

Public Report  
Improving Places Select Commission

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**Committee Name and Date of Committee Meeting**

Improving Places Select Commission – 22 March 2022

**Report Title**

Highway Inspection and Maintenance Performance

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

Richard Jackson, Head of Highways and Flood Risk  
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**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report, along with the accompanying presentation, provides a 12 month progress update on Highway Inspection and Highway Maintenance performance. The report updates Improving Places Select Commission (IPSC) in terms of performance since the last report of February 2021.

The report and presentation (appendix 1) provide a progress update on the following performance areas:

- Highway Condition
- Safety Highway Inspections
- Highway Defect Repairs
- Residents Satisfaction Survey Results
- Highway Service Performance Indicators
- Customer Complaints and Compliments
- Pothole Numbers
- Highways Liability and Claims Performance
- Highway Code changes 2022 (Appendix 4 – attached)

**Recommendations**

1. Improving Places Select Commission are recommended to note and comment on this report.

## **List of Appendices Included**

- Appendix 1 – Presentation to Improving Places Select Committee, 22 March 2022
- Appendix 2 – Initial Equality Screening Assessment
- Appendix 3 – Carbon Impact Form - Update on Highway Inspection and Maintenance Performance Management.
- Appendix 4 - Highway Code changes 2022

## **Background Papers**

- The Highways Act 1980
- Well-managed Highway Infrastructure: A Code of Practice 2016
- Rotherham Metropolitan Borough Council Code of Practice for Highway Inspection and Assessment (2018):  
<https://www.rotherham.gov.uk/downloads/download/90/highway-code-of-practice>.
- The Official Highway Code 2022 edition

## **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

## **Council Approval Required**

No

## **Exempt from the Press and Public**

No

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## **1. Background**

- 1.1 In March 2018, Improving Places Select Commission (IPSC) supported the implementation of the revised Rotherham Metropolitan Borough Council (RMBC) Code of Practice for Highway Inspection and Assessment. The code was implemented in October 2018 following a period of consultation and staff training.
- 1.2 In February 2021, an update was provided to IPSC detailing Highway Inspection and Highway Maintenance performance including Resident Satisfaction Survey Data, Customer Complaints, Highway Claims Data and Pothole Numbers.
- 1.3 Further to the successful completion of the 2020 Roads Programme, which included the repair of 310 estate roads with over 46 miles of carriageway resurfaced, the Council provided an additional investment for the 2024 Roads Programme, with £24m to be spent between 2020 and 2024. These investments are already resulting in improvements in the condition of the Council's road network, with a reduction in the number of potholes and insurance claims.
- 1.4 This report provides a 12-month progress update on service performance. It also includes for information a summary of changes to the Highway Code which were introduced on 29<sup>th</sup> January 2022 (Appendix 4).

## **2. Key Issues**

### **2.1 Highway Maintenance Performance**

In relation to performance against targets for Highway Maintenance, the published performance management data, detailed in Table 2.1 below, from 1st April 2021 to 31st December 2021 demonstrates that:

- The target to achieve the national average of 17% by 2024, for the condition of the unclassified network (estate roads) will be achieved two years early. This is due to the additional investment Rotherham had made in our roads and good asset management.
- The number of highway inspections carried out on time was 96%, exceeding the target of 95%. Comparatively the 2020/21 performance was 93%.
- The 90% target to repair actionable defects within the target timescales has been consistently met during 2021/22. Actual performance was 98% (the 2020/21 performance was 97%).
- 100% of reports regarding missing apparatus covers were made safe within 4 hours of a report being received.

- Residents' satisfaction survey results for Highway scheme works carried out on site have been consistently high.

**Table 2.1: Highway Service Performance Indicators**

Highway Services							
Levels of Service & Performance							
Indicator Title	Freq.	2020/21 Performance	Qtr. 1 Performance Apr- Jun 21	Qtr. 2 Performance July- Sept- 21	Qtr. 3 Performance Oct - Dec 21	Qtr. 4 Performance Jan- Mar 22	2021/22 Target
Corporate / National Indicators							
The % of the principal roads network in need of repair (SCANNER) R1001	Annual	2%	2%				To achieve National Average - Latest DfT information available is 2018/19 - 3% (lower is better)
The % of the non principal road network in need of repair (SCANNER) R1001	Annual	2%	3%				To achieve National Average- Latest DfT information available is 2018/19 - 6% (lower is better)
The % of unclassified roads in need of repair (CVI)	Annual	19%	18%	18%	17%		To achieve a target below 21% by March 2021. The ultimate target is 17% (national average) by the end of the £24m investment (March 2024)
The % of footways in need of repair (CVI)	Quarterly	37%	36%	36%	36%		To achieve a target of 40% by March 2021. (lower is better)
Management Information							
To ensure any actionable (safety) defects are repaired within the appropriate timescales.	Monthly	97%	99%	98%	98%		90% of actionable defects are completed within target timeframe.
Post works inspections carried out to assess quality of pothole repairs.	Quarterly	91%	94%	92%	91%		90% of repairs are to an acceptable standard
Clear priority/urgent blocked road gullies to prevent flooding problems to properties and public highways.	Quarterly	100%	100%	100%	100%		90% of blocked gullies causing flooding are actioned within 4 hours for properties and severely flooded public highways; 1 working day for flooded highways or at risk of flooding
Response to resident reports of street lighting not working.	Quarterly	94%	94%	95%	94%		90% attendance of street lighting faults within 3 days
To inspect the highway network (Carriageways, Footways and Footpaths) for safety on a cyclic basis and on or before the inspection due date	Monthly	93%	97%	97%	96%		95% of the highway network is inspected before the inspection due date.
Customer satisfaction surveys about recent highway maintenance schemes;	Quarterly						Target over 90%. Average for 1st three quarters for works starting on time is 94%. No further action at this time
Satisfied with pre-start information about the works		91%	95%	95%	100%		
Did the works start on time		84%	96%	97%	86%		
Satisfied with the quality of the work carried out		100%	100%	100%	100%		
Was the site left clean and tidy		100%	97%	97%	100%		
Make safe dangerous overhanging trees/vegetation on highway land.	Monthly	100.00%	100%	100%	100%		Above 90% of overhanging trees are made safe within 24hrs
Trees obstructing the highway are cut back	Monthly	100.00%	100%	100%	100%		Above 90% of overhanging trees are cut back within 5 days
Make safe dangerous overhanging trees/vegetation from private land.	Monthly	100.00%	100%	100%	100%		Above 90% of overhanging trees are made safe within 24hrs
Private trees obstructing the highway are cut back by landowner.	Monthly	100.00%	100%	100%	100%		Above 90% of private trees are cut back by landowner - within 14 days of written notice.
Make safe missing cover e.g. public and private sewers, gas, water or BT apparatus.	Monthly	100.00%	100%	100%	100%		Above 90% of missing covers made safe within 4 hours and informed owners

## 2.2 Customer Complaints and Compliments

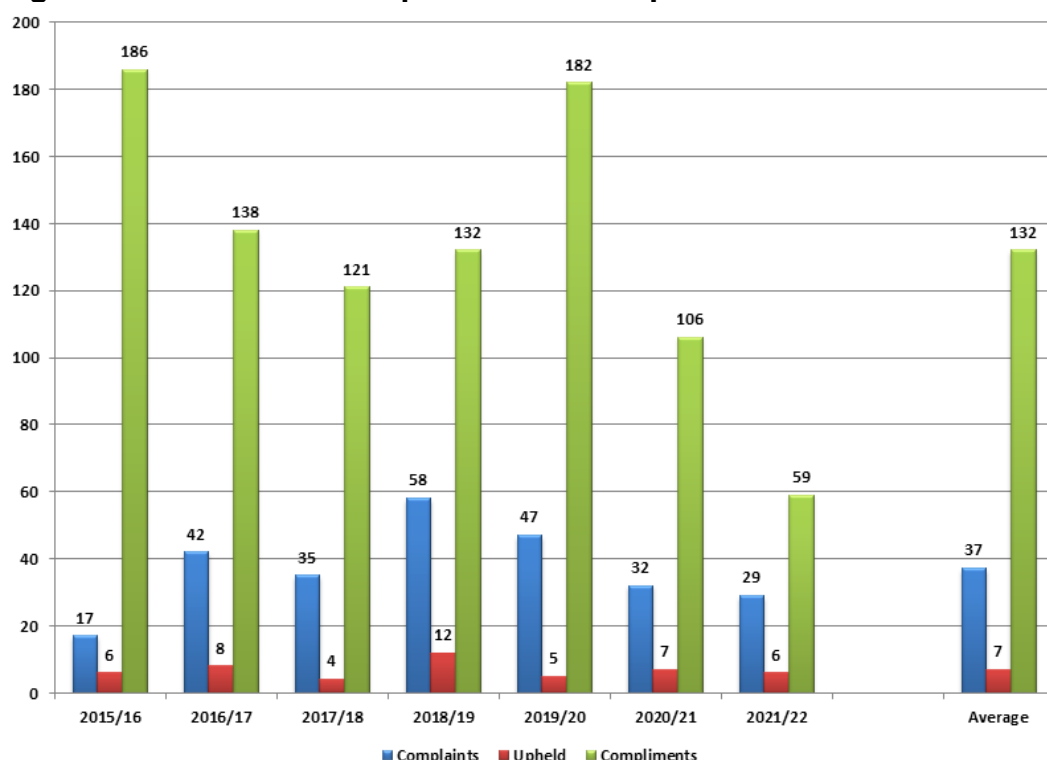
Highway Services receives a number of complaints and reports throughout the year from residents, businesses and visitors relating to the highway network. The Highways team provides a written reply to all customers where appropriate.

Figure 2.2 below shows the number of complaints received and the number that were upheld. It can be noted that the service has seen a steady decrease in the number of complaints over recent years.

The table also shows how many compliments the service has received for the same period. These are recorded and monitored by the Council's Complaints Team.

The monitoring of these reports over time provides a good indication of residents' experiences in relation to Highway Services and the quality of works that are being delivered in Rotherham. The service records a higher number of compliments than complaints in each year.

**Figure 2.2: Customer Complaints and Compliments**



### 2.3 Pothole Numbers

The number of potholes that require repair has reduced over recent years. This correlates with the additional investment the Council has made in road maintenance.

Additionally, roads with a high number of potholes are also considered for inclusion in the Indicative Highway Works Programme for resurfacing and, as a consequence, the number of potholes requiring repair has reduced significantly.

Table 2.3 below demonstrates the reduction in the number of pothole repairs required over time. The increase in 2019/20 was attributed to the severe weather that was experienced in October/November 2019.

**Table 2.3: Annual Number of potholes and cost of repair**

Year	£ spent on potholes	Number of potholes
2015/16	380,575.45	32,000
2016/17	472,884.06	31,000
2017/18	370,014.19	24,800
2018/19	369,532.85	22,600
2019/20	371,530.85	24,751
2020/21	361,412.22	18,510

2021/22 (to 31/12/2021)	271,932.73	12,036
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## 2.4 Highway Claims

As a result of the Highways Service working to a comprehensive code of practice for a number of years, the service has a track record of dealing with highways claims both fairly and robustly. The Highways Service have been cited as an example of good practice by the Council's liability insurers.

Table 2.4 below gives details of the number of highway claims received since 2003. The table shows that there has been a significant decrease in claims in 2020/2021 and this has continued in 2021/22.

It is anticipated that 2021/22 could see the lowest number of highway claims received by the Council. However, it is acknowledged that this could be in part due to the reduced number of people using the highways and will be monitored. Generally, however the table demonstrates a downward trend in the number of claims paid and the costs incurred.

The increase in claims for 2019/20 can be attributed to the severe weather incidents around October/November 2019 (229 of the 294 claims were between October to March) and, although there was a spike in claims for this period, the service maintained very high repudiation rates.

**Table 2.4: Highways Liability and Claims Performance**

Highways Liability PL Claims Performance 2003/04 to 2021/22							
Incident Year	Claims Rec'd	Number On-going	Number Closed	Number Repudiated	Percentage Repudiated	Number Paid	Total Paid (inc. costs)
2003/04	221	0	221	179	80%	42	£200,115
2004/05	189	0	189	161	85%	28	£104,921
2005/06	153	0	153	126	82%	27	£202,400
2006/07	193	0	193	164	85%	29	£101,499
2007/08	206	0	206	182	88%	24	£251,609
2008/09	161	0	161	129	80%	32	£369,061
2009/10	306	0	306	287	94%	19	£203,186
2010/11	368	0	368	336	91%	32	£307,776
2011/12	173	0	173	153	88%	20	£206,614
2012/13	275	0	275	248	90%	27	£298,742
2013/14	233	0	233	204	88%	29	£225,182
2014/15	277	0	277	252	91%	25	£141,438
2015/16	262	0	262	236	90%	26	£636,534
2016/17	121	1	120	108	90%	12	£56,367
2017/18	196	5	191	182	95%	9	£62,574
2018/19	204	0	204	195	96%	9	£50,701
2019/20	295	10	285	257	90%	28	£20,957
2020/21	124	20	104	98	94%	6	£11,565
2021/22	78	65	13	12	92%	1	<b>£80</b>

\*Data to the 13<sup>th</sup> January 2022

- 2.5 The Highway Service team is a member of the Association of Public Service Excellence (APSE). Whereby service performance comparator data is collected from a large number of local authorities as part of the APSE Performance Networks. The Highway Service team was recognised this year as national finalists for Street lighting for Best Performer and Roads, Highways and Winter Maintenance for most improved performer.

### **3. Options considered and recommended proposal**

- 3.1 The RMBC Code of Practice for Highway Inspection and Assessment helps ensure roads are serviceable and safe. The consequence of a poorly managed and maintained highway network impacts directly on all road users, has a detrimental impact on the local economy and on user's perceptions of the Borough.
- 3.2 Improving Places Select Commission are recommended to note and comment on this report.

### **4. Consultation on proposal**

- 4.1 The Council's Code of Practice was consulted on widely including:
- The Council's Corporate Risk Manager, Insurance and Risk Manager, Traffic Manager and Legal Services Manager;
  - Emergency Services and South Yorkshire Passenger Transport Executive;
  - Ward Members and Parish Councils;
  - Kennedy's Law Solicitors and Gallagher Bassett Rotherham MBC Insurers;
  - Barnsley, Doncaster, Derbyshire, Kirklees, North Yorkshire, Sheffield and Wakefield Council representatives.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 The Highway Inspection and Streetworks Manager is responsible for the on-going management of the "Rotherham MBC Code of Practice for Highway Inspection and Assessment".

### **6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

- 6.1 Highway Inspection and Maintenance Performance Management is funded from existing approved Capital and revenue budgets. There are no other specific financial and procurement implications for this report.

### **7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

- 7.1 The Council is placed under a duty to maintain its highways by Section 41 of the Highways Act 1980. Section 58 of the Act allows the Council to mount a defence in actions against the Authority if it can demonstrate that it has

taken reasonable care to ensure that the highway was not dangerous to traffic. The “Rotherham MBC Code of Practice for Highway Inspection and Assessment” assists the Council to robustly defend highway claims under Section 58 of “The Highways Act 1980”.

## **8. Human Resources Advice and Implications**

- 8.1 There are no direct Human Resources implications arising from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

- 9.1 There are no direct implications for Children and Young People and Vulnerable Adults arising from this report.

## **10. Equalities and Human Rights Advice and Implications**

- 10.1 An Equality Screening can be found at Appendix 2. The service levels specified within the “Rotherham MBC Code of Practice for Highway Inspection and Assessment” and the risk-based evaluation process acknowledges the different users of the public highway. The minimum investigatory levels specified within the CoP are provided as a guide. The vulnerability of all highway users, including cyclists and pedestrians to certain highway defects are reflected in the risk assessment carried out when deciding the category of the defect.

## **11. Implications for CO<sub>2</sub> Emissions and Climate Change**

- 11.1 A Carbon Impact Assessment can be found at Appendix 3. The resurfacing of roads has a significant carbon impact and Officers are working with suppliers in order to identify ways to reduce the carbon impact of these practises in the future.

## **12. Implications for Partners**

- 12.1 There are no direct implications for partners arising from this report.

## **13. Risks and Mitigation**

- 13.1 Although the “Well-managed Highway Infrastructure” guidance is not statutory; it provides Highway Authorities with national guidance on highways management. The national guidance is regularly referred to during highways claims against Local Authorities. A failure to follow the national guidance could expose the Council to an increased risk of highway claims. The CoP bolsters the Council’s defence for highway claims.

### **Accountable Officer(s)**

Richard Jackson, Head of Highways and Flood Risk

Tom Smith, Assistant Director Community Safety and Streetscene



Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	N/A	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	15/02/22
Assistant Director of Legal Services (Monitoring Officer)	Stuart Fletcher	04/02/22
Assistant Director of Human Resources (if appropriate)	N/A	
Head of Human Resources (if appropriate)	John Crutchley	14/02/22

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