

Report of the Strategic Director – Regeneration & Culture to the meeting of the Bradford South Area Committee to be held on 28 March 2013

BD

Subject:

The transfer of responsibility and budgets to Bradford South 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 paper sets out the proposed arrangements for Area Committee agreement on how this function will continue to operate following devolution.

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Portfolio:

Environment & Sustainability

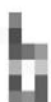
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1.0 SUMMARY

- 1.1. The Council's Executive has identified the Highway Repairs to be devolved to Area Committees.

This report outlines the proposed basis on which the devolution of budgets for the reactive Highway Repairs function, currently in Neighbourhoods Service, will be implemented following its transfer to the Planning, Transportation & Highways service and sets out the scope of Area Committee decision making from 2013-14.

2.0 BACKGROUND

- 2.1. At its meeting of 22 November 2012 this committee considered a report on the devolution of highway repairs budgets to area committee for local determination. The report at this time, out of necessity of being prepared by officers within Planning, Transportation & Highways who were fully conversant with the operation of the highway repair budget, contained basic information on the amount of budget to be devolved and the context of these budgets in relation to overall highway expenditure.

- 2.2. The committee subsequently resolved that:

That consideration of the Highways Repair Devolution be deferred until January 2013 meeting of this committee to allow for the Strategic Director (Regeneration & Culture) to submit a more detailed report.

- 2.3. Whilst the overarching approach to devolution was included in a report of the Assistant Director of Neighbourhoods to this Area Committee at the same meeting (and was subsequently approved) this report now provides the committee with the additional budget information requested.

3.0 BACKGROUND TO HIGHWAY REPAIRS

- 3.1. The need to undertake highway repairs throughout the District are identified through a variety of sources including:

- General public calls to the customer contact centre;
- Inspections as a result of service requests received in the Area Teams and observations in the course of undertaking other duties;
- Condition and other surveys; and
- Safety Inspections.

Repairs are categorised depending upon the severity of the issue being reported to one of four categories (CAT1, CAT2, CAT3 or CAT4). Each category has a target repair time – CAT1 repairs should be undertaken in 24 hours; CAT2 repairs in 5 working days; CAT3 within 28 days and CAT4 within 6 months. CAT1 repairs should be considered as emergency repairs where failure to act could lead to danger to life and limb of the public at large, CAT2 repairs, whilst still being serious only require a response within 28 days as agreed with the Council's insurers in relation to reducing

the overall insurance premium for cover against claims for damage or injury resulting from causes related to the highway asset.

- 3.2. Whilst the repair time of 28 days for CAT2 repairs is longer than that required for CAT1 action they are too short a timescale to allow consideration of their prioritisation by the Area Committee.

4.0 PROPOSAL FOR AREA COMMITTEE DECISION MAKING

- 4.1. The proposal for devolution of the highways repair budget does not consider CAT1 or CAT2 activities as by their very nature it is not possible to predict when, or where, such failures in the highway will occur. Additionally, when failures do occur rapid action is required which would preclude seeking direction from the Area Committee, or Area Committee Chair, on how to proceed. The CAT1 and CAT2 expenditure historically equates to approximately 36.6% of the overall budget although fluctuations year on year do occur for reasons previously discussed with the remainder being used for CAT3 & CAT4 works. Therefore the proposal for Area Committee decision making concentrates on works which fall under the CAT3 and CAT4 categories and the process involved in their prioritisation for implementation but does include a notional split of CAT1 and CAT2 funding for a comprehensive picture of how the overall budget would be devolved.
- 4.2. CAT1 & CAT2 expenditure has been apportioned based on the proportion of overall highway network length in a given constituency together with a smaller allowance for population density (which has been used as an approximation of the level of congestion on the highway network in the constituency). This approach would allow recognition of the fact that by virtue of some areas having a greater length of highway the potential for pot holes to occur is greater.
- 4.3. Calculation of the proportion of CAT3 & CAT4 allocations is based upon three metrics (a) a basic allocation of 20% of the budget to each area (b) length of highway network in the constituency (c) percentage of the population living in the area taken from the 2011 census.
- 4.4. Indicatively in 2012/13 the budget for highway repairs was £2.12m (which included a one off grant from central government for dealing with the impacts of severe winter and flooding issues during 2011/12). The budget for 2013/14 is currently anticipated to £1.929m. On the basis of the methodology described above, if this were approved by Executive, the allocation for each constituency would be:

Constituency Area	Population (2011 Census)	Population %age	Network Length %age	Allocation % age		Total Allocation %age
				CAT1 & 2	CAT3 & 4	
Bradford East	113,820	21.8	16.9	17.4	20.0	19.3
Bradford West	114,761	22.0	17.7	18.1	20.5	19.6
Bradford South	101,545	19.4	17.2	17.4	19.4	18.9
Keighley	97,150	18.6	25.7	25.0	23.9	21.7
Shipley	95,176	18.2	22.5	22.1	22.0	20.5
Total	522,452	100	100	100	100	100

Table 1: Highway Repairs Budget Allocation Percentages

- 4.5. The decision making proposal for this direction of this budget would, as previously describe, consider the CAT3 & CAT4 elements only and would operate as described below:
- 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 Committees for consideration.
 - 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 5.1 below.
- 4.6. Any further one-off payments to the Council in relation to dealing with severe weather damage would be similarly apportioned (subject to funding conditions) and a further programme of CAT3 & CAT4 works would be prepared for the committee's consideration and prioritisation.

5.0 OTHER CONSIDERATIONS

- 5.1. Availability of operatives and funding to carry out CAT3 & 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 & CAT2) repair crews;
 - Winter maintenance operations and stand-down times; and
 - Variable and currently increasing numbers of CAT1 & CAT2 potholes, flagging repairs, damage repairs, drainage issues etc. – all requiring attention in priority over CAT3 and 4 works.

6.0 OPTIONS

- 6.1. The Area Committee is asked to note the devolution proposals set out in this report and indicate its support or otherwise to them..

7.0 FINANCIAL AND RESOURCE APPRAISAL

- 7.1. In the current financial year the budget for CAT1, 2, 3 and 4 repairs is £1.946m. Subject to approval of Executive distribution of this budget as shown in Table 1 would result in an allocation of £368,000 being made to the Bradford South Area Committee. Ratification of the methodology of apportionment of the budget described in this report is being considered by the Council's Executive in April for approval.
- 7.2. Resources to deliver a programme of CAT3 and CAT4 works are available within the Council current staff resources.

8.0 RISK MANAGEMENT

- 8.1. The volume of CAT1 and CAT2 repairs received in any given year is not predictable although over recent years it has seen an increasing volume trend due to the impact of severe winters and flooding on the District's highway network. Of necessity CAT 1 & 2 repairs have first call on the budget and resources provided to maintain the highway and hence the level of funding, and resource, available for CAT3 & 4 works in any given financial year could fluctuate year-to-year and even within financial years.

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

There are no significant equal rights implications arising from this report.

10.3. Sustainability Implications

Increased local decision making has the potential to create more sustainable solutions to local issues.

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 Area Committees notes and supports the proposed devolution of decision making to the Area Committee outlined above.
- 12.2. That at the earliest opportunity, following Executive's approval of the devolution methodology described in this report officers prepare a programme of CAT3 and CAT4 repair works for consideration by the Area Committee and prioritisation of the 2013/14 budget.

13.0 APPENDICES

None

14.0 BACKGROUND DOCUMENTS

- 14.1. Report of the Strategic Director (Regeneration & Culture) to the meeting of Bradford South Area Committee, 22 November 2012 – The transfer of responsibility and budgets to the Bradford South Area Committee for decision making – Highway Repairs.