

**Report to:** The Chief Officer (Highways and Transportation)

**Date:** 23 October 2018

**Subject:** Highways Infrastructure Asset Management Strategy - Well Managed Highway Infrastructure Code of Practice

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of Main Issues

- 1 The Best Council Plan 2018-19 outlines how Leeds City will achieve its ambition to become the Best City in the UK and Best Council. According to the Best Council Plan, the success of the Best Council objective is ensuring Health and Wellbeing, creating Resilient Communities, being a Child Friendly city and building a Transport and Infrastructure for the future.
- 2 As a Local Highway Authority, the City Council is responsible for ensuring the Highway Network is managed and maintained in safe and proper manner.
- 3 The Highways Act 1980 sets out the duties of the Local Highway Authority in respect of highway maintenance. In particular, section 41 imposes a duty to maintain the adopted highway at public expense. Whilst the Highways Act does not specify the level of maintenance required, this report sets out the City Council's policy to maintain the highway network and to deliver the highway maintenance service in accordance with the 'Well Managed Highway Infrastructure' (WMHI) Code of Practice, published in October 2016. This Code of Practice replaces the following:
  - Well Maintained Highways – Code of Practice for Highway Maintenance Management;
  - Well-lit Highways –Code of Practice for Highway Lighting Management; and
  - Management of Highway Structures – A Code of Practice.
- 4 This report seeks approval of the amendment to the Highway Infrastructure Asset Management Strategy, to incorporate the recommendations contained within the Well Managed Highway Infrastructure code of practice

- 5 The Highways Infrastructure Asset Management Strategy of December 2015 needs revising to reflect current processes and good practice, particularly in respect of the inspection and repair of highways.
- 6 The strategy for the inspection and repair of highways is important for the robust defence of third party liability claims relating to highway defects.
7. Approval of the proposals within this report will enable the efficient delivery of inspection and repair services and reduce the risk of financial losses to the council arising from third party liability claims.

## Recommendations

The Chief Officer (Highways and Transportation) is requested to:

- i) note the contents of this report; and
- ii) approve this amendment to the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure, for implementation from Monday 29 October 2018.

### 1 Purpose of this report

- 1.1 The purpose of this report is to seek approval of the amendment to the Highways Infrastructure Asset Management Strategy, which includes the policy for the inspection and repair of highways, in accordance with the recommendations within the Well Managed Highway Infrastructure code of practice.
- 1.2 The approval of the amendment to the Highways Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure will supersede the previous requirements for the inspection and repair of highways contained within the Highway Infrastructure Asset Management Strategy approved in December 2015.

### 2 Background information

- 2.1 Whilst the WMHI Code of Practice is Non-Statutory, it provides guidance and encourages Highway Authorities to develop a locally determined risk-based approach to highway maintenance that fits with the asset management approach recommended by central government.
- 2.2 The WMHI Code of Practice advocates an asset management approach to highway maintenance. It provides Highway Authorities with guidance on highway management for good practice and has 36 key recommendations with the emphasis on inspections, recording defects, repairs and training of competent staff linked to risk assessment with the view that *“practical and reasonable approach to the risks and potential consequences identified”* is adopted.
- 2.3 The City Council has been working closely with the West Yorkshire Combined Authority and our neighbouring councils to determine which of the 36 recommendations are key, these include, but are not limited to:

✓ Recommendation 5 – Consistency with Other Authorities;

- ✓ Recommendation 8 – Information Management;
- ✓ Recommendation 12 – Network Hierarchy;
- ✓ Recommendation 14 – Risk Management;
- ✓ Recommendation 15 – Competencies and Training;
- ✓ Recommendation 16 – Inspections;
- ✓ Recommendation 19 – Defect Repair; and
- ✓ Recommendation 30 – Cross – Asset Priorities;

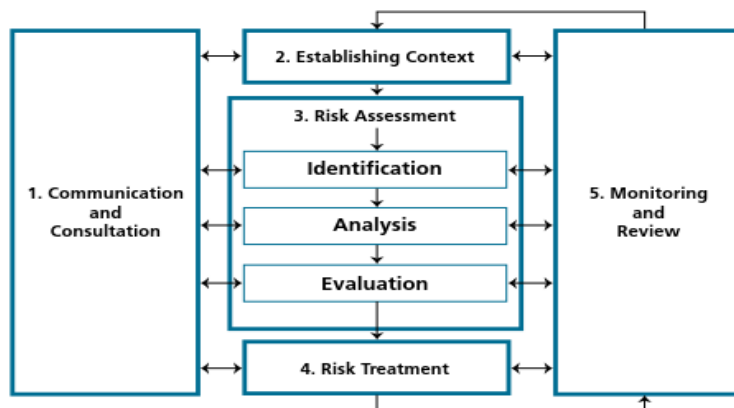
To ensure that each of these recommendations are fully considered and acted upon appropriately, working groups have been established to consider each one.

- 2.4 Recommendation 3 – Asset Management Policy and Strategy indicates that an asset management policy and a strategy should be developed and published. These should align with the corporate vision and demonstrate the contribution asset management makes towards achieving the vision.

### 3 Main issues

#### 3.1 Design Proposals and Full Scheme Description.

- 3.1.1 This report seeks the approval to amend the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure code. The proposed amended Highways Infrastructure Asset Management Strategy is included at Appendix B.
- 3.1.2 The Highway Infrastructure Asset Management Strategy is one of the key strategic documents relating to the Council’s Highway Services. A key element of the Strategy is the Council’s Highway Infrastructure Asset Management Plan (HIAMP) elements of which are also being updated to reflect this new Strategy. The HIAMP contains approved policies and guidance, service standards and interventions in respect to the Council’s legal requirements and its service provision.
- 3.1.3 The Highway Infrastructure Asset Management Strategy reflects the guidance provided by the Highways Maintenance Efficiency Programme, (HMEP) document ‘Highway Infrastructure Asset Management’ and the new National Code of Practice ‘Well-Managed maintained Highways Infrastructure’ which promotes a risk based approach to all aspects of asset management.
- 3.1.4 The principal area of amendment is the adoption of a risk-based approach.



- 3.1.5 Recommendation 7 – Risk Based Approach indicates that a risk based approach should be adopted for all aspects of highway infrastructure maintenance, including setting levels of service, inspections, responses, resilience, priorities and programmes.
- 3.1.6 Risk assessment involves determination of the likelihood and consequence of an event. Risk assessment allows the identified risks to be analysed in a systematic manner to highlight which risks are the most severe and which are unacceptably high. An authority can then determine its level of exposure to the risk and the actions necessary to minimise that risk. Overall risk is normally described as:

$$\text{Risk} = \text{Likelihood} \times \text{Severity}$$

## **3.2 Programme**

- 3.2.1 Subject to approval, it is proposed to implement this amended Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure from Monday 29 October 2018. Further amendments to the HIAMP will be presented for consultation, as soon as it is completed.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 This amendment to the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure has been subjected to internal consultation with Highways and Transportation Senior Management Team (and cascaded to relevant sections), Call Centre, Legal Services, Insurance Section and our insurers Zurich Municipal. A number of comments have been received and revisions have been made to the proposal. All comments have either been incorporated into the proposed document or satisfied by discussion.
- 4.1.2 Elected Members have not been consulted about this initial amendment to the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure – Risk Based Approach. Members will be included in the consultation of the complete HIAMP, when the entire document has been assembled.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 Equality, Diversity, Cohesion and integration screening has been carried out on the proposals and has determined that an impact assessment is not required for the approval requested. The screening report is included at Appendix A.

### **4.3 Council Policies and City Priorities**

- 4.3.1 Environmental Policy: There are no specific environmental implications contained within this report.
- 4.3.2 Local Transport Plan: The proposals contained within this report are in accordance with the West Yorkshire Transport Plan, in that they accord with national asset management good practice.

4.3.3 The proposals contained in this report have no implications under Section 17 of the Crime and Disorder Act 1998.

#### **4.4 Resources and Value for Money**

4.4.1 The proposals within this report will assist in delivering an efficient asset management system for the inspection, repair and the defence of claims arising from highway defects.

4.4.2 It is anticipated that the introduction of the new WMHI Code of Practice will allow Highway Authorities to redirect resources away from locations with little or no history of highway defects and focus attention on those locations that attract the greater quantity of defects or claims. In doing so, this is expected to improve the quality of the highway, whilst reducing the risk of claims. In practice, resource levels will remain the same, but this will be reviewed in due course.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 There are no implications for Capital funding and cash flow.

#### **4.6 Risk Management**

4.6.1 The proposals within this report have been accepted by Legal Services as a beneficial change to the current policy and practices for the inspection and repair of highways.

4.6.2 The Highway Infrastructure Asset Management Strategy, incorporating the Well Managed Highway Infrastructure will become a public document and disclosed as part of legal processes for the defence of the inspection and repair process for all relevant claims arising after its implementation date.

4.6.3 The previous Codes were considered to be very prescriptive, with specific guidance and recommendations. In changing to this risk-based approach, allows each Highway Authority to determine the most appropriate allocation of resource and priorities based upon the analysis of data held. It is anticipated that a full risk-based approach is implemented within a period of two years from the date of publication of the new Code.

4.6.4 This decision is not eligible for call-in as it falls below the relevant thresholds.

#### **4.7 Conclusions**

4.7.1 The proposals within this report seek to update the current strategy for the inspection and repair of highways in accordance with the National Code of Practice for Highway Maintenance Management. The minor amendments to inspection frequencies and response times will provide a more understandable and efficient inspection and repair service. The whole of the HIAMP will be subjected to full equality impact assessment and stakeholder engagement when the entire document is compiled.

## **5 Recommendations**

5.1 The Chief Officer (Highways and Transportation) is requested to:

- i) note the contents of the report; and
- ii) approve this amendment to the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure for implementation from Monday 29 October 2018.

## **6 Background documents**

6.1 None

## Equality, Diversity, Cohesion and Integration Screening



As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being or has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate: City Development</b>	<b>Service area: Highways and Transportation</b>
<b>Lead person: Ian Moore</b>	<b>Contact number: 0113 3853120</b>

<b>1. Title:</b> Highways Infrastructure Asset Management Strategy - Well Managed Highway Infrastructure		
Is this a:		
<input checked="" type="checkbox"/> <b>Strategy / Policy</b>	<input type="checkbox"/> <b>Service / Function</b>	<input type="checkbox"/> <b>Other</b>
<b>If other, please specify</b>		

<b>2. Please provide a brief description of what you are screening</b>
The approval of the amendment of the Highway Infrastructure Asset Management Strategy, to incorporate the Well Managed Highway Infrastructure Code of Practice will supersede the previous requirements for the inspection and repair of highways contained within the Highway Maintenance Policy Statement and Plan approved in 2015.  The objective of the proposal is to align the policy with current practices.

<b>3. Relevance to equality, diversity, cohesion and integration</b>
All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

<b>Questions</b>	<b>Yes</b>	<b>No</b>
Is there an existing or likely differential impact for the different equality characteristics?		X
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.



<b>4. Considering the impact on equality, diversity, cohesion and integration</b>	
If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.	
Please provide specific details for all three areas below (use the prompts for guidance).	
<ul style="list-style-type: none"> <li>• <b>How have you considered equality, diversity, cohesion and integration?</b> (think about the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Key findings</b> (think about any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)</li> </ul>	
<ul style="list-style-type: none"> <li>• <b>Actions</b> (think about how you will promote positive impact and remove/ reduce negative impact)</li> </ul>	

<b>5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.</b>	
Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

<b>6. Governance, ownership and approval</b>		
Please state here who has approved the actions and outcomes of the screening		
<b>Name</b>	<b>Job title</b>	<b>Date</b>
Andrew Molyneux	Head of Highways Infrastructure	15 October 2018
<b>Date screening completed</b>		15 October 2018

