COMMITTEE:	SCRUTINY
DATE:	12 DECEMBER 2001
SUBJECT:	BEST VALUE REVIEW OF HIGHWAY'S MANAGEMENT
REPORT OF:	HIGHWAYS MANAGEMENT BEST VALUE REVIEW TEAM
Ward(s):	ALL
Purpose:	To advise Scrutiny Committee members of the outcomes of the Best Value Review of Highways Management
Contact:	Mark Probyn, Head of Amenities, Telephone 01323 415240 or internally on extension 5240.
Recommendations:	That Cabinet Agree the Improvement Plan at 9.0
1.0	Summary
1.1	The Highways Management Best Value Review is now completed. Having considered the Highways Management service against the Action Plan and Key Challenges for this Review, the Review Team concludes that the Service should be maintained and developed by the Borough Council. Arising from the review, undertaken over eight months, is a Best Value Improvement Plan. This is at 9.0 in this report. A summary of the Improvement Plan follows: 1. To further develop and to maintain the Highways
	pages on the Council's web site and to progress with developments in eGovernment. 2. To develop improved links with the Community by the setting up of a Highways Forum to which all Community Groups will be invited to attend at which

4. To conduct an Annual Survey of

2.0	Introduction
2.1	The Highways Management Best Value Review commenced in March 2001. Membership of the Review Team has changed during the course of the review.
	Current members of the Team include, Councillor David Elkin, (Current Chairman), Councillor Jon Harris, Mr Steve Barnett, Managing Director, Eastbourne Buses, Neil Fuller, Acting Director of Housing, Health and Community Finance (Sponsoring Director), Bruce Bird, Head of Financial Management, Mark Probyn, Head of Amenities (Lead Officer), Dale Foden, Highway Manager, Nick Ritson, Strategic Development Officer (Best Value), Carrol Dell, Amenities Support Assistant (Administration). Former Team Members include Councillor Mrs Margo Smith and, Nick Murphy, former Director of Housing, Health and Community Finance.
2.2	A list of those consulted during the course of this review is at Appendix 1.
2.3	The Borough provides a Highways Management service which is responsible mainly for the maintenance of all adopted roads and footpaths within the Borough. This service is provided under the terms of a Management Agreement between the Borough and East Sussex County Council, the Highway Authority for which the Borough receives a management fee and other monies mainly from Developer contributions for the supervision of new highways and other related works within the Borough.
2.4	The Borough employs suitable staff to fulfil the terms of the Management Agreement. Both the County and Borough monitor the performance of the management arrangement. Some staff are also involved in other services provided by the Council, which are outside of the scope of the Management Agreement.
2.5	By providing a Highways Management service this supports the Council's Corporate Plan Vision for Eastbourne of creating "A prosperous, fair and socially inclusive community which protects people and values and enhances the environment." The service contributes to the Corporate Plan - A
	Place for Future, by: Regular, planned inspection of highway network, identification of defects, and remedial work programmed as required Ensuring all development associated with the highway has no detrimental effect on highway users

3.0	Scope
3.1	The Review was conducted further to an Action Plan and Key Challenges agreed by Cabinet in April 2001. These follow:
	1. Should the Council maintain a Highways Management Agreement?
	A. The County Council's position.
	· Background to the Management Agreement
	· Legislative requirements
	B. What the Highways Management Agreement provides
	· Overview of services provided
	· County Council revenue budget spend on highway works within the Borough
	Other services linked to the Management Agreement (Highway grass cutting; arboriculture; weed clearance)
	C. The Business Case for the Management Agreement
	· Staffing and financial resources
	· Outputs
	· Performance Indicators
	· Benchmarking
	· Added value for the Council in meeting corporate Aims and Objectives, Community Safety Plan and Sustainability.
	(Other work undertaken/ to be undertaken by the Highways Group that will include Decriminalisation of Car Parking)
	D. Interaction with the public
	· Survey/community participation
	(Potential to link with BVR for Cleansing in terms of consultation with Community Groups)
	· Residents Survey
	· E Government
	2. What alternatives are there to a Highways

Management Agreement?

- · Alternatives for the County Council
- · Alternatives for the Borough Council

3.2

Further detailed information is available on the work undertaken by the Review Team. This is available in the form of Background Papers.

3.3

The Borough provides a Highways Management service on behalf of the **County Council, the Highway Authority.** From the outset of this review the Review Team were aware that the Highways **Management service** would be the subject of a County Council best value review of externalised services during 2001/02. It is understood however that there may be some slippage on the date for this review.

3.4	The Borough's best value review of this service has therefore concentrated mainly on service provision, including the consequence of not maintaining a local Highways Management service.
4.0	Resources
	The Council receives a management fee from the County Council that enables the Borough to maintain a Highways Management service. Detailed information on resources including revenue funding for the service is available in the form of a Background Paper.
4.1	Financial Resources

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4.1.1

Based on the 2001/02 Civic Budget Report the Council will contribute £132,000 towards providing the Highway Management service.

4.1.2

However, based on a detailed analysis of actual costs and expected income for this financial year the out-turn net cost to the Borough for 2001/02 is likely to be approximately £66,000. This comprises a gross cost of £491,000 to run the service less a contribution of £331,000 from East **Sussex County** Council and income of £94,000 from developers and other service users. Members should note that this net sum is not fixed and will vary from year to year depending upon income received.

4.1.3	Given the improved financial performance for this year and recent previous years, and the expectation of likely development income in future years, it is reasonable at this stage to be predictive rather than reactive in our assessment of the source of this income. Notwithstanding the inherent volatility of income generated in this way, the Review Team is minded to recommend an increase in the income target to achieve a budget reduction in the future net cost of running this service.
	Improved out-turn performances compared with budget over the last three years provides some evidence to support this view:
	1998-1999 Budget £67,000 Actual £85,000 Adverse of £18,000*
	(*largely due to agreed staff redundancy costs in this financial year)
	1999-2000 Budget £83,000 Actual £54,000 Improvement of £29,000
	2000-2001 Budget £74,000 Actual £39,000 Improvement of £35,000
4.1.4	It must be noted however that, as with all sources of income which are demand led and subject to economic changes beyond the control of the Council, a future downturn in market conditions could lead to budget shortfalls in the future.
4.1.5	The Review Team's recommendations for income and budget targets over the next five years are as follows -
	Financial Income Budget
	Year Target Target
	£'000 £'000
	2002-2003 94 66
	50 110 2003-2004
	2004-2005 50 110
	2005-2006 50 110
	2006-2007 50 110
	By way of comparison 2001-2002

It should be noted that:
(a) The income target for 2002-2003 is dependent on the start of a specific major development in Eastbourne. Whilst at this time this seems likely to go ahead as planned, achieving the income target for this particular year would be impossible if the development does not proceed.
(b) There may be reduced management/administrative support charges to those included in the above figures following the recent Departmental restructure and change from the Tourism, Leisure and Amenities Group to the Planning, Regeneration and Amenities Department. However these have yet to be determined at a corporate level so no account has been taken within this Review.
It should also be noted that through the Highways Management Agreement, the County will spend an estimated £1,450,000 on highway maintenance and other highway related works within the Borough in this financial year.
Human Resources
Based on the 2001/02 Civic Budget Report the Council employs 11 full time equivalent staff that work in the furtherance of the Highways Management Agreement.
<u>Capital Resources</u>
The Borough currently makes no capital resources available for highway maintenance or other works within the Borough. The County Council makes capital resources available from time to time for which the Highway Manager is responsible to the County's Director of Transport and Environment for completing
specific highway projects within budgets.

 Consultation particularly with the public is key to
providing an acceptable Highways Management
service. The Highways Group has a good reputation
for effective communication with its many internal and
external customers and with those whom the Group is
required to consult with during the course of their
work.
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5.1	Community
5.1.1	There are established lines of communication through over 20 residents groups located within the Borough. The Highway Manager has been instrumental in developing this communication network.
5.1.2	Further to the Best Value Review a joint Forum was held in September 2001 in conjunction with the Cleansing Services Best Value Review, which was attended by over forty people representing various community groups. It is intended that this line of communication should be developed to provide a regular Forum to which the Community will be informed of future highway plans and invited to discuss topical highway issues. The Highway Manager and his team will continue to attend and to develop communication lines with the Community Groups by attending their local meetings.
5.1.3	Other project work is undertaken by the Group with outside bodies that includes participating in working parties as representatives of both the Borough and County Council. This includes County Council Scrutiny Reviews, inter agency event planning and more recently participation in joint working with the Accident Prevention Task Group, part of the Healthy Eastbourne Board, in looking into practical ways to assist in the reduction of highway trips and falls particularly with respect to the elderly.
5.2	<u>Internal</u>

5.2.1	There are many Internal users of the services provided by the Highways Group. The Group interacts with many of the other services provided by both the Amenities Division in which it is located and also other Divisions and Departments of the Council.
5.2.2	A primary user of the service is Planning Development Control whose officers consult with the Highways Group on all highway matters that will affect Planning Applications. This will include consultation on all nature of development within the Borough and also on the layout and construction of new highways for adoption. The Highways Group provides an interface with external Architects and Developers further to these consultation procedures as the representative of East Sussex County Council, the Highway Authority.
5.2.3	The Council's Director of Tourism and Leisure through his Events Team regularly liaise with the Highways Group particularly on highway related matters that effect event planning and implementation. The Head of Sport, Recreation and Leisure has responsibility for management of the Borough Council's 'on' and 'off' highway grass cutting contracts, similarly with the Council's Arboricultural service. Through the Highways Management Agreement, funding is provided by the County Council, which contributes towards these services.
5.2.4	From this consultation, the Review Group concluded that in the longer term the Council should consider bringing the management of all of its externalised amenity work contracts into one working group and that this would be a recommendation to be made in the Review Improvement Plan. The Group considered that such an arrangement would provide benefits in procurement and efficiencies in the overall management and monitoring of like contracts. Further work would be necessary on this however to fully consider the implications of such a change which it is anticipated would be undertaken further to the Improvement Plan prior to any decision being made.

6.0	Further consultation was undertaken by the Review Group with the Council's Strategy Development Officer on issues of Crime and Disorder from which it is understood that many activities of the Highway Group are directly concerned with such issues. These include vehicle crime, street trading, parking controls, Traffic Regulation Orders, and enforcement of highway legislation and planning/highway design. Performance
6.1	Through the best value review the Review Team has considered the performance of the Highways Group. Service is a key element in the success of this group. From survey work with customers this reflects a high level of satisfaction. The County Council has a local performance indicator for the monitoring of response times for correspondence received by the Group.
6.2	The Group performs well in this regard with a response time against set criteria in excess of 95% relating to over 2,500 individual pieces of correspondence each year. In addition, the Group receives over 21,000 telephone calls each year, mainly concerned with local highway issues.
6.3	For comparison with Highway Groups in other Authorities a benchmarking exercise has been undertaken with Councils which operate similar highway management arrangements. Questionnaires were sent to six Highway Groups, which had agreed to take part in the exercise.
6.4	Returns have been received from Norwich, Gloucester and Hastings but the questionnaires were generally only partially completed with the supplied information proving difficult to make subjective comparisons. The reasons cited for the incomplete or non-returned questionnaires were the difficulties in determining the required information, and the pressure of existing workloads. However, the exercise did illustrate the difficulties with comparison due to the range of services provided by each Highway Group and the associated budgets. This is typified in one of the unique highway features of Eastbourne, the extensive areas of brick or slab construction footway that entail that a disproportionate budget has to be allocated for footway maintenance compared with other areas.

6.5	The allocation of funding for capital schemes, such as
	structural maintenance and traffic safety/management
	works also gives rise to significant differences across
	the Highway Groups. This is reflected in the staffing
	levels and the associated costs. In general, the
	Eastbourne Highways Group appears to provide a
	service that compares well with others, both in the
	range of services provided and the associated costs.
	From a service delivery aspect, Eastbourne appears to
	be in the forefront compared with others, typified by
	the highways web site, which is currently an aspiration
	for all other contacted Highway Groups.
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6.6	The Council also makes returns of two Audit Commission Indicators, one concerned with response time taken to respond to reports of highway defects within 24 hours for which a return of 100% is consistently made. The second being for the number of highway crossing points which have tactile surface which currently stands at 86% of all crossings within the Borough.
7.0	Procurement : Challenging the Means of Delivery
7.1.1	The Best Value Review Team received a report, which considered a range of options that challenged the means of delivery.

7.1.2	The report entitled Best Value Review - Highways Management Agreement - Alternatives to Management Agreement is a Background Paper.
	The report considers the:
	(a) implications of termination of the Highways Management Agreement by the Borough and by the County
	(b) the engagement of an external consultant
	(c) partnership arrangement
	(d) expansion of current Agreement to include providing a highway service to include Wealden
	(e) a proposal that the Borough Council should seek to provide all services currently provided by the Highway Authority, including street lighting.
7.2	Cessation of the service
7.2.1	
, , <u>, , , , , , , , , , , , , , , , , </u>	Recognising the Action Plan and Key Challenges for this review the cessation or maintenance of this particular service is key to the completion of the Best Value Review Improvement Plan.
7.2.2	The report referred to above in 6.0 considers this in detail. The following paragraphs provide an overview of the implications

7.2.3	By the terms of the current agreement, one years notice of termination must be given by either signatory. If the decision were taken by the Council to terminate the agreement, then the most probable date for implementation would be March/April 2003. The statutory functions of the Highway Authority would then be undertaken by the County Council.
7.2.4	Based on the 2001/02 Civic Budget Report, it would appear that the initial financial implication would be a saving to the Borough of £132,000. In real terms however the initial savings would be negligible as the support services costs amount to £167,000, which comprises elements for office accommodation, information technology, central support services, and service management. In the short term, all of these costs would have to be absorbed by other service areas within the Borough Council. In the long term, these costs could be reduced to zero by the redeployment or redundancy of support service staff, and the re-negotiation of IT and accommodation contracts.
7.2.5	The costs of redundancy payments are estimated at £60,000. It is likely that the County may employ some staff but this would not be by direct transfer and would potentially not effect the requirement of the Borough Council to make redundancy payments. Legal Opinion would be required on TUPE in this regard.

7.2.6	However, a detailed financial breakdown, contained within Background Papers, demonstrates the actual costs which indicate that the out-turn cost to the Council for 2001/2002 is likely to be £66,000. This is due to the additional income for project work undertaken by the Highways Group, and a higher than predicted income from Section 38 and Section 106 supervision works.
7.2.7	The Council would lose the additional income from Section 38 and 106 highway works. Furthermore, the Council may be required to forward monies collected in previous years to the County to fund outstanding supervision of highway works associated with developments still in progress.
7.2.8	The most direct consequence of this action is the loss to the Council of the right to directly affect changes to the highway infrastructure. It is likely that local Members will still be consulted on any highway works, but there is no obligation on the part of the Highway Authority to observe any comments received.
7.2.9	It is worth reflecting on the main reason for setting in place the Highway Management Agreement between the Borough and County Council was to enable local Members to have the opportunity of making decisions at a local level.
7.2.10	There are a number of benefits of a non-financial nature that the Council receives under the current arrangement. All of the following would either no longer occur or would incur costs to the Council from whichever organisation took over the functions of the Highway Authority: (a) Upgraded finish on all ESCC directly promoted schemes
	(b) Optimum planning gain for developments(c) EBC have access to in-house design team for highway works
	(d) Highway records (TRO's) maintained by EBC staff (decriminalisation of parking costs would be reduced)
	(e) Highway land ownership records maintained by EBC staff (land searches)
	(f) Highway implications of Planning applications are dealt with at a local level
	(g) Assistance to EBC Planning Dept. on Section 106 Agreements
	(h) Control of developments affecting highway

(r) Depth of experience and local knowledge within Highways Group

12. Best Value Review – Highways Action Plan – Key Challenges for the Review (Action Plan) – April 2001

- (s) Dedication of Highways Group due to long association with Eastbourne
- (t) Long term relationship with ESCC officers

7.2.11	Arising from this report and also an appraisal of finances considered in a further report entitled Best Value Review - Highways Management - Financial Breakdown the Best Value Review Team would conclude that the Highways Management service provided under the Management Agreement should be maintained, and developed as described in the Improvement Plan.
7.2.12	Members of the Review Team were mindful of the range of services currently undertaken by the Highways Management Group, outside of the remit of the Highways Management Agreement, that would have to be undertaken by the Council should the Agreement be terminated.
8.0	Background papers
	 Highways Management Agreement (Partnership Agreement) Best Value Review – Highways Management – Financial Breakdown
	3. Best Value Review – Highways Management Agreement – Alternatives to a Management Agreement
	4. Best Value Review – Highways Management – Update on Parking Strategy and Decriminalisation
	5. Best Value Review – Highways Management – Sustainability
	6. Best Value Review – Highways Management – Minutes of all Meetings of the Review Team
	7. Best Value Review – Highways Group – Phase 1 Analysis
	8. Highways Group – Service Plan 2001/02
	9. Survey – Tenant's views on where they live.
	10. Residents Survey – September/November 2000
	11. Citizen's Survey March/April 1999

Objective	To improve communication with users and potential users of the services provided by the Highways Group	To improve communication between the Highways Group and the Community.	To secure benefits in procurement and efficiencies in the overall management and monitoring of amenities work contracts
Action	To further develop and to maintain the Highways pages of the Council's web site with regard to developments in eGovernment	Development of improved links with the Community by the setting up of a Highways Forum to which all Community Groups, that represent Business and Residents, will be invited to attend at which highway and transport issues will be addressed and in which Members will have a key role.	To consider having the management of all externalised amenity work contracts within one working group.
Measure	Success of Highways pages of web site to be evaluated by public response/public feedback and use of electronic forms contained in web pages	Success of Forum to be held twice annually, measured by Attendee response	Subject to the outcome of the review referred to above, to implement a change in the Council's management structure that would accommodate the management of all amenity contracts within one Department of the Council
Target	To attract an increasing number of visitors to web pages	To attract an increasing number of attendees from groups representing the Community to successive meetings of the Forum	To review and to implement a change in structure within the Implementation Timetable referred to below.
Implementation Timetable	Implementation November 2001 with web pages to be enhanced and improved in 2001/2002	Two Forum to be held during 2002/03	Implementation by 2005/06
Responsible Officer	Dale Foden, Highway Manager	Mark Probyn, Head of Amenities	Chief Executive/CMT

Monitoring and Reporting Arrangements	Progress of this initiative	Progress of this initiative	Progress of this initiative
	will be monitored	will be monitored	will be monitored
	periodically by the Best	periodically by the Best	periodically by the Best
	Value Monitoring	Value Monitoring	Value Monitoring
	Committee	Committee	Committee
Budget Implications	Officer time from existing resources	Officer time from existing resources	Potential savings through procurement through synergies in like Contracts and contract management.

Objective	To determine the level of customer satisfaction	To reduce the Council's revenue contribution to the Highways Management Service.	
Action	To annually carry out a survey of customer satisfaction to Highways correspondence	To reduce the net budget cost to the Council of providing the Highways Management service in future years by setting more appropriate income targets	
Measure	To determine customer opinion of Highways service and to improve where appropriate based on customer comment/response	To work within the revenue budget set by the Council	
Target	To improve the service to the public	£66,000 in the financial year 2002/03 with further budgetary adjustment dependent upon potential income referred to in 4.1 above	
Implementation Timetable	To be carried out in September 2002	2002/03 ongoing	

Responsible Officer	Dale Foden, High	way Manager	Mark Probyn, Head of Amenities	
Monitoring and Reporting Arrangements	Progress of this in monitored periodic Value Monitoring	cally by the Best	Progress of this initiative will be monitored periodically by the Best Value Monitoring Committee and the Council's internal financial monitoring reported to Cabinet	
Budget Implications	Limited expenditure on postage with officer time from within existing resources	A saving in revenu £66,000 in the fina 2002/03 with furth adjustment depend income	ancial year ner budgetary	

Appendix1	CONSULTATION & INVOLVEMENT		
Who was involved in the review?	In what capacity were they involved?	How were they involved?	Were they invited to all meetings or selected ones?
Councillor David Elkin Councillor Jon Harris	Representatives of the Community	Participating as Members of the Best Value Review Team	All meetings
Steve Barnett, Managing Director, Eastbourne Buses Ltd	Representing the Business Community	Participating as Member of the Best Value Review Team	All meetings
Nick Murphy, Director of Housing, Health and Community Finance	Representing Corporate Management Team, Eastbourne Borough Council (Sponsoring Director)	Participating as Members of the Best Value Review Team	All meetings

Neil Fuller, Acting Director, Housing, Health and Community Finance	Representing Corporate Management Team, Eastbourne Borough Council (Sponsoring Director)	Participating as Member of the Best Value Review Team	All meetings
Dale Foden, Highway Manager	Representing Eastbourne Borough Council	Participating as Member of the Best Value Review Team	All meetings
Nick Ritson, Strategic Development Officer (Best Value)	Representing Eastbourne Borough Council	Participating as Member of the Best Value Review Team	All meetings
Bruce Bird Head of Financial Management	Representing Eastbourne Borough Council	Participating as Member of the Best Value Review Team	All meetings
Carrol Dell, Amenities Support Assistant	Representing Eastbourne Borough Council	Administrator for the Review	All meetings
Mark Probyn, Head of Amenities	Representing Eastbourne Borough Council	Lead Officer for Review	All meetings
	INDIRECT II	NVOLVEMENT	
Who was consulted?	How were they consulted?	What were the results of the consultation?	How were results fed back to respondents?
Tony Pike, Finance and Policy Manager, East Sussex County Council	Correspondence and attendance at Review Meeting	The Review Group was informed on the County Council's officer perspective of the working of the Highways Management Agreement	Verbally via Highways Manager direct

Kay Muir, Senior Health Promotions Adviser	Correspondence and meeting with Head of Amenities and Highways Manager	Highway Manager worked with Healthy Eastbourne Board in development of a practicable means to assist in the reduction of highway related trips and falls, particularly for the elderly	In person
Justine Armstrong, Strategic Development Officer	Attendance at Review Meeting	The Review Group were better informed on issues associated with Crime and Disorder as it relates to the work of the Highways Group	In person
Diane Bagley, Head of Sport Recreation and Leisure	Correspondence and attendance at Review Meeting	Review Team considered the implications of the Highways Management Agreement on the Borough's Grass Cutting Contracts and Arboriculture service and concluded that although it would be desirable to have all similar work contracts being managed within one service area, for historic and managerial reasons it would not be appropriate to change this arrangement for the time being. This would however be included into the Best Value Improvement Plan for later consideration.	Verbally via Head of Amenities direct
Specific Users of the Service provided by the Highway Group	By questionnaire	Good response to service provided by Highway Group (Refer to survey results in Background Papers)	By sending copy of Survey Results to those responding to questionnaire and who indicated that they would like to receive a copy of the results.
Residents, Community Groups	Through Community Forum	Good response to service provide by Highway Group	By sending written response to all questions raised during the Forum to all attendees and representatives of other Groups unable to be represented at the Forum

Residents	Through Citizen's Survey, Residents Survey and Tenants Survey	Refer to Background Papers	Refer to Background Papers
	STAFF INV	OLVEMENT	
What members of staff were on the review team?	How were they selected?	What involvement did they have?	How were other members of staff involved in the review?
Dale Foden, Highways Manager	By Head of Amenities	As advisor to the Team	By meetings through course of the review with all staff in the Highways Group and also Amenities Division
Carrol Dell, Amenities Support Assistant	By Head of Amenities	Administrator	N/a
Mark Probyn, Head of Amenities	By CMT	Lead Officer	By meetings through course of the review with all staff in the Highways Group and also Amenities Division
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Appendix 2	PERFORMANCE COMPARISON				
Performance Indicator	EBC	Hastings Borough Council	Norwich City Council	Gloucester City Council	
DEMONS – intervention level highway defects actioned within 24 hours	2000-2001:	2000-2001:	2000-2001:	Not available	
Tactile facilities on pedestrian crossings	2000/2001: 86%	Not available	2000/2001: 95%	Not available	