

Forward Plan reference number: FP/514/09/19

Report title: New ECC Highways Maintenance and Inspection Strategies	
Report to: Councillor Kevin Bentley, Deputy Leader, Essex County Council and Member for Infrastructure	
Report author: Andrew Cook, Director, Highways and Transportation	
Date: 24 th December 2020	For: Decision
Enquiries to: Deana James, Business Planning Manager, Essex Highways Commissioning email: deana.james2@essex.gov.uk	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1 In July 2019, a Cabinet decision was approved for ECC to adopt a new Highways Maintenance Policy and General Principles and associated maintenance / inspection strategies. It was envisaged that there would be a number of further strategies which were required in order to expand upon and implement the new policy.
- 1.2 This report asks the Cabinet Member for Infrastructure to now adopt the following associated strategies, with effect from February 2021
 - ECC Maintenance and Inspections Strategy: Street Lighting
 - ECC Winter Maintenance Strategy
 - ECC Maintenance and Inspections Strategy: Intelligent Transport Systems

2. Recommendations

- 2.1 Agree to adopt the following Phase 2 strategies in the form appended to this report with effect from 1 February 2021:
 - ECC Maintenance and Inspections Strategy: Street Lighting
 - ECC Winter Maintenance Strategy
 - ECC Maintenance and Inspections Strategy: Intelligent Transport Systems (ITS)
- 2.2 Note that any changes or revisions will need to be brought back to the Cabinet Member for formal approval.

3. Summary of issue

3.1 The Council has a duty to maintain the highway network. In order to provide a high quality service and ensure that resources are directed to the highest priorities, we need to have policies setting out what the public can expect.

3.2 In order to comply with the UK Code of Practice: Well Managed Highway Infrastructure 2016 (the New Code), ECC implemented Phase 1 of a new maintenance hierarchy in August 2019 which consisted of:

- Highways Maintenance Policy and General Principles
- Maintenance and Inspections Strategy: Carriageways, Footways and Cycleways (2019)
- Maintenance and Inspections Strategy: Structures (2019)

3.3 It was agreed that the Cabinet Member for Infrastructure could adopt the remaining documents. This report deals with the following strategies:

- **Maintenance and Inspections Strategy: Street Lighting** This document formalises the current inspection and defect repair times along with items for inspections. It should be noted that this policy does not have a 'cumulative impact' policy looking at the impact of multiple lights in the same location being defective in the same location, although this may be considered when works are being programmed.
- **Winter Maintenance Strategy:** This key service now has its own dedicated strategy. Whilst no changes to the treatment criteria have been made, a review of the winter routes will be undertaken over the coming year to reflect changes in the roads hierarchy. Changes to the winter routes will be implemented for the 2021/22 winter season
- **Maintenance and Inspections Strategy: Intelligent Transport Systems (ITS)** This is a new document and outlines the approach to maintenance and inspections, including defect repair times for the ITS asset group, which includes traffic signals, electronic signs etc. Whilst the document is new, it formalises the current approach.

3.4 Further strategies are being prepared as phase 3. These are:

- Maintenance and Inspections Strategy for Public Rights of Way
- Maintenance and Inspections Strategy: Vehicle Restraint Systems (VRS)
- Maintenance and Inspections Strategy: Skid Resistance (carriageway surfaces)

General Changes

3.5 Adopting the new strategies will align ECC's highway maintenance activities to support the risk based approach advocated by the New Code.

3.6 The highways service helps achieve the following aims of the Organisational Strategy:

- **Help create great places to grow up, live and work**

Secure sustainable development and protect the environment

- Reduce the environmental impact and cost to the taxpayer of dealing with waste, by working effectively with partners to minimise waste.
- Improve the image of the county, by promoting the benefits of Essex Highways and the County Council.
- Reduce carbon emissions and energy costs for Essex Highways by supporting the development of new strategies that promote clean growth and the use of affordable energy.

- **Transform the council to achieve more with less**

Limit cost and drive growth in revenue

- Optimise revenue from services, by charging appropriately and realising commercial benefit
- Drive out inefficiency, by reducing costs, increasing productivity and adopting lean methodology.
- Work collaboratively with partners to deliver maximum value for taxpayers' money that is spent through Essex Highways.

3.7 The new documents have been developed and refined during the Council's response to the Covid pandemic. Whilst some aspects of the maintenance strategy have had to be suspended during the pandemic, that has not applied to any of the services related to the new strategies and no temporary adjustments are needed to the documents – they can be brought into force during the pandemic.

4. Options

4.1 Option 1:

4.1.1 **Implement the new ECC Highways Maintenance strategies from February 2021.**

4.1.2 This will enable the authority to bring documentation in line with the new Code of Practice. Additionally, the implementation of the strategies in phase 2 will help to direct maintenance activities to reflect usage and strategic importance.

4.2 Option 2:

4.2.1 **Continue with the existing Maintenance Strategy**

4.2.2 Not implementing the new strategies would mean that we are not working to the updated Code of Practice: Well Managed Highway Infrastructure which was released in October 2016. If we are operating at a standard lower than

the national code of practice, there is a risk that a claim for disrepair will not be defensible.

5. Issues for consideration

5.1 Financial implications

5.1.1 All costs associated with this decision are able to be contained within the existing Highways budgets.

5.2 Legal implications

5.2.1 The Council is under a duty to keep the highway into repair. Having a structured policy for doing this and then implementing this policy reduces but does not entirely avoid the risk of facing claims for loss caused by the highway or part of it being in disrepair. It is important to ensure that we comply with our published policies – the benefit of having policies can be undermined if we then do not comply with them.

6. Equality and Diversity implications

- 6.1** The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2** The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 6.3** The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7. List of appendices

Appendix 1 - Maintenance and Inspections Strategy: Street Lighting

Appendix 2 - Winter Maintenance Strategy:

Appendix 3 - Maintenance and Inspections Strategy: ITS
Appendix 4 - Equality Impact Assessment

8. List of Background papers

None

<p>I approve the above recommendations set out above for the reasons set out in the report.</p> <p>Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure</p>	<p>Date</p> <p>02/02/21</p>
--	------------------------------------

In consultation with:

<p>Interim Director of Finance and Technology (S151 Officer)</p> <p>Stephanie Mitchener</p>	<p>21 January 2020</p>
<p>Director, Legal and Assurance, Monitoring Officer</p> <p>Paul Turner</p>	<p>24 December 2020</p>