

**May 2019**

## **Overview and Scrutiny Committee**

# **Highways Maintenance Report from Scrutiny Review Group**

### **Review Group Members**

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## CHAIRS' FOREWORD

In the first year of this administration as Community Scrutiny Leads, we have worked together with officer and resident input to devise a work programme for the year. A resident survey informed us about key areas of concern which we discussed with senior officers and member colleagues.

One focus of our work, as highlighted as a concern in the Residents' Survey, has been the often criticised Highways Maintenance which we investigated and planned with the two senior officers at our first review group meeting. Based on their input, we chose a practical approach for our scrutiny review group to view roadworks on the ground. This visit guided by our senior officer proved to be very instructive and enabled the scrutiny review members to ask/challenge, informed by these observations. Our following session again hosted by the senior officer was in the offices which enabled colleagues to dig down into issues we had observed. Additionally, we were able to learn about ways of working and understand how the service delivery is achieved.

And finally our thanks to our officers David Eaglesham and Ian Slaney for their active participation in the review process plus their staff from whom we learned not only the challenges of delivering the service but also the skill and good humour with which they approached it.



**Councillor Ghazanfar Ali**  
Scrutiny Lead for Community - Policy



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## BACKGROUND

According to the Local Government Association (LGA), councils fixed a pothole every 15 seconds last year, however funding cuts mean they are trapped in a cycle as they are only able to “patch up” roads. The Asphalt Industry Alliance has warned that prolonged under-investment, coupled with wetter winters, increased traffic and an ageing network, means that the resilience of local roads is at a low point, and that clearing the maintenance backlog is impossible without a significant increase in funding.

The LGA has highlighted a chronic need for more investment in local roads, stating that if the Government reinvested the equivalent of 2 pence per litre of existing fuel duty into local roads maintenance, it would generate £1bn a year for councils to spend on improving the entire local roads network. In the Budget in November 2018, the Chancellor announced an additional £420 million for road maintenance for 2018/2019 financial year. This brings the total funding for pothole repair and roads maintenance up to £6.6 billion from 2015 to 2020.

The highways network is Harrow’s largest asset and includes 1,615 roads over 457km in length and has a gross replacement cost of over £800 million. There is currently a significant backlog of structural maintenance that is valued at approximately £100 million and it is therefore very important to make best use of the resources available to the council for repairs and maintenance to ensure the network remains in a serviceable condition for the travelling public. The council has put in place a system for reviewing and prioritising all highways maintenance defects to ensure resources are used in the most effective way through two main areas of work:

- Reactive maintenance which deals with immediate risks to the public from minor defects
- Structural maintenance which addresses large scale refurbishment due to significant deterioration of the highway structure.

The findings from the Harrow Resident Survey in 2017 highlighted the condition of roadways and footpaths as one of residents’ top priorities for the borough, and also one of the key issues raised with local councillors. We know from the concerns that residents approach us with that the condition of highways is important to the public. The Harrow Ambition Plan 2019 includes a priority to protect vital public services which includes “Harrow has a transport infrastructure that supports economic growth, improves accessibility and supports healthy lifestyles”.

## OUR APPROACH

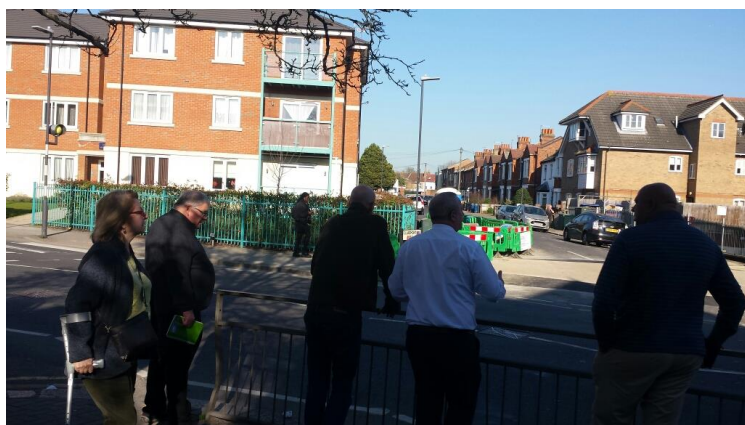
The Overview and Scrutiny Committee commissioned a review of highways maintenance in its work programme for 2018/19 and agreed this review's scope in November 2018 outlining the following aim and objectives for the scrutiny review:

The purpose of this review is to understand better and influence how Harrow's schedule of highways work is prioritised so as to better inform, engage and consult with residents.

The objectives of the review as set out in the scope are:

1. To establish the nature of residents' concern about the condition of roads in Harrow and other highways issues, as raised in the Residents' Survey 2017.
2. To understand how Harrow's schedule of planned highways maintenance works is formulated and understand the criteria, including financial, for determining in what way works are carried out.
3. To ascertain if and how the Council coordinates different types of planned works to roads and pavements.
4. To ascertain if and how utilities companies coordinate planned works with the council.
5. To investigate how council policies around dropped kerbs and enforcement impact upon the conditions of Harrow's roads and pavements.
6. To examine the quality assurance around contractors' performance on highways maintenance, including enforcement by the council of its contractual rights.
7. To understand how planned works and their progress are communicated to residents.
8. To understand the sources of funding and associated pressures, including TfL involvement, that affect Harrow's highways maintenance programme.

For our review we started by carrying out desktop research and a literature review of the relevant background documents and subsequently held question and answer sessions with officers and the portfolio holder, reviewed briefings and data provided by the services and undertook two afternoons of site visits to highway maintenance works across the borough and also the back office functions. In particular, it was valuable for us to see on the ground the works that the council undertakes, as well as back office operations and how the teams interact to work together. This demonstrated to us that the structures are in place and the teams well coordinated to work together.



*Members reviewing maintenance works during site visit*

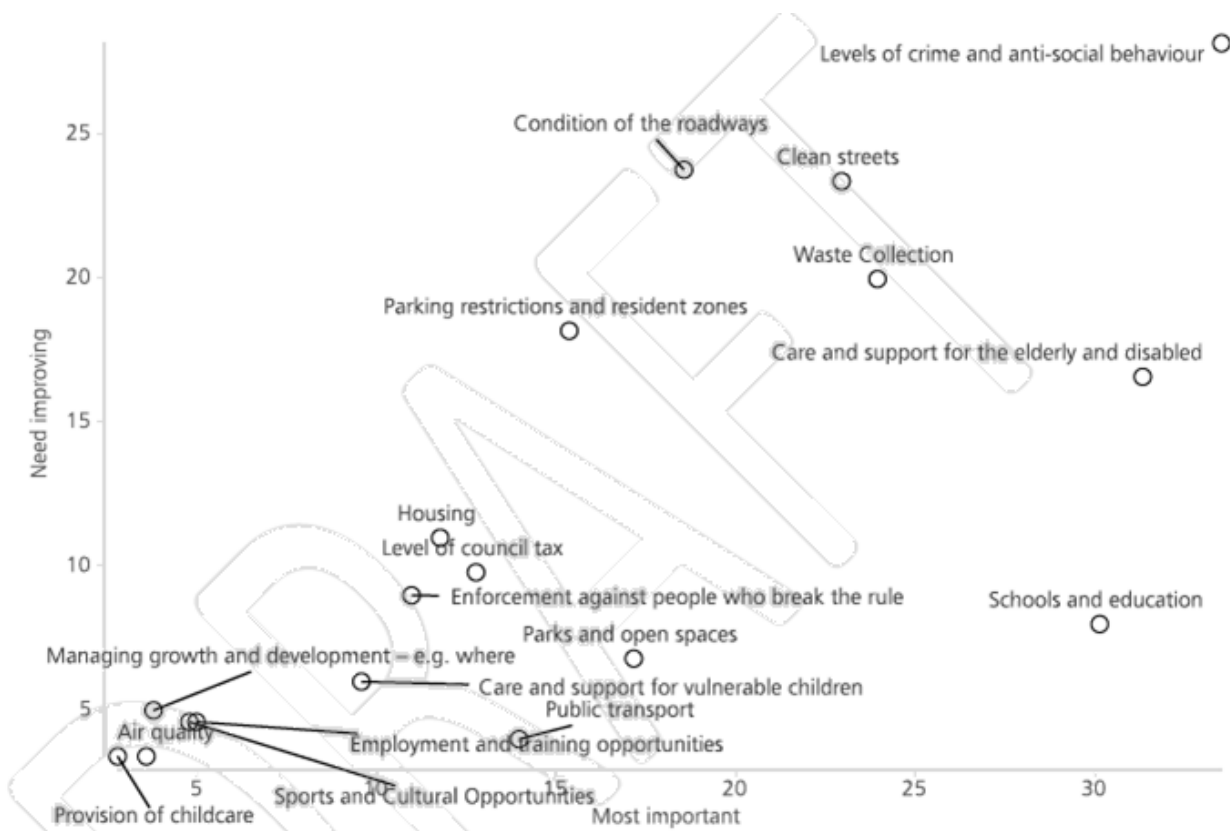
## WHAT THE INTELLIGENCE IS TELLING US

For ease of reading, we outline our findings by review objective.

### Objective 1 – To establish the nature of residents’ concern about the condition of roads in Harrow and the other highways issues, as raised in the Residents’ Survey 2017

Harrow’s Residents’ Survey 2017 drew 501 responses and responses showed that most residents are concerned about the condition of roads in Harrow. As illustrated in the chart below, the condition of roadways was the second highest option picked for needing improvement from a list of 19 choices. The condition of highways also ranked 6<sup>th</sup> highest for most important issue and 9<sup>th</sup> lowest for best performing. This gives us an overall picture of how in need roadways are of requiring work, from residents’ perspectives.

Table 1: Residents’ Survey 2017, services by importance and needing improvement



We also know from our own work as local councillors and the concerns that residents bring to our attention, that the condition of residents’ immediate physical environment is high on people’s list of concerns and issues about the borough that they want action or resolution on from the council.

### Objective 2 – To understand how Harrow’s schedule of planned highways maintenance works is formulated and understand the criteria, including financial, for determining in what way works are carried out

Harrow’s schedule of planned highways maintenance works is set into two different categories; reactive repair works and structural maintenance programmes.

### *Reactive repair works*

All footways and carriageways in the borough are regularly inspected by the council's highway inspectors, around three times a year. Localised minor works and repairs are then implemented where a defect exceeds the council's intervention levels and is considered a potential hazard to pedestrians or vehicles, ensuring that highway assets comply with the "Well Managed Infrastructure Code of Practice". The public can also report defects that they see leading to highway inspectors undertaking additional safety inspections to investigate these reports and implement repairs where the intervention levels are met.

### *Structural maintenance programmes*

Major work programmes are produced and developed on the basis of annual condition surveys undertaken to an agreed UK pavement management assessment system (UKPMS), undertaken by specialised highway surveyors. These surveys are then reviewed by the council in line with the principles of the council's highway asset management strategy to determine the maintenance priorities for the year. The council will then produce a targeted programme of work that includes a risk assessment – where condition surveys, traffic usage, reactive maintenance history and any other identified risks are analysed. The overall goal is to achieve maximum benefit from the resources available so that the longevity of the highway is maximised and the speed of deterioration and any future maintenance costs are minimised.

The Department of Transport published a new code of practice two years ago which requires local authorities to implement a risk based approach to assessing the need for highway repairs and maintenance by this year. As a consequence, Harrow's highways inspections manual is currently being revised.

### *How this work is carried out in practice at Harrow*

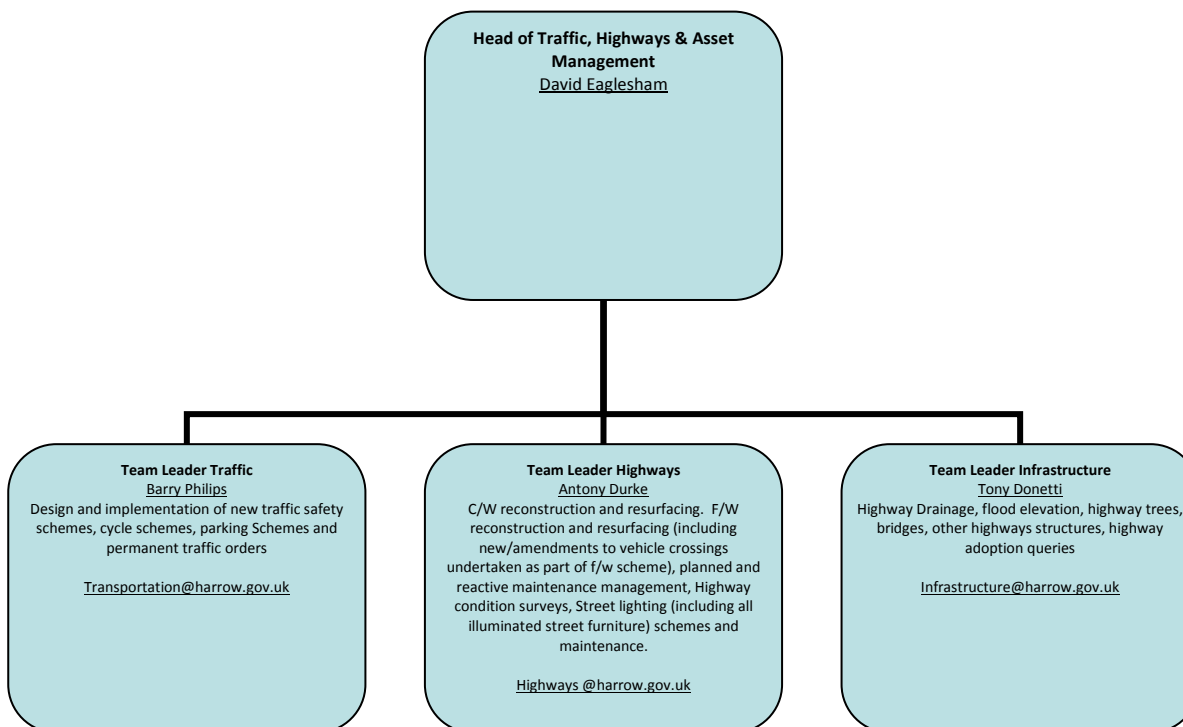
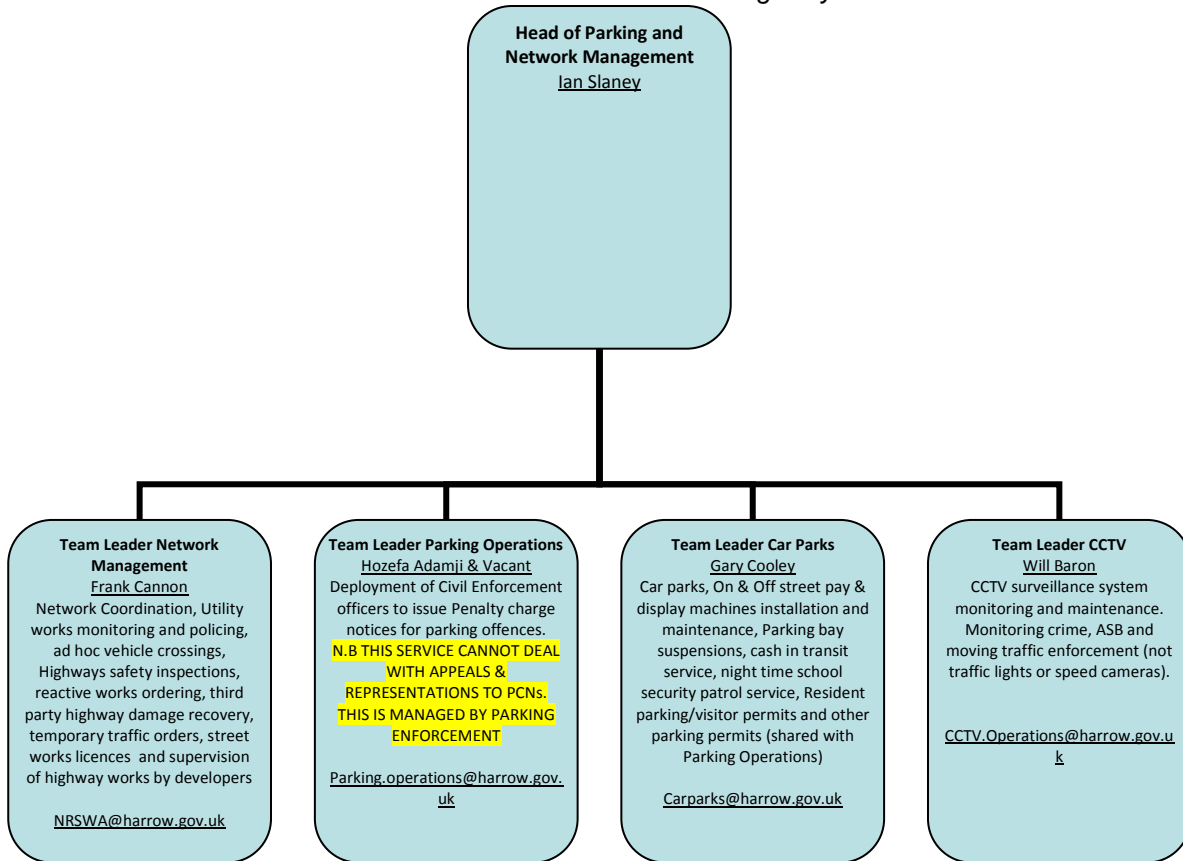
Work on highways is covered by two teams as identified in the chart below:

- Traffic, Highways and Asset Management (THAM)
- Parking and Network Management (PNM)

The organisation of the team structure and budgets comes as a result of the PRISM review undertaken in 2013.

The PNM team inspects roads, identifies defects and commissions works against the budget for reactive maintenance which comes about as a result of cyclical and adhoc inspections. In accordance with the Code of Practice on Well-Managed Highway Infrastructure, every road in the borough is risk assessed to determine the frequency of inspection to be undertaken. Roads are inspected two, three or twelve times a year, however the new code of practice sets out that the inspection frequency should change if required. This budget is held in the THAM team. These inspections by highways compliance officers identify remedial action and the required timescales for repair and can pick up on footway trips and potholes and other highway failures for repair. The two teams work together to provide an effective service. The THAM team oversees the budgets and performance manages the highways contractor.

Table 2: Harrow Council services that cover highways maintenance works





### *Parking and Network Management*

The PNM team of inspectors conduct different types of inspections in which they assess any defects identified in accordance with the guidance in the inspectors handbook and use handheld equipment to log defects and commission works. The works instructions go directly to the highways contractor who has access to the asset management software via a link.

### *Traffic, Highways and Asset Management*

Identified planned works will avoid reactive maintenance unless there is an issue of safety. The cost of works is also considered, for example, if a road needs a lot of reactive work it may be better to put repairs into planned works. It is very rare that roads need a wholesale reconstruction, often it is only the top two layers of the road which is the tarmac that needs remedial attention.

Priorities are driven on an annual basis and therefore coordination of works reflects this cycle. Coordination of different types of works is dependent upon whether the annual programmes overlap, for example if the programme of street lighting replacement coincides with highways maintenance for the same street. There are opportunities to maximise the impact on any one road when the annual programme is being developed, notwithstanding one-off mid-year funding coming on stream. Every effort is made to coordinate works wherever possible but limiting factors around budget, timescales for different work programmes and funding streams should be recognised.

If programmes of work could be looked over a broader timeframe, this could increase coordination. It is planned to develop a detailed Highway Asset Management Plan in the near future that will forecast likely work programmes over the coming three to five years for the different asset groups which will assist with identifying any works co-ordination opportunities in the council's forward planning (e.g. street lighting, footways, carriageways).

In terms of the process of decision making and how to plan the budget:

- Reactive works (potholes and defects) - inspectors assess roads and pavements based on guidance on intervention levels. The new code of practice adopts a risk based approach so considers not just how deep the hole is, but the level of risk involved, and apportion resource based on the highest need and risk.
- Planned works – this is primarily about larger scale structural maintenance and maintaining the condition and longevity of the borough's highways asset and roads infrastructure in the longer term.

With regard to planned works, the council commissions specialist inspectors who are trained to do this work and are accredited and trained in identifying defects and recording information on handheld devices to the UKPMS standard which allows data to be uploaded into standard issue asset management software. The software can then be used to undertake deterioration modelling of the asset to identify the priority areas of need for structural maintenance over various timeframes and with different treatment scenarios. This is very specialised work and therefore commissioned out at about £40k p/a for all the survey work.

We are aware of the huge volume of work that is undertaken by a relatively small group of people. To work effectively and efficiently, this requires the teams to support each other.

The limited resource does limit how much can be done and the distinct expertises do mean there is a limit to how much crossover between the teams can be done e.g. street lighting and highways engineers have distinct expertises. It is important that a piece of work is not double counted and therefore not hitting both reactive and planned budgets. The teams use the apprentice programme and new staff get on the job training. Their work is shadowed and monitored. All enquiries from residents can come to one generic email box and it is up to the service to (re)direct the query to the right place. We acknowledge the impact on the service of customer expectations and the range of queries it has to deal with.

#### *Defects needing intervention*

We need to be mindful, and share with residents, that not all imperfections in the road are potholes or defects and therefore will not require intervention. Risk and safety is the deciding factor - there is a difference between imperfections that look unsightly and ones that have potential risk of injury or damage.

On pavements or 'pedestrian desire lines' the defect needs to be 25mm deep (the size of a 10 pence coin) before intervention is required. The intervention levels for designated cycle lanes are different from other sections of the road. We have been told that budgets are simply not available to do the cosmetic repairs. With regard to compensation claims against the council for potholes, the council repudiates about 80% of all claims against it.

Intervention levels of Public Utilities reinstatements are regulated by the different legislation and can be as low as 10mm to require remedial works. This is a very regulated area of UK standards with strict guidance and codes of practice setting out various aspects as to how these are administered. It should be noted however that the council can action repairs proactively if inspectors think that the condition will have deteriorated so much before next inspection that it will become a risk.

#### *Members' knowledge of highways maintenance*

As councillors, residents often approach us with highways concerns and therefore we need to be armed with the knowledge to be able to appropriately respond to our constituents. Councillors need to have the an overview of highways inspections and the right sort of information - in scale and scope - available to us, so that it can be better understood and enable us to communicate this to residents. Information should be presented to residents in bitesize pieces e.g. how many roads in the borough, how long Harrow's highways run to, how much intervention costs, how long programmes last, budget constraints, what people need to know.

We suggest that a well-constructed information leaflet would serve the purpose here. This should be available on the website and hard copies can be provided to residents. We would envisage this as explaining to residents the key facts and figures, including the diagram of how enquiries are addressed through the system. The Highways Team should work with the Communications Team to ensure this is presented in the right way. We understand that the 'inspectors' handbook' is being revised and is a technical document with inspectors as the audience. However this could be used as a basis for the information for councillors and residents. We wholeheartedly agree with the Portfolio Holder's advice that it should be kept simple and to the point, avoiding council-speak.

**RECOMMENDATION 1:**

**That on an ongoing basis, the council better informs councillors and residents about the highways inspections that it conducts and commissions, the different types of defects, and the different investigative levels. The Highways Team are to work with the Communications Team in order to produce an information leaflet of bitesize information that could be used by councillors and also given to residents to provide the key facts and figures around highways issues.**

Objective 3 – To ascertain if and how the Council coordinates different types of planned works to roads and pavements

Borough wide condition surveys of footways and carriageways are undertaken every year and these are used to determine the priorities for future work programmes based on the condition and level of deterioration reported. These surveys provide detailed information on a categorised suite of typical defects which is used to identify maintenance works. There are two main survey methods that Harrow Council typically uses: SCANNER and DVI surveys.

### *SCANNER*

Annual SCANNER (Surface Condition Assessment for the National Network of Roads) surveys are organised by Transport for London, for inspections of A, B and C class roads across the whole of London. These SCANNER surveys are led by Hammersmith & Fulham on behalf of all boroughs in London at a cost of £1k p/a per borough. These are driven surveys undertaken by special vehicles with monitoring equipment that record carriageway defects. The data obtained can also be uploaded into standard asset management software. The software calculates a road condition index for the principal roads – giving red, amber and green ratings. This is a sophisticated system that scans the roads as the vehicle drives over them and measures different characteristics to assess the condition of the road. Surveys for the Harrow classified road network are forwarded to the council and the other boroughs for assessing maintenance priorities. In previous years, Harrow received a budget from TfL through the borough Local Implementation Plan for principal road maintenance works of approximately £700k per year to undertake repairs on the basis of the SCANNER surveys. This funding ceased for 2018/19 and so, borough funding is now being used to maintain classified roads.

### *Detailed Visual Inspection*

The highways inspectors undertake more visual snapshot inspections as they walk down the road. DVI (Detailed Visual Inspections) surveys under the UKPMS system (United Kingdom Pavement Management System) of categorising defects for both carriageways and footways are organised by the council on the borough road network which is all the unclassified roads in the borough (about 90% of the network). Specialised survey companies that undertake UKPMS surveys are engaged to carry out the inspections which are walked and information recorded on handheld devices against a defined digitised network. There is a detailed range of defects identified which are used by the engineers to determine works programmes for carriageways and footways. The information is uploaded into Asset Management Software (Harrow uses Symology) which can process the data and run reports to assist with developing work priorities. Each year, these condition survey reports are reviewed and particular condition indicators of importance are reviewed to determine a priority list of roads that are inspected on site to verify the need

for treatment. The list is then refined into a final list of work required for the year. This is done in line with asset management principles set out in our strategy.

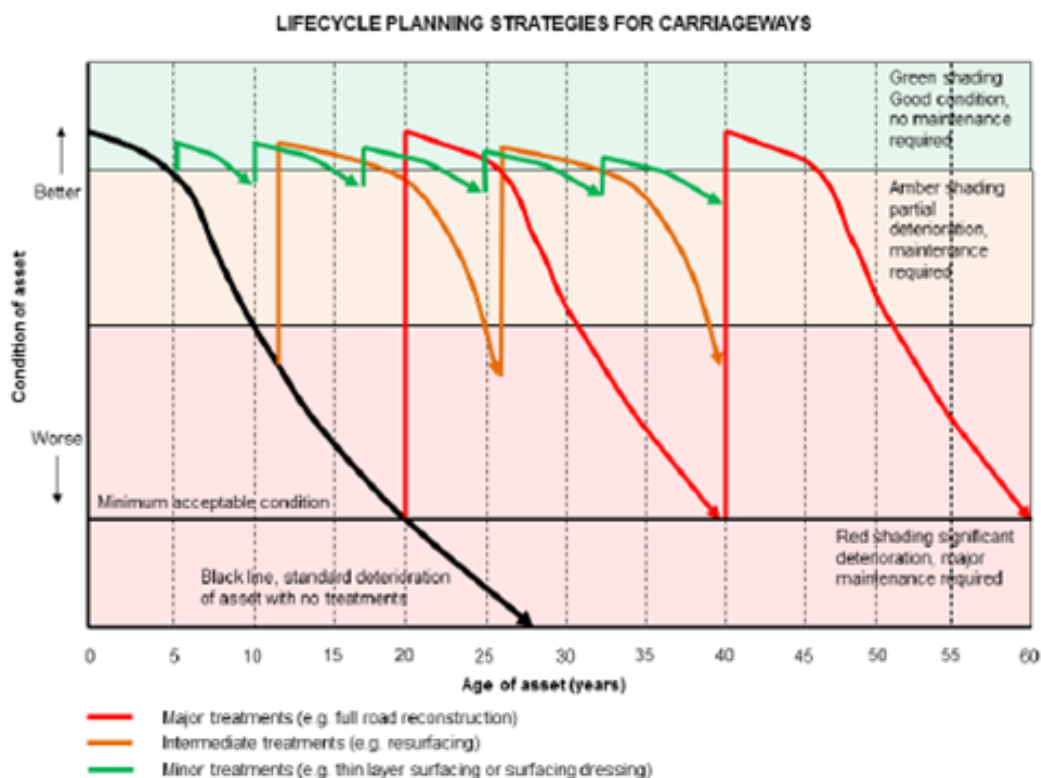
A particular factor to note, as pointed out to us, is that it is not the norm to just tackle the worst first. The aim is to achieve the best use of resources to achieve the longevity of the asset. Therefore, low cost treatments that stop deterioration have a greater impact than high cost interventions that replace areas of deterioration that are beyond preventative maintenance. This is a message that needs to be shared with residents as it would be intuitive to assume that the worst looking defects require the most immediate action. However in practice, a more scientific and strategic approach needs to be taken.

*Lifecycle planning*

In reviewing the Harrow Transport & Highway Asset Management Policy, Strategy and Plan, we can see that in the short term, lifecycle plans will be focussed on the major highway assets to help support Harrow’s approach to highway asset management, starting with carriageways, footways and street lighting assets. Prioritising these three asset groups is based upon their high profile nature and levels of use. Lifecycle plans for other highway infrastructure asset groups will be developed in the medium and longer term on a risk based approach.

The graph below explains how the upkeep of a highway can be maintained through the different stages of the asset’s life. As we can see, it is clearly better and more cost effective to carry out maintenance when the asset is within the higher amber section of its lifecycle, as it is possible to use cheaper treatments that will then last for another five to six years before needing further maintenance rather than using more expensive treatments (red section) after longer periods of deterioration. The use of cheaper treatments more frequently makes it possible to maintain a much larger proportion of the network and reduce the levels of deterioration over a wider area which uses limited resources more effectively. This is a key principle of the current asset management strategy.

Table 3: Lifecycle planning strategies for carriageways



It is important to recognise the difference between the aesthetics of a road versus the structural integrity and condition of it. Early intervention is the best medicine in the long run. This highlights to us the science behind when to intervene at different points of road condition. The return is better if we do not wait for the road to deteriorate too much or irreversibly. Essentially the aim of the council's highway asset management strategy is to take actions that achieve the best possible overall condition and longevity of the asset.

#### Objective 4 – To ascertain if and how utilities companies coordinate planned works with the council

Harrow Council currently employs 5.5 compliance officers to carry out cyclic inspections of the highway and to monitor/police the works undertaken by utility companies and others working on the highway.

A significant issue coming out of the Residents' Survey was around works by utilities companies. Every authority is required to coordinate the network. Harrow's team, given its size, is very successful in London in dealing with utilities works co-ordination. Every quarter Harrow chairs a co-ordination meeting with utility companies and Harrow's highways teams to co-ordinate all major works planned works. At these meetings utility companies and the council share forward plans which are used to schedule council resurfacing programmes and also to coordinate works and other events such as events like Pinner Fair and Remembrance Sunday.

#### *Permits for works*

All London boroughs and many other Highway Authorities across England now operate a Permit Scheme to manage the co-ordination of works. Works promoters now apply and pay for permits to occupy road space to carry out works, whereas previously they were only required to notify the borough of their intentions. The PNM team can refuse permits, challenge timings and also impose conditions to permits to better manage the works undertaken. All granted permits variations must be paid for and are dependent on the category of works being proposed and the category of road on which is to be excavated. One permit is issued per road for a set of works or phase of works.

Under the New Roads and Street Works Act 1991, local authorities are empowered to charge statutory undertakers for processing permits, undertaking sample inspections of works and issuing penalties for non compliance with permit conditions or codes of practice. This income is ringfenced to fund the PNM team as intended by the legislation. Harrow co-ordinates about 10,000 works per year, all streetworks are regulated and the money received funds the PNM team. Approximately £370k p/a is brought into the borough through issuing these permits. The PNM team coordinates the works ensuring that the least amount of disruption is caused, for example in trying to coordinate gas, water and highways maintenance work to coincide.

We heard from officers that adopting a practical and sensible approach means that Harrow has an excellent working relationship with utilities companies. This is reinforced by the policing and penalties element to the work for the enforcement of statutory undertakers' activities to ensure compliance with legislation. A key function of the streetworks role is to coordinate local authority and utilities work and to protect newly resurfaced assets. This is managed by giving them a notice of proposed major works with sufficient notice (three

months) of Harrow's intention to carry out resurfacing and companies have 20 days to respond.

## *HS2*

Related to this we briefly investigated the impact of HS2 works on Harrow, as power from the electrical sub-station in Imperial Drive is required. We were told that work is underway to coordinate with Hillingdon Council and that the route chosen will aim to minimally impact on residents as far as possible. For residents the works will look no different from water or gas works, and the council is required to accommodate works.

## Objective 5 – To investigate how council policies around dropped kerbs and enforcement impact upon the conditions of Harrow's roads and pavements

### *Enforcement around dropped kerbs*

Dropped kerb enforcement is carried out by Parking Operations. Dropped kerbs for vehicle crossings are only enforced if a request is received from the owner/resident of the property affected. The resident must countersign a copy Penalty Charge Notice to confirm that the obstruction has not been authorised. Dropped kerbs at pedestrian crossing points are enforced with or without a request being received. A contravention only occurs when any part of the vehicle is overhanging the section of kerb that is lowered to the level of the adjacent carriageway. This does not include the tapered kerbs at either side of the crossing.

The council has a duty of care to repair defects. Section 133 of the Enforcement Act enables the council to recover costs where it can be demonstrated that someone has caused damage to roads and pavements. This is the mechanism that the council can use to charge lorries or other vehicles damaging footways and carriageways e.g. developers undertaking major building projects. We are told that to date, Harrow has also been very successful in attracting money from developers to put in new pavements, for example where it will improve the overall look of the finished properties in new developments. This is a proactive approach that requires negotiation rather than just recovering costs once the damage has been caused, an approach the review group would encourage is continued, especially as the council's regeneration plans are intensified.

We expressed our concerns about the damage caused to pavements and verges by people driving over them to access driveways. We see many examples of this as we go about our work as councillors and we saw examples of remedial action by the council when going about the site visits undertaken as part of our review enquiries.

Officers explained that if residents find pavements are being damaged, they should take photos of the damage identifying who the culprit is. The council can then act on this – the council will repair the damage and use the back office to recover the costs. It can also use insurance databases to gather evidence and pursue to recover costs resulting from road traffic collisions where street furniture has been damaged. This then comes back into the highways budget, after taking out insurance costs.

It is suggested that the council could charge all residents having development works done and this would be refunded if the verges were not damaged. Therefore the council is not

out of pocket. This would come down to the Planning Department to implement but the different departments must talk to each other in devising a suitable scheme.

Officers told us that the service receives a lot of kickback on driving over verges to access driveways, and it is questioned why the council 'picks on' one resident and not other neighbours. Often this is because of the evidence that the council has of how the damage has been caused and identifying by whom. Most damage is not malicious but is purposeful so if councillors can communicate this to their residents, it would be helpful. We need to highlight the cost impact on the council of residents' selfish behaviour (e.g. driving over verges) and that the benefits of reducing people's bad behaviour is that the council can use their resources elsewhere to get more done. Residents have a duty to avoid damaging public assets. Communication and enforcement need to go hand in hand. Furthermore, the council can help advise on shrubbery or fences to deter behaviour that will damage pavements.

The 3-step process the PNM team adopt to tackle damage to verges is:

1. Invite the homeowner to apply for vehicle crossing
2. Notify them of action by the council to remedy the pavement condition if and application for vehicle crossing is not forthcoming
3. Take action e.g. erect bollards

However it should be noted that there are budgetary implications to taking action and so this needs to be worked into the programme. With regard to building works at properties and any subsequent damage that this may cause to public highways, planning permission is valid for three years so the council does not know the exact timings that building works will take place. Additionally, it is not only residents and building works that can cause damage – the council's own refuse trucks also drive over kerbs to access properties, so it must be clear who has caused any damage before this is followed up.

#### *Impact of trees on pavements and properties*

The council's trees strategy recognises the benefits of different types of trees for example in relation to air quality and climate change. It is worth noting that many of the trees were planted years ago when the borough looked different and parts of the borough were used differently. The council's latest tree strategy was produced in 2015.

Tree maintenance is key to keeping the issue under check. The borough has lost 3,684 trees over the last 5 years, due to storms, flood, age etc. These have been replaced with just under 2,000 trees so there is a net reduction in the overall tree stock. The annual trees budget is £230k p/a and this barely covers the felling element of the service. There used to be a capital allocation for tree planting which was removed from the budget and we are now suffering as a consequence. We asked officers if the council can access extra funds e.g. from the Woodland Trust. We were told that occasionally Harrow gets additional funding and monies from the GLA and also developers for the highways trees. Additionally, the Local Implementation Plan (LIP) does commit to investing in trees e.g. attracting developer contributions if adopting roads or for new developments. Often greenery is part of a bigger bid e.g. the Mayor of London Air Quality funding. This is also very project specific of which trees are a part, rather than for trees across the borough. Furthermore pocket parks funding, which Harrow has been successful in attracting, bolsters the borough's tree planting scheme albeit in parks rather than on highways. Nonetheless such funding provides extra trees for the borough.

The current tree planting programme includes, albeit in small numbers, the use of plastic protection around the roots of a tree (root director) which also serves to protect the highway construction. In reality, it is a responsive service that reacts to trees that are damaging the footways.

How does the council decide what tree goes where and are there some species better for lining highways? That is down to the expertise of the trees officers taking account of the needs of the immediate environment, for example Building Control recommend which trees are better suited to side of roads, properties to avoid subsidence etc.

The new trees contract is in its very early days. The contract with Glendale ended in January and new contractor Gristwood and Toms started in April 2019. Currently they are out there planting trees (extra 100 trees this winter) but to establish a proper programme will take about six months. Arrangements were in place for emergency works in the interim. There was a financial settlement with the outgoing contractor with penalties for not keeping up with requirements. KPIs are in place for this contract and the previous contract. A cyclical approach with priority wards will be developed once the first tranche of works is completed.

We have asked to see the order of wards and criteria for the tree maintenance scheme so that we can communicate this to residents. The tree planting scheme will focus on the wards with the least number of trees in the first instance. The draft programme of trees maintenance sets out key drivers for how decisions are made around the programme. The 3-year contract will see seven wards covered per year so that all 21 wards are covered during the contract. The tree planting element of the new contract is significantly higher whereas other areas of activity have been reduced.

**RECOMMENDATION 2:**

**That the council considers charging all residents applying for planning permission an additional charge for any damage to driving over verges, which would be refunded if, after building works are completed, it can be shown that no damage was caused.**

**RECOMMENDATION 3:**

**That the council more widely informs residents of planned works, through regular articles in Harrow People and the MyHarrow emails sent to residents. The content of these articles should include messages around behaviour change and highlight the cost impact on the council of selfish behaviour by the public (e.g. driving over verges) which may not be malicious but nonetheless costs the council – money that could be used elsewhere in service delivery. Messages around enforcement should also be reinforced.**

**RECOMMENDATION 4:**

**That the council explores alternative and additional sources of funding for greening, for example in bids to the GLA.**



Objective 6 – To examine the quality assurance around contractors’ performance on highways maintenance, including enforcement by the council of its contractual rights

*Contractors’ performance and quality assurance*

The council adopts very sophisticated and strictly controlled contract management systems. Monthly contract meetings are formally minuted and consider a suite of performance indicators. Payments can be deferred until the council is satisfied with performance/standards. The council ensures that there are various measures designed to ensure that work by contractors is undertaken correctly:

- The highways contract specification sets out the standard of construction required.
- Works commissioned set out requirements referring to the specification and providing plans and estimates etc.
- Works are inspected to ensure standards are acceptable and signed off by Harrow staff once completed.
- Any defects identified are reported to the contractor and are required to be fixed within a specified timescale.
- Payment is not made until a completion notice verifying the satisfactory completion and quality of the works is signed off.
- The contract has a range of performance indicators that are measured monthly to monitor things such as repair of defects, timely payments, completion of works to programme etc.
- There are regular contract governance meetings to review the performance of the contract.

The revised inspection regime has resulted in a net increase of approximately 130 road/path inspections per annum, reflecting how much quality assurance has increased over the last few years. In construction works, it is usual practice that the level of work needed is not known until the road is dug up and investigated, however the contractor is able to provide estimates when each piece of work is commissioned. The service works to a rolling programme about three or four months ahead.

Harrow Council’s contract for highway maintenance with Kier expired at the end of March 2019 having already been extended in 2017 from five years to seven years. The council opted not to go through LoHAC, the highways procurement framework, but decided to recruit a contractor directly. The council awarded a new contract worth £110m over 10 years to JB Riney (for an initial five years, with an option of an additional five years) from April 2019, for highways maintenance – reactive repairs, routine maintenance and planned works.

Under the new contract that came live in April 2019, the council is able to negotiate the order in which works will be done from the programme. There are regular meetings to discuss and agree. The new contractor JB Riney has a lot of in-house teams and so use fewer subcontractors. One of the subcontractors is GFL, which is a local company and this helps meet the council’s objectives around social value in procuring contracts. We saw the work they were doing in Wealdstone Square when we visited the site.



*Works at Wealdstone Square*

### *Innovative practice*

We asked what active steps are being taken to maintain Harrow's roads with innovative solutions and products. JB Riney are affiliated to a major construction company, Tarmac, who are a major producer of tarmac products and can provide access to improved and advanced surfacing products. This was one aspect of their contract offer. Tarmac have a local plant in Radlett which can provide easy access to materials. It is important that contractors use materials that are readily available so as to help with future repairs and replacements.

Another example of the impact of materials on the performance of maintenance is paving. The Harrow Town Centre redevelopment which looks aesthetically pleasing uses materials such as granite that are expensive and difficult to maintain and also difficult to source at short notice. This places a burden on already stretched maintenance and funding. This is relevant to many high profile projects funded by outside bodies e.g. the GLA, where very high quality materials are used by designers/architects to enhance schemes but in the long term are difficult and costly to maintain. External funding is provided for the installation work but not the on-going maintenance. Public realm projects therefore need to be mindful of the longer term impact of choosing materials. There are high quality materials available that can be more affordable and maintainable and the highways teams are now trying to have a greater influence on these decisions which are affecting maintenance budgets. Anything that is built becomes the asset of the council so the council's duty to maintain. We discussed the examples of the Station Road project (outside Harrow Tesco) and Wealdstone Square which is predominantly financed by the GLA, with about 30% borough contribution.

### *Adopted roads*

One of our review group members shared a case study from his ward which highlighted the long term complexities of the council's duties around road maintenance. Alexandra Close in South Harrow has a status of a "private street". However, as Alexandra Close is a highway, the council will be liable should a member of public injure themselves as a result of the condition of the road. The association responsible for maintaining the road has since dissolved and current residents are not willing to pay for the road repairs. The council's policy on 'adopting roads' has been agreed by Cabinet but would not currently make a case for adoption. If the council 'adopted' this road so that it is no longer a private road, it would be very expensive to repair as the whole road would need re-building.

Officers clarified the difference between a private street and a private road which is important to note. A private road is not a highway and there are no public rights of access and no maintenance obligations on the Council. A private street is a highway that provides a public right of access but the road is maintained by the landowners and the council has no maintenance obligations except in exceptional circumstances where there is a potential risk to public safety. This explanation should be included in the leaflet referred to in Recommendation 1.

The long term implications are particularly relevant in the context of the council's regeneration projects and developments where private roads are built. If these are not built to a high enough standard, then in 30/40 years time the council will still be liable for the road condition. Developers may seek to maximise profits by building inferior and cheaper roads, and there is nothing the council can do to compel them to build to a higher standard. There is a legal process for road adoption. If a developer wants a road to be adopted by the council, they are given the standards that the council says it must adhere to. This is a local standard, but shares synergies with other areas.

We asked about who makes the decision on ongoing adoption and maintenance of assets once developers have built something. Officers told us that officers make a recommendation based on a public interest test for the public purse on whether assets should be adopted and incur a maintenance liability. Developers also need to satisfy the established design standards if roads are to be adopted.

**RECOMMENDATION 5:**

**That there is greater transparency to members on the Planning Committee on the long term cost to the council of adopting and maintaining a built asset. It is suggested that a standing item on Planning Committee reports provides clarification on officer recommendations in respect of responsibility for assets built by developers and adoption by the council of assets, and allows for check or review of previous decisions on implementation in accordance with guidance.**

Objective 7 – To understand how planned works and their progress are communicated to residents

*Harrow Council website*

The planned works programme for the year is provided on the council website from the beginning of the financial year. A lot of the plans are accessible on the website with indicative dates. The information on progress is then updated periodically through the year on the website. The website also includes proposed projects and schemes, highways projects, all transport policy documents e.g. Local Implementation Plans, Street Design Guide, Cycling Strategy, Parking Management Plan, Parking, Road Safety Plan, Sustainable Transport Strategy and the Inspectors Handbook. These webpages include a link to the roadworks.org. website which captures all information about current roadworks. It is uncertain how much this is used by residents or how much awareness there is that these resources are readily available to residents. The assumption is that people are aware of this information on the website as it has been there a while. It is however acknowledged that it would help if MyHarrow emails highlighted this more so as to

broaden awareness. This would suggest to us that councillors and officers need to publicise and raise awareness of these resources.

All reactive works commissioned can be seen on the Council’s website in the web page used for reporting faults. Online forms are available that will deal with notification of reactive works. Regular standard messages are sent on the progress of works. This resident reporting system is an automated system which does cut down on the volume of enquiries about progress of works. There are plans to put all planned works online as well because planned works will be commissioned using the Council’s asset management software. This will be taken forward as a part of the introduction of the new contract arrangements with JB Riney.

Council responses to petitions from the public are also posted online in an open and transparent way. A lot of these arrangements were put in place a few years ago in response to the high level of complaints in the highways service area. Now as a result of the changes, the service says it gets more compliments than complaints.

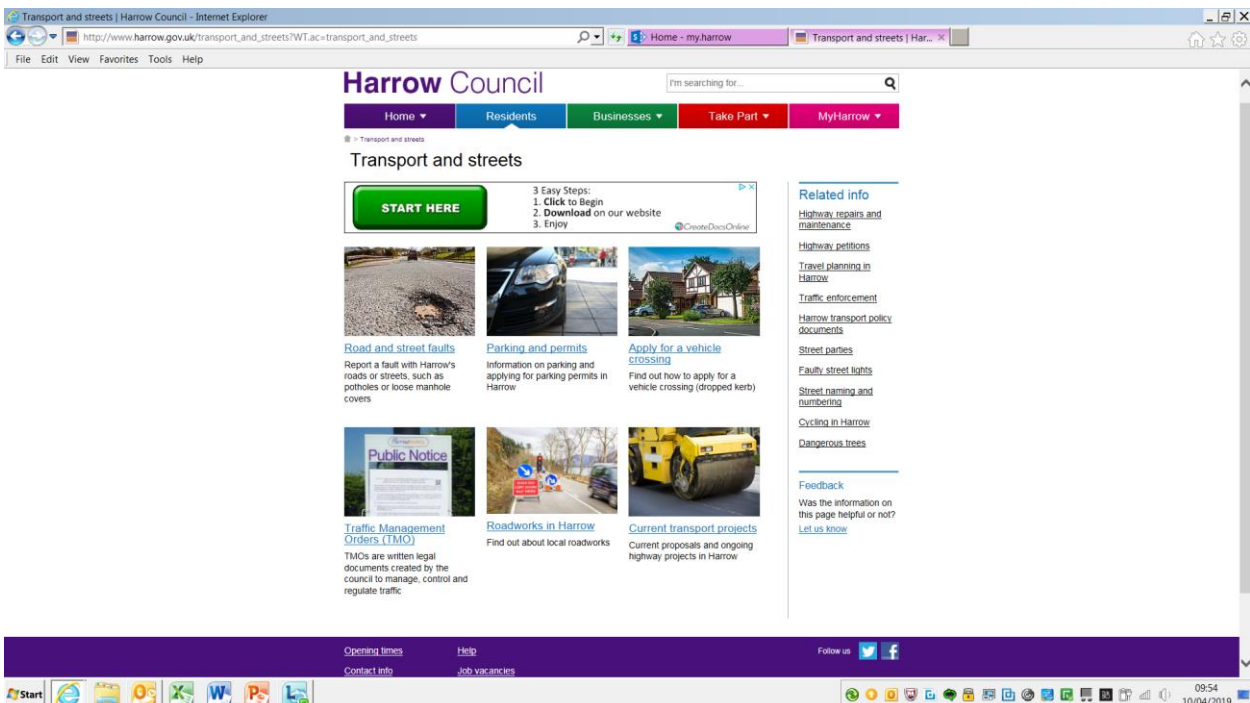


Table 4: Harrow Council transport and streets webpages

*Notice of works*

Notice of planned works to footways are provided to affected residents two weeks in advance, also taking the opportunity to ask if any residents want a dropped kerb or extension to a driveway while the council are in the area. This provides a discounted rate for residents and income generation for the council.

For major schemes, the services work with the council’s Communications team and coordinate with the Refuse Team if refuse collections will be affected. Modern satellite navigation systems draw on planned works data from permit schemes. National systems like Elgin, roadworks.org and the Streetworks website are all helpful in finding out planned roadworks.

When individual works in the programme are due to start on site in a street, residents will receive advance notice of the works by letter and this will include any traffic management requirements necessary to facilitate the work.

### *Residents' communications*

As councillors, we need to know about works priorities and tell residents about them. Again, residents should be made aware that they can go on the council's website to identify a defect and this will automatically go into the council's asset management system. An inspector will then inspect the defect to ascertain the level of intervention needed. The service does not rely solely on residents to identify defects as cyclical inspections pick these up however it is always helpful to have the extra eyes in the community to additionally identify issues. Residents logging an issue will get regular updates on progress of the inspection and any remedial work required.

'Footway envy' can be a problem with residents – when they compare the state of their road or pavements with that across the road or on a neighbouring street. This relates to the aesthetics and not necessarily the condition/infrastructure, nor maintaining the value of the highways asset. Furthermore, repairing defects is also risk based and therefore priority goes to pedestrian desire lines that are in greatest use. Communicating these nuances to residents is important.

There are often complaints from residents that roadworks lie idle. However it is important to better understand the science behind works and know that concrete setting can take seven days. So to residents and drivers it can seem like no work is happening at certain sites whereas in reality work is not 'lying idle'. The local authority advises companies to put communications up to say exactly what is being done and for how long but this is not a legal requirement.

### *EE members' portal*

The EE members' portal is the reporting mechanism that members should be using to report any concerns around environmental issues. The EE members' portal logs the number of queries, the subject area and ward members, so enabling trends and patterns to be analysed. In practice, some members go directly to an individual officer to seek resolution to an issue. Whilst this may sometimes achieve a quicker response, it misses the opportunity for the issues to be logged systematically and any patterns to be identified. Also, using the EE members' portal allows a more holistic response from a range of officers as all relevant officers have been approached to have an input. If members bypass the system it renders it less effective.

There is a need to reinforce the message that the EE members' portal was originally established as an efficiency for the directorate and to allow us a better understanding of the organisation's performance. We are encouraging residents to use forms to log concerns and we as councillors should also do so. However, the EE members portal cannot be imposed on members until we have confidence in the system, and members' experience from data analysis through the Performance and Finance Scrutiny Sub-Committee should provide learning for this.

The Portfolio Holder told us that there is already work in train through the Community Safety Team and Access Harrow to link up how queries are dealt with by different services. Tracking issues and trends in members' queries helps the ongoing review of

environmental services. The Portfolio Holder agrees with us in strongly encouraging all councillors to use the EE members' portal but recognises that members need to be confident in the turnaround time of responses to councillors from the portal.

*Broader communications with councillors and residents*

A problem for both residents and councillors is not knowing who to contact for highways maintenance issues. We were reassured that the online reporting application will always find its way to the relevant team. Furthermore, residents can opt in to receive regular progress updates. We suggest that a diagram or flowchart be designed that will allow residents to see how their concerns can be navigated through the reporting system.

When we spoke with the Portfolio Holder she was supportive of our idea to hold a public event to share the learning from this review and inform people about the key issues around highways maintenance. We take on the Portfolio Holder's advice that any such event must have a meaningful purpose that can be communicated. We appreciate that it will be important to manage expectations of residents attending but also share the learning. With this in mind it may be best to target key community leaders who will pass on the relevant message to residents e.g. community champions, residents associations.

**RECOMMENDATION 6:**

**That the Environment Portfolio Holder call a public event for stakeholders on highways maintenance, which disseminates the findings of this review, shares the learning and briefs stakeholders of the key issues around highways maintenance. The event could also demonstrate the websites that use planned works information and that would be useful for residents in identifying nearby roadworks, as well as provide the opportunity to give out the leaflets designed as per Recommendation 1.**

**RECOMMENDATION 7:**

**That members and highways services help make residents better aware of the online tools available to them around reporting defects and tracking the progress of remedial work.**

**RECOMMENDATION 8:**

**That members are strongly encouraged to use the EE members' portal to log concerns. If for any reason members approach individual officers instead, the EE members' portal should be copied into correspondence so that all queries are captured.**

**RECOMMENDATION 9:**

**That the service be asked to design a diagram/map which depicts the route that all residents' queries follow and are handled, so that members can then share this with residents. This will also allow residents to know how to navigate their concerns to the services.**

**Objective 8 – To understand the sources of funding and associated pressures, including TfL involvement, that affect Harrow’s highways maintenance programme**

To set the budget in context, the value of Harrow’s highways asset is £1 billion and the annual maintenance capital budget is around £10m. In identifying the biggest priorities for the upkeep of our highways asset, inspections help identify actions that will slow down, arrest or improve the condition of the asset. The table below analyses the funding that Harrow Council has received over the years, taken from the Highways Asset Management Status Report by LoTAG:

*Table 5: Summary of investment in Harrow’s highways asset – planned maintenance*

Financial Year		2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	COMMENTS
Maintenance (£000's)									
Carriageway	Principal Roads (A)	£818,000	£1,161,000	£870,000	£923,000	£659,000	£0	£0	TfL LIP funding
	Other Roads (B, C, U)	£2,497,775	£3,369,663	£3,860,000	£3,991,003	£3,000,000	£2,350,000	£1,650,000	Harrow Capital
Footway		£2,497,775	£3,369,663	£3,860,000	£3,991,003	£6,200,000	£2,350,000	£1,650,000	Harrow Capital
Structures		£0	£0	£0	£35,000	£0	£0	£0	TfL LIP funding (bids)
Lighting		£1,827,829	£2,233,082	£3,000,000	£4,017,445	£3,000,000	£1,500,000	£1,500,000	Harrow Capital
Drainage		£562,791	£702,825	£707,000	£500,000	£500,000	£500,000	£500,000	Harrow Capital
Street Furniture		£0	£0	£0	£0	£0	£0	£0	None
Other		£0	£0	£0	£0	£0	£0	£0	None
<b>TOTAL (£000's)</b>		<b>£8,204,170</b>	<b>£10,836,233</b>	<b>£12,297,000</b>	<b>£13,457,451</b>	<b>£13,359,000</b>	<b>£6,700,000</b>	<b>£5,300,000</b>	

With funding being squeezed, as well as an increasing expectation from residents of well maintained roads, it makes it harder for the council to improve roads and highways to meet the demand of residents. It is also worth noting the impact of other external factors alongside funding, of facing tougher weather conditions and more vehicles on the roads.

Looking at the Transport Local Implementation Plan policy framework, which was presented to the Overview and Scrutiny Committee in November 2018, we can see that there are several factors that affect Harrow’s funding sources for the highways maintenance programme: “The works identified for delivery in the draft LIP3 will be fully resourced by the TfL, CIP funding, Section 106 funding and some supporting funds from Harrow”. The major risk to delivery of all schemes is lack of funding as none of the funding shown in the draft LIP3 is guaranteed. Furthermore, TfL are not able to confirm funding availability over the lifetime of the LIP and therefore, not all schemes will be implemented. This may raise public expectations and not be realised.

In the November Budget, local authorities received £420 million for road funding, to be used for pothole fixes, renewing bridges and tunnels amongst other tasks. Analysis by the Local Government Chronicle revealed that London councils have received the smallest proportion out of that funding pot. The proportion of £420 million funding per mile, by region, shows that London ranked the lowest, receiving just £1,926 while other regions such as the North-West gained £2,280. London’s 32 boroughs were given just £17.2m

between them. TfL received £2.74 million of this budget and the rest was allocated between each London borough. Harrow's allocation was £509,000.

Two years ago TfL stopped funding principal roads maintenance, so like all other London boroughs Harrow is now paying for maintenance of principal roads. The TfL funding that is no longer available to boroughs equates to a loss of around £700k p/a for Harrow.

Other pressures related to TfL relate to advances in technology that impact upon roads. For example, TfL's new fleet of buses have larger tyres and more advanced power steering than the previous fleet – this can cause more damage to the condition of the roads, as the old vehicles could only turn when the vehicle was in motion and therefore impact on road condition less. Other new advances in technology can also affect the condition of roads, for example electric buses which are heavier and can dig into the road more with a more dynamic distribution of power. It is also worth considering the increased volume of vehicles in the borough. Different bus routes and increasing frequency of buses all affect how much roads are used and how. This all puts pressures on highways, maintenance services and budgets.

In looking to remedy the funding constraints of addressing the roads maintenance backlog and other budgetary pressures, different models of investment could be explored. Roads are the borough's biggest asset. We support the idea that scenario modelling can be used when deciding on capital budget allocations, using the deterioration modelling software which takes account of all the roads condition surveys and historical information. This information can be used to plan out future investments according to different scenarios and assess the impact on the condition of the asset. Modelling can help define how much the council should be putting into the asset and in which areas to spend capital allocations.

**RECOMMENDATION 10:**

**That the highways services undertake scenario modelling to explore different models of investment for the highways asset, and that this be used to inform decisions around future spend.**





## RECOMMENDATIONS

Our recommendations, as contained in the body of our report, are summarised below:

1	That on an ongoing basis, the council better informs councillors and residents about the highways inspections that it conducts and commissions, the different types of defects, and the different investigative levels. The Highways Team are to work with the Communications Team in order to produce an information leaflet of bitesize information that could be used by councillors and also given to residents to provide the key facts and figures around highways issues.
2	That the council considers charging all residents applying for planning permission an additional charge for any damage to driving over verges, which would be refunded if, after building works are completed, it can be shown that no damage was caused.
3	That the council more widely informs residents of planned works, through regular articles in Harrow People and the MyHarrow emails sent to residents. The content of these articles should include messages around behaviour change and highlight the cost impact on the council of selfish behaviour by the public (e.g. driving over verges) which may not be malicious but nonetheless costs the council – money that could be used elsewhere in service delivery. Messages around enforcement should also be reinforced.
4	That the council explores alternative and additional sources of funding for greening, for example in bids to the GLA.
5	That there is greater transparency to members on the Planning Committee on the long term cost to the council of adopting and maintaining a built asset. It is suggested that a standing item on Planning Committee reports provides clarification on officer recommendations in respect of responsibility for assets built by developers and adoption by the council of assets, and allows for check or review of previous decisions on implementation in accordance with guidance.
6	That the Environment Portfolio Holder call a public event for stakeholders on highways maintenance, which disseminates the findings of this review, shares the learning and briefs stakeholders of the key issues around highways maintenance. The event could also demonstrate the websites that use planned works information and that would be useful for residents in identifying nearby roadworks, as well as provide the opportunity to give out the leaflets designed as per Recommendation 1.
7	That members and highways services help make residents better aware of the online tools available to them around reporting defects and tracking the progress of remedial work.
8	That members are strongly encouraged to use the EE members' portal to log concerns. If for any reason members approach individual officers instead, the EE members' portal should be copied into correspondence so that all queries are captured.
9	That the service be asked to design a diagram/map which depicts the route that all residents' queries follow and are handled, so that members can then share this with residents. This will also allow residents to know how to navigate their concerns to the services.
10	That the highways services undertake scenario modelling to explore different models of investment for the highways asset, and that this be used to inform decisions around future spend.