

**30 January 2020****Agenda Item: 6**

## **REPORT OF CORPORATE DIRECTOR, PLACE**

### **HIGHWAYS DRAINAGE**

#### **Purpose of the Report**

1. Review the information contained in this report - and its accompanying presentation - and report its findings and recommendations to Communities and Place Committee in due course, for further consideration.

#### **Information**

2. This report is accompanied by a presentation which will provide Members with further information and details about each of the topics discussed below.
3. The presentation will also refer to national and local specifications for the design of Highway drainage, this includes:
4.
  - **The Design Manual for Roads and Bridges (DMRB)** - The DMRB was introduced in 1992 in England and Wales, and later in Scotland and Northern Ireland. It includes all current standards, advice notes and other documents relating to the design, assessment and operation of trunk roads, including motorways.
  - **The Nottinghamshire Highway Design Guide (NHGD)** – This document is produced by the Authority itself, its purpose is to provide developers with guidance to design estate roads to adoptable standards.
5. Section 41 of the Highways Act 1980 places a duty on the County Council to maintain the highway in a reasonably safe condition so that it is reasonably passable by ordinary traffic during all seasons of the year. Highway drainage is an integral part of the highway network and must be maintained in the interests of safety, serviceability and sustainability.
6. Members should also be aware that the Council is a Lead Local Flood Authority (LLFA) and has powers and statutory duties to manage and co-ordinate local flood risk management activities. The County Council does this by working together with other organisations including the Environment Agency, who manage flooding from generally larger rivers known as Main Rivers, such as the River Trent; Internal Drainage Boards managing low lying areas; District, Borough, Parish and Town Councils; and infrastructure/ utility providers, such as Severn Trent Water and the Highways Agency.

7. This report is not intended to cover the County Council's work as a Lead Local Flood Authority. Flooding which effects housing and other area of land falls outside of the scope of this report.
8. This report is especially timely given that in 2019 Nottinghamshire experienced its wettest Autumn since records began.

### **The County Council's Highway Drainage Policy**

9. The County Council's policy for Highway drainage is set out in Section 5.12.12 of its *Highway Network Management Plan* and are as follows:

Highway drainage systems will be provided, and a risk-based approach taken to maintenance to mitigate flooding or standing water on the highway and surface water within the road foundation or on carriageways, footways and cycleways.

Positive drainage will be encouraged for new highway schemes.

For highway drainage on residential developments, the use of soakaways/SUDS will only be permitted as an alternative to positive drainage systems where ground conditions are favourable. They will require special approval, which will involve the payment of a commuted sum and or S106 maintenance agreement.

### **Drainage Infrastructure**

10. Drainage Infrastructure refers to the actual physical assets themselves that are present in the Highway for the purposes of Highway drainage.
11. The presentation will address the following:
  - Details of the types of drainage assets most frequently observed in the Highway, including ownership.
  - The design of these drainage assets
  - Limitations and common misconceptions associated with the different types of drainage assets.

### **Maintenance of Highway Drainage**

12. The County Council's drainage assets are designed to prevent water persistently accumulating in the highway, reducing the likelihood of vehicles aquaplaning or skidding on patches of ice during periods of cold weather. Standing water is also a major cause of highway deterioration and can result in the formation of potholes and structural defects.
13. The cleansing frequencies for the County Council's drainage infrastructure are specified in its *Highway Network management Plan* and are set out overleaf:
14. The presentation will address the following:
  - The delivery of cyclic gully cleansing by Via EM Ltd.'s subcontractor (ACL).
  - Via EM Ltd.'s own resources for undertaking other Highway drainage maintenance activities.
  - How Via EM Ltd. responds to highway drainage related enquiries.

- Typical remedial works required to rectify Highway drainage defects.
- The identification of Highway drainage capital schemes.
- Via EM Ltd.'s arrangements for dealing with flooding events.
- The funding available for the maintenance of Highway drainage.

### Drainage cleansing frequencies specified in the Highway Network Management Plan

Item	Frequency	Notes
Gullies and kerb offlets	Inspected during service inspection	Over the initial 3 year period of the Term Maintenance Contract the Contractor shall use the information initially provided by the Authority, supported by the information obtained by the Contractor during gully cleansing operations, to create a programme of gully cleansing based upon actual need for gully cleansing for the remainder of the term of the Contract. *
Grips	Inspected during service inspection	Cleared as required following inspection.
Highway Ditches	Risk based approach to inspection	Cleared as required after inspection.
Piped Drainage	Risk based approach to inspection	Cleaned/jetted as required. Problem areas should be identified with a view to remedial works.
Culverts, Manholes, Catchpits, Soakaways, Grips, SUDS	Risk based approach to inspection	Cleaned/jetted as required.

(\* The initial 3-year data collection period is now complete and gully emptying is in its second two-year targeted cleansing cycle)

### The Role of Other Organisations and Individuals.

15. The County Council is dependent upon other organisations and individuals for the eventual discharge of highway water into rivers, water courses and ditches. If this other infrastructure becomes compromised - *either because of inundation by other sources of surface water or because of inadequate maintenance* – then the County Council's drainage infrastructure will also fail to operate effectively.

16. The presentation will address the following:

- The role of the Environment Agency (EA), Internal Drainage Boards (IDBs) etc.
- The role of Water Companies i.e. Severn Trent Water.
- The riparian duties which are associated with owning land incorporating a ditch which drains any part of the Highway.
- Damage caused to the County Council's drainage infrastructure by the installation of apparatus by statutory undertakers.
- The duty of motorists to drive their vehicles in a manner commensurate to the prevailing conditions.

### **Other Options Considered**

7. The option to not maintain Highway drainage is not possible due to other duties under the Highways Act.

### **Statutory and Policy Implications**

8. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Financial Implications**

9. The financial implications of this report will be dependent upon the findings and recommendations of the Committee. Any findings may form future recommendations to the Communities and Place Committee.

### **Implications for Sustainability and the Environment**

10. The implications for sustainability and the environment are set out in the report and will be discussed during the presentation.

## **RECOMMENDATION/S**

It is recommended that Committee:

- 1) Review the information contained in this report - *and its accompanying presentation* - and propose recommendations which will be subject to a further report for this committee to consider when it meets in March 2020.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Martin Carnaffin – Contract Manager  
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## **Constitutional Comments (SJE 09/12/2019)**

11. This decision falls within the Terms of Reference of the Communities & Place Review & Development Committee to whom responsibility for the review and development of all functions falling under the remit of the Authority's Communities & Place Committee, including the maintenance of highways, has been delegated.

## **Financial Comments [RWK 09/12/2019]**

12. There are no specific financial implications arising directly from the report. The financial implications of any findings and recommendations to Communities and Place Committee will be addressed in future reports to that Committee.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Nottinghamshire County Council's Highway Network Management Plan
- Nottinghamshire Highway Design Guide
- Design Manual for Roads & Bridges  
<http://www.standardsforhighways.co.uk/ha/standards/index.htm>

## **Electoral Division(s) and Member(s) Affected**

- All