

**Divisions Affected - All**

**CABINET**

**20 SEPTEMBER 2022**

## **Highway Maintenance & Asset Management**

### **Report by Corporate Director Environment & Place**

#### **RECOMMENDATION**

1. **The Cabinet is RECOMMENDED to**
  - a) Approve adoption of the Highway Asset Management Policy Statement (Annex 1), Strategy document (Annex 2), and Plan document (Annex 3)
  - b) Note the funding situation for Highway Maintenance summarised as Annex 4 that impacts on decisions and programmes which will be picked up through the normal budget setting process.

#### **Executive Summary**

2. This report sets out the start of a new approach and focus for how the County Council undertakes Highway Maintenance and Asset Management.
3. The new approach is intended to be more aligned to the Oxfordshire Fair Deal Alliance's priorities and the policies set out in the emerging Local Transport and Connectivity Plan.
4. There are three key Asset Management documents associated with achieving this: The Policy, The Strategy, and The Plan.
5. The new direction will help to support our climate emergency work, improve access to nature and green spaces, and help to provide an inclusive, integrated and sustainable transport network.
6. The most notable shifts in the asset management approach are:
  - (a) to give an increasingly greater priority to those assets and parts of the network where more active & sustainable modes of transport can be supported to offer a realistic alternative to, and a lower dependency on private car use / ownership. In particular footways, cycleways (on and off carriageway) and the facilities that better allow all network users to share the space available.
  - (b) to enhance those assets that connect people to green spaces and the countryside such as the Public Rights of Way Network.

## CA10

- (c) to accelerate the investment in, and adoption of a service delivery model that has a demonstrably lower carbon footprint; does more to support biodiversity; and which positively contributes to an improved environmental condition
- (d) and, whilst continuing to invest in the carriageway network; to prioritise a greater proportion of that programme's resources towards a strategy of preventative maintenance.

### Introduction

- 7. The documented asset management approach in Oxfordshire, whilst continually reviewed and refined, runs up to the end of the current year (2022). The approach is therefore due for review and update. This coincides with, and provides a timely opportunity, to ensure that it reflects the aspirations of the newly elected Oxfordshire Fair Deal Alliance and is making the most of new innovative approaches for both efficiency and environmental reasons.

### Background

- 8. The County Council, in its capacity as the Highway Authority, has many statutory obligations it is required to fulfil in the exercise of its powers and the discharge of its duties regarding the management and maintenance of the highway network. This framework of legal statute has historically formed much of the basis on which decisions around highway maintenance have been formed.
- 9. More recently, rather than merely being passively consumed as it was once considered, it is now widely recognised that the highway network and the assets of which it is comprised can in fact; if effectively managed, serve as a powerful enabler for economic, societal, and environmental benefit and change.
- 10. Consequently, and in order to realise those benefits, over the last decade there has been an increasing national move by highway authorities towards gainfully managing their networks to achieve specific strategic objectives, rather than simply maintaining and operating them to ensure legal compliance.
- 11. In 2016 a new, and sea change code of practice; *Well Managed Highway Infrastructure* was published. The code is structured around effective asset management and consolidated and regularised much of the more ad-hoc and individual efforts that had been taking place previously.
- 12. Since the publication of the code in 2016, it has found industry wide assent. Most notably this is through the Department for Transport's Incentive Fund that promotes the robust approach to Highway Asset Management on which the code is based and through which Highway Authorities in England are required

## CA10

to annually demonstrate their adoption of certain asset management principles in order to receive a significant element of their ordinary grant funding.

13. As such, in order to ensure legal compliance, industry conformity, and to make the best possible contribution to the County Council's objectives, a highway asset management strategy has been developed for Oxfordshire which sets out the high-level direction to be adopted and the broad steps to be taken in managing and maintaining the asset. That strategy accompanies this report at Annex 2.
14. Oxfordshire County Council has a long history of robust highway asset management; ensuring that the largest, most widely consumed, and most valuable asset operated by the Council is able to make a significantly positive contribution to the Council's objectives.
15. As testament to that, the County Council continues to receive the maximum possible financial allocation through the Department for Transport's aforementioned Incentive Fund.

### Corporate Plans and Policies

16. The County Council's [Strategic Plan 2022-25](#) and associated priorities have been considered in the development of the asset management documents.,
17. The approach and policies for highways asset management will help and support the delivery of the council's priorities, most notably and directly Climate and Transport.
18. The proposed revised asset management approach fits within and helps to deliver the Council's Local Transport and Connectivity Plan, which too has recently been updated and Part 1 was adopted at Full Council Jul 22.

### Financial Implications

19. The revised asset management approach is likely to require a revision to the existing capital and revenue programme in time. This is likely to either be an increase in funding, or reprioritisation of funding distribution across the different maintenance programmes. This will be discussed and agreed as part of the council's annual budget setting process.
20. It is important to note that the adoption of the asset management documents do not propose additional funding, as the focus is instead currently about setting an approach and priority of spend for the funding available.
21. Further information on the future of funding for Highway Asset Management is included as Annex 4.

## CA10

22. The county council is currently reviewing and prioritising its Capital programmes of which the highway maintenance programme is part. If funding is changed to that which is assumed within the report, then the principles within the Highway Asset Management Plan will be applied to revise the programme accordingly.

Reviewed by: R. Finlayson;  
Finance BP (Communities and C OD CDAI)

### Legal Implications

23. As stated within the accompanying Strategy document, Oxfordshire's approach to the way it manages its highway network is governed by number of legal obligations, including but not limited to:
- The Highways Act 1980 that sets out the main statutory duties for the council, which include a duty to maintain roads in safe condition
  - The Traffic Management Act 2004 that gives the council the duty to keep the traffic moving on the road network
  - The Flood and Water Management Act 2010 that covers the management of flood risk associated with extreme weather
24. The proposed highway asset management documents do not adversely affect, prejudice, or impede the Council's ability to satisfactorily fulfil those, or any of its other legal obligations.

Reviewed by: J. Crouch  
Principal Solicitor Environmental

### Staff Implications

25. There are no specific staff implications to consider at this time.
26. Whilst the responsibilities of some staff members may need to change to reflect new and emerging priorities, their duties will remain commensurate with the current conditions of employment.
27. Where changes outside of those conditions arise, or where a change in the level of resource is required these occurrences will be explored with the relevant County Council business department and in line with the Council's relevant policies and procedures at the time.

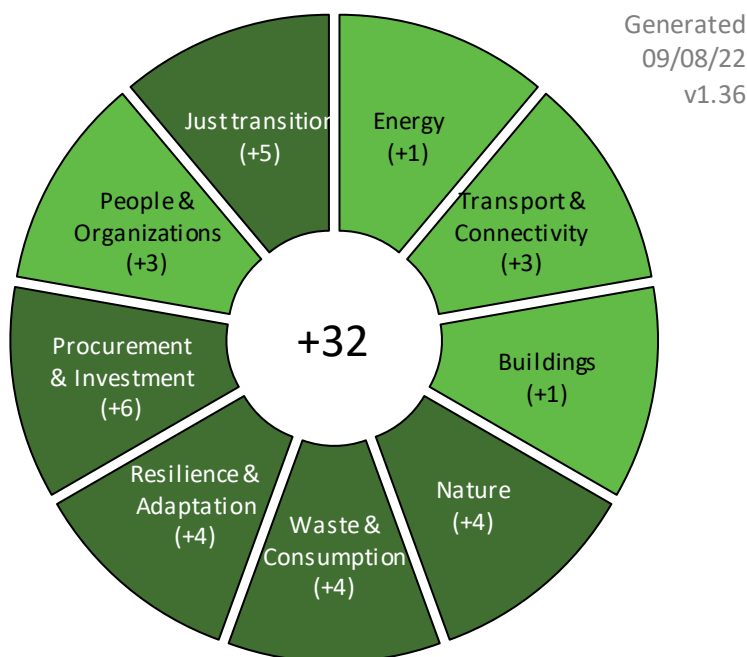
### Equality & Inclusion Implications

## CA10

28. The revised approach has been assessed, through an Equalities Impact Assessment and they are not considered to directly bias or discriminate against individuals or groups. However, as an indirect consequence of focussing more on active and bus travel, this may impact on car reliant groups depending on specific scheme and programme decisions.
29. Any substantial project or shift in funding allocation, which could have a specific impact, will have a specific Equality's & Inclusion Impact Assessment carried out.

## Climate Impact

30. A Climate Impact Assessment has been completed for this revised approach, see output below, and it has been determined that it will have a net positive impact on sustainability of the highways service and mitigate the impact of delivery of highway works and the management and use of the highway's asset network. This will help reduce the authorities carbon emissions, improve, biodiversity, air quality and improve the health of the population, resulting in less demand on related services.



Oxfordshire Council has committed to being a carbon neutral organisation by 2030 (8 years and 0 months away).

31. The new direction will help to support our climate emergency work, improve access to nature and green spaces, and help to provide an inclusive, integrated, and sustainable transport network.

## Risk Implications

32. Managing and maintaining such an extensive, complex, aged, and publicly accessible asset as the highway network can never be without some degree of risk.
33. Oxfordshire County Council, in line with national best practice, operates a risk based and evidence led approach to implementing its strategy. By working within a set of parameters, but without thereafter being unduly prescribed by them, the Council is able to be more flexible and to better customise its approach given the specific circumstances.
34. With a shift in maintenance focus to align with new council priorities, there is a potential impact. The likely largest potential impact would be the likely change in funding priority away from programmes such as carriageway surfacing, and instead into other asset programme areas, such as highway drainage and footways / cycleways.
35. The risks can be mitigated but probably not fully. The residual risk, which is predominately a potential increased revenue maintenance cost in the short to medium-term, and a latent longer term increased demand on capital maintenance are unintended but largely unavoidable and inherent consequences of the shift in priorities. The extent of the impact will depend on the scale of that shift which will be considered with Members during the budget setting process.
36. However, it is important to note that a number of positive benefits can be exploited, and opportunities realised to potentially redistribute funding currently assigned to carriageways towards other programme areas such as highway drainage, footways/cycleways, and the public rights of way network. Positive examples include but are not limited to:
  - fewer instances of disruption, damage and danger caused by flooding
  - reduced risk of public liability claims on the footway / cycleway network
  - an accelerated adoption of more active and sustainable travel choices
37. A high-level risk matrix related to the re-distribution of asset funding can be seen in the associated financial paper accompanying this report as Appendix 4.

## Consultations

38. The approach and drafting of these documents have been developed with cross council and stakeholder engagement and input.
39. With the normal cycle of review, officers have been working on updates which included greater member influence and increased focus on walking, cycle, and bus infrastructure. County Councillors have been involved in discussions through the Cabinet Advisory Group and Locality Meetings.

## CA10

40. A public consultation was created on the letstalk platform, which went live on 3 July 2022 and ended on 5 August 2022. Key stakeholders and user groups were invited by email to take part in the consultation. The purpose of the consultation was to engage the general public and key stakeholders by presenting the documents for critical review, alongside a survey which was designed to meet the following objectives:
- Gain feedback on the updated Highways Asset Management Approach
  - Determine whether the updated documents meet their intended stated purpose and to what extent, as rated by the respondents
  - Determine the level of support the core strategic areas have, as detailed within the strategy document, as rated by the respondents
  - Determine whether the updated documents support the needs of the respondents or their stakeholder group.
  - Determine the maintenance priorities of the respondents or their stakeholder group.
  - Determine whether the updated documents have improved the understanding of asset management of the respondents.
41. Respondents were given several opportunities, in the form of free text boxes within the survey, to describe how the documents could be improved and provide feedback.
42. Overall, the feedback from respondents was positive and although the consultation has not resulted in a material change to the intent of the documents, we have strengthened the narrative surrounding active and sustainable transport.

BILL COTTON

Corporate Director, Environment & Place

Annexes:

- Annex 1: Highways Asset Management Policy (2022)
- Annex 2: Highway Infrastructure Asset Management Strategy (2022 – 2027)
- Annex 3: Highway Infrastructure Asset Management Plan (2022 – 2027)
- Annex 4: Highway Maintenance Funding Options

Background papers: None

Other Documents:

- Well Managed Highway Infrastructure: A Code of Practice (2016)  
<https://ukrlg.ciht.org.uk/ukrlg-home/code-of-practice/>

Contact Officers:

James Dance  
Principal Officer; Highways Asset Management and Programmes

June 2022

Sean Rooney  
Head of Highway Maintenance