

Item No. 10	Classification Open	Date: 8 March 2021	Meeting Name: West Central Multi Ward Decision Meeting
Report title:		Devolved Highways Budget 2021-22: Capital Funding Allocation (West Central)	
Ward(s) or groups affected:		Camberwell Green, Faraday, Newington, North Walworth & St Giles	
From:		Head of Service – Highways	

RECOMMENDATIONS

1. That the West Central Multi-ward Forum approve the reallocation of underspent funds carried forward from previous years underspend, current programme underspend and current programme project cancellations.
2. That the West Central Multi-ward Forum approve the allocation of funds for the 2021-2022 Devolved Highways capital programme in the West Central Multi Ward Area from the list of applications set out in Appendix 1.

BACKGROUND INFORMATION

3. The Council's non-principal road investment programme prioritises works on non-principal roads on a borough-wide basis and this investment forms the largest part of the annual investment programme.
4. Multi Ward areas are allocated a devolved fund of £800,000 each year from the total annual programme to spend on their priorities for highway renewal and maintenance that may not be prioritised as part of the borough-wide programme.
5. The financial provision for each community council is pro-rata by ward, as published in the Highways Capital Investment Programme 2014/15 report.
6. Commencing in 2017/18, the scope of the fund has been widened to permit the full range of minor traffic and highway capital schemes rather than solely like-for-like repair and replacement. Examples of the types of works which can now be funded include:
 - Footway and carriageway resurfacing;
 - Traffic calming;
 - Localised repairs;

- Accessibility improvements;
- Footway buildouts;
- Cycle hangars.

KEY ISSUES FOR CONSIDERATION

7. There is £274,295 available for the 2021-2022 Devolved Highways programme for new projects in the West Central Multi Ward area.
8. There is £160,010 in additional funding from previous years underspend, current programme underspend and current programme project cancellations.

Policy implications

9. N/A

Community impact statement

10. The roles and functions of Multi Ward areas include the promotion of involvement of local people in the democratic process.
11. An explicit objective within Multi Ward areas is that they be used to actively engage as widely as possible with, and bring together, Southwark's diverse local communities on issues of shared or mutual interest. The Devolved Highway programme is an important tool in achieving community participation.
12. In fulfilling the above objectives of Multi Ward areas to bring together and involve Southwark's diverse local communities, consideration has also been given to the Council's duty under The Equality Act 2010 which requires the Council to have due regard when taking decisions to the need to:
 - a. Eliminate discrimination, harassment, victimisation or other prohibited conduct;
 - b. Advance of equality of opportunity between persons who share a relevant protected characteristics and those who do not share it;
 - c. Foster good relations between those who share a relevant characteristic and those that do not share it.
13. Of particular regard are issues of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
14. Having due regard to the need to advance equality of opportunity is further defined in s.149 as having due regard to the need of:

- a. Remove or minimise disadvantages connected with a relevant protected characteristic;
 - b. Take steps to meet the different needs of persons who share a relevant protected characteristic;
 - c. Encourage persons who share a relevant protected characteristic participate in public life or any other activity in which they are under-represented.
15. Ideas for Devolved Highway projects come from the local community, the majority via a simple project nomination form available in electronic and paper format.

Resource implications

16. The total expenditure and sources of funding for the scheme will be monitored and reported on as part of the overall Capital Programme.

Consultation

17. All Devolved Highway projects require consultation with stakeholders, including the project applicant, local residents, Tenants and Residents Associations and local community groups where appropriate.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

18. The Local Government Act 2000 ('the 2000 Act') gives the Leader the power to delegate any executive function to whoever lawfully can undertake the function. The allocation of the Devolved Highway capital fund is an executive function.
19. Multi Ward areas are 'area committees' within the meaning of the 2000 Act and executive functions can be delegated to them by the Leader. The terms of the delegation are set out in part 3H of the Council's Constitution.
20. This report recommends that the West Central Multi Ward area approves the allocation of funds to the individual projects specified at Appendix 1. Paragraph 14, Part 3H of the Constitution enables Multi Ward areas to approve "the allocation of funds to Devolved Highway schemes of a local nature, using the resources and criteria identified by the cabinet".
21. Multi Ward Areas have further have powers under paragraph 16, Part 3H of the Constitution to oversee and take responsibility for the development and implementation of the local schemes.

22. The Equality Act 2010 introduced the public sector equality duty, which merged existing race, sex and disability equality duties and extended them to include other protected characteristics; namely age, gender reassignment, pregnancy and maternity, religion and belief and sex and sexual orientation, including marriage and civil partnership. In summary, those subject to the equality duty, which includes the Council, must in the exercise of their functions:
- (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; and
 - (ii) foster good relations between people who share a protected characteristic and those who do not. Paragraph 12 of the report informs that the proposals will have no disproportionate impact on any particular age, disability, faith or religion and ethnicity and sexual orientation.
23. In allocating funding under the Devolved Highways programme, Multi Ward Areas must have regard to the Council's equality duty set out in section 149 of the Equality Act 2010. The report author has demonstrated how those duties need to be considered in the body of the report at paragraphs 12 to 14. In regard to the equality duty under the Act, the allocation of funds from the devolved highways capital programme does not impact on equality of opportunity and protected characteristics of persons within the local community.

Strategic Director of Finance and Governance (CAP20/034)

24. This report seeks the approval of the West Central Multi Ward area for the allocation of funds £274,295 for the 2021-22 Devolved Highway programme in the West Central Multi Ward Area from the list of applications set out in Appendix 1.
25. The Strategic Director of Finance and Governance notes the resource implications in the report that the proposed allocations will be contained within the council's capital programme.
26. It is also noted, that officers' time and any other costs connected with this recommendation will be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	West Central Multi Ward Area Devolved Highway Capital programme 2021-22: Applications
Appendix 2	West Central Multi Ward Area Unallocated Funding

AUDIT TRAIL

Lead Officer	Caroline Bruce, Strategic Director of Environment and Leisure	
Report Author	George Mellish – Transport Projects Principal Engineer (Acting)	
Version	Final	
Dated	22 February 2021	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Governance	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		25 February 2021