

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Economy, Transport and Environment
Date:	3 March 2015
Title:	Capital Schemes Preparation, Design and Implementation Agency Agreement
Reference:	6523
Report From:	Director of Economy, Transport and Environment

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1. The decision:

- 1.1. That the Executive Member for Economy, Transport and Environment approves the approach to Capital Schemes Agency Agreements and the amendments to existing arrangements as set out in the supporting report.
- 1.2. That authority is delegated to the Director of Economy, Transport and Environment in consultation with the Head of Legal Services to determine the final form of the Agency Agreements and conclude these with the appropriate Borough and District Councils.
- 1.3. That authority is delegated to the Director of Economy, Transport and Environment to approve the delivery of district funded schemes through the Agency Agreement.

2. Reasons for the decision:

- 2.1. There currently exists an anomaly in the delivery of capital schemes, whereby District and Borough Councils that are signed up to the existing Capital Schemes Preparation, Design and Implementation Agency Agreement are not required to submit schemes that are being designed on behalf of Hampshire County Council for design checking by the County Council's Engineering Consultancy. However the same District or Borough teams are being asked to submit all the schemes that they are funding themselves and that are being delivered under the Section 278 Agreements for design checking.

- 2.2. As the County Council's delivery partners, these Districts are considered competent designers, so there is confusion over the current inconsistent approach to design checks and inspections on projects carried out by district and borough councils in Hampshire, which are all providing improvements to the highway network. The need for design checks also introduces a delay into the delivery process for these schemes, which nonetheless accord with the County Council's objectives.
- 2.3. The original Capital Schemes Preparation, Design and Implementation Agency Agreements were originally drafted and signed in 2003/04. It is therefore considered that, due to changes and updates in legislation and requirements, this is an opportune time to update the current agreements.

3. Other options considered and rejected:

- 3.1. Allow the Borough and District Councils to carry on with works under the existing agreement: – this was considered and rejected due to the anomaly in the requirement for design checks for work funded by the Boroughs and Districts, and the subsequent delays in delivery, being unacceptable to the these councils. In addition there are many sections in the current agreements which refer to out of date legislation.
- 3.2. Rescind the current agreements: – this would mean that the Borough and District Councils that currently deliver a large proportion of the County Council's Integrated Transport Programme, in particular the minor works and Local Highways and Transport Fund schemes, would not be able to do so. This would put greater pressure on existing resource, increasing costs and slowing down delivery, and failing to capitalise on local knowledge and the strong working relationships that have developed between the Boroughs, Districts and the County in this service.
- 3.3. Make changes to the way that schemes are delivered under the Section 278 Agreement process without changing the Agency Agreement: – this allows inconsistency in the delivery process. The requirement for all schemes to be delivered under the same terms offers the County Council continued involvement and protection and avoids confusion.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted:
None

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

3 March 2015

Executive Member for Economy, Transport and
Environment
Councillor Seán D T Woodward

Decn/6523/PE