

Title of report: The New Public Realm Service - Highway Maintenance Plan

Decision maker: Cabinet member for Local Engagement and Community Resilience

Decision date: 19 May 2026

Report by: Major Contracts Programme Director

Classification

Open

Decision type

Key

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.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

To update the Highway Maintenance Plan (to be known as the Highway Safety Inspection Manual), which sets out the reasonable system of inspection and repair that will be deployed by the Council to ensure that it meets its duty to maintain all publicly maintainable highways.

Recommendation(s)

That:

- a) The Highway Safety Inspection Manual, as set out in Appendix A, be adopted as of 1 June 2026;**
- b) Operational control of the Highway Safety Inspection Manual and its delivery be delegated to the Major Contracts Programme Director;**

- c) Authority to make changes to the Highway Safety Inspection Manual (as set out in Section 6 of this report) be delegated to the Major Contracts Programme Director.**

Alternative options

1. That the 2024 version of the Highway Maintenance Plan is not updated. This is not recommended as this would not align with the requirements of the new Public Realm Contract.

Key considerations

2. Herefordshire Council is responsible for in excess of 3,200km (2,000 miles) of publicly maintained highways, 724 bridges and approximately 14,000 street lights, illuminated bollards and signs. The Council also maintains some 3,380 km (2,100 miles) of public rights of way. The highway network is by far the single most valuable asset in the control of the Council, with an estimated replacement value of c £5.5 billion.
3. The 2024 Highway Maintenance Plan sets out the performance that is required by the Council for it to continue to meet the duty to maintain the highway under section 41 of the Highways Act 1980. Where there is a breach of the absolute duty to maintain, the manual enables the Council to make use of the defence available to it under section 58 of the Highways Act 1980, through a reasonable system of inspection and repair.
4. As a result of the commencement of the new Public Realm Service contract on 1 June 2026 it is necessary to update the 2024 Highway Maintenance Plan and for a new version to be adopted with effect from 1 June 2026.
5. A copy of the new version is included in Appendix A. Changes in the document include:
 - a. A change in the title of the document to the Highway Safety Inspection Manual to better reflect its purpose
 - b. Revisions to the document structure to focus on the activity of delivering Safety Inspections
 - c. Updating of diagrams to reflect the current Council document structure
 - d. Amendment of categories of defect to match the new contractual arrangement from 1 June 2026 (shortened (i.e. faster) response times
 - e. Updating of the risk matrix to include the apportionment of risk across new response times
 - f. A revised approach to the way that third party reports are dealt with
 - g. The updating of defect descriptions to match new defect categories
6. To allow the efficient running of the service area, it is proposed that operational control of the Highway Safety Inspection Manual be delegated to the Major Contracts Programme Director to authorise changes to be made as and when deemed necessary, in relation to:

- a. The frequency (and mode) of inspections, as set out in Section 8
- b. Competence and Standard Setting, as set out in Section 15
- c. The descriptions of the categories of defect, as set out in Section 16
- d. The descriptions and possible indicators set out in Tables 3 and 4 within Section 17
- e. The risk matrix set out in Table 5 within Section 17, but not including any changes to the response times of 24 hours, 28 days or Consider for Forward Programme
- f. The Remedial Actions, as set out in Table 6 within Section 18

Community impact

7. The Highway Safety Inspection Manual contributes to the County Plan ambitions, in providing a safe usable network for the localities and for the economy of Herefordshire.

Environmental impact

8. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
9. The environmental impact of this proposal has been considered through the service specification and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the ongoing contract management.

Equality duty

10. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services.
11. The mandatory equality impact screening checklist has been completed for this decision and it has been found to have low impact for equality.
12. Due to the potential impact of this decision being low, a full Equality Impact Assessment is not required. However the following equality considerations should be taken into account when making a decision about this activity:
 - a. The Highway Safety Inspection Manual details a risk-based approach to highway maintenance activities. The purpose of a risk-based approach is to provide a consistent application of a decision-making process and includes correctly evaluating the risk posed to all highway users by all defects or deficiencies in the highway asset, having regard to the likely users of the network, particularly vulnerable road users. When measuring the risk of an impact occurring, consideration is given to the level of change in condition of active travel facilities that may be used by vulnerable road users. Equally, when measuring the probability of a risk occurring, use by vulnerable road users is also taken into account.

Resource implications

13. The decision has no direct implications on finance, ICT, human resources and property. Any work arising from the inspections will be managed within existing highways budgets.

Legal implications

14. The legal implications of the recommendation are set out in this report.

Risk management

15. The Highway Safety Inspection Manual sets out the performance that is required by the Council for it to continue to meet the duty to maintain the highway under section 41 of the Highways Act 1980. Where there is a breach of the absolute duty to maintain, the manual enables the Council to make use of the defence available to it under section 58 of the Highways Act 1980, through a reasonable system of inspection and repair.

Risk / opportunity	Mitigation
Demand /deterioration on the network significant and budget not sufficient	Review within the overall annual and forward programme and deliver in line with the council's priorities.
Deliverability due to rising costs and available resources	Effective contract management processes will provide early warnings of such implications.
Reduction in personal injury and vehicle damage claims	Opportunity to potentially reduce claims and therefore costs to the Council.

Any risks will be managed at service level and escalated in accordance with the Risk Management Plan.

Consultees

16. As part of the revised consultation process for key decisions, a Political Group Consultation was undertaken on 5 May 2026 and the following matters were discussed:
- a. How the risk to all road users is considered when inspections are undertaken
 - b. How the new defect categories will positively impact on service delivery
 - c. That work undertaken by utility companies can lead to defects and that there needs to be clarity on how these are approached and dealt with
 - d. How the Highway Safety Inspection Manual can be explained to others, including Town and Parish Councils
 - e. How defect repairs are programmed to avoid multiple visits to the same road
 - f. Ensuring enquiries are responded to with appropriate accountability and responsibility
 - g. How reactive maintenance links with planned maintenance programmes

- h. How reactive and planned maintenance programmes are funded and budgets are tracked
- i. The role that the Lengthsman scheme can play in repairing defects on the network and how the Council can support with training
- j. How emerging technologies can be used to deliver road condition surveys
- k. The process for members feeding into the planned maintenance programme, in particular resurfacing

22. Subsequent to the Political Group Consultation on 5 May 2026, a written response was received from the Independents for Herefordshire, which is attached at Appendix B.

Appendices

Appendix A – Highway Safety Inspection Manual

Appendix B – Response to Political Group Consultation - Independents for Herefordshire

Background papers

None identified.