

Open Report on behalf of Richard Wills - Director for Environment and Economy

Report to:	Councillor R G Davies, Executive Councillor for Highways, Transport and IT
Date:	19 September 2016
Subject:	Highway Asset Management Plan
Decision Reference:	I011808
Key decision?	Yes

Summary:

The Highway 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 Maintained Highways - Code of Practice for Maintenance Management". The policy is in need of review in 2016 due to:

- 1) Revisions to internal operating procedures as a result of budget pressures, including grass cutting, weed spraying and drainage cleansing frequencies.
- 2) Amendments to some wording and formatting errors in the previous version of the plan.

A copy of the proposed Highway Asset Management Plan is attached at Appendix 1 for consideration.

Recommendation(s):

That the Executive Councillor approves the attached draft Highway Asset Management Plan at Appendix 1 including the revised maintenance frequencies to grass cutting, weed spray and drainage cleansing contained within.

Alternatives Considered:

1. The revision to the Highway Maintenance 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 Highway Asset Management Plan should allow the County Council's operational plan to align with the agreed budget reductions for the financial year 2016/17. The current version of the Highway Asset Management Plan reflects the budgets set in 2015/16.

1. Background

- 1.1. July 2005 saw the release of Well Maintained Highways – Code of Practice for Maintenance Management. Well Maintained Highways 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 Highway Asset Management Plan is therefore required to show Lincolnshire County Council's maintenance standards and where applicable any deviation of these standards from Well Maintained Highways. 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 2016/17, it was necessary to find savings in revenue spending and it was agreed that one potential area to achieve this was in grass cutting programmes. Previously there were 3 safety cuts per year carried out, and operationally it was proposed to reduce this to 2 safety cuts for 2016/17. This operational change needs to be reflected in the changes to the policy, which is documented via the Highway Asset Management Plan.
- 1.4. As part of the 2016/17 budget review, it was proposed to reduce the weed control treatments from 3 times a year to once a year. This operational change needs to be reflected in the changes to the policy, which is documented via the Highway Asset Management Plan.
- 1.5. Also as part of the 2016/17 budget review, it was proposed to change drainage cleansing frequencies from 1 clean with a targeted second clean to 1 clean only. This operational change needs to be reflected in the changes to the policy, which is documented via the Highway Asset Management Plan.
- 1.6. Whilst providing savings, reductions in grass cutting frequencies were also suggested because there are environmental benefits and it is recognised that a reduction in 3 to 2 safety cuts will benefit Roadside Nature Reserves RNR. The Lincolnshire Wildlife Trust has been consulted and is supportive of this approach.

- 1.7. Whilst there are still 7 Amenity cuts scheduled throughout 2016, which means no changes to this part of the plan are required, it is proposed that Amenity cuts are stopped altogether from 2017/18. This would be reflected in an April 2017 update to the plan.
- 1.8. The Highway Maintenance 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.

Equality Act 2010

The Council's duty under the Equality Act 2010 needs to be taken into account by the Executive Councillor when coming to a decision.

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 Equality Act 2010
- 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: Equality Act 2010 section 149(1).

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 this section may involve treating some persons more favourably than others.

The relevant protected characteristics are:

- ❖ Age
- ❖ Disability
- ❖ Gender reassignment
- ❖ Pregnancy and maternity
- ❖ Race
- ❖ Religion or belief
- ❖ Sex
- ❖ Sexual orientation

A reference to conduct that is prohibited by or under this Act includes a reference to:

- ❖ A breach of an equality clause or rule
- ❖ A breach of a non-discrimination rule

It is important that the Executive Councillor is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Executive Councillor. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.

To discharge the statutory duty the Executive Councillor 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. The change in policy is considered to have no impact.

Child Poverty Strategy

The Council's Child Poverty Strategy has been taken into account. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.

In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.

The Strategy has been taken into account in this instance but the subject matter of this decision is considered to have no impact on child poverty.

Joint Strategic Needs Assessment (JSNA)

The Council must take into account the JSNA when exercising its functions

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

Health & Well Being Strategy

The Lincolnshire Health & Well Being Strategy must be taken into account by the Council when exercising its functions.

The new Highway Maintenance Policy should not lead to a change in the safety of the highways in Lincolnshire, but could be deemed to impact the visual quality of the highway network. This should not have an impact on the health and general wellbeing of the population.

2. Conclusion

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

3. Legal Comments:

The Council has the power to make the changes to the document proposed. The decision is consistent with the Policy Framework and within the remit of the Executive Councillor if it is within the budget.

4. Resource Comments:

The activities set out in the Highways Asset Management Plan as recommended, can currently be met from within the currently approved 2016/17 budget for this service. Any future reductions or changes to this budget, may require the activity level set out in the plan to be reviewed.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The report will be considered by the Highways and Transport Scrutiny Committee at its meeting on 12 September 2016. Any comments from the Committee will be presented to the Executive Councillor for consideration when taking the decision.

d) Policy Proofing Actions Required

n/a

6. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Highway Asset Management Plan (Issued September 2016)
Appendix 2	Summary of Changes to HAMP

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Paul Rusted, who can be contacted on 01522 553071 or paul.rusted@lincolnshire.gov.uk.