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**Executive****24 October 2019**

Report of the Corporate Director of Economy and Place  
Portfolio of the Executive Member for Transport

## **Highway Infrastructure Asset Management Plan**

### **Summary**

1. The Well Managed Highways Infrastructure Code of Practice was considered by the Executive in March 2018. This set out a new approach to the Highway Asset Inspection regime use categories of road and based upon a risk management approach.
2. Officers are currently categorising the highway network as outlined above and this will form part of our highways management strategy to facilitate the commencement of the new inspection regime.
3. The next step is to develop a new Highway Infrastructure Asset Management Plan to provide a framework for the budget allocation to ensure that the Council has a clear resource policy driven by a risk based approach in accordance with statutory guidance.
4. Notwithstanding the above it is proposed the Council prioritises and the Executive strengthens its commitment to localised decision making and investment in highways at a local level through Ward Funding. This report seeks decisions to increase ward funding. The future development of a Highway Infrastructure Asset Management Plan will seek to maximise the ability of Ward Councillors to exercise discretion on highway maintenance spend

### **Recommendations**

5. Following the supplementary budget to agree to allocate an additional £1m for immediate repairs from funding and £1m for cycling and walking initiatives. To allocate £500,000 of the highway maintenance funding and £500,000 of the cycling and walking funding to wards to allocate.

6. Subject to the agreement of the above budget recommendation, to commence immediately with the Ward Funding element of the highway maintenance programme detailed in the Executive report titled "Refresh of Ward Committees" agreed by Executive in August 2019.
7. To agree to the adoption of maintenance categories for the development of a new Highway Infrastructure Asset Management Plan namely; Ward Funding, Reactive Maintenance, Preventative Maintenance and Proactive Maintenance.
8. As part of the annual budget process the Executive and Full Council will consider funding in accordance with the identified categories of Ward Funding, Reactive Maintenance, Preventative Maintenance and Proactive Maintenance.
9. Officer advice is that the current balance between the funding categories is maintained until such time as a new Highways Asset Management Plan is adopted. Any significant deviation from the current balance ahead of the adoption of the Highway Infrastructure Asset Management Plan would require specific advice.

Reason: To ensure that the council's investment in assets responds to community needs and the council's commitment to Ward Funding. Whilst ensuring that budget allocation is as effective as possible and delivered in accordance with best practice and the Well Managed Highways Infrastructure Code of Practice.

## **Background**

10. As the Highway Authority, the Council has certain legal obligations it must meet to ensure the highway network is safe and fit for purpose. From time to time, these obligations may become the subject of claims for loss or personal injury. Demonstrating that the Council maintains the public highway in accordance with the Code of Practice is essential to be able to counter such claims and protect the 'public purse'.
11. However, the adoption of risk based approach to highway infrastructure may result in investment in a different street to where the public would like it most. Therefore the opportunity to maximise Ward Funding will seek to address this tension.
12. This report sets out proposals for a set of principles for a new Highway Infrastructure Asset Management Plan to provide a framework for the budget allocation to ensure that the Council has a clear resource policy in accordance with statutory guidance.

13. The Well Managed Highways Infrastructure Code of Practice was considered by Executive in March 2018. This set out the new approach to the Highway Inspection regime based upon a risk based approach using the asset categories. This risk based approach replaced the old guidance and practice of having specific intervention levels which are no longer permitted under DfT guidance or defensible in court.
14. Since that report officers have been categorising the highway network in accordance with the principles agreed by members in March 2018. This will form a key part of the Highway Infrastructure Asset Management Plan.
15. The report sets out the asset management principles for consideration by the Executive that if approved will be used by officers to develop a Highway Infrastructure Asset Management Plan for the allocation of the Annual Highway Maintenance Budget agreed by Council, to specific projects.

#### **Current operation**

16. Each year the authority undertakes a detailed survey of every road in the city boundary and assess its condition. Each road is rated from 1 to 5 according to its condition. This data is published through the Council's open data platform
17. For all those roads that are in the poorest condition, the service considers factors such as traffic levels, the proximity of schools, doctors surgeries etc to help officers prioritise those routes. This process will be enhanced and clarified in the new Highways Infrastructure Asset Management Plan.
18. The Department for Transport annual funding for highway maintenance requires the council to have a Highway Infrastructure Asset Management Plan to receive the maximum funding.
19. There has been an annual allocation, since 2015, of £250k of highways capital funding across all wards for highway schemes.

#### **Future Operation**

20. In order to continue to receive the maximum level of funding and compliance with the code of practice it is necessary for the Council to review its Highways Infrastructure Asset Management Plan.

21. The Highway Infrastructure Asset Management Plan will provide a framework for budget recommendations against each category of maintenance. The overall highway maintenance budget being set by Full Council each year.

### **Ward Highway Funding**

22. Highway assets are the single largest capital asset that the Council is responsible for and literally sits outside everyone's front door. It is often therefore Local Ward Councillors who can identify the issues in their communities.
23. This report therefore creates a budget for Ward Councillors to spend on Highway Maintenance, whilst officers will share information on road condition, the decision making process was outlined in the August 2019 Executive Report, this gives members discretion on allocation of funding.
24. Ward funding can be used for all the categories of maintenance detailed below at the discretion of the ward member.

### **Reactive Asset Management Funding**

25. The code of practice and case law recognises that Government and councils do not have resources, nor would it be affordable for all highways to be maintained to grade A.
26. Therefore the Highway network will require unplanned reactive maintenance. In order to respond to the inspection regime either through scheduled inspection or in response to customer comments the code of practice requires the council to undertake reactive repair based upon a professional risk based assessment.
27. This approach is intended to maximise road user safety and therefore reduces the likelihood and success of any potential claim against the council for failure to deliver its duties.
28. In order to reflect the increasing public accountability for decisions based upon professional judgment it is proposed that the Highway Infrastructure Asset Management Plan will be based upon the latest national guidance and will detail the Highway Officer decision making methodology in order to bring greater transparency to the reactive maintenance intervention decisions during the course of the following municipal year. This would be updated from time to time if the guidance changed.

### **Preventative Maintenance**

29. Whilst there is not sufficient funding to maintain the highway in grade A condition, preventative asset management funding will provide value for money by intervening at an earlier stage of the lifecycle of an asset to prolong its life.
30. For instance some early interventions, say when the condition is fair are cheaper and prolong the asset rather than waiting for it to deteriorate requiring significant interventions and greater cost.

### **Proactive Maintenance**

31. Proactive Maintenance budgets will be focused on those assets which require major investment as they are in worst condition and have disproportionate reactive funding requirement.

### **Analysis**

32. As the current funding requirement for the council's highway is over a £120 million shortfall, the highway conditions continue to deteriorate. Therefore there is an intrinsic tension between how much funding is allocated to each of the four categories proposed to be identified within the Highways Infrastructure Asset Management Plan.
33. Proactive Maintenance is the most expensive form of maintenance as it requires total replacement of the asset and there is not sufficient funding to rebuild every asset that is life expired. The number of assets that would be improved would be very limited due to the high cost of each asset as it is replaced.
34. Preventative Maintenance whilst the most cost effective form of maintenance does not deal with the current backlog of maintenance defects that require proactive maintenance. Therefore not protecting highway users.
35. The code of practice requires the council to take a risk based approach, it could be argued the council should allocate all the funding to reactive maintenance. This would not take an asset management approach and therefore the deterioration of the asset would accelerate.
36. As officers categorise the highway network as laid out in paragraph 2, the road condition will be able to be overlaid with the importance of the

road to a variety of users. This will allow better local outcomes for instance recognising the importance of some routes to cyclists.

37. Therefore the Highways Infrastructure Asset Management Plan will need to endeavour to help Executive determine the right balance between the maintenance categories as each have merit. The balance struck will be guided by advice from insurers, the code of practice and Department for Transport funding constraints with input from councillors. The final decision in respect of the balance and the risk profile that the authority chooses will be for the Executive to determine in a future report.

### Consultation

38. The Highways team will work with Ward Councillors and the Communities team to develop their Ward annual programme of works to be delivered each year. However, Ward Councillors will also have the opportunity to ask officers to allocate their ward fund to the next preventative or proactive project within the ward if they wish.

### Council Plan

39. This report helps ensure the Council achieve its emerging Council Plan currently being consulted upon by delivering a greener cleaner city, getting around sustainably, creating homes and world-class infrastructure and an open and effective Council.

### Implications

40. **Financial** - The latest capital programme has identified the following Highway Maintenance expenditure.

	2019/20	2020/21	2021/22	2022/23	Total
	£'000	£'000	£'000	£'000	£'000
Ward Committees – Highway Schemes*	1,275	250	250	250	2,025
Highway Schemes	6,717	6,041	5,927	5,827	24,512
<b>Total</b>	<b>7,992</b>	<b>6,291</b>	<b>6,177</b>	<b>6,077</b>	<b>26,537</b>

\*The ward committee total excludes £500k allocation for Walking / Cycling schemes

41. **Equalities** – Once the assessment of assets is complete a full equality impact assessment will need to be undertaken.

42. **Legal** – The Council, as the local Highway Authority, has a duty under the Highways Act 1980 to carry out highway maintenance and maintain highway structures.

### **Risk Management**

43. The whole essence of the code of practice is to ensure the Council adopts risk managed approach to highway maintenance.
44. The Council has to defend claims against its highway maintenance policy, it is for this reason that the ward funding allocation is capped.
45. The structure defined by a new Highway Infrastructure Asset Management Plan will help defend these claims.
46. The current funding balance is in officer opinion, at this time, appropriate. The development of the Highway Infrastructure Asset Management Plan will seek to reflect the councils commitment to ward based priorities.
47. The Council could seek to determine all its highway funding through a single maintenance category, but this would not be in accordance with the code of practice and therefore jeopardise the funding received from Department for Transport.

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**Report**  **Date** 11/10/2019  
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**Wards Affected**

All

**For further information please contact the author of the report**

**Annexes**

None