



Llywodraeth Cymru  
Welsh Government

REPORT

# Welsh Government Response to the Lugg Review

The Welsh Government's response to an independent review of current annual maintenance programmes on the Strategic Road Network in Wales.

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# Overview

In December 2021, the Deputy Minister for Climate Change, Lee Waters MS, requested an independent review of the annual maintenance programmes on the Strategic Road Network (SRN) in Wales. A team of independent experts, led by Matthew Lugg OBE, were asked to consider whether the current maintenance programmes cost effectively discharge Welsh Ministers' statutory duties for the safety and serviceability of the network.

The Review Team submitted their final report in May 2023. The report took into consideration recent Policy publications namely Roads Review panel's report 'The Future of Road Investment in Wales', and the Welsh Government's response including the National Transport Delivery Plan 2022-2027.

## Background

The £19bn SRN is the Welsh Governments' (WG) most valuable infrastructure asset. Though only approximately 5% of the total road length in the country, it carries over a third of all traffic.

Welsh Ministers are directly responsible for the SRN as the Highway Authority and have a statutory duty to maintain its safety and serviceability under the Highways Act 1980. Maintaining the safety of the SRN is therefore of paramount importance and it is essential that WG adopts a robust and cost effective approach and processes to ensure these statutory duties are met. The best way to achieve this is through periodic independent review.

As identified in Llwybr Newydd - The Wales Transport Strategy 2021 and the National Transport Delivery Plan 2023, the SRN plays a key role in delivering the WG's vision for an accessible, sustainable and efficient transport system.

This includes making best use of the existing infrastructure and reallocate road space to sustainable modes.

WG are therefore progressing to adopt a new approach to road maintenance and by also implementing the recommendations of the independent review, this will maximise the delivery of WG's policies and minimise and adapt to the adverse effects of climate change and enhance biodiversity. This will also include introducing a new asset management policy and strategy for the SRN which will be at the heart of an emerging programme of major asset renewals designed to address the backlog of essential maintenance.

## **New Approach to Road Maintenance**

Welsh Ministers are directly responsible for the SRN in Wales and its safety will always be of paramount importance. However, with careful planning, expenditure on road maintenance can achieve better value and make a significant contribution to the delivery of the Welsh Government's wider policy aims and objectives for tackling climate change and delivering modal shift.

Simple changes to the management of roadside verges and soft estate for instance, can have a huge beneficial impact on biodiversity, while changing the layout of a road or reallocating road space to active travel or bus priority measures as part of asset renewal schemes, can support the mode shift required for Wales to meet its net zero carbon targets.

Going forward, WG will take the following approach to road maintenance:

1. WG will primarily invest in routine and capital maintenance in order to discharge Welsh Ministers' statutory duties and ensure the SRN is safe and serviceable.

2. When investing in maintenance, the work will be designed in a way that reflects the “function” or “character” of the route and will maximise every opportunity to:
  - Deliver modal shift to more sustainable forms of transport, reflecting the transport hierarchy in the Wales Transport Strategy;
  - Provide a net benefit for biodiversity and enhanced ecosystem resilience;
  - Improve the resilience of the network and its surroundings to the effects of climate change;
  - Minimise pollution, including air, noise, water, and land; and
  - WG will apply the carbon reduction hierarchy when maintaining and operating the SRN in line with PAS 2080 – Carbon management in infrastructure
3. In particular, the future Asset Management Programme will not assume like for like replacement of infrastructure. Instead, asset renewal will be treated as an opportunity to reconsider the underlying purpose of the road in question, taking into account the Wales Transport Strategy and the four road-building tests set out in the Welsh Government’s response to the Roads Review [[Welsh Government response to the Roads Review \[HTML\] | GOV.WALES](#)] For example, it may be possible to reduce the costs of asset renewal by reducing the speed or capacity of the road. In turn, this may free up resources to invest in more sustainable transport infrastructure.

## Scope of the review

The scope of the review was:

- Gain a good understanding of the nature, extent and objective of each of the

- relevant annual maintenance programmes on the SRN;
- Review proposals for a Major Asset Renewal (MAR) Programme in response to the approximately £1bn of capital maintenance backlog on the SRN and the and explore the legal risks facing highway authorities, including corporate manslaughter;
  - Apply specialist knowledge of statutory highway authority duties in order to provide an independent view on which programmes are required to meet them (including the MAR) and whether those programmes are correctly defined to meet those duties;
  - Assess the degree to which the fulfilment of statutory responsibilities can be interpreted differently or more widely to demonstrate value for money and meeting statutory obligations; and
  - Assess the degree to which maintenance and asset renewal programmes could be optimised by adopting a more flexible approach to specification.

And to produce a report detailing the conclusion for each programme with reasons including:

- An interpretation of the term ‘safety critical’ and how that might influence current and future work programmes;
- A view on what routine maintenance activity is ‘essential’ to maintain the day- to-day safety of the network, including an assessment of the approach, in the light of potential changes to the function of the SRN, set out in the Trunk Road Maintenance Manual (TRMM);
- Alternative options for the MAR allowing a more “flexible” approach to allow a comparison of delivery mechanism and timescales; and
- A recommendation on the appropriate standards to be adopted in order to avoid over specification, and whether the Design Manual for Roads and Bridges (DMRB) should be used in every case.

## Review Recommendations and Welsh

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# Government's Response

The Review's recommendations and the Welsh Government's response are set out below:

## Recommendation 1

When developing and delivering maintenance programmes priority should be given to discharging Welsh Ministers statutory duty to maintain network safety and also maximising the investment's contribution to achieving Wales Transport Strategy priorities and objectives by adopting a minimum whole life carbon approach, improving resilience to climate change and taking any opportunities to enhance biodiversity and promote a shift to more sustainable forms of transport such as active travel and public transport.

### **Welsh Government Response: Accepted**

See the Welsh Government's "New approach to road maintenance" above.

## Recommendation 2

A set of investment criteria for road maintenance and other work to the existing asset, similar to that adopted by the Welsh Government for investment in new roads following the recommendations of the Roads Review, should be developed. This should prioritise the safety and long-term integrity of the network but also ensure opportunities to deliver wider Welsh Transport Strategy priorities and objectives are taken.

## **Welsh Government Response: Accepted**

See the Welsh Government's "New approach to road maintenance" above.

## **Recommendation 3**

Priority should be given to completing the overarching Asset Management Policy and Strategy which are being developed and having them "signed-off" by Ministers to achieve high level organisational support and commitment. This will ensure, along with the new road maintenance investment criteria, that there is a rigorous approach to achieving compliance with statutory duties and delivering Welsh Transport Strategy priorities on the ground, while demonstrating value for money.

## **Welsh Government Response: Accepted**

An Asset Management Policy and Strategy is being prepared in line with the new approach to road maintenance set out above. Once finalised these documents will be published on the Welsh Government's website.

## **Recommendation 4**

A review should be conducted into the "character" of all sections of the SRN and in particular those that will be subject to a change in speed limit with the objective of establishing the appropriate standard of maintenance.

## **Welsh Government Response: Accepted**

As part of the asset management policy and strategy, opportunities will be identified where the character of the SRN in Wales could be redefined. This could lead to the implementation of different standards of inspection and maintenance requirements by changing the character of the road, such as by reducing speed limits or road capacity.

## **Recommendation 5**

The Trunk Road Maintenance Manual (TRMM) is revised to move to a risk-based system of inspection and repair. The TRMM should be aligned through the Asset Management Policy and Strategy to the Welsh Government's policy commitments, and the potential changes to the function of the SRN that these and other policies will bring. An updated version of the document should be implemented in 2023/24 and kept continually under review.

## **Welsh Government Response: Accepted**

A revised version of TRMM aligned with WG's new Asset Management Policy and Strategy and wider policy aims and objectives is being implemented during 2023/24. Further revisions of TRMM are planned which will reflect a move towards a risk and condition-based system of inspection and repair.

## **Recommendation 6**

The Welsh Government should consider how best to apply and where necessary

modify the standards and guidance in the Design Manual for Roads and Bridges (DMRB) through the use of National Application Annexes (NAA) and new Procedure and Advice Guidance (PAG) so that it is fully aligned to the delivery of Welsh Ministers' statutory duties and Welsh Government policies.

### **Welsh Government Response: Accepted**

WG already and will continue to make good use of NAAs, PAGs and operate a Departure from Standards process to ensure work on the SRN is aligned with the delivery of statutory duties and wider policy objectives. A good example of this is PAG 115/20 "Active Travel and Trunk Road Improvement Schemes" which requires a multi-stakeholder approach to maximise active travel benefits from investment in the road network.

## **Recommendation 7**

Training is provided on a regular basis to all staff, including senior officials, on Welsh Ministers' statutory duties for the SRN as highway authority contained in the Highways Act and other legislation. The training should also include an appreciation of the Police Road Death Investigation Manual (PRDIM) and legislation relating to Corporate Manslaughter.

### **Welsh Government Response: Accepted**

Training on Welsh Ministers statutory duties and legislation relating to Corporate Manslaughter has been provided to SRN and trunk road agents' staff. This training will continue to be provided on a regular basis.

## Recommendation 8

A review of the current risk management regime is undertaken to ensure that there is a robust process for identifying and recording all relevant risks, that they are assigned to those best placed to manage them, there is a clear procedure for escalating risks from the Trunk Road Agents to Welsh Government and all risks are kept under continual auditable review.

### **Welsh Government Response: Accepted**

A comprehensive review of the risk management process is currently being undertaken in conjunction with WG's two trunk road agents.

## Recommendation 9

Subject to recommendations 1 and 2, all current safety critical programmes should continue. Particular attention should be paid to Major Asset Renewal and the Tunnel Programme which the Review Team consider the areas Welsh Ministers are exposed to the greatest risk.

### **Welsh Government Response: Accepted**

All current safety critical programmes, including the tunnels programme of works, will continue to be developed and delivered.

Independent work has been commissioned to develop a prioritised Major Asset Renewal (MAR) programme to deliver a programme of safety critical schemes.

## Recommendation 10

A do-minimum list of asset renewals/repairs (those works required to meet the Welsh Government's duty to maintain) should be created, and designs progressed to 'shovel-ready.'

### **Welsh Government Response: Accepted**

A do-minimum programme of asset renewals/repairs in line with WGs duty to maintain will be developed to 'shovel ready' stage.

## Recommendation 11

The development of the asset repair/renewal list should be a defined, transparent process based on maintaining network safety with particular regard to the risk of catastrophic failure.

### **Welsh Government Response: Accepted**

A transparent prioritisation process is being developed and will be implemented when developing the programmes referred to in Recommendations 9 and 10.

Regular inspections of SRN structures will continue to be undertaken in line with national standards.

## Recommendation 12

Programmes across all disciplines should be prioritised on the basis of the recommended investment criteria set out in recommendation 2 and maintained as a single auditable programme.

### **Welsh Government Response: Accepted**

As per response to recommendation 11, a transparent prioritised process will be applied when adopting the 'New Approach to Road Maintenance'.

## Recommendation 13

All asset condition data used in the prioritisation of SRN programmes and work, should first be verified as accurate by Welsh Government officials. Officials should also ensure that any models used to predict the deterioration of assets and the cost of their repair are based on realistic assumptions and are subsequently verified over time.

### **Welsh Government Response: Accepted**

WG recognise the importance of accurate asset condition data and the use of appropriate analytical models when developing investment programmes. Officials will ensure that this data is verified.

## Recommendation 14

It should be ensured that Welsh Government officials have full access to Structures Asset Valuation and Investment Tool (SAVI) to allow them to amend the data themselves as currently analysis is prevented by information technology restrictions within the Welsh Government.

### **Welsh Government Response: Accepted**

Arrangements will be made for WG officials to have full access to SAVI.

## Recommendation 15

A review of the resources available to Welsh Government should be conducted to establish whether it has the technical capability and capacity to discharge Welsh Ministers' statutory duties and deliver Welsh Transport Strategy priorities and objectives. A Zero-based review of programmes should be undertaken to assist in identifying priority areas and resources that might be re-deployed.

### **Welsh Government Response: Accepted**

A review of the resources within WG is being carried out. The development of a prioritised process as noted in responses to Recommendations 9, 10 and 11 will be used to inform this review.

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