

HAMPSHIRE COUNTY COUNCIL**Report**

Committee:	Economy, Transport and Environment Select Committee
Date:	30 June 2016
Title:	Review of Highway Maintenance Trials
Reference:	7622
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 provide the Select Committee with an update following the Committee's consideration of a report on 19 January 2015, entitled '*Task & Finish Working Group on Trialling New Ways of Working During the Extension of the Highways Maintenance Contract*'.
- 1.2. This report also highlights the work that has been undertaken as a result of the recommendations made by the Committee's Task and Finish Group, including the progress of the various trials, their impact and a proposal to continue the trials into the next Hampshire Highways Services Contract (HHSC).

2. Contextual Information

- 2.1. On 20 January 2015 the Select Committee considered a number of recommendations put forward by a task and finish group of the Select Committee, regarding future highway service delivery arrangements for the Highway Service. In its report, the Task and Finish Group, 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 which may inform the new contract Hampshire Highways Service Contract.
- 2.2. The Select Committee supported a number of recommendations made by the Task & Finish Group for submission to the Executive Member for Economy Transport & Environment. These were as follows:
 - a) 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.
 - b) That at least two parish councils be offered the opportunity to trial taking on writing to landowners requesting overgrown vegetation be dealt with.

- c) That a number of parish councils be offered the opportunity to trial taking on writing to landowners regarding keeping watercourses clear.
- d) Payments to districts for grass cutting be reviewed to ensure equity across the county.

3. Weeds on the highway

- 3.1. Following the recommendation from the previous report Hart District Council was invited to undertake a trial for the delivery of the weed control service which was being carried out by the County Council's contractor at that time.
- 3.2. This trial has now been in operation since April 2015 with Hart District Council undertaking this service within its own area. The delivery of this service has involved the application of two weed treatments during the financial year 2015/16 and has been extended into 2016/17 financial year.
- 3.3. The overall feedback from Hart DC has been positive, with the District utilising the services of Basingstoke and Deane Borough Council's weed treatment contractor to undertake this service. Such an arrangement has proved beneficial in terms of the cost whereby the overall cost has been lower than that incurred with the use of the County Council's highway contractor.
- 3.4. Initial indications from Hart DC indicate that they consider that the service delivery has benefitted from increased flexibility and local knowledge compared to that of a county wide service.
- 3.5. It is proposed that consideration should be given to the inclusion of delivery of the weed treatment service as part of the forthcoming negotiations with the District Councils for new agency arrangements. If the District Councils can deliver the service at rates equal to or less than that obtained as part of the tender process for the new HHSC. The District Councils should then be encouraged to continue delivering or to take on this service.

4. Overgrown Vegetation

- 4.1. The second recommendation from the report of 20 January 2015 was to offer two parish councils the opportunity of trialling the responsibility to write directly to landowners requesting that overgrown vegetation be dealt in line with the process introduced by the County Council.
- 4.2. The process introduced by the County Council reduces the number of letters and notices sent to residents where vegetation overhanging the highway has been identified. The process simplifies the noticing procedure whereby residents or landowners are advised that should they not undertake the cutting back of the overhanging vegetation the County Council will carry out this work and recover the costs.
- 4.3. The new process is proving successful with increased numbers of residents and landowners (approx. 25%) cutting back vegetation upon receipt of first notice.
- 4.4. Damerham, Soberton, Hyde, Swanmore, Shedfield and Yateley Parish and Town Councils have been approached to ascertain if they are interested in taking on this responsibility and all six have expressed a desire to work with the County Council in trialling the new process. Initial meetings have been

held with each Parish or Town Council with further meetings planned to finalise the details of the process to enable the initial trials to be carried out through the summer and autumn season of 2016.

- 4.5. The County Council's own process is being amended for use by the Parish and Town Councils to account for local nature of the delivery of the service by them. However, the process will ensure that formal legal notices can be sent to residents as necessary and that any costs incurred by the County Council can be recovered.
- 4.6. It is therefore proposed to commence the trials as soon as possible and upon completion, a review be undertaken to ascertain its level of success. If successful it is then proposed engage with other local Parishes and Town Councils to encourage them to assume responsibility for the issuing of overhanging vegetation notices locally where they wish to do so.

5. Drainage Cleansing

- 5.1. The third recommendation from the 20 January 2015 report relates to offering the opportunity for a number of Parish Councils to trial responsibility for writing to local landowners regarding the need to keep ordinary watercourses clear of debris and overgrown vegetation.
- 5.2. To date little progress has been made in engaging any Parish or Town Councils in a formal trial for corresponding with landowners regarding clearing ditches and watercourses, however Highways along with the Flood & Water Management Team (FWMT) have been engaging informally with a number of Parish and Town Councils to assist the County Council in contacting residents and landowners informally, requesting blocked or silted ditches and watercourses be cleaned and cleared.
- 5.3. This has worked well with the local knowledge of Parish and Town Councils being utilised to obtain actions by residents and landowners.
- 5.4. Highways and the Flood & Water Management Team are currently reviewing the existing ditch clearing notice process, to consider a more robust and streamlined approach to require residents and landowners to undertake this work faster upon receipt of a request. In addition the county is progressing with the recovery of costs incurred in undertaking necessary work when a formal notice has been issued and no action taken.
- 5.5. Once this new process is implemented, it is envisaged that the six Parish and Town Councils engaged in the overhanging vegetation trial in section 4 and who have also expressed interest in trialling a more formal ditch cutting/clearing procedure, will undertake this process to ensure it is managed locally.
- 5.6. Therefore it is proposed that upon completion of a review of the ditch clearing process, the six parish council involved with overhanging vegetation will also be asked to trial this process for their areas.

6. Grass Cutting

- 6.1. The final recommendation from the 20 January 2015 report was for a review of the payments made to the districts councils for grass cutting, to ensure equity across the county.

- 6.2. The review of payments to district councils for urban grass cutting was included in a report (reference: 7181) to the ETE Executive Member on 19 January 2016, entitled Highways Environmental Maintenance Service Delivery Arrangements.
- 6.3. Within the ETE Executive Members report of 19 January 2016, the financial arrangement for future funding of environmental services (grass, weeds & arboriculture) delivered by the District councils was clarified. As part of this report it was approved that the County Council will obtain prices for urban grass cutting service as part of the tender process for the new Hampshire Highways Service Contract (HHSC), which will replace the existing Term Highways Contract from 1 August 2017.
- 6.4. Following this tender process the Districts and Boroughs Councils will be invited to consider the prices obtained within the tender process, and where they are able, whilst adhering to the same revised specification, provide the service for a price equal to, or less than, that submitted with the HHSC, (together with the yearly price increases) the County Council will seek to renegotiate new agency arrangements with them.
- 6.5. This process will ensure that payments to the districts for grass cutting are fair across the county and the County Council is getting an equal service for the level of payment made.
- 6.6. It therefore proposed that upon receipt of the HHSC prices for urban grass cutting, the County Council will commence negotiations with the District and Borough Councils to enter into new agency arrangements, where a District Council can deliver the service at rates equal to or less than those obtained for the new HHSC.

7. Conclusions

- 7.1. The Select Committee is asked to note the progress to date on the trials for disseminating responsibility to Hampshire's parish & town councils in respect of work carried out on weed control, overgrown vegetation and drainage cleansing and to support the following proposals:
 - i. That consideration should be given to the inclusion of delivery of the weed treatment service as part of the forthcoming negotiations with the district councils for new agency arrangements, if the district councils can deliver the service at rates equal to or less than that obtained as part of the tender process for the new HHSC. District councils should then be encouraged to continue delivering or to take on this service.
 - ii. That trials commence as soon as possible for six parish & town councils to undertake the issuing of overgrown vegetation letters/notices and upon completion, a review be undertaken to ascertain its level of success. If successful it is then proposed engage with other local parish and town councils to encourage them to assume responsibility for the issuing of overhanging vegetation notices locally where they wish to do so.

- iii. That upon completion of a review of the ditch clearing procedure and process, the six parish council involved with overhanging vegetation will also be asked to trial the process for issuing drainage clearance notices and letters within their areas on behalf of the County Council.
- iv. That upon receipt of the HHSC prices for urban grass cutting, the County Council will commence negotiations with Hampshire's district and borough Councils to enter into new agency arrangements, where a district council can deliver the service at rates equal to or less than those obtained for the new HHSC.

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:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Outcomes: Task & Finish Working Group on Trialling New Ways of Working During the Extension of the Highways Maintenance Contract	<u>Reference</u> 6371	<u>Date</u> 20 January 2015
Direct links to specific legislation or Government Directives		
<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.)

<u>Document</u>	<u>Location</u>
None	

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:

Impact assessments are undertaken in advance of any formal executive decision. Information about those impact assessments, including equalities and impact on crime and disorder and on climate change, will be set out in the appendices to the relevant decision making reports. This report is an update to the Select Committee and is not proposing any change or decision, therefore impact assessments have not been undertaken.

2. Impact on Crime and Disorder:

- 2.1. Impact assessments are undertaken in advance of any formal executive decision. Information about those impact assessments, including equalities and impact on crime and disorder and on climate change, will be set out in the appendices to the relevant decision making reports. This report is an update to the Select Committee and is not proposing any change or decision, therefore impact assessments have not been undertaken.

3. Impact on Climate Change:

- 3.1. How does what is being proposed impact on our carbon footprint / energy consumption?
- 3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?
- Impact assessments are undertaken in advance of any formal executive decision. Information about those impact assessments, including equalities and impact on crime and disorder and on climate change, will be set out in the appendices to the relevant decision making reports. This report is an update to the Select Committee and is not proposing any change or decision, therefore impact assessments have not been undertaken.