

17 November 2021**Agenda Item:5****REPORT OF THE CORPORATE DIRECTOR, PLACE****HIGHWAYS REVIEW****Purpose of the Report**

1. The purpose of this report is to:
 - Update Committee on the highway services review which has been taking place following on from the motion agreed at Full Council on 27th May 2021
 - Set out the outputs from the review for consideration at this committee
 - Seek approval for the recommended actions from the review, and to recommend to Policy Committee that the actions arising from the review are delivered through a Highways Improvement Plan with continuing monitoring from the Highways Review Panel and continued external support and challenge.

Information

2. The Transport and Environment Committee of 15th June 2021 agreed to the commencement of a cross-party highway review. A summary of the agreed scope of the review (included at Appendix A) is set out below:
 - Review of relative performance against national and Council metrics.
 - Practice, policy and guidance
 - Capital maintenance programme including funding allocation methodologies across the County for the annual capital maintenance repair methods, use of technology and innovation.
 - Revenue maintenance programme - highway and associated footway repair treatment - include review of the use of Viafix and use of technology and innovation.
 - Utility works – including coordination, traffic management and damage to infrastructure
 - Work quality and value for money - review processes to ensure good quality work and value for money is delivered
 - Performance management - review of performance management arrangements and contract management of Via
 - Communications
 - Drainage, Tree Maintenance and Verge Maintenance
 - Functions and Leadership – including review of functional split between NCC and Via
3. A cross party highways review panel was established to oversee and direct the review. Its membership comprises:
 - Cllr Neil Clarke OBE (Chairman)

- Cllr John Ogle
- Cllr Nigel Turner
- Cllr Sam Smith
- Cllr Tom Hollis
- Cllr Penny Gowland
- Cllr Maureen Dobson

Cllr David Martin, Cllr Bruce Laughton and Cllr Matt Barney also participated in some meetings of the review panel as substitutes for panel members who were unable to attend individual meetings.

4. The first meeting of the review panel took place on 14th July, with the second meeting involving practical demonstrations taking place at Bilsthorpe Depot on 23rd July. The third and fourth meetings of the panel took place on 3rd Sept and 5th October, with the focus on potential improvements to approaches to road and footway maintenance, as well as drainage. The fifth panel meeting took place on 20th October, and covered utility works and neighbourhood scene maintenance (verge and tree maintenance), as well as considering the outputs of the review overall.
5. At the 20th October panel, Members were able to bring together the knowledge and inputs from the following:
 - The 5 cross-party panel meetings.
 - 3 additional “fact finding” panel meetings with highways lead members and officers from Derbyshire, Staffordshire, and Hertfordshire County Councils.
 - The outcomes from an LGA Peer Review of highways services, conducted between 21-23 September, and involving members and officers from Kent, Cumbria, Oxfordshire, Warwickshire, and Wiltshire County Councils. The focus of the Peer Review was to consider the progress made and emerging outputs from the highways review work. A significant part of the LGA Review was interviews with stakeholders including Councillors and external partners. In total 40 people were interviewed as part of the LGA review and information was gathered from 33 meetings, with a total of 230 hours spent to determine the Review findings. This work complemented the call for evidence issued to all County Councillors.
 - WSP, an international highways and engineering consultancy, were engaged to provide external sector expertise and input into the review. WSP has many years’ experience of working in the highways sector and currently has clients in over 20 highway authorities providing guidance and support on highways reviews and highway asset management and maintenance practice. Matthew Lugg, the lead consultant, has gathered evidence from Councilors and officers to inform his work.
 - Knowledge from recent Future Highways Research Group membership
6. This report sets out the key issues identified by the work of the panel and the recommendations it has agreed. The report also articulates how delivery of these recommendations will make a difference to residents of Nottinghamshire. Finally, the report sets out how the recommendations arising from the review can best be delivered through an integrated Highways Improvement Plan and sets out the next steps for implementation.

Key Issues and current situation

7. At the 20th October panel, Members agreed a summary of the key findings and highways issues facing Nottinghamshire:

- Whilst the condition of the County's A and B/C roads is good and stable, with the standard of these roads being in the top quartile of all Counties, the unclassified network condition requires improvement. Here, the overall standard of these roads sits within the third quartile of all Counties.
 - Overall national funding levels for highway maintenance have fallen by 40%+ over the last decade. As a result, the long-term deterioration of the condition of roads is an issue for all local authorities. In Nottinghamshire, the backlog of works required to fully address this long-term deterioration would be in the region of £150m.
 - Nottinghamshire faces similar issues in terms of funding, road condition and public perception as other county areas. A particular local factor, however, is the use of Viafix and current practice around pothole/patching repairs.
 - The Council's highways policy framework is sound overall. However, some aspects of it require updating, including the provision of greater clarity on the funding allocation model in use, and the development of a refreshed approach to asset management that reflects national best practice.
 - The current approach to capital/revenue highways programming – based around one-year plans for each - is a barrier to long term planning.
 - The establishment and development of Via as the Council's highways service provider and contractor is seen as a positive vehicle for service delivery overall. However, with the Via contract at its midpoint, and with Via now in the ownership of the Council, there are opportunities to improve and refine the arrangement to benefit highways and residents.
8. This situation analysis informed the detailed recommendations of the panel, which are set out below, and which have been critically informed by the inputs from the Peer Review, other local authorities and WSP. They were agreed by the review panel at its meeting on 20th October.

Panel Recommendations

Summary

9. The recommendations set out in this section can be summarised as follows:

We will:

- *Move to a right first-time approach to our highway maintenance and reduce the need to use reactive short-term maintenance.*
- *Recognise that prevention is better than cure and that whole street approaches are desirable.*
- *Publish a longer-term programme of capital works to support our ability to plan for the long term and keep residents well informed about this.*
- *Maintain our overall network condition and seek to improve it within financial constraints, whilst prioritising local roads (the unclassified network) alongside our footways wherever possible.*
- *Improve our communications, so that residents are better informed about our work, and understand our approaches.*
- *Improve our major capital programme management*
- *Increase our effectiveness and efficiency, maximising the return on our investment in highways by ensuring that our highways policies and strategy drive our maintenance priorities and treatments/techniques, alongside our increased use of innovation and technology.*

Detailed recommendations

10. The detailed recommendations of the Panel are set out in the following sections. In terms of external validation, each recommendation highlights where it corresponds to the input received through the Peer Review and/or WSP.

11. Vision, Strategy and Policy

We will:

- Develop a new Highways Strategy which will set out the highways service the Council wants and the quality/outcomes we require, within the context of the new Council Plan for 2021-31. The strategy will also set out clearly the scope of the Council's client/contractor relationship with Via (LGA and WSP).
- Refresh and update the current Highways Infrastructure Asset Management Plan and Policy, and the Network Management Plan, to reflect the latest national policy, the changed way in which people are living their lives (such as undertaking more active travel and prioritising actions to address the climate emergency), and key contemporary issues such as highways flooding and drainage. This update should incorporate a clear highway maintenance funding allocation model, which will be based upon highway condition criteria. The model should also recognise the need to prioritise the unclassified network, and the differing maintenance needs within the unclassified network (across urban roads, for example) (LGA and WSP).
- Embed a "right repair, right first time" approach in our Asset Management Plan and Policy, and Network Management Plan (LGA and WSP).

12. Capital Maintenance Programme

We will:

- Introduce a three-year rolling capital programme to support long term planning, scheduling and delivery (LGA and WSP).
- We will continue the annual member request process (WSP).
- Develop and implement a formal "cross asset" prioritisation process to improve targeting of investment and maintenance treatments for all highways assets including drainage. Within this, we will incorporate the prioritisation of footways and the prioritisation of the unclassified network (with weighting to reflect both highway hierarchy and condition) (LGA and WSP).
- Optimise the application of in-situ recycling on capital maintenance works, adopting new and best practice as methods become proven in the market
- Work with Via to improve the management oversight and quality assurance of sub-contractors (LGA and WSP).

13. Revenue Maintenance Programme

We will:

- Move to a right repair, right first-time approach, and deliver permanent repairs whenever possible, to reflect the policy position set out in paragraph 11 above (LGA and WSP).
Within this context, we will:
 - continue to meet national timescales for Category 1 highway defects and acknowledge that this will require the continuing use of cold lay treatments similar

to Viafix in order to protect the safety of road users, whilst seeking permanent repair where possible (WSP).

- adopt a right repair, right first-time approach whilst remaining within standard response times for Category 2 and 3 highway defects (WSP).
- Ensure appropriate investment in early intervention/prevention treatments to extend the sustainable and effective life of the highway.
- Refresh the core specification for highways defect repairs to reflect the Asset Management/Network Management plans and policies, to ensure optimal treatment selection (WSP).
- Ensure that the refreshed specifications are set by the Council and are based around required outcomes rather than outputs (WSP).
- Ensure that the selection of highways plant by Via is based on these required outcomes, and the requirements of the move to longer term highway maintenance programming (WSP).
- Ensure that the revenue highways maintenance programme is better driven by data and evidence (WSP), including:
 - Use of insurance claim data;
 - Artificial intelligence and use of new video survey techniques;
 - real time highway survey data.

14. Operational Improvements – Via

To support the revised approach to capital and revenue funded highways maintenance programming set out in 12 and 13 above, Via will make the following operational improvements: -

- Introduction of an Operational Hub to better co-ordinate daily maintenance works and improve efficiency and productivity, and develop a “whole street” approach to highway maintenance (WSP).
- Revise its staff training programmes to strengthen focus on customer care, work quality and performance, and better use of IT, and strengthen training for highways operatives on patching techniques (LGA and WSP).
- Use of technology – Roll out mobile devices to patching teams to improve co-ordination and productivity.
- Invest in mechanised patching plant and equipment that will best deliver the Council’s required outcomes set out in 12 and 13 above (WSP). This will include continuing to seek out, test and trial new plant and techniques.

15. Drainage

In addition to core highways maintenance matters, the review panel explored current practice and opportunities for improvement in respect of highways drainage management and works. The panel’s recommendations are set out below.

We will:

- Increase the financial provision for drainage maintenance activity and works within the current overall highways funding provision.
- Establish through Via a comprehensive register of grip locations and deliver a planned periodic maintenance programme (WSP).
- Through Via, further develop the existing register of highway ditch locations and deliver a planned periodic maintenance programme (WSP).

- Through Via, establish a register of sensitive carrier drains and deliver a programme of planned inspections and cleaning (WSP)
- Through Via further develop the current register of other highway drainage assets (culverts, manholes, catchpits & SUDS (Sustainable Urban Drainage Systems)) and deliver a planned periodic maintenance programme (WSP).
- Through Via establish a planned priority programme of soakaway replacements.
- Utilise a proportion of income from the Permit Scheme income (see paragraph 17) to undertake enhanced inspections of utilities works that take place in the vicinity of drainage assets, strengthening our approach to third party damage recovery and prevention
- Update the MyNotts app to allow easier drainage issue reporting for residents.
- Strengthen our engagement with riparian owners to support better drainage maintenance by the relevant watercourse owners.
- Develop community-based approaches – with local community groups and Town/Parish Councils – to support local drainage maintenance activity that complements the work of the Council/Via.

16. Neighbourhood (Streetscene) Maintenance

In addition to core highways maintenance matters, the review panel explored current practice and opportunities for improvement in respect of neighbourhood/streetscene maintenance. The panel's recommendations are set out below.

We will:

- Undertake trials of reactive weed spraying in identified rural/urban locations where there is community support/interest.
- Collaborate further with District/Borough Councils to establish whether street sweeping regimes could be established to better manage highways weed growth and coordinate litter collection (WSP).
- Further investigate the use of alternative weed spraying treatments and regimes (with the proviso that there is currently little evidence of the long-term viability of current alternative treatments).
- Revise and re-establish a parish engagement/lengthsman scheme, ensuring that where it is implemented it is cost effective (WSP).
- Develop a community partnership plan for neighbourhood maintenance (WSP) that will incorporate:-
 - Opportunities and resources to encourage communities to engage in streetscene maintenance (for example, managing verges to promote wildlife or manually removing weeds in urban areas).
 - Opportunities for communities to participate in reduced weed spaying and grass cutting trials to test public appetite for different/reduced maintenance regimes
 - Reassess how budgets are deployed to increase the provision for streetscene maintenance (eg for tree planting, collecting grass cuttings or for the further roll out of weed removal works).

17. Street works and Utility Permit Schemes

In addition to core highways maintenance matters, the review panel explored current practice and opportunities for improvement in respect of street works and utility permit schemes. The panel's recommendations are set out below.

We will:

- Continue to implement and strengthen the street work management and permit scheme:
- Continue to analyse the most congested streets and peak travel times to inform and strengthen our permitting arrangements
- Continue to coordinate permits with different street works undertakers in locations and for schemes where there is public benefit
- Explore the potential for increased use of “service strips” in new developments, in partnership with local planning authorities.
- Monitor the approach to lane rental in other County Councils and commission a feasibility study for the introduction of a Nottinghamshire scheme once the permit scheme is fully embedded (2023/24)
- Continue the development of Street Manager software to support timely and efficient permitting.

18. Further strategic/organisational improvements

To support the improvement priorities outlined in paragraphs 11-17, the Panel has considered a range of opportunities for further strategic/organisational improvements to support better highways outcomes for residents. The particular areas explored were communications, performance management and the functional split between the Council and Via. The Panel's recommendations are set out in paragraphs 19-21.

19. Communications

We will:

- Move to a communications model that is led and directed by the Council to better support communication and engagement with residents – strategic, operational and campaigns.
- Consider whether this move will require the redirection of resources within the Council and Via.
- Develop and deliver a refreshed comms and engagement plan (LGA/WSP) to support the new model, including the development of a single revised Nottinghamshire Highways brand for all highways related activity. The plan will incorporate:-
 - Greater use of the MyNotts app and digital tools such as push notification
 - Better information for Members' related to highways activity in their wards.
 - The wider use of video explainers – with greater involvement of Members and operatives to better explain highways works
 - Improved correspondence (including web based automatically generated responses) approaches to reflect a more, personalised, and plain-English approach for residents with queries/concerns.
 - Closer links with community influencers such as Parish Councils, to ensure that communities are better informed about local works.
 - Updating and refreshing scheme information/signage to better promote the benefits of highways works.

20. Performance Management

We will:

- Move to a more outcomes based contractual model with Via – away from outputs towards measuring the things that matter and that contribute to resident-focused outcomes (LGA / WSP).
- Strengthen the Council's commissioning arrangements to support greater operational engagement with, and monitoring of, Via (LGA / WSP). Within this, consideration will be given to the potential need for additional resources.
- Unify and better co-ordinate the Council's commissioning arrangements with Via – Highways, Flood Risk, Property, Strategic infrastructure (LGA).
- Strengthen external contractor performance and quality control (by Via) through better procurement models and contract mechanisms for performance management (LGA/ WSP)
- Improve benchmarking arrangements to help drive performance and provide proof of value for money with visibility for Members and the public (WSP)

21. Functional Split and Leadership

We will:

- Undertake a detailed review of the division of responsibility between the Council and Via in key areas, including (LGA/WSP):-
 - policy and strategy,
 - core asset management and works/scheme/treatment prioritisation
 - major capital programme management
 - the interface with members and residents, including District Managers
- Ensure leadership arrangements in both the Council and Via reflect the outcomes of the Review and the revised roles of both organisations (LGA/WSP)

Highways Improvement Plan

22. In view of the volume, range, and scope of the panel's recommendations, it is intended to develop a detailed Highways Improvement Plan to support the successful delivery of the recommendations. The Plan will identify responsibility for delivery, sequencing and timelines, and the cost implications for individual actions. In order to develop and implement this significant piece of work, the support of an external partner will be required to provide additional technical expertise and continuing challenge.

23. As part of the development of the Highways Improvement Plan, it is intended to develop business cases for potential additional capital and revenue investment. Additional investment will be considered as part of the new operating model. Areas for consideration are likely to be capital spend on the unclassified network, footways and drainage, and revenue spend on mechanised patching, drainage works and verge/tree maintenance.

24. Monitoring of the Highways Improvement Plan will clearly be important, and it is intended for the cross-party panel to continue to meet on a quarterly basis to monitor the plan once it is in place, and report progress back to Committee. It is intended to draft the plan for consideration at a future meeting of the Transport and Environment Committee.

Other Options Considered

25. None

Reasons for Recommendations

26. These recommendations have been developed by a cross-party panel over a series of five meetings, with input from a significant LGA peer review and external input from sector experts WSP and form a comprehensive list of activities to now be shaped into a Highways Improvement Plan. From a resident perspective they are designed to improve the Council's highway maintenance offer and provide an opportunity to

- Move to a right first-time approach to highway maintenance and reduce the need to use reactive short-term maintenance
- Publish a longer-term programme of capital works to keep residents informed of future plans
- Maintain network condition and seek to improve it within financial constraints
- Prioritise local roads and footways
- Work with communities alongside improving communications, so that residents understand our approaches and are better informed about future plans
- Increase our effectiveness and efficiency, maximising return on investment by ensuring that our highways maintenance and management works are driven by our policies and strategy.

Statutory and Policy Implications

27. 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

28. Any financial implications arising from the review outcomes will be considered as part of the Highways Improvement Plan and reported to Committee.

Public Sector Equality Duty implications

29. Any public sector equality duty implications arising from the review will be considered as part of the Highways Improvement Plan and subsequent reports to Committee.

Implications for Sustainability and the Environment

30. Effective highway maintenance approaches can reduce congestion, its knock-on effects on air quality and its impacts on local communities. The recycling of materials and aggregates is also considered when delivering highways schemes. Any specific implications for sustainability and the environment will be considered as part of the Highways Improvement Plan and subsequent reports to Committee

RECOMMENDATIONS

It is recommended that:

1. Committee approves the improvement outcomes and recommendations from the cross-party highways review panel set out in this report.
2. Committee recommends to Policy Committee that a Highways Improvement Plan be developed to deliver the review recommendations, with the detailed Plan, and proposals for continuing external support, to be considered at a forthcoming Transport and Environment Committee.
3. Committee recommends to Policy Committee the continuation of the cross-party highways review panel to effectively monitor the progress of the Highways Improvement Plan.

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Constitutional Comments (SJE – 29/10/2021)

31. This decision falls within the Terms of Reference of the Transport & Environment Committee to whom responsibility for the exercise of the Authority's functions relating to the management and maintenance of highways and pavements has been delegated.

Financial Comments (SES 03.11.2021)

32. There are no specific financial implications arising directly from this report.
33. Any financial implications arising from the review outcomes will be considered as part of the Highways Improvement Plan and reported to 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.

- Reports to Transport and Environment Committee June to October 2021 – Highways Review

Electoral Division(s) and Member(s) Affected

- All

Appendix A

Appendix 1 Highways Review – Nottinghamshire County Council

Revised Scope July 2021 edited to include Utility Works at Item 5

Key lines of enquiry

1. **Context setting** – Review of relative performance against national and county council metrics, both financial and non-financial including NHT survey results, relative spend, condition indicators and maintenance backlog- to include a review of insurance costs and claims performance.
2. **Practice, Policy and Guidance** For the relevant key areas under consideration, a review to confirm that relevant NCC practice, policy and guidance fits within national policy, strategy, and guidance framework.
3. **Capital Maintenance Programme** – Review capital scheme selection processes and how funding is allocated across the County for the annual capital maintenance programme, to include repair methods, use of technology and innovation.
4. **Revenue Maintenance Programme** - Review highway and associated footway repair treatment selection processes and techniques to ensure right repair at the right time and value for money – to include review of the use of Viafix / insitu-recycling and consideration of longer lasting repairs, to include use of technology and innovation.
5. **Utility Works** – Review the County Council's approach to coordinating the activity of utility companies and its own work to avoid unnecessary abortive work and expenditure – including the Permit Scheme. Consider current practice around utility companies approaches to traffic management (road closures etc) and also the impact of utility works on highway assets especially drainage infrastructure.
6. **Work Quality and Value for Money** - Review of processes in place to ensure good quality work and value for money is delivered this to include review of performance management / programme management / quality testing of works / risk and issue controls and supply chain controls in Via.
7. **Performance Management** - Review of performance management arrangements, budget management and reporting and contract management of Via EM.
8. **Communication** - Review of internal and external highways communications, focussing on any areas of best practice from other Local Authorities, which could further enhance our communications approach. including a review of generic/tailored responses to resident and Member enquiries.
9. **Drainage, Tree Maintenance and Verge Maintenance** - Review of progress made to improve service provision and outcomes in the areas of drainage, tree maintenance and verge maintenance, focussing on any areas of best practice from other Local Authorities which could further enhance outcomes for residents.