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Councillor Sam Pritchard
Convener
Roads and Footway Maintenance Scrutiny
Working Group

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Our Ref: MT/CM
Your Ref:
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BY EMAIL

Dear Councillor Pritchard

ROADS AND FOOTWAY MAINTENANCE SCRUTINY WORKING GROUP

Thank you for your letter dated 20th February 2018 which raises a number of issues. I thought it helpful to address each conclusion in turn.

However, one of your initial comments raised the issue of:

'We felt that if drainage was improved less would be spent on road maintenance. We were informed that more drainage and gullies are put in place in new roads. We heard that we only have three road sweeper machines in Swansea so it is very difficult to keep all drains clear. Maintenance of gullies is every three years but try to do the ones that cause accidents every 6 months. We suggested that surface water flooding and drainage is something for planning enforcement to deal with if it is due to new developments'.

I would like to respond that your comments are noted and officers are currently assessing the feasibility of this suggestion.

With regard to the conclusions made in your letter, I would advise as follows:

Conclusion 1. We felt the Planning Department could do more for new developments in terms of ensuring developers consider adoption of roads, layout of roads, car parking etc, either through additional legislation from the Welsh Government or by putting pressure on developers. We recommend that the Authority investigates whether there are additional measures that can be brought in or if we can lobby Welsh Government if there currently are not.

Response - The Highway Authority ensures that developers pay a Bond on commencement on site, the value of which equates to the value of the highway works. Termed the Advanced Payment Code (APC) under the Highways Act, this is a mechanism for protecting the public interest, however, the Bond is returned over a phased basis when the works have been completed to an acceptable standard. The



Developer may enter into a section 38 agreement with the council in order for the highway to be taken into public ownership (adopted) or the development can remain private, due to the fact that there is currently no obligation for a developer to offer their sites for adoption. This issue will be raised within the County Surveyors Society forum, to develop a joint approach across the region and inclusion of Welsh Government within the debate, however, the issue still exists that adoption of a development is purely voluntary and we are not aware of any proposals for Welsh Government to mandate adoption of all developments.

Conclusion 2. We think it is important that any planning procedures which come to Highways for comment make very clear the effect they will have on drainage etc.

Response - The Drainage Section is continually consulted with as part of the Planning process and will provide the appropriate advice to ensure that the new development will not exacerbate 'local flood risk'. This will include preventing additional flows entering drainage systems and watercourses whenever possible. In addition to this, the Planning Department must ensure compliance to Technical Advice Note 15: Development and Flood Risk (TAN 15) for considering new development where consideration must be given to the impacts climate change may have on developments in areas at risk of flooding over the lifetime of the development

Conclusion 3. In relation to drainage we would like to know if there are any provisions in place in case rain fall increases in the future i.e. wetter weather.

Response - With regard to highway drainage there is a capital budget of around £400k per annum to improve the worst problems on the network whereas a single scheme may cost £30k. In addition to this, there may be opportunities to prioritise investment in those areas which have been identified in the Authority's Flood Risk Management Plan 2015-2021 as communities considered worst affected by 'significant local flood risk' but this will be reliant of additional funding with potential access to Welsh Government Grant support. Any proposed Flood alleviation scheme will need to take into account the impacts of climate change.

Conclusion 4. We feel that planning enforcement is really important and that planning enforcement officers should be involved at the first stages of any new development and should work with developers of sites to deal with any issues. We feel it is worth considering employing a Clerk of Works/Inspector for future housing developments to report directly back to the Council/s Highways & Planning Departments, so that a monitoring exercise can be recorded on how works are proceeding and to ensure developers are abiding by the planning conditions/consent.

Response – As part of any s38 agreement between the Highway Authority and a developer, the works are regularly inspected and tested to ensure that the highway works are being constructed to adoptable standards. Additional resources are brought in to manage peaks in workload and planning officers are involved in any issues that arise.

Conclusion 5. We feel that the pothole initiative works well. We were pleased to hear that members of the public, councillors etc will receive a response if email addresses are supplied, whether the issue has been dealt with or not. However we wonder how well this initiative has been publicised and are not convinced members of the public are aware how easy it is to report. We would therefore like to see the initiative better publicised.

Response – The pothole initiative is publicised by the corporate communications team who regularly highlight the initiative. We have received several thousand reports from members of the public which indicates that there is a significant awareness of the initiative. The initiative has been very well received in the press and social media reports. We will continue to monitor reporting levels and will work with the communications team to further highlight the initiative as and when required.

Conclusion 6. We would like to see a Code of Practice introduced in relation to obstruction of carriageways by vehicles particularly developers/ builders etc.

Response - Obstruction is a legal issue and we will look to developing a code of practice/guidelines for developers/builders over the next 12 months.

Conclusion 7. In terms of footway obstruction and damage and also blocked drains/gullies we would like to see a registered list of companies who can provide these services to builders and contractors who operate in the City & County of Swansea and surrounding areas.

Response – all companies that work on the highway must be approved by the council, and their activities coordinated by Network Management officers.

Conclusion 8. We have concerns about indiscriminate weed spraying and would like reassurance from you that spraying is done on a planned basis and the products used are not carcinogenic.

Response - All weed spraying is carried out to current codes of practice by fully qualified staff to industry standards. The weed spraying chemicals used are fully compliant with current standards. The Authority attends the Weeds forum on an annual basis to keep up to date with developments. Weed spraying is carefully controlled, indiscriminate spraying is not considered to be a general issue as the plant required to spray on the highway has very specific controls in place. If individual incidents are reported these will be investigated. The number of complaints received in relation to 4,500km of spraying is minimal.

Conclusion 9. We feel that a more in depth piece of work is needed to fully cover this area and will be recommending to the Scrutiny Programme Committee that Road and Footway Maintenance be considered as a future scrutiny inquiry topic.

Response – your comment is noted, and I would refer you to previous scrutiny reports that have addressed this topic, for initial consideration.

Yours sincerely



**COUNCILLOR MARK THOMAS
CABINET MEMBER FOR ENVIRONMENT SERVICES**