

PERFORMANCE SCRUTINY COMMITTEE – 5 JULY 2018

Customer satisfaction with the condition of Oxfordshire's roads

Introduction

1. The County Council is currently receiving a high level of correspondence regarding dissatisfaction about the condition of Oxfordshire's roads. In addition, a recent general customer satisfaction survey indicates that this may also be playing a part in how the public perceive the County Council as a whole.
2. This report has three main sections to help identify potential areas of focus for discussion and future investigation.
 - Section 1 - Explanation regarding the life of a road and the cost of upkeep
 - Section 2 - The Council's sphere of influence
 - Section 3 - Oxfordshire Together work with communities around highways.

Section 1 - Life of a road and the cost of upkeep

- 1.1 A short video presentation narrated by Owen Jenkins will be shown to explain the life of the road, overall state of our network, impact of repairs at certain timeframes, costs and what is achievable in terms of maintaining our road network.

Section 2 - The Council's sphere of influence

- 2.1 This section sets out a range of areas that the County Council has responsibility for and identifies at a high level its power of influence
- 2.2 In its decision-making process the County Council will look to and use Councillor and Parish or Town Council opinion to assist in forming a view, and in some cases, will not progress unless it has their support.

Civil Parking Enforcement

- 2.3 Civil Parking Enforcement (CPE) is the decriminalisation of parking offences within an area and the transfer of the responsibility for enforcement from the Police to the Local Parking Authority.
- 2.4 There are two areas currently subject to Civil Parking Enforcement within Oxfordshire. Oxford (on street parking only – managed by OCC) and West Oxfordshire (On street and off-street parking managed by WODC under agency from OCC).
- 2.5 There are only 22 (out of 327) local authority areas in England which are not currently operating civil parking enforcement and being enforced by the Police. These include Cherwell, South Oxfordshire and Vale of White Horse.

- 2.6 It should be noted that as an early adopter of powers, Oxford is one of only 2-3 areas in the Country that has Civil Parking Enforcement for on street parking only. Subsequent practice from DfT has been to only approve applications for On and Off street parking within an area and therefore in two tier authorities there is a need for County and District authorities to work together to implement Civil Parking Enforcement.
- 2.7 There is strict legislation covering the expenditure of any surplus income arising from civil parking enforcement. Surplus's may only be directed into activities for highway and transport purposes or for environmental schemes.

Controlled Parking Zones

- 2.8 A controlled parking zone (CPZ) is an area where parking is only permitted in designated parking bays, and the rest of the kerbside space is restricted by yellow lines. Any vehicles parked in contravention of the restrictions can be issued with a Penalty Charge Notice.
- 2.9 There are currently 30 separate zones within Oxford operated by County Council.
- 2.10 There are additional small areas of controlled parking which feature a mixture of resident spaces and P&D parking within Abingdon, Henley, Wallingford and Bicester. Enforcement of the areas have been devolved to the Town Council/ District Council under an Agency agreement). Enforcement of the yellow lines remains the responsibility of Thames Valley Police in these areas.
- 2.11 Whilst Controlled Parking Zones can be implemented in any area, experience has shown them only to be effective where regular enforcement takes place. For many years therefore, it has been Oxfordshire County Council practice to only implement Controlled Parking Zones in areas subject to Civil Parking Enforcement.
- 2.12 Legislation requires that the cost of permits should not be set at such a level as to budget for a surplus unless it is in accordance with a declared parking strategy (i.e. penalising higher polluting vehicles). Oxford permit levels are currently set at a level to allow the scheme to break even.

Parking restrictions – yellow lines

- 2.13 Removal, change or implementation of a parking restriction (double or single yellow lines) requires a new or change to a Traffic Regulation order. This requires a formal consultation and due process to be followed. Changes to parking are often emotive and can be extremely time consuming and it is not always possible to find an amicable solution that suits all parties involved.
- 2.14 Enforcement is the responsibility of Thames Valley Police other than the areas with Civil Enforcement.
- 2.15 Driveway access markings (single white line) and Keep Clear markings are not enforceable, and as such do not need a Traffic Regulation Order.

Speed Limit Enforcement

- 2.16 There are currently approximately 70 fixed speed camera sites in Oxfordshire, and 5 junctions with red light cameras. The operation of these and any enforcement action is the responsibility of Thames Valley Police.
- 2.17 The police also use mobile equipment at a large number of other locations, with sites being prioritised on the basis of the accident record and level of speeding.
- 2.18 The County Council has responsible for ensuring that the signage and road markings are correct, in good order and visible at these sites so that the Police can successfully enforce.
- 2.19 There is currently a modernisation programme being led and funded by TVP to digitise the old-style film camera's. As part of this TVP are re-assessing the need and prioritising those to be upgraded. It is thought unlikely that all cameras will be upgraded.

Vehicle Activated Speed Signs

- 2.20 The County Chas around 120 vehicle activated signs implemented to assist with adherence to speed limits in high risk locations. These signs are already authorised signed and as such no specific formal approvals are required.
- 2.21 Installed signs do however require inspection and maintenance, and then removal or replacement at the end of their life. This all has a financial cost.
- 2.22 Signs can either be mains powered or solar operated (if location appropriate for this).

Speed Limits

- 2.23 Requests for increase or decrease in speed Limits require a Traffic Regulation Order to be amended, and therefore there is a formal consultation and approval process to go through. Depending on the complexity and amount of interest, this can be a time consuming and lengthy process to go through.
- 2.24 There are clear DfT guidelines on what speed-limits are suitable for different environments, along with clear guidance on what signage is required. Thames Valley Police's comments and view is extremely important because they are responsible for enforcement and a statutory consultee as part of the process.
- 2.25 To lower speed in an area, it is unlikely that just a change in speed limit will be effective or acceptable without a physical layout change.
- 2.26 In respect of 20mph limits specially, current government guidance issued by the Department for Transport (Circular 01/2013) gives greater encouragement for local authorities to introduce more 20 mph schemes (limits and zones) in urban areas and built-up village streets that are primarily residential, to ensure greater safety for pedestrians and cyclists.
- 2.27 The Circular emphasises that research into signed-only 20 mph speed limits shows that they generally lead to only small reductions in traffic speeds. Signed-only 20 mph speed limits are therefore most appropriate for areas where vehicle

speeds are already low. If the mean speed is already at or below 24 mph on a road, introducing a 20 mph speed limit through signing alone is likely to lead to general compliance with the new speed limit. Where the existing mean speeds are above 24 mph then a 20 mph scheme with traffic calming measures will be required.

Traffic Calming - Speed Humps / Village gateways

2.28 Traffic calming is widespread across the county and has played an important part in helping reduced accidents when applied correctly.

2.29 Formal consultation is an important part of any new or traffic measure, this includes removal. Achieving a consensus opinion is difficult and time-consuming. Traffic calming features predominately require street lamps to ensure they are lit, and this is therefore a consideration when considering such a measure.

Drainage

2.30 Adjoining landowners are generally responsible for roadside ditches and open watercourses. Culverted watercourses may be the responsibility of the water authority or riparian owners, but the County will be responsible for the highway drainage, including the culverts into the ditches from the road. District Council's have parallel powers to the County under the Land Drainage Act. Foul drains and sewers are not the responsibility of the County.

Vegetation

2.31 As a general rule, hedges, trees growing in the hedgerow, and the ditches in front of them, are owned by the adjoining landowner. They are seldom our responsibility. However, trees growing in the highway verge as well as undergrowth on the verge are matters for us to deal with.

2.32 We may enforce Section 152 of the Highways Act (1980) which allows us to serve notice upon the owner of the trees/ vegetation informing them that they need to clear any overgrowing vegetation causing an obstruction safely.

Utility Works / Developer Works

2.33 A road opening licence (excavation in the highway) must be obtained before commencing work. It is an offence to excavate the highway without lawful consent or authority.

2.34 Any private contractors who wish to carry out roadwork excavations in the highway must apply for, and be granted, a licence before work starts.

2.35 The 'highway' includes carriageway, footway and verge. Carrying out such work without a licence is an offence and may result in prosecution. Those granted a Road Opening Licence become "undertakers" (for the purposes of New Roads and Streetworks Act -NRSWA), and because of that take on responsibility for carrying out the duties and responsibilities imposed by the Act and its associated regulations and Codes of Practice.

2.36 In addition, if a temporary speed restriction or closure is required for the works then a Temporary Traffic Regulation Order (TTRO) is required. A minimum of 12 weeks' notice must be given to enable the county council to process applications affecting county roads. Closing of footways (adjacent to carriageway) does not require a TTRO, however closure of a Footpath does.

2.37 A charge is made to cover the cost of the assessment and process of TTRO orders.

2.38 The County Council cannot unreasonably refuse a road opening or TTRO request. In essence the County's role is to make sure it is co-ordinated as possible by influencing when it will take place, and to ensure it happens in a safe and effective and acceptable way by influencing traffic management proposals.

2.39 Local communication and co-ordination is the responsibility of the company carting out the works.

2.40 For emergency/urgent utility works, we may not know about them until up to 2 hours after they have started.

3. Section 3 – Oxfordshire Together future ambition

3.1 Highways already has the Oxfordshire Together (OXTOG) initiative, the offer has been available for a while now and is relatively successful. Take up initially had been slow and mainly focused on grass cutting, but is starting to spark more interest.

3.2 With continuing resource pressures and desire for the county council to work more locally, we are keen to refresh and broaden initiatives under OXTOG. Consideration has been given as to what a refreshed offer / initiative might look like and how to attract parishes to do more than just grass cutting.

3.3 A working group was established to develop ideas and shape into a variety of packages and workstreams to progress. Officers have also been exploring and utilising the experience of other councils trying to also deliver on this agenda.

3.4 The Councils Insurance and Legal teams have been involved in discussions and although there is due process that will need to be gone through and covered off, initial indications are that the initiatives should all possible to implement.

3.5 A summary of the types of initiatives being investigated, revamped and piloted is below.

- a) Supporting the council to deliver its services – empowerment & efficiency
 - Local “trouble shooter” – informed parish/town councillor or member of the public who can help advise and help within the community on highway issues.

- Local “Eyes & Ears” – a local volunteer who is happy to be called up to look at things for us to reduce the need to visit in person.
- FixMyStreet superuser – a competent and trusted local volunteer with ability to order defect correction works directly in line with our intervention criteria.
- Champions and co-ordinators for local activity / support, such as during a snow event, traffic management for local events, Public Rights of Way (PRoW) access, etc

b) Devolving of Services – making the money go further

Parish/Town Councils directly delivering funded services on the County Council’s behalf – allows for funding to go further and parishes to manage as best suited to their local area:

- Grass Cutting
- Grip Clearance
- Salt management
- Temporary pot hole repairs
-

c) Identifying and directing minor works – delivering low value but high impact works

Parish/Town Councils & communities identifying minor works that would need doing within their area.

Minor works gangs are already being deployed (with 4 in total being funded) to complete minor works that have not traditionally been funded by the authority.

- Non-priority vegetation clearance
- Dropped Kerbs
- Minor footways
- Sign installation
-

d) Parish/Town Council Funded Schemes

Provide easy and simple options to enable parishes to fund and works on the highway.

- Pay the County Council to carry out the works – cost provided from schedule of rates to cover activities like:
 - Patching
 - Pot hole filling
 - Edge Kerbing
 - Lining
 - Installation of Signage
 - Crossings
 -
- Commission works directly with contractors - Use of approved contractors list

e) Appreciation and acceptance communities working on the highway

There are some activities that the council no longer does, or never has undertaken, with some of this minor activity being undertaken by members of the public. Greater encouragement and allowance of communities to continue and to grow this could be beneficial.

- Cutting verges outside their house
- Upkeep of nearby PRow
- Washing village signs
-

3.6 We are now progressing and getting some Pilots underway, and once things are firmly in place for each initiative then we will publish what we are doing and how it is working. We are currently in the process of getting the following in place:

- Two FMS SuperUser volunteers in Shiplake
- One Staff FMS SuperUser volunteer in Tiddington
- One volunteer to be the eyes & ears in Horton
- Mini-Agency agreement for Berrinsfield Parish Council to assess and repair their own Potholes within the village (not the who parish)

RECOMMENDATION

4. The Committee is recommended to use the information in this report to identify areas of focus or concern for potential further investigation at a future committee meeting, or through a focussed deep dive, in respect of Customer Satisfaction with the condition of Oxfordshire's roads.

Contact Officer: Paul Fermer, Service Manager Major Infrastructure Delivery

June 2018