

## **OVERVIEW AND SCRUTINY TASK GROUP**

### **The Process in Place for the Repair of Pot Holes**

#### **MINUTES**

**Thursday 29<sup>th</sup> March 2012**

**Present:** Councillors: Brian Bedwell (Chairman), Keith Woodhams  
Others: Ian Priestley (Chief Internal Auditor), Melvyn May (Highway Manager), David Lowe (Scrutiny and Partnerships Manager), Elaine Walker (Principal Policy Officer)

**Apologies:** Councillor Emma Webster

#### **1. Election of Chairman**

Councillor Keith Woodhams nominated Councillor Brian Bedwell to be Chairman. This was agreed and Councillor Brian Bedwell was elected Chairman.

#### **2. Agreement of the scope and Terms of Reference**

Councillor Brian Bedwell began by stating that this meeting was intended to discuss and agree the Terms of Reference for the Task Group including what information would be required, who would be invited to participate and where agreed activity might sit.

Melvyn May queried this approach, stating that several changes had been made to the procedures for reporting and responding to pot holes since a previous review approximately a year ago.

It was agreed that a discussion would be held to understand whether the changes that had taken place were sufficient to address the concerns stated in the motion that had been raised at Council by Councillor Keith Woodhams. Any outstanding issues would be included in Terms of Reference for this Task Group.

#### **3. Background Briefing**

Councillor Keith Woodhams presented a summary of a report he had compiled, explaining that evidence to support his statements had been provided anecdotally by local residents and garages. They key points raised in his report were:

- The need for early reporting of pot holes;
- Streamlining the administration of processes;
- Altering the materials used to repair pot holes;
- Reducing the number of claims being received;
- Reducing the cost of claims;

- Improving the Council's reputation;
- Reducing the cost of administering the claims received.

#### **4. Pot hole repair practice in West Berkshire**

The Task Group received a report from Melvyn May regarding the current processes in place for the reporting and repair of pot holes. He reported that the information supplied was reflective of the changed processes that had come into effect as a result of a previous review approximately one year previously. The processes are currently in line with those used by Hampshire County Council.

Melvyn May drew attention to the statistics in his report showing a significant reduction in the number of reported pot holes from 1842 in 2009/10 to 794 in 2011/12, also reflected in a reduction in the cost of materials required for repair.

Following some discussion, it was understood that the current process meant that once a pot hole had been reported, either to the Council directly, through inspection, or via third party reporting, an assessment would take place of the relative urgency for repair. Repairs were categorised to be undertaken within 2 hours, 24 hours or 28 days as appropriate.

In all cases, a temporary repair would be undertaken initially, with the location being built into a rolling programme of works for a later, permanent, repair. The order of repairs would be largely dependent on a risk assessment and location.

Councillor Keith Woodhams stated that residents had brought to his attention a number of instances where a significant amount of time had passed between the pot hole being seen, and a white line being marked around it. He quoted two examples which had not been reported so they could be monitored. Melvyn May responded that pot holes must be reported, as there was no guarantee that routine inspections would locate them quickly. Councillor Keith Woodhams believed that there was a lack of confidence that the Council would repair the pot hole successfully even if it was reported and suggested that this may be why not all pot holes are reported. He suggested that it would be beneficial to promote reporting to the public. Melvyn May responded that the Council would need to be prepared for a potential increase in workload, and therefore costs, to deal with the additional pot holes reported. He also pointed out that pot holes reported to the Council were generally less specific about severity, and so further work was often needed to confirm how quickly a response would be required. However, on balance, he considered that it could be beneficial to produce a leaflet explaining the reporting and repair process.

Councillor Keith Woodhams further stated that he had been told of incidents where the repair to pot holes had been dislodged within a short time by heavy vehicles, and these had not been refilled. He asked whether the materials used were suitable for the job. Councillor Woodhams asked why the Council did not use Viafix as he understood that this was used elsewhere as a permanent repair and could be used quickly. Melvyn May responded that Viafix does not provide a suitably sound permanent repair, and is prohibitively expensive to use in high quantities; the Council's amended processes are now able to capture hand repaired pot holes within three months. He agreed to contact Islington Council for their conclusions from a trial of Viafix.

Melvyn May explained to the Task Group that where issues were identified in the current process, these were addressed. For example an individual contractor had

been identified as requiring further training and this was undertaken.

Melvyn May reported that a 'Find and Fix' team were now operating reactively to temporarily repair identified pot holes. Evidence had been received in the form of public comments that this was resulting in improvements.

Councillor Brian Bedwell asked whether it would be possible to undertake a permanent repair on some occasions rather than always undertaking a temporary repair and following up with a permanent repair. Melvyn May responded that consideration was being given to providing a permanent repair in the first instance for any pot hole allocated a 28 day order. Whilst it would be possible in most instances to allocate this within the rolling programme of works, there would be a budget implication which might prevent the plan from going ahead. Ian Priestley explained that a planned maintenance programme was cheaper to run than a reactive programme. Melvyn May agreed to confirm with Hampshire County Council whether they were able to undertake any permanent repairs in the first instance.

Councillor Brian Bedwell requested further information about the possibility of a greater number of permanent repairs being undertaken initially in order to reduce the cost of following a temporary repair with a permanent one. Melvyn May responded that aside from the costs, the conditions were often prohibitive – the weather being a key factor in when a permanent repair could be carried out. He was also concerned that making ad hoc changes to the new process, which had shown improvement, would be confusing and difficult to maintain. Melvyn May explained that the increased cost associated with immediate permanent repairs should be considered against the risk of a claim arising from the pot hole. Current information suggested that the increased cost could not be justified.

David Lowe suggested that it might be useful to compare the unit costs of each method and benchmark these to another area, with a similar rural/urban environment.

Councillor Brian Bedwell queried the number of roads in Thatcham that appeared to have more requirement for repair than other areas. Melvyn May responded that many roads in Thatcham had been built using concrete with a layer of bitumen and tar on top. These suffered from delamination where sections of the top layer came away. Although not dangerous, they were aesthetically displeasing, and the public often appeared to judge a road's safety by its appearance.

Melvyn May informed the Task Group that a Members seminar had been held in November to clarify the processes and issues around pot holes. He suggested a further seminar may be of use to new Members and those who had been unable to attend. He also queried whether this may be a suitable subject for a future District Parish Conference. Councillor Keith Woodhams suggested meeting with Thatcham Town Council to explain directly.

Melvyn May explained to the Task Group that an annual road condition survey was undertaken which provided a holistic view of areas needing attention. He explained that advances were being made to allow more accurate locating of pot holes as opposed to other anomalies. Councillor Brian Bedwell asked if there was any equipment available that would help improve the road condition. Melvyn May responded that although there were improved processes that could be put in place, the cost of these would be high and would need to be weighed against the risk of not implementing them.

David Lowe asked whether it would be possible to benchmark the condition of

West Berkshire Roads with those in other, similar, areas to understand whether the area has an actual problem or a perceived problem. Councillor Keith Woodhams stated that he believed this to be an actual problem and quoted two specific cases:

- Northfield Road
- Mini roundabout at Bowling Green Road and Northfield Lane

Melvyn May agreed to check these cases specifically.

Councillor Brian Bedwell asked how the size of a pot hole was determined. Melvyn May responded that the easiest and quickest method was to use a spirit level and tape measure as this could account for any size, shape and location of pot hole. He further confirmed that a sketch of the pot hole was included on the report form which was signed and may form part of the evidence in a claim. Additionally, a photograph was taken where a claim is made.

Councillor Keith Woodhams expressed concern that some pot holes may not meet the nationally set criteria to require intervention, but they still posed some risk to drivers. He asked whether an inspector would consider how likely the condition or size of a pot hole would worsen, and not rely solely on the measurement of the pot hole at the time he was there. He asked whether an immediate repair could be undertaken to prevent a pot hole from worsening. Melvyn May responded that these pot holes would still be recorded, and where possible and appropriate, they would be included in the rolling programme of maintenance. He added that there currently was no client 'find and fix' team (working proactively). This could be explored; however there would be associated costs around health and safety, training and insurance.

#### **Actions:**

- Melvyn May to confirm with Hampshire County Council whether they are able to undertake any permanent repairs in the first instance.
- Melvyn May to contact Islington Council for their conclusions from a trial of Viafix.
- David Lowe to compare the unit costs of each method and benchmark these to another area, with a similar rural/urban environment.
- Melvyn May to check the specific cases quoted by Councillor Keith Woodhams.

#### **Proposed Recommendations:**

- To engage the public and promote the reporting of pot holes.
- To publish an information leaflet about reporting pot holes
- To communicate the processes of reporting and repair of pot holes:
  - through holding a second Member's seminar
  - at a future District Parish Conference
  - by meeting with Thatcham Town Councillors.
- To instigate a permanent client 'Find and Fix' van for proactive repair.

## **5. Insurance Claims**

Ian Priestley informed the Task Group that the figures that had been provided to the Task Group detailing insurance claims were based on the insurance year which

ran from November to October. He further noted that the number and value of claims had dropped significantly since 2007; however he noted that the high value paid in 2007 did include two personal injury claims that were not related to pot holes.

Ian Priestley agreed that there was still potential for the value of claims in 2010/11 to be significant as there was a number outstanding, however he explained that there was an expectation of 96% or more of claims to be repudiated, and on average £250 to be paid per claim upheld.

Councillor Brian Bedwell asked what were the staffing costs for processing claims. Ian Priestley did not have this information available, but agreed to provide it at a later date.

Confirmation was requested on when a claim could be repudiated. Ian Priestley explained that this would happen when the Council was found to have correctly dealt with a pot hole according to national standards, ie:

- if the Council was not aware of the pot hole and it had a robust maintenance programme in place, it would not be liable for claims resulting from it;
- if it was aware of the pot hole and had processed it correctly for appropriate repair within the appropriate timescale, again, it would not be liable for claims made.

Councillor Keith Woodhams raised a concern about the time between a pot hole appearing, and it being reported to the Council. He was concerned that during this time, the pot hole could cause damage to a number of vehicles, the drivers of which would not be able to make a claim. He queried whether it would be possible to address this.

David Lowe questioned whether the Council should allow residents to believe they are entitled to payment in all cases.

The Group recognised that there had been a reduction in the number of pot holes recently. Melvyn May suggested that this could be due to improvements in the process and methods of repair, in addition to less severe winter weather conditions.

David Lowe asked if there was information available to benchmark the level of insurance claims against other areas. Ian Priestley responded that the information was being collected through a CIPFA benchmarking exercise, but would not be available for some months.

**Actions:**

- Ian Priestley and Melvyn May to investigate staffing costs for processing claims.

## **6. Refinement of the scope and Terms of Reference**

Councillor Brian Bedwell summarised the meeting, stating that a lot of information had been received and it was clear from the figures provided as well as anecdotal evidence that both the number of pot holes, and the number of claims resulting from pot holes, had reduced over the past year. He suggested that no further analysis would be required for this Task Group, and he requested that actions agreed during this meeting be undertaken prior to one further meeting, and that should any further recommendations be forthcoming, they be raised at the final meeting. This was agreed.

## **7. Agreement of future meeting dates and activity**

Councillor Brian Bedwell requested one further meeting to summarise findings and agree final recommendations. A meeting date was to be agreed towards the end of April.