

Portfolio Holder decision record sheet

Name of decision maker:	Councillor Graham Barrett
Portfolio:	Environment and Sustainability
Date of Portfolio Holder decision:	15/06/22

Title of decision:	Rights of Way Agency Agreement with Hertfordshire County Council
Part II:	
Part II reason:	

Decision made and reasons:	
<p>Management of Public Rights of Way in Dacorum - Agency Agreement with Hertfordshire Country Council</p> <p>That the Council enters in to the Agency Agreement with Hertfordshire County Council for the delivery of the management and maintenance of Public Rights of Way in the Borough of Dacorum for the period 1st April 2022 to 31st March 2027</p> <p>The Borough Council currently delivers the management and maintenance function on public rights of way in the Borough under an Agency agreement with the Highway Authority, Hertfordshire County, Council (HCC), which is due to expire on the 31st March 2022</p> <p>HCC are keen to secure the Agency arrangements up to 31st March 2027 to enable the service to be delivered locally rather than centrally from County Hall. To this end HCC have produced an agreement which covers all public footpaths, bridleways, restricted byways, byways and un-surfaced unclassified county roads in the Borough. Technical support is provided via HCCs Rights of Way unit.</p> <p>To deliver the Agency agreement, the Borough Council employs a Countryside Access Officer who is fully funded by HCC with regard to salary, overheads, accommodation, training and travel. In addition a working budget is provided for improvement works on the rights of way network and there is opportunity available to bid for additional funding from HCC for additional works.</p>	
Reports considered: (here reference can be made to specific documents)	
Public Rights of Way Agreement (Expired)	
Officers/Councillors/Ward Councillors/Stakeholders consulted: Councillor Graham Barrett, Head of Environmental Services,	
Monitoring Officer comments:	The agency agreement with HCC should ensure that all costs, which include salary, overheads, accommodation, training and travel, should be recovered from HCC as soon as possible if they are not payable in advance.

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Deputy s151 Officer comments:	Financial implications/ risks are covered by Monitoring Officer commentary and Value for Money commentary below. No further comments to add.
Implications:	
Risk:	<p>The delivery of the rights of way management function under an Agency arrangement with HCC enable the Borough Council to retain a high profile contact with the rural community in the Borough at no cost the Council.</p> <p>The Agency Agreement is fully funded by HCC. The terms of the Agreement allow termination upon serving of a minimum of 6 months' notice. Upon termination or at the end of the agreement any staff Wholly or substantially employed in delivering the service would transfer to the employment of NCC on terms no less favourable than those enjoyed at the Borough Council. Risk in relation to termination is therefore regarded as acceptable. HCC offer a comprehensive technical support service from its Rights of Way Team to assist the Borough Council in more complex matters, mitigating risk further.</p>
Value for money:	<p>The service is fully funded by HCC Options Considered and reasons for rejection:</p> <p>Not to enter in to the agreement. Rejected as the current arrangement have assisted the Borough in enhancing its profile in rural parts of the Borough at no cost to the Authority.</p> <p>Entering in to the Agreement on different terms. Rejected as the proposed new agreement is substantially the same as the previous agreement which proved satisfactory in its operation. The new Agreement has been developed in negotiation with HCC and reflects the reasonable requirements of both parties.</p> <p>Finance Comments:</p> <p>Expenditure will take place in line with the money received from Hertfordshire County Council. In funds aren't received, no works will be undertaken. Funds are cost neutral.</p> <p>Nikita Patel, Accountant</p>
Options considered and reasons for rejection:	

Portfolio Holder's signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

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Date decision record sheet received from portfolio holder: 14/06/22

Date decision published: 15/06/22

Decision no: PH-016-22

Date of expiry of call-in period: 22/06/22

Date any call-in received or decision implemented: