



## REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE - 30TH OCTOBER 2018

**SUBJECT: HIGHWAY MAINTENANCE PLAN**

**REPORT BY: INTERIM CORPORATE DIRECTOR OF COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek scrutiny members views on the new Highway Maintenance Plan (HMP) prior to presentation to Cabinet for consideration for implementation.

### **2. SUMMARY**

- 2.1 The extensive duties that arise from the Highways Act 1980 need to have a fully documented and approved maintenance plan and approach. The Act forms a legal basis for management of the highway, claims and litigation. The risks arising from this function are likely to escalate as highway maintenance budgets come under increased pressure through budget reductions.
- 2.2 In October 2016 the UK Roads and Liaison Group published a Code of Practice on 'Well-Managed Highway Infrastructure' which although not mandatory, is evidence of good practice.
- 2.3 The implementation date for the new Code of Practice is October 2018 where Highway Authority's should have reviewed their procedures, policies and practices in line with the codes recommendations.
- 2.4 Authorities must exercise their own judgement on this Code of Practice, but if they have not followed relevant guidance contained in the Code then they will be expected to give good reasons why they have departed from it.
- 2.5 The Highway Maintenance Plan (HMP) provides an overarching document for Carriageways, Footways, Street Lighting and Structures. It sets out the processes and procedures to inspect, report, undertake necessary actions and record the works carried out on the carriageway and footway asset. It also forms the basis of the Council's legal defence against insurance claims, both with personal injury and property/vehicular damage, made on the highway.
- 2.6 The HMP has been developed taking into consideration the recommendations of the new Code of Practice.

### **3. LINKS TO STRATEGY**

- 3.1 This report links directly to the Well-being goals within the Well-being of Future Generations Act (Wales) 2015:
- A prosperous Wales
  - A resilient Wales

- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities, and
- A globally responsible Wales

3.2 The report links to the Council's Well Being Objective 4 – Promoting a modern, integrated and sustainable transport system that increases opportunity and prosperity, by improving accessibility and managing the transport network thus enabling individuals to move freely around Caerphilly.

3.3 There are further links to the Engineering Objectives:

3.3.1 To promote safe and efficient transport and land drainage infrastructure through quality service delivered by means of cost effective management, maintenance and improvement of the networks.

3.3.2 To develop engineering solutions and methods which have regard to the value of the natural and built environment and to the principle of sustainable development.

#### **4. THE REPORT**

4.1 The highways infrastructure provides access to businesses and the wider authority and region, as well as shaping the character of an area and adding to the social and well-being and quality of life in a community. Experience during the recent severe weather events has highlighted the significant cost to the economy and social life when parts of the infrastructure become inaccessible or defective.

4.2 'Well-Managed Highway Infrastructure: A Code of Practice, 2016' supersedes the previous codes 'Well-Maintained Highways', 'Well-lit Highways' and 'Management of Highways Structure'. The Highway Maintenance Plan (HMP) is based upon the new code of practice and the principles of a "risk based approach".

4.3 The HMP (Appendix 1) recognises Caerphilly County Borough Council should adopt a risk based approach in accordance with local needs, priorities, affordability and sustainability in line with the new Code of Practice.

4.4 The whole risk-based approach to highway infrastructure maintenance is based on an understanding of the local highway network, the risks and their significance.

4.5 Caerphilly Council's resources, both operational and financial, are inevitably finite. This reinforces the need for a risk-based approach to the inspection, identification and repair of defects as well as the longer term maintenance strategies.

4.6 In order to comply with the new Code of Practice and to provide a consistent approach, an all Wales Guidance was developed by consultants, on behalf of CSSW (County Surveyors Society Wales). This guidance provides a reference source and practical approaches on best practice in the management of highway liability risk exposure. In particular, this guidance provides tools, methods and advice on how to apply the principles of risk management and a risk based approach to highway liability claims. It further provides reasoning and a method of recording how the Council maintains, inspects and manages the councils Highway Assets.

4.7 The HMP contains details, policies and procedures used by the Council to operate, inspect, record and maintain the Highway asset along with the need for network resilience.

4.8 The underlying legal framework and the way we work largely remains unchanged, as this is ultimately governed by the Highways Act 1980.

- 4.9 The fundamental changes in approach are as follows:
- 4.9.1 Risk assessments, which sit within Highways, have been developed to justify the way we work. It is these risk assessments that allow us to defend why we do things. The risk assessments are based upon CSSW guidelines that were developed collaboratively by all 22 Welsh authorities.
- 4.9.2 The HMP now also contains management details of Street Lighting infrastructure and Structural assets (walls, culverts and bridges) that were previously excluded.
- 4.10 As part of this process, the whole of the highway network has been assessed in line with the new Code of Practice. The code gives guidance in relation to the hierarchy status of the road but local knowledge allows officers to consider the relevant local experiences and data in their risk based assessment approach. The network is approximately 1150km in length and is split into approximately 4700 sections for inspection. All these sections of the network have been assessed. The proposed changes to the network categorisation are listed in Appendix 2.
- 4.11 Further work is currently ongoing with CSS Wales to try and gain a consistent All Wales guidance in relation to the intervention criteria identified in Appendix 3. The All Wales guidance is likely to recommend intervention criteria that will be different to our current practice. At present indications are that the Caerphilly criteria will be more stringent than a proposed All Wales approach. The recommendation is that we should retain our existing intervention criteria to ensure that we can demonstrate a robust inspection and intervention criteria for any insurance related claims.
- 4.12 Defect repair timeframes are currently identified as 2 hrs or 24 hrs for emergencies and 28 days for all other defects. The CSSW guidance is likely to recommend that the repair timeframes for an All Wales approach would be the inspection frequency or 90 days, whichever is the lesser for all non-emergency defects. Caerphilly officers agree with minimum timeframe of the inspection frequency but disagree with the maximum duration of 90 days. The current timeframe that Caerphilly works to for non-emergency defects is 28 days (which is the most frequent inspection timeframe). It is proposed that a relaxation of the challenging 28 days target be considered. Officers' recommendations are that a maximum intervention timeframe be set at 42 days for non-emergency defects.

Defect	Current Repair Timeframe	Proposed Repair Timeframe
Emergency	2 hrs or 24 hrs	2 hrs or 24 hrs
Non-Emergency	28 days	28 days for monthly inspections 42 days for all other inspections

## 5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in paragraph 3.1. It is consistent in all of the five ways of working as defined within the sustainable development principle in the Act that it supports:
- 5.1.1 **Long-term** - The HMP provides long term resourcing and asset management solutions of this specialised service and allows for more effective and predictable resource/financial/carbon reduction commitments going forward.
- 5.1.2 **Integration** - A well maintained highway forms part of an overall strategy providing efficient integration of local roads to regional transport systems.
- 5.1.3 **Involvement** – In development of the document input has been received from Risk and Insurance Management and Legal Services to ensure that the approach proposed has a robust legal standing, is compliant with relevant legislation and can be fully relied upon as the authorities defence for any possible claims/litigation.

- 5.1.4 **Collaboration** – The HMP is based upon a collaborative approach in which all 22 Welsh authorities were consulted. It not only brings internal departments together to deliver effective maintenance regimes across the authority over the medium and long term, but also promotes discussion and agreement with neighbouring authorities on cross border issues to ensure network users' needs are considered.
- 5.1.5 **Prevention** - The inspection regimes detailed will ensure the assets are regularly maintained and safe for use. Inspections will also provide early intervention data to allow future maintenance programmes to be developed thus preventing unnecessary deterioration of the network and timely proactive responses allowing a more efficient use of finite budgets.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 An EIA screening has been completed in accordance with the Council's Strategic Equality Plan and supplementary guidance. No potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EIA has not been carried out.
- 6.2 The Road Maintenance Manual will benefit the vulnerable, young and elderly, by ensuring the infrastructure on which other services depend (including emergency services), remains robust throughout the year.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 The Highway Operations budget currently funds this statutory provision/service. The value of the current budget is £7,532,365.
- 7.2 The expenditure of this budget is regularly reviewed, as it represents (along with Winter Maintenance) the most responsive, mandatory part of the service and is subject to the day-to-day incidents and unexpected circumstances. So far, with careful financial accounting and managing these variable factors, the Highway Operations budget has been balanced at financial year end.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 There are no direct personnel implications from this report.

## **9. CONSULTATIONS**

- 9.1 All comments received have been taken into consideration and are included in the report.

## **10. RECOMMENDATIONS**

- 10.1 For Scrutiny Members to comment on the content of the HMP, considering the key issues of adopting a risk based approach in accordance with new Code of Practice prior to presentation to Cabinet for consideration and to support the use of this methodology for future highway maintenance activities.
- 10.2 It is recommended that members support the changes already identified for the network inspection as highlighted in Appendix 2.
- 10.3 It is further recommended that members support the proposal identified in 4.12 to amend the timeframe for repair of non-emergency defects. The timeframe for repair of emergency defects is proposed to remain unchanged.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 The proposed Highway Maintenance Plan has been developed in accordance with the new Code of Practice 'Well-Managed Highway Infrastructure' and should be adopted by Highway Authorities as best practice guidance.

## **12. STATUTORY POWER**

- 12.1 Highway Act 1980.
- 12.2 Flooding & Water Management Act 2010.
- 12.3 Well-being of Future Generations (Wales) Act 2015.

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Anwen Cullinane – Senior Policy Officer – Equalities and Welsh Language  
Chris Adams – Acting Highways Operations Group Manager  
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Sue Ruddock – Insurance and Risk Manager  
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### Background Papers:

Well-Managed Highway Infrastructure - A Code of Practice October 2016

### Appendices:

- Appendix 1 Highway Maintenance Plan  
Appendix 2 ACOP Hierarchy Reviews 2018  
Appendix 3 Defect Intervention Levels