

CYNGOR GWYNEDD CABINET



Date of meeting:	11 July, 2023
Relevant Cabinet Member:	Councillor Berwyn Parry Jones
Contact Officer:	Steffan Jones, Head of Highways, Engineering and YGC
Contact Telephone Number:	32400
Item Title:	Adoption of Highway Maintenance Manual

Report to Cyngor Gwynedd's Cabinet meeting

1. DECISION SOUGHT

- 1.1 That the Cabinet adopt the Highway Maintenance Manual included in Appendix 1.

The purpose of the Manual is to:

- ensure consistency in how the Council maintains its county roads,
- ensure that the Council adopts a risk-based approach to maintaining its county roads by taking into consideration, amongst other things, the road hierarchy and the arrangements for inspections and repairs,

2. THE REASON FOR THE NEED FOR A DECISION

- 2.1 Ensure that the Council's current highway asset maintenance procedures comply with the latest national guidelines (see Section 3 below).
- 2.2 That the changes proposed by the Department to Gwynedd's highway network hierarchy and its highway inspection and repair arrangements are adopted.

3. INTRODUCTION

- 3.1 Local highway authorities have a specific duty under the Highways Act 1980 to maintain their roads. Nevertheless, despite their best efforts, authorities are subject to claims or legal action by individuals seeking to prove non-compliance with this duty in order to obtain financial compensation.
- 3.2 Various national codes of practice have been issued over the years to encourage best practice and to adopt asset management procedures that take a more holistic approach to maintaining the highway network and thus defend authorities from claims or legal action.

- 3.3 In line with the recommendations in the prevailing code of practice 'Well-maintained Highways, Code of Practice for Highway Maintenance Management 2005', the Council published its Highways Asset Management Plan (HAMP) in July 2010. Gwynedd's HAMP was considered to be comprehensive and few other highway authorities had adopted a similar plan at the time.
- 3.4 The HAMP has served its purpose over the years, not only as a daily guide to how to maintain the county's highways but also to protect the Council against third party claims and court cases. Between the 1st of April 2016 and the 1st of April this year, the Council has received 343 third party claims and has been able to successfully defend 294 of them; a success rate of almost 86%. This compares very favourably with other highway authorities and the Risk Co-ordinator and Insurance Manager attributes this to the robustness of the Plan.
- 3.5 However, a new code of practice was introduced in 2016, namely '*Well-managed Highway Infrastructure: A Code of Practice*'. The new code promoted the adoption of an integrated asset management approach to highway maintenance based on the establishment of local levels of service through risk-based management.
- 3.6 In order to ensure that all local authorities in Wales complied with the requirements of the new code, the County Surveyor's Society Wales (CSSW) commissioned specialist consultants to formulate a nationally consistent approach to the new guidelines. Consequently, rather than have one Highway Asset Management Plan to define how they managed their road networks (similar to the Council's existing HAMP), CSSW recommended that each authority publish a suite of documents that support their method of managing their highway asset. The Highway Maintenance Manual is one of these documents.
- 3.7 Highway Maintenance Manuals set out how councils meet their duties as the highway authority; confirm the methods used to ensure that the risk to users of the highway network is appropriately monitored and managed, and ensure consistency in how standards are implemented. In order to achieve all of these, CSSW proposed that authorities undertook the following:
- establish a network hierarchy
 - establish an inspection regime
 - establish a repair procedure
 - use risk to influence how the budget is allocated
- 3.8 The Council already had a network hierarchy, inspection regime and repair procedure in place, and the standards and practices in its HAMP were largely risk based. However, they were probably not entirely consistent with the requirements of the new code and CSSW's recommendations. Consequently, the Department reviewed its existing arrangements (hierarchy, inspection and repair) and established standards that were the same, if not better, than those proposed by CSSW. These are the standards included in the Council's new Highway Maintenance Manual.

4. RATIONALE AND JUSTIFICATION FOR RECOMMENDING THE DECISION

4.1 Adopting the new Manual will ensure:

- that the Council's highway asset maintenance procedures comply with current national guidelines
- the delivery of a safe and well-maintained highway network
- that appropriate maintenance standards are implemented consistently throughout Gwynedd
- that the Council's standards and approach to implementation are consistent with other highway authorities within Wales.
- that the Council will continue to be able to defend third-party claims and legal action by individuals
- that future highway maintenance budget allocations are influenced by risk rather than by other factors

5. NEXT STEPS AND TIMETABLE

5.1 If approved by the Cabinet, the Manual will be implemented immediately by the Department's inspectors, engineers and other competent officers to ensure that the highway network is managed and maintained to the recommended standards as far as is reasonably practicable.

5.2 The Manual is only one document in a suite of documents that support the Council's method of managing its highway asset. The remaining documents, including an Asset Management Plan, will be prepared over the next 12 months.

5.3 The network hierarchy, inspection regime and repair procedure will be subject to continuous monitoring throughout the life of the Manual. However, the Department will undertake a formal review of the risks associated with managing the highway network every two years to take account of any substantial changes to the highway asset. Consequently, if approved now, the Manual will be formally reviewed in July 2025. Any revision to the Manual as a result of the formal review will be reported to the Leadership Team for information and approval.

6. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

6.1 The Well-Being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. The Act places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language and is globally responsible. The Manual has been prepared having regard to these requirements and in accordance with the 5 ways of working.

7. EQUALITY IMPACT ASSESSMENT

7.1 Whilst developing the Highway Maintenance Manual, no negative impacts were identified on the population.

8. VIEWS OF STATUTORY OFFICERS

The Monitoring Officer:

The manual provides guidance in relation to how the Council will implement its statutory duties in relation to the maintenance of the roads network. It is appropriate that the Cabinet considers the matter and decides on its' adoption.

Head of Finance:

The adoption of the Highway Maintenance Manual will not create a spending commitment in itself, but it offers clear steps to identify and prioritise the vital work being undertaken by the Highway Maintenance Service. Relevant officers from the Finance Department have engaged with officers from the Highways, Engineering and YGC Department as they develop this manual. Having clear guidelines like this in place – which are adhered to – is key to defending the Council's interests.