
Guide provides clear and appropriate guidance on the following?
(Preparing
Development Proposals)

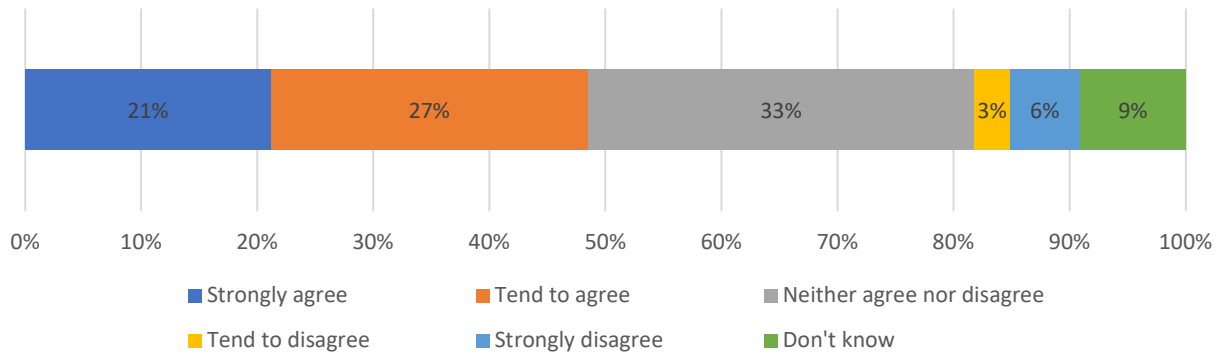


To what extent do you agree or disagree that the draft
Leicestershire Highways Design
Guide provides clear and appropriate guidance on the following?
(Ensuring the highway is safe (road safe audits))



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To what extent do you agree or disagree that the draft
Leicestershire Highways Design
Guide provides clear and appropriate guidance on the following?
(Data collection and
traffic modelling)



LHDG Highway Development Management Part - Open Questions Summary

Open questions comments included:

- Making the processes more output based.
Action/response – Developers must demonstrate that new highway development is both safe (for example, through the road safety audit process) and does not negatively impact on efficiency of the highway network (transport assessment and statements and travel plans).
- Greater clarity on the use of traffic modelling tools and concerns regarding their limitations.
Action/response – The guidance on traffic modelling will be reviewed to see where guidance could be strengthened.
- Expand sections to reference Planning Practice Guidance in addition to National Planning Policy Framework.
Action/response – Highway Development Management team will consider how reference to Planning Practice Guidance might be integrated into the new LHDG.
- Greater clarity is sought on some of the guidance and wording within the RSA part of the LHDG.
Action/response – LCC will review the RSA part of the guide with a view to improving clarity where necessary.
- Concerns that new policy regarding active travel might negatively impact on rural development proposals that do not have adjacent existing amenities to link into.

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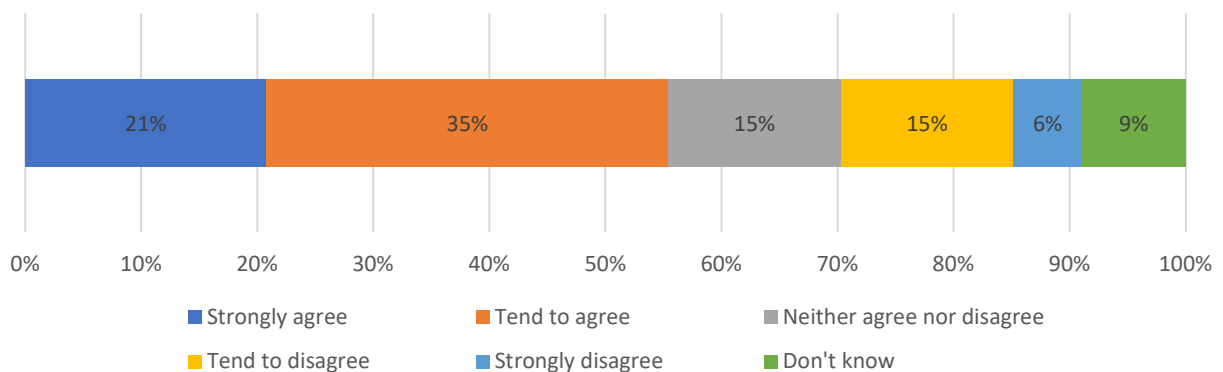
Action/response – The LHDG will take a reasonable approach to assessing active travel requirements within new development. The Active Travel Matrix (Table 18) sets out the criteria that should be considered when assessing the need for active travel facilities; this includes the location of the development (including whether it is rural) and the proximity to existing facilities.

To what extent do you agree or disagree that the sections regarding design, maintenance and construction of highways capture the key issues, and are the LHDG principles integrated?

Two questions were asked relating to the Design and Maintenance and Construction Sections of the LHDG, with closed responses highlighted in the figures below.

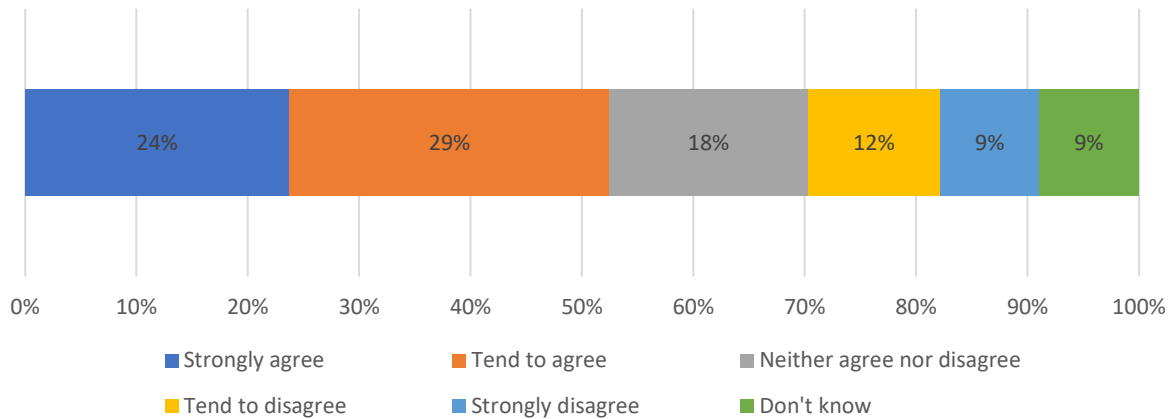
- Regarding whether the draft LHDG provides clear and appropriate guidance relating to design, maintenance and construction practice, there was substantial support for the guidance with 56% strongly agreed or agreed with 21% disagreeing or strongly disagreeing and 15% neither disagreeing nor agreeing.
- Consultees were asked whether they felt the LHDG principles were captured within the technical guidance, with 53% agreeing or strongly agreeing and 21% disagreeing.

To what extent do you agree or disagree with the following statements? (The sections capture the key issues relating to design, maintenance and construction of highways.)



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To what extent do you agree or disagree with the following statements? (The Leicestershire Highways Design Guide principles are reflected within the detailed guidance)



LHDG Design Layouts and Materials and Constructions Sections - Open Questions Summary

1. Queries were raised regarding clarity on whether the guidance on active travel was mandatory for adoptable highway?

Action/response – The active travel guidance presents the LCC’s expectations regarding provision that complies with Local Transport Note 1/20 within various common scenarios and road typologies in Leicestershire. It is recognised that in some circumstances there may be constraints to a developer adhering to the guidance and therefore a level of flexibility, subject to discussion.

2. Concern regarding some of the technical guidance, particularly where it appears to conflict with LHDG Principles.

Action/response – LCC will assess particular issues raised during the consultation and consider amendments where appropriate.

3. Firmer guidance has been suggested regarding the requirement for augmented road types (added value, such as the inclusion of green infrastructure or active travel facilities for example) provision over the absolute minimum.

Action/response – LCC will facilitate and encourage the provision of the augmented standard. The requirement for provision should be identified at the planning stage in discussion with the Local Planning Authority and the LCC. The type of provision will depend on the aspirations for the development and local plan policy. Design should accord with active travel guidance and highway constructed to an adoptable standard.

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4. In the "conservation verges" guidance within the "Green and Blue Infrastructure and the Natural Environment" section the statement that "areas can be maintained by private management companies" is welcomed and it is suggested that this is more widely accepted for landscaping within highway.

Action/response – This matter is under discussion with LCC's legal team for potential inclusion in future guidance.

Technical Approval and Adopting New Highway, Section 184 Applications and Commuted Sums

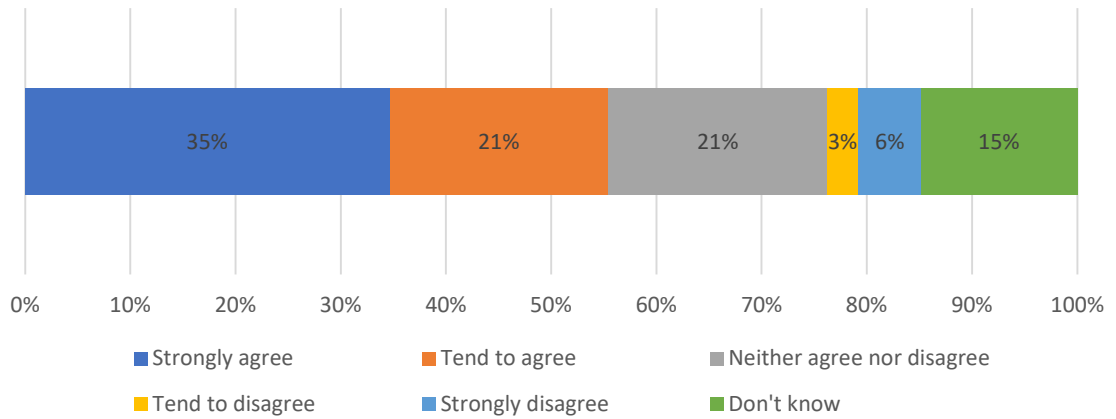
A series of questions were established to gauge consultees view on the clarity and appropriateness of guidance regarding technical approval, legal agreements and applications and LCC's policy relating to commuted sums.

There was overall support for the guidance:

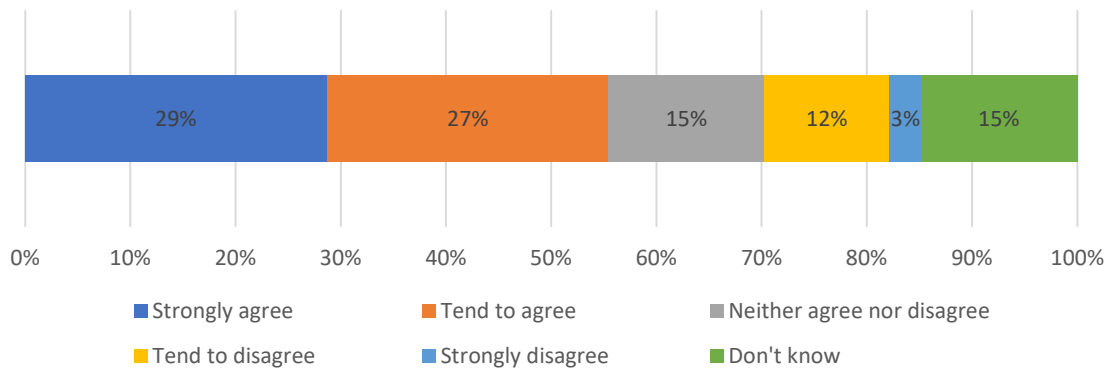
- 56% of consultees agreed that guidance explains the process and requirements relating to Section 38 Agreements (adoption of new highway), whilst 9% disagreed and 21% neither agreed nor disagreed.
- 56% of consultees agreed that guidance explains the process and requirements relating to Section 278 Agreements (working on existing highway), with 15% disagreeing and 15% neither disagreeing no agreeing.
- 53% of consultees agreed that guidance explains the process and requirements relating to Section 184 Applications (allowing for the provision of a vehicle crossing across a footway or between private land and the highway), 3% disagreed and 27% neither agreed nor disagreed.
- 36% of consultees agreed that guidance explains the process and requirements relating to Commuted Sums (the contribution towards LCC's future maintenance of new highway), 12% disagreed and 36% neither agreed nor disagreed.

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To what extent do you agree or disagree that the guidance explains the process and requirements for developers in the following areas?
(Adopting New Highway)

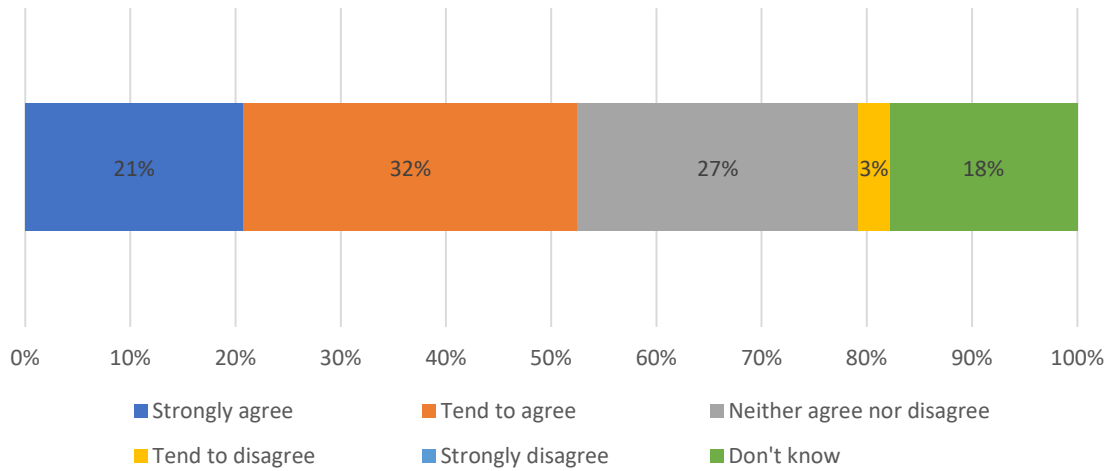


To what extent do you agree or disagree that the guidance explains the process and requirements for developers in the following areas?
(Working on Existing Highway)

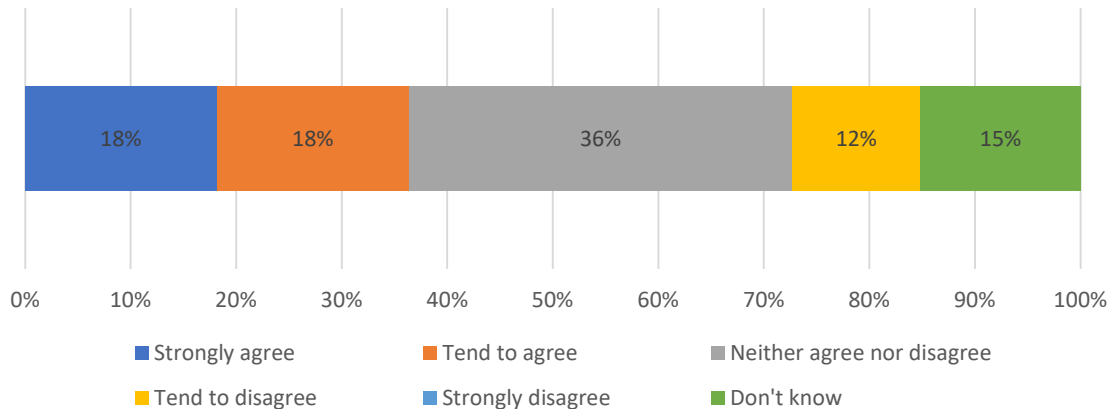


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To what extent do you agree or disagree that the guidance explains the process and requirements for developers in the following areas?
(Section 184 Applications)



To what extent do you agree or disagree that the guidance explains the process and requirements for developers in the following areas?
(Commuted Sums)



LHDG Technical Approval and Adopting New Highway, Section 184 Applications and Commuted Sums - Open Questions Summary

1. Issues were raised regarding the timescales for the highway adoption process (Section 38), with suggestions for a more flexible approach.

Action/response – LCC will consider options for setting clear timescales for approvals, although timescales can be variable depending on the scale and

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complexity of proposals. Early discussions are taking place regarding the development of service level agreements between LCC and developers.

LCC has made improvements to the legal agreement processes in the draft guidance with the intention of reducing delays.

A trial pre-submission service has been developed that would offer an opportunity for development review by LCC at the planning stage to enable an early indication of the likely acceptability of new highway offered for adoption.

2. Policy wording was considered imprecise by some consultees.

Action/response – LCC will review and strengthen wording where appropriate.

3. There were queries regarding the Advanced Payment Code bond process and payments.

Action/response – LCC must adhere to the process as set out in national legislation. The legislation must be followed to ensure funding is available should it become necessary that LCC takes responsibility for completion of highway construction works.

5. Concerns about the robustness of the commuted sum guidance in relation to Section 278 agreements.

Action/response – The commuted sum guidance in relation to S278 works will be reviewed and strengthened where required.

4. The increase in LCC's bond retention percentage is excessive.

Action/response – LCC's proposed bond retention percentage has been reviewed against the percentage applied by other local authorities and has been found to be fair and in some cases more lenient.

5. The use of Retail Price Index (RPI) for the calculation of commuted sums was questioned and alternative means of calculation suggested.

Action/response – LCC will review the appropriateness of RPI in the calculation of commuted sums.

6. The requirement that a Section 38 agreement is in place before works is considered to be unfair.

Action/response – A Section 38 agreement sets out the conditions, terms and timescales for development and offers LCC security regarding the acceptability of development for adoption.

7. The increase in the length of time developers are required to maintain completed highway works following construction from 12 months to 24 months is considered to be unfair by some consultees.

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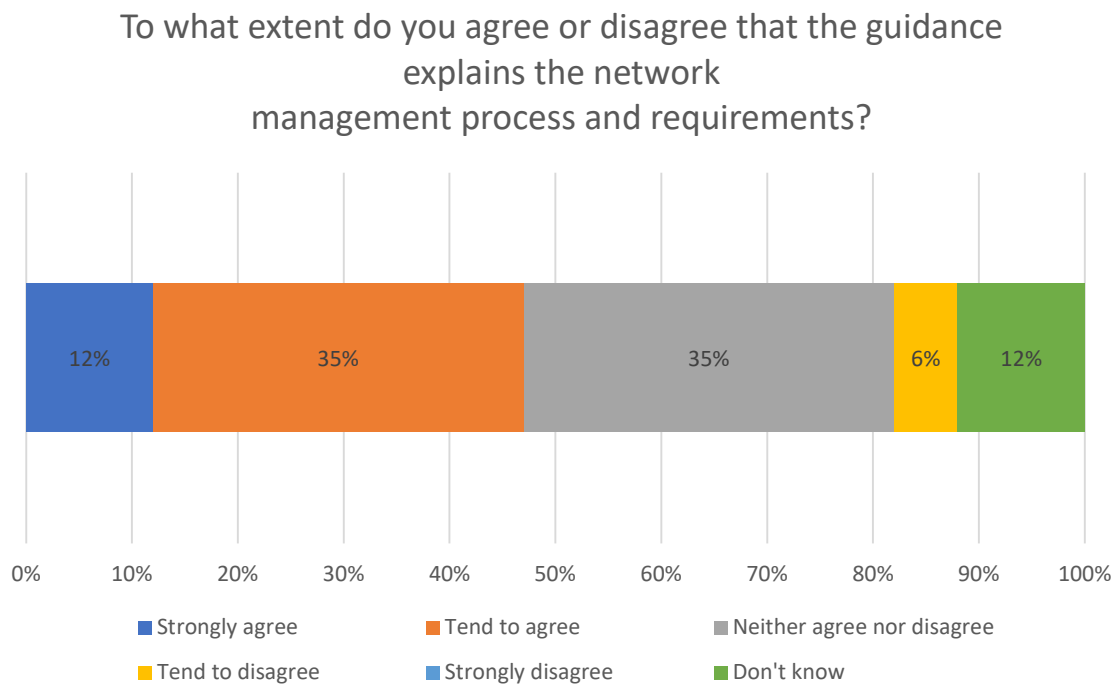
Action/response – The new minimum maintenance period better reflects the need to ensure quality of design and durability of assets and materials in the long term. The change brings parity with the conditions applied to utility companies.

8. Commuted sums schedule should be published.

Action/response – The Commuted Sums Schedule will be published once the review of rates has concluded. Rates will reflect a fair assessment of the costs of future maintenance of highway infrastructure proposed for adoption.

To what extent do you agree or disagree that the guidance explains the network management process and requirements?

Consultees were asked whether the LHDG explains the process and requirements for Network Management during highway construction; of the responses, 47% agreed, with 6% disagreeing and 35% neither agreeing nor disagreeing.



Network Management Open Question Responses

1. The new network management guide is a positive development, offering a more standardized framework compared to previous versions.
2. Consultees requested clarity on aspects of the Network Management guidance, including about when a Temporary Traffic Regulation Order can be made in the context of a Section 278 agreement and the ability to provisionally book road space for future works.

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Action/response – LCC will assess comments regarding the specific aspects of the guidance and make amendments as required. Regarding provisionally booking road space, this can be achieved through a Provisional Advance Authorisation (PAA) and further information can be found on LCC’s website.

3. Introduce a charged-for service within the Network Management team to help resource an enhanced support service.

Action/response – LCC will consider implementation of a charged-for enhanced service.

Additional Survey Comments

Consultees were invited to add further comments as part of the survey. Responses included:

1. Errors identified with the guidance and technical guidance queries.

Action/response – LCC will amend errors as required.

2. Significantly improved from the previous version and has strong messages for developers.
3. There should be closer relationships between LCC and district planning teams throughout the planning application process.

Action/response – In accordance with Principle 1 “Working Collaboratively” LCC as highway authority will work closely with local planning authorities during the planning process.

4. Accessibility concerns regarding pavement parking and shared surfaces (highway that does not include pavements with a raised kerb)

Action/response - Shared space is a design approach to streets that intend to better accommodate people who walk and cycle and reduce the dominance of motor vehicles; part of the approach is often interpreted by designers as being streets where footways do not have raised kerbs.

In Leicestershire shared space primarily applies to quiet residential streets, with low traffic volumes and speeds. However, concerns have been raised regarding the principles and practice of provision of shared space, particularly by organisations that represent people with disabilities. Research undertaken by RNIB has shown that those with visual impairment feel unsafe within shared space.

LCC will further assess its guidance on shared surface streets through:

- A desktop study of the latest research and guidance.

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- Collaboration with disability groups and other relevant stakeholders, including but not limited to those representing people with visual impairments.
- Review of best practice delivered elsewhere and engagement with industry experts.

As a result of this work, LCC intends to further develop its guidance on the design of shared surface.

5. The provision of arboricultural advice from LCC's Forestry Team to district or borough councils

Action/response – This will be discussed with LCC's Forestry Team.

6. Clarity regarding which version of the NPPF was being referred to and suggestions for alignment with proposed changes currently under consultation.

Action/response – The draft LHDG has been drafted based on the latest published NPPF. Current proposed changes to NPPF (July 2024) are subject to consultation and LCC will review the LHDG should there be any amendments that contradict published guidance.

Non-survey responses

In addition to consultee responses to the surveys written and verbal comments on the draft guidance were received during the consultation. Themes or concerns that have not already been covered above include:

1. Clarity around parking standards, particularly regarding the inclusion of tandem parking within designs.

Action/response

2. The point at which the new published LHDG would apply to development (i.e. would it apply to development that has planning permission granted?)

Action/response - Ultimately, all development must be designed and assessed under the latest published LHDG guidance. As a general principle during the transition period, where formal advice has not been issued by LCC either at the planning stage (highway observations) or as part of technical approval, then the new guidance will apply (whether or not a planning application has been submitted). However, LCC will adopt a reasonable approach to assessing whether the new LHDG guidance must be strictly adhered following the changeover, or development designed under old guidance (prior to publishing) is acceptable.

There may be circumstances where applying the new guidance is considered by LCC to be unreasonable, unfeasible or is not in the interest of Leicestershire

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communities (as might apply to any development at any time). Examples might be:

- Where LCC has agreed an access strategy that informs the internal layout of a development, where the old guidance has been applied.
- Where development is phased and the significant majority of phases have been delivered, it might be considered redundant in terms of benefits to demand that the final phase to meets new guidance.

It will be the responsibility of the developer to provide rationale for consideration at the point of submission to LCC.

3. Welcomed the prioritisation of highway designed to benefit pedestrian and cycle movement and accessibility for all users.
4. Ensure plain language is use throughout the documents.

Action/response – LCC has aimed to ensure that the language used within the LHDG is appropriate for the primary audience. The LHDG has been primarily produced for use as guidance by developers and their designers and therefore needs to include appropriate technical language relating to road design.

5. The need to further strengthen the Green Infrastructure and Natural Environment sections with the inclusion of guidance on environmental mitigation measures and blue infrastructure.

Action/response – LCC will consider wording for inclusion within the relevant sections regarding blue infrastructure and environmental mitigation.

6. The document accessibility (for those with visual impairments) could be improved.

Action/response – A checking process has been undertaken to ensure that the LHDG documents are accessible. LCC will review the document formatting to ensure that any accessibility issues are resolved.

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