

BRIEFING REPORT

Environment Regeneration and Overview Scrutiny Committee

Date of Meeting: 15 July 2019

Report Title: Briefing Note Update – Well Managed Highway Infrastructure

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1. Introduction and Policy Context

- 1.1.** This report outlines the reasons behind moving to a risk based approach to delivering highway services and provides an update on the revisions to the Highway Inspection Policy and Winter Service Policy along with their supporting documents following the public consultation representations. It also details the revision of the Cheshire East Resilient Highway Network.
- 1.2.** In order to address its duties relating to network safety and winter service, the Council has a Code of Practice for Highway Safety Inspections which is inclusive of a Policy, the Council also has a Winter Service Policy with an associated Adverse Weather Plan. All these documents have been informed by the UK Roads Liaison Group's (UKRLG) Code of Practice 'Well Maintained Highways'. This was superseded in October 2016 by a new Code of Practice 'Well Managed Highway Infrastructure' (WMHI) (The Code).
- 1.3.** The risk based approach to delivering highway services will help the Council to deliver the outcomes detailed in the 2017 - 2020 Corporate Plan, specifically Outcome 2 'Cheshire East has a strong and resilient economy', Outcome 4 'Cheshire East is a green & sustainable place' and Outcome 6 'A responsible, effective & efficient organisation'. Furthermore the approach aligns with our Corporate Values of flexibility, innovation, responsibility

service and teamwork. These revised policies have been developed to align with the council's emerging Local Transport Plan.

- 1.4. A full review of all further highway policies will be undertaken over the next 12 months to ensure they meet the needs of the Borough and are compliant with the recommendations of WMHI. The impacts and benefits of the policy review will be discussed with members through the appropriate governance procedure.

2. Background

- 2.1. The Highways Act 1980 covers the legal elements of the management and operation of the road network within England and Wales and as such sets out the statutory duties of highway authorities. This includes the identification and rectification of defects and the provision of winter and adverse weather services. Further duties that the Highway Authority must address are covered under The Railways and Transport Safety Act 2003 and the Traffic Management Act 2004.
- 2.2. In order to address the duties relating to network safety and winter service, the Council has a Code of Practice for Highway Safety Inspections and a Winter Service Policy with an associated Adverse Weather Plan. Both these documents have been informed by the UKRLG Code of Practice 'Well Maintained Highways'. This was superseded in October 2016 by a new Code of Practice 'Well Managed Highway Infrastructure'.
- 2.3. The Code marks a step change in the industry from specific guidance and recommendations to a risk based approach which is determined by each authority in order to set local levels of service and identify the requirement for local resilience. The new code of practice further promotes the adoption of an integrated asset management approach, helping the move away from ad hoc and temporary repairs to better planned programmes of work.
- 2.4. The approach adopted under Well Maintained Highways focused largely on road classification based upon the A,B,C and U road classifications. WMHI promotes the development of a network hierarchy which prioritises roads in order of their use and social and economic importance. This change addresses the fact that highway users follow routes to destinations rather than road classifications. Further details of the network hierarchy can be found in the tables in Appendix 1.

- 2.5.** The proposed network hierarchy in Appendix 1 has been informed by the guidance provided in WMHI.
- 2.6.** The highest level of importance within the network hierarchy is the resilient network. This is the category of road to which priority is given for maintenance and other measures in order to maintain economic activity and access key services. The resilient network is of national and local strategic importance.
- 2.7.** The network hierarchy forms the basis of the risk based approach. The risk based approach considers a number of factors including the network hierarchy, local needs, vulnerable user groups such as cyclists and defect history in order to prioritise the allocation of resources and response times; this is referred to as the local level of service.
- 2.8.** This approach has been applied to the Highway Inspection Policy, Highway Inspection Code of Practice, The Winter & Adverse Weather Policy and the Adverse Weather Plan. A Resilient Network Strategy has been developed outlining the Resilient Network in Cheshire East.

3. Briefing Information

3.1.1. Environment and Regeneration Overview and Scrutiny Committee

3.1.1.1. The approach to The Code has been discussed with the Environment and Regeneration Scrutiny Committee on the 18/06/18 and 15/10/18. At the meeting on 15/10/18 members were updated with the outcome of the consultation and made the following comments:

- It was important to ensure that all schools, hospitals and areas used by the elderly fall within the resilient highways network.
- A similar approach should be used for the Borough's green infrastructure.
- Cycle paths needed to be gritted alongside the rest of the highways network.
- The provision of self-help grit bins needed to be assessed, as they enable residents to be resilient.
- Footpaths on housing estates and town centres needed to be addressed as many were in poor condition.

3.1.1.2. WMHI promotes the development of a network hierarchy and states 'The hierarchy should take into account current and expected use,

resilience, and local economic and social factors such as industry, schools, hospitals and similar' and as such the Network Hierarchy that has been developed for the Borough and contains the Resilient Network takes this into account.

- 3.1.1.3. Green infrastructure and its maintenance has been highlighted with ANSA who are to consider its strategic importance as part of their maintenance programmes.
- 3.1.1.4. Under the proposed approach to winter service, the National Cycle Network is considered as part of the winter risk assessment process where the network travels along a carriageway; however, footways and cycle tracks will not be routinely treated; the Council may clear and treat key footway and cycle routes in priority order within the first 24 – 48 hrs of an ice or snow event. Resources to treat footways will be allocated based on a number of factors including population, town centres, routes to transport hubs, hospitals, schools and medical facilities.
- 3.1.1.5. Under the proposed winter service policy, a grit bin risk assessment form has been developed; this will ensure a consistent approach to the placing grit bins across the Borough.
- 3.1.1.6. WMHI promotes a risk based asset management approach to managing the highway network and as such footways and other highway assets will be inspected and prioritised for repair in accordance with the Network Hierarchy in order to keep the network in a safe condition and achieve the best value from the available budget.

3.1.2. Public Consultation

- 3.1.2.1. From 2nd July to 27th August 2018 Cheshire East Council consulted on a number of draft policies in relation to Highway Safety Inspections and Winter Service activities. Respondents were provided with a summary of the five documents listed below:
 - Draft Highways Inspection Policy
 - Draft Code of Practice for Highways Safety Inspections
 - Examples of Old and New Inspection Process
 - Draft Winter and Adverse Weather Policy
 - Winter and Adverse Weather Plan Consultation 2018
- 3.1.2.2. The Details of the consultees can be found in Appendix 2

- 3.1.2.3. The consultation comprised of two sections: the Highways Inspection Policy 2018 (section one), and Winter and Adverse Weather Policy (section two).

The approach to community engagement was guided by the Council's Research and Consultation Team.

- 3.1.2.4. The Well Managed Highways consultation was advertised through the Cheshire East Council website and through Social Media, paper copies were made available at all Cheshire East Libraries and at key contact centres.
- 3.1.2.5. The consultation was pushed through social media and was pushed to 3583 twitter accounts. The Council retweeted the consultation four times.
- 3.1.2.6. In total, 93 responses were received from a variety of interested parties including local residents, town/parish Councillors and voluntary/community organisations. A summary of this can be found in Appendix 3.
- 3.1.2.7. Following on from the last Environment and Regeneration Overview and Scrutiny Committee Nantwich News ran an article on the Council's proposed approach to WMHI on 16/10/18.

3.1.3. Highway Inspection Code of Practice and Policy

- 3.1.3.1. The respondents were generally split around the Council's proposed approach to risk based highway inspections; however, respondents were largely in favour of the principles of prioritising defects based on the risk they pose to the public and taking longer to repair defects in order to achieve higher quality repairs.
- 3.1.3.2. Respondents were asked to identify why they disagreed with the questions asked, these could generally be split into three areas: repair of defects, catering for all highway users and consideration of local roads.
- 3.1.3.3. The responses were mixed around the repair of defects, respondents felt that the schedule of repair works and inspections needed to be undertaken more frequently and that a more proactive approach should be adopted. They also felt that quick/temporary fixes should be carried out as soon as possible to prevent damage with a scheduled longer term fix although some respondents felt that these were a waste of money and that long term repairs should be the priority. Respondents felt that more money should be spent on

road maintenance, with no cuts or reductions in service. Overall respondents felt that repairs needed to be completed as soon as possible and to a high standard.

- 3.1.3.4. Two options have been considered with regards to inspections, a cost neutral approach and a resilient network approach. It is suggested that the resilient network approach is adopted as it offers a higher level of service. Under this proposed approach the busiest and most important roads would be inspected more frequently with some roads at the lower end of the hierarchy being inspected less frequently. It is proposed that some industrial estates, bus routes, routes to schools and hospitals that are served by lower classification roads would receive an increased inspection frequency under this approach. An initial indication suggests that the total length of inspections undertaken annually would increase from 9,422km to 11,278km. Further details of the suggested inspection frequencies can be found in Appendix 1
- 3.1.3.5. In terms of defect response times, the most dangerous defects would be addressed within 1 hour when in working hours and 1.5 hours when outside of working hours. Other defects would be triaged to ensure the most cost effective robust repairs can be achieved.
- 3.1.3.6. Certain respondents indicated that they disagreed with aspects of the policy as they felt it did not cater for all highway users, of particular concern were cyclists and pedestrians.
- 3.1.3.7. The Council's proposed adoption of a 40mm investigatory level in the carriageway and 20mm in the footway/cycle lanes compared to the current intervention level of 50mm in the carriageway and 25mm in the footway should give greater levels of flexibility in the repair of defects and should provide a greater level of safety for all highway users. In addition the Council is investigating working with sports application providers to analyse cyclist activity in order to better inform the network hierarchy in the future. Further detail of the investigatory levels can be found in Appendix 4
- 3.1.3.8. Respondents also felt there was a lack of consideration given to local roads and their usage.
- 3.1.3.9. The Network Hierarchy developed under WMHI looks to prioritise roads with regards to their local and strategic importance in order to focus resources on the roads that are most locally and strategically important.

3.1.4. Winter and Adverse Weather

- 3.1.4.1. Respondents were strongly in support of a risk based approach to winter service and the principle of treating roads on the network based upon usage, local risks and surrounding amenities.
- 3.1.4.2. Respondents were asked to leave comments on the proposed approach to winter and adverse weather. A total of 27 comments were left which for the purpose of analysis were coded into the three main themes of communication methods, roads and consideration of rural areas and cycle ways.
- 3.1.4.3. Certain respondents indicated that they disagreed with aspects of the policy as they felt that not everyone has access to social media, and that it has a limited impact. However some respondents felt that all forms of communication should be supported. While others felt that a better solution was needed, especially for those already on the road at the time of incident.
- 3.1.4.4. The comments relating to communication have been fed back to the Highway Communications Team who are looking at ways to incorporate this into future communication strategies. As part of the proposed approach to WMHI the Communications Team will continue to work with local media to reach members of the public who don't have access to social media.
- 3.1.4.5. Respondents felt that more roads should be gritted, including local streets. Respondents also felt that generally more money needed to be spent on gritting roads and pavements. Certain respondents indicated that they disagreed with aspects of the policy as they felt it would have a larger impact on rural communities and could potentially isolate individuals during bad weather. Respondents also criticised the lack of support for cycle ways and pavements in the allocation of pre-treatments.
- 3.1.4.6. It is not practicable to treat all areas of the network, the proposed approach to WMHI sees routes prioritised via the Network Hierarchy and risk assessment and as such localised risk factors such as isolated communities have been considered. Under the proposed approach, the National Cycle Network is considered as part of the winter risk assessment process where the network travels along a carriageway; however, it isn't proposed to routinely treat footways and cycleways. The Council may clear and treat key footway routes

in priority order within the first 24 – 48 hrs of a snow or ice event. Resources to treat footways will be allocated based on a number of factors including population, town centres, routes to transport hubs, hospitals, schools and medical facilities.

- 3.1.4.7. Under the current policy 1174km of the network receives winter treatment; an initial assessment of the network has indicated that around 900km of the network would receive treatment under these proposals.

3.1.5. Resilient Highway Network

- 3.1.5.1. In response to the extreme weather experience over the winter of 2013/14 the Department for Transport (DfT) published the Transport Resilience Review. A key recommendation was that Local Highway Authorities identify a 'resilient network' to which they will give priority, in order to maintain economic activity and access to key services during extreme weather.
- 3.1.5.2. The existing Cheshire East Resilient Network largely aligns with the network identified in the current Adverse Weather Plan for winter service. The development of the Network Hierarchy has presented an opportunity to refresh the Resilient Network to better suit the needs of the Borough.
- 3.1.5.3. A specific stakeholder group was identified separately to that of the WMHI consultation and steps were taken to engage with this stakeholder group. Further details can be found in Appendix 2 of this document.
- 3.1.5.4. A limited response to the Resilient Network consultation was received, with only 3 responses received through the consultation web page. However further to a meeting held with the Lead Emergency Planning Officer comments were received from the emergency services. The Resilient Network takes into consideration the location of the major hospitals in the Borough.
- 3.1.5.5. Comments were also received from Highways England and as a result their emergency and planned diversion routes were added to the Resilient Network.
- 3.1.5.6. The Resilient Network will be reviewed regularly to ensure it address the needs of the Borough.

4. Implications

4.1. Climate Change Implications

- 4.1.1. The suggested approach to WMHI could reduce the climate impact of the service area by helping the council implement longer lasting highway repairs and hence use less construction materials. A further climate impact reduction could be achieved as a result of reducing the amount of salt spread on the highway and the distances travelled by the gritting fleet.

4.2. Legal Implications

- 4.2.1. The recommendations of The Code are not statutory but provide highway authorities with guidance on highways management. Adoption of the recommendations within The Code is a matter for each highway authority, based on their own interpretation of local risks, needs and priorities. The Highways Act 1980 covers the legal elements of the management and operation of the road network within England and Wales and as such sets out the statutory duties of highway authorities. This includes the identification and rectification of defects and the provision of winter and adverse weather services. Further duties that the Highway Authority must address are covered under The Railways and Transport Safety Act 2003 and the Traffic Management Act 2004.
- 4.2.2. The implementation of a new way of working which is in accordance with WMHI should strengthen the Council's defence against third party claims under Section 58 Highways Act and would enable the Council to demonstrate that it is meeting its obligations relating to winter service under Section 41(1A) of the Highways Act 1980 (as amended by Section 111 of the Railways and Transport Safety Act 2003). The expectation is that courts will look upon the Code as good practice in testing the legal test of "reasonableness".

4.3. Financial Implications

- 4.3.1. The new approach to Highway Inspections would see an increase in costs to cover an additional 1.5 safety inspectors and an increase in defect repairs. The total increase in costs would be in the region of £150,000.
- 4.3.2. To implement the new winter routes a route optimisation exercise would need to be undertaken, this would result in a one off cost of around £50,000.

- 4.3.3. The increased cost associated with the new approach to comply with the Code would be managed within the total highway revenue budget.

4.4. Human Resources Implications

- 4.4.1. An initial assessment indicates that an increase in the frequency of inspection would result in the need for 1.5 additional Highway Safety Inspectors. This would provide a total of 6.5 Inspectors and 1 Senior Inspector. Any resulting increase in defects would require a corresponding increase in operational staff to deliver the works. The works would be delivered through the Highway Services Contract.
- 4.4.2. Some further training would be required, for highways staff in order to implement the new way of working.
- 4.4.3. An initial assessment indicates that either the number of winter routes or the time taken to treat the network would reduce, a reduction in the number of routes would result in a reduction in the fleet required and the number of drivers required to deliver the winter service; however, most of the drivers undertake this as an additional duty (frequently winter treatments are outside normal working hours) or are sourced through local supply chain partners who also deliver the service as an additional duty and hence this should not result in redundancies. The proposals would be consulted with staff and trade unions.

4.5. Next Steps

4.6. Figure 1 below shows the next steps in the process.

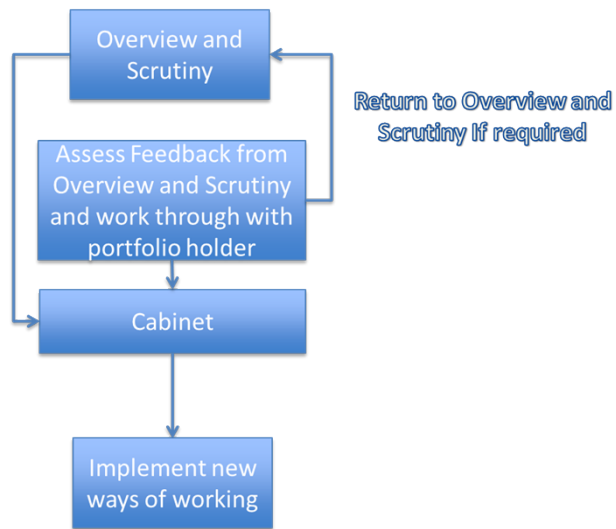


Figure 1: WMHI next steps

Appendix 1 – WMHI Proposed Network Hierarchy

Footway Hierarchy

	Footways on the Network are inspected at the same frequency as the adjacent carriageway through driven inspections	Carriageway KM	
Network Hierarchy	Description	km	Insp Freq (annually)
Resilient Network	The category of roads to which priority is given for maintenance and other measures to maintain economic activity and access key services.	311	12
Strategic Route	Trunk and some Principal 'A' class roads between Primary Destinations, routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions.	43	6
Main Distributor	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access.	91	6
Secondary Distributor	B and C class roads and some unclassified urban routes carrying buses. In residential and other built up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.	870	3
Link Roads	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions. In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads.	707	3
Local Access Road Risk	Local Access Roads within the council digitised network that have either over 20 Defects in the last 3 years or 5 Claims or more in the last 3 years. (Please note in some cases this will not be the full length of road but a partial section).	80	3
Local Access Road	Roads serving limited numbers of properties carrying only access traffic. In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGVs. In urban areas they are often residential loop roads or cul-de-sacs.	613	2
Special Interests	High footfall town centre areas	15	12
Link Footways	Links two housing estates together (passageways)	101	3
Local Footways	A footway into a cul-de-sac or rural footway to a dead end.	28	2

Carriageway Hierarchy

Network Hierarchy	Description	km	Insp Freq (annually)
Resilient Network	The category of roads to which priority is given for maintenance and other measures to maintain economic activity and access key services.	311	12
Strategic Route	Trunk and some Principal 'A' class roads between Primary Destinations, routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions.	43	6
Main Distributor	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access.	91	6
Secondary Distributor	B and C class roads and some unclassified urban routes carrying buses. In residential and other built up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.	870	3
Link Roads	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions. In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads.	707	3
Local Access Road Risk	Local Access Roads within the council digitised network that have either over 20 Defects in the last 3 years or 5 Claims or more in the last 3 years. (Please note in some cases this will not be the full length of road but a partial section).	80	3
Local Access Road	Roads serving limited numbers of properties carrying only access traffic. In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGVs. In urban areas they are often residential loop roads or cul-de-sacs.	613	2

Appendix 2 – Consultation Information

Consultee List

The WMHI consultation consulted with the following:

- All Cheshire East Residents via the website and public libraries
- Elected Members
- Parish Councils
- The LEP
- Transport for the North
- Local Transport Operators
- Neighbouring Authorities (including Highways England)
- Cheshire East Claims Handlers and Insurers
- The Emergency Services
- Manchester Airport
- Network Rail
- HS2
- Local Bus Operators
- The Road Haulage Association
- Freight Transport Association
- Sustrans
- Local Cycling Groups
- NHS and Health Service Providers

The Resilient Network consultation consulted the following:

- Local Transport Operators
- Neighbouring Authorities (including Highways England)
- The Emergency Services
- Transport for the North
- The LEP
- The Local Chamber of Trade
- Manchester Airport
- Network Rail
- HS2
- Local Bus Operators
- The Road Haulage Association
- Freight Transport Association
- Utility Operators
- The NHS and Health Service Providers
- Council Delivery Partners (ie Ansa and TSS etc)
- Compass Minerals
- HS2

Appendix 3 – Well Managed Highway Consultation – Summary of Results