



Cabinet

Title	Improving Barnet's Roads additional investment and action plan
Date of meeting	18 July 2023
Report of	Cabinet Member (Portfolio Lead) for Environment and Climate Change - Councillor Alan Schneiderman
Wards	All
Status	Public
Key	Key Decision
Urgent	No
Appendices	None
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Summary

This report seeks Cabinet approval for an additional investment of £8m over two financial years, commencing in the 2023/24 financial year, to improve road surfaces over and above that set out in the current Improving Barnet's Roads (NRP and CIL) programme. The current programme having been approved at the Environment and Climate Change Committee in January 2023.

Our Plan for Barnet 2023-2026 has a commitment to develop a new Highway Investment Strategy to improve the quality of our highways and footways and to support more sustainable forms of travel,

this report sets out short term response to the condition of the network while the strategy is being developed.

As reported at the Environment and Climate Change Committee in September 2022 the Councils highways network is subject to an independent condition assessment. This assessment demonstrated that the investment in the Network Recovery Programme has been reasonably successful in maintaining the highway network. However, even with the NRP and CIL programme funding the current level of investment will not keep pace with the rate of network condition deterioration without further significant investment. In September 2022 the level of additional investment was estimated at £3.9m per annum for carriageways over and above the current NRP and CIL programme.

Due to the harsh weather this winter the service has seen a dramatic increase in reactive maintenance pothole reports, indicative of the underlying condition of the network, in particular carriageways.

The Council has recognised the need to invest further in the highway network and as a result committed £250k per annum for four years commencing in 2022/23 financial year as part of the administrations manifesto pledges. In addition, the Portfolio Lead for Environment and Climate Change has agreed to draw forward £670k from the 2024/25 CIL funding to address two specific roads, those being Rushgrove Avenue and Cranbourne Gardens, due to their declining condition.

However, even with the investment and draw forward strategy set out above additional investment is still needed, in particular focused on carriageways, in order to move the highway network to a sustainable steady state condition over the coming years. This request for funding supports this approach aligned to the emerging Highway Investment Strategy.

Subject to Cabinet approval the work programme will be developed, focused on carriageways which have been identified as the area of greatest need at this time. The programme will include engagement with Ward Councillors prior to implementation and associated communication with residents and business. The intention is that the final programme will be reviewed and signed off by the Portfolio Lead for Environment and Climate Change before implementation.

This matter will be the subject of future reports to Cabinet in relation to improving Barnet's roads.

Additionally, as this is an area identified by the Overview and Scrutiny Committee for scrutiny input, the committee will undertake a review aimed at supporting the development of Highway Investment Strategy and support improvements in the Highway Network.

Recommendations

- 1. That Cabinet approves an additional two-year capital allocation of £8m for the delivery of additional carriageway resurfacing schemes (the additional programme) commencing 2023/24 as a short-term measure whilst the Highway Investment Strategy is developed.**
- 2. That the additional programme be the subject of engagement with Ward Councillors prior to implementation.**
- 3. That authority be delegated to the Director of Highways and Transportation, in consultation with the Portfolio Lead for Environment and Climate Change, to sign off the additional programme of schemes for implementation on the highway network, commencing with the programme for the 2023/24 financial year.**

4. That authority be delegated to the Director of Highways and Transportation, in consultation with the Portfolio Lead for Environment and Climate Change, to alter the programme as necessary to ensure the efficient delivery of schemes across the network.
5. To note that Overview and Scrutiny Committee will undertake a review to support the improvement to the Highway Network.
6. To note that future reports in relation to the delivery of this additional programme and the emerging Highway Investment Strategy will be presented to Cabinet.

1. Reasons for the Recommendations

- 1.1 Barnet's highway network is our largest, most valuable and most visible community asset and is probably the most used of all our services, by nearly all residents daily. It is vital to the economic, social, and environmental well-being of our community.
- 1.2 The Highways Act 1980 ("HA 1980") sets out the main duties of highway authorities in England and Wales. Highway maintenance policy is set within a legal framework. Section 41 of the HA 1980 imposes a duty to maintain highways which are maintainable at public expense. The HA 1980 sits within a much broader legislative framework specifying powers, duties and standards for highway maintenance.
- 1.3 The Council has a duty to ensure that the statutory functions and responsibilities in relation to those highways for which the local authority is responsible are discharged. The Council also has a duty to ensure a safe passage for the highway user through the effective implementation of the legislation available to it, principally the HA 1980, with reference to Section 41, of the HA 1980.
- 1.4 As reported at the Environment and Climate Change Committee in September 2022 the Council's highways network is subject to an independent condition assessment. This assessment demonstrated that the investment in the Network Recovery Programme has been reasonably successful in maintaining the highway network. However, even with the NRP and CIL programme funding the current level of investment will not keep pace with the rate of network condition deterioration without further significant investment. In September 2022 the level of additional investment was estimated at £3.9m per annum for carriageways over and above the current NRP and CIL programme.
- 1.5 Due to the harsh weather this winter the service has seen a dramatic increase in reactive maintenance pothole reports, indicative of the underlying condition of the network, in particular carriageways.
- 1.6 The Council has recognised the need to invest further in the highway network and as a result committed £250k per annum for four years commencing in 2022/23 financial year as part of the administration's manifesto pledges. In addition, the Portfolio Lead for Environment and Climate Change has agreed to draw forward £670k from the 2024/25 CIL funding to address two specific roads, those being Rushgrove Avenue and Cranbourne Gardens, due to their declining condition.
- 1.7 However, even with the investment and draw forward strategy set out above additional investment is still needed, focused on carriageways, in order to move the highway network to a sustainable steady state condition over the coming years. This request for funding supports this approach aligned to the emerging Highway Investment Strategy as set out in Our plan for Barnet

2023-2026. This report sets out short term response to the condition of the network while the strategy is being developed.

- 1.8 Subject to Cabinet approval the additional work programme will be developed, focused on carriageways which have been identified as the area of greatest need at this time. The programme will include engagement with Ward Councillors prior to implementation and associated communication with residents and business. The intention is that the final programme will be delegated to the Director of Highways and Transportation, in consultation with the Portfolio Lead for Environment and Climate Change, to sign off the programme of schemes for implementation on the highway network.
- 1.9 In addition, the Overview and Scrutiny Committee have requested to review to support improvements in the Highway Network aligned to the emerging Highway Investment Strategy.
- 1.10 This matter will be the subject of future reports to Cabinet in relation to improving Barnet's roads.

2. Alternative Options Considered and Not Recommended

- 2.1 Options considered and not recommended include continuation with the:
 - Current programme as approved at the Environment and Climate Change Committee in January 2023 without additional funding as this does not address the underlying issues with the condition of the highway network, especially as a result of the accelerated deterioration of the network during the winter period 2022/23.
 - Increasing use of short-term reactive maintenance plans which do not address the underlying network asset condition as the activities are restricted to small patches and localised repairs.
- 2.2 The recommendations set out in this report are aligned to the Councils adopted asset management approach moving the focus to more planned maintenance versus reactive (pothole) maintenance in order to deliver longer term sustainable maintenance activities on the highway network. This approach aligns to the Councils adopted Highways Infrastructure Asset Management Plan (HIAMP) and 'Well-Managed Highway Infrastructure' code of practice.

3. Post Decision Implementation

- 3.1 Subject to Cabinet approval of the recommendations, officers will engage with Ward Councillors to settle the proposed additional programme.
- 3.2 The Director of Highways and Transportation, in consultation with the Portfolio Lead for Environment and Climate Change will sign off the programme of schemes for implementation on the highway network.
- 3.3 The additional programme will then commence delivery in line with the recommendations set out in this report.

4. Corporate Priorities, Performance and Other Considerations

Corporate Plan

- 4.1 The proposed additional work programme will also support the Council's Sustainability Strategy in relation to supply chain operations and material selection including use of low carbon and recycled materials.
- 4.2 The proposed additional programme will also contribute to the Council's Health and Wellbeing Strategy by making Barnet a great place to live and enable the residents to keep well and independent.
- 4.3 The Highway network is the Council's most valuable asset and is vital to the economic, social and environmental wellbeing of the Borough as well as the general image perception. The Highways provide access for business and communities, as well as contribute to the area's local character and the resident's quality of life. Highways really do matter to people and often public opinion surveys continually highlight dissatisfaction with the condition of local roads and the way they are managed. Public pressure can often result in short term fixes such as potholes for example, rather than properly planned and implemented longer term solutions. The proposed additional programme aims to minimise short term repairs that provide poor value for money and often undermine the structural integrity of the asset.

Corporate Performance / Outcome Measures

- 4.4 Delivery of this additional programme will support the Our plan for Barnet 2023-2026 development of a new Highways Investment Strategy. In addition, support outcome measures in relation to reactive defect repairs on the network.

Sustainability

- 4.5 Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact aligned to the Council's Sustainability Strategy in relation to supply chain operations and material selection including use of low carbon and recycled materials.

Corporate Parenting

- 4.6 In line with Children and Social Work Act 2017, the Council has a duty to consider Corporate Parenting Principles in decision-making across the Council. The outcomes and priorities in the refreshed Corporate Plan, Barnet 2024, reflect the Council's commitment to the Corporate Parenting duty to ensure the most vulnerable are protected and the needs of children are considered in everything that the Council does.
- 4.7 The proposals set out on this report have no direct or indirect impacts on looked after children or care leavers identified beyond those applicable to the population as a whole.

Risk Management

- 4.8 Effective management of risk is an integral part of asset management and the Council's Risk Management Framework has established strategic and departmental risk registers.
- 4.9 The Code of Practice 'Well-managed highway infrastructure' (2016) advocates the adoption of a risk-based approach to the management of highway infrastructure assets, and the proposed Work Programme has been developed in accordance with this.

Insight

4.10 Not applicable to this report, however the revised delivery plan will be informed by strategic insight data provided by TfL and other sources in due course. In addition the work being conducted on the emerging Highways Investment Strategy will be utilised to develop future programmes of work.

Social Value

4.11 There are no immediate Social Value implications attached to this report. However, the implementation of the programme of works will include sustainability measures to drive efficiency and carbon reduction in the delivery of the schemes.

5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)

5.1 Officers have submitted a capital bid for £8.0 million split over two financial years, commencing in this financial year to deliver this additional work programme to carriageways, this bid is the subject of a separate report to this meeting of Cabinet regarding the quarterly budget monitoring.

5.2 The Capital additions set out in this report have been reviewed by the Director of Finance prior to being recommended for approval to Cabinet. This Capital addition has been included in the quarterly budget monitoring report to this meeting of Cabinet for noting.

5.3 This additional programme supports the development of a new Highways Investment Strategy as set out in Our plan for Barnet 2023-2026 with the aim of developing and delivering a sustainable long term financial strategy for the maintenance and management of the Barnet Highway Network.

5.4 There are no staffing, ICT or property implications.

6. Legal Implications and Constitution References

6.1 In line with the constitution, the Capital additions set out in this report have been reviewed by the Director of Finance prior to being recommended for approval to Cabinet.

6.2 In accordance with the Council Constitution, Part 2D the terms of reference of the Cabinet includes the following responsibilities:

- Development of proposals for the budget (including the capital and revenue budgets, the fixing of the Council Tax Base, and the level of Council Tax) and the financial strategy for the Council; and
- Monitoring the implementation of the budget and financial strategy; and
- Recommending major new policies (and amendments to existing policies) to the Council for approval as part of the Council's Policy Framework and implementing those approved by Council; and

- Approving policies that are not part of the policy framework; and
- Management of the Council’s Capital Programme.

6.3 Section 41 of the Highways Act 1980 imposes a duty of maintenance on highway authorities in respect of those highways that are maintainable at the public expense. A breach of this duty could potentially make the highway authority liable in damages to a road user who suffers injury as a result of an actionable defect in the highway.

6.4 The Traffic Management Act 2004 also places obligations on authorities to ensure the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.

6.5 The improvement to the highway asset proposed in this report will assist the Council in discharging its duties under the Highways and Traffic Management legislation.

7. Consultation

7.1 Engagement will be undertaken with local ward councillors in order to brief on the proposed additional programme of carriageway schemes.

7.2 Residents will receive a notification letter in advance of works informing them of the start date and useful information two weeks prior to work commencing on site.

8. Equalities and Diversity

8.1 The Equality Act 2010 requires the Council in the exercise of its functions to have due regard to the need:

- to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the 2010 Act; and
- advance equality of opportunity and to foster good relations, between those who share a protected characteristic and those who do not.

8.2 The relevant protected characteristics are:

- age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

8.3 The cumulative impact on groups with protected characteristics will not be significant with many people benefitting or no impact due to the additional programme of works recommended in this report. Young, elderly and disabled could benefit largely from this approach through improvement to the highways asset.

9. Background Papers

9.1 Caring for people, our places and the planet: Our plan for Barnet 2023-2026

9.2 Environment and Climate Change Committee – September 2022 - Highways Infrastructure Asset Management Plan

<https://barnet.moderngov.co.uk/documents/s73860/ECC%20Committee%20Report-%20HIAMP%2006%20September%202022%20Cleared%20220822.pdf>

9.3 Environment and Climate Change Committee – September 2022 – Investing in Barnet’s roads and pavements 2023/24

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=695&MId=11103&Ver=4>

9.4 Environment and Climate Change Committee – January 2023 - Investing in Barnet’s Roads and Pavements Programme 2023/24

<https://barnet.moderngov.co.uk/documents/s76001/Environment%20Committee%20Report%20Investing%20in%20Barnets%20Roads%20and%20Pavements%20Programme%202023-24%20Final.pdf>