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Dear Councillor Bee

**HIGHWAY LIAISON PROCESSES IN SUFFOLK – REQUEST FOR FURTHER INFORMATION & OUTCOMES FROM FURTHER SCRUTINY**

Thank you for your letter of 22 April 2009 addressed to the Secretary of State for Transport. I hope that you will appreciate that the points raised in that letter have required contributions from a range of colleagues, and I have been asked to provide a coordinated reply to that letter. I am also taking this opportunity to reply to Sandra Gage's letter to me of 23 April and her email of the 20 May – and hence hopefully responding to all the issues which have been raised by the County Council.

**Request for further information and update on future liaison**

I am pleased to hear that the informal meeting on 1 April to discuss the issues raised at the November 2008 Suffolk County and Waveney District Joint Scrutiny Panel was appreciated by the Members in attendance. As one consequence of that meeting, our respective teams have already met to consider opportunities for improved working relationships.

I am currently finalising the report for the A12 Bascule Bridge Refurbishment and had hoped that I would be able to enclose it with this letter. However, the report is not yet complete, but I expect that it will be available in time to meet your deadline of the 15 June so as to meet your next scheduled committee date of the 9 July. I will ensure that a copy of the report is sent to you and copyees as soon as it is available.

With regards to involving Waveney District Council in future A12 trunk road transport discussions and the sponsorship of A12 trunk road roundabouts in Lowestoft, I have asked my route team to liaise directly with Waveney District Council on these matters.

**Outcomes from further scrutiny**

In your letter to the Secretary of State, you listed three recommendations made by the Scrutiny Committee in considering the three key areas as follows: A12 Bascule Bridge refurbishment, its co-ordination and liaison of the planned work; Highways Agency

attendance at scrutiny committees and local authority attendance at Regional Select Committees. I have listed each recommendation and have addressed each in turn:

- *That the Secretary of State for Transport and the Highways Agency Chief Executive be aware of the Committee's view regarding the poor management of the contract used for the A12 Bascule Bridge refurbishment. The Committee feels that the scoping, and management of works undertaken within the contract was inadequate and wishes to urge that the use of this type of contract needs to be reviewed.*

The Agency acknowledges the problems that have occurred with the contract as I explained at the 1 April meeting. In some aspects this is down to the scope of the works included in the contract. It is accepted that, while the overall principle of the refurbishment works was quite clear, further evidence of the extent of the problems (i.e. worn pins) would have helped the contractor to programme the works better. In terms of the nature of the contract itself, we used a standard commercial contract with a target cost agreed in advance for the works. With that type of contract it is appropriate that, if the actual cost of the works exceeds the target price, then the additional costs are shared between the Agency and the Contractor in stated percentages. While this was the case with this contract, the Agency has determined that, although considered correct at the time the contract was let, they were not the most appropriate percentages to provide inducement to the Contractor to complete the works. We have since revised these percentages on similar contracts.

- *In acknowledging that a review of the Highways Agency attendance at local authority scrutiny meetings is underway, that there is a strong need for the Agency to report to and attend these meetings.*

As mentioned in my letter dated 12 January, the Highways Agency now considers each request to attend local authority scrutiny meetings on its merits. This is still an emerging 'policy' and we are now working on the general principle that we should attend unless there is a good reason not to do so. For example, if the topic for consideration is not related to the Agency's roles and responsibilities.

- *In considering the need for the Highways Agency to be accountable to local communities, the Committee proposes that representatives of local authorities should be invited to attend meetings of the newly formed Regional Select Committees and Grand Committees into all English Regions where appropriate. The Committee feels that it would be highly appropriate for these committees to scrutinise the work of the Highways Agency.*

When Parliament debated and voted on Government's proposals for the constitution of Regional Select Committees in November last year, it agreed an amendment that there should not be local authority representation on the committees. As such, while local authorities can, of course, attend the committees' public sessions and submit evidence to their inquiries, they cannot be formal members of the committees or attend their private meetings. It should be noted, however, that Regional Select Committees have the role to scrutinise "regional strategies and the work of regional bodies", so the

Highways Agency could quite feasibly be within their remit (subject to the exact topic of their inquiries). Regional Grand Committees are slightly different and will be the formal congregation of all MPs from a given region - they will also meet in public so local authority officials will be able to attend these hearings, though, at present, it is uncertain as to when they will convene for the first time.

Finally, in respect to the Committee reviewing the progress made to improve liaison processes between the Highways Agency and the local highway authorities for Suffolk, I would be grateful for early notification of when this item is due to be considered so that I can arrange the appropriate person(s) to be available to attend and take part in the discussion.

I trust that the above give a clear response to the substantive items which the County Council has raised in both letters.

Yours sincerely



**Gwyn Drake**  
Divisional Director

cc Lucy Robinson  
Sandra Gage