

<b>Report to:</b>	Environment and Neighbourhood Committee	<b>Date:</b>	18 June 2015
<b>Report title:</b>	Release of Capital Funding for Highways Maintenance Programme 2015/16 and update on procurement of highways and lighting contracts		
<b>Report from:</b>	Mary Morrissey, Strategic Director – Environment, Housing and Regeneration		
<b>Ward/Areas affected:</b>	Borough Wide		
<b>Chair of Committee:</b>	Councillor Jill Whitehead		
<b>Author(s)/Contact Number(s):</b>	Davina Millership, Interim Head of Highways and Transport Tel. 020 8770 6657		
<b>Corporate Plan Priorities:</b>	A Fair Council – Building safe, strong and healthy communities, A Green Council and A Smarter Council.		
<b>Open/Exempt:</b>	Open		
<b>Signed:</b>		<b>Date:</b>	22 May 2015

## 1. Summary

- 1.1 The Planned Carriageway and Footway Maintenance Works Programme is drawn up to address the more important maintenance requirements of roads in the Borough through a prioritisation process and this report seeks approval to incur capital expenditure for the roll out of the programme in 2015/16.
- 1.2 The report also updates on progress regarding the re-procurement of the highways and street lighting contracts and the basis of the agreed extension of these existing contracts, as agreed at the January Environment and Neighbourhoods Committee.

## 2. Recommendations

The Environment and Neighbourhood Committee is recommended to:

- 2.1 Agree to incur capital expenditure for the 2015/16 Planned Carriageway and Footway Maintenance Programmes as outlined in 2012-2016 Capital Programme.

## 3. Background

- 3.1 A planned highway maintenance programme is drawn up each year for carriageways and footways.
- 3.2 All carriageways are prioritised using an agreed weighting assessment, which takes account of:
  - the overall condition
  - amount of revenue spend per road
  - whether they are bus routes/cycle routes
  - if there are any other schemes programmed to take place
  - usage/location
  - Feedback on condition from Councillors/members of the public.
- 3.3 Within this criterion, carriageways are given slightly higher weightings if they are requested by members, part of a cycle route, in poor condition or close to a high amenity area.

3.4 Maintenance works on footways are prioritised using an equal weighting assessment based on:

- overall condition,
- whether it is on a bus route
- Proximity to high amenity areas.

3.5 The maintenance programme is sent to all Public Utilities for consultation as required under the New Roads and Street Works Act (NRSWA) 1991. This allows the Utilities to give notice of their future planned works and provides an opportunity to co-ordinate works so that they are given an opportunity to do their works first prior to any work being carried out.

#### **4. Issues**

##### Considerations when prioritising the Planned Highways Maintenance Works Programme

4.1 Condition surveys are the key method of assessing whether a carriageway or footway needs maintenance. For carriageways, scanning equipment is used to identify structural defects and visual inspections. Visual inspections by both external surveyors and highway staff are used to assess the condition of footways.

4.2 Frequently concerns are raised regarding the condition of footways with officers because of their poor visual appearance. A concrete slab footway or carriageway may appear excessively cracked or a black top footway may appear extensively patched, although as long as they can be maintained free from trip hazards they are safe to use. Given the financial constraints on planned maintenance works, appearance alone will not justify replacement of surfacing materials.

4.3 The issue about how long a carriageway or footway was last resurfaced is also not itself a relevant consideration: the key factors are condition and safety. The life of individual roads and footways are dependent upon many factors including the original construction depth and type of materials used, level of usage, level of statutory undertakers/utilities disturbance, tree roots and age of construction.

4.4 The level of use of the highway plays an important role in prioritising locations for maintenance, both in terms of maximising the benefit and minimising the risk. The programme will prioritise locations that carry the highest volume of traffic (pedestrian/traffic) while considering routes to schools, stations and town centres.

4.5 As part of developing our schedules officers check if there are other council planned schemes or utility works which may affect the planned maintenance programme. This may result in maintenance being delayed if there is a clash of works.

4.6 Officers also take into account other planned transport scheme works where the road resurfacing or footway replacement could enhance the scheme and is needed. This ensures that there is a joined up approach to highways and transport works.

##### Update on extension of existing contracts

4.7 It was agreed at the January Environment and Neighbourhoods Committee that the existing planned and reactive highways maintenance contracts and the street lighting contracts be extended by a single year to allow for the re-procurement of these contracts.

- 4.8 The contract negotiations included a revision of the Key Performance Indicators (KPIs). The agreed KPIs and targets are as set out in Appendix C. The contracts also include a mechanism which allows recovery of set levels of “low performance” damages from the Contractor linked to the measurement of these agreed KPIs.
- 4.9 In the year of extension, Officers will ensure closer scrutiny of the contractors with regards to their programming of works on site, performance, workmanship and Health and Safety requirements.

Progress with on the re-procurement of contracts

- 4.10 Since the Environment and Neighbourhoods committee in January, the Public Procurement Regulations 2015 and the Construction (Design and Management) Regulations 2015 have come into force. There have also been published changes to the Specification for Highways Works by the Department of Transport. Also, whereas the existing contracts primarily address technical matters, officers are placing much more emphasis on the way in which works are planned and managed by both the Council and the appointed contractors.
- 4.11 The above have had an impact on the preparations for tendering, however, officers are confident that they can achieve the original objective to mobilise all three contracts by April 2016.

**5. Options Considered.**

- 5.1 A variety of planned maintenance methods can be used to carry out the works. In order to arrive at the most appropriate method, officers undertake a programme of coring to confirm the existing material type, depth and underlying construction materials. The final decision regarding the maintenance option could vary from shallow planning and resurfacing to full depth reconstruction.
- 5.2 The schedule of carriageways and footways identified for planned maintenance for 2015/16 is shown in Appendix A and B respectively following assessment against the criteria described in section 4.

**6. Impacts and Implications**

Financial

- 6.1 The capital allocations for planned maintenance in 2015/16 are:

Highways £'000s	Footways £'000's	Total £'000s
900	500	1,400

- 6.2 Over recent years, the Council has set aside capital resources for highways and pavement works through identification of an ongoing rolling programme. Agreement is needed from the Environment and Neighbourhood Committee to incur capital expenditure for the Planned Highways Maintenance Programme so that the schedule of works identified under Appendices A (Carriageways) and B (Footways) can be undertaken during 2015/16.

Legal

- 6.3 The Council has a statutory duty as the Highway Authority in accordance with S.41 of The Highways Act 1980 to maintain the highway in a safe condition for all users. By undertaking

this programme of work the Council is meeting its statutory responsibility for maintenance and investing wisely for the future by minimising ongoing reactive maintenance costs and the potential liability for claims against it for property damage and personal injury based on negligence and / or breach of statutory duty.

Integrated Impact Assessment

- 6.4 An Integrated Impact Assessment has been completed reviewing planned and reactive activities to maintain the highway which shows that meeting the Council’s duty to maintain the Highway benefits all users.

Risk

- 6.5 The failure to fulfil our statutory duty as the Highway Authority would have legal and financial implications and be potentially harmful to the reputation of the Council. The progress outlined towards the procurement imperatives reduces the risk of failing to award new highways and street lighting contracts. The contract extensions ensure that the Council has contractors in place to deliver on its statutory responsibilities.

**7. Appendices and Background Documents**

<b>Appendix Letter</b>	<b>Title</b>
Appendix A	Planned Maintenance: Carriageways 2015/16 (draft)
Appendix B	Planned Maintenance: Footways 2015/16 (draft)
Appendix C	Key Performance Indicators for Highways and Lighting Cont

<b>Background Documents</b>
None

<b>Audit Trail</b>		
Version	Final	Date: 22 May 2015
<b>Consultation with other officers</b>		
<b>Officer</b>	<b>Comments Sought</b>	<b>Comments checked by</b>
Finance	Yes	Tony Cooke/ Sue Hogg
Legal	Yes	John Cheetham