

## REPORT OF THE PLACE SCRUTINY COMMITTEE

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The Place Scrutiny Committee met on 23 November 2023.

Present: Councillors Matthew Beaver (Chair), Chris Collier, Ian Hollidge, Eleanor Kirby-Green, Philip Lunn, Paul Redstone, David Tutt and Brett Wright.

In attendance virtually: Councillor Julia Hilton (Vice Chair)

Also present: Councillor Claire Dowling (Lead Member for Transport and Environment).

### 1. Scrutiny Review of Pothole Management

1.1 The Place Scrutiny Committee has completed its Scrutiny Review of Pothole Management. A copy of the Committee's full report is attached at Appendix 1.

1.2 A Review Board was established in March 2023 and was comprised of Councillors Matthew Beaver, Julia Hilton, Ian Hollidge (Chair), Eleanor Kirby-Green and Philip Lunn. The review examined the Council's approach to managing pothole repairs on the County's roads.

1.3 The scope of the review included an investigation of various aspects of the current policies, procedures, and approaches to repairing potholes including:

- Pothole repair techniques and costs;
- The quality of pothole repair works;
- Alternative pothole intervention levels and costs;
- Defect reporting and consideration of current policies to take into account vulnerable road users (e.g. those who walk, wheel, cycle, and motorcycle etc.)
- Consideration of budgets for pothole repairs and safety defects; and
- Consideration of the effectiveness of the Council's patching programme.

1.4 The review looked at a range of evidence on the Council's approach to repairing potholes and other carriageway defects. In addition, it considered the factors that cause road surfaces to develop potholes, and the repair of clusters of potholes which are often cited by the public as one of their main concerns. The review also considered the additional investment which has been agreed for highways maintenance in 2023/24 to tackle the number of potholes and road surface conditions.

1.5 Overall the review found that good progress and plans are being made to reduce the number of potholes in the County's roads within the resources available. During the course of the review, it became evident that things were changing as a result a proactive 'right first time' approach to pothole repairs being taken by the highways maintenance contractor, and changes that had been made to the contract specification. However, it will take time for the impact of these changes and additional investment to become evident, as the planned repair programmes start to be delivered.

1.6 The Place Scrutiny Committee **recommends** to the County Council that –

1.6.1 Officers develop a strategy for highway drainage, in order to target highways drainage investment requirements more accurately and to help prevent water damage to road surfaces.

1.6.2 The Council lobbies Government to make changes to the way utility companies operate and are regulated under the New Roads and Street Works Act and in particular to:

- Lower the time allowed for permanent reinstatements from 6 months to 3 months;
- Extend the reinstatement works guarantee period from 2 years to 5 years;
- Raise the level of financial penalties for failing to comply with the requirements of the Act;
- Introduce timescales for utility companies to repair defective apparatus once it has been reported to them, with penalties for non-compliance; and
- Increase the number of utility company inspections that can be recharged from 30%.

1.6.3 Officers explore the feasibility of increasing the amount and type of inspections of utility company reinstatement work to drive up quality and lobby Government for funding to do so.

1.6.4 The Guide to Highways is amended to include a reference to the current practice of risk assessing reported road defects which ensures the risks posed to different types of road user are appropriately met through repairs.

1.6.5 It notes the Committee's support for the Cabinet report recommendation that a greater proportion of capital funding is allocated from the highways structural maintenance budget to patching and surface dressing in future years, and reviews are undertaken on a periodic basis.

1.6.6 It is made clear in reporting information that the road condition performance targets refer to the percentage of road length, and that all roads are likely to have a mixture of green, amber and red condition sections of road.

1.6.7 Annual performance monitoring reports are presented to the Place Scrutiny Committee to maximise transparency and scrutiny of pothole repairs, contract key performance indicators (KPIs), and planned highway maintenance work, with the first report scheduled for July 2024.

1.6.8 Officers continue to allocate specific, defined levels of investment within the existing highways infrastructure maintenance capital budget, to tackle clusters of potholes and address public concerns about this issue, for example by undertaking patching repairs and surface dressing.

1.6.9 The Guide to Highways on the East Sussex Highways web site is amended to reflect that repairs gangs, Balfour Beatty Living Places (the Council's highway maintenance contractor) and the Council exercise a degree of flexibility in their approach to repairing safety intervention level defects and will repair other safety intervention level defects they find whilst on site.

## PLACE SCRUTINY COMMITTEE

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1.6.10 The Council continues to lobby Government for better long-term funding arrangements for pothole repairs, and highways maintenance, so that it can plan effectively, does not have to expend resources bidding for funding and can address local road conditions.

1.6.11 If funding pressures ease or additional funding becomes available, the Council considers making additional investment in highway drainage.

1.6.12 The Communities, Economy and Transport department continues to maintain an active approach to modelling highway investment levels needed to achieve the Council's road condition targets and feed the outcomes into the Reconciling Policy, Performance Resources (RPPR) budget setting process.

1.6.13 Officers review the visibility and usability of website information on planned maintenance work on potholes to make it easier to find and use online, including via the East Sussex County Council website and the upcoming app, and in particular information for patching, resurfacing and revenue funded advisories.

[See also Report of the Cabinet – 23 January 2024]

23 November 2023

MATTHEW BEAVER  
Chair