

OVERVIEW AND SCRUTINY TASK GROUP

The Process in Place for the Repair of Pot Holes

MINUTES

Tuesday 22 May 2012

Present: Councillors: Brian Bedwell (Chairman), Keith Woodhams
Others: Mark Edwards (Head of Highways and Transport), Ian Priestley (Chief Internal Auditor), David Lowe (Scrutiny and Partnerships Manager), Elaine Walker (Principal Policy Officer)

Apologies: Councillor Emma Webster, Melvyn May (Highway Manager)

1. Minutes and Matters Arising

Councillor Brian Bedwell welcomed everyone to the meeting and introduced the scrutiny review subject for the benefit of Mark Edwards who had not been present at the previous meeting.

Mark Edwards reported the results of Melvyn May's enquiries to Hampshire County Council and Islington Council into repair methodology and materials. He explained that Islington Council had used Viafix for some years but due to its expense it was only used where another material was not suitable, such as heavily trafficked roads. Hampshire County Council used a range of materials dependent on the circumstances, reflecting West Berkshire's approach. Mark Edwards continued that the quality of a repair was dependent on the work of the contractor, and recognised that weather conditions or other circumstances might prevent a repair being made to the expected standard.

Councillor Keith Woodhams stated that contractors required guidance as to how to repair pot holes to the required standard. He believed that confidence needed to be built with the public that materials were suitable and repairs were being undertaken rapidly as they appeared to fail too quickly. Mark Edwards informed the group that a relatively small number of repairs failed (estimated to be approximately 5%), and where this happened, the contractor undertook to repair the pot hole for a second time at no cost to the Council. He further noted that should a claim arise between the first and second repair, these would be directed to the contractor. Councillor Woodhams concluded that if this was an issue of the public's perception of incorrect materials or inadequate repair, then this needed to be addressed.

Mark Edwards disputed the fact that this was an area of significant concern for members of the public due to the fact that only a few reports were being made.

Councillor Woodhams responded that members of the public would often report pot holes to local councillors as they did not have confidence that the Council would make a repair appropriately.

Councillor Bedwell asked what information was available regarding the cost of processing claims. Ian Priestley presented estimated information from the past five years. He stressed that the basis for working out the financial values had been estimated through speaking with the officer who dealt with claims. He noted that the Council were rarely required to pay claims due to the methods used by the Highways Service to manage pot holes. He further drew attention to the fact that should the number of claims be reduced, it would not save significant sums of money as only one officer dealt with the workload and this was alongside other work.

Councillor Woodhams stated that the number of claims was weather dependent. Mark Edwards agreed relating that in March, a dry month, there had been two claims, and in April, a wet month, there had been ten claims. He also noted that sometimes the weather contributed by obscuring the pot hole from sight for example if it was full of water or snow. Councillor Woodhams noted that whatever the reason for the pot hole, and whether or not a claim was successful, the motorist would still have potentially sizeable repair bills for their car, and this was what he wanted to address.

2. National Pot Holes Review Report

Councillor Bedwell introduced a national report that had been published in April 2012 entitled 'Prevention and a Better Cure – Pot Holes Review'. David Lowe explained that although the group had been aware that this work was being undertaken, it had been fortuitous that the report had been published to coincide with the Council's scrutiny review. He suggested that the group consider the report and its recommendations, and decide how it might impact on this scrutiny review. He asked whether Highways were considering the recommendations outside of this review. Mark Edwards responded that Highways had been expecting this report for some time, and welcomed it as there had never been a code of practice around pot holes before. He noted that this would provide a common approach to national activity, and was pleased to note that many of the recommendations reflected the Council's current or planned practice, for example around hand-patching.

Councillor Woodhams asked Mark Edwards to explain the different types of repair that could be made. Mark Edwards replied that there were four broad categories of road maintenance in use:

- 1 – Plugging the hole. This was undertaken in situations where an instant fix was required for safety purposes.
- 2 – Hand Patching. This involved the contractor squaring the hole, or pot hole plug, cleaning, filling and compacting the material.
- 3 – Machine Patching. This was intended to deal with larger scale patching repairs but not full width resurfacing. A machine would plane away the whole section of road and relay the surface.

4 – Resurfacing, or other surface treatment.

The Group requested further information about hand patching. Mark Edwards explained that there was a dedicated vehicle and crew capable of hand patching approximately 30 small areas each day. The vehicle was owned and managed by the contractor, and they were given a map that all pot holes had been plotted onto, including those previously plugged, and instructed to deal with the worst areas first. This has been ongoing for the last year, and funding would allow this to continue until October. It was noted that despite the increased use of hand patching, there would remain a need for pot hole plugging to be carried out.

Councillor Bedwell asked whether there would be any benefit in the Council owning its own vehicle for this purpose. Mark Edwards explained that a decision had been taken 12 years previously that the best approach would be for a contractor to undertake repairs, whilst the Council concentrated on inspection, management and design of the highways.

Councillor Bedwell requested further information on how the pot hole map was managed. Mark Edwards replied that all reported pot holes were mapped. Areas for repair were decided by removing from consideration areas that were due to be resurfaced in the next year (approximately 50 roads), and working around the rest of the area. He commented that the process would never be complete as pot holes continued to arise.

Councillor Bedwell requested that the process be circulated to the group to clarify what happened.

Councillor Woodhams informed the Group of two pot holes situated by the Bear Hotel on the A4 in Hungerford which had been there for at least a week without being repaired or highlighted with a white line. He believed that the public felt that the Council had responsibility for repairing each pot hole instantly, and when this did not happen, they lost faith in making the report. He also believed that when the public saw what they felt to be a bad repair, or a plug being dislodged, they lost confidence in the process. In his opinion, this lack of confidence needed to be addressed by correcting the public's perception, and circulating a leaflet to explain the process and encourage reporting. Mark Edwards confirmed that this section of road was due for resurfacing in the summer but reported pot holes would continue to be repaired until that time.

The group discussed the public's reticence in reporting pot holes and agreed that people needed to take some responsibility for the matter, and that it was unreasonable to expect pot holes to be repaired if they were not reported. Mark Edwards noted that public reports were relied upon between inspections.

Councillor Woodhams requested clarification on the claim that if a repair failed, then the second fix would be at the expense of the contractor. He asserted that the cost of the second fix would merely be absorbed elsewhere in the contract. Mark Edwards responded that only completed work was paid for and this was measured by the metre. He clarified that the second fix was only free if the original repair failed within three months and there were no extenuating circumstances not within the control of the contractor.

In response to a questions, Mark Edwards explained that pot holes that had been

plugged were more likely to fail than those that had been hand patched, however it was possible for these to fail too. Councillor Woodhams asked whether it was sensible to continue to plug pot holes if they failed easily and asked if this was exacerbating the problem. David Lowe responded that the national review addressed this in recommending that pot holes were repaired properly first time wherever possible. Mark Edwards confirmed that this was the approach used. David Lowe continued by asserting that public perception appeared to consider that plugging the hole was the routine response, but the reality was that this was only undertaken in emergency situations. Councillor Bedwell requested a written description of the different types of repair to be circulated to Members to assist them when they were approached by the public. Councillor Woodhams also requested that a simplified version be produced for the public.

Councillor Woodhams asked for further information regarding the inspector's role. Mark Edwards explained that the inspector would assess pot holes that were reported and those on their inspection routes, and would instruct contractors to repair them if appropriate. He noted that reports, particularly those received from members of the public were often not accurate in respect of location or dimension and needed to be inspected before allocating resources to repair them.

Returning to the national review and its recommendations, Councillor Bedwell recognised that they were in line with the Council's review and asked David Lowe to lead the group through a discussion of each one.

Taking the recommendations in the order they were presented in the report's executive summary:

THEME: PREVENTION IS BETTER THAN CURE

Recommendation 4 - Economic Benefits of Highway Maintenance

To evaluate and justify the need for investment in maintenance of the local highway network, the Department for Transport should work in conjunction with local highway authorities to develop advice on determining economic costs and benefits.

Response: This was a national recommendation and not one for the Council.

Recommendation 5 - Commitment of Highway Maintenance Budgets

The Government should commit to establishing budgets for highway maintenance for the full four years of Comprehensive Spending Review periods. This will provide greater budget certainty for the highway sector. Local highway authorities should ensure their funding for highways maintenance is aligned to this time period.

Response: The majority of this recommendation related to national policy. However Mark Edwards explained to the group that the DfT used to set a fixed grant for one year, with further finance being provisional. This year the government had confirmed a three year grant providing certainty for activity within this timescale. The Council's MTFS was for three years which did not fully align.

Recommendation 6 - Prevention is Better than Cure

Local highway authorities should adopt the principle that 'prevention is better than cure' in determining the balance between structural, preventative and reactive maintenance activities in order to improve the resilience of the highway network

and minimise the occurrence of potholes in the future.

Response: Mark Edwards confirmed that this was already the Council's approach.

Recommendation 7 - Informed Choices

Local highway authorities should ensure that appropriate competencies are available to make the right choices when designing and specifying techniques and materials for the maintenance and repair of highways. These competencies can be secured through training, collaboration with neighbouring authorities or external advice.

Response: Mark Edwards confirmed that all inspectors and contractors were fully and appropriately accredited. Training was maintained and included updates on new materials as they became available.

Recommendation 8 - Guidance on Materials

Comprehensive guidance should be made available in the design, specification and installation of materials for the maintenance and repair of highways, to ensure the use of appropriate materials for the right site. This guidance should be produced by the sector for the sector.

Response: Mark Edwards informed the group that the intent was for the trade to produce this guidance. Councillor Bedwell referred back to his earlier request for guidance to be produced by Highways.

Recommendation 15 - Co-ordinating Street Works

All parties undertaking works on the highway should share and co-ordinate short and long term programmes of work for up to four years in advance, based on good asset management practice.

Response: Mark Edwards confirmed that this was already the Council's approach

Recommendation 16 - Minimising Highway Openings

All parties involved in reinstatements must consider the need to minimise long term damage from the installation, renewal, maintenance and repair of utility and highway apparatus through alternative and innovative ways of working. Trenchless technology should be considered as part of this decision making process.

Response: Mark Edwards confirmed that this was already the Council's approach

THEME: RIGHT FIRST TIME

Recommendation 14 - Quality of Repairs and Reinstatements

To drive up standards, a quality scheme similar to a National Highway Sector Scheme should be developed by the sector to cover all aspects of manual surfacing operations, including pothole repairs and reinstatements, and its use specified by local highway authorities and utility companies.

Response: This was a national recommendation and not one for the Council.

Recommendation 13 - Guidance on Repair Techniques

Local highway authorities should consider the guidance provided in the ADEPT report Potholes and Repair Techniques for Local Highways and adopt as

appropriate to their local circumstances.

Response: Mark Edwards advised that this was a technical version of the national report intended for use by highways management. It had only just been published and the Highways team were still working through the findings.

Recommendation 11 - Inspection and Training

Local highway authorities should utilise inspection manuals to support implementation of their inspection policies. They should also ensure that highway inspectors are trained, qualified and competent in the identification and assessment of defects, including potholes, through a scheme accredited by the Highway Inspectors Board.

Response: Mark Edwards explained that this recommendation had been included as, in some areas it was possible that some contractors and employees were not accredited. He confirmed that anyone undertaking this work for the Council was accredited and drew the group's attention to the results of an internal audit which found the contract to be well controlled.

Recommendation 12 - Technology

Local highway authorities should consider using proven technology and systems for the effective identification and management of potholes.

Response: Mark Edwards explained that as part of the routine safety inspections GPS hand held technology was used to record all pot holes on a single WDM system.

Recommendation 17 - Research and Innovation

The sector will benefit from supporting, co-ordinating, contributing and disseminating research on all aspects of pothole operations. Innovation from such research may continue to provide opportunities for improvement of pothole management and operations.

Response: The group did not consider this to be a recommendation requiring action.

THEME: CLARITY

Recommendation 3 - Public Communications

Local highway authorities should have an effective public communications process that provides clarity and transparency in their policy and approach to repairing potholes. This should include a published policy and details of its implementation, including the prevention, identification, reporting, tracking and repair of potholes.

Response: Councillor Bedwell summarised earlier discussions by requesting that a leaflet be produced for the public which explained how to report a pot hole, and what they could expect from the Council. He further requested a slightly more detailed document for use by Members including the different levels of repair, and particularly asked for information about the white lines drawn around pot holes.

Mark Edwards informed the group that a draft leaflet had been prepared with the intention of making it available to the public on the website as well as in normal leaflet distribution areas. He agreed to distribute this to the group for comment.

Ian Priestley requested that the leaflet included some information about the Highways Act in order to manage the public's expectation around claims and compensation.

Mark Edwards confirmed that Customer Services, who receive reports from the public, were aware of how to record them and that the system was able to identify repeat reports.

Councillor Bedwell requested the subject be taken to the next District Parish Conference.

Recommendation 2 - Public Opinion Surveys

Local highway authorities should monitor public satisfaction with road, footway and cycleway condition and repair annually through the National Highways and Transport Public Satisfaction Survey or their own surveys. The findings can be used to benchmark performance and taken into consideration in local highway maintenance policies.

Response: David Lowe stated that there was no longer a Council survey from which to draw results. Mark Edwards informed the group that a national survey was run by MORI which the Council had been involved in one year; however it was prohibitively expensive to take part every year. He reported that Councillor David Betts had recommended that the Council take part every two or three years. Councillor Bedwell agreed that this group could recommend this approach.

Recommendation 10 - Permanent Repairs Policy

Local highway authorities should adopt permanent repairs as the first choice. Temporary repairs should only be used where safety cannot be managed using alternative approaches and in emergency circumstances.

Response: Mark Edwards confirmed that this was already the Council's approach as had been discussed earlier by the group.

Recommendation 9 - Definition of Potholes

To provide clarity, local highway authorities should adopt dimensional definitions for potholes based on best practice as part of their maintenance policy. Response times and treatment of potholes should be based on local needs, consideration of all highway users, and an assessment of risk.

Response: Mark Edwards confirmed that this would be explained in the document circulated to Members.

Recommendation 1 - Strengthen Well-maintained Highways

Well-maintained Highways should be revised and strengthened to include all recommendations of this Review which are relevant to local highway authorities.

Response: The group accept this recommendation.

Councillor Bedwell drew the group's attention to Councillor Woodhams' draft recommendations noting that they were broadly in line with the national report. He asked whether Councillor Woodhams thought his recommendations had been addressed, or whether he would like to raise any further points.

Councillor Woodhams noted in particular his recommendation to engage the public

with a 'Spot the Pot' hotline, stating that he believed this title would be beneficial. Councillor Bedwell did not believe that the reporting line could be renamed and suggested that a press release be prepared using this phrase, at an appropriate time to highlight the work being undertaken.

Councillor Woodhams continued by saying that the national recommendations did cover what he was looking to achieve.

4. Final Recommendations and Activity

Actions:

- Mark Edwards to circulate to the group the processes involved in repairing pot holes.
- Mark Edwards to circulate to the group a draft leaflet for the public which explained how to report a pot hole, and what they could expect from the Council.
- Mark Edwards to produce a document for distribution to Members which included the different levels of repair, and use of white lines.

Recommendations:

- A leaflet be published by Highways to inform the public of the pot hole repair process.
- An information pack be distributed to Members to provide greater information about the process of pot hole repair.
- Highways to take part in the national MORI survey every two years in order to monitor public satisfaction.
- A press release be prepared including the phrase 'Spot the Pot' to highlight highways work.
- The next District Parish Conference agenda to include an item on pot holes to support improved communication with the public.