

Birmingham City Council

Sustainability & Transport Overview and Scrutiny Committee

DATE



Subject: Highways and Infrastructure: Footway Crossing Policy and Information for Applicants

Report of: Mark Wiltshire, Interim Managing Director City Operations

Report author: Kamyar Tavassoli, Highways Services Manager

1 Purpose

- 1.1 To seek approval to the adoption of the proposed Footway Crossing Policy.

2 Recommendations

- 2.1 Cabinet approves the adoption of the proposed Footway Crossing Policy and Information for Applicants for the provision of footway crossings within the city.
- 2.2 Authorises the Assistant Director - Highways and Infrastructure to exercise all powers and obligations relating to operational and enforcement activities in respect of footway crossings under the Highways Act 1980 and the New Roads and Street Works Act 1991.

3 Any Finance Implications

- 3.1 The policy sets out the elements which make up the cost of construction of the footway crossing. An application and admin fee is charged in all cases and other costs including statutory undertakers inspection fees and apparatus costs, on street parking controls etc are charged as appropriate. The applicant is charged the actual cost of the construction of the footway crossing (full cost recovery basis) and an administration fee which would cover the Council's direct costs for the provision of the service. Fees are reviewed annually and set by Cabinet in February as part of the budget report.

- 3.2 The policy also details circumstances where costs can be refunded. Application fees are non-refundable and other costs are only refundable where the work has not been undertaken.
- 3.3 The Council offers applicants with a disability 50% discount towards the cost of construction of a compliant standard 2.75m wide footway crossing. The cost of this discount is covered from existing approved City Operations revenue budgets.
- 3.4 Where programmed footway reconstruction or other resurfacing works are undertaken, existing compliant footway crossings in poor condition will be resurfaced at no cost to the householder and householders who do not currently have a vehicle crossing will be given the opportunity to have one standard crossing constructed during the works at a reduced cost provided the requirements stipulated in this policy are met.
- 3.5 Preparation of the updated Footway Crossing Policy has been carried out using existing Highways and Infrastructure staff resources whose costs are funded from existing approved City Operations revenue budgets.

4 Any Legal Implications

- 4.1 Alterations to the Highway during installation of the footway crossings are carried out under Section 184 of the Highways Act 1980, and enforcement powers are contained in other provisions of the Highways Act 1980. Other related regulations, directives and general guidance is contained in the Town and Country Planning Act 1990; Road Traffic Act 1974; Road Traffic Regulation Act 1984; Traffic Management Act 2004.

5 Any Equalities Implications

- 5.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
 - 5.1.1 eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - 5.1.2 advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - 5.1.3 foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 5.2 The Committee should ensure that it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering: How policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; Whether the impact on particular groups is fair and proportionate; Whether there is equality of access to services

and fair representation of all groups within Birmingham; Whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 5.3 The Committee should ensure that equalities comments, and any recommendations, are based on evidence. This should include demographic and service level data and evidence of residents/service-users views gathered through consultation.

6 Appendices

- 6.1 Footway Crossing & Information for Applicants Presentation