

Decision maker:	Cabinet member Infrastructure and transport
Decision date:	Thursday 30 April 2020
Title of report:	Subsidies to Parish Council - Parish Lengthsman Grant
Report by:	Acting Assistant Director for Highways and Transport

Classification

Open

Decision type

Non-key

Wards affected

All wards

Purpose

To approve expenditure of £250k on the parish lengthsman grant scheme for 2020/21

Recommendation(s)

That:

- (a) £250,000 funding as set out in paragraph 2 below is provided as grant funding in support of Schemes that Parish councils bid for to be undertaken by their existing Lengthsman plans; and
- (b) the Acting Assistant Director for Highways and Transport be authorised to approve grants in accordance with the criteria as set out in paragraphs 5 to 10 below.

Alternative options

1. There is no alternative option as the investments, as described, has been derived with a view to maximising the opportunity for Parishes to suggest schemes that are of impact to the local area, and not necessarily of a risk rating that would ordinarily attract work through

the in public realm services and this money was allocated by council so will be spent in line with council resolutions

Key considerations

2. At the council meeting of 15/2/19 the budget for 2019/2020 and the Medium Term Financial Strategy (MTFS) 2019/2022 were approved. Annex 7 of the MTFS set out that funding of £250,000 would be allocated to a parish lengthsman grant scheme as set out in paragraph 3 below.
3. As the phased reduction of the lengthsman was planned and consulted on those parishes that have found these schemes beneficial for their local inhabitants have raised their precept, or identified other resources, in order to replace the council subsidy and continue the works which principally benefit their parishioners. The issue of surface water on rural roads, the damage that it can cause and the dangers that it represents during inclement weather has been raised by many parish councils. Although many lengthsman already deal with a number of highway ditch issues within their work, and landowners are being increasingly engaged in appreciating their riparian responsibilities, there remain local works which would be of benefit local communities, such as the cleansing and restoration of roadside ditches, which can include significant pipe and drainage works for legacy systems.
4. This decision seeks authority to spend that money as set out in accordance with the MTFS and as detailed in paragraphs 5 to 10.
5. Grants will be available for the restoration and improvement of drainage on unmetalled public rights of way routes, U and C roads where works can be carried out locally by the lengthsman.
6. This funding is to aid those parishes who have retained their lengthsman in fy 20/21 and it is estimated that each of the approximately 60 parishes with retained lengthsman will access the £250,000 grant funding.
7. Grants will only be available to those parish councils who have retained and self-funded the lengthsman scheme in fy 20/21 Parishes should state their planned activities through their lengthsman annual maintenance grant in the first instance. Any proposed schemes can then be captured and assessed. Once approved, should any schemes be out of scope for the lengthsman, ie requiring work over and above what is defined in his/her contract they could then be routed through the community commissioning model.
8. Any unspent grant will be carried forward, with the scheme to be reviewed at the end of the first year of operation. The remaining funds will be bid for in the same manner in subsequent years, until grant is spent.
9. The assistant director Highways and Transport has delegated authority to approve, through the contract governance arrangements, final adjustments to the programme, budget allocation to each scheme, and applicability of scheme in relation to the Public realm.
10. Highway maintenance is commissioned as part of the public realm services contract with Balfour Beatty Living Places (BBLP). Consequently, the additional works being bid for by Parishes can also be commissioned as public realm services alongside maintenance activities. This approach should enable all grant requirements associated with this funding to be met along with the council's key priorities. Any BBLP costs associated with the

approval and ratification of schemes will be funded from budget. Parishes will need to have BBLP oversight for the schemes being undertaken, schemes will be suggested via the Lengthsmans annual maintenance plan.

Community impact

11. There is clear evidence that the effective management of the public realm, which includes highways, parks and public rights of way, is an important contributor to the county's health, wellbeing and economy. This through improved safety, enabling exercise, enabling access to and the movement of goods and services and community engagement.
12. This Scheme will have significant positive impact on the local Community, and allow enhancement to existing Parish led activities.
13. Effective investment in the public realm supports the council to achieve its corporate plan priority to secure better services, quality of life and value for money for the people of Herefordshire. All health and safety risk will need to be managed

Equality duty

14. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Parish council's will be made aware of their contractual requirements in regards to equality legislation when using this funding to make local improvements. .

Resource implications

- 16 The additional revenue funding allocated for the schemes is £250,000 and will be funded from revenue funding allocated and spend will contained within this budget

Legal implications

- 17 The council has significant responsibilities under the Highways Act 1980 and other related legislation to ensure that the highways and the public realm more generally is maintained. This additional investment assists the council in demonstrating that it has met its legal obligations.
- 18 The council will control the scheme applications through the public realm contract with BBLP, which was put in place in 2013 through a competitively tendered process and the council

will ensure its duty to secure best value is met through scrutiny of the cost and quality of the works commissioned with these funds.

Risk management

- 19 The risks, their consequences and any mitigating actions have been considered in detail. Risk will be managed through the governance structures created for and supported by the public realm services contract, which links with and escalates to the council's corporate risk management regimes

Consultees

- 20 The development of the schemes will be derived from applications from the Parishes as above, those applications will need assessing for applicability against the funding, and to ensure Health and Safety concerns are addressed
- 21 The additional funding set out in this report will enable additional work to be delivered using those priorities expressed by the Parishes applying for the funding.

Appendices

None

Background papers

None

Please include a glossary of terms, abbreviations and acronyms used in this report.

Glossary of Terms

Lengthsman – Worker engaged by some parishes, allowed to do specific duties on the network under the terms of his/her contract

Lengthsmans plans – submitted annually to BBLP planned work to be undertaken by the Lengthsman

U and C roads – those roads classified as U or C

Community Commissioning Model – Scheme ran by HC to allow access through BBLP for work on the network funded from elsewhere.