

REPORT TO CABINET

21 March 2018

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| Subject: | Highway Infrastructure Asset Management Policy, Strategy and Plan |
| Presenting Cabinet Member: | Councillor David Hosell - Cabinet Member for Highways and Environment |
| Director: | Executive Director - Neighbourhoods – Dr Alison Knight |
| Contribution towards Vision 2030: |  |
| Key Decision: | Yes |
| Forward Plan (28 day notice) Reference: | SMBC14/02/2018 |
| Cabinet Member Approval and Date: | Councillor David Hosell – 01/03/2018 |
| Director Approval: | Dr Alison Knight – 01/03/2018 |
| Reason for Urgency: | Urgency provisions do not appl |
| Exempt Information Ref: | Exemption provisions do not apply |
| Ward Councillor (s) Consulted (if applicable): | Ward councillors have not been consulted |
| Scrutiny Consultation Considered? | This report is due to be presented to the Economy, Skills, Transport and Environment Scrutiny Board on 15 March 2018 |
| Contact Officer(s): | Robin Weare - Services Manager, Highways robin_weare@sandwell.gov.uk |

DECISION RECOMMENDATIONS

That Cabinet:

Approve the Highway Infrastructure Asset Management Policy, Strategy and Plan. (HIAMP)

1 **PURPOSE OF THE REPORT.**

- 1.1 This report is a key decision as the management of the highway network meets both legal obligations and high public expectations for safe, reliable and convenient travel. Good management and maintenance benefits the economic, social and environmental well-being of nearly all people living, visiting or working in the Borough.
- 1.2 The HIAMP defines the council's policies, strategy and plans for the future maintenance of the highway network. This will be aligned to the "Well Managed Highway Infrastructure – A Code of Practice (October 2016) and how the council aims to deliver its standards.
- 1.3 The council has a statutory duty of care to users and the community to; maintain the highway in a condition fit for purpose, as far as is reasonably practicable. The duty is not absolute but decisions must be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance.
- 1.4 The HIAMP demonstrates long term highway infrastructure plans to facilitate the Council's strategic ambitions. A key aspect of the HIAMP is the development of lifecycle plans for each critical infrastructure asset, including;
 - 800km of carriageways,
 - 1,400km footways and cycleways,
 - 35,000 street/lights, signals, illuminated signs, traffic signals
 - 450 bridges and structures,
 - 3500km drainage and culverts including 35,000 gullies
 - A wide range of other street furniture

2 **BACKGROUND AND MAIN CONSIDERATIONS.**

- 2.1 Given the importance of the highway network to the economic, social and environmental well-being of the community the Department for Transport has encouraged local authorities to develop a risk based approach to asset management of the highway network.
- 2.2 The national maintenance "backlog" is well reported. Our ageing highways are increasingly fragile and less resilient to damage from wear and tear, increasing traffic and severe weather.

- 2.3 A Code of Practice, titled 'Well-Managed Highway Infrastructure' was released in October 2016 as a single document to replace and update the previous codes for the maintenance and management of 'Highways', 'Structures' and 'Public Lighting'. Highways Authorities have until the end of October 2018 to demonstrate compliance with the recommendations of the revised Code of Practice.
- 2.4 Key staff members have attended several workshops and seminars to gain understanding and knowledge regarding the content of the document. In particular in connection to taking a risk based approach to maintenance activities and the views and action to date of other local authorities.

3 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 3.1 Key delivery stakeholders have been engaged in asset management workshops during the development of the HIAMP.
- 3.2 Key staff members have also attended several workshops and seminars to gain understanding and knowledge regarding the content of the document. In particular in connection to taking a risk based approach to maintenance activities and the views and action to date of other local authorities.
- 3.3 Scrutiny Committee has received and commented on the HIAMP.
- 3.4 In Autumn 2015, the council carried out a budget consultation exercise asking residents to prioritise spend on different services across the council. Residents were asked to say where they would accept a reduction in service level to generate budget reductions that the council is required to make. Respondents prioritised retaining the current level of highway maintenance services such as winter gritting and pothole repair.
- 3.5 Sandwell is one of many highway authorities who take part in annual National Highways & Transport Public Satisfaction (NHT) Surveys. Public satisfaction with many Sandwell highway maintenance services, is measured against other councils.

4 ALTERNATIVE OPTIONS.

- 4.1 There is no recommended affordable alternative

5 STRATEGIC RESOURCE IMPLICATIONS.

- 5.1 Funding for the maintenance of highway infrastructure is funded from the councils own revenue (Highways Maintenance Target Budget) together with regional capital allocation made under the Highway Maintenance Block Fund. In addition to support local road maintenance additional 'one off' capital payments have also been made to Councils in recent years.
- 5.2 With effect from 2016/17 transport asset valuation and depreciation information in accordance with Highway Infrastructure Asset Management Plans and CIPFA's requirements has been included in the Authority's accounts.
- 5.3 Asset valuation seeks to identify the total cost of ownership and has moved away from highway maintenance investment based upon short-term criterion (historic spending approach) to one that identifies the most economically advantageous maintenance intervention over the whole asset lifecycle (whole life costing approach).
- 5.4 Ultimately highway asset management, through a better understanding of the asset base and its value, will inform improved investment decisions in the highway infrastructure to meet the council's strategic goals and statutory obligations.
- 5.5 The Highway Infrastructure Asset Management Plan sets out how risk management is integrated in to highway asset maintenance to meet the objectives of the Council's Corporate Risk Management Strategy.
- 5.6 A key service risk relates to claims arising from accident and injury due to the condition of the highway. A statutory defence exists if an authority can prove it has in place adequate policies and procedures to maintain the highway, they are performed and there was no prior knowledge of the defect. The HIAMP sets out the council's planned safety inspection regime for mitigating this risk. This provides a practicable and deliverable response given the resources available. Doing what we say we will do as set out in the Highway Infrastructure Asset Management Plan is key to the defence of third party liability claims. Failure to update the Highway Infrastructure Asset Management Plan to make this relevant to the current highways maintenance arrangements and legislative framework will make defence of such claims more difficult.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The principal statutory duty imposed on highway authorities to maintain the highway maintainable at public expense is set out in Section 41 of the Highways Act 1980.

- 6.2 Section 41(1) of the Highways Act specifies that an ‘authority who are for the time being the Highway Authority for a highway maintainable at the public expense are under a duty subject to subsections (2) and (4) to maintain the highway’.
- 6.3 Under the Corporate Manslaughter and Corporate Homicide Act 2007 companies and organisations can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care.
- 6.4 The Traffic Management Act 2004 imposes a network management duty on a local traffic authority to manage their road network to secure and facilitate the expeditious movement of traffic on the authorities road network
- 6.5 Section 53 of the New Road and Street Works Act 1991, places a duty on street authorities to keep a street works register for each street for which they are responsible showing such information as may be prescribed with respect to the street works, and such other descriptions of works as may be prescribed, executed or proposed to be executed in the street (an example of other works are local authority road maintenance works).
- 6.6 Road Traffic Act 1988 imposes a duty on highways on highway authorities to promote road safety, including accident studies, and to take such measures to reduce the possibilities of accidents when new roads come into use.

7 EQUALITY IMPACT ASSESSMENT.

- 7.1 An equality impact assessment has not been carried out as maintaining the highway infrastructure maintainable at public expense is not believed to impact significantly against the protected characteristics.

8 DATA PROTECTION IMPACT ASSESSMENT

- 8.1 Not applicable.

9 CRIME AND DISORDER AND RISK ASSESSMENT

- 9.1 Not applicable.

10 SUSTAINABILITY OF PROPOSALS

- 10.1 Not applicable.

11 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE).

11.1 The HIAMP particularly supports 2030 Ambitions 5 and 6 and 10 in keeping the roads operating safely and efficiently.

11.2 It is increasingly recognised that an appropriately managed and maintained road network is needed to support significant economic growth and the associated social well-being benefits. To maximise the benefits of economic investment programmes requires not only investment in new road infrastructure but also investment in maintaining and managing our existing infrastructure. The HIAMP will sustain the legacy of investment programmes that will deliver 2030 ambitions.

12 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

12.1 Highway maintainable at public expense. The contract? will help deliver the aims and objectives as set out in the Corporate Asset Management Plan and Highway Infrastructure Asset Management Plan in particular ensuring the safety of the highway network.

13 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS.

13.1 Approval of the HIAMP will meet the statutory obligations of the Local Highway Authority by demonstrating that a decision has been taken on reasonable grounds with due care and regard to relevant considerations as set out in best practice guidance 'Well-Managed Highways infrastructure' Code of Practice.

14 BACKGROUND PAPERS

15 Well-Managed Highway Infrastructure' A Code of Practice October 2016

16 APPENDICES:

Highway Infrastructure Asset Management Policy, Strategy and Plan

Dr Alison Knight
Executive Director – Neighbourhoods