



Notice of Non-key Executive Decision

Subject Heading:	THURROCK COUNCIL: SANDY LANE, CONNECTION TO HAVERING'S NEW ROAD SHARED- USE CYCLE TRACK Authority to enter into an agreement made under S8 Highways Act 1980
Cabinet Member:	Cllr. Osman Dervish Environment
SLT Lead:	Dipti Patel Assistant Director for Environment
Report Author and contact details:	Mark Philpotts Principal Engineer Street Management mark.philpotts@havering.gov.uk
Policy context:	Havering Local Development Framework (2008) Havering Local Implementation Plan 2018/19 Delivery Plan.
Financial summary:	The legal and technical fees of £0.002m associated with the proposal will be met in full by Thurrock Council as the scheme promotor and as provided for under S8 of the Highways Act 1980.
Relevant OSC:	Environment
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[]
Connections making Havering	[X]

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This Executive Decision authorises the Council entering into an agreement with Thurrock Council made under S8 of the Highways Act 1980 to enable a new shared-use cycle track being built by Thurrock along Sandy Lane to be connected to Havering's existing shared-use cycle track at the roundabout junction with the New Road

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3, Section 3.8.3, paragraphs (b) and (v);

(b) Other than in those matters delegated to the Lead Member following consideration by the Highways Advisory Committee, to exercise all powers and duties in respect of maintaining and improving highways, providing facilities, and interference with highways arising under Parts IV, V, VII, IX and XIV of the Highways Act 1980;

(v) To exercise all powers and duties under the Highways Act 1980 that are not delegated to the Leader or Cabinet Member.

STATEMENT OF THE REASONS FOR THE DECISION

Thurrock Council is constructing a shared-use cycle track along the north side of the B1335 Sandy Lane as part of a wider network improvement within the borough. At the western end of Sandy Lane, there is a roundabout formed with the A1306 New Road.

Thurrock has indicated a wish to connect the new shared-use cycle track to the existing shared-use cycle track on the western side of New Road to ensure continuity across the borough boundary.

The proposed work would include the construction of approximately 45 metres of shared-use cycle track, 3 metres in width from the borough boundary, skirting the northeast corner of the roundabout. Associated dropped kerbs and a connection across the northern splitter island of the roundabout would also be provided along with some minor adjustments to street lighting and traffic signage.

Thurrock Council is a highway authority and so this enables the use of S8 of the Highways Act 1980;

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"Agreements between local highway authorities [F1 and strategic highways companies] for doing of certain works."

Drawing 386382-MMD-00-XX-DR-C-0411 provides a general arrangement of the works which affect Havering's network.

On satisfactory completion of the work within Havering, an Interim Completion Certificate would be issued to trigger a 12-month Maintenance Period, At the end of the Maintenance Period, a joint inspection would take place and so long as there are no latent defects, a Final Completion Certificate would be issued and maintenance responsibility would revert to Havering for the new works within the Council's boundary.

OTHER OPTIONS CONSIDERED AND REJECTED

The alternative option is doing nothing. This will prevent Thurrock Council completing its connection to Havering's network, leaving a gap in provision for safe walking and cycling.

PRE-DECISION CONSULTATION

None.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Mark Philpotts

Designation: Principal Engineer

Signature:



Date: 8th October 2018

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council's Constitution requires a formal decision to be taken before an agreement made under S8 of the Highways Act 1980 can be entered into and the authority for such is delegated to the Assistant Director for Environment. S8 of the Highways Act 1980 provides for "Agreements between local highway authorities and strategic highways companies for doing of certain works."

FINANCIAL IMPLICATIONS AND RISKS

S8 of the Highways Act 1980 makes provisions so that the expenses incurred in pursuance of an agreement made under S8 shall be borne for the parties to the agreement in such proportions as may be determined by the agreement.

In this case, the legal and technical fees will be wholly borne by Thurrock Council as the beneficiary of the agreement.

The estimated costs are as follows:

Technical Fees: covering commenting on the agreement and a site visit at £90/hour	£0.001m
Legal Fees: Flat rate	£0.001m
Total Income generated by Havering Council	£0.002m

The ongoing maintenance costs anticipated to arise 2020/21 will be contained within the Environment budget.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

None arising from this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Council has a general duty under the Equality Act 2010 to ensure that its highway network is accessible to all. Where infrastructure is provided or substantially upgraded, reasonable adjustments should be made to improve access. In considering the impacts and making improvements for people with protected characteristics (often, but not limited to disabled people, the young and older people), this will assist the Council in meeting its duty under the Act.

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Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

The provision of crossing facilities makes it easier for all sectors of the community to cross busy streets or have more confidence in crossing streets. This is especially helpful to disabled people, children (lone and accompanied), young families and older people.

Some people rely on the use of cycles as a mobility aid. This can include disabled people who can cycle for far greater distances than they could walk, disabled people who use non-standard cycles as part of their mobility (such as hand cycles and tricycles) and indeed families who use non-standard cycles for transport. Fully accessible cycling design will ensure that those using cycles for mobility aids will be properly enabled to cycle as well as ensuring good access for everyone else.

BACKGROUND PAPERS

None.

Non-key Executive Decision

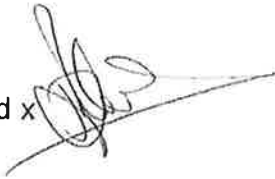
Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed.

Signed x



Name: **Dipti Patel**

Designation: Assistant Director for Environment

Date: x 9/10/18

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 11/10/2018

Signed 

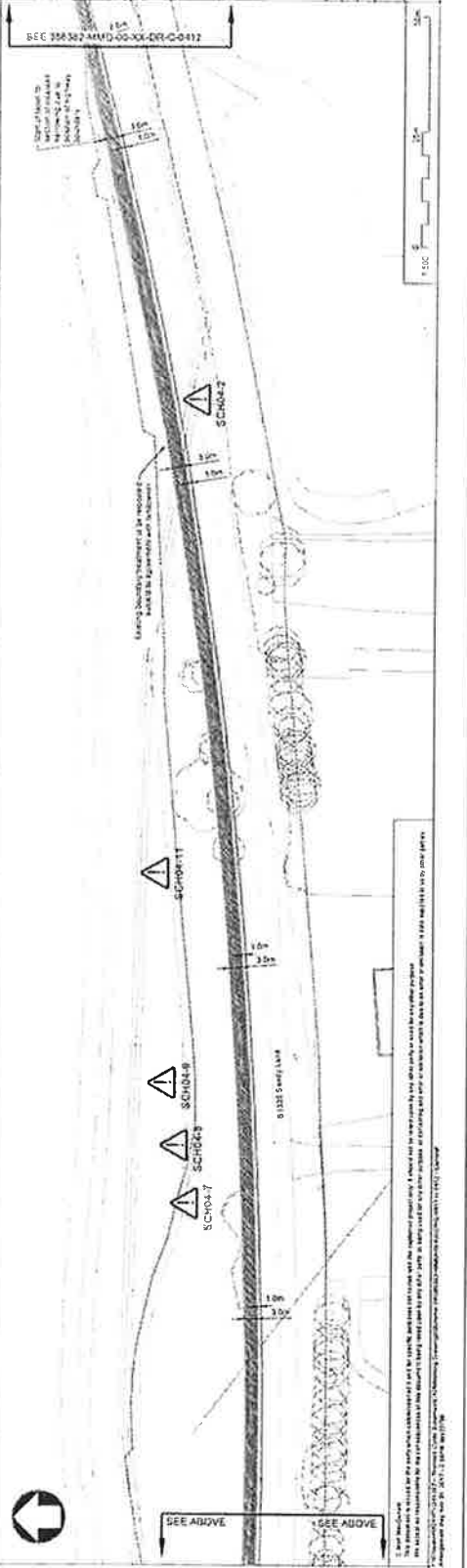
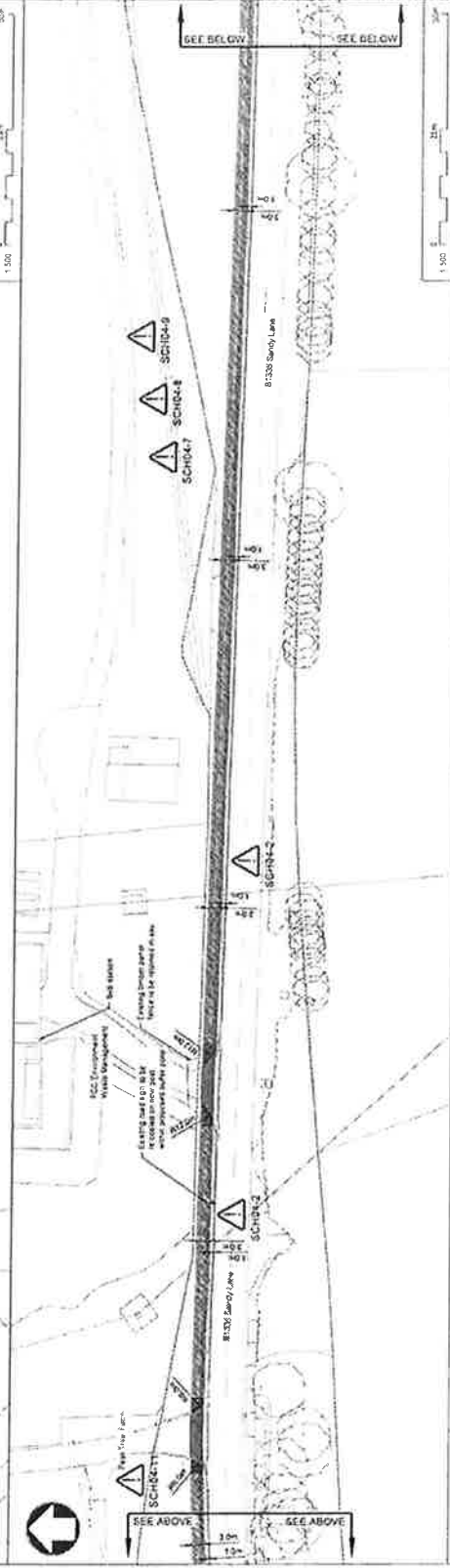
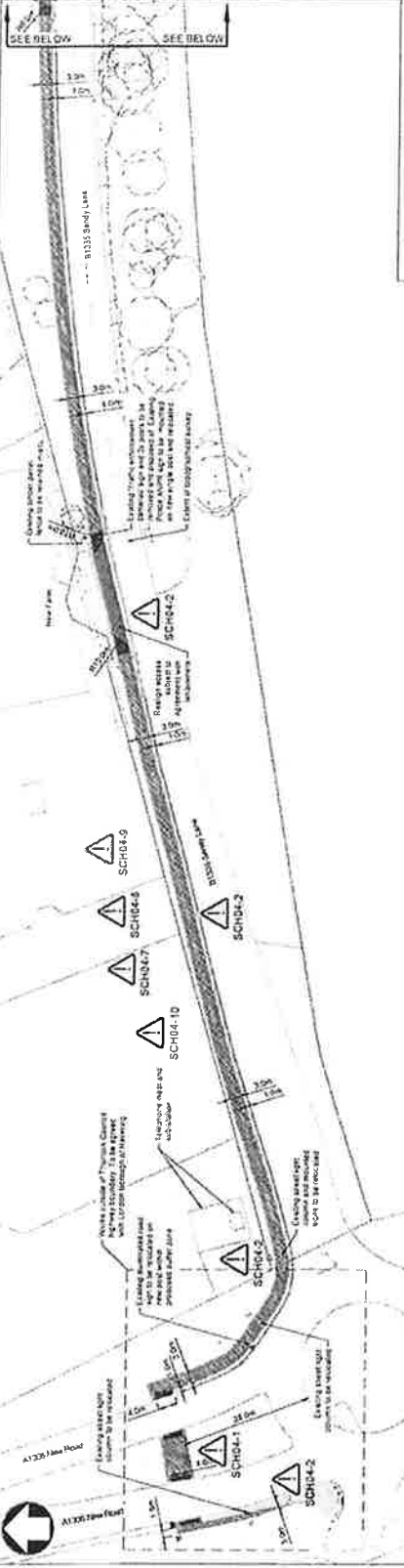
1. The proposed cycle route is shown in red on the plan. It follows the existing footpath and is proposed to be widened to 3.0m in places. It is proposed to be surfaced with asphalt. The route is shown in red on the plan. It follows the existing footpath and is proposed to be widened to 3.0m in places. It is proposed to be surfaced with asphalt. The route is shown in red on the plan. It follows the existing footpath and is proposed to be widened to 3.0m in places. It is proposed to be surfaced with asphalt.

MOTT MACDONALD	
Project Name	Thurrock Community Trust, Thurrock Council
Project Location	Thurrock, Essex
Project Status	Proposed
Project Start Date	15/03/2024
Project End Date	31/03/2024
Project Manager	Mr. M. Macdonald
Project Engineer	Ms. M. Macdonald
Project Designer	Ms. M. Macdonald
Project Checker	Ms. M. Macdonald
Project Approver	Ms. M. Macdonald
Project Date	15/03/2024
Project Version	1.0
Project Scale	1:500
Project Drawing No.	386382-MMD-00-XX-DR-C-0411

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1:500 Scale
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