

**Open Report on behalf of Richard Wills,
Executive Director for Environment & Economy**

Report to:	Highways and Transport Scrutiny Committee
Date:	06 November 2017
Subject:	Highway Grass Cutting Arrangements

Summary:

The purpose of this report is to update members on the maintenance of highway grass within the public highway in Lincolnshire. It relates to the policy covered in the Highway Asset Management Plan (HAMP) and aims to provide more detailed information on the delivery aspects of the service.

Actions Required:

Members of the Highways and Transport Scrutiny Committee are invited to consider and comment on the report and highlight any recommendations to the Executive Member for Highways, Transport and IT.

1. Background

Lincolnshire County Council as the highway authority is responsible for the maintenance of the highway network and an integral part comprises areas of highway verge and grassed areas. The current County Council policy for the treatment of highway verges was developed with reference to the National Code of Practice for Highways Maintenance, Lincolnshire Wildlife Trust and the resources and priorities of the Authority when the Highway Works Term Contract commenced in 2010.

Previous regimes

The grass maintenance standards/regimes within the county have for many years been based on a "frequency of cut" basis. This was structured on two distinct cutting regimes, Safety and Amenity Cutting.

Safety Cutting, primarily in the rural areas, was carried out by the use of tractor mounted flail cutters with a minimum cutting width of 1.1 metres. Additional areas of grass were cut where visibility for highway safety reasons was required e.g. at junctions and the inside of bends.

The height of the grass following the cut was not to be longer than 75 mm and the grass clippings were left on site.

In February 2016 Full Council agreed a budget which included funding two cuts per season rather than the previous three cuts per season.

Amenity Cutting, primarily within built-up areas, was carried out by either pedestrian controlled or ride-on rotary or cylinder type equipment. Amenity grass was cut to give a maximum length of grass of 25 mm and the grass clippings were left on site.

In February 2017 Full Council agreed a budget which included funding two cuts per season rather than the previous seven cuts per season.

Members should note that the County Council as Highway Authority has responsibility for and is required to cut grass verges for safety reasons whilst District/Parish Councils cut grass in urban areas for reasons of amenity under their own powers. Therefore, these standards vary accordingly, reflecting the respective duties and aims, with those of the County Council being generally of a lower standard than those of the amenity standard adopted by the District Councils.

Additional grass cuts can be instructed, within reason, to maintain the visibility standard or to react to the growth conditions in localised areas.

Funding

The existing 2017/18 budget allocation for grass cutting and the budget required for 2018/19 to maintain service level is:

	2017/18	2018/19
Basic Allocation	£600,000	£775,000
(Transitional Allocation for previous amenity areas)	£130,000	£ 0
Miscellaneous Agreements	<u>£ 20,000</u>	<u>£ 20,000</u>
Total	<u>£750,000</u>	<u>£795,000</u>

To maintain the current basic service level for 2018/19 an extra cost pressure of £45,000, due to replacing the existing transitional allocation and increased contractual costs, will arise.

Current Arrangements

The current County Council policy is to fund two cuts of highway grass for safety reasons. This replaced the previous arrangement where there was a safety cut standard and a higher standard amenity cut. The adoption of this policy ensures a fair consistent level of funding across the County. These decisions were ratified by Full Council through its budget setting processes.

Currently, the delivery of the grass cutting service is provided by a number of different suppliers, as below:

- West Lindsey – Contracts with Glendale and Kier
- East Lindsey – Contracts with Glendale and Kier
- Lincoln City – Grass cutting forms part of larger environmental contract with City of Lincoln Council
- North Kesteven – Contract with Kier & Contract with North Kesteven District Council who cut highway grass this year on enhanced basis
- South Kesteven – Contract with Kier & Existing contract with South Kesteven District Council who cut grass this year on enhanced basis
- Boston Borough – Contract with Glendale and Kier for Boston Rural & Grass cutting forms part of larger environmental contract with Boston Borough Council
- South Holland – Contracts with Glendale and Kier

A number of the above arrangements will come to an end this financial year, and further short term arrangements will need to be put in place until the award of the new delivery model to replace the existing Highway Maintenance Term Contract in 2020.

There have been a number of challenges in maintaining grass cutting standards across the county whilst we transition to the new arrangements. The level of corporate complaints has averaged one a week, which is a reduction on the previous year. However, the number of service requests for additional cuts has increased.

Childrens Services have received a number of requests to review their Safe Routes to School following the change in cutting frequency. These requests are being considered on an individual basis.

Programme

The periods when grass grows is dependent on a number of factors primarily related to prevailing weather conditions. In terms of temperature grass growth begins at 5⁰C. The amount of sunlight and rainfall both also play a significant role. Therefore, for programming purposes the anticipated period of effective grass growth is taken to be April – October. The two scheduled cuts are programmed to be at the third points of this period, but there is flexibility within the contractual arrangements to amend these timings.

A further constraint on our work is the scarcity of resource due to the peak agricultural demand at harvest time. As we utilise local contractors there is a requirement to be flexible in this regard. The Lincolnshire road network is 9000km long and we utilise a number of contractors to minimise the risk of limited resource. A further programming constraint is the need to avoid the peak tourist routes during July and August.

The agreed programme is available for viewing by the public on the County Council's website.

Parish Agreements

The County Council fulfils its statutory duty by providing funding for grass cutting to ensure highway safety.

However, for many years the County Council had a limited number of agreements with District / City / Borough / Town and Parish councils to enable them to deliver amenity grass cutting services on its behalf. The benefits of the agreements were both economic and enabling a higher frequency of cutting in some areas. We hand over the budget we have allocated for safety cuts and they supplement this to the extent that they wish to see; through funding from their local precept or through contract efficiencies.

In line with the reduction in budget for grass cutting to the former amenity areas, dialogue was opened with all parish councils offering to enter into a parish agreement, where they wished to deliver the service. The County Council assists parish councils with an approved code of practice and risk assessments.

Currently, we have agreements with almost 100 parishes and are looking to extend this arrangement as the preferred option to deliver grass cutting in those built-up areas that were formerly cut to the amenity standard.

The contribution from the County Council is a fixed amount to all councils and for this financial year was set at 4.2p / m² / annum.

Verge Biomass

As a result of the encouraging performance of a 2016 pilot scale verge harvesting project and related research, the County Council is currently in the process of engaging the market to build a prototype cut and collect verge biomass harvester. A successful bid was made to the Greater Lincolnshire Local Enterprise Partnership Feasibility Fund for a grant valued up to £50,000. The grant is awarded on the basis of pro rata private sector matching investment. The tenders are currently under evaluation and progress will be reported next year.

Protected Verges

Certain verges have been designated as roadside nature reserve (protected roadside verges) by Lincolnshire County Council in conjunction with the Lincolnshire Wildlife Trust. Also Natural England under the Wildlife and Countryside Act 1981 has designated certain verges as Sites of Special Scientific Interest. The level of verge management agreed with Lincolnshire Wildlife Trust and/or Natural England varies from site to site dependent on the mowing requirements for these sites. The current budget allocation for these works is £2078.

2. Conclusion

Recent years have seen the County Council reduce its budget for highway grass cutting. The budget level has been set to enable the County Council to carry out a basic two cuts which meets its statutory duty to cut grass to ensure highway safety.

The most significant change is in built-up areas where grass previously cut by the County Council was for amenity or aesthetic reasons. There has been increase in public concern, but also an understanding that restricted budgets mean that we cannot fully meet all public expectations of service standard. We continue to work with local councils where they have prioritised amenity grass cutting and are willing to take a prominent role in the delivery of the service.

Following consideration of the report, the committee is requested to consider whether it wishes to make any additional comments.

3. Consultation

a) Have Risks and Impact Analysis been carried out?

Yes

b) Risks and Impact Analysis

The equalities impact assessment has principally focused upon matters of accessibility. Grass cutting helps to ensure that grass verges and footways are accessible for walking. The protected characteristics that have been identified as potentially being impacted are those that either increases the likelihood/frequency of individuals needing to walk on footways and verges, or else make those individuals more vulnerable when doing so.

It is considered that the impact upon these groups would be, at worst, low. Potential increase of overgrowth of uncut vegetation from verges onto footways or carriageways arising from these proposals is considered minimal. People using verges are likely to find the grass slightly longer at certain times of year but any resulting disproportionate effect on protected characteristics is considered insignificant. Grass cutting for visibility purposes (sightlines for all road users) is not affected by this proposal.

There is considered to be negligible impact on protected characteristics by the elements of the proposal that concern the management, agency, and contractual arrangements for service delivery.

4. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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