

Delegated Cabinet Member Key Decision Report

Decision Maker and Portfolio area:	Cllr Chris Goodwin, Cabinet Member for Neighbourhoods
Date of Decision:	17 April 2024
Subject:	Advanced delivery of planned 2024/25 capital carriageway surfacing scheme (Burnley Lane, Chadderton)
Report Author:	Gordon Anderson – Head of Highways & Engineering
Ward (s):	Chadderton North

Reason for the decision: To seek approval ahead of Cabinet in June 2024 to progress a highway maintenance scheme on Burnley Lane, Chadderton to meet the required funding deadlines and ensure Oldham’s roads remain safe for residents and communities.

Summary: As part of the CRSTS (City Regional Sustainable Transport Settlement) funding, Oldham Council Highways devise a data led approach to deliver a carriageway maintenance programme. As part of that programme development for 2024/25, a number of roads have been prioritised to utilise the funding in full. One of these schemes is Burnley Lane, Chadderton (from Elk Mill Roundabout through to Junction with Mill Brow).

Although this particular section of Burnley Lane has been prioritised for maintenance within the 2024/25 programme, the cabinet meeting seeking approval for this programme isn’t currently scheduled until June 2024, meaning delivery before September 2024 is currently highly unlikely.

Under normal circumstances, the works would be delayed until approval through the usual process could be secured. However, the condition of carriageway has significantly deteriorated in recent months. At present, there are 29 outstanding revenue repair jobs for this section of Burnley Lane, which require patching immediately, at a cost of £14,512. Given the state of the sub-surface, it is highly likely that additional repairs, possibly monthly, would be needed, resulting in similar revenue costs.

These repairs could be delayed until the resurfacing scheme is approved and delivered in September 2024. However, leaving the repairs until September 2024 leaves a significant risk to the council - road users who would likely damage their vehicles using this busy section of road, and significantly increases the possibility of claims for not maintaining the highway.

Oldham Highways is proposing that this scheme be approved ahead of the cabinet meeting in June 2024, so that delivery can be expedited, and the Burnley Lane scheme be delivered as soon as practically possible.

This approach would remove the need to repair the 29 outstanding potholes and associated costs (immediate and over the next 6 months), whilst also ensuring the risk of claims is removed entirely by completing a full resurface to that length of carriageway.

What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):

Option 1 – The proposed resurfacing of Burnley Lane is approved for early delivery and works begin on site as soon as possible to bring the carriageway up to standard.

Option 2 – The proposed resurfacing of Burnley Lane is not approved for early delivery, and the road is patched at a cost of £14,162 (and additional monthly costs) until Burnley Lane is resurfaced later in 2024/25

Recommendation(s):

Option 1 is recommended; to progress the resurfacing of Burnley Lane for early delivery, and works begin on site as soon as possible to bring the carriageway up to standard.

Implications:

What are the financial implications?

The cost to resurface Burnley Lane will be circa. £350k and will be Capital expenditure.

This will be financed by CRSTS (City Regional Sustainable Transport Settlement) Funding, which has been allocated to this scheme within the 2024.25 Transport Capital Programme, which was approved by Council in February as part of the 2024.25 budget setting process.

(John Edisbury)

What are the procurement implications?

The client department have confirmed that delivery will be undertaken by Oldham's Highway Services

and therefore no requirement to procure external contractors. As such, there are no procurement implications as this is an internal service delivery model.

(Dan Cheetham), Procurement.

*What are the **legal** implications?*

As the works are to be, and always were to be, undertaken by the Council, there are no procurement considerations nor any obvious legal implications and indeed the expediting of these works minimises the risk of any claims.

(Mark Hope), Legal and Democratic Services

*What are the **Human Resources** implications?*

None.

Equality and Diversity Impact Assessment

This is attached at Appendix 1

*What are the **property** implications*

None.

Risks:

Oldham Council has a statutory duty to manage and maintain highways under the Highways Act, 1980. The briefing note sets out how the Council will carry out this duty by resurfacing Burnley Lane Carriageway. The service should ensure that any successful contractor has the appropriate safe systems of work, method statement, risk assessment and where appropriate traffic management plans in place under the contract, especially due to the close proximity to the school.

The carrying out of the resurfacing at £350k, although scheduled in for 2024/25 has not yet been approved by Cabinet and the Council can mitigate the chance of successful highways claims by carrying out the pothole repairs from revenue funding in line with its statutory duty. Consideration should be given to the timescales of the works to ensure that the defects in the highway are not outside of the timescales under the Council's Highways policy to repair.

Consideration should also be given to arranging the forthcoming financial years highway capital programme to approved prior to the end of the previous financial year to enable works to be planned in across the whole year to ease any scheduling pressures.

(Vicki Gallacher) Head of Insurance and Information Governance

Co-operative agenda

As detailed, Oldham Council has a statutory duty to manage and maintain highways. This is also a

priority for residents to avoid damage to vehicles.

(Jonathan Downs), Corporate Policy Lead

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

Reason for urgent report This item has not been published on the forward plan for the required 28 clear days and therefore, the Chairman of the Overview and Scrutiny Committee has given his consent to this item being considered under the general exception rules.

Reason for exemption from call in The Chairman of the Overview and Scrutiny has agreed to this item being exempt from call in because highways safety risks to members of the public, the avoidance of potential claims arising from damage to cars, removing the need to repair the 29 outstanding potholes and associated costs (immediate and over the next 6 months) requires that this work is completed as a matter of urgency.

There are no background papers for this report.

Report Author Sign Off	Gordon Anderson
Date	05.04.2024

Appendix Number or letter	Description
1	Equality Impact Assessment

Approvals

Signed: (Cabinet Member)



Date: 09/04/2024

In consultation with:



Signed: (Deputy Chief Executive)

Date: 9.4.2024