

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Environment and Transportation Select Committee
Date of meeting:	5 November 2013
Report Title:	Highway Maintenance Management Plan
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Report From:	Director of Economy, Transport and Environment

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1. Purpose of Report

1.1. The purpose of this report is to assist the Select Committee in its consideration of the proposed Highway Maintenance Management Plan policy and guidance and to advise of comments that were received during public consultation. Views expressed by the Committee about the document will be reported to the Executive Member when the proposed document is considered for adoption in 2014.

2. Contextual Information

2.1. The Highway Maintenance Management Plan (HMMP) has been a key document in the department for over 25 years. It sets out highway policy and procedure in respect of highway maintenance and regulation, aligns to national good practice and the requirements of relevant legislation. Although the content has been updated and added too over the years, a major review of the document has not taken place

2.2. The present HMMP consists of nearly 40 policies with a similar number of procedures. Where the documents have been amended over the years the policies themselves are now a mixture of policy, general information, guidance and process but give little or no explanation to the reader as to why they exist. The new document structure replaces the existing policy and procedure format and will provide the reader with much more contextual information.

2.3. The existing documents were originally written as 'hard', paper based reference documents before electronic formats were available. The proposed new HMMP will be compatible with an electronic format; it will allow easy access to supporting information, such as application forms and advice sheets for the public and detailed guidance and support for operational staff and members. To enable this approach, three levels of information are proposed.

Level 1 – This will be a web based document accessible to all and will explain why the policies are necessary. It will set out policy statements, of which there are eight in total covering all Hampshire's highway maintenance and

management activities, and summary supporting information for each policy. A draft, copy of which is set out in Appendix 1, was prepared earlier this year and was subject to public consultation exercise over the summer

Level 2 – This will be an intranet document available on Hantsnet providing summary guidance for staff and Members and directing readers to the detailed information sitting in the Level 3 suite of documents. This document is currently being developed and will evolve as the more detailed Level 3 information is improved.

Level 3 – This is essentially operational information. It provides a wide range of information from process and procedure to policy guidance on specific issues, standard forms, licences, service charges and more. Some of this information will be directly available from the Level 1 document or from web forms which will be easily accessible to our customers and residents.

- 2.4. Although the number of policies has been rationalised by grouping similar statements under generic headings, the essence of these policies remain unchanged, continuing to reflect relevant legislation and Hampshire specific requirements.
- 2.5. The most significant change is in the way the information is presented. The simple policy statements are now separate from the detailed related guidance and interpretation in Level 3.
- 2.6. Beyond the work on the Level 1 document (Appendix 1) there is a need to review all Level 3 documentation; to ensure that there is sufficient guidance for Members and Officers to interpret policy correctly, to support them in their decisions, and to ensure there is sufficient process and procedure for operational efficiency. It is envisaged that this will take some considerable time, probably two years or more and some sort of prioritisation will be required
- 2.7. In the immediate future, and subject to the Committee's comments and subsequent approval by the Executive Member for Economy, Transport and Environment, the existing policy statements will be replaced by the Level 1 document. The procedures will remain operational until each is superseded, amended or removed.
- 2.8. Officers would welcome this Committee's views regarding the priorities for developing any new policy guidance, procedures and processes. This may include a review of existing information or developing new guidance where presently there is no adequate information.

3. Consultation

- 3.1. The public and relevant interest groups were invited to comment on the document by using an online web survey. The consultation ran from 23 August to 6 October 2013. It was promoted in the news items of the County Council's home web page and supported by a press release. An email with information on the consultation was also sent to 57 interest groups ranging from the Hampshire Association of Local Councils to bus operators, disability and older people groups, and the emergency services.

3.2. Twenty-four responses were submitted using the online survey. A further three responses were received separately. The types of respondents were as follows:

Local resident	13
Elected Councillor	4
District Council/National Park Auth.	3
Parish/Town Council	3
Charity/Non Government Org.	2
Local Environmental Interest Group	1
Other	1

3.3. The survey included questions on each of the eight highway management policy areas. The questions asked whether respondents agreed with particular parts of the policy, if they agreed subject to amendments being made, or if they did not agree at all. Some of the policy areas included several questions. Respondents could choose to answer all questions or only those that related to policy areas that were of interest to them.

3.4. The survey asked whether the respondent agreed with the policy; with the option of indicating 'yes', 'no', 'maybe with amendments' or 'don't know'. The comments received are provided in Appendix 2. Significant comments, or similar comments that were made by a number of respondents, are summarised below.

4. HW1 Enforcement and Prosecution

This policy deals with the actions the Highway Authority may take in response to an unlicensed or illegal activity on the highway and the legislative powers at their disposal.

4.1. Comment from the Consultation

There were 13 responses, 8 supported the policy and 2 did not. The few comments received focused more on illegal parking, parking likely to cause an obstruction and its enforcement. This policy and this document does not cover parking, with the exception of remedial action for damage caused by parking on grass verges and footways, control of parking and its enforcement is covered in the TMPG. There were other comments which were of a detailed nature and covered how the policy is applied i.e. the standards adopted, not the policy itself.

4.2. Proposed Changes to the Document

No proposed changes.

5. HW2 Licensing and Consents

This policy covers activities that the Highway Act 1980 allows on the highway subject to the appropriate licenses or consents being received from the Highway Authority.

5.1. Comments from the Consultation

There were 10 responses, 5 supported the policy and 2 did not. The comments received covered how the policy should be applied and not the policy itself. For example the cost of licences, what considerations are given to disabled or vulnerable people etc. Issues such as these are already covered in other policy or guidance.

5.2. Proposed Changes to the Document

No proposed changes

6. HW3 Highway Status

6.1. This policy covers the Highway Authority's responsibility for creating, recording and extinguishing publicly maintainable highways.

6.2. Comments from the Consultation

There were 8 responses, 4 supported the policy and 1 did not. The comments received were a mixture of complaint, personal views on what should or should not be adopted and maintenance issues. Two responses asked for clarity regarding public rights of way.

6.3. Proposed Changes to the Document

The document has been amended to clarify the position regarding Public Rights of Way, excluding them and referring any enquiries to the Countryside and Community team.

7. HW4 Routine and Reactive Maintenance

7.1. This policy covers the Highway Authority's responsibility to keep the highway network and all its assets in a safe condition.

7.2. Comments from the Consultation

There were 17 responses, 9 supported the policy and 3 did not. There were a number of comments concerning; operational issues, contractual issues, workmanship and standards, some related to specific problems and some were more generic. It is important to reiterate that this is a high Level policy document and does not drill down into service standards or local issues. It should be noted that the next phase of this project is to look at the supporting documentation, service standards and the interface with the public.

One comment asked why only drainage and inspection frequencies were identified. Our inspection frequencies remain reasonably static and are

fundamental to the Authority's statutory defence in case of a claim and are therefore prescribed. The drainage frequency data was an old service standard which is no longer applicable as frequencies change dependent on need or available budget. This was a mistake and has been removed from the document. See comments above regarding service standards.

One comment related to Hampshire's Public Sector Equality Duty and states that there is no Equalities Impact Assessment (EIA) on these policies. In response and as mentioned earlier in the report these policies are not new, they are a refresh of the existing policies and part of a wider review, which is reviewing how Hampshire communicates its service standards to the wider public. The Highways Traffic and Transport Service Stream has undertaken EIA's in their delivery plan and a review of these assessments in light of this policy review concluded that no change to the existing documentation was necessary and that the impacts identified in that exercise remain unchanged. Additional comments referred to standards and publication of inspection results. These comments although important are not part of the policy document and are covered in other documents, such as the 'Highway Inspection Process' and requests for information under the Freedom of Information Act.

7.3. Proposed Changes to the Document

The service Level for the frequency of cleansing on drainage items has been removed from the document.

8. **HW5 Structural Maintenance**

8.1. This policy covers structural and planned maintenance operations which improve the condition or lengthen the useful life of an asset.

8.2. Comments from the Consultation

There were 7 responses, 2 supported the policy and 3 did not. The comments received focussed on individual issues, poor signage, lack of maintenance and did not address policy issues.

8.3. Proposed Changes to the Document

No proposed changes

9. **HW6 New Infrastructure**

9.1. This policy covers the standards and processes necessary for the adoption of new infrastructure or the replacement of existing infrastructure.

9.2. Comments from the Consultation

There were 5 responses, 1 supported the policy and 2 did not. Comments received questioned the provision of new infrastructure as a result of new development and available resources; they did not provide comment on Hampshire's policy for ensuring new infrastructure is controlled and meeting appropriate construction standards.

9.3. Proposed Changes to the Document

No proposed Changes

10. HW7 Weather Emergencies

10.1. This policy covers Hampshire's approach to major and widespread weather events

10.2. Comments from the Consultation

There were 8 responses, 4 supported the policy and 1 did not. The small number of comments focussed on the extent of emergency measures and the priorities. Some of these comments are already accommodated in Hampshire's Severe Weather Emergency Response Plan.

One comment suggested that where footways are mentioned it should read footways and cycleways.

10.3. Proposed Changes to the Document

For clarity the word cycleways will be added as requested.

11. HW8 Network Management and Street Works

11.1. This policy relates to Hampshire County Council's duties to regulate and coordinate street works.

11.2. Comments from the Consultation

There were 9 responses, 3 supported the policy and 1 did not. The comments received were of a similar vein suggesting that various aspects of street works could be managed better with more controls. It should be noted that Hampshire as the Street works Authority is bound by legislation and does apply its powers and undertakes its duties appropriately.

One response focussed on safety at street works and the appropriateness of pedestrian access routes particularly for the elderly and the disabled. It should be noted that signing and guarding of street works is covered in the national Code of Practice and specifically includes provision for vulnerable road users. This is adopted by all by all Utility companies and Contractors that operate on the highway.

11.3. Proposed Changes to the Document

No proposed changes

12. Any Other Comments

12.1. There were a number of comments relating to general maintenance standards. Specific issues will be forwarded to the appropriate highway offices for noting.

12.2. One response again mentioned the needs of vulnerable users and Hampshire's responsibilities under the Equalities Act 2010 stating that none of the policies considered in this document take into account the needs of the disabled, elderly and children. It should be noted that none of the policies specifically list all the legislation that affect the Highway Authority in undertaking its duties and the particular case of the Equalities Act Hampshire have a corporate policy and the Highways Traffic and Transport Service stream has undertaken EIA's within its service plan to comply with this legislation.

12.3. Two responses from the National Parks Authorities for the New Forest and the South Downs have requested that the HMMP refers to the special requirements of National Parks.

12.4. Proposed Changes to the Document

Reference will be made in the list of legislation to the Equalities Act and a link will be provided to the Corporate Policy.

A section will be added to the document illustrating the role of the National Parks on highway maintenance within the park boundaries.

13. Conclusions

13.1. This is an overhaul of the HMMP document structure and content and not a rewrite of the policies. It will provide more accessible forms and better and information for the public. In addition, the next phase of work, will provide improved guidance for Officers and Members on how to apply the policy.

13.2. The existing HMMP documents will remain in place until appropriate approvals for the replacement documents have been given.

13.3. The responses to the consultation were limited to just a few individuals and organisations. Many of the responses covered details and commented on the standards applied not policy itself, e.g. the frequency of routine activities, the quality of workmanship and value for money/ budgetary issues. The policy issues raised have been accommodated and amendments made to the attached document (appendix1).

13.4. Some comments identified the need for developing and continuing good relationships with the Highway Authority in undertaking its management duties. Relationships with all potential consultees will be reviewed and developed as and when the detailed processes and procedures are updated.

14. Recommendations

It is recommended that:

- a) The Select Committee note this report, including the results from the consultation and the proposed amendments.
- b) That the Select Committee endorse the proposed Highway Maintenance Management Plan policy document for approval by the Executive Member for Economy, Transport and Environment in January 2014.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. The proposal in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the County Council's equality objectives.
- 1.2. The Highways Traffic and Transport service has an up to date Equalities Impact Assessment for Objective 1.1 - Well maintained and resilient highways in Hampshire and Objective 1.2 – Safe and well managed highways in Hampshire. The proposed review of the Highway Management Maintenance Plan (HMMP) has been checked against these assessments and no amendments are necessary.

2. Impact on Crime and Disorder:

- 2.1. The policies concerning regulation, enforcement etc. complies with the requirements of appropriate legislation and there is no impact on crime and disorder.

3. Climate Change:

- 3.1. The policies covering maintenance of the asset and the provision of new infrastructure do not specifically cover carbon footprint and energy consumption. However at a project/ scheme Level these issues are dealt with in Hampshire's procurement processes.