

Title of report: 2023/24 Public Realm Maintenance (Market Town Highway Improvements and Public Transport Infrastructure)

Decision maker: Cabinet Member Infrastructure and Transport

Decision Date: Monday 20 February 2023

Report by: Senior Project Manager

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

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 authorise spend and investment in the public realm assets and infrastructure following the resolution at the Council meeting on 11 February 2022, to approve the proposed capital programme for 2023/24.

Recommendation(s)

That:

a) £1.265m is to be invested in infrastructure and assets as set out in I to III below:

- I. £1m Market Town Highway Improvements**
- II. £150k Investment in Public Transport Infrastructure**
- III. £115k Project Management fees.**

b) 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).

Alternative options

1. Not to invest £1.265m in infrastructure and assets, this is not recommended as this would be contrary to the council resolution on 11 February 2022.
2. Not to invest in the public realm assets and infrastructure. The funding investment will improve the Market Towns and bus infrastructure that will support the locality and the transport links identified supporting the local and county wide economy. Not to invest will increase pressure on the existing network and increase reactive revenue works to mitigate the continued deterioration of the network and assets.

Key considerations

3. The proposed investment, as set out in the report, will invest in the Public Realm and Transport Infrastructure assets, due to the scale of need and investment, which cannot be mitigated in the current Annual Plan due to other pressures, commitments and constraints.
4. The investment supports the county plan and ambition for Herefordshire:
 - a. Environment: protect and enhance our environment and keep Herefordshire a great place to live;
 - b. Community: strengthen communities to ensure everyone lives well and safely together; and
 - c. Economy: support our economy which builds on the county's strengths and resources.
5. The council meeting held on the 11 February 2022. Agenda item 37 2022/23 Capital Investment budget and capital strategy update resolved that the council approve the proposed capital programme for 2022/23 and 2023/24, the investment business cases are set out in Appendix A.
6. The funding aims to support the council's Highways Asset Management Strategy, mitigating the risk on the network, as part of a long term strategy in providing sustained investment. The projects address concerns and network deterioration in the market towns, working with the locality identifying and addressing network deterioration. The projects are capital investment and as such will be allocated unique budget codes that will be used for monitoring and

reporting by the corporate project management team alongside the Public Realm Contract annual plan management process.

7. The £1m Market Towns investment supports the sustained investment county-wide. The project invests in the market towns Public Realm assets supporting the economic and community facilities in the towns. The investment in the Market Towns commenced in 2022, the council resolution on the 11th February 2022 committed to a 2 year programme, this report commits the 2023/24 investment plan. The programme of works are targeted at treating the public realm assets. The town councils and local members have been consulted with the proposed programme of works.
8. The £150k investment in Public Transport Infrastructure project is to address the backlog of maintenance in the bus shelters and if possible, improve the connectivity by providing cycle stands, the investment is in locations where the condition is such that replacement is necessary.
9. A procurement strategy which will adhere to the Council's 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).

Community impact

10. The investment contributes to the County Plan ambitions, investing in the Market Towns and supporting communities in regards to traffic concerns.
11. Communities have been consulted in preparing the works in the market towns.
12. The recommendation will not have a direct impact on children in care but overall, the package of measures will support the communities in Herefordshire in maintaining the network, removing risk and improving safety.

Environmental Impact

13. The decision seeks to deliver the council's environmental policy commitments and aligns to the following success measures in the County Plan
 - Reduce the council's carbon emissions in delivering the projects through procurement and the Public Realm Contract and in reducing the reliance on reactive maintenance in keeping the network safe.
 - Work in partnership with others to reduce county carbon emissions through delivery and in projects making the network more efficient.
 - Improve residents' access to green space in Herefordshire by improving safety
 - Increase the number of short distance trips being done by sustainable modes of travel – walking, cycling and public transport by investing in supporting infrastructure such as bus shelters.
14. 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

15. 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.

16. 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. In all our proposals, we will aim for the highest level of accessibility, to make things easier and safer for parents (eg. areas for breastfeeding), for disabled people (eg. Changing Places toilets), older people (eg. suitable benches), etc.

Resource implications

17. The investment is £1.265m, a procurement strategy will be developed for delivery of the investment ensuring value for money and this will be confirmed in the further governance as set out in recommendation (b).

18. The investment is £1.265m invests in: £1m Market Town Highway Improvements
a. £150k investment in Public Transport Infrastructure
b. £115k Internal staff fees associated with the project

19. 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.

20. 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.

Capital cost of project	2021/22	2022/23	2023/24	Future Years	Total
	£000	£000	£000	£000	£000
Market Town Highway Improvement	0	0	1,000	0	1,000
Investment in Public Transport Infrastructure	0	0	150	0	150
Internal Staff Fees	0	0	115	0	115
TOTAL	0	0	1,265	0	1,265

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2020/21	2022/23	2023/24	Future Years	Total
Corporate Funded Borrowing	0	0	1,265	0	1,265
TOTAL	0	0	1,265	0	1,265

Legal implications

21. Herefordshire Council is the Local Highway Authority and Local Transport Authority. The Council as the Local Highway Authority undertakes through the public realm contract highways and infrastructure improvements using powers under relevant primary legislation including the Town and Country Planning Act 1990, Highways Act 1980, Road Traffic Regulation Act 1984, Traffic Management Act 2004, Transport Act 2000, Countryside and Rights of Way Act 2000, and other related regulations,

The objectives of this report ensures the Council continues to meet its statutory obligations with regards the improvement of the highway network and infrastructure as the Highway Authority and the Local Transport Authority under the relevant legislation.

Risk management

22. The sustained investment will reduce the overall risk in highway safety, investing in key elements of the asset and winter service that address some of the challenges in the network. The maintenance backlog for carriageways alone is set at £87.77 million, whilst this is significant, the investment is part of the continued sustained investment over the whole life of the highway asset with an ongoing programme of works that is targeted at treating roads as they are showing signs of deterioration and fixing roads before they need larger, more costly repairs

23. As part of a two year investment plan the £1.265m for 23/24 capital investment was approved at full council, 11 February 2022, securing funds for the project.

24. Delivery of the project is to be in year, schemes will be managed through corporate project management and financial reporting, forecasting and escalated as and when identified.

25. The risks will be managed at service level reporting to the service risk register, and escalated in accordance with the Risk Management Plan.

Consultees

26. As part of the revised consultation process for key decisions, the Political Group Consultation was undertaken. Clarification questions were raised about scheme costs in the Market Towns and programme of works for the Bus Shelters, the project teams undertaking the work have responded.

Appendices

Appendix A Capital Bids

Background papers

None

Report Reviewers Used for appraising this report:

Governance	John Coleman	Date 20/12/2022
Finance	Karen Morris	Date 24/11/2022
Legal	Sharon Bennett-matthews	Date 14/12/2022
Procurement	Lee Robertson	Date 18/11/2022
Risk	Kevin Lloyd	Date 29/11/2022
Communications	Luenne Featherstone	Date 29/11/2022
Equality Duty	Harriet Yellin	Date 29/11/2022
HR	Tracey Sampson	Date 29/11/2022

Approved by	Ross Cook	Date 06/02/2023
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Please include a glossary of terms, abbreviations and acronyms used in this report.