

Guidelines for Third Party Funding of Highways Schemes

Purpose of Guidelines

This guidance note sets out the process involved to develop and deliver a third party funded highway scheme.

Background

Leicestershire County Council allows proposed highway improvements to be funded by a third party provided they are safe and align with current regulations, guidance or good practice. All associated costs must be provided by the third party, from initial concept designs through to ongoing maintenance/insurance costs.

On receipt of a request for a highway improvement the proposal is assessed to check:

1. if it is appropriate for the highway (i.e. does it align with current regulations, guidance or good practice). If it does not, the scheme will not be supported by LCC and approvals will not be given for further development, regardless of whether third party funding is available; or
2. if the scheme meets our criteria for funding. If this is the case it will be added to a priority list to be funded by LCC when resources become available.

The funding assessment ensures that the County Council's resources are focused on locations that present the highest risk. The assessment is evidence based and uses a number of criteria dependent on the nature of the proposal and its location, including number of reported accidents, speed limits, average speeds, type of road and impact on emergency vehicles.

If the improvement does not meet our criteria for funding but is allowable on the highway, the option is available for the requestor to provide/seek third party funding to enable the proposal to be developed further, designed and built.

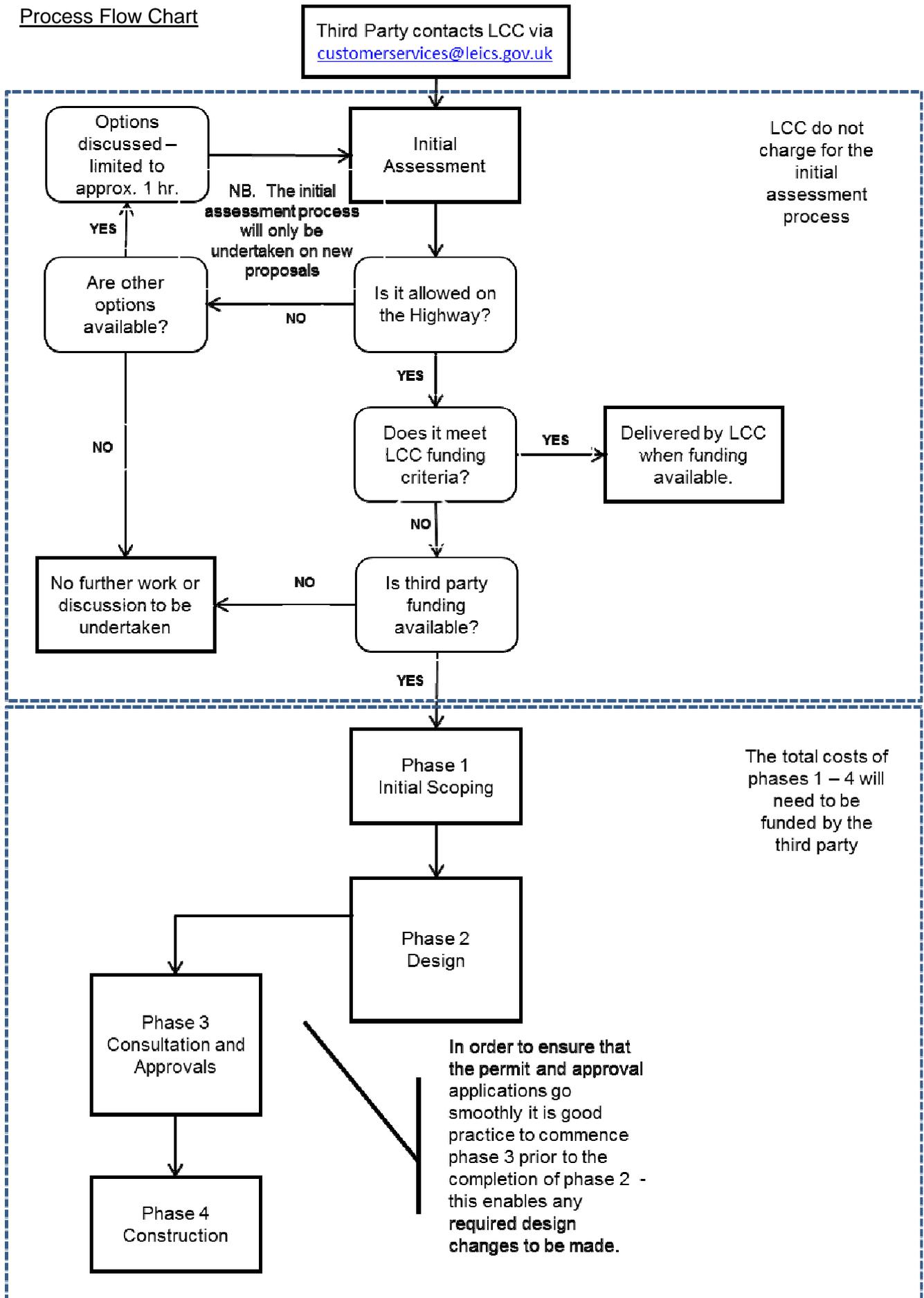
If a parish/town council or other community group has multiple, complex and ongoing issues the County Member can request a "one off" meeting to seek to address the situation and establish clarity around the way forward. The meeting will be held at County Hall and should be used where there are options available for discussion. The meeting should be singular and not repeatable and nor should it be used as a forum to challenge officer decisions that have already been communicated to the council/group.

Process for third party funded schemes

Improvements typically go through 4 phases of implementation. All of these phases must be funded by the third party. All phases can be provided by LCC, dependent on staff availability or be commissioned from another supplier.

- Phase 1, initial scoping stage,
- Phase 2, to establish detailed design and construction method, costs and timeframes
- Phase 3, consultation, approvals, permissions, licenses and legal requirements
- Phase 4, delivery / construction / maintenance

Process Flow Chart



Phase 1 - Scoping

In order to determine all the options available and decide on the most appropriate way forward the third party should commission either their own consultant or LCC to undertake a scoping exercise. At the end of phase 1 there should be a clear understanding of:

- what the improvement will be and how it will be implemented, including concept design illustrations;
- a quote for the design costs;
- a high level indication of implementation and ongoing maintenance costs; and
- an understanding of the next steps (including whether planning permission, what licences will be needed and approval process).

It is essential to fully understand the different elements of the whole process at the stage in order for there to be no unexpected delays and to be able to correctly plan phase3 "Consultation and Approvals".

LCC can provide this phase for an initial fee of £500 dependent on staff availability.

The third party must commission this work either from LCC or their own consultant. If the work is to be undertaken by LCC the following should be provided via email to customerservices@leics.gov.uk along with a confirmation of intent to pay for the improvement via third party funds:

- The type of scheme (traffic calming / parking restrictions / speed limit)
- Details of the scheme (type of traffic calming / type of parking restriction / speed limit)
- Location of the scheme (road name and location)

If LCC are not undertaking the work the third party must identify and commission an alternative supplier. Phases 1 and 2 could be commissioned together.

Phase 2 - Design

As part of this phase either LCC or the third party consultant will design the improvements (scheme) ensuring that all aspects of the proposed implementation/construction have been considered. The designs will need to be in an appropriate format and level of detail to be able to satisfy any planning or licence requirements.

The costs of design work, if carried out by LCC, will vary dependent on the nature of the improvement/change required.

Phase 3 - Consultation and Approvals

Prior to any implementation if a third party is installing/changing the highway network in any way, a variety of permissions, licences, legal agreements/restrictions orders need to be put in place. In some cases this will include consultation with both the public and emergency services.

The time and costs associated with this stage will depend on the nature of the improvement/change, whether the works will be undertaken by LCC and whether there is an intention to transfer the ownership of the change/asset to LCC.

The third party may request that once the scheme has been built ownership is transferred to Leicestershire County Council to maintain. If so a legal agreement will need to be reached for the future maintenance costs of the scheme including commuted sums. Transfer of ownership is not guaranteed.

Further information on the design and build, including commuted sums can be found in the Leicestershire Highway Design Guide.

<https://resources.leicestershire.gov.uk/environment-and-planning/planning/leicestershire-highway-design-guide>

Once the scheme has been approved and a detailed design check has been completed the third party can appoint a contractor to undertake the work.

In order to ensure the design produced in phase 2 will be suitable to pass the required checks etc. it is beneficial to run some elements of phase 2 and 3 together.

Phase 4 – Delivery / Construction / Maintenance

The final stage is the delivery / construction of the improvement / change. Again the costs will vary greatly dependent on the nature of the works. LCC can deliver this phase on behalf of the third party; however in many cases due to the availability of our resources, it may be expedient to go to an alternative provider.

Further Information

Any enquiries relating to third party funded schemes should be sent to:
customerservices@leics.gov.uk