

OVERVIEW & SCRUTINY BOARD SUPPLEMENTARY AGENDA

24 May 2017

The following report is attached for consideration and is submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972

5 URGENT BUSINESS (Pages 1 - 16)

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which will be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

“At the time of publication of the agenda, the Call-in in respect of the Highways Capital Programme had not been received. In the interests of expediency, consent has been given by the Chair of the O&SB that this matter be dealt with at the meeting on 24 May 2017, to ensure the Board can be convened and the matter discussed expeditiously. The public will have had a reasonable period of time in which to consider the papers concerned given the fact that they were first published on 11 May 2017.”

Andrew Beesley
Head of Democratic Services

This page is intentionally left blank

Overview & Scrutiny Board

24 May 2017

REPORT

Subject Heading:

Call-in of a Non-Key Executive Decision relating to the Highways Capital Programme 2017/18

SLT Lead:

Daniel Fenwick – Director of Legal & Governance

Report Author and contact details:

Richard Cursons – Democratic Services Officer

richard.cursons@onesource.co.uk

Policy context:

The Corporate Plan includes specific commitments to maintain and clean our roads, pavements and town centres

The Highways Act 1980 outlines a duty of the Council to maintain the highways at public expense free from danger.

Financial summary:

The agreed capital value of £0.425 million for 2017/18 for street management contributes to attached programme of works shown in appendix 1 to 4 of the Executive Decision.

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

Communities making Havering
Places making Havering
Opportunities making Havering
Connections making Havering

[X]
[X]
[]
[]

SUMMARY

In accordance with paragraph 17 of the Overview & Scrutiny Committee Rules, a requisition signed by two Members representing more than one Group (Councillors Ray Morgon & Keith Darvill) have called-in the Non-Key Executive Decision (17/35) dated 8 May 2017.

RECOMMENDATION

That the Board considers the requisition of the call-in of the Non-Key Executive Decision (17/35) and determines whether to uphold it.

REPORT DETAIL

As per Appendix A

Background Papers List

Appendix A – Non-Key Executive Decision (17/35) dated 8 May 2017
Appendices 1-4 of Executive Decision (17/35)

Councillor Ray Morgon

Subject: FW: Highways Capital Programme

Please accept this notice to requisition the Highways Capital Programme Executive Decision 17/35 on the following grounds:-

1. There is a lack of detail in respect of the business case for each intended works.
2. There is no clear policy on the prioritisation of highways works to meet the council's statutory duty.
3. There is a lack of detail as to why each scheme is in need of urgent attention.
4. There is a lack of data to provide evidence to back up the business case. There are no figures on the number of requests received for works to be done in each road, details of input from the ALO's and results from the UKPMS survey.

Cllr Ray Morgon



Cllr Keith Darvill



Dated :

17th MAY 2017

This page is intentionally left blank

17/35+
appendices
1-4.



Havering
LONDON BOROUGH

Notice of Non-key Executive Decision

Subject Heading:	Highways Capital Programme 2017/18
Cabinet Member:	Councillor Osman Dervish
CMT Lead:	Dipti Patel
Report Author and contact details:	Ollie Miller Ollie.Miller@havering.gov.uk
Policy context:	Maintaining our roads and footways is a key Administration policy directly linked to a Safe and Proud borough The Corporate Plan includes specific commitments to maintain and clean our roads, pavements and town centres. Highways Act 1980 outlines a duty of the council to maintain the highways at public expense free from danger.
Financial summary:	The agreed capital value of £0.425 million for 2017/18 for Street management contributes to the attached programme of works shown in Appendix 1 to 4.
Relevant OSC:	Environment Overview and Scrutiny
Is this decision exempt from being called-in?	No

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

Havering will be clean and its environment will be cared for	<input checked="" type="checkbox"/>
People will be safe, in their homes and in the community	<input checked="" type="checkbox"/>
Residents will be proud to live in Havering	<input checked="" type="checkbox"/>

Non-key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the highway works schemes selected in appendices 1 to 4.

AUTHORITY UNDER WHICH DECISION IS MADE

Individual Cabinet members' responsibilities for functions are set out in Part 3, section 2.5 (D) of the Constitution.

"To determine priorities in conjunction with the relevant member of CMT (within the policy framework and budget)."

STATEMENT OF THE REASONS FOR THE DECISION

As Highway Authority, Havering has a statutory duty to maintain the public highway and ensure that it is in a safe condition. An annual preventative maintenance programme is critical to fulfilling this duty.

Further, preventative road maintenance helps improve the communities, places, connections and opportunities in Havering. The works programme detailed in this report contribute to the delivery of the Council's Vision of Making a Greater London. This will in particular deliver the theme around 'Place' and the ambition to *achieve a clean and safe environment for all*.

Carriageway Works

There is a need to prioritise the use of £0.160 million for carriageway works allocated by the Council for Highway Improvements and to ensure that the works are programmed for completion during the prescribed 2017/18 financial year. The works will be completed by the Council's Highway Maintenance Term Contractor.

The schemes chosen (see Appendices 1 & 2) are considered to be the most in need of urgent attention. The selection of scheme priorities includes the following:

1. Collation of all requests for works received from various sources including residents, businesses and Council Members.
2. Significant input from Area Liaison Officers who have an awareness of areas of concern, insurance claims and interim repairs.
3. The results of United Kingdom Pavement Management Surveys (UKPMS) Condition surveys.

Non-key Executive Decision

Engineers prioritise works based on visual inspections made of the above and take into account the location, usage, and cost effectiveness of the required works.

Footway Works

The need to prioritise the use of £0.265 million for footway works allocated by the Council for Highway Improvements and to ensure that the works are programmed for completion during periods 2017/18. The works will be completed by Havering's Highway Maintenance Term Contractor. Works will be supervised and scrutinised by Council highways maintenance engineers.

The schemes proposed (see Appendices 3 & 4 for locations) are considered to be the most in need of urgent attention. The selection of scheme priorities includes the following :

1. Collation of all requests for works received from various sources including residents, businesses and Council Members.
2. Significant input from Area Liaison Officers who have an awareness of areas of concern, insurance claims and interim repairs.

Suitably qualified and experienced engineers prioritise works based on visual inspections and take into account the location, usage, and cost effectiveness of the required works when finalising proposals.

OTHER OPTIONS CONSIDERED AND REJECTED

Preventative on going small scale maintenance assist in maintaining our roads and footways to a safe and reasonable level, although the schemes listed in the attached are deemed to be in greater need at this present moment in time, the alternative not to invest this capital funding would result in a further deterioration of capital assets resulting in more costly future repairs, possible safety implications and poor public perception.

PRE-DECISION CONSULTATION

N/A


Non-key Executive Decision

OLLIE MILLER
O Miller
8-5-17

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

Name: Dipti Patel

Designation: Assistant Director, Environment

Signature: 

Date: 8/5/17

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

A Cabinet Report dated 18th January 2017 approved the award of the Term Service Contract to Marlborough Surface Limited. Therefore, there are no issues with the use of such contractor to carry out the works as set out in this report. Further, the overall budget for the contract term of 5 years has been approved by Cabinet by way of the award decision dated 18th January 2017; allocating £43 million to Reactive & Planned Highway Maintenance and Construction of Improvement Schemes in the borough.

Here Officers seek approval for the Street Management Capital Programme for 2017/2018 and the allocation of expenditure of £0.160 million for carriageway renewal and £0.265 million for footway renewal.

The London Borough of Havering as Highway Authority has a statutory duty to maintain the public highway (Highways Act 1980 s41) ensuring that it is in a safe and condition.

When carrying out the works Officers need to ensure the Contractor is mindful to ensure appropriate notices are lodged that include the Road Traffic Act 1988.

FINANCIAL IMPLICATIONS AND RISKS

A £0.425 million capital allocation for highway renewals is available as part of the Street Management Capital programme for 2017/18. Approval is being sort to allocate £0.160 million for carriageway renewal and £0.265 million for footway renewal.

It is intended that all of this allocation will be spent during 2017/18. The carriageway and footway works referred to in this decision will be funded from both these allocations and the small amount of capital money carried over from 2016/17 of £0.176 million. This will cover the total cost of £0.601million for the proposed Highway works schemes shown in appendix 1 to 4.

Due to the nature of highway resurfacing works unforeseen circumstances within the highway construction phase could cause the amount of works necessary to change along with the associated costs. Two examples of this would be income generated from reduced rate vehicle crossovers within footway works that would reduce the overall costs of the works, while finding contaminated asphalt during excavating would increase disposal costs thus increasing the overall cost of works. All costs of works will be monitored to ensure that there will be no overspend of these capital budgets, even if this means deferring some of the proposed works to the following financial year.

The London Borough of Havering, in its capacity as the Highway Authority, has a statutory duty to maintain the public highway (Highways Act 1980 s41) ensuring that it is in a safe and passable condition and is maintained to an acceptable standard.

The risk of not carrying out these carriageway and footway renewals is that it would increase the chances of an accident occurring on these chosen schemes, for which

Non-key Executive Decision

the Council could find itself financial liable from third party claims.

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

There are no HR implications or risks arising directly as a result of this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Improved Highway condition will improve accessibility for all road users. There is no equality or social inclusion implications/risk from this proposed decision.

Where the highway infrastructure is being upgraded reasonable adjustments would be made to improve access for disabled people, which will assist the Council in meeting its duties under the Equality Act 2010.

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

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Cllr Osman Dervish

Cabinet Member for Environment, Regulatory Services & Community Safety

Date: 08/05/17

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 10/5/2017

Signed 

17/35
APPENDICES
1 - 4

Appendix 1 – Carriageway Renewal Programme 2017/2018			
Road Name	Ward	Comments	Estimate
Wingletye Lane	Emerson Park	Minster Way to Dury Falls Close	£ 0.096m
		Total	£ 0.096m

Appendix 2 – Carriageway Micro Asphalt Programme 2017/2018

Road Name	Ward	Comments	Estimate
Preston Road	Gooshays		£ 0.014m
Tweed Way	Pettits		£ 0.011m
The Witherings	Emerson Park		£ 0.012m
Peerage Way	Emerson Park		£ 0.007m
Longfield Avenue	Romford		£ 0.008m
Eyhurst Avenue	Elm Park	St.Nicholas Avenue to Warren Drive	£ 0.012m
Springbank Avenue	Hacton		£ 0.006m
Sunningdale Road	South Hornchurch		£ 0.009m
Canterbury Avenue	Cranham		£ 0.016m
Trent Avenue	Cranham		£ 0.012m
		Total	£ 0.107m

Appendix 3 – Proposed Footway Renewals List 2017/18

Road Name	Ward	Comments	Treatment	Priority	Estimates
Ashbourne Road	Heaton	In area of school	Renew asphalt	1	£0.055m
Ashby Close	Cranham		Renew asphalt	1	£0.015m
Blenheim Close	Cranham		Renew asphalt	1	£0.015m
Collier Row Lane	Mawneys	Rex Close to Playfield Ave	Convert to asphalt	1	£0.075m
Holme Road	Cranham		Renew asphalt	1	£0.040m
Ingrebourne Gardens	Cranham	Front Lane to Eversleigh Gardens (south side)	Exact treatment is to be decided	1	£0.040m
Taunton Road	Heaton	Complete area not resurfaced last year	Convert to asphalt	1	£0.050m
				TOTAL	£ 0.290m

Appendix 4 – Footway Slurry Programme 2017/2018

Road Name	Ward	Comments	Treatment	Estimate
Swanbourne Drive estate	Hacton	Approx half of the estate to be selected after detailed inspection	Slurry	£0.109m
			Total	£0.109m