

**HAMPSHIRE COUNTY COUNCIL****Report**

<b>Committee:</b>	Economy Transport & Environment Select Committee
<b>Date:</b>	20 January 2015
<b>Title:</b>	Outcomes: Task & Finish Working Group on Trialling New Ways of Working During the Extension of the Highways Maintenance Contract
<b>Reference:</b>	6371
<b>Report From:</b>	Director of Policy & Governance, Corporate Services

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## **1. Purpose of Report**

- 1.1. In July 2014 the Economy Transport & Environment Select Committee agreed to establish a Task & Finish Working Group regarding highways maintenance, to provide input to new ways of working to be trialled during the extension of the current highways maintenance contract. This report summarises the considerations of this Working Group and their recommendations, for endorsement by the full Committee. If supported, the recommendations will then be provided to the Executive Member for Economy Transport & Environment for his consideration.
- 1.2. The Select Committee will monitor at future meetings the response of the Executive Member to the recommendations, and if accepted, monitor the impact of the recommended changes.

## **2. Contextual Information**

- 2.1. At the 28 April 2014 meeting of the Economy Transport & Environment Select Committee, the Committee considered a report regarding the future of highway service delivery arrangements (reference 5806). That report referred to the opportunity to explore new ways of working with the current contractor (Amey) during a potential extension to the existing contract, and to learn lessons to inform any new contract.
- 2.2. The Select Committee made a recommendation to the Executive Member for Economy Transport & Environment to support a one year extension to the current highway maintenance contract, which was agreed by the Executive Member at his decision day on 6 May 2014. The Select Committee also resolved to set up a Task & Finish Working Group to provide input to the new ways of working that could be trialled during this extension period.
- 2.3. With the one year extension, the current contract is due to end in April 2017. Therefore any trials of new ways of working would ideally need to be in place

by April 2015 in order to have time to consider their impact, and include any successful options in the planning for the future arrangements that will come after the current contract.

### **3. Working Group Considerations**

- 3.1. The Select Committee's Task & Finish Working Group was a cross party group which comprised the following Members:
- Cllr Sharyn Wheale (Chairman)
  - Cllr Graham Burgess
  - Cllr Roger Huxstep
  - Cllr David Simpson
  - Cllr Mark Staplehurst
- 3.2. The group held an initial meeting in late July 2014, at which officers presented an overview of the current highways maintenance contract. Members highlighted the aspects of highways maintenance where issues were often raised with them by residents, which tended to come under 'routine maintenance'. These included: control of weeds on the highway, drainage maintenance, grass cutting and cutting back foliage and vegetation. Members felt alternative approaches could potentially improve service delivery in these areas.
- 3.3. The group held a second meeting in October 2014 at which officers presented further details of the existing policy and service specifications for the aspects members had identified. As a result of the debate, the group agreed a number of recommendations to propose trials of new ways of working in those areas.

### **4. Weeds on the highway**

- 4.1. One of the aspects Members investigated was control of weeds on the highway. Currently the Highways Contractor undertakes a minimum of two herbicide applications per year (first between April and June, second between July and September), and spot treatments if necessary. This covers the following district areas: Test Valley, East Hampshire, Winchester, Gosport, Fareham, Rushmoor, Hart. The remaining Districts and Boroughs have agency agreements to undertake this service on the County's behalf (Basingstoke, Eastleigh, Havant, New Forest). Where agency agreements are in place, district's must meet the same service specification, for the same or less than the cost of the County Highway Contractor undertaking the work.
- 4.2. Members took the view that it is preferable for this service to be undertaken at a more local level, in order to benefit from increased flexibility and local knowledge, compared to running the service county wide.
- Recommendation:** That at least one of the district councils currently covered by the County Contractor be invited to trial undertaking the weed control service on behalf of the County Council.
- 4.3. It was proposed that Hart District Council be approached to be one of the trials.

## 5. Overgrown Vegetation

- 5.1. Another aspect Members considered was overgrown vegetation on the highway (e.g. foliage obscuring signage or restricting space on footways). Members heard that it is the County Council's responsibility to keep the highway (including footways) clear of obstructions and encroachments, however the vegetation is often the responsibility of adjacent landowners. Therefore the County Council sends letters to landowners giving a month to undertake the required work to cut back vegetation. If no action is taken within that time, a second letter is sent giving a further 7 days. If it is still not actioned a legal notice is served, which requires a 21 day notice appeal period. Once this has elapsed, an order is raised with the County Council's contractor to undertake the required works, and the cost is later re-claimed from the landowner.
- 5.2. It was noted that the current process of writing letters to landowners is lengthy, and plans are in place to make this more efficient. Again, Members took the view that managing vegetation would benefit from being undertaken at a more local level, to benefit from local knowledge. Members suggested that in areas where there are parish councils, members of the parish council may know the landowners concerned, and therefore be better placed to liaise with them.
- Recommendation:** That at least two parish councils be offered the opportunity to trial taking on writing to landowners requesting overgrown vegetation be dealt with.
- 5.3. **Follow up:** If a landowner does not cut vegetation when requested, the County Council can do so and then reclaim the costs of doing so from the landowner. Members considered that there could be benefits to enabling District Councils to undertake the cutting of vegetation in such circumstances, however they may not wish to do so without a guarantee of recompense. Members wished officers to investigate whether undertaking the works could be delegated to districts, with recouping the costs remaining a County Council role.
- 5.4. It was suggested that if delegation to districts was considered, Rushmoor Borough Council be approached to trial this, and that Cllr Simpson and Cllr Huxstep provide parish councils from their areas willing to trial notifying landowners.

## 6. Drainage Cleansing

- 6.1. The next element the Task & Finish group considered was drainage cleansing. The County Council currently undertakes routine inspection and/or cleansing of known drainage features at minimum frequencies based on risk and knowledge of the local area. Members heard that the frequency of drainage clearance was being reviewed using a risk based analysis, to reduce cleansing of low risk items, to focus spending on higher risk drainage features. The cleansing is undertaken by the Highway contractor.
- 6.2. **Follow up:** Members heard that the inventory of drainage items was being updated, and the review of the urban highway network had identified a large number of drainage features previously not listed. At the time of the Task &

Finish group meeting the review of the rural network was ongoing, and Members requested to be updated once this check has been completed.

- 6.3. It was noted that other drainage features are the responsibility of the relevant landowner. In such cases the County Council may liaise with landowners to encourage appropriate maintenance. Again Members took the view that liaising with landowners regarding keeping waterways such as ditches cleared could benefit from being done at a more local level. As with overgrown vegetation, Members considered parish councils better placed to liaise with local landowners.

**Recommendation:** that a number of parish councils be offered the opportunity to trial taking on writing to landowners regarding keeping waterways clear.

## 7. Grass Cutting

- 7.1 The Task & Finish group also considered the cutting of grass on the highway. The County Council currently cuts highway verges to prevent obstruction of sight lines, and prevent encroachment onto footways and carriageways. Rural grass cutting is undertaken by the Highways Contractor, with two swathe cuts per year and a full verge cutback every three years. Grass cutting in urban areas is currently delegated to district councils, with funding provided for approximately six cuts a year.

- 7.2 Members determined that there is variation in grass cutting across districts, as some districts undertake additional cutting. A formula is used to determine the level of payment made to districts for undertaking this service. Members suggested that the formula used and the amount of cutting undertaken be reviewed, to ensure payments are fair across the county and the county is getting an equal service for the level of payment made.

**Recommendation:** payments to districts for grass cutting be reviewed to ensure equity across the county.

## 8. Measuring Impact of Trials

- 8.1 Members suggested that if possible, for the three aspects where trials are recommended, trials be sought in different areas e.g. urban and rural, in order to provide evidence regarding whether the approaches would be suited across Hampshire in future. It was suggested that any trials be in place by April 2015, in order to have time to consider their impact prior to the commencement of any new contract for delivery of highway maintenance services, so that the option to provide the service in this way across Hampshire could be built in to the new arrangements if the trials are successful.

- 8.2 The Task & Finish Group discussed how the impact of the trials could be assessed. It was suggested that the Highways Section could establish a baseline level of complaints about each service area prior to any trials commencing, to compare with the level of complaints once the trials have been in place for a while. This would be a method for assessing public satisfaction with the trialled arrangements compared to current arrangements.

## **9. Parish Lengthsmen**

- 9.1. During the course of their deliberations, the Task & Finish group also noted the role of parish lengthsmen, where they existed, to monitor maintenance requirements on the highway and undertake minor works. Members agreed on the value of the parish lengthman scheme, and wished to support its use, and ensure the County Council did all it could to avoid barriers to use of parish lengthsmen, such as helping parish councils with insurance issues. The Select Committee could consider looking at the parish lengthmen scheme as part of the future work programme.

## **10. Conclusions**

- 10.1. The Select Committee is invited to support the recommendations of the review group, for onward submission to the Executive Member for Economy Transport & Environment, as follows:
1. That at least one of the district councils currently covered by the County Contractor be invited to trial undertaking the weed control service on behalf of the County Council.
  2. That at least two parish councils be offered the opportunity to trial taking on writing to landowners requesting overgrown vegetation be dealt with.
  3. That a number of parish councils be offered the opportunity to trial taking on writing to landowners regarding keeping waterways clear.
  4. Payments to districts for grass cutting be reviewed to ensure equity across the county.
- 10.2. Depending on any updates provided at the meeting, the Select Committee may wish to consider additional recommendations regarding overgrown vegetation cutting being delegated to district councils, and adding an item on the parish lengthsmen scheme to the future work programme.
- 10.3. For the Select Committee to retain this item on the work programme, for future monitoring of the recommendations arising from this Task & Finish group.

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u> Highways Maintenance Task & Finish Group Plans	<u>Reference</u> 5969	<u>Date</u> 08 July 2014
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

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.)

DocumentLocation

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

All Highways Maintenance is required to follow the service specification and should therefore provide equity of service across the Council. The recommendations relate to minor process changes, and it is not anticipated this will have any variable impact on persons with a protected characteristic.

### **2. Impact on Crime and Disorder:**

2.1. None anticipated

### **3. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

No additional impact anticipated.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Climate change may result in increased likelihood of extreme weather such as flooding. Utilising additional ways to encourage landowners to undertake maintenance of drainage features should assist with flood risk management.