

Regeneration and Transport Select Committee

Highway Network Management



April 2009

Regeneration and Transport Select Committee
Stockton-on-Tees Borough Council
Municipal Buildings
Church Road
Stockton-on-Tees
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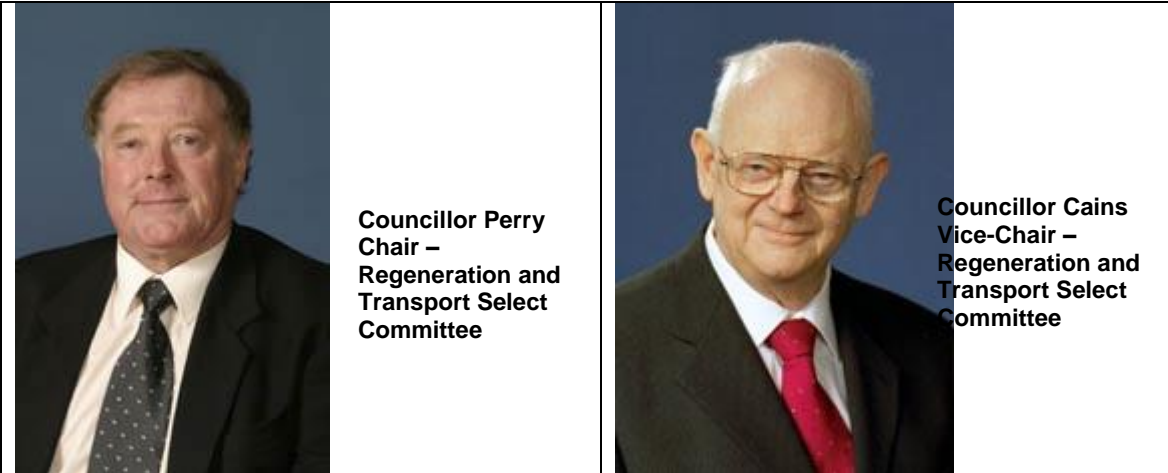
Foreword

The request to carry out this review had first been suggested by Members in 2008 in determining the areas to be considered for scrutiny. As a result, the Executive Scrutiny Committee included this topic in its Scrutiny Work Programme for 2008/09. Initially entitled 'Review of Highways and Footpath Management', the scope of the review was later amended to 'Highway Network Management' to focus on highway and footway maintenance. The scrutiny review of Pavement Parking, originally included within the scope of the highways review, was considered too large to include here and has been undertaken and reported separately.

The standard of road and pavement maintenance within the Borough makes a significant contribution towards residents' overall satisfaction with the Council, and the Committee was pleased to see an increase in satisfaction with both these areas following the 2008 Ipsos MORI survey. Similarly, the results of national performance indicators for road maintenance show that the Council's performance remains high.

The Committee also considered a number of other issues as part of the review including highways inspection and maintenance, insurance claims from third parties, the views of Members and working relationships with utility companies.

On behalf of the Committee we would like to thank all the officers who attended meetings, provided information and supported the Committee; fellow Council, Parish and Town Council Members who responded to the Members' questionnaire and to the utility company representatives who also contributed to the review.



Original Brief

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1. Which of our strategic corporate objectives does this topic address? Council Plan 2008-11: Ensure our residents are safe (Number 15) Provide a sustainable and effective transport framework to support economic regeneration (Number 5). Improve organisational and operational effectiveness.	
2. What are the main issues? i) Current assessment criteria determining repairs and maintenance to footpaths and highways. ii) Resident and Members' experience and perceptions of the condition of footpaths and highways and the criteria for their repair. iii) Liaison between Stockton-on-Tees Borough Council and utilities companies in relation to highway and footpath management. iv) Information provided to residents and Members concerning repairs and maintenance to footpaths and highways and works undertaken by Stockton-on-Tees Borough Council and utilities companies.	
3. The Thematic Select Committee's overall aim/ objectives in doing this work is: To seek to establish smarter working practices and greater public awareness and understanding of highway and footpath management.	
4. The possible outputs/outcomes are: Greater public awareness and understanding of highway network management; Smarter working practices; Improved routes for residents.	
5. What specific value can scrutiny add to this topic? Detailed consideration of the issues. Contributes to the development of services provided and coordinated by Stockton-on-Tees Borough Council.	
6. Who will the panel be trying to influence as part of their work? Cabinet, residents of Stockton Borough.	
7. Duration of enquiry? 8 Months.	
8. What category does the review fall into?	
Policy Review ✓	Policy Development ✓
External Partnership	Performance Management ✓
Holding Executive to Account	

1.0 Executive Summary

- 1.1 In carrying out this review the Committee considered evidence covering several key areas which, collectively, contribute towards the overall maintenance and operation of the Council's highway network, which covers roads and pavements maintenance. These include the Council's inspection and maintenance regime, finance, risk and insurance and working relationship with the utilities companies. The Committee considered evidence arising from residents' perceptions and experiences of the service and it also consulted with fellow Members and Parish and Town Councils.
- 1.2 Originally included within the scope of the review, pavement parking was later removed as its inclusion would make the criteria too big for the Committee to undertake, and is the subject of a separate scrutiny review.
- 1.3 The Council maintains a road network of approximately 802km, comprising a principal road network of 73km and a non-principal road network of 729km. Annual revenue and capital expenditure was £4.63 million (2007/08).
- 1.4 The review highlighted a number of positive aspects to the Council's road and pavement maintenance service, which resulted from the evidence presented to support the key areas examined by the Committee.
- 1.5 Results from the Council's 2008 Residents' Survey, conducted by Ipsos MORI, the national opinion poll organisation, show that residents' satisfaction for both roads and pavement maintenance has risen in comparison to the previous survey carried out in 2006. Moreover, levels of dissatisfaction with both services have decreased over the same time period.
- 1.6 Overall satisfaction with the service is further supported by the relatively small number of complaints received. An analysis of the number of complaints received showed that for the four year period from 2004/05 to 2007/08, 36 complaints were received from members of the public, representing an average of 9 per year. However complaints to the Council are far outweighed by the number of commendations received from over the same period. Overall, commendations exceed complaints by a ratio of approximately 5 to 1, indicating more members of the public are satisfied with the service and prepared to formally report this to the Council.
- 1.7 Results from the monthly telephone customer satisfaction surveys carried out by the Council's Care for Your Area team show an improving trend. The average satisfaction level has risen from 70% in 2004/05 to 72.64% in 2007/08, demonstrating a positive improvement in customer satisfaction with the highway maintenance service.
- 1.8 The Committee learned there had been a rise to 83.5% (2007) in the number of insurance claims successfully defended at nil cost or fees only (the repudiation rate), the highest figure yet recorded and one that represents a significant turnaround from the previous year. This is one of the lowest rates since 2001. Indications are that as the number of historic claims cases reduces, the repudiation rate can be further improved.
- 1.9 Data published by the Audit Commission shows performance in national indicators (BVPIs) remains high, with three of the four national performance indicators placing Stockton in the top quartile (2007/08 data), based on a comparison against local authorities in the 'All England' category (i.e. all single tier and unitary authorities).

- 1.10 There are approximately 5,000 utilities highway openings within Stockton Borough each year. Generally there are five notices generated for each opening resulting in 25,000 notices received per annum. The job of the Council, as the Highway Authority, is to co-ordinate activities on the highway.
- 1.11 Given the level of activity undertaken by the utilities companies, the Committee wished to gain a better understanding of the working relationships between the utilities and the Council's highways officers. Accordingly the Chair and Vice Chair of the Committee were invited a quarterly co-ordination meeting hosted by the Council's Technical Services department. These regular meetings are attended by representatives from the various utilities companies responsible for installing and maintaining services including gas, water and communications. The meetings are also attended by highways officers representing the Council.
- 1.12 A series of questions to be put to the utility company representatives was prepared and agreed with the Chair prior to the co-ordination meeting. The questions covered several areas including working relationships, co-ordination of works, timescales, quality of reinstatements, complaints, notifying the public and common objectives between the two organisations.
- 1.13 The outcome of the meeting confirmed that both the Council and the utilities companies enjoy positive working relationships. Works are well planned and co-ordinated with the utilities and there is a 'can do' attitude to resolving problems. Works are carried out in accordance with the statutory framework and industry Code of Practice.
- 1.14 However, findings from the Members' and Parish and Town Council questionnaire revealed dissatisfaction with the quality of excavations and reinstatements by utility companies as one of the areas with the most dissatisfaction or disagreement, indicating there is a perception that the standard of workmanship is in need of improvement.

Following the review, the Committee recommends that:

- 1.15 Highways officers issue Roadworks Reports to Ward, Parish and Town Council Members on a timely basis thereby ensuring Members are adequately briefed on highways schemes affecting their local area, and are able to provide suitable feedback to local residents as and when required.**
- 1.16 Ward, Parish and Town Council Members are given the opportunity to accompany highways officers undertaking highway inspections or site specific inspections.**
- 1.17 To enable Members make 'right first time' contact with the relevant service area, Members are provided with relevant contact details showing the best way to report defects (e.g. through the service area's generic email address).**
- 1.18 Ward, Parish and Town Council Members reporting defects to highways officers are provided with adequate and timely feedback.**
- 1.19 Highway Officers produce an annual report on the performance of Utility companies operating in the highway. The report should include numbers of sample and third party inspections undertaken, defective repairs, statutory notices issued and a summary account of income generated e.g. from fines.**
- 1.20 Networks are developed with other highways authorities in the Tees Valley area and regionally to further enhance working relationships, share benchmarking data and to promote and disseminate best practice.**

- 1.21 Members are kept fully up to date on highways policy through a programme that places highways policy documents on the Forward Plan, followed by Cabinet approval, and ensures copies of all Cabinet approved plans and strategies relating to the management and maintenance of the highway network are provided in the Members' library and that all new and updated versions are similarly made available.**
- 1.22 The development of a fully integrated ICT Highway Asset Management system be investigated and procured to provide best value for the delivery of the highway service. This should include hand held devices for recording highway condition and raising repair orders to allow for accurate, robust and reliable management information systems.**
- 1.23 Briefing notes on the following highway-related subjects are provided in the Members' library and on the Council's intranet:**
- A summary of the policy on highway repairs together with the criteria used to determine carriageway and footway maintenance and the priorities for repair.**
 - The procedures for recording, processing and defending insurance claims received from members of the public as a result of damage to vehicles arising from road defects and injury claims resulting from falls on footpaths.**
- These briefing notes will also help inform Members when responding to residents' questions and concerns raised in Ward surgeries.**
- 1.24 Residents are provided with suitable information so they know who to contact if they are having problems with roads or pavements.**
- 1.25 Opportunities to publicise and promote the Council's performance on highways are maximised through a series of positive news articles in Stockton News and on the Council website.**
- 1.26 Officers explore the development of web-based systems (including those featuring web mapping) to report highways defects by Members and the general public, ensuring the system selected is both user friendly and easy to navigate.**

2.0 Introduction

- 2.1 The report presents Cabinet with the findings and recommendations of the Regeneration and Transport Select Committee following its review of Highway Network Management within the Borough. The review took place between July 2008 and March 2009.
- 2.2 The request to carry out this review had first been suggested by Members in 2008 in determining the issues to be considered for scrutiny. As a result, the Executive Scrutiny Committee included the topic in its Scrutiny Work Programme for 2008/09.
- 2.3 Initially entitled 'Review of Highways and Footpath Management', the scope of the review included highway maintenance and parking on pavements. However, the Chair of the Regeneration and Transport Select Committee suggested that the issue of pavement parking, its impact on footpaths, obstruction and enforcement issues be removed from the scope and project plan as its inclusion would make the criteria too big for the Committee to undertake. Accordingly, a scrutiny review of pavement parking has been undertaken and reported separately.
- 2.4 A revised scope and project plan for the review was subsequently developed by the Committee and the title of the review changed to 'Review of Highway Network Management'. The overall aim of the review is to seek to establish smarter working practices and greater public awareness and understanding of highway and footpath management.
- 2.5 Better maintained roads & footpaths contribute to the environmental well-being of the Borough. It would also improve customer satisfaction with the service and possibly encourage more use of cycles and walking for short journeys. This report examines the current situation and suggests some possible solutions.

3.0 Background

National context

- 3.1 Roads and pavements (referred to as 'footways' in industry circles) are used each day by the majority of people and are fundamental to the economic, social and environmental well-being of communities. They help to form the character and quality of local areas and make an important contribution to local councils' wider priorities, including regeneration and economic development, social inclusion, community safety and health. Increasing levels of traffic increases road deterioration and congestion.
- 3.2 Poor road and footway condition can have an adverse impact on the quality of life for local people. Residents are at risk from trips and falls arising from badly maintained and faulty surfaces, particularly older people who are at risk from more serious injury such as hip fractures.
- 3.3 The Highways Act 1980 places a statutory duty on local councils, as highway authorities, to maintain the highway. Should a local council fail in this duty then it may be subject to claims for damages from third parties. The council may repudiate or defend against a claim should it be of the opinion that it has upheld its duty. As part of its defence, the council will demonstrate that it has a reasonable system of inspection and repair. Therefore, it is imperative that the council is able to do so by good management systems and procedures.
- 3.4 In addition to statutory legislation, there is national guidance in the form of 'Good Practice' documents for highway authorities to set their standards. For highway maintenance, there is the "Well Maintained Highways – A Code of Good Practice for Highway Network Management." The Council has achieved or exceeded the National Code of Practice's recommended frequency of inspection for carriageways and footways.
- 3.5 Local authority performance is measured annually through a series of statutory performance indicators. Four of these indicators measure the condition of surface footways, principal, non-principal and unclassified road networks. The results are collected and published by the Audit Commission, allowing local authorities to rank their own performance (e.g. by quartile to determine the top and worst 25% of councils).
- 3.6 Stockton's performance in national indicators remains high, with three of the four national performance indicators illustrating that, nationally, the Council is in the top quartile (2007/08 data) based on 'All England' (i.e. all single tier and unitary councils) results.

Local context

- 3.7 Roads and pavement maintenance continue to feature in the top ten most important services for local people.
- 3.8 The Council achieves high satisfaction ratings among local residents for its highway maintenance service. This is measured in a number of ways, both internally and externally as detailed below.
- 3.9 In addition to strong performance in national indicators, Stockton has a local indicator for the response to urgent highway defects (Find n' Fix) – for example, the latest return (2007/08) confirms that Stockton has continued to make safe 100% of all urgent defects reported within 24 hours.

- 3.10 The Council also places great importance on residents' perceptions of satisfaction with the local services it provides, including roads and pavements. Since 1998, the Council has commissioned an independent Residents' Survey, which is carried out every two years. The latest survey was conducted in summer 2008 by Ipsos MORI, the national opinion poll organisation.
- 3.11 Satisfaction with road maintenance and repairs has increased. In the 2008 survey, 55% of respondents were satisfied, an improvement of 12 percentage points from 2006 (43%). Net satisfaction improved by 21 percentage points and fewer people were dissatisfied with the service, down 9 percentage points from 39% in 2006 to 30% in 2008.
- 3.12 Satisfaction with pavement maintenance has increased, up 8 percentage points from 42% in 2006 to 50% in 2008, showing a net improvement of 17 percentage points between those two years.
- 3.13 The Council uses the survey results to help shape its future plans to meet the priorities of local people. What people think of the Council's services makes a big impact on how they perceive the Council as a whole.
- 3.14 One of the key areas identified under areas for improvement was continuing to improve road and pavement maintenance. There have been encouraging improvements in perceptions of roads maintenance and pavements maintenance across the Borough since 2006, perhaps reflecting investment and efforts in previous years (there is often some notable time lag between changes in service delivery and changes in users' perceptions).
- 3.15 The Council also gauges performance through its corporate complaints and commendations system. During 2007/08, the Council received only 9 formal road-related complaints. However, the much greater number of formal commendations received during the same period (52) indicates that more local people are satisfied with the service.
- 3.16 In another internal assessment of performance used by the Council, the Care for Your Area team carries out monthly telephone satisfaction surveys to ascertain customers' satisfaction with the range of CFYA services, including highway maintenance. A minimum number of 30 customers are contacted each month. The average satisfaction rate for 2007/08 was 73%, an increase of almost three percentage points over the previous year, again indicating a strong level of satisfaction among local residents.

4.0 Evidence/ Findings

Methodology

- 4.1 The Committee received written and oral evidence to inform the review. In addition, the Chair and Vice Chair attended a New Road and Streetworks Act (NRASWA) quarterly co-ordination meeting which was attended by representatives from various utilities companies responsible for installing and maintaining services including gas, water and communications. The Committee also consulted with Council Members and Town and Parish Councillors.
- 4.2 An announcement that the Committee was to undertake a scrutiny review of the management of the highway network was hosted on the Council's website.
- 4.3 At its meeting on 28 April 2008, the Committee approved the scope and project plan for the review. It also agreed to the removal from the scope and project plan of the review of pavement parking, its impact on footpaths, obstruction and enforcement issues, as the inclusion of pavement parking would make the criteria too big for the Committee to undertake at the time, and it would be reviewed at a later time. The Committee also agreed that title of the review be changed from 'Review of Highways and Footpath Management' to 'Review of Highway Network Management' as 'highways' was generally used to define a specific roadway yet the Committee was reviewing various roadways.
- 4.4 As a result, the review of pavement parking has been the subject of a separate scrutiny review with its own report and set of recommendations.

Summary of Background Documents

- 4.5 The Committee also received the following background documents in preparation for the review:
 - Highways Act (1980)
 - New Roads and Street Works Act (1991)
 - Traffic Management Act (2004)
 - Department for Transport (2005) Managing a Vital Asset.
 - Department for Transport (2005) Code of Practice for Street Works and Works for Road Purposes and Related Matters.
 - Department for Transport (2005) Well-Maintained Highways: Code of Practice for Highway Maintenance Management.
 - Department for Transport (2006) National Road Maintenance Condition Survey: 2006.
 - Stockton-on-Tees Borough Council Highway Network Management Plan.
 - Help the Aged (2008) Falling Short – The State of Our Pavements.

Summary of Evidence

4.6 During the course of the review the Committee was provided by officers with background briefing notes, presentations covering technical issues and insurance claims, results from consultation exercises and financial information.

Meeting 28th April 2008 – background briefing note for Members

4.7 The Committee received a background briefing note on the highway service.

Introduction

4.8 The highways infrastructure is split into a variety of classifications as defined in the network classification below. The definition of each category is dependent upon the design, usage and specification and is in accordance with agreed national guidelines.

4.9 The length of highway is calculated each year and the table below illustrates the total amount of network infrastructure within Stockton as at 31st March 2007 (the latest year for which figures are available).

Stockton-on-Tees Borough Council	Network length (km) at 31st March:				
ROAD CLASSIFICATION	2003	2004	2005	2006	2007
PRINCIPAL - NON BUILT UP TOTAL "A" Roads	32.162	32.162	32.165	31.623	31.623
PRINCIPAL - BUILT UP TOTAL "A" Roads	41.969	41.969	40.631	41.489	41.489
CLASSIFIED NUMBERED - NON BUILT UP TOTAL "B" Roads	1.631	1.631	1.631	1.631	1.631
CLASSIFIED NUMBERED - BUILT UP TOTAL "B" Roads	12.682	12.682	11.506	11.506	11.506
CLASSIFIED UN-NUMBERED - NON BUILT UP TOTAL "C" Roads	56.849	56.841	58.489	58.489	58.489
CLASSIFIED UN-NUMBERED - BUILT UP TOTAL "C" Roads	34.355	34.363	43.337	43.337	43.337
UNCLASSIFIED - NON BUILT UP TOTAL	35.201	35.201	33.553	33.553	33.553
UNCLASSIFIED - BUILT UP TOTAL	565.37	573.879	573.118	577.607	580.895
TOTAL	780.219	788.728	794.43	799.235	802.523

Total Principal road network	74.131	74.131	72.796	73.112	73.112
Total Non-principal road network	706.088	714.597	721.634	726.123	729.411
Total network	<u>780.219</u>	<u>788.728</u>	<u>794.430</u>	<u>799.235</u>	<u>802.523</u>

- 4.10 The highway infrastructure is inspected using two principal methods. The first involves a full condition survey undertaken by UKPMS, an external organisation, to determine the overall condition of the highways network. The surveys cover a % of the highway network and the results of these surveys are then considered to identify locations where improvements to roads and footpaths can be made.
- 4.11 Additional programmed inspections of all footpaths and carriageways are also undertaken by the Council's Highway Inspectors, again in accordance with national best practice as well as the authority's Highway Maintenance Plan. For example, the following inspection regime is currently being undertaken:
- Principal Road – Inspected monthly as part of the driven safety inspection procedure
 - High Profile Shopping Areas – Inspected monthly as part of a walked inspection procedure
 - Heavily Pedestrianised Routes e.g. routes to Schools/Sheltered Accommodation – inspected every 3 months as part of a walked inspection procedure. All other carriageways and footpaths – inspected on a six monthly basis as part of a walked inspection procedure. Please note that some rural locations are included as part of a driven inspection regime if there is no footpath.
- 4.12 In addition to the above, the Council also has a team of Technicians who undertake responsive inspections of the highway infrastructure when reports of defects are received from members of the public and Members etc.

Current performance, condition survey, Best Value Performance Indicators

BVPs 2007/08 Tees Valley & national comparison

- 4.13 The table below shows Stockton's 2007/08 performance in the national Best Value performance indicators in relation to the four other Tees Valley authorities and against 'All England' councils (i.e. all local councils in England). The figures represent the percentage of the road or footway network where structural maintenance should be considered (see below for road/ footway categories).

2007/08	Tees Valley authorities					National	
	Stockton	Middlesbrough	Hartlepool	Darlington	Redcar & Cleveland	All England average	Top quartile
187	30%	17%	25%	8%	22%	22.4%	14%
223	2%	4%	1%	6%	1%	5.4%	3%
B V P 224a	4%	6%	4%	16%	2%	7.7%	5%
224b	4%	7%	13%	9%	9%	13.9%	8.5%

Notes

- BVPI 187 Condition of surface footway (categories 1, 1a and 2)
- BVPI 223 Condition of principal road network where structural maintenance should be considered (to be replaced from 2008/09 by a new National Indicator NI 168, an updated version of BVPI 223)
- BVPI 224a Condition of non-principal classified road network where maintenance should be considered ((to be replaced from 2008/09 by a new National Indicator NI 169, an updated version of BVPI 224a)
- BVPI 224b Condition of unclassified road network structural maintenance should be considered

4.14 Performance in national indicators remains high, with three of the four national performance indicators placing Stockton in the top quartile (2007/08 data) based on a comparison against local authorities in the All England category. Returns for the financial years 2001/02 - 2007/08 are shown at Appendix 1. In addition, Stockton has a local indicator for the response to urgent highway defects (Find n' Fix) – the latest return (2007/08) confirms that Stockton has continued to make safe 100% of all urgent defects reported within 24 hours.

Stockton's performance position among the Tees Valley councils

4.15 Of the three PIs that measure road network condition, Stockton has the best overall performance with all three of its PIs in the top quartile (i.e. the top 25% performing councils), followed by Redcar and Cleveland and Hartlepool, both with two PIs in the top quartile.

4.16 For principal road network maintenance, Hartlepool and Redcar and Cleveland have the best performance at 1%, closely followed by Stockton at 2%. All three councils are in the top quartile of performance.

4.17 For non-principal classified road network maintenance Redcar and Cleveland has the best performance at 2%, followed by Stockton and Hartlepool, both sharing the same level of performance at 4%. All three councils are in the top quartile of performance.

4.18 Performance for unclassified road network maintenance shows Stockton having the best performance at 4% (top quartile) followed by Darlington and Redcar and Cleveland with 9% each (second quartile).

4.19 Data for condition of footways shows Stockton has the worst performance at 30% and is bottom quartile, a decline since 2006/07. However, because the first 50% of the surface footway is surveyed every 2 years, the 2007/08 data needs to be compared against 2005/06; this shows an improvement in footway condition (31.36% in that year to 30% in 2007/08). Similarly, performance for Middlesbrough and Hartlepool has also declined since 2006/07. However, both Darlington and Redcar and Cleveland show an improvement, with Darlington in top place with 8% and top quartile performance.

Intervention levels, repair statistics and general policy information

4.20 The Council's response to repairing defects on the highway is governed by a variety of national best practice, including the National Code of Practice for Highway Maintenance, The Kindred Association (a collective of local authorities which produced guidance on intervention levels in 1998), as well as a risk assessment approach. Although there is additional statutory highway legislation in the form of the Highways Act 1980, New Roads and Streetworks Act 1991 and the Traffic Management Act 2004, there is no statutory legislation which outlines prescriptive intervention levels of Local Authorities for responding to defects on the highway.

4.21 As an indicator of the levels of defects reports and subsequently repaired, the figures below relate to 2007/2008:

No. of locations inspected	9,587
No. of defects raised following inspection	In excess of 10,000
No. of defects reported by customers, Members etc	5,383
No. of urgent 'Find n' Fix' reports received	578
No. of orders raised for repairs to footpaths and carriageways	In excess of 9,000

Insurance statistics

4.22 The comprehensive approach taken to inspection on the highway has not only resulted in significant improvements to the condition of roads and footpaths within the Borough, but has also had a knock on effect on levels of highway related insurance claims that are received by the Council. This is illustrated in the table below:

Table of highway related insurance claims								
		2007	2006	2005	2004	2003	2002	2001
A	No. of claims received in the period	180	183	181	223	440	479	378
B	No. of claims closed in the period	243	186	288	467	490	280	233
C	No. of claims closed at nil cost (or defence fees only)	203	128	226	348	383	225	179
D	% of cases successfully defended at nil cost or fees only (% C / B)	83.5%	68.8%	78.5%	74.5%	78.2%	80.4%	76.8%
E	Total payments in period	£320,249	£419,148	£529,834	£824,373	£450,673	£310,102	£156,677
F	Average value per settled claims (E / B)	£1,318	£2,253	£1,840	£1,765	£920	£1,108	£672

180 new claims were received during 2007 which was in-line with the two previous years (183 and 181).

4.23 The repudiation rate has risen to 83.5% which is the highest figure yet recorded and a significant turnaround from the previous year's figures which represented a low point. In contrast to the previous years figures only 1/3rd of the settled cases relate to incidents occurring over 3 years ago (previously 2/3rd's). Therefore the majority of cases settled in 2007 relate to incidents on which it has been possible to rely upon more recent inspection systems, procedures and documents. Breaking the figures down between claims occurring up to 3 years ago and over 3 years ago the repudiation rate for the former is 89.4% and the latter only 67.4%. Therefore, it can be hoped that as the number of historic cases reduce the repudiation rate can be improved upon yet further.

4.24 The average settlement value per claim has fallen for the first time in 4 years. This can in the main be attributed to the increase in the repudiation rate.

Meeting 19th May 2008 – Streetworks (Regulation and Co-ordination)

4.25 At the meeting held on 19th May, Members were invited to Kingsway House to be informed on the systems and procedures relating to streetworks regulation and co-ordination as set out below:

- Statutory Acts

- New Roads and Street Works Act 1991
- Traffic Management Act 2004
- Codes of Practice
 - Specification for the Reinstatement of Openings in the Highways
 - Co-ordination of Street Works and 'Appendix E'
 - Inspections
 - Recording of Underground Apparatus
- Managing Utility and Highway Works
 - Electronic notices
 - Software system (inc. hand-helds)
 - Numbers of Openings per annum
 - Co-ordination meetings
 - Regional
 - Local
 - Regulation of Works
 - Section 74
 - Section 58
 - Section 58a
 - Inspections
 - Sample inspections
 - 30% Types A, B and C
 - 10% Section 74 Inspection
 - Core samples
 - Defect inspections
 - Performance
 - Improvement Notice
 - Income

Acts of Parliament and Codes of Practice

4.26 The Committee received information on the regulation and coordination of streetworks in the borough, including works undertaken by utilities companies (gas, electricity, water and telecoms companies, also known as statutory undertakers). Local authorities have a duty, as owners of the highway, to coordinate works and ensure that the highways are safe and available for continuous use by the public. The legislative framework for this activity is set by the 'New Roads and Streetworks Act' (1991) and the Traffic Management Act (2004). The Committee was also informed of a series of Codes of Practice that are also used by local highway authorities in relation to streetworks, for example the 'Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters'. Local authorities currently have a statutory duty to appoint a traffic manager and ensure the expeditious movement of all traffic (the definition of traffic includes motorised vehicles, cyclists and pedestrians) within their authority area, and work with other authorities for this purpose. All streetworks undertaken both by the authority and utilities companies are therefore coordinated with this duty in mind.

The Co-ordination of Streetworks

4.27 The Committee was informed that the coordination of streetworks and the specifications for reinstatements following works undertaken by utilities companies operating in local authorities' areas are negotiated and coordinated at a regional level through the Highway Authorities and Utilities Committee (HAUC). NEHAUC, the arm of the organisation in the North East, brings together traffic managers from the North East authorities and representatives from utilities companies operating in the region for this purpose.

- 4.28 The principal issues dealt with by HAUC include policy determination within national HAUC guidelines; monitoring the effectiveness of local co-ordination arrangements; providing policy guidance on a local basis, facilitating local dispute resolution procedures, and performance reviews can also be carried out at these meetings. In terms of coordinating works on the highway, locally, Stockton-on-Tees Borough Council produce a spreadsheet of all major works within the borough which is sent out to SBC officers and utilities companies. This merges a timetable of all major works to identify any potential conflicts. Officers from Stockton-on-Tees Borough Council compile a co-ordinated schedule of works then meet more frequently with utilities companies each quarter in order to coordinate works and resolve any conflicts or potential conflicts regarding the timing of works and to allow for the planning of road closures for the following quarter and rolling year ahead.
- 4.29 The Committee was also informed of EXOR, the software system used by Stockton-on-Tees Borough Council for managing notices, collates all relevant information necessary in order to undertake works. Under Section 53 of New Roads and Street Works Act (1991) each street authority is required to maintain a register for every street for which they are responsible. The register should contain information about street works and other types of works. The register should provide a single source of information on on-going, or planned works by statutory undertakers and highway authorities, a list of all streets in an authority's area, whether or not it is the street authority (i.e. an unclassified street or non-maintainable highway) and associated data for each street that may include if the street is subject to a restriction on works for example. In addition to this, Appendix E of the 'Code of Practice for the Co-ordination of Street Works and Works for Road Purposes and Related Matters' sets out the information required in notices which is utilised for the coordination of works and long-term forward planning. This includes a Unique Street Reference Number (USRN), given to every street and used to plot where works are taking place. An IT system to allow for the mapping of streetworks was developed by Stockton-on-Tees Borough Council, however this was of limited use as entering the USRN led to the whole of the street in question being highlighted, instead of the exact location within the street. New regulations within the Traffic Management Act (2004) will require that all registers of street works shall be based on GIS by the 1st April 2009, which will allow for more exact locations, with coordinates, to be mapped. Each local authority's register must be maintained against the same digital map to ensure consistency between all street-related data. In relation to this, every local highway authority is required to produce a Local Street Gazetteer (LSG) which they provide to the National Street Gazetteer (NSG) Concessionaire. Each of these local gazetteers contains the information about the streets in that authority's area and is available to utilities companies to coordinate what notices they put into local highway authorities.

Local Authorities Powers

- 4.30 Local highway authorities are able, under Section 74 of the New Roads and Streetworks Act (1991) to charge utilities companies for occupation of the highway where works are unreasonably prolonged. The Committee was informed however that Stockton-on-Tees Borough Council have found it difficult to challenge utilities companies where it is considered that utilities companies have requested an unreasonable period of time for works to be undertaken or they request more time is required than has originally been agreed. This is primarily because highway officers can often lack the technical expertise of many of the engineers working for the utilities companies, and cannot question the technicalities cited as reasons for extension requests. However, the Committee was informed that Stockton-on-Tees Borough Council had recently challenged highways authorities on six occasions. A successful challenge under Section 74 of the New Roads and Street Works Act (1991) can result in the utility company involved being charged up to £2,000 per day (for principal roads) for each day that works overrun.

- 4.31 The Committee was informed that a utility company had been charged £42,000 in one instance. Highway officers act on reports of inactivity at road openings and/ or make their own inspections of utilities companies' work, and can reduce the number of days allowed for future similar work if they consider that the inactivity is unnecessary. Although some inactivity is required during many road openings, vigilance in respect to this allows the highway authority to tighten up on the total number of days that the road is open.
- 4.32 The Committee was also informed of the powers of the authority under Section 58 of the New Roads and Street Works Act (1991) to prevent works being undertaken on the highway for twelve months following the completion of substantial works by the local highway authority, unless this is to undertake emergency works. Utilities receive notice of substantial works that are planned up to a year in advance. Section 58a, inserted in the New Roads and Street Works Act (1991) by Section 52 of the Traffic Management Act (2004) strengthens the power of local highway authorities to prevent works being undertaken, with new considerations on the impact on residents and an opportunity in some areas to put up to a five year block on works being undertaken.

Changes to Systems of Noticing

- 4.33 The Committee was informed of the resource implications arising from the Traffic Management Act (2004). The key aspect in respect to this appears to be the requirement that the principles used to manage street works undertaken by utilities companies are also applied to the management of works undertaken by the highway authority. Noticing is supported by an internet-based system known as EToN (Electronic Transfer of Notices). The Traffic Management Act (2004) substantially amended the New Roads and Street Works Act (1991) resulting in fundamental changes to the noticing regime and the requirements for EToN, involving a move to new web-based systems for sending notices. That highway works are now subject to the same regime as utility works inevitably has resource implications, primarily in terms of developing ICT systems to support the development and delivery of notices and the extra human resource required to implement and coordinate this. As previously mentioned, Stockton-on-Tees Borough Council currently use the EXOR software system to manage the coordination of streetworks, however the introduction of the Stockton-Darlington Partnership may lead to a new IT system being used.
- 4.34 Each individual opening in the highway requires a series of notices to the highway authority from the respective utility company working on the road. The Traffic Management Act also requires a greater number of notices to be served by utilities companies when they wish to make an opening in the road. Generally five notices are received by the highway authority at prescribed periods before, during and after the works being undertaken by utilities companies. Stockton-on-Tees Borough Council currently receives around 5,000 openings on the highway per annum which can result in 25,000 notices received. All of this is operationally managed in Stockton-on-Tees by two members of staff. This number is set to rise substantially with the increased number of notices required from utilities companies and the requirement for the highway authority to serve notice on itself when undertaking works.

Quality and Performance

- 4.35 In terms of ensuring the quality of reinstatements by utilities companies, the Committee was informed that utilities companies are required to provide a guarantee for reinstatements to the highway for two years following works being undertaken. Local authorities are required to undertake inspections of 30% of each utilities companies' works selected randomly and funded by the utilities companies. Inspections include openings and reinstatements, and are based on 10% sample inspections during the progress of works, 10% within six months of reinstatement, and 10% preceding the end of the two

year guarantee period and, in addition to this, 10% of Section 74 notices. The authority also undertakes core samples and defect inspections and are also able to charge utilities companies for these inspections, resulting in an annual income of £88,000 for the Stockton-on-Tees Borough Council. The authority can also issue 'Performance and Improvement Notices' to utilities companies if it is felt that there have been continued failings following a period of monitoring works, providing a further income of £68,000 p.a. In addition to this, the authority makes random inspections and third party inspections following complaints from residents and can charge utilities companies if defects are found. The authority is able to inspect more than the 10% quota, but local highway authorities would have to finance these inspections.

Meeting 30th June 2008 - Public perception

4.36 The Committee received evidence in connection with public perception from previous Ipsos MORI biannual Residents' Surveys together with surveys carried out by the Council's own Residents' Panel, 'Viewpoint', and its in-house Care for Your Area team.

Ipsos MORI Satisfaction Ratings

	1998	2000	2002	2004	2006	2008*
Area	Percentage of respondents satisfied					
Road Maintenance & Repairs	54%	53%	48%	43%	43%	55%
Pavement Maintenance	50%	43%	44%	39%	42%	50%

(*The table was updated following publication of the Ipsos MORI data for 2008)

4.37 The above table shows there have been encouraging improvements in perceptions of roads maintenance and pavements maintenance across the Borough since 2006. Net satisfaction (i.e. the percentage of respondents satisfied less the percentage dissatisfied) is 25% for road maintenance and repairs and 36% for pavement maintenance, and both sets of results represent a considerable improvement of 21 percentage points and 17 percentage points respectively since the 2006 survey.

4.38 From the Ipsos MORI data that became available subsequent to the meeting, the results provide more detail about residents' perceptions, for example in terms of contribution to their quality of life and specific areas of dissatisfaction expressed. For example, in answer to the question: Looking at this list of local services, which four or five do you think are the most important to your quality of life? (Base: All respondents), 23% of respondents included road maintenance and repairs as one of the four or five local services most important to their quality of life. In answer to the question on the most important improvements needed in this area (Stockton Borough) to improve quality of life, 4% of respondents gave improved maintenance of roads as one of their reasons.

4.39 Under the heading of Transport/ Roads, the top three reasons provided by respondents to the question: Why do you say you are dissatisfied with the way Stockton-on-Tees Borough Council is running the Borough (Base: all respondents dissatisfied with the Council) were as follows:

Poor state of roads	9%
Roads constantly dug up	4%
Concurrent road works	3%

Note that only 2% of respondents chose poor state of pavements in response to his question.

4.40 The top three reasons provided in response to the question: Why do you say you are dissatisfied with road maintenance and repairs in this area? (Base: All respondents dissatisfied with road maintenance and repairs), were as follows.

General poor condition of roads	67%
Repairs are slow/ long time take to repair roads	35%
Poor quality of repairs	35%

4.41 Similarly, the top three reasons provided by respondents to the question: Why do you say you are dissatisfied with pavement maintenance in this area? (Base: All respondents dissatisfied with road maintenance and repairs), were as follows:

- General poor condition of pavements
- Uneven/ unsafe pavements
- Poor quality of repairs

4.42 The results of Ipsos MORI surveys indicate that the falling trend in satisfaction with Highway Maintenance in general since 1998 has now reversed although it is clear that the factors identified during the two Viewpoint surveys as well as ongoing surveys conducted by CFYA (see below) do indicate that there are factors which are either not attributable to highway maintenance or are perhaps not directly linked to maintenance issues. This is perhaps indicative of a lack of awareness of what the Council has been doing to improve the highway infrastructure which has been tackled through a series of education and awareness campaigns over the last two years.

Further details of the Ipsos MORI Residents' Survey for 2008 are set out at Appendix 2.

Marketing & Promotion

4.43 Several marketing and awareness campaigns have been facilitated in order to educate residents on the nature of the highway maintenance service and to illustrate some of the recent successes in terms of improvements made to the infrastructure.

4.44 At the same time, the public was made aware of the works undertaken to improve the quality of highway maintenance which included increased publicity via the website, leaflets, posters and articles in Stockton News etc. Public consultation events and focus groups were held to pinpoint areas for improvement and areas where joint working could be established and enhanced which would result in higher satisfaction levels. It is still the case that the vast number of factors, many of which are outside the control or responsibility of the authority, which affect satisfaction with road and pavement maintenance have still resulted in a lack of awareness from residents in relation to the service.

4.45 During 2007 & 2008 a renewed campaign has added to the work already underway in order to increase public awareness of the service, this includes:

- Greater use of branding in the form of the 'Find 'n fix' branding on PPE, scheme signs and on vehicles.
- Stockton News articles concentrating on performance of the service and awareness of what we do.
- Bus advertising introducing a series of marketing strap lines.
- Increased use of the website to publicise services, including the online reporting facility.
- Uniformed Asset Inspectors to make them instantly recognisable on the street.

- Member information such as Roadworks Reports etc.

Viewpoint focus group and Care for Your Area consultation

Roads and Footpaths - Viewpoint Focus Groups - 5th December 2005

4.46 Three discussion groups took place on the 5th December 2005. The purpose of the session was to get more detailed information from people after some initial feedback through a Viewpoint survey and through other consultation (the Viewpoint consultation focus group questions are shown at Appendix 3). In total there were 39 attendees. Two members of staff from the Council's consultation section facilitated the sessions and members of staff from the Care for Your Area and Engineering and Transportation sections of the Council were also present.

Maintenance of Footpaths

4.47 Attendees were asked why they thought people were becoming less satisfied over the maintenance of pavements. Attendees were unaware of the level of inspection and work on the footpaths and many had instances where they were dissatisfied. There was also concern about whether there was money to carry out the work once the inspections had been made. If no action was taken, it could leave people frightened to leave the house. There was concern over the lack of money spent in this area but prioritisation of resources was recognised as an issue by one attendee.

4.48 There was concern over tripping and falling where there were broken paving stones and problems with both Billingham and Stockton town centres were raised. Two groups commented on the condition of the High Street in Stockton. Concerns were also raised over vehicles driving on the paving for the market and damaging it. One attendee was concerned over whether the pavement would be reinstated correctly when the Christmas decorations were taken down. It was commented that there were problems with pavements all over Stockton. In Billingham there were concerns over tree roots lifting paving slabs in Belasis Avenue, opposite the old Police Station. Billingham car park to the Police Station ices over when there is water standing. The area can be very slippery.

"Billingham town centre is in a deplorable condition."

"The reason for dissatisfaction is that the maintenance is not good enough".

4.49 All groups raised concerns over utility companies lifting the paving and not leaving it in a decent condition. One attendee commented that the utilities should be under the kerbstone to avoid raising the footpath on regular occasions. Two groups raised that Comcast left a legacy of poor paving; examples of this were Thirsk and Yarm Road. There were also concerns about utilities opening up new footpaths and then patchwork maintenance being carried out, as this is cheaper. One attendee thought that companies should be held responsible, financially, if there are any payouts to clients who have tripped on their work.

4.50 There were concerns in all groups about vehicles driving on footpaths and damaging the paving. It was also raised that the paving is nice but it must be laid well and maintained.

4.51 One gentleman had complained about the footpath near his house and was pleased that it was repaired over three days. However, he noted that the problem was as bad near the house next door but this wasn't repaired. There was concern over roots of trees raising the footpath and members wanted to know whether there was a way of dealing with roots of trees without losing the trees. There was an example of when a bollard was knocked

down it was cut off but a tripping hazard left. Thornaby Cemetery was mentioned as an area where there can be problems with overhanging trees.

4.52 One attendee was concerned over disjointed footpaths and lack of maintenance, meaning that the recreation of walking can be ruined. One attendee thought there should be a footpath to the station from the housing in Yarm, and it should be maintained.

4.53 There were mixed views over whether tarmac should be used rather than paving stones. There was consensus that the surfaces needed to be smoother and in two groups tarmac was viewed as a better option generally. However the third group did not agree on the issue and all groups had concerns about using tarmac in conservation areas and shopping areas. For example, one gentleman thought that the cobbles in Yarm High Street looked nice. It was suggested in two groups that coloured tarmac could be used in residential areas to make it look more presentable. There was also concern over the appearance once utility companies had done work and it was recognised that it still needed to be good quality, well laid and well maintained.

“If well maintained and cost effective we’d have it in certain areas.”

4.54 There was concern over cycle paths, and one attendee thought there needed to be a separate path, not just a white line separating a small section of road. One attendee complained that a lot of young people still use the pavements. Another pointed out that this can be preferable for safety reasons. One attendee pointed out that the cycle path to Hartlepool is rarely used.

Roads

4.55 There was concern raised in group about sections of pavement jutting into the road, for example in Trenchard Avenue and Marsh House Avenue. This is dangerous at night or in fog because they are not illuminated.

“They have made the whole system a lot more dangerous.”

Traffic in Thirsk Road and Yarm road is now used as a lorry through fare. There are more HGV’s and heavier lorries and it was asked whether the traffic through Leven Road could be restricted.

4.56 There were numbers of examples where traffic or road condition was considered poor:

- Low Grange Avenue, where there is maintenance near where the lights meet traffic.
- Marsh House Avenue closed off and the condition is atrocious.
- Station Road, the level crossing and shops. There were houses knocked down and flats built but the potholes need repairing.

Care for Your Area performance information and surveys

4.57 The Care for Your Area team carries out monthly telephone satisfaction surveys to ascertain customers’ satisfaction with the range of CFYA services, including highway maintenance. A minimum number of 30 customers are contacted each month and the table below shows satisfaction with highway maintenance for the years 2004/05 to 2007/08.

CFYA telephone satisfaction indicators - highway maintenance (figures are percentages)													
Year	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Avg
2004/05	75	71	74	72	60	74	66	67	71	73	70	67	70
2005/06	75.16	68.43	68.46	72.27	68.43	63.21	73.25	72.24	66.17	73.72	69.77	68.5	69.97
2006/07	72.5	59.78	63.8	73.44	72.75	72.64	69.36	62.1	71.79	80	74.36	63.79	69.69
2007/08	71.38	70.3	71.77	74	72.82	75.29	72.66	72.5	77.33	73.65	70.71	69.28	72.64

4.58 From the above table, average satisfaction levels equate to 69.89% for the three years 2004/05 to 2006/07; for 2007/08, the average satisfaction level is 72.64%, an improvement of almost three percentage points over the previous year.

4.59 Complaints and commendations for highway maintenance over the same period are set out in the table below.

Highways - complaints and commendations					
Financial year	2004/05	2005/06	2006/07	2007/08	Total
Complaints					
DNS - CFYA PI information	3	4	3	4	14
DNS - Technical Services:					
- Highways network	0	2	5	0	7
- Highways - various	0	1	4	0	5
- Roadworks	2	0	1	2	5
- Cabling works - Duddon Walk	0	0	0	1	1
- Portrack Interchange improvements	0	0	0	2	2
- Request for alteration to roads	1	0	0	0	1
- Road closure Ingleby Barwick	1	0	0	0	1
	4	3	10	5	22
Total	7	7	13	9	36
Commendations					
DNS - CFYA PI information	44	51	31	48	174
DNS - Technical Services:					
- Highways	0	3	0	0	3
- Highways Network Team	0	0	3	0	3
- Lowering kerb	0	0	0	2	2
- Allens West notice	0	0	0	1	1
- New car parking bays	0	0	0	1	1
	0	3	3	4	10
Total	44	54	34	52	184

4.60 The number of highway maintenance complaints received from members of the public in each of the four years is far outweighed by the number of commendations received. Overall, commendations exceed complaints by a ratio of approximately 5.11:1 indicating more people are satisfied with the service.

Care for Your Area – Analysis of Highways Satisfaction Surveys for November 2007

4.61 The following is an analysis of surveys undertaken by CFYA where customers gave both a low and high satisfaction rating for Highway Maintenance. Updated surveys were undertaken to identify if perceptions had changed. The full survey is shown at Appendix 4.

4.62 During the surveys period, 71 respondents gave an overall satisfaction rating for highway maintenance. Of those contacted 14 respondents had originally given a low rating with 57 respondents originally giving a high rating when initially surveyed in October 2005.

4.63 Follow up surveys were completed by Customer Services Staff in November 2007 to identify their main areas of concern although, more importantly to question whether their perceptions of the service had changed since the survey was completed.

Overview of Results

- A. There was a drop in satisfaction by those respondents who originally rated the service high of 10.5%. This was however superseded by the increase in satisfaction rates by those respondents who originally rated the service low of 43%.
- B. The overall satisfaction results for both sets of ratings shows a high rate of satisfaction of 82% when taking both sets of figures in account. This is opposed to the original set of results which only showed a high satisfaction rating of 80%.
- C. The survey was, as expected, very positive on the whole and shows that the ratings have increased, though slight the public perception of the Highway Maintenance Service is that of an improvement to the service.
- D. The largest area of satisfaction is with the response to requests with 58% of all respondents citing this as an area of high satisfaction. 54% of those surveyed also stated that there had been a reduction in the level of potholes in the road.
- E. The largest area of dissatisfaction is too many potholes in road and condition of footpath, both with 50% of all respondents citing this as area of low satisfaction. No comment as to the design layout of the roads and footpaths, inspection regime and publicity was received.
- F. In total over both surveys 28 respondents (39%) stated that the service had improved since the original survey. 33 (47%) who originally rated the service high stated that there had been no change. 10 (14%) who originally rated the service low also gave a response of no change to services, though it must be noted that only 8 actually still gave a low rating. These figures in mind it would indicate that the highest level of satisfaction still remains.
- G. Of those who said that the service had improved, the reduction in the level of potholes in the road was cited as a major factor with 21 of the 71 respondents citing this factor. Design of road and footpath layout came a close second with 18 of the 71 respondents citing this factor.

- H. The areas identified for improvement were based generally around a need for more road and footpath repairs. Many of the others related to utility or redevelopment works or the installation of speed humps which are beyond the control of Highway Maintenance and in these instances we can offer only a service whereby the matter is forwarded to another department from which we can simply monitor.
- I. Over half of those people surveyed confirmed that they had contacted Stockton-on-Tees Borough Council within the last 12 months, for those who answered 'no' the survey was ended at that point.
- J. It must be noted that those who answered 'yes' to contacting Stockton-on-Tees Borough Council may not specifically be referring a query or enquiry relating to a Care for Your Area service area. Recommendation for future surveys of this kind should relate this question specifically to Care for Your Area.
- K. Contact by telephone was seen as the most popular method of contact with personal contact coming a not so close second. Once contact through an ombudsman was noted though no details of what department or service this particular form of contact related to was identified.
- L. Of those people who contacted Stockton-on-Tees Borough Council a high majority found the staff helpful, efficient and able to deal with enquiry. Once more a high majority found it easy getting hold of the right person and were satisfied with the final outcome. A suggestion for future surveys of this nature would be to enquire as to why those who answered questions 9 to 11 with a negative did so.
- M. When finally asked if they had access the Stockton-on-Tees Borough Council website within the last 6 months of those 55 people who completed the whole survey 32% said they had. We were unable to identify if the remaining 40 who did not complete the whole survey did or did not access the web due to their previous answer of 'no' to question 7.

Meeting 4th August 2008 – visit to NRASWA quarterly co-ordination meeting

Utility company liaison and repairs policy

- 4.64 It is important to monitor and authorise, where possible, the works undertaken by the range of utility companies within the Borough as their activities can have an effect on public perception of highway maintenance as a whole. The Council has a streetworks coordinator who has responsibility for ensuring that utility companies comply with statutory legislation as well as the completion of a notice to allow works to be started on the public highway. The coordinator also ensures that works are 'joined up' wherever possible, through the use of a bespoke highway maintenance system 'Excor', which logs all completed, ongoing and pending works on the highway.
- 4.65 Stockton has representation on the regional policy setting body for highway issues in the form of the North East Highway Authorities and Utilities Committee – this allows us to drive policy issues which will be implemented throughout the UK. This then allows policy changes and operational issues to be filtered down and discussed at regional sub-groups which are held on a regular basis with utility companies who operate within the Borough. Any issues or problems in relation to works they are undertaking on the highway can be discussed.
- 4.66 Ongoing liaison with utility companies is important in order to continually raise awareness of the implications of poor workmanship or lack of response to referrals for defects on the

highway – this all impacts upon overall satisfaction with highway maintenance although it is essential to raise the awareness with utility companies to ensure effective response at all time.

NRASWA quarterly co-ordination meeting

- 4.67 The Chair and Vice Chair of the Regeneration and Transport Select Committee were invited to the New Road and Streetworks Act (NRASWA) quarterly co-ordination meeting held at Kingsway House, Billingham on 4th August 2008, hosted by the Council’s Technical Services department. These are regular meetings attended by representatives from the various utilities companies responsible for installing and maintaining services including gas, water and communications together with highways officers from the Council.
- 4.68 Matters arising from the co-ordination meetings feed into the North East Highways Authorities and Utilities Committee (NEHAU), which meets to discuss national issues in connection with streetworks, streetworks co-ordination and works under the Act. Highways management matters are discussed at a regional level and at local level meetings are synchronised to match NEHAU meetings.
- 4.69 There are approximately 5,000 utilities highway openings within Stockton Borough each year. Generally there are five notices generated for each opening resulting in 25,000 notices received per annum. The job of the Council, as the Highway Authority, is to co-ordinate activities on the highway.
- 4.70 The questions set out in the table below were put to the representatives from the utilities companies and form part of the information gathered during the course of the Highway Network Management Scrutiny Review. A summary of each response is also shown. The questions were prepared and agreed with the Chair in advance of the meeting.

Questions to utilities companies representatives and summary of response
1. How would you consider the working relationship with Stockton-on-Tees Borough Council regarding works on the highways? <i>The general consensus from the meeting was that there is a good working relationship between the Council, as the highway authority, and the utilities companies. The Council follows the industry code of good practice.</i>
2. How well would you consider that the co-ordination of works on the highway in Stockton-on-Tees is undertaken? <i>Schedules of work are sufficiently precise. A spreadsheet of major works schemes is kept up to date showing details of ongoing and planned work.</i>
3. How frequently would you say that you exceed the agreed timescales for works on the highway? What policies do you have in place to try and prevent this occurring and what would you identify as the main reasons for this occurring? <i>There is a duty to co-ordinate works so that everything operates as smoothly as possible. Overruns are always discussed between the Council and the utilities companies. Overruns occur most often where the contractor seeks an extension of time for the works, for example due to unforeseen circumstances.</i>
4. How do you ensure quality of reinstatements following works being completed? What pressures are there on utilities companies in respect to this? <i>There is a statutory requirement for Councils to inspect 30% of utilities companies’ reinstatements both during and after the works up to the end of the guarantee period. Selection is by random sample. The utilities companies also undertake their own internal quality checks.</i>
5. What is the volume of complaints you receive from members of the public concerning

excavations and reinstatements? <i>Figures and other information provided suggest that complaints are relatively low.</i>
6. What information do you provide to members of the public when you are about to undertake works in their area? <i>Procedures for notifying the public are covered under the requirements of the Code Of Practice. This includes placing courtesy boards to inform the public of works being undertaken (to include the utility company's telephone contact number). Normally, calling cards are given to all residents and there are liaison officers (for planned works). However this is not always practical in emergency situations.</i>
7. How well do you consider that your own objectives can work correspondingly with those of the road authority? Do you ever feel there is any disparity between these two sets of objectives? <i>The Council has a duty to demonstrate parity with the utilities companies when issuing official notices.</i>

4.71 Overall, the outcome of the meeting indicated that the Council and the utilities companies both enjoy a positive working relationship. Works are well planned and in co-ordination with the utilities and there is a 'can do' attitude to resolving problems. Works are carried out in accordance with the statutory framework and industry Code of Practice.

4.72 The questions and responses in full are shown at Appendix 5.

Meeting 11th August 2008 – finance and overview of works management

4.73 The Committee considered responses to financial questions circulated prior to the meeting covering a number of issues in relation to the Council's expenditure on maintaining and improving the Council's highway network (Appendix 6).

4.74 The Committee was also provided with a summary of revenue and capital expenditure and road length data on the on the principal and non-principal highway network (Appendices 7 & 8). The Council maintains a road network of approximately 802km, comprising a principal road network of 73km and a non-principal road network of 729km.

4.75 Figures for 2007/08 show that the Council' revenue expenditure on highway maintenance was approximately £4.63 million, which includes expenditure of approximately £800,000 on bridges and structures and winter maintenance. Overall revenue expenditure increased by almost 2.7% on the previous financial year. Within this overall figure, expenditure on structural maintenance was approximately £2.01 million in 2007/08, an increase of almost 6.5% on the year before. For 2008/09 overall revenue and capital expenditure is estimated to increase by 5% to £4.86 million, with structural maintenance set to increase to £2.12 million, a rise of 3.8%.

4.76 The percentage of reactive to planned maintenance has remained reasonably steady in recent years, from 40.92% in 2004/05, rising to 44.89% in 2006/07 and then falling to 41.31% in 2007/08. For 2008/09 it is estimated at 40.1% of planned maintenance.

4.77 The Committee received additional information regarding an example of a contract price fluctuation notice for an annual tender submitted in December 2007 for works carried out for the period to may 2008. It was noted that there was a 9.6% increase in cost due to inflation during the six month period from December 2007 to May 2008.

4.78 The Committee was informed that if the costs of highway schemes increase so significantly that it affected the highway revenue budget, then minor schemes would be deferred to the next financial year.

4.79 Further information regarding the management of resources allocated to road maintenance was presented to the Committee. It was explained that the highways revenue budget was used for this purpose and the maintenance that is carried out is determined in part by the statutory performance indicators (BVPs), following an annual survey to determine the condition of different roads.

Meeting 22nd September 2008 – results of Member and Parish and Town Council consultation and responses to insurance claims questions

Highway Network Management questionnaire analysis - Council Members

4.80 A questionnaire was issued to all Members of the Council (Appendix 9) and to Parish and Town Councils (Appendix 10). For the Members' questionnaire, a response rate of 27% was achieved. The total number of questionnaires returned was 15. The table below gives a breakdown of results.

Question			Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	Don't know/ no opinion	
Q1	Condition of carriageways in the Borough	Number	1	8	1	5	0	0	
		%	6.7%	53.3%	6.7%	33.3%	0.0%	0.0%	
Q3	Condition of footways in the Borough	Number	0	6	2	6	1	0	
		%	0.0%	40.0%	13.3%	40.0%	6.7%	0.0%	
Q5	Time taken to repair defects (carriageways & footways)	Number	1	10	3	1	0	0	
		%	6.7%	66.7%	20.0%	6.7%	0.0%	0.0%	
Q6	Quality of repairs on roads	Number	2	6	5	2	0	0	
		%	13.3%	40.0%	33.3%	13.3%	0.0%	0.0%	
Q7	Quality of notification & information received prior to undertaking works in ward	Number	2	5	3	4	1	0	
		%	13.3%	33.3%	20.0%	26.7%	6.7%	0.0%	
Q8	Feedback received after defects reported	Number	2	5	2	3	3	0	
		%	13.3%	33.3%	13.3%	20.0%	20.0%	0.0%	
Q9	Frequency of co-ordination of excavations & reinstatements by utility companies	Number	0	3	5	3	2	2	
		%	0.0%	20.0%	33.3%	20.0%	13.3%	13.3%	
Q10	Quality of excavations & reinstatements by utility companies	Number	1	4	1	5	2	2	
		%	6.7%	26.7%	6.7%	33.3%	13.3%	13.3%	
Q15	Access to information concerning maintenance & works on roads	Number	0	5	6	1	2	1	
		%	0.0%	33.3%	40.0%	6.7%	13.3%	6.7%	
Q17	Criteria used to determine road repairs & prioritising of works to roads & footpaths	Number	0	7	1	5	1	1	
		%	0.0%	46.7%	6.7%	33.3%	6.7%	6.7%	
Question			Strongly agree	Agree	Neither	Disagree	Strongly disagree	Don't know/ no opinion	
Q11	The condition of roads is of concern to local residents	Number	9	6	0	0	0	0	
		%	60.0%	40.0%	0.0%	0.0%	0.0%	0.0%	
Q16	Good awareness of criteria used to determine road repairs & repair priorities	Number	1	8	1	2	3	0	
		%	6.7%	53.3%	6.7%	13.3%	20.0%	0.0%	
Q18	Able to provide highways officers with feedback on works undertaken in ward	Number	5	6	0	3	0	1	
		%	33.3%	40.0%	0.0%	20.0%	0.0%	6.7%	
Q19	Parking on pavements is a problem in the Borough	Number	6	5	1	0	2	1	
		%	40.0%	33.3%	6.7%	0.0%	13.3%	6.7%	
Q20	Clear understanding of rules on parking on pavements	Number	2	1	4	6	2	0	
		%	13.3%	6.7%	26.7%	40.0%	13.3%	0.0%	
Question			Almost every day	At least once a week	About once a month	Within last 6 months	Within the last year	Longer ago	Never
Q12	Frequency of residents' complaints to Members about road condition	Number	0	7	5	2	0	1	0
		%	0.0%	46.7%	33.3%	13.3%	0.0%	6.7%	0.0%
Question			Positive	Negative	Mixed	Don't know/ no opinion			
Q14	Residents' feedback to Members following road improvement works	Number	3	3	6	3			
		%	20.0%	20.0%	40.0%	20.0%			

Summary of findings

- 4.81 60% of respondents were satisfied with the condition of carriageways within the Borough and one third dissatisfied. Comments on the positive aspects of road condition across the Borough were varied. These included describing the main roads in the Borough as being in reasonable condition, satisfaction with the condition of the carriageways but room for improvement, and generally roads that are well maintained and not too many complaints are recorded about poor road surfacing. On the negative side, respondents commented that many areas require attention, many roads were neglected due to a shortage in funding and there was a lot of patching of damage to the road surfaces. Respondents also mentioned problems with potholes: for example, respondents described many roads with potholes which will get worse if repairs are not maintained, the criteria for filling shallow potholes means that many are left unattended and there are too many potholes and rough areas.
- 4.82 Respondents provided several examples of carriageways in particularly poor condition within their ward areas. Specifically roads where sloping kerbs are required for vehicle access, potholes, and roads requiring resurfacing.
- 4.83 46.7% of respondents were dissatisfied with the condition of footways in the Borough, with 40% fairly satisfied. Several comments were made about cracked and broken paving stones including damage caused as a result of vehicles parking on pavements. Other comments included inadequate mending by utilities companies and many areas appearing neglected particularly in poorer areas of the Borough.
- 4.84 73.4% of respondents were satisfied with the time taken to repair carriageway and footway defects. Comments included quick repair to dangerous holes once notified, a reasonable response to requests, and defects usually repaired within one week. However, there were some negative comments for example, sometimes potholes are marked for repairs and not done until chased.
- 4.85 Regarding satisfaction with the quality of repairs, 53.3% of respondents said they were satisfied. Comments ranged from general satisfaction with the quality of repairs on roads to comments which highlighted problems such as workmen leaving a mess and the temporary effectiveness of patching.
- 4.86 Equal levels of satisfaction were expressed by respondents in connection with the quality of notification and information received prior to undertaking works in ward areas across the Borough and the feedback received after defects are reported. 33.4% of respondents were dissatisfied with the quality of notification and information received prior to undertaking works and 40% were dissatisfied with feedback received.
- 4.87 Comments received about notification of works prior commencement presented a less positive position. For example, respondents said work had begun before notification, no schedule of times to start and finish work, information often arrives after work starts and or no notification is received. Conversely, some respondents commented that notification was usually timely and accurate and in advance of road works being undertaken. The majority of comments on feedback received on reported defects indicated feedback is not always provided or is not always forthcoming.
- 4.88 One third of respondents were dissatisfied with the frequency and co-ordination of excavations and reinstatements by utilities companies; regarding the quality of utilities companies' excavations and reinstatements, 46.6% expressed dissatisfaction against 33.4% who said they were satisfied.

- 4.89 Comments made by those dissatisfied with the frequency and co-ordination of the utilities' excavations and reinstatements included a perceived lack of co-ordination or not usually being told if there are any excavations or what is about to happen. In terms of quality, in some cases respondents were critical of the standard of workmanship of some of the work. For example, reinstatement not matching the original and footpaths not always properly reinstated and site prepared then left for a few days leaving a mess for people to avoid.
- 4.90 Regarding satisfaction with the current criteria used to determine road repairs and prioritising of works, 46.7% of respondents were satisfied and 40% dissatisfied. Despite the overall positive net satisfaction, the majority of comments received about satisfaction with the criteria were more critical and some respondents were not aware of the current criteria or could not obtain the criteria for specific areas such as resurfacing.
- 4.91 All respondents agreed with the statement 'The condition of roads is of concern to local residents'. Comments provided in support of this statement were varied and ranged from residents wanting 'cosmetic' defects dealt with, residents complaining about surface conditions and elderly residents of one particular ward being constantly worried about falling over to ward members being regularly informed of defects by residents.
- 4.92 60% of respondents agreed with the statement about having a good awareness of criteria used to determine road repairs and repair priorities, with 33.3% saying they disagreed with the statement. Most of the comments received positively supported the statement. The Select Committee has a good awareness of determination of priorities however it was suggested this could be explained more to other councillors who are not on the Committee.
- 4.93 73.3% of respondents agreed with being able to provide highways officers with feedback on works undertaken in their ward.
- 4.94 73.3% of respondents agreed parking on pavements is a problem and specific examples were provided. These included pavement and verge parking complaints, cracked pavements and pavement subsidence, ruined grass verges and footpath access denied to pedestrians, pushchairs and to disabled people causing inconvenience and potential danger in the process.
- 4.95 53.3% of respondents indicated they did not have a clear understanding of the rules on parking on pavements. Comments were varied and included not knowing the rules, being unclear on what is an obstruction, having some knowledge of the rules but an update would be useful and unsure of the legal aspects.
- 4.96 The results of the consultation are summarised below.

Areas with the most satisfaction or agreement

- Residents' views: agreement with the statement 'The condition of roads is of concern to local residents.' (100%)
- Maintenance of carriageways and footways: satisfaction with the time taken to repair defects on the roads (carriageways and footways). (73.4%)
- Criteria used to determine carriageway and footway maintenance: agreement with the statement 'I feel I am able to provide highways officers with feedback on works undertaken in my ward. (73.3%)
- Pavement parking: agreement with the statement 'Parking on pavements is a problem in the Borough.' (73.3%)

Areas with the most dissatisfaction or disagreement

- Pavement parking: disagreement with the statement; 'I have a clear understanding of the rules on parking on pavements'. (53.3%)
- Condition of footways: Dissatisfaction with the condition of footways in the Borough. (46.7%)
- Works undertaken by utilities companies: Dissatisfaction with the quality of excavations and reinstatements by utility companies. (46.6%)

Highway Network Management questionnaire analysis – Parish and Town Councils

4.97 A questionnaire was issued to all Parish and Town Councils (Appendix 10). For this questionnaire, a response rate of 58.8% was achieved. The total number of questionnaires returned was 10. The table below gives a breakdown of results.

Question			Very satisfied	Fairly satisfied	Neither	Fairly dissatisfied	Very dissatisfied	Don't know/ no opinion	
Q1	Condition of carriageways in the Borough	Number	0	2	4	3	1	0	
		%	0.0%	20.0%	40.0%	30.0%	10.0%	0.0%	
Q3	Condition of footways in the Borough	Number	1	2	4	2	1	0	
		%	10.0%	20.0%	40.0%	20.0%	10.0%	0.0%	
Q5	Time taken to repair defects (carriageways & footways)	Number	1	4	2	3	0	0	
		%	10.0%	40.0%	20.0%	30.0%	0.0%	0.0%	
Q6	Quality of repairs on roads	Number	0	4	2	4	0	0	
		%	0.0%	40.0%	20.0%	40.0%	0.0%	0.0%	
Q7	Quality of notification & information received prior to undertaking works in ward	Number	3	3	2	1	0	1	
		%	30.0%	30.0%	20.0%	10.0%	0.0%	10.0%	
Q8	Feedback received after defects reported	Number	0	3	2	2	2	1	
		%	0.0%	30.0%	20.0%	20.0%	20.0%	10.0%	
Q9	Frequency of co-ordination of excavations & reinstatements by utility companies	Number	0	1	5	2	1	1	
		%	0.0%	10.0%	50.0%	20.0%	10.0%	10.0%	
Q10	Quality of excavations & reinstatements by utility companies	Number	0	2	4	3	1	0	
		%	0.0%	20.0%	40.0%	30.0%	10.0%	0.0%	
Q15	Access to information concerning maintenance & works on roads	Number	1	3	2	3	0	1	
		%	10.0%	30.0%	20.0%	30.0%	0.0%	10.0%	
Q17	Criteria used to determine road repairs & prioritising of works to roads & footpaths	Number	0	1	1	2	0	6	
		%	0.0%	10.0%	10.0%	20.0%	0.0%	60.0%	
Question			Strongly agree	Agree	Neither	Disagree	Strongly disagree	Don't know/ no opinion	
Q11	The condition of roads is of concern to local residents	Number	3	4	2	1	0	0	
		%	30.0%	40.0%	20.0%	10.0%	0.0%	0.0%	
Q16	Good awareness of criteria used to determine road repairs & repair priorities	Number	1	1	3	3	2	0	
		%	10.0%	10.0%	30.0%	30.0%	20.0%	0.0%	
Q18	Able to provide highways officers with feedback on works undertaken in ward	Number	2	5	1	0	1	1	
		%	20.0%	50.0%	10.0%	0.0%	10.0%	10.0%	
Q19	Parking on pavements is a problem in the Borough	Number	2	3	2	3	0	0	
		%	20.0%	30.0%	20.0%	30.0%	0.0%	0.0%	
Q20	Clear understanding of rules on parking on pavements	Number	0	3	4	0	2	1	
		%	0.0%	30.0%	40.0%	0.0%	20.0%	10.0%	
Question			Almost every day	At least once a week	About once a month	Within last 6 months	Within the last year	Longer ago	Never
Q12	Frequency of residents' complaints to Members about road condition	Number	0	1	5	2	1	1	
		%	0.0%	10.0%	50.0%	20.0%	10.0%	10.0%	0.0%
Question			Positive	Negative	Mixed	Don't know/ no opinion			
Q14	Residents' feedback to Members following road improvement works	Number	2	0	7	1			
		%	20.0%	0.0%	70.0%	10.0%			

Summary of findings

- 4.98 40% of respondents are dissatisfied with the condition of carriageways in the Borough and 30% are dissatisfied with the condition of footways although an equal number of respondents were satisfied with footway condition. There was a mixed response about roads including only filling potholes deeper than 40mm resulting in large numbers of areas where the road surface is dangerous, especially to cyclists and motorcyclists. Another response referred to damage to lanes because of increased lorry traffic, causing rapid deterioration of verges and road edges. Specific examples were given of roads in particularly poor condition within parish and town council areas. Similarly, comments about pavements were mixed ranging from broken and cracked paving slabs, paving stones of differing height to verges and kerbs that suffer from vehicle incursion. Several examples of footways in particularly poor condition within parish and town council areas were given.
- 4.99 50% of respondents were satisfied with the time taken to repair defects to carriageways and footways, with 30% dissatisfied. Comments ranged from there being a good response turnaround to taking quite a while for the work to be done.
- 4.100 Regarding quality of repairs on roads, 40% are fairly satisfied with an equal proportion being fairly dissatisfied where comments included repairs not seeming to last very long in some cases and the same pothole needing repair after a relatively short time.
- 4.101 In terms of road repairs, 60% of respondents were satisfied with the quality of notification and information received prior to undertaking works within the parish/ town council. The majority of supporting comments were positive.
- 4.102 When considering residents' views, 70% of respondents stated they agreed or strongly agreed that the condition of roads is of concern to their local residents. An equal percentage stated they are able to provide highways officers with feedback on works undertaken within their parish or town council and the majority of comments supported the positive response to this question. Key concerns of residents as identified by parish and town councillor representatives identified potholes as the most common area along with a number of others including damage to verges, road flooding and blocked drains.
- 4.103 There was an overall 10% net dissatisfaction with the feedback received after defects have been reported. Comments were mixed – one example cited good communication between SBC and the parish council, whereas another remarked that feedback had to be chased and another comment referred to potholes not done as they are less than 40mm deep although they are in dangerous positions such as bends.
- 4.104 For excavations and reinstatements by utilities companies, 30% were dissatisfied with the frequency and co-ordination of the works and 40% were dissatisfied with the quality; there was an overall 20% net dissatisfaction with frequency and co-ordination of excavations and reinstatements and the same level of net dissatisfaction for quality. Comments ranged from insufficient information, good in parts, inaccurate timescales and lack of correspondence. However, other comments were more positive e.g. communication between utilities and the parish council has been fairly good.
- 4.105 In terms of the criteria used to determine carriageway and footway maintenance, the most positive response, with 70%, was where respondents felt they were able to provide highways officers with feedback on works undertaken in their parish or town council. However, 50% of respondents disagreed or strongly disagreed with having a good awareness of the criteria used to determine road repairs and repair priorities. In this regard, comments ranged from the criteria could be updated, not knowing or not made

aware of the criteria or not having any information regarding the criteria. 50% stated agreed or strongly agreed with the statement that parking on pavements is a problem in the Borough. Comments included damage to verges, kerbs and vehicle access, danger to pedestrians and cyclists and a cause of concern due to narrow roads.

4.106 The results of the consultation are summarised below.

Areas with the most satisfaction or agreement

- Residents' views: agreement with the statement 'The condition of roads is of concern to local residents. (70%)
- The criteria used to determine carriageway and footway maintenance: agreement with the statement 'I feel I am able to provide highways officers with feedback on works undertaken in my ward. (70%)
- Maintenance of carriageways and footways: satisfaction with the quality of notification and information received prior to undertaking works in ward. (60%)

Areas with the most dissatisfaction or disagreement

- The criteria used to determine carriageway and footway maintenance: disagreement with the statement 'I feel I have a good awareness of the criteria used to determine repairs to roads and the priorities for repair'. (50%)
- Condition of carriageways: dissatisfaction with the condition of carriageways in the Borough. (40%)
- Maintenance of carriageways and footways: dissatisfaction with feedback received after defects have been reported. (40%)
- Works undertaken by utilities companies: dissatisfaction with the quality of excavations and reinstatements by utilities companies. (40%)

Insurance claims

4.107 The Committee received a verbal report from the Corporate Risk and Insurance Manager on insurance claims and their connection with highways. The report was based on a series of predetermined questions covering insurance claims and reserves, using insurance reserves to make improvements and the number and type of insurance claims.

4.108 The Committee was informed that following the demise of Municipal Mutual Insurance in 1992, the provision of 'ground up' insurance (i.e. all potential losses being fully covered by insurance) was no longer available to local authorities. As a result, councils were forced to turn to the commercial market, and to accept that future insurance protection for legal liability type risks would invariably be subject to compulsory deductibles/ excesses.

4.109 The payment of claims falling within the amount of the deductible could be made from the revenue budgets of individual services on a pay-as-you-go basis. However, in view of the unpredictability of the number of costs of claims in any one year, Stockton's robust approach has been to establish a central insurance fund for retained legal liability risks, and has been in place as part of its insurance programme strategy since 1992.

4.110 Although the imposition of an insurance deductible was unavoidable, the level at which this was set to apply in respect of each and every claim was open to negotiation with the insurance company concerned. The decision in that regard was made on economic grounds to achieve an acceptable balance and combination between external insurance and self-insurance coverage suited to the Council's resources and in-house risk management capability. Also taken into account were the benefits which accrue from self-

funding which was shown in the following:

- Profits were retained and investment income earned on the self funding provision.
- Lower administrative expenses than those incurred by the Authority and insurer combined.
- Higher self-retention levels reduce external insurance renewal premiums.
- Saving on payment of Insurance Premium Tax (currently 5%).

4.111 Taking all of the factors into account, the Council's self-insures up to a limit of £100,000 for each and every legal liability claim, and the exposure of the self- insurance fund to individual claims was protected by an aggregate monetary limit to ensure that the total payments made by the Authority in any one year did not exceed a predetermined sum.

4.112 Stockton had just recently undertaken a successful Consortia tender for Insurance, in conjunction with Darlington. The impact of that was being analysed in readiness for the 2009/10 budget cycle and would feed into the overall budget process. It could be seen that there had been a marginal drop in the total highway claims numbers year on year but those for footways continued to fluctuate and there was no discernible trend from which to draw any reliable conclusions and spending the money saved up on repairs could not prove that it would make the numbers in claims drop, also that claimants had 3 years to make a claim for a personal injury and if the claimant were a minor, he or she had 3 years after their eighteenth birthday to make a claim and even then this could take several years to come to a settlement.

4.113 The insurance questions raised by the Committee, together with the full responses received are set out at Appendix 11.

Meeting 3rd November 2008 – inspection and maintenance regime

4.114 The Committee received a report from the Group Leader, Highway Network Management, which outlined the inspection and maintenance regime for highways. Members were informed that the whole of the highway network is categorised into footways, carriageways and cycleways and each is inspected according to its description. Set out below is a list of the key issues that were discussed and which feature in the Council's highway inspection and maintenance regime.

Legal

- Highways Act 1980
- Section 41 – statutory duty to maintain (not a power) – there is the potential for claims if the network is not maintained
- Section 58 – special defence in action against highway authority – must demonstrate all reasonable steps are taken by the highway authority and that there is a system of inspection and repair in place

Good Practice

- Well-maintained highways Code of Good Practice for Highway Network Management
- Section 8 – Strategy and Hierarchy
- Section 9 – Inspection Assessment and Recording

Inspection Regime

- Hierarchy of Network – carriageways, footways and cycleways (all defined)
- Recommended frequency for Inspection
- SBC frequency
- Network Safety
- Network Serviceability and Sustainability

Network Safety - Repair

- Risk Assessment basis
- Commensurate with Use
- Investigation Limits and intervention
- Designed to identify all defects likely to create danger or serious inconvenience to users

Network Serviceability and Sustainability

- More detailed inspections tailored to the requirements of the highway
- Includes regulatory inspections for NRSWA

Highway Claims

- Claim numbers falling every year from 2001/2
- Repudiation rates risen since 2002/3
- 93.4% repudiation rates for 2008/9 to date

Opportunities for Improving Service

- Integrated Highway Maintenance System
- Computerised System/Map based
- Data Collection Devices for highways officers – a working group set up comprising officers from Highways, Care for Your Area and ICT – to draw up a project plan and look at costs
- Resources to Manage Data –Assert Management

4.115A guide to the Review of Highway Network Management Inspection and Maintenance Regime is included at Appendix 13.

4.116The Committee was informed that the Council achieved or exceeded the National Code of Practice's recommended frequency of inspection for carriageways and footways but did not have a specific regime for inspection of cycle ways. The frequencies are set out in the table below.

National Code of Practice recommended inspection frequencies

Feature	Description	Category	2005 Code of Practice inspection frequency	Stockton Inspection frequency
Roads	Strategic route	2	1 month	1 month
	Main distributor	3(a)	1 month	1 month
	Secondary distributor	3(b)	1 month	1 month
	Link road	4(a)	3 months	1 month
	Local access	4(b)	1 year	6 months
Footways	Prestige walking zone	1(a)	1 month	1 month
	Primary walking zone	1	1 month	1 month
	Secondary walking zone	2	3 months	3 months
	Link footway	3	6 months	6 months
	Local access footway	4	1 year	6 months
Cycleways	Part of carriageway	A	As for roads	As for roads
	Remote from carriageway & shared surface with footway	B	6 months	6 months
	Cycle trails	C	1 year	No specific regime*

* Cleansing operatives will note any defects while out on duty.

4.117The inspection procedure was noted and Members were informed of how the level of urgency was determined for any defects. Inspectors will look at defects likely to create a

danger or serious inconvenience to users. Highways are rated between 1 and 5 and from this assessment a list of schemes for repair and maintenance is compiled.

- 4.118 Highways insurance claims were also discussed. Members of the Committee were informed that several issues were investigated when a claim was made. The investigation commenced by establishing a timeline for the claim before going on to check back through all of the pertinent events before making any decision on the outcome of the claim i.e. by examining the previous two inspections, the category and description of the location where the complainant had been injured, whether any complaints had been made by the public and if any utility companies had been working at the location.
- 4.119 The Committee was informed that 93.4% of claims made were repudiated by Stockton Borough Council; no payment has been made on these claims as there is no case to answer and therefore the claim can be defended/ repudiated. For the remaining 6.6% of cases, liability may be accepted and settled out of court or alternatively, the case will proceed through to court action.
- 4.120 The Committee was informed of the need to move away from the current paper based system of recording and works ordering towards an electronic system of record keeping of inspection, using hand held devices. The Committee noted a working group has been established to look into the feasibility of using hand held devices to support highways and footways inspections.

5.0 Conclusions

Public perceptions

- 5.1 The Ipsos MORI 2008 Residents' Survey shows that roads and pavements maintenance continue to feature in the top ten most important Council services – roads maintenance in fourth place (5th in 2006) and pavement maintenance 7th (7th in 2006).
- 5.2 Findings from the 2008 Residents' Survey also show there have been encouraging improvements in perceptions of roads and pavements, perhaps as a reflection of the investment and efforts in previous years. Overall satisfaction levels have improved considerably over the previous Residents' Survey in 2006. Satisfaction with roads maintenance has risen by 12 percentage points to 55% and by 8 percentage points to 50% for pavement maintenance. Levels of dissatisfaction have fallen since 2006, with a 9 percentage point drop for both roads and pavements maintenance to 30% and 36% respectively.
- 5.3 During 2007 and 2008 a renewed campaign has added to the work already underway in order to increase public awareness of the service. This includes greater use of branding in the form of the 'Find 'n fix' branding on PPE, scheme signs and on vehicles, Stockton News articles concentrating on performance of the service and awareness of what we do, bus advertising introducing a series of marketing strap lines, increased use of the website to publicise services, including the online reporting facility, uniformed Asset Inspectors to make them instantly recognisable on the street and Member information such as Roadworks Reports etc.
- 5.4 The Members' questionnaire circulated to all Council Members and Parish and Town Councils was used to gather perceptions of carriageway and footpath condition and maintenance, work undertaken by utilities, residents' views and the criteria used to determine carriageway and footway maintenance.
- 5.5 Findings from the Members' questionnaire highlighted several key areas.

Areas with the most satisfaction or agreement

- Residents' views: agreement with the statement 'The condition of roads is of concern to local residents.' (100%)
- Maintenance of carriageways and footways: satisfaction with the time taken to repair defects on the roads (carriageways and footways). (73.4%)
- Criteria used to determine carriageway and footway maintenance: agreement with the statement 'I feel I am able to provide highways officers with feedback on works undertaken in my ward. (73.3%)
- Pavement parking: agreement with the statement 'Parking on pavements is a problem in the Borough.' (73.3%)

Areas with the most dissatisfaction or disagreement

- Pavement parking: disagreement with the statement; 'I have a clear understanding of the rules on parking on pavements'. (53.3%)
- Condition of footways: Dissatisfaction with the condition of footways in the Borough. (46.7%)
- Works undertaken by utilities companies: Dissatisfaction with the quality of excavations and reinstatements by utility companies. (46.6%)

(Note – pavement parking is the subject of a separate scrutiny review.)

5.6 Similarly, findings from the Parish and Town Councils questionnaire highlighted several key areas.

Areas with the most satisfaction or agreement

- Residents' views: agreement with the statement 'The condition of roads is of concern to local residents. (70%)
- The criteria used to determine carriageway and footway maintenance: agreement with the statement 'I feel I am able to provide highways officers with feedback on works undertaken in my ward. (70%)
- Maintenance of carriageways and footways: satisfaction with the quality of notification and information received prior to undertaking works in ward. (60%)

Areas with the most dissatisfaction or disagreement

- The criteria used to determine carriageway and footway maintenance: disagreement with the statement 'I feel I have a good awareness of the criteria used to determine repairs to roads and the priorities for repair'. (50%)
- Condition of carriageways: dissatisfaction with the condition of carriageways in the Borough. (40%)
- Maintenance of carriageways and footways: dissatisfaction with feedback received after defects have been reported. (40%)
- Works undertaken by utilities companies: dissatisfaction with the quality of excavations and reinstatements by utilities companies. (40%)

5.7 Results from the monthly telephone customer satisfaction surveys carried out by the Council's Care for Your Area team show an improving trend. The average satisfaction level has risen from 70% in 2004/05 to 72.64% in 2007/08, which demonstrates a positive improvement in customer satisfaction with the highway maintenance service.

Performance indicators

5.8 Performance in national Best Value Performance Indicators (BVPIs) remains high, with three of the four national performance indicators illustrating that Stockton is in the upper quartile and in the second quartile for the fourth (based on 2006/07 data). In addition, the Council has a local indicator for the response to urgent highway defects (Find n' Fix) – the latest return confirms that 100% of all urgent defects reported within 24 hours are either made safe or repaired.

Utilities

5.9 The outcome of the quarterly co-ordination meeting attended by the Chair and Vice Chair of the Regeneration and Transport Select Committee, together with representatives from the utilities companies, indicated that the Council and the utilities companies enjoy a positive working relationship. Works are well planned and in co-ordination with the utilities and there is a 'can do' attitude to resolving problems. Works are carried out in accordance with the statutory framework and industry Code of Practice.

5.10 However, findings from the Members' and Parish and Town Council questionnaire revealed dissatisfaction with the quality of excavations and reinstatements by utility companies as one of the areas with the most dissatisfaction or disagreement, indicating there is a perception that the standard of workmanship is in need of improvement.

Complaints and commendations

5.11 An analysis of the number of complaints received by the Council showed that for the four year period 2004/05 to 2007/08 there were 36 complaints in total, representing an average of 9 per year. However the number of complaints received has been far outweighed by the number of commendations over the same period. Overall, commendations exceed complaints by a ratio of approximately 5 to 1, indicating more customers are satisfied with the service and prepared to formally report this to the Council.

Finance

5.12 Overall annual expenditure on highway maintenance is contained and if the costs of highways schemes increase so significantly that it adversely impacted on the highway revenue budget, then this would result in minor schemes being deferred until the following financial year.

5.13 The ratio of the level of expenditure on reactive to planned maintenance has remained reasonably steady at and is estimated to be at around 40.1% for 2008/09 (at the same level for 2004/05).

Inspection and maintenance

5.14 The Council has a rigorous inspection and maintenance scheme in place which it follows in accordance with the industry National Code of Practice recommended frequency of inspection for carriageways and footways. For the majority of categories the Council has achieved the recommended inspection frequency and in some categories the inspection frequency has been exceeded (e.g. local access). For cycleways across the Borough although cleansing operatives will note any defects while on duty.

Insurance claims

5.15 Following the demise of one of the leading local authority insurers, Municipal Mutual Insurance, in 1992, the provision of 'ground up' insurance (i.e. all potential losses being fully covered by insurance) is no longer available to local authorities. As a result, councils have been forced to turn to the commercial market, and to accept that future insurance protection for legal liability type risks would invariably be subject to compulsory deductibles/ excesses.

5.16 The payment of claims falling within the amount of the deductible could be made from the revenue budgets of individual services on a pay-as-you-go basis. However, in view of the unpredictability of the number of costs of claims in any one year, Stockton's robust approach has been to establish a central insurance fund for retained legal liability risks, and has been in place as part of its insurance programme strategy since 1992.

5.17 Results for 2007 show a rise in the percentage of insurance claim cases successfully defended at nil cost or fees only (the repudiation rate) has risen to 83.5%, the highest figure yet recorded and one that represents a significant turnaround from the previous year, which was one of the lowest rates since 2001. Indications are that as the number of historic claims cases reduces, the repudiation rate can be further improved.

- 5.18 During the review Members requested a guide to highways claims procedures to provide them with a more detailed understanding of the procedures involved. This has been included at Appendix 12 of the report.
- 5.19 The Council is moving forward following the successful consortia tender for insurance in partnership with Darlington and the impact arising from this will feed into the 2009/10 budget cycle.