

Report to	Communities Scrutiny Committee
Date of meeting	20th January 2022
Lead Member / Officer	Councillor Brian Jones: Lead Member for Waste, Transport and the Environment / Tony Ward: Head of Highways and Environment
Report author	Tim Towers: Highways Asset and Risk Manager
Title	Highways Maintenance Policies for Unclassified Roads

1. What is the report about?

- 1.1. To examine the Council's policy for maintaining unclassified roads along with the criteria and formula that will be applied for allocating and spending the additional funding allocated towards highways in the county.

2. What is the reason for making this report?

- 2.1. To provide Members with an understanding of how the statutory duty to maintain the highways is applied to non-principal roads so as to ensure that they are safe. The report includes an explanation of the overall strategy that is used so that any funding opportunities have the maximum effect.

3. What are the Recommendations?

- 3.1. That the Committee consider the report and confirms that it is happy that the correct approach to highway maintenance is being applied so that the best alignment between the risk to users and the available funding is being achieved.

4. Report details

- 4.1. Maintaining the roads is a Statutory Duty laid down by the Highways Act, 1980, but there is a little bit of interpretation as to what can be seen as 'the standard' because each Highway Authority (of which Denbighshire County Council is one) is constrained

by budgetary limitations; resources; the use (and type of use) its network gets; and a few other considerations. For this reason, each Authority lays down its minimum standards in a Code of Practice. Denbighshire's Code of Practice was ratified by Cabinet on 21st January 2020.

- 4.2. The Code of Practice covers such issues as road hierarchy; defect definition; inspection cycles; and repair response times. The standard of maintenance laid down in the Code of Practice is the same right across the county, irrespective of the class of road i.e. a pothole is the same on an A road as it is on a minor rural road, and the defined repair time is the same too. The only difference is the regularity of inspections; unclassified rural roads are formally inspected twice per year, and unclassified urban roads are inspected every three months.
- 4.3. Denbighshire has 1,418 kilometres of roads and the table below gives the breakdown of how that network is made up in terms of both road classification and the split between rural and urban. The figures are in kilometres.

Classification	Urban	Rural	Total
A Roads	29.7	110.1	139.8
B Roads	18.2	115.5	133.7
C Roads	31.7	489.9	521.6
Unclassified	222.2	401.2	623.4
Total	301.8	1116.7	1418.5

- 4.4. A and B roads are not considered in this report. The council undertakes a survey of 50% of its C roads each year and this is carried out using specialist equipment by an external supplier. This shows the proportion of roads in 'Poor' condition (defined as requiring planned maintenance soon). In 2017, this figure was 10.2%, which improved to 8.3% in 2019, and improved still further in 2021 when it was 7.6%. However, 7.6% of C roads still equates to 40km of carriageway requiring work.

- 4.5. It is much harder to evaluate the condition of unclassified roads but, since 2011, we have used a points system based on visual appearance with high scores meaning the surface is visually poor i.e. potholed and requiring patching / resurfacing. Unfortunately, due to Covid, this method had to be suspended for quite some months so a recent evaluation isn't available. However, the most recent trend showed that (after an improvement from 2011 to 2016) these roads were worsening. We expect that new figures will show the roads to be back to, or worse than, the 2011 position.
- 4.6. All evaluations show there to be a marked difference between the condition of urban roads and rural ones, with those outside the 30-mph limit being markedly worse. The main areas of concern therefore relate to rural roads which, as can be seen from the table in 4.3, form a much larger proportion of the network. Our own evaluation is also borne out by the disparity of enquiries we get from residents and road users where again the emphasis is on potholes outside the towns.
- 4.7. The Committee asked for criteria and/or a formula for allocating additional funding, but this is hard to crystallise into something tangible. Historically, the Asset Manager has determined which roads go on the programme and, once these have been matched to the available budget, has agreed this list with all Councillors. The 'criteria' for determining what should be on the list was never documented as it is difficult to define, but it was always based on ensuring that there was at least one good quality road serving any community. Usually this was the busiest link into the locality so that the maximum number of users would benefit. It also ensured that the risk to users was minimised, as required by the Highways Act. Another part of the strategy was that roads that were just beginning to fail were treated so that the failure was arrested before it became much more expensive.
- 4.8. It is anticipated that additional capital funding will allow greater use of the strategies laid out in paragraph 4.5. However, we will also utilise the prioritisation strategy that was agreed at Performance Scrutiny Committee on 7th December 2017, and now contained in the DCC Highways Code of Practice, namely:
- a) We will focus on a prevention strategy and use available funding to protect as many roads as possible that are still in relatively good condition. It represents better value for money to protect/prevent than to repair.

- b) We will prioritise surface treatments to seal up existing roads to keep them in a good condition.
- c) Smaller scale patching / overlay work will continue to have a fundamental place in the programme.
- d) We will identify sites where joint sealing will be sufficient to prevent any large scale deterioration.
- e) We will utilise revenue budgets effectively such that drainage systems work efficiently to keep as much water off the carriageway as possibly.
- f) We will target Jetpatcher work to treat rural deterioration.
- g) We will work with other services to achieve best value from available funding.
- h) We will seek funding from Welsh Government to address significant issues that we are unable to fund.

4.9. This report is also an opportunity to inform Members that the Service is also looking at other strategies that should also result in enhanced maintenance over the next few years. Gully emptying, ditch clearance and sweeping are all funded from revenue, as is pothole filling. Our aim is to have fewer potholes (due to better road surfaces) and this money can then (in part) be ploughed back into other activities to support general maintenance. Over and above this, we intend to more accurately target problem drainage so that water is kept off the road surfaces and deterioration is minimised. This year we have already begun a strategy of closing sections of road so as to undertake more fundamental work such as patching, culvert clearance and ditching improvements so that longer lasting benefits are achieved. Over time, as the network improves due to better investment, this roll out will be extended so that greater value for money is achieved.

4.10. Although this report focusses on rural roads, it is important to note that the strategies set out in this report are for all roads as they all fall under the same Duty. The additional capital funding, coupled with a change of focus, will allow us to develop a robust, good quality road network across the county. Although this is a long term aim, our strategy is one that will also deliver short term benefits that will be welcomed by residents as soon as they become aware that work is about to take place on many of the longstanding problematical roads they have had to use in recent years.

5. How does the decision contribute to the Corporate Priorities?

- 5.1. “Investing in roads and bridges to maintain a viable, sustainable infrastructure” is an explicit commitment in the current Corporate Plan, and forms part of the Connected Communities Corporate Priority.

6. What will it cost and how will it affect other services?

- 6.1. There is no significant impact on any other services. The approach set out in this paper will be delivered within existing budgets.

7. What are the main conclusions of the Well-being Impact Assessment?

- 7.1. No decision is sought from this report, so no Well-Being Impact Assessment has been undertaken.

8. What consultations have been carried out with Scrutiny and others?

- 8.1. The principles on which this approach is based have been discussed with Members on many occasions, including: Performance Scrutiny Committee on 7th December 2017; Cabinet on 21st January 2020 (where the DCC Code of Practice was ratified); a Members Workshop on 9th February 2021; and annually at each Member Area Group meeting where the annual Capital Programme is consulted on.

9. Chief Finance Officer Statement

- 9.1. The Council have provided £4m funding for Highways in 2021/22 and the budget proposals going to Cabinet and Council in January provides a further £4m for 2022/23. There is an ambition to provide a further £4m for the 3 years after that. This would amount to a significant investment which, although welcome, will impact on the Council’s ability to fund other projects. It’s obviously the Service that have the technical skills and knowledge to make sure that this funding is prioritised effectively and that value for money is achieved. I believe this report forms a vital part of that assurance and is welcomed.

10. What risks are there and is there anything we can do to reduce them?

10.1. The approach set out in this paper is specifically designed to manage risk, as per our duty under the Highways Act.

11. Power to make the decision

11.1. Section 21 of the Local Government Act 2000.

11.2. Section 7.4.1 of the Council's Constitution details Scrutiny's powers with regards to policy development and review.