

# Report of the Strategic Director – Regeneration & Culture to the meeting of the Bradford East Area Committee to be held on 23 July 2013

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**Subject:**

The devolution of responsibility and budgets to the Bradford East Area Committee for decision making in relation to Highway Repairs.

**Summary statement:**

As part of the Council's Devolution Review, Highway Repairs has been identified as a Service function which has been devolved to Area Committees. This report sets out the proposed arrangements for Area Committee agreement on how this function will continue to operate following devolution.

**Wards:** 4, 5, 6, 10, 13, 18

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Barra Mac Ruairi  
Strategic Director – Regeneration & Culture

**Portfolio:**

Housing, Planning & Transport

Report Contact: Richard Gelder  
Transportation Development Manager

**Overview and Scrutiny Area:**

Environment & Waste Management

Phone: 01274 437603  
E-mail: Richard.Gelder@bradford.gov.uk



## **1.0 SUMMARY**

- 1.1. The Executive has identified the Highway Repairs function to be devolved to Area Committees.
- 1.2. This report outlines the proposed basis on which the devolution of budgets for the reactive Highway Repairs function, which has recently transferred to the Planning, Transportation & Highways Service, will be implemented, and sets out the scope of Area Committee decision making from 2013/14.

## **2.0 BACKGROUND TO HIGHWAY REPAIRS**

- 2.1. The need to undertake highway repairs throughout the District is identified through a variety of sources including: -
  - General public calls to the customer contact centre;
  - Inspections as a result of service requests dealt with by the Area Teams or as a result of observations by highway officers in the course of undertaking other duties; and
  - Programmed condition, safety and other surveys.
  - Safety Inspections.
- 2.2. Where repairs to the highway are required these are categorised depending upon the severity of the issue into one of four categories (CAT1, CAT2, CAT3 or CAT4). Each category has a target repair time which has been agreed with the Council's Insurers as a way of mitigating the Council's insurance premium for highway related claims. CAT1 repairs should be undertaken within 24 hours; CAT2 repairs within 5 working days; CAT3 within 28 days and CAT4 within 6 months.

## **3.0 BACKGROUND TO DEVOLVED BUDGET FOR HIGHWAY REPAIRS**

- 3.1. At the meeting on 22 November 2012, this Area Committee considered an initial report on the devolution of Highway Repairs budgets to the committee for local determination. This initial report proposed consideration of CAT3 and CAT4 work only.
- 3.2. A subsequent meeting of the Executive Committee on 16 April 2013 resolved that the devolution of Highway Repairs budgets be extended to also include CAT1 and CAT2 work.

## **4.0 PROPOSAL FOR AREA COMMITTEE DECISION MAKING**

- 4.1. Following resolution by Executive that the budget for all categories of repairs should be devolved to the Area Committees, this report now includes proposals for this approach to be adopted in the Bradford East constituency for the Committee's ratification.

- 4.2. Historic spending (which includes staff resources, materials and plant) on CAT1 and CAT2 repairs throughout Bradford District has typically been at a level of 36.6% of the total budget allocation, the remainder of this budget (63.4%) being used for more permanent, programmed repairs under the definitions of CAT3 and CAT4. In the case of Bradford East, the budget for CAT1 and CAT 2 repairs would equate to a value of £121,000 for 2013/14 using the agreed funding allocation formula, or 17.4% of the overall CAT1 and CAT2 repair budget for the District.
- 4.3. The timescales for these works being carried out is such that pre-notification and prioritisation by this committee is seen as unworkable. Therefore, the proposals for devolution of this element of the highway repairs budget is that a report be presented to the committee on a quarterly basis of expenditure against this budget together with the numbers of incidents responded to which fall within the CAT1 and CAT2 definitions. An indication of the format for this method of reporting is given in Appendix 1, which details works in Bradford East in the 2012/13 financial year and also works to date in the current financial year.
- 4.4. Calculation of the proportion of CAT3 and CAT4 budget allocations, again using the approach approved by Executive, is based upon three metrics (a) a basic allocation of 20% of the budget to each area (b) an allocation of 55% of the budget based on the length of highway network in the constituency area to be maintained and (c) a final allocation of 25% of the budget based on the percentage of the population living in the area taken from the 2011 census. On this basis, the allocation of the CAT3 and CAT4 budget allocated to the Bradford East Area Committee would equate to £226,000 or 18.7% of this element of the budget.
- 4.5. Aggregating these two elements together gives a total resource/budget allocation to Bradford East Area Committee for highway repairs of £347,000 for 2013/14 which equates to 18.2% of the overall budget. A detailed comparison is given in the table below:

Constituency Area	Population (2011 Census)	Population %	Network Length %	Allocation % age		Total Allocation %
				CAT1 & 2	CAT3 & 4	
Bradford East	113,820	21.8	16.9	17.4	18.7	18.2
Bradford West	114,761	22.0	17.7	18.1	19.2	18.8
Bradford South	101,545	19.4	17.2	17.4	18.3	18.0
Keighley	97,150	18.6	25.7	25.0	22.8	23.6
Shipley	95,176	18.2	22.5	22.1	20.9	21.3
Total	522,452	100	100	100	100	100

**Table 1:** Highway Repairs Budget Allocation Percentages

- 4.6. The decision making proposal for this direction of the CAT3 and 4 budget would, as previously described operate as follows:
- Lists of all CAT3 repair sites and CAT4 schemes based on an officer assessment of the engineering need for the works will be presented to Area Committee for consideration. Or, where committee dates do not permit, details of the planned CAT3 programme will be discussed with the committee chair and retrospectively reported to the Area Committee.

- The Area Committee, as Highway Authority, will be responsible for prioritisation and allocation of the above budget to undertake the CAT3 and CAT4 work within their constituency boundary.
  - The works would then be delivered throughout the financial year as and when resources are available given the other competing demands outlined in paragraph 5.5 below.
- 4.7. Any further one-off payments to the Council in relation to dealing with severe weather damage would be similarly apportioned (subject to funding conditions) as CAT3 or CAT4 priority works and a further programme of works would be prepared for the committee's consideration and prioritisation.
- 4.8. Area teams also have a revenue budget of £55,000 at their disposal to cover a number of maintenance issues including, but not limited to: -
- Replacement or new street nameplates and other street furniture
  - Gully repairs, drainage surveys, root cutter equipment hire
  - Repairs/replacement of anti-motorcycle barriers and hand-rails
  - Works on footways and carriageways formerly maintained by In Communities (Gulliksen Agreement)
  - Signing and lining maintenance
  - Removal of vegetation where owners cannot be traced/recharged
  - Other miscellaneous highway repairs and works covered under the Highways Act 1980

Given the relatively insignificant figures that arise once this budget has been apportioned between the works areas listed above, it is recommended that this be prioritised by officers to meet the varying levels of demand.

## **5.0 OTHER CONSIDERATIONS**

### **5.1. Performance**

In the 2012/13 financial year, 96.75% of CAT1 repairs in Bradford East were completed within 24 hours, and 80.67% of CAT2 repairs were undertaken within 5 working days. A summary of CAT1 and CAT2 repairs are detailed in Appendix 1. In the same period, for CAT3 and CAT4 repairs, £156,000 was spent on carriageway patching (equating to 7,253m<sup>2</sup>) and £124,000 was spent on footway repairs.

### **5.2. Service delivery plan**

Expenditure and statistics on CAT1 and CAT2 repairs will be reported to Area Committee on a quarterly basis.

5.3. Involving citizens

A defect reporting procedure is in place for members of the public using either the Council's website or hotline number.

5.4. Opportunities & Challenges

The Council's ability, as Highway Authority, to adequately maintain the highway network in a condition that is fit for purpose is decreasing in view of reduced budgets and increasing costs.

5.5. Availability of operatives and funding to carry out CAT3 and CAT4 repairs is dependent upon a number of factors, some of which are beyond the control of officers, including, but not limited to, the following;

- Sickness cover for higher priority (CAT1 and CAT2) repair crews;
- Winter maintenance operations and stand-down times; and
- Variable and currently increasing numbers of CAT1 and CAT2 potholes, flagging repairs, damage repairs, drainage issues etc. – all requiring attention in priority over CAT3 and CAT4 works.

**6.0 OPTIONS**

6.1. The Area Committee can decide to approve the recommendations as detailed in this report, or amend them, or suggest alternative recommendations for which officer advice will be given.

**7.0 FINANCIAL AND RESOURCE APPRAISAL**

7.1. In the current financial year the total highway repair budget for CAT1, 2, 3 and 4 repairs is £1.903m. Of this, £696,535 (36.6%) is allocated to CAT1 and CAT2 repairs and £1,206,565 (63.4%) is allocated to CAT3 and CAT4 repairs.

7.2. Resources to deliver a highway repairs programme of works are available within the Council's current staff resources.

**8.0 RISK MANAGEMENT**

8.1. The volume of CAT1 and CAT2 repairs received in any financial year is not predictable although, over recent years, it has increased due to the impact of severe winters and flooding on the District's highway network. Of necessity, CAT1 & 2 repairs have first call on the budget and resources in order to maintain the highway. Hence, the level of funding and resource available for CAT3 & 4 works may fluctuate within any financial year.

**9.0 LEGAL APPRAISAL**

9.1. Legal implications of the further devolution of budgets to Area Committees will be reviewed by the City Solicitor and any issues and constitutional amendments required will be considered at the Council's Annual General Meeting.

## **10.0 OTHER IMPLICATIONS**

### 10.1. Links to Area Committee Action Plans 2011-14

The development and implementation of the proposals in this report support priorities within the Area Committee Action Plans.

### 10.2. Equal Rights and Diversity Implications

Due regard is given to Section 149 of the Equality Act 2010 when prioritising Highway Maintenance repairs.

### 10.3. Sustainability Implications

Proactive repairs, such as surface dressing, serve to extend carriageway life.

### 10.4. Greenhouse Gas Emissions Impacts

There is no impact on the Council's own and wider District's carbon footprint and emissions from other greenhouse gasses arising from this report.

### 10.5. Community Safety Implications

Maintenance of the highway network is essential to ensure the safe passage of pedestrians and road users alike.

### 10.6. Human Rights Act

There are no Human Rights Act implications arising from this report.

### 10.7. Trade Union Implications

There are no Trade Union implications associated with this report.

### 10.8. Ward Implications

The information in this report is relevant to all Wards.

## **11.0 NOT FOR PUBLICATION DOCUMENTS**

None

## **12.0 RECOMMENDATIONS**

12.1. That the methodology of decision making for devolved Highway Repairs budgets as outlined within this report be agreed.

12.2. That subsequent reports be presented to this committee on a quarterly basis detailing expenditure against this budget together with the numbers of incidents responded to which fall within the CAT1 & CAT2 definitions.

- 12.3. That lists of all CAT3 repair sites and CAT4 schemes based on an officer assessment of the engineering need for the works will be presented to the Area Committee for consideration. Or, where committee dates do not permit, details of the planned CAT3 programme will be discussed with the committee chair and retrospectively reported to the Area Committee.
- 12.4. That officers prioritise the various Highway Maintenance works covered by the £55,000 revenue budget as detailed in paragraph 4.8 of this report.

### **13.0 APPENDICES**

- 13.1 Summary of CAT1 and CAT2 works undertaken in Bradford East in the 2012/13 financial year and 2013/14 financial year to date.

### **14.0 BACKGROUND DOCUMENTS**

- 14.1. Joint Report of the Director of Finance and Strategic Director of Environment and Sport to Corporate Overview & Scrutiny Committee, 10 April 2013 - Methodology for Allocation of Devolved Service Resources to the Five Area Committees.
- 14.2. Joint Report of the Director of Finance and Strategic Director of Environment and Sport to the meeting of Executive, 16 March 2013 – Methodology for Allocation of Devolved Service Resources to the Five Area Committees.
- 14.3. Report of the Strategic Director (Regeneration & Culture) to the meeting of Bradford East Area Committee, 22 November 2012 – The Transfer of Responsibility and Budgets to the Bradford East Area Committee for Decision Making – Highway Repairs.
- 14.4. Joint Report of the Director of Finance and Strategic Director of Environment and Sport to Corporate Overview & Scrutiny Committee 1<sup>st</sup> November 2012

**APPENDIX 1**

**BRADFORD EAST CAT1 AND CAT2 REPAIRS**

**2012/13 FINANCIAL YEAR**

<b>CATEGORY</b>	<b>NO. OF REPAIRS</b>
<b>CAT1</b>	<b>120</b>
<b>CAT2</b>	<b>1401</b>

**2013 FINANCIAL YEAR TO DATE (1/4/13-19/6/13)**

<b>CATEGORY</b>	<b>NO. OF REPAIRS</b>
<b>CAT1</b>	<b>15</b>
<b>CAT2</b>	<b>294</b>