

Cabinet Meeting on Wednesday 16 September 2020

Additional Investment in Community Highways Issues



Cllr David Williams, Cabinet Member for Highways and Transport said,

“Highways are used by everyone who lives and works in Staffordshire, so it is important we continue to address the issues that matter most to our communities.

This extra investment will be used to maximum effect and people should notice a difference. We’ll also be working with landowners, or taking direct action where necessary, to make improvements to problem ditches and overhanging trees that they have responsibility for. The investment will allow us to target some of the worst trouble spots and reduce the overall backlog.”

Report Summary:

As a new Cabinet we have set out that strengthening our connections with our communities is a top priority. As our highways are a truly universal service accessed by everyone who lives and works in Staffordshire it is important that we continue to address the issues that matter most to our communities. This report sets out an approach to making a one-off £2m investment in highways and Public Rights of Way (PRoW) services. In particular the investment will provide quick-win improvements to issues relating to drainage, verges (including hedges), grass cutting and weeds.

Recommendations

I recommend that Cabinet:

- a. Support a one-off targeted investment of £1.9m in current local highway priorities, as detailed in this report; and
- b. Support the provision of £0.1m investment in immediate small-scale improvements to the Public Rights of Way (PRoW) network.

Local Members Interest
N/A

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Recommendations of the Cabinet Member for Highways and Transport

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Report of the Director of Economy, Infrastructure and Skills

Reasons for Recommendations:

1. There is a huge body of evidence that the quality of the built environment is key to enabling places to thrive and that a key determinant of public opinion on this matter is the condition of local roads. We continue to listen to, and engage with, our communities and act upon their feedback within the resources available.

Part 1 – Investment in current local highway priorities (verges and drainage)

2. Over recent years Staffordshire County Council (the “Council”) has demonstrated it is a well-run council by continuing to deliver services that matter to our communities whilst living within our financial means. For statutory highways activity like pothole repairs it has been possible to an extent to temporarily off-set financial pressures by reducing life-adding capital maintenance programmes. However, other levels of activity such as urban grass cutting and weed control have had to be reduced to balance the books. Although communities across the county have stepped in to fulfil some of the activities previously delivered by the Council, there is clearly more that needs to be done, and based on feedback from our communities we need to reinvest in these environmental issues that our residents experience every day, namely: gullies, drainage, verges and weeds.
3. Through a range of feedback mechanisms, it is clear that there are a number of areas where our residents want to see an increased focus. Condition of roads/pavements and the speed/quality of repairs remains a top issue locally and nationally. This has been partially dealt with through the £5m/year investment made by the Council since 2017 to reduce the backlog of pothole defects and the recent additional in-year investment of £14.284m by Central Government. A future Cabinet item will consider the medium/long-term funding needs of our highway assets.

4. This Cabinet paper will focus on the investment required to continue to improve other key areas of concern raised by our communities through surveys, County Councillors and our 'Report-it' system, specifically: drainage, verges and weeds.

Drainage

5. The current known workstack of drainage related issues is estimated to exceed £20m. Many are complicated by the involvement of third-party land or asset owners e.g. Severn Trent Water (STW), the Environment Agency (EA) or private landowners. A programme of improvements, renewals and repairs is continuously progressed within the funding available through the annual highway capital maintenance programme. Priorities are established in accordance with risk to public safety or private property damage. During 2020/2021 an extra £1.6m, from the additional in-year £14.284m Central Government grant, is being invested in high priority drainage matters.
6. Routine gully cleansing moved to an 'asset based' regime in 2018/2019, with some gullies now only requiring cleansing once every three years to remain effective. Whilst this new regime provides the optimum routine maintenance solution to prevent future problems from occurring there remains a legacy of some 5% of highway gullies that remain blocked or are slow running and require reactive attention. Some also have jammed lids or other damage e.g. failing brickwork, that requires prior action.
7. The proposal is to utilise £0.95m of the £1.9m in-year funding to target known gully hotspots that affect our communities.

Hedges & Ditches

8. Hedges and ditches that run alongside the highway are generally the responsibility of the adjacent landowner. Overhanging hedge growth can prevent highway users from passing safely. It is a relatively common problem, but also very fast changing picture during the growing seasons. Where problems persist, there are procedures and resources in place to engage with the relevant landowner to make them aware of their maintenance responsibilities. If all attempts to get the landowner to cut back the hedge fail the Council could legally undertake the work and look to recover the costs from the responsible party.
9. Where a ditch is used jointly for highway water and land drainage then the law presumes that the adjoining landowner is responsible for its maintenance unless there is conclusive proof to the contrary. If drainage ditches become blocked resulting in standing water on the highway, we use local contacts and the Land Registry to identify the owner and make them aware of their responsibilities. If the necessary remedial action is not completed, the Council could legally carry out the work and again look to recover costs.
10. There are currently 760 known drainage ditch hotspots requiring further attention. £0.35m of the £1.9m investment will be used to progress these matters, including £50k to strengthen our highway and legal officer resource in a targeted programme of land-owner engagement and enforcement.

Urban grass cutting

11. From the start of 2020/2021 urban highway grass cutting frequency has reduced from 8 to 6 cuts to off-set inflationary pressures.
12. Six of the eight Borough/District Councils, together with several Parish Councils, carry out highway grass cutting on behalf of the Council; many also provide additional amenity cuts over and above highway specification. The exceptions are Staffordshire Moorlands District Council (SMDC) and Newcastle-under-Lyme Borough Council (NBC), where a standard specification of 6 cuts per annum is provided. This is delivered through the Council's Infrastructure+ contract, by a local sub-contractor.
13. An additional £0.25m (of the £1.9m) will be made available in year to provide an extra cut at the end of the 2020 season (Sept/Oct) and the start of the 2021 season (March/April).

Weeds

14. From 2020 highway weed treatment has reduced to one treatment per annum as part of efficiency savings. Weed treatment is only effective on growing plants and is programmed to take place during August.
15. However, street cleansing is an effective means of weed prevention and control. It also benefits highway drainage by improving water flow along highway channels and reducing the levels of silt collected in highway gullies.
16. It is therefore recommended that £0.35m of the £1.9m in-year investment is used to increase street cleansing activities across the County as a preventative weed treatment measure.

Delivery options

17. There are several options for the delivery of the activities outlined above and these provisionally involve three methods depending on the availability:
 - a. Direct delivery by local Borough, District and Parish/Town Councils;
 - b. Infrastructure+; and
 - c. Direct local contract awards.
18. The initial proposed delivery mechanism for each of the spending areas is set out in table 1 at paragraph 32. Delivery will be closely monitored by the Cabinet Member and supporting officers throughout the year as part of existing performance management arrangements.

Local Councils

19. Several of the Borough/District Councils continue to provide grass cutting services in urban areas alongside their own public open space. Similarly, some Parish and Town Councils also carry out highway grass cutting in village and town centres

and many also retain, or have previously employed, a highways lengths man for other local highway maintenance tasks.

20. Where local Borough/District Councils are supportive this delivery route is relatively easy and fast to mobilise, including satisfying the Councils statutory responsibilities in terms of the Public Contract Regulations 2015, competence of provider, public liability and health and safety, etc. It still requires managing in terms of agreeing work quantities and specification, ordering, payment, etc., but this capability is already in place through the Infrastructure+ agreement. This route is recommended for additional grass cutting and road sweeping (preventative weed treatment) operations where possible.

Infrastructure+

21. Delivery through the Council's Infrastructure+ agreement is also quick to mobilise. The Council's statutory responsibilities are delivered through the required people, processes and systems which are already in place through the Infrastructure+ agreement. Support activities such as booking road space through the highway permit scheme, providing temporary traffic management and any required Temporary Traffic Regulation Orders are also already part of the established processes for carrying out works. Approximately 85% of the Infrastructure+ supply chain includes local sub-contractors. This route is recommended for short-term additional drainage, hedges and ditching operations, as well as further grass cutting and road sweeping as needed.

Direct awards

22. The final option would be for either the Council, Parish/Town Councils or other bodies to directly employ other local contractors.
23. For works procured directly by the Council we would have to follow the Public Contract Regulations 2015 and conduct the additional statutory responsibility checks outlined above. Additional Council procurement and highway officer capacity would need to be secured, and funded, to manage these extra activities.
24. If funding is devolved to Parish/Town Councils, to in-turn procure other local provider's, the Council must still carry out a series of checks in fulfilment of its statutory duties as the local highway authority. These include competency of the provider, approval of method statements, supervision of works, etc.

Part 2 - Investing in Public Rights of Way

25. Staffordshire's extensive network of 4500km of public rights of way (PROW) is a vital resource - connecting communities, giving access to the countryside and supporting active healthy lifestyles. The COVID-19 lockdown highlighted the significance of rights of way to our communities, giving people the ability to exercise locally in beautiful countryside, helping maintain both physical and mental wellbeing. This resulted in a surge in use of the network which has

highlighted the pressures it is under, including growing demand from users and climate-related pressures on infrastructure from increasingly stormy weather.

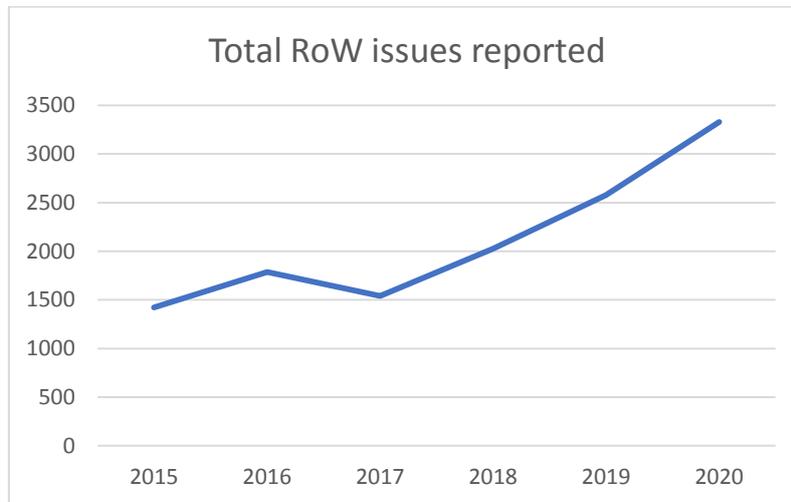


Figure 2 – History of RoW issues reported (2015 - 2020)

26. The Council has a statutory duty to ensure all PROW are in a fit state for public use and unobstructed. With such a large network, we use a prioritisation system to help target our limited resources to the paths that are most heavily used.
27. There are currently 2126 unresolved issues across the PROW network. Of these 242 are on our highest priority A-routes, and 32 of these could have health and safety implications for users.
28. There are 18 bridges on rights of way that have been classed as high priority by the Council's Structures Team. Four of these are on A routes, 3 on B routes and 11 on C routes.
29. Significant investment is therefore required to bring the network into a safe and usable condition. Some issues can be addressed through community action and we are developing better ways to empower local people to get involved in supporting their path network. However, the more significant interventions such as bridge repairs and other infrastructure works require additional funding.
30. The service is working with engineers to design solutions for some of the more substantial repairs. An investment of £100k at this stage would support some repairs this year to address immediate priorities, while further investment needs are quantified.

Funding Options Considered

31. Based on the funding available (c.£2m) the recommended spend profile is provided below in paragraph 32, Table 1.

32. This one-off investment option aligns to customer insight data, targeting improvement in Staffordshire’s highway gully’s, verges and Public Rights of Way (PRoW) and will support our community’s local priorities.

Table 1: Recommended spend profile

Activity	Delivery	Description	Cost (£m)
Gully emptying	Inf+	Extra local sub-contract crews targeting historic problem locations for the remainder of 20/21	0.5
Gully repairs	Inf+	Extra local sub-contract crews targeting historic problem locations for the remainder of 20/21	0.45
Ditching	Inf+	Extra local sub-contract crews targeting historic problem locations for the remainder of 20/21	0.3
Target landowners	Council	Targeted landowner action, including comms and legal support.	0.05
Grass cutting	B/D/P Inf+	Additional grass cuts: one at end of 2020 season and one at start of 2021 season.	0.25
Sweeping / Weed control	B/D Inf+	Devolved funding for additional in-year road sweeping / weed control	0.35
Public Rights of Way	Council		0.1

33. Initial enquiries relating to the immediate availability of the preferred delivery resources have been positive, but there remains some risk until they are secured, and alternatives may need to be considered.

Timescale

34. Subject to the Borough/District Council’s ability to respond and the availability of some elements of specialist sub-contract resource the above one-off will be completed by the end of the 2020/2021 financial year.

Legal Implications

35. This extra investment will increase existing service levels and help to further reduce risk of failing to achieve statutory service levels.
36. The Council will comply with internal Procurement Regulations and the Public Contract Regulations 2015. The service area will liaise with Legal Services to discuss the contractual arrangements for the different delivery routes, whether through the Infrastructure+ arrangement or entering contracts with the District/Borough councils as appropriate for grass cutting and street sweeping.

Resource and Value for Money Implications

37. This extra investment will be delivered and managed through the established local Borough and District Councils and the Council’s commercially procured Infrastructure+ Strategic Partnership.

List of Background Documents/Appendices:

Community Impact Assessment – Summary Document

Contact Details

Report Author:	James Bailey
Job Title:	Assistant Director for Highways and the Built County
Telephone No.:	01785 276591
E-Mail Address:	james.bailey@staffordshire.gov.uk