

<b>DECISION TITLE: RECOMMENDATION TO APPROVE THE SAFETY FENCING PROGRAMME OF WORKS FOR 2021/2022, 2022/2023, 2023/2024</b>
<b>Cllr Hiller Cabinet Member for Strategic Planning, Commercial Strategy and Investments</b>
<b>ENTER MONTH IN WHICH DECISION IS BEING TAKEN: July 2021</b>
<b>Deadline date: July 2021</b>

Cabinet portfolio holder: Responsible Director:	Cllr Hiller Cabinet Member for Strategic Planning, Commercial Strategy and Investments Steve Cox Executive Director, Place and Economy
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/5JUL21/03
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	No

### R E C O M M E N D A T I O N S

The Cabinet Member is recommended to:

1. Authorise the issue of the following work packages to Milestone Infrastructure Services under the Council's existing Peterborough Highway Services Contract.
  - Safety fencing works in 2021/2022, works package value not to exceed the available budget of £2.057m including £0.657m slipped from 2020/21
  - Safety Fencing works in 2022/2023, works package value not to exceed the available budget of £1.4m
  - Safety Fencing works in 2023/2024, works package value not to exceed the available budget of £1.4m
  
2. Authorise the Executive Director, Place and Economy, to vary the value of the works order when required, subject to;
  - (i) available budget being in place.
  - (ii) the reason for the variation is for genuinely unforeseen reasons leading to fundamental changes in the project plan and target cost, and that such details

- along with a breakdown of where costs have been varied shall be made available in full on request.
- (iii) the total sum of each variation not exceeding £50,000; and (iii) the combined value of the works order and any authorised variation(s) do not exceed the annual budgets advised above. Order variations in excess of £50,000 are to be made in consultation with the council's Internal Audit and Finance Teams.

3. Authorise the Executive Director, Place and Economy, to vary the scope of the order when required to cover other related highway works subject to the limits imposed by items 2 and 3 above and with the approval of the Executive Director of Resources.'

## 1. PURPOSE OF THIS REPORT

- 1.1 This report is for Cllr Hiller Cabinet Member for Strategic Planning, Commercial Strategy and Investments to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b)

## 2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	
Date for relevant Council meeting		Date for submission to Government Dept. (Please specify which Government Dept.)	

## 3. BACKGROUND AND KEY ISSUES

- 3.1 Following a series of safety inspections in 2019 it was determined that the condition of safety fencing on a number of City's high speed roads was below specification and in need of replacement. The defective barriers, if left, will cause safety concerns on and may result in significant speed reductions or more drastic measures such as lane closures which would impact heavily on traffic flow around the City.
- 3.2 Milestone Infrastructure, (previously Skanska,) Peterborough City Councils highways partner, have successfully completed the replacement of defective safety fencing on a number of roads in previous financial years with the A1139 and Paston Parkway prioritised initially.
- 3.3 Budget for the works has been secured through the approval of the Medium Term Financial Strategy 2021/2022 to 2023/2024 – phase 1 – Feb21/CAB/79 allocated as follows
- 2021/2022 budget of £2.057m (£657,000 slipped from 2020/2021 financial year)
  - 2022/2023 budget of £1.4m
  - 2023/2024 budget of £1.4m

#### **4. CONSULTATION**

- 4.1 Budget consultation was completed during the approval process of the medium term financial strategy decision reference – Feb21/CAB/79
- 4.2 Where required local communication will take place prior to the works being established on site. This will include statutory notices and advanced warning signage on site to advise the public of closures and works durations.

#### **5. ANTICIPATED OUTCOMES OR IMPACT**

- 5.1 It is expected that the recommendation will be approved, allowing the works to be completed in a timely manner addressing the issues identified in the surveys. Approval to complete the replacement of the safety fencing will ensure that the affected roads remain safe and remove the need for mitigation measures.
- 5.2 Furthermore, approval of the recommendation will significantly reduce procurement time and allow contractors to be on site as soon as possible. Early occupation of site will increase programme certainty over the three year period of the funding.

#### **6. REASON FOR THE RECOMMENDATION**

- 6.1 Condition surveys and investigations were completed on the highway network in 2019, and identified the need for widespread replacement of the safety fencing. Failure to complete the works would create a safety concern together with a number of negative implications such as a detrimental effect on the economy as speed limits would need to be lowered and or potentially more drastic measures such as lane or full closures.
- 6.2 The budget for the works has been approved and allocated until 2023/2024 and the Peterborough Highways Services Term Service Contract allows a mechanism that enables procurement efficiencies in relation to time and cost
- 6.3 The Council has an adopted Highway Asset Management Policy and Strategy and a Highway Infrastructure Asset Management Plan which have been developed with key stakeholders and detail how the Council proactively manages the highway network and deals with defects

#### **7. ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 Not to deliver the programme of works: There would be significant road safety implications by not replacing the safety fencing. In addition, this would result in further speed reductions being implemented which would have a negative effect on the local economy.
- 7.2 Agree an alternative works programme: There are no alternative engineering solutions to this problem.

#### **8. IMPLICATIONS**

##### **8.1 Financial Implications**

- 8.1.1 The required works have been assessed and programmed as per the budget allocations each financial year. There is often an element of risk in highways works that can cause delays resulting in the need to slip allocations into the following financial year so that works can be completed.

8.1.2 Project managers will maintain a close handle on delivery of programme to time and budget and if necessary, with permission from finance, move allocations across two financial years to complete works.

8.1.3 If works programmes are affected by unforeseen issues we will seek to slip the funds into the following financial in order for the essential safety works to be completed.

## **8.2 Legal Implications**

8.2.1 The Highways Act 1980 provides that the highway authority is under a duty to maintain the highway at public expense. This requires the highway to be maintained so that it is reasonably passable by the ordinary traffic of the area. Failure to replace the safety fencing could result in a risk that the authority may not meet its legal duty to maintain the highway.

8.2.2 In addition, the legal implications of not approving the finance and spend outlined in this document may mean that the Council cannot meet its strategic transport and highway priorities for Peterborough following a substantial period of consultation with stakeholders and partners.

8.2.3 The legal and financial implications of approving the safety fence funding is that the highway network can be maintained thereby meeting the statutory duty to maintain the highway and the Council's transport objectives.

## **8.3 Equalities Implications**

8.3.1 An Initial Equality Impact Assessment has been carried out and there are no detrimental effects associated with the schemes.

## **8.4 Carbon Impact Assessment**

8.4.1 It is not anticipated that there will be any positive or negative effects of implementing the scheme. It should be noted that if the works do not take place it is very likely that congestion will increase as a result of reduced speed limits therefore having a negative impact on air quality.

## **9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

9.1 Declarations by any cabinet member consulted by the decision maker and any dispensation granted by the Monitoring Officer or Constitution & Ethics Committee.

Note, the Monitoring Officer can grant a dispensation where the member concerned has a disclosable pecuniary interest and wishes to be able to take part in discussion of the matter at a meeting but not vote, whereas the Constitution & Ethics Committee may grant a dispensation for a member to speak and vote where they have a disclosable pecuniary interest.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

10.1

Medium Term Financial Strategy 2021/2022 to 2023/2024 – phase 1 – Feb21/CAB/79

**11. APPENDICES**

11.1 Not applicable.