

**Written statement of a key decision**  
**Cabinet member transport and roads**

<b>Title</b>	<b>Highway Maintenance Challenge Fund Works - Mitigation of impact due to exceptional periods of road closure</b>
Decision maker	Cabinet member transport and roads Information about cabinet, including the names and contact details of the cabinet members, can be found here: <a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a>
Date of decision	30 October 2017
Report exemption class	Open
Reason for being a key decision	This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To consider the impact on Herefordshire's small businesses as a consequence of the road closures that are required to deliver the successful bid to the Departments for Transport's Tranche 2A of the Local Highways Maintenance Challenge Fund, the options by which that impact can be mitigated and decide on the action that shall be taken to mitigate the impact of these closures.
<b>Decision</b>	<b>That:</b>  <b>(a) The works progress as planned; and</b>  <b>(b) a targeted support scheme be implemented in accordance with the terms detailed in Appendix 1B to provide financial support to small businesses in Herefordshire, of a type that may experience a material reduction in passing trade as a direct consequence of limited access during their normal business hours due to road closures associated with the delivery of the Highways Maintenance Challenge</b>

	<b>Fund works up to a maximum total compensation for all successful applications of £150,000.</b>
Reason for the decision	As set out in the report. Documents relating to this decision are available at <a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50023898">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50023898</a>
Options considered	The following alternative options to mitigate the impact of these works are considered: <ul style="list-style-type: none"> <li>• Do nothing – continue to deliver the best surfacing solution as quickly and safely as possible. Whilst continuing to deliver the current programme of works is recommended, the addition of a voluntary targeted support scheme for small businesses affected by the works is recommended to mitigate the impact on the local economy during the works and ensure that the overall economic benefits are achieved;</li> <li>• Alter works to enable the road to be kept open – necessitating a reduction in surfacing specification. This is not recommended as it would result in a lower standard of maintenance and significantly increase the whole life cost of maintaining the highway asset. It would also be contrary to the terms of the grant award from the Department for Transport.</li> <li>• A compensation scheme, as set out at appendix 1A that mirrors the Gas (Street Works) (Compensation of Small Businesses) Regulations 1996. This option would compensate for significant and proven loss, up to a cap derived on the basis of maximum rateable value for a business premises to be considered as a premises for a small business. Whilst the available funds would be distributed to those who can prove loss, this option is not recommended as its operation will place an additional administrative burden on both business and the council.</li> </ul>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	3 November 2017

Councillor: .....	Date 30 October 2017
Cabinet member transport and roads (Councillor BA Durkin)	

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.