

SCRUTINY COMMITTEE FOR ECONOMY, TRANSPORT AND ENVIRONMENT

MINUTES of a meeting of the Scrutiny Committee for Economy, Transport and Environment held at County Hall, Lewes on 20 November 2013.

PRESENT: Councillors Richard Stogdon (Chair), John Hodges, Pat Rodohan, Jim Sheppard (substitute for Councillor Claire Dowling), Barry Taylor and Steve Wallis.

ALSO PRESENT: Rupert Clubb, Director Communities, Economy and Transport; Karl Taylor, Assistant Director Operations; Geoff Mee, Assistant Director, Environment; Roger Williams, Head of Highways; Tony Cook, Head of Planning; Brian Banks, Team Manager – Road Safety (for agenda item 5, Scrutiny Review of Road Safety: Update).

Scrutiny Lead Officer: Martin Jenks

18. MINUTES OF LAST MEETING

18.1 RESOLVED – to approve as a correct record the minutes of the meeting held on 19 September 2013.

19. APOLOGIES FOR ABSENCE

19.1 Apologies were received from Councillors Claire Dowling and Mike Pursglove; Lead Members Councillors Carl Maynard (Lead Member for Transport and Environment) and Rupert Simmons (Lead Member for Economy).

20. DECLARATIONS OF INTEREST

20.1 None declared.

21. URGENT MATTERS

21.1 None notified

22. SCRUTINY REVIEW OF ROAD SAFETY: UPDATE

22.1 The report was introduced by the Team Manager for Road Safety, who outlined the progress on road safety issues and the development of a pan Sussex Road Safety Strategy by the Sussex Safer Roads Partnership (SSRP). Local road safety groups have been developed, which focus on priorities based on local road casualty figures. This has ensured good communication between all the partners and links to public health initiatives on the reduction of avoidable accidents.

22.2 Sussex Police continues to ring fence income from driver awareness training to fund the SSRP and can bid for any surplus income for road safety improvements. In line with the agreed savings plan East Sussex County Council (ESCC) road safety funding has reduced to £150,000 per annum. This is spent on road safety engineering projects and education. The proportion spent on education varies and comes from a number of sources. Road Safety Awareness Training in schools is funded jointly by ESFRS (staff funding) and ESCC (materials).

22.3 The Committee reviewed Sussex road casualty data, showing the number of people who were killed or seriously injured (KSIs) by group and maps detailing the geographical accident distribution data. The following points were made:

- Notable accident peaks in the summer months were attributable to greater road user numbers and increased speeds arising from better driving conditions. In the first quarter of this year casualty figures were low for East Sussex (appendix 2) due to the severe weather conditions and drivers changing their driving behaviour.
- The committee considered that further analysis of the peaks in casualties was needed. The SSRP will be examining more closely the accidents involving cyclists (who suffer a higher proportion of fatalities) and powered two wheel vehicles to make an assessment of the factors involved. These assessments will be made available to the Scrutiny Committee.
- There was little correlation between the physical condition of the road, speed limits, and serious accidents. This has led to a move away from physical measures to reduce casualties and a focus on driver behaviour.
- The Sussex Safer Roads Partnership (SSRP) is focussing efforts on changing the attitudes of vulnerable groups (e.g. 16-24 year old drivers) with an emphasis on how people drive.
- Although there is a downward trend in the number of serious accidents, it does not look as if East Sussex will meet the target set for the reduction in the number of killed or seriously injured (KSI) by 2020. This is a fair reflection of what is happening nationally, although East Sussex is doing better than its partners.
- The character of the trunk road network in East Sussex is a contributory factor in the number of serious accidents. Most serious casualties occur on A and B roads. This means East Sussex will always have slightly higher KSI figures than other counties that have a better developed trunk road network.

22.4 High profile enforcement campaigns remain important in changing driver attitudes and this is something the Committee would like to see continue. Sussex Police are about to start their winter drink driving campaign. The SSRP has funded the replacement of equipment used by the speed enforcement teams in Sussex, but it is sometimes difficult to assess the impact of enforcement campaigns on casualty numbers. It was suggested that Committee members might like to go out with one of the road policing teams, or attend one of the speed awareness courses, to see at first hand what was being done to change driver behaviour.

22.5 The work of community speed watch groups and Operation Crackdown, conducted by Sussex Police, has resulted in a more intelligence led targeted approach to poor driving behaviour. Poor drivers have been sent warning letters, receive police visits to their homes, as well as other measures designed to change behaviour.

22.6 The Committee supported the pan Sussex approach to road safety and welcomed the development of coherent strategy for improving road safety and reducing casualties.

22.7 The Committee reviewed School Crossing Patrols (SCP) in the context of the road safety data. There were no serious accidents near any East Sussex schools. However, the Committee considered there would be merit in holding a mini review into the alternative funding options for school crossing patrols. The Committee could look at the specific issue of sponsorship, to find out what would work well and what would be acceptable in terms of commercial sponsorship.

22.8 RESOLVED: – To note the progress in adopting a pan Sussex Road Safety Strategy and the recommendations of the report.

23 HIGHWAYS VERGE CUTTING AND WEED SPRAYING

23.1 The report was introduced by the Head of Highways. The current maintenance policy is to cut grass verges twice a year in rural areas and five times a year in urban areas. Grass verges are cut for safety reasons (e.g. at road junctions) and not for aesthetic reasons. There is no statutory duty to cut grass verges under the Highways Code of Practice (2005). The department is carrying out a full review of policies as part of the Highways Contract procurement work.

23.2 Grass cutting is an emotive issue and can generate a large volume of enquiries and complaints. In 2012 there were 835 grass cutting enquiries and to date in 2013 there have been 710 enquiries.

23.3 The budget for Highways verge cutting equates to approximately £2 per person across the County. That includes: 1) weed spraying costs once a year; 2) hedge and overhanging vegetation control; and 3) tree safety work on the highway. At present grass cuttings are not picked up. The collection of grass cuttings would quadruple the overall cost of the County's current expenditure on grass cutting.

23.4 The Committee discussed the options for highways verge cutting and the associated impacts. The issues discussed covered the following areas:

- Some of the budget was devolved to Borough, District and Parish Councils who employ their own contractors to carry out highways verge maintenance. Service level agreements (SLA's) were being developed between East Sussex County Council and Eastbourne and Hastings Borough Councils. It was thought that SLA's would help manage public expectations and the quality of services provided by Borough, District and Parish Councils. The Committee asked the Assistant Director, Operations to confirm when the SLA's are in place.
- Complaints about the quality of grass cutting are directed to those organisations undertaking the work. Complaints about the number of cuts determined by the policy are dealt with by East Sussex.
- At present there is no asset management plan for highways verge soft landscape features. It is likely that the Council's Highway Asset Management Plan (HAMP) will be developed to include these assets in the next 2-3 years.
- There is a policy to deal with cars parking on the verge where they cause damage. Any ruts deeper than 100mm are treated as a hazard and filled in. There are problems with surfacing such areas and they are usually re-seeded. There is no policy to transfer areas of highways verge to adjacent landowners for them to maintain, but some areas are maintained under licence. In Eastbourne there is a joint programme underway to remove dead tree stumps from highway verges.

- Enforcement visits are undertaken to deal with privately owned hedges that overhang the highway. The Council can do the work in default after serving a notice on the landowner and recover its costs. However, this is used as a last resort because private landowners normally do respond and there issues around recovering costs.
- While the Department's view is that the existing policy and practice is appropriate, it was accepted that grass verges in some areas could be cut less frequently, or not at all, with the exception of sight lines at junctions and on bends. However, the Department's view is that this may lead to an increased number of complaints. It may also have an adverse impact on environmental quality (e.g. the street scene) and may make some urban areas look un-managed.

23.5 It is possible to distinguish between verge cutting in rural and urban areas and to stop cutting verges in rural areas where there is no safety requirement. The potential impact of this would be that long grass could fall into the carriageway and onto paths, making it difficult to delineate the edge of the road. However, some roads such as stretches of the A22 could be cut less frequently with no adverse impact. Officers were asked to produce a reduced cutting programme for rural areas, together with an estimate of the cost savings this would produce, for the next committee meeting in March 2014.

23.6 The impact on gully emptying was discussed. The main issue appeared to be with leaves blocking gullies. However, the road sweeping responsibility fell to Boroughs and Districts through the joint waste agreement and not to the highways contractor. Work is being undertaken to co-ordinate gully cleaning and leaf sweeping operations with the Boroughs and Districts.

23.6 There is a policy in place to deal with noxious weeds such as Japanese Knotweed and Ragwort. Highways teams hand pull Ragwort to remove it from highway verges. This is the most effective form of control, given the constraints on the weed killers the Council can use on the highway.

23.8 RESOLVED: - It was resolved to accept the report and request that a further report be brought back to the Scrutiny Committee in June 2014 outlining a revised grass cutting programme for rural areas and the associated financial impacts (paragraph 23.5 above).

24 FOOTWAY MAINTENANCE POLICY

24.1 The Head of Highways outlined the current highways maintenance policy for pavements, explaining that the levels of response depend on the usage of the pavement (footway). There was a detailed presentation of the intervention standards with the frequency of inspections ranging from monthly, in the busiest areas, to yearly for those pavements that are used infrequently.

24.2 The standard surfacing material used for pavements is tarmac which is referred to as 'black top'. There is a preventative repair programme in place for pavements. The number of defects reported in East Sussex is about average compared with other authorities, with 502 contacts (written, email and telephone reports) out of a total of 60,000 in 2012. In 2013 the number of contacts so far is 369.

24.3 The current intervention standard in the policy for repair work is a vertical level difference, or 'trip', of 20mm. This standard is based on nationally recognised standards that enable the Council to present a statutory defence to claims for damages. A statutory defence exists provided the Council adheres to its inspection and maintenance policy.

24.4 The Committee discussed the implications of this policy:-

- The current intervention standard of 20mm still results in accidents which particularly affect elderly residents in areas where paving slabs are still in use. The Health & Well Being Strategy has a target to reduce trips and falls by those aged 60 and over. Allowing Highways Stewards to use their discretion, in areas where a large number of elderly people live, would help address this problem.
- Moving away from the nationally recognised standard may expose the Council to more claims and weaken the Council's statutory defence. It would be difficult to achieve a consistency of approach between Highways Stewards in exercising their discretion. It is possible to change priorities and policy, but there will be a cost implication of doing so.
- Information about the number of trips and falls reported by the public, and the number of compensations claims and the related costs was not available at the time of the meeting. The Assistant Director Operations undertook to provide information on the number of repudiated claims, settled claims and the cost of settlements to the Committee.
- While the Committee took the view that the Council would not be criticised for exceeding (improving on) accepted national standards and its defence in dealing with claims would be unaffected thereby, careful consideration would be needed in evaluating the cost of such improvements in standards.

24.5 It was clarified that the Council specified cast iron manhole covers rather than pressed steel in order to prevent vehicle damage. This also applied to other drainage grilles used on pavements, where specifications were linked to expected use and loadings.

24.6 The Assistant Director Operations was asked to confirm that the list of conservation areas of more than local importance contained in the policy PS7/3 was up to date.

24.7 RESOLVED: - To request that a report be brought back to the March 2014 Scrutiny Committee outlining:

- a) The number and location of claims together with the number reported trips and falls on the pavement.
- b) The cost implications of these claims/incidents.
- c) The impact of adopting a better intervention standard, looking specifically at the cost of the changes, whether this would be justified, and whether this would expose the Council to additional legal challenge.

25. RECONCILING POLICY, PERFORMANCE AND RESOURCES

25.1 The Committee considered a report by the Chief Executive presented by the Director of Communities, Economy and Transport. The Committee made a number of comments and observations in response to the report and information provided.

25.2 A Members forum had recently been held which looked at the savings plan, policy and areas of interest. The department's budgets for 2013/4 were on target and expected to be on budget at year end. Progress will be reported through the normal quarterly monitoring process.

25.3 The savings plan indicates savings in passenger transport for years 2 and 3 of the plan. Alternative sources of funding are being sought for these services and the Scrutiny Committee's input was invited on this matter. Work will be undertaken to help people understand the subsidy, patronage and what alternative models of services delivery may exist for these services. Discretionary fares will also be under considerations as part of this work.

25.4 Balancing the budget will be tough for the 3 year savings plan and is based on the assumption that Council tax will rise by 2% in years 2 and 3. There are some cross cutting areas such as passenger transport with target savings of £1.6 million in year 3 and links to Children's Services through the proposed reductions in school transport budgets. The department is also starting to think about where else savings could be made after the 3 year savings plan if budgets continue to reduce.

25.5 RESOLVED:

(1) To note the process for scrutiny's involvement in the Reconciling Policy, Performance and Resources process; and

(2) To invite all Members of the Committee who are available, to participate in the RPPR scrutiny board on 10 December.

26. SCRUTINY WORK PROGRAMME

26.1 RESOLVED: To amend the scrutiny work programme as follows:

26.2 Road safety: A short review will be undertaken into the alternative funding of School Crossing Patrols (SCP), with a particular focus on sponsorship (paragraph 22.7 above). All Committee members are invited.

26.3 Grass cutting and weed spraying: A report will be brought to the June 2014 Scrutiny Committee on a revised grass cutting programme for rural areas verges and the projected savings from this change (paragraph 23.8 above).

26.4 Highway's repair manual: A report will be brought back to the Scrutiny Committee in March 2014 outlining the number of claims for falls and reported trips on pavements, together with the impact of adopting a different intervention policy (paragraph 24.7 above).

27. FORWARD PLAN

27.1 The Committee considered the Forward Plan for the period 1 November 2013 to 28 February 2014. Members were reminded of the need to monitor the Forward Plan when published online to identify any queries or concerns early. Requests for information should be raised with the listed contact officer, and any scrutiny issues with the Scrutiny Manager.

28. NEXT MEETING

28.1 The meeting ended at 12:44pm. The next meeting of the Committee will be held on Monday 17 March 2014.

COUNCILLOR RICHARD STOGDON
CHAIR