



Working for a brighter future together

Key Decision: Y

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Report Title: Well-Managed Highway Infrastructure

Portfolio Holder: Cllr Brian Roberts – Highways and Waste

Senior Officer: Frank Jordan - Executive Director Place

1. Report Summary

- 1.1. The national guidance to which the Council aligns its highway policies and operational procedures has been updated by the release of the 'Well-Managed Highway Infrastructure Code of Practice' (WMHI).
- 1.2. Alignment of the key policies outlined in this report with the recommendations of WMHI will see actionable 'pothole' defects identified for treatment at a shallower depth, particularly reducing risk to cyclists and pedestrians. The introduction of these policies will see the better allocation of resource to address winter issues.
- 1.3. This report seeks approval from Cabinet to adopt changes to the following policies and plans to ensure that they align with this national code of practice.
 - 1.3.1. Highway Safety Inspection Policy
 - 1.3.2. Code of Practice for Highway Safety Inspections
 - 1.3.3. Winter and Adverse Weather Policy
 - 1.3.4. Adverse Weather Plan
 - 1.3.5. Cheshire East Highway Resilient Network Strategy
- 1.4. Approval to these changes would enable the Council to fulfil its key statutory duties in keeping the highway network safe for all road users.

- 1.5. The Appendices referred to throughout this report are available on the Cabinet agenda web page.

2. Recommendations

That Cabinet

- 2.1. Approve the adoption of the Resilient Network Approach to Highway Safety Inspections.
- 2.2. Approve the adoption of the Highway Safety Inspection Policy 2020, Code of Practice for Highway Safety Inspections 2020, the Winter & Adverse Weather Policy 2020, Adverse Weather Plan 2020/21 and the Cheshire East Highways Resilient Network 2020.
- 2.3. Delegate authority to the Director of Highways and Infrastructure in consultation with the Portfolio Holder for Highways and Waste to make minor operational changes to the Highway Safety Inspection Policy, Code of Practice for Highway Safety Inspections, the Winter & Adverse Weather Policy, Adverse Weather Plan and the Cheshire East Highways Resilient Network Strategy from time to time and as appropriate.

3. Reasons for Recommendations

- 3.1. The guidance 'WMHI' was commissioned by the Department for Transport (DfT). It is not a statutory requirement to comply with this Code; however, it is recommended that the Code is adopted into the Council's practice for the following reasons:
- 3.2. The guidance has been identified by the DfT as being best Practice and is seen as a more efficient way to prioritise the highway network for all highway users.
- 3.3. The DfT have made it clear that future maintenance funding through the Local Highway Maintenance Incentive Fund will be linked to compliance with this new Code. Under the banding system used to allocate the incentive funding, Band 1 councils receive no funding and Band 2 councils receive only 30%. At present Cheshire East are a Band 3 council and receive the full funding allocation of £1.751m.
- 3.4. Under the Highway Service Contract the contractor is responsible for the management of all aspects of third party claims and indemnifies the Council against all third party claims that arise out of a failure to provide a service. As such, the failure to maintain an up to date Policy in line with the new Code could leave the Council liable.

4. Other Options Considered

- 4.1. The Council could opt to continue with its current systems for inspections and winter maintenance. However, they do not fully address the risk management approach outlined in the revised Code of Practice.
- 4.2. The Department for Transport have expressed a desire to tie elements of future funding to the implementation of the recommendations of The Code. Failure to adopt the recommendations would likely result in a reduction in funding from Central Government.

5. Background

- 5.1. The documents which form the basis of this report represent the first of the highway service policies and procedures to be reviewed in light of WMHI. The remaining highway service documents are to be reviewed as part of a rolling programme.
- 5.2. In 2016 under the direction of the Department for Transport, the UK Roads Liaison Group replaced the highway management guidance document, Well Maintained Highways with Well Managed Highway Infrastructure.
- 5.3. The revision of national guidance documents has resulted in the Council undertaking a root and branch examination of the policies and processes that it uses to manage the network.
- 5.4. The review identified a number of areas where changes are required to ensure best practice is being delivered. The documents reviewed under this cabinet report cover winter service, highway safety inspections and the resilient highway network.

Network Hierarchy

- 5.5. The Code recommends the development of a Network Hierarchy in order to prioritise areas of the network in accordance with their expected use, resilience and local economic and social factors such as industry, schools, hospitals etc. The approach recommended in The Code looks to move away from the traditional prioritisation of the network by road classification i.e. A, B and C etc. The proposed Network Hierarchy can be found in Appendix 2.
- 5.6. Under the proposed approach, in order to better manage risk, the travelling public will notice busier parts of the highway network receiving greater priority.
- 5.7. The proposed approach will be reviewed regularly to consider additions to the network such as Congleton Bypass. The addition of new roads will change driver behaviour and as such will amend the Network Hierarchy. The

proposed approach will also help pave the way for new technologies which will help to deliver a better understanding of highway usage and user needs.

- 5.8. Under the proposed approach, the greatest priority in the Network Hierarchy is afforded to the Resilient Network.

Resilient Network

- 5.9. Following the severe weather of 2013/14 the Government commissioned the Transport Resilience Review which was published in July 2014. A key finding of the review was the need for local councils to identify a resilient network to which they give priority, in order to maintain economic activity in times of extreme weather or during disruptive events.
- 5.10. Currently the Council delivers a Resilient Network in line with the current Adverse Weather Plan. This has been reviewed and revised in light of the new Code. The proposed roads shown in Table 1 have been identified as forming an appropriate Resilient Network:

CEC Roads Identified for Resilience			
A34	A5020	A530	A538
A49	A5024	A532	A54
A50	A5033	A533	A555
A500	A51	A534	A556
A5015	A523	A536	A6
A5016	A525	A537	

Table 1 – Proposed Resilient Network

- 5.11. A Resilient Network map together with the Resilient Network Strategy can be found in Appendix 3.
- 5.12. The proposed Resilient Network consists of the most important routes in the Borough in terms of connectivity and accessibility and also includes the roads used by Highways England as Emergency Diversion Routes and Advanced Diversion Routes.
- 5.13. The Resilient Network will be regularly reviewed to identify areas for inclusion or removal as the Network Hierarchy evolves over time.

Highway Safety Inspection Code of Practice and Policy

- 5.14. The proposed Network Hierarchy seeks to amend the current safety inspection frequencies in order to better address risk. When considering appropriate inspection frequencies of the Network Hierarchy, two options have been considered:

- 5.14.1. **Option 1: A Minimal Change Approach to Highway Safety Inspections:** This approach proposes the network prioritisation shown in Appendix 4 and is broadly comparable to the system currently operated under the guidance offered in Well Maintained Highways.
- 5.14.2. **Option 2: A Resilient Network Approach to Highway Safety Inspections:** This approach, detailed in Appendix 4, looks to prioritise resources on the network in terms of risk and importance. With Special Interest Areas (high footfall areas) and the Resilient Network receiving the greatest number of safety inspections.
- 5.15. The proposed approach would see 843km of the most heavily trafficked roads in the Borough receive an increase in inspection frequency and 516km of lesser used routes receiving a lower inspection frequency. Under the proposals, the most important roads in the Borough would receive inspections every month, whereas under the existing arrangements this is undertaken every two months. The Resilient Network Approach better aligns with the inspection regimes of our neighbouring authorities, a key requirement of the new Code.
- 5.16. It is recommended that the Resilient Network Approach is adopted as this aligns closely to the recommendations in The Code and will help to mitigate risk on the network.
- 5.17. Under the proposed approach, in some low risk areas it may take longer for the Council to identify defects; however, members of the public will still be able to report defects that they come across on the highway network, either through the contact centre or the Council's online reporting tool.

Response Times and Investigatory Levels

- 5.18. The proposed approach sees a revision to the response times to the repair of defects. The current code of practice, aims to address the most dangerous actionable defects within 1.5 hours and less dangerous actionable defects within 5 days. The proposed code of practice aims to address emergency defects in 1 hour during the working day and 1.5 hours outside of working hours; however, defects that pose a lesser risk to the traveling public will be repaired between 2 and 20 working days from the point of identification by an inspector. Some defects may be identified to be rectified beyond this if they are covered as part of a programme of works depending on the risks. This will primarily be through larger patching schemes.
- 5.19. The move to this new way of working will mean that works will be able to be programmed with greater efficiency and planning meaning more permanent long term repairs can be delivered. This should, with adequate maintenance funding, reduce the number of defects on the network.

- 5.20. The proposed approach would see intervention levels revised to investigatory levels. Under the current approach defects are actioned at the specific intervention level. Under the proposed approach defects are risk assessed at the investigatory level to determine the risk they pose to the public. Table 2 shows the proposed investigatory levels.

Defect	Intervention Level under the Current Policy and Code	Investigatory Level Under the Proposed Policy and Code
Pothole	50mm	40mm
Localised carriageway edge deterioration	100mm	80mm
Footway/Cycleway defect	25mm	20mm
On carriageway marked cycle lane defect	50mm	20mm

Table 2- Comparison of intervention and investigatory levels

- 5.21. The proposed use of investigatory levels should see individual actionable defects on the carriageway for a reduced amount of time and this would reduce the level of risk to the travelling public. In addition, the reduced investigatory levels should reduce the amount of unseen long term damage a defect inflicts upon the asset.
- 5.22. Approval of the proposed approach to Highway Safety Inspections would see the new way of working implemented by June 2020.
- 5.23. Details of the proposed Highway Safety Inspection Policy and Highway Safety Inspection Code of Practice can be found in Appendix 5.

The Winter and Adverse Weather Policy and Plan

- 5.24. Currently the winter service is delivered in accordance with Well Maintained Highways. The routes treated date back to the days of Cheshire County Council.
- 5.25. At present, the Council treats around 1120km of the 2700km network (41%).
- 5.26. The Council also engages in cross boundary agreements where roads in other council's areas are treated in return for the treatment of roads in Cheshire East. These agreements are undertaken to deliver route efficiencies. The Council presently treats 58km of other councils' roads with 19km of the CEC network treated in return. Under the WMHI winter route optimisation exercise, these cross boundary routes will be reviewed and dialog has begun with the neighbouring authorities to discuss these changes.

- 5.27. The Code recommends that 'local policies and service levels should be developed as far as reasonably possible with users and key stakeholders and should also be based on a risk assessment to define the scope of the service'.
- 5.28. The proposed winter treatment network has been developed using a risk based process to take into consideration local risk factors including usage, local amenities, vulnerable users, public transport and local risks such as steep gradients, cold spots and other known local issues.
- 5.29. Each section of highway within the Borough has been risk assessed in line with the risk assessment pro-forma which can be made available upon request.
- 5.30. This approach ensures a uniform and consistent approach across the network.
- 5.31. As a result of the risk assessment process, 995km out of 2700km (37%) of the highway network has been identified as requiring routine winter treatment.
- 5.32. The proposed approach sees 103km of previously untreated roads added to the network. 892 km of previously treated roads remaining on the network and 230km of previously treated roads removed from the treated network.
- 5.33. Under the proposed approach the Council will retain the services of farm contractors, who in times of more extreme weather may be utilised to undertake winter maintenance to specific routes in the high east of the Borough.
- 5.34. The proposed approach to winter service will require a route optimisation exercise to ensure that the roads identified for treatment are included on driver routes that minimise vehicle mileage. It is likely that the route optimisation exercise will see a small number of roads added to the treated network to aid operational efficiency.
- 5.35. In addition, a grit bin risk assessment has been developed to assess the suitability of locations with regards to the siting of grit bins. This will help to provide communities with self help resources. A copy of the grit bin assessment form is available upon request.
- 5.36. Where roads have been removed from the treated network, a grit bin risk assessment will be undertaken to ascertain if a grit bin is required. Under the criteria of the grit bin risk assessment process these roads will receive an extra weighting due to the loss of service.
- 5.37. All existing grit bins will be assessed against the proposed grit bin risk assessment form to ascertain whether they should be on the network.

- 5.38. Approval of the proposed approach to winter service would see the new way of working implemented for the 2020/21 winter season.
- 5.39. Details of the proposed Winter and Adverse Weather Policy and Winter and Adverse Weather Plan along with the proposed treatment maps can be found in Appendix 6.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. 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.

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).

6.2. Finance Implications

- 6.2.1. The proposed approach to Highway Safety Inspections will see an increase in costs to cover the additional Safety Inspector and Driver/Inspector and the increase in defect repairs.
- 6.2.2. The proposed increase in service levels in the Highway Safety Inspection Service Area will be offset by the savings generated by the proposed changes to the winter service.
- 6.2.3. The new approach to comply with The Code is therefore expected to be cost neutral within the highway budget.

6.3. Policy Implications

- 6.3.1. In order to comply with the recommendations outlined in The Code, the Council's Highway Safety Inspection Policy and associated Code of Practice for Highway Safety Inspections and Winter & Adverse Weather

Policy and associated Adverse Weather Plan have required updating. In addition a Resilient Network Strategy has been developed.

- 6.3.2. The above mentioned documents have been updated to adopt a new approach to the management of the highways asset that is risk focused and enables prioritisation of resource to address risks.
- 6.3.3. The reviewed 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.
- 6.3.4. The adoption of the recommendations in this report will further help to deliver the aspirations of the Local Transport Plan (LTP).
- 6.3.5. Adoption of the proposed approaches would see an annual review of the Code of Practice for Highway Safety Inspections, Winter & Adverse Weather Plan and Resilient Network Strategy to ensure a dynamic approach to the evolution of the highway network.

6.4. Equality Implications

- 6.4.1. An Equality Impact Assessment has been completed and can be found in Appendix 7.

6.5. Human Resources Implications

- 6.5.1. The proposed increase in the frequency of inspection would increase staffing within our Highway Service delivery partner, Ringway Jacobs. This would include the need for 1 additional Highway Safety Inspector and 1 additional Driver/Inspector. An initial increase in defect repairs would require a corresponding increase in operational staff to deliver the works.
- 6.5.2. Some further training will be required for highways staff in order to implement the new way of working.
- 6.5.3. For the winter service, the number of drivers required is anticipated to reduce by between 6 and 12, some of these drivers are sourced through supply chain partners who deliver the service as an additional duty, hence this will not result in redundancies.

6.6. Risk Management Implications

- 6.6.1. The approach to safety inspections may see some defects existing on lesser used roads for a longer length of time after identification. However the move to a 40mm investigation level from the current 50mm intervention

level is likely to mitigate this and should reduce the overall risk to the travelling public.

- 6.6.2. The approach to winter service has seen the removal of some roads from the winter treatment routes and the addition of others, this has been undertaken in accordance with the guidance provided in The Code and thus has seen a risk based approach to the inclusion of roads to the treated network.
- 6.6.3. The removal of some roads from the winter treatment network could increase the risk of accidents on the network; however, the risk assessment process adopted should mean this is a manageable risk.
- 6.6.4. The application of road salt to a highway doesn't give an absolute guarantee that the road will remain free from ice and as such drivers should still drive to the weather conditions.
- 6.6.5. The reduction in winter fleet drivers is likely to result in less driver resilience during times of extreme weather.
- 6.6.6. A risk matrix relating to this report can be found in Appendix 8.

6.7. Rural Communities Implications

- 6.7.1. 57% of the Cheshire East highway network is classed as rural serving over half of our population. The rural highway network is vital to the economy of the Borough.
- 6.7.2. The risk based approach to highway maintenance sees resources prioritised by road usage, risk and nature of the network and as such lesser used low risk routes may receive lower prioritisation than busier high risk main routes.
- 6.7.3. The removal of some of the rural roads may make access to some rural businesses and communities difficult during snow and icing conditions; however, the proposed assessment of the removed roads for a grit bin could help to mitigate this.

6.8. Implications for Children & Young People/Cared for Children

- 6.8.1. The new way of working considers levels of service where facilities serving children and young people are located.

6.9. Public Health Implications

- 6.9.1. The new code of practice considers key infrastructure needs to promote sustainable modes of travel.
- 6.9.2. The new proposals also consider the LTP and as such look to reduce risks to walkers and cyclists and as such should reduce the risk of trips and falls.

6.10. Climate Change Implications

- 6.10.1. 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.
- 6.10.2. 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.

6.11. Ward Members Affected

- 6.11.1. All wards and all ward members are affected by the implications of The Code.

7. Consultation & Engagement

- 7.1. The approach to The Code has been discussed with the Environment and Regeneration Overview and Scrutiny Committee on the 18/06/18, 15/10/18, 15/07/19 and 21/01/20.
- 7.2. 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 the Old and New Inspection Process
 - Draft Winter and Adverse Weather Policy
 - Winter and Adverse Weather Plan Consultation 2018
- 7.3. The approach to community engagement was guided by the Council's Research and Consultation Team.
- 7.4. The details of the consultees can be found in Appendix 9.
- 7.5. 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.
- 7.6. The consultation was pushed through social media and was pushed to 3583 Twitter accounts. The Council retweeted the consultation four times.
- 7.7. In total, 93 responses were received from a variety of interested parties including local residents, town/parish Councillors and voluntary/community

organisations. A report on the public consultation can be found in Appendix 10.

- 7.8. As a result of the consultation with Environment Regeneration and Overview Scrutiny Committee and the public consultation. The following amendments were made to the documents and proposed ways of working:

Highway Inspection Code of Practice and Policy

- 7.9. Further consideration was given to cyclists and motorcyclist, and investigatory levels in on carriageway cycle lanes were revised from 40mm to 20mm.

Winter and Adverse Weather Plan

- 7.10. More information was added to the document around self-help.
- 7.11. A scoring factor was added to the risk assessment process to consider the National Cycle Network.
- 7.12. Consideration is being given to the way the Council communicate during weather events.

Resilient Highway Network

- 7.13. An additional consultation was carried out with regards to the Resilient Network. Details of the consulted stakeholders can be found in Appendix 9.
- 7.14. 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.
- 7.15. Comments were also received from Highways England and as a result their emergency and planned diversion routes were added to the Resilient Network.

Area Highway Groups

- 7.16. At the Environment and Regeneration Overview and Scrutiny Committee on 15/07/19 it was agreed that the proposed winter treatment network should be consulted on with the Area Highway Groups (AHG). As a result over the summer and early autumn each AHG was visited and given opportunity to comment on the roads that are proposed to be gritted in their areas. The AHGs suggested roads which they felt should be included on the treated network. The roads highlighted had the risk assessment process repeated and in some instances roads were added in. Details of these roads can be found in Appendix 11.

- 7.17. Following on from the AHGs a further update regarding the AHG comments was presented to Environment and Regeneration Overview and Scrutiny Committee on 20/01/20.

8. Access to Information

- 8.1. All supporting documents to this report can be found in the Appendices.

- 8.2. List of Appendices:

Appendix 1 – Legislation, Guidance and Local Documents

Appendix 2 - Proposed Network Hierarchy

Appendix 3 - Resilient Network Strategy and Map

Appendix 4 - Inspection Frequency Options

Appendix 5 - Highway Safety Inspection Policy and Code of Practice

Appendix 6 - Winter and Adverse Weather Policy and Plan

Appendix 7 - Equality Impact Assessment

Appendix 8 – Risk Register

Appendix 9 - Public Consultation Consultee List

Appendix 10- Well Managed Highway Infrastructure –Summary of Results

Appendix 11 - Area Highway Group Comments

All appendices are available electronically by contacting Matthew Davenhill via: Matthew.Davenhill@cheshireeast.gov.uk or on the cabinet agenda webpage.

9. Contact Information

- 9.1. Any questions relating to this report should be directed to the following officer:

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