

**Open Report on behalf of Richard Wills,
Executive Director for Environment and Economy**

Report to:	Councillor R G Davies, Executive Councillor for Highways, Transport and IT
Date:	06 March 2017
Subject:	Highway Asset Management Plan
Decision Reference:	I012802
Key decision?	Yes

Summary:

The Highways Asset Management Plan sets out the Council's highway maintenance policies, legal duties and standards. The document details any deviation from national guidance which is set out in "Well Managed Highway Infrastructure - A Code of Practice". The policy is in need of review in 2017 due to revisions to internal operating procedures as a result of budget pressures, including grass cutting and drainage cleansing.

A draft copy of the proposed Highways Asset Management Plan is attached at Appendix A for consideration.

Recommendation(s):

That the Executive Councillor approves the attached draft Highways Asset Management Plan at Appendix A including the removal of amenity grass cutting and revised maintenance frequencies to drainage cleansing.

Alternatives Considered:

1. The revision to the Highways Asset Management Plan and maintenance frequencies are not adopted. Lincolnshire County Council will continue with current policies, requiring additional funding in order to provide the resources needed to meet existing standards or the finding of savings from other areas of the Council's activities.

Reasons for Recommendation:

Approving the proposed revisions to the Highways Asset Management Plan should allow the County Council's operational plan to align with proposed budget reductions for the financial year 2017/18. The current version of the Highways Asset Management Plan reflects the budgets set in 2016/17.

1. Background

- 1.1 October 2016 saw the release of Well Managed Highway Infrastructure – Code of Practice. This document sets out suggested standards to be used in highway maintenance policy and operation and the document is usually used as a reference point during legal claims. The Highways Asset Management Plan is therefore required to show Lincolnshire County Council's maintenance standards and where applicable any deviation of these standards from Well Managed Highway Infrastructure. The plan includes levels of service such as highway inspections, grass cutting, gully cleaning and all maintenance duties the Authority is responsible for.
- 1.2 The plan has been thoroughly reviewed and consultation has taken place with all sections of the Council about the amendments to standards or codes of practice.
- 1.3 Following the budget review for 2017/18, it was necessary to find savings in revenue spending and it has been proposed that one potential area to achieve this was in amenity grass cutting programmes. If the Plan at Appendix A is approved, these will not be carried out during the financial year 2017/18. This operational change needs to be reflected in the changes to the policy, which is documented via the Highways Asset Management Plan. Whilst the number of amenity cuts is reduced from the 7 specified in the previous version of the plan, there is no change to the number of safety cuts.
- 1.4 Another potential area for savings in revenue spending is in drainage cleansing. Gullies are currently cleaned out once a year, but data that has been collected in previous years now allows a targeted cleanse and this is reflected in the draft Plan at Appendix A. This will allow further efficiencies, for example, gullies and catchpits which have been running fine for years will not have to receive unrequired maintenance and the focus within the proposed Plan will be on assets which are regularly blocked by leaves or silt.
- 1.5 The Highways Asset Management Plan is used by all sections in the Directorate, as well as being used as a legal reference point during claims. A copy of the Plan is included with this report, together with a cover sheet which highlights the changes from the previous version.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it

* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic

* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Equality Act has been taken into account in this instance and an Equality Impact Analysis is attached at Appendix C. Whilst the changes in policy are generally considered to have no impact, the Analysis identifies the potential for a differential impact on older people and people with a disability in that grass verges will become more difficult to walk upon and this could affect those groups more than people who do not share those protected characteristics.

The Analysis concludes that this potential impact cannot be mitigated in itself but the impact is assessed as low given that grass cutting will still take place alongside footpaths where walking is encouraged and the impact will be in isolated areas with very low pedestrian use and where such is not encouraged for safety reasons.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The effect of revisions to the Highway Asset Management Plan on the JSNA has been considered and deemed to have no impact.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The new Highway Maintenance Policy should not lead to a change in the safety of the highways in Lincolnshire. The duties under section 17 of the Crime and Disorder Act 1988 have been considered and it is deemed that the Highways Asset Management Plan will have no impact.

3. Conclusion

It is therefore proposed that a recommendation is given to approve the revisions to the Highways Asset Management Plan and the revised maintenance frequencies covered by the document.

4. Legal Comments:

The Council has the power to adopt the Highways Asset Management Plan attached at Appendix A to the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive Councillor.

5. Resource Comments:

These revisions are required to meet the planned budget reductions in the areas specified.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

This Report will be considered by the Highways and Transport Scrutiny Committee at its meeting on 27 February 2017. Any comments from the Committee will be presented to the Executive Councillor for Highways, Transport and I.T.

d) Have Risks and Impact Analysis been carried out?

See the body of the Report

e) Risks and Impact Analysis

See the body of the Report

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Highways Asset Management Plan (Draft) A hard copy of this report is available from Democratic Services and online at – http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?Clid=492&Mid=4763&Ver=4
Appendix B	Summary of changes - Highways Asset Management Plan
Appendix C	Equality Impact Analysis for Highways Asset Management Plan

8. Background Papers

Document	Where it can be viewed
Well-managed Highway Infrastructure – A code of Practice	http://www.ukroadsliaisongroup.org/en/codes/

This report was written by Richard Fenwick, who can be contacted on 01522 550452 or richard.fenwick@lincolnshire.gov.uk .