

<b>Mr Roger Elkins, Cabinet Member for Highways and Infrastructure</b>	<b>Ref No: H&amp;I 11 19/20</b>
<b>July 2019</b>	<b>Key Decision: Yes</b>
<b>Highways, Transport and Planning Service Area Review &amp; Highway Maintenance Infrastructure Plan</b>	<b>Part I</b>
<b>Report by Executive Director Place Services and Director of Highways, Transport and Planning</b>	<b>Electoral Divisions: All</b>
<p><b>Summary</b></p> <p>The County Council, in its capacity as Highway Authority, has a duty to maintain the highway under Section 41(1) of the Highways Act 1980. However, the Act does not specify the levels of service required, in order to meet that duty. In previous years an annual Highway Maintenance Plan has been produced which detailed the highway maintenance service levels customers could expect to receive.</p> <p>A document named "Well-managed Highway Infrastructure" was published in October 2016, replacing "Well-maintained Highways", "Management of Highway Structures" and "Well-lit Highways". Like its predecessors, "Well-managed Highway Infrastructure" is a national, non-statutory code of practice which sets out a series of general principles for highway maintenance. It is endorsed and recommended by the Department for Transport and its production has been overseen by the UK Roads Liaison Group (UKRLG) and its Roads, Bridges and Lighting Boards.</p> <p>In order to demonstrate that the County Council complies with the principles of "Well-managed Highway Infrastructure" a robust decision-making process, an understanding of the consequences of those decisions, and how the associated risks are managed to ensure highway safety must be demonstrated. As part of that process, a new Highway Infrastructure Maintenance Plan needs to be produced, which clearly lays out the levels of service customers may expect, and which integrates with a revised "Safety Plus" inspection manual. "Safety Plus" is a formalised system of highway inspections which ensures highway inspections are carried out and any safety defects identified and repaired within prescribed timescales.</p> <p>A new Highway Infrastructure Maintenance Plan (attached as an Appendix) is proposed to meet this objective.</p>	
<p><b>West Sussex Plan: Policy Impact and Context</b></p> <p>The proposal supports the prosperous place priority in the West Sussex Plan. The provision of a Highway Infrastructure Maintenance Plan, with clearly defined customer service levels, will help manage customer expectations. A well-managed highway network will help to support local businesses and communities by ensuring safe, reliable, and consistent journey times.</p>	
<p><b>Financial Impact</b></p> <p>Any revision to service levels will be designed with sufficient flexibility to contain expenditure within projected budgets when the new highways contract(s) commence. The estimated annual value of the revenue works services affected by this decision is £8.707m.</p>	

## **Recommendations**

That the Cabinet Member for Highways and Infrastructure approves a new Highway Infrastructure Maintenance Plan (see Appendix) including a review of service levels currently delivered and which details the revised service level for revenue works.

### **PROPOSAL**

#### **1. Background and Context**

- 1.1. The County Council, in its capacity as Highway Authority, has a duty to maintain the highway under Section 41(1) of the Highways Act 1980. However, the Act does not specify the levels of service required, in order to meet that duty.
- 1.2. A document named "Well-managed Highway Infrastructure" was published in October 2016, replacing "Well-maintained Highways", "Management of Highway Structures" and "Well-lit Highways". Like its predecessors, "Well-managed Highway Infrastructure" is a national, non-statutory code of practice which sets out a series of general principles for highway maintenance.
- 1.3. There are no prescriptive or minimum standards in the Code. Adoption of a risk based approach, taking account of the advice in the Code, will enable this authority to establish and implement levels of service appropriate to local circumstances. The Code of Practice is endorsed and recommended by the Department for Transport and its production has been overseen by the UK Roads Liaison Group (UKRLG) and its Roads, Bridges and Lighting Boards.
- 1.4. In order to demonstrate that the County Council complies with the principles of "Well-managed Highway Infrastructure" a robust decision-making process, an understanding of the consequences of those decisions, and how the associated risks are managed to ensure highway safety must be demonstrated. As part of that process, a new Highway Infrastructure Maintenance Plan needs to be produced, which clearly lays out the levels of service customers may expect, and which integrates with a revised "Safety Plus" inspection manual. "Safety Plus" is a formalised system of highway inspections which ensures highway inspections are carried out and any safety defects identified and repaired within prescribed timescales.
- 1.5. Highway maintenance contributes in varying degrees to the core objectives of safety, customer service, sustainability and serviceability. Levels of service and delivery arrangements need to be established having regard to these objectives and be focussed on outcomes, rather than on inputs mainly related to maintenance type.
- 1.6. Delivery of a safe and well maintained highway network relies on good evidence and sound engineering judgement. The new Highway Infrastructure Maintenance Plan demonstrates how the Highways, Transport and Planning Service in West Sussex will develop levels of service in accordance with local needs, priorities and affordability.

#### **2. Proposal Details**

- 1.7. A new Highway Infrastructure Maintenance Plan (Appendix 1) has been produced, which clearly lays out the levels of service customers may expect,

integrates with a revised "Safety Plus" inspection manual, and explains how the County Council meets its statutory duty to maintain the highway.

- 1.8. The Highway Infrastructure Maintenance Plan demonstrates that the County Council complies with the principles of the Code of Practice, sets out the service levels that can be expected by customers, and explains the risk based rationale behind the setting of those service levels.
- 1.9. The Highway Infrastructure Maintenance Plan has a key role to play in determining affordable service levels and in ensuring that the service continues to be delivered to the required quality at an affordable cost. The overriding principle behind the plan is to ensure the safety of the highway, and any proposed changes to service levels have been risk assessed, with safety being the first factor evaluated.
- 1.10. Proposed changes to service levels are summarised in the table below.

<b>Analysis Topic</b>	<b>Service Level Variation</b>	<b>Change to Service Standard</b>
Safety Plus	No change in service levels	
Highway Condition Surveys	No change in service levels	
Drainage Management	No change in service levels	Better use of data to empty gullies only when required. Efficiency Saving.
Highway Trees	More safety driven	Risk based approach to tree investigations and prolonging the cyclical pollarding frequency
Pedestrian Guardrail	More safety driven	Reactive repairs only in approximately 40 locations each year.
Highway Structures	More risk based approach	Cyclic programmes of general and preventative maintenance reduced.
Traffic Systems	No change in service levels	
Winter Maintenance	Revised risk based policy aligned with neighbouring authorities	Reduction of Precautionary Salting network from 1804kms (41% of the network) to 1232kms (28% of the network) to only include: Major Road Network (P1) and other Primary routes and County distributors (P2).
Vegetation Management	Reduced Service Levels to redirect resources to safety based maintenance, take account of the council's recently agreed Pollinator Action Plan, and seek to reduce the	Reduction of urban grass cuts from 7 to 5. Reduction of rural grass cutting from two 1m swath cuts and one full cut to one 1m swath cut and one full cut. Reduction of weed spraying to selected targeted areas. Annual hedge cutting

	use of Glyphosate products	programme reduced to two year cycle.
Graffiti	No change in service levels	As levels of graffiti have decreased there will be minor reductions in contributions to third parties
Signs, Bollards & Road Markings	Reduced Service Levels to redirect resources to safety and regulatory based maintenance	Prioritise replacement of regulatory signs (e.g. give way signs). Prioritise replacement of safety orientated markings and regulatory lining in CPZs.

## FACTORS TAKEN INTO ACCOUNT

### 3. Consultation

- 3.1 The Executive Director of Place Services, the Director of Finance and Support Services and the Director of Law and Assurance have been consulted. The Environment, Communities and Fire Select Committee considered the proposals at its meeting on 20 June 2019 and noted that the strategies outlined in the Highway Maintenance Infrastructure Plan should help inform future financial planning.
- 3.2 The Committee also recommended a robust communication plan publicising changing service levels, explaining riparian responsibilities to landowners, and seeking to enhance partnership working with District, Town and Parish Councils. A communications strategy will be developed to support deployment of the Highway Maintenance Infrastructure Plan.

### 4. Financial and Resource Implications

The Highways Maintenance Revenue Budget for 2019/20 approved by Full Council in February 2019 is £8.707m. Any revision to service levels will be designed with sufficient flexibility to contain expenditure within budget.

	2019/20	2020/21	2021/22	2022/23	Total
	£m	£m	£m	£m	£m
Revenue Works Budget	8.707	8.707	8.707	8.707	34.828
Change From Proposal	0.000	0.000	0.000	0.000	0.000
Remaining Budget	8.707	8.707	8.707	8.707	34.828

### 5. Legal Implications

- 1.11. Highway authorities have certain legal obligations with which they need to comply, and which may be the subject of claims for loss or personal injury, or of legal action by those seeking to establish poor or non-compliant activities by highway authorities. In such cases the principles of the "Well-managed Highway Infrastructure" Code of Practice may be a relevant consideration.
- 1.12. Where this authority elects, in the light of local circumstances to adopt policies or approaches different from those suggested by the Code of Practice, it is essential that they are identified, together with the reasoning for such differences, approved by the Cabinet Member for Highways and Infrastructure

and published. This proposal adopts the risk based approach recommended by the Code of Practice and does not recommend policies or approaches different to those suggested by the Code of Practice.

## **6. Risk Assessment Implications and Mitigations**

The risk of not reviewing and implementing revised service levels using an affordable risk based approach, and publishing a Highway Infrastructure Maintenance Plan laying out those service levels, is that the County Council's statutory duty to maintain the highway under Section 41(1) of the Highways Act 1980 will not be met.

## **7. Other Options Considered**

Service level analyses have been completed, which considered a number of alternative levels of service for different work types, against the available budget. The findings of these service level analyses are laid out in the appendices to the Highway Infrastructure Maintenance Plan.

## **8. Equality and Human Rights Assessment**

The public sector equality duty will apply to the delivery of the services which fall within the service area review. The potential to disadvantage accessibility for disabled or other vulnerable road users with protected characteristics has been assessed against each service level option as one of the four key factors considered when evaluating risk. This will ensure that the County Council is able to fulfil its obligations, through the delivery of the services, and provide sufficient assurance that the duty will be complied with. The proposal has no implications under the Human Rights Act 1998.

## **9. Social Value and Sustainability Assessment**

The proposal has no implications to the Council's duty under the Public Services (Social Value) Act 2012.

## **10. Crime and Disorder Reduction Assessment**

There are no foreseeable crime and disorder implications to this proposal.

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## **Appendix**

Appendix – Draft Highway Infrastructure Maintenance Plan

## **Background papers**

None