

Decision maker	Cabinet member: transport and roads
Decision date:	24 October 2016
Title of report:	Highways maintenance plan
Report by:	Head of highways and traffic manager

Classification

Open

Key Decision

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates.

NOTICE has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Wards Affected

Countywide

Purpose

To approve the draft highways maintenance plan with a view to replacing the existing highways maintenance plan first published in 2007

Recommendation(s)

THAT:

- (a) **the draft highways maintenance plan is approved and adopted**

Alternative options

- 1 None, the current plan is out of date and requires updating to reflect national guidance.

Reasons for recommendations

- 2 Given the age of the current highways maintenance plan (HMP) there are a number of reasons for progressing with an update replacement plan;

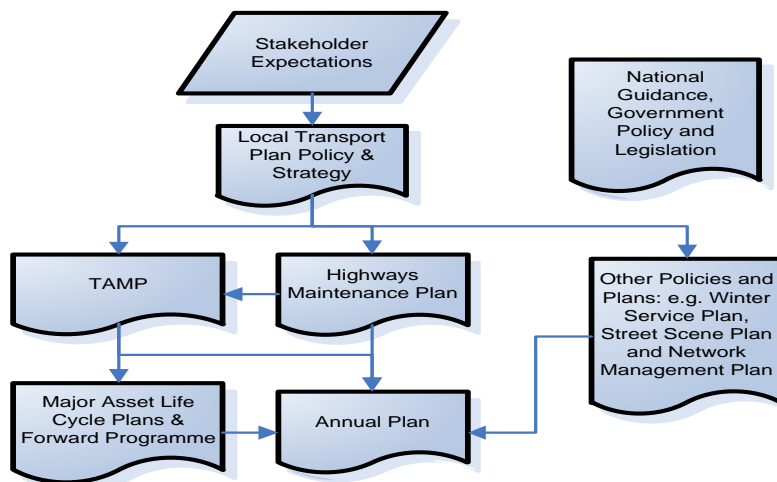
- to ensure that the council's policies for setting out how it will maintain the highway network are in line with national guidance and best practice including a move to further develop the risk management based approach to treating defects and to further focus our transport asset management led approach to investing in the network;
- to ensure that our approach to maintaining the highway network supports the council's wider corporate plan objectives including economic growth and helps integrates well with important local strategies such as the core strategy, local transport plan and the emerging economic masterplan; and
- to reflect the development of policies and processes which have been progressed to secure efficiencies and ongoing savings from spend associated with highways maintenance whilst demonstrating that the council will continue to meet its statutory responsibilities.

Key considerations

Background

- 3 The core purpose of the plan is to set out the reasonable system of inspection and repair that will be deployed by the council to ensure that it meets its duty to maintain all publically maintainable highways for which the council is the highway authority.
- 4 This HMP sets out the operational policy enabling the council to meet the duty to maintain the highway (section 41, highways act 1980) and where there is a breach of the absolute duty to maintain to enable the council to make use of the defence available to it under section 58 of highway act 1980 through a reasonable system of inspection and repair (section 58 of the highways act 1980), whilst delivering on the wider objectives across all assets, as expressed through the LTP, transport asset management plan, TAMP, and other related policies and plans.
- 5 The plan outlines the council's approach to maintaining all elements of the network , these include
 - a. defining network hierarchies.
 - b. public rights of way network
 - c. structures
 - d. highway drainage and flood assets
 - e. new roads and street works act 1991 and traffic management act 2004
 - f. adoption of highway infrastructure
 - g. licensing
 - h. winter service and other emergencies
 - i. street lighting, signals and signs
 - j. road markings and studs

- k. skid resistance
 - l. Safety barriers and fences
 - m. trees, shrubs and hedges
 - n. verges and highway vegetation
- 6 The objective of the HMP is to guide and prioritise maintenance according to the risk posed to the highway user now and over time through the long term integrity of the highway structure.
- 7 The plan is founded on principles of best value and emphasises the asset management approach.
- 8 This highway maintenance plan sits alongside the TAMP, which details the mechanisms that will be deployed as we work, in line with the asset management strategy, towards attaining the council's objectives all as expressed in the LTP.
- 9 The links between the various documents are outlined in the diagram below;



- 10 The code of practice is founded upon the principles of best value and emphasise the use of an asset management approach to highway maintenance. The intention of the incoming code 'well-managed highway infrastructure' is that authorities will develop their own levels of service through a local, risk-based, approach. This HMP does just that and has been developed in conjunction with Herefordshire's LTP and in particular the asset management policy and strategy that is detailed in that plan.
- 11 Following the input from national colleagues, one of the most significant issues has been regarding developing a risk based approach and how it could be adopted by highways authorities. Department for Transport have been working on these matters and guidance on how best to adopt these changes. Unfortunately the publication of the revised codes has been delayed.
- 12 Through the application of a risk based assessment model, comparing the current and the proposed repair times, the plan adopts a risk based approach to both inspection and repair. This has resulted in amended periods for the repair of defects. For example, category 1 defects identified on A and B Roads & Prestige Footways will continue to be responded to by end of the following day. At all other locations,

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category 1 defects will be responded to within 7 days. This approach will, wherever practicable, enable a right-first-time approach to permanent repairs that will reduce the risk to the travelling public in the longer term and also result in a reduction in:

- The use of resources on repeat safety repairs;
- The exposure of the workforce to danger;
- Disruption and overall risk to the highway users; and,
- Environmental impact.

13 The categories of the defects and the proposed repair times can be found in table 1 below.

Table 1: Risk assessment matrix, defect categories and response times.

Probability	Very low	Low	Medium	High
Impact				
Negligible	1	2	3	4
Low	2	4	6	8
Moderate	3	6	9	12
High	4	8	12	16
Category	Cat 2C	Cat 2B	Cat 2A	Cat 1
Response Minimum Time Frame	Consider for Forward Programme	2 months	28 days	A&B Roads & Prestige Footways: by end of the following day All other locations: 7 days

Proposed Changes

- 28 Move to a more developed risk based approach, in dealing with defects found on the network.
- 29 This HMP details our developed (risk based), approach to highway maintenance activities. The risk based approach to inspection and repair is widely seen as best practice in the highway sector. The approach is something that was outlined in the previous version and the proposed new HMP reflects our developing thinking in the approach we take.
- 30 The purpose of the RBA is to ensure the consistent application of a decision making process to;
- correctly evaluate the risk posed to highway users by all defects or

- deficiencies in the highway asset;
 - prioritise resources so that the risk is managed effectively;
 - ensure the efficient use of available resources;
 - understand performance and address any gaps in resources or performance;
 - ensure value for money; and,
 - enable monitoring of outcomes
- 31 This means that some defect will not be repaired for up to 2 months if they pose a low risk.
- 32 Consideration will be given to the environmental impact of materials, treatment selection and construction techniques used in the delivery of highway maintenance.
- 33 A more robust and detailed understanding of inventories of the various components of the highways assets will be attained by adopting the processes outlined in the HMP. These inventories and the systems they are held within will enable performance monitoring and reporting to key decision makers and network users. The data will also inform the RBA as outlined in earlier sections of this report.
- 34 For all major highways asset groups, (carriageways, footways, structures, drainage, lighting and signals), an asset management approach will be utilised to determine the most appropriate interventions from a type and timing perspective. This approach presents better value for money, minimizes disruption to the travelling public and is the most effective means of maintaining the overall condition of the asset throughout its lifecycle.
- 35 The delivery of highway maintenance is undertaken by BBLP. The works and services required to deliver the services outlined in the HMP are to be detailed in each year's annual plan. The annual plan will confirm any specific levels of service over and above the minimum levels outlined in the annual plan. The required resources to delivery these levels of service will be outlined in each year's annual plan.
- 36 The current skid resistance policy will be updated and adopted to reflect the latest advice "Highways Agency Standard HD 28/15". The policy is as outlined in appendix 11 of the HMP

Links to other key documents;

- 37 The council's policies related to highway assets are detailed in the current version of the LTP. The HMP details the minimum levels of service that arise from the council's duty to maintain the highway.
- 38 The TAMP details the methodology that will be used to achieve LTP policy objectives.
- 39 A forward plan and series of annual plans will detail the specific activities that will be undertaken over time. The annual plans will detail the resources assigned to achieve these objectives.

Community impact

- 40 The plan will improve the quality of maintenance within the available resources.
- 41 Defect repairs will be programmed and the proportion of defects that receive a right first time fix will be increased.

Equality duty

- 42 Consideration has been given to the duty of the council and it is deemed to have no significant impact from an equalities perspective.

Financial implications

- 43 By adopting the highway maintenance plan the savings outlined in medium term financial plan will be enabled.

Legal implications

- 44 The Council, in its capacity as Highway Authority, has a statutory duty under Section 41 of the Highways Act 1980 to maintain highways for which it has responsibility and to keep them available and safe for the passage of the travelling public. Failure to maintain them may be grounds for civil claims for damages or, in extreme cases, prosecution of the Council or individual officers of the Council. Having a highways maintenance strategy and programme of works in place gives the Council the opportunity to raise a special defence under Section 58 of the Highways Act 1980 in an action against the Highway Authority for damages resulting from failure to maintain at highway maintainable at public expense. This is because it can be used to demonstrate that the Highway Authority had taken such care as in all the circumstances was reasonable required to make sure the highway was not dangerous to traffic. However, it should be noted that this defence cannot be used in the event works are carried out negligently or contractors are not properly instructed and their work supervised.
- 45 The Council's legal and insurance services and providers have been consulted on the risk based approach and are content with the approach.

Risk management

- 46 There is a potential for an initial increase in claims as the policy transitions from current to new proposal. This will be mitigated by ensuring that works will be carried out in line with the policy which will be defensible. The approach is in line with recommendations from national guidance and that which has successfully been developed with and adopted by other authorities.
- 47 Working with MSIG colleagues, a risk model has been developed for each defect category across all road classifications. That model demonstrates that the approach taken in the highway maintenance plan will reduce the risk to the travelling public when compared to the approach taken in the 2007 plan

Consultees

- 48 Cabinet member for transport and roads and general overview and scrutiny committee

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Appendices

Highways maintenance plan 2016

Background papers

- None identified