

## Record of operational decision

<b>Decision title:</b>	2022/23 Capital Investment in Public Realm Infrastructure, Traffic and Risk Management: £1m Retaining Walls Programme of Works
<b>Date of decision:</b>	06/01/2023
<b>Decision maker:</b>	Director of Economy and Environment.
<b>Authority for delegated decision:</b>	<p>17<sup>th</sup> August 2022, Cabinet Member Report: 2022/23 Capital Investment in Public Realm Infrastructure, Traffic and Risk Management.</p> <p>a) Delegated authority is given to the Director of Economy and Environment, in consultation with the S151 Officer to take all operational decisions to deliver the infrastructure projects set out in recommendation (a).</p>
<b>Ward:</b>	Countywide
<b>Consultation:</b>	<p>As part of the revised consultation process for key decisions, the Political Group Consultation was undertaken. The key issues were:</p> <p style="padding-left: 40px;">The request for further investment in Village Traffic Calming.</p> <p style="padding-left: 40px;">Better communications with members in relation to the Market Towns investment.</p> <p style="padding-left: 40px;">Bus Shelters to be green where possible, can we do more.</p> <p>The comments are noted and actioned where necessary and will be incorporated into future capital bids.</p> <p>As part of the report process, internal consultation has been undertaken which includes legal and finance.</p>
<b>Decision made:</b>	<p>To invest in the Public Realm as set out in the Cabinet Report, the specific schemes are itemised below:</p> <ol style="list-style-type: none"> <li>1. £1m Retaining Walls and Structures <ol style="list-style-type: none"> <li>a. Pontrilas Retaining Wall – replacement construction £280k</li> <li>b. Bartestree Culvert – Strengthening construction £150k</li> <li>c. Eye culvert - Strengthening - construction £120k</li> <li>d. Adforton Culvert – Strengthening - construction £150k</li> <li>e. Comberton – Strengthening - construction £125k</li> <li>f. Sutton Marsh – Strengthening - construction £150k</li> <li>g. College Road Canal Bridge Strengthening – Design and specifications - £25k.</li> </ol> </li> </ol>
<b>Reasons for decision:</b>	<p>As set out in the Cabinet Member Report, the proposed investment, will invest in the Public Realm and mitigates identified risk in the network, due to the scale of need and investment, which cannot be mitigated in the current Annual Plan due to other commitments and constraints.</p> <p>The investment supports the county plan and ambition for Herefordshire:</p> <p style="padding-left: 40px;">Environment: protect and enhance our environment and keep Herefordshire a great place to live;</p> <p style="padding-left: 40px;">Community: strengthen communities to ensure everyone lives well and safely together; and</p>

	<p>Economy: support our economy which builds on the county's strengths and resources.</p> <p>Reducing the Risk of Highway Retaining Wall Collapse is a concern following the B4224 near to Fownhope. The risk in structure remains significant. In order to manage the risk of these, without diverting funds from other critical assets or asset types, this project intends to deliver works to the most important structures. Priority will be based on the risk and road hierarchy such as strategic and resilient network. This work has been progressed using the principles of utilising a risk-based approach as required by both the Highways Maintenance Plan and the UK Roads Liaison Group's Well Managed Highway Infrastructure: A Code of Practice.</p> <p>A procurement strategy which will adhere to the Councils Procurement Rules will be developed for the delivery of this investment to ensure value for money which will be confirmed in further governance as set out in recommendation (b).</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<p>As set out in the Cabinet Member Report:</p> <p>Finance</p> <p>The investment is £1m, and a procurement strategy will be developed for delivery of the investment ensuring value for money.</p> <p>Unique project codes will be allocated to each element so that the corporate project manager assigned can monitor and review progress to enable reporting to the capital project board along with other relevant programme boards on each of the projects. The projects were approved at council in February 2022 to be funded from corporate borrowing.</p> <p>There are no implications to revenue funding as any future maintenance is managed within the existing programme and budget, however, capital investment should ease the revenue budget reducing the need to undertake additional repairs over the whole life of the asset.</p> <p>Legal</p> <p>Herefordshire Council as the Local Highway Authority for highways within Herefordshire is responsible for ensuring the Highway Network is managed and maintained for the safe and convenient movement of traffic.</p> <p>The Highways Act 1980 sets out the duties of the Local Highway Authority in respect of highways maintenance. In particular, Section 41 imposes a duty to maintain the adopted highway at public expense.</p> <p>Under s16 of the Traffic Management Act 2004 It is the duty of the Council in its capacity as local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:</p> <p>Securing the expeditious movement of traffic on the authority's road network; and</p> <p>Facilitating the expeditious movement of traffic on the road networks for which the authority is the traffic authority.</p>

	<p>S16 (2) The action which the authority may take in performing that duty includes, in particular, any action which they consider will contribute to securing:</p> <ul style="list-style-type: none"> <li>i. The more efficient use of their network; or</li> <li>ii. The avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network or a road network for which another authority is the traffic authority.</li> </ul> <p>Equality</p> <p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to –</p> <ul style="list-style-type: none"> <li>a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>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. The areas of investment will carry out equality impact assessments in design prior to delivery. The EIA's for each element will demonstrate they have considered the impact of the projects in change and improvements they are making.</p>
<b>Details of any alternative options considered and rejected:</b>	<p>Not to invest £1m in infrastructure and assets, this is not recommended as this would be contrary to the council resolution on 11 February 2022.</p> <p>Not to invest in the public realm assets and infrastructure. The projects deliver benefits that minimise the risk in the network. The funding will improve the localities identified and continue the investment in the Market Towns. Not to invest will have risks and require mitigation which would have adverse impacts on accessibility such as roads closed, claims due to network deterioration and safety concerns in localities identified for works.</p>
<b>Details of any declarations of interest made:</b>	None

Signed..... Date: 06.01.23