

Citizen Participation and Public Petitions Committee

13th Meeting, 2022 (Session 6), Wednesday
28 September 2022

PE1936: Remove Potholes from Scotland's Roads

Note by the Clerk

Petitioner	Lesley Roberts
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to improve road surfaces by: <ul style="list-style-type: none">• Creating an action plan to remove potholes from trunk roads across Scotland; and• Providing ring-fenced funding to local Councils to tackle potholes.
Webpage	https://petitions.parliament.scot/petitions/PE1936

Introduction

1. This is a new petition that was lodged on 9 June 2022
2. The petition seeks to create an action plan for repairing road surfaces across Scotland, with the aim of helping to reduce accidents which risk injury and damage to people and vehicles. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 507 signatures have been received.

5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.
6. A submission has been provided by the petitioner. This is included at **Annexe D**.

Action

The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1936: Remove potholes from Scotland's roads

Petitioner

Lesley Roberts

Date lodged

12/05/22

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to improve road surfaces by:

- Creating an action plan to remove potholes from trunk roads across Scotland; and
- Providing ring-fenced funding to local Councils to tackle potholes.

Previous action

I have raised the issue with my MSP Stuart McMillan.

Background information

Health and safety should be paramount and yet there are huge holes on our roads throughout the country. There is no respect for human life and no respect for our property. Please deal with the pothole plague in a decent way and stop doing partial repairs which make things even worse and leave stones all over our carriageways.

Potholes cause accidents, putting lives and property at risk. They cause severe damage to cars, and other means of transport. When riding a bike it is hard to miss them and that is simply not acceptable.

Annexe B

The logo for SPICe, featuring the text 'SPICe' in a white, sans-serif font on a dark purple background.The logo for The Information Centre, featuring the text 'The Information Centre' and 'An t-Ionad Fiosrachaidh' in a white, sans-serif font on a dark blue background.

Briefing for the Citizen Participation and Public Petitions Committee on PE1936: Remove Potholes from Scotland's Roads, submitted by Lesley Roberts

Background

Roads authorities, that is the local authority for local public roads and Transport Scotland for trunk roads, have a duty to maintain public roads under Section 1 of the Roads (Scotland) Act 1984. While there is no statutory maintenance standard, roads authorities generally follow the risk-based approach to roads maintenance set out in "[Well-managed highway infrastructure – A code of practice](#)", published by the UK Roads Liaison Group.

The Society of Chief Officers of Transportation in Scotland (SCOTS) has produced [practical guidance for local roads authorities](#) on the development of risk-based asset management, road asset safety inspection strategies and road inspections. The aim being to support the development of a consistent approach to road maintenance across the country.

Previous investigations into Scottish road maintenance issues

Audit Scotland has investigated both local and trunk road maintenance matters on several occasions, as briefly summarised below:

[Maintaining Scotland's Roads](#) (Audit Scotland 2004): The first investigation into the condition of Scotland's roads conducted by Audit Scotland. Key findings were that 13% of Scotland's roads should be considered for repair now and 31% require further investigation. There was a maintenance backlog worth £1.7bn on local roads and £232m on trunk roads

[Maintaining Scotland's Roads: A follow-up report](#) (Audit Scotland 2011): The condition of Scotland's roads continued to deteriorate following the first audit, with the percentage of all local roads in an acceptable condition falling from 70% in 2005 to 66% in 2010 and trunk roads in an acceptable condition falling from 84% to 78% over the same period. This obviously meant that the size of the maintenance backlog had increased

[Maintaining Scotland's Roads](#) (2013) A brief update report on the implementation of previous Audit Scotland recommendations and the National Roads Maintenance review by local authorities. This found there had been a marginal improvement in the condition of local roads since 2010, despite falling investment. However, many of the recommended actions were yet to be implemented by some authorities.

[Maintaining Scotland's Roads: A follow-up report](#) (Audit Scotland 2016): This found that the condition of local roads had remained broadly stable since the last audit, with a slight fall in the proportion of trunk roads in an acceptable condition (90% to 87%) – all within the context of declining road maintenance budgets.

Scottish Government Action

In response to the findings of the 2011 Audit Scotland report, Transport Scotland, working with local authority partners, undertook a review of road maintenance in Scotland. The Scottish National Roads Maintenance Review (2012) ([Summary](#)) report set out 30 options for consideration and implementation by roads authorities, with a strong emphasis on the development of shared road maintenance functions amongst local authorities.

The office of the [Scottish Road Works Commissioner](#) was established through the Transport (Scotland) Act 2005, with the aim of improving the planning, co-ordination and quality of road works throughout Scotland. The powers of the Commissioner were extended by the Transport (Scotland) Act 2019, to allow the Commissioner to carry out independent inspections to establish whether an offence or breach of road works related duties has been committed and to undertake limited enforcement action where such breaches are found.

Scottish Parliament Action

Road maintenance was the focus of the Session 5 Rural Economy and Connectivity Committee's [pre-budget scrutiny](#) in 2019. The Committee

made several recommendations to the Scottish Government about the funding and delivery of local and trunk road maintenance.

Alan Rehfisch
Senior Researcher
31 May 2022

SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

Annexe C

Scottish Government submission of 20 June 2022

PE1936/A: Remove Potholes from Scotland's Roads

TRUNK ROADS

Transport Scotland, through our Trunk Road Operating Companies and Design Build Finance Operate (DBFO) Concessionaries, is responsible for the management and maintenance of the strategic trunk road network including motorways.

In 2021-22 we are invested £556 million in managing, maintaining, and safely operating the Scottish motorway and trunk road network. In 2022-23 we are investing £586 million. We will continue to invest in our extensive trunk road maintenance and operations programmes, to improve Scotland's road network through essential road maintenance schemes, our bridge strengthening programme, renewal of ancillary assets and increasing the resilience of the network to unplanned events such as landslides, flooding and extreme weather events. In addition, the overall condition of our network is being enhanced through the delivery of our capital investment programme, including the A9 dualling programme.

Transport Scotland has contracts in place with Operating Companies to ensure Scottish trunk roads are safe, efficient and well managed. As part of their continuing inspection and management of the trunk road network, our Operating Companies have an obligation to inspect the network at 7-day intervals. These inspections are primarily to identify defects that require prompt attention (Category 1 defects) because they present, or could present, an immediate hazard to road users. The Scottish Government fully funds the repair of all road surface Category 1 potholes, which are repaired by the Operating Companies within the strict timescales set-out in their contracts.

The Transport Scotland Road Asset Management Plan (RAMP) sets out how Scotland's trunk road network is maintained strategically and efficiently in order to protect our assets and ensure maximum value for money from our road maintenance activities.

LOCAL ROADS

Local authorities have a duty under the Roads (Scotland) Act 1984 to manage and maintain local roads in their area and duties under the Road Traffic Regulation Act 1984 to secure the expeditious, convenient and safe movement of traffic.

The vast majority of the funding to local authorities from the Scottish Government is provided by means of a block grant, and the Scottish Government does not stipulate how local authorities should utilise their individual allocations. It is therefore the responsibility of each local authority to manage their own budget and to allocate the total financial resources available to them on the basis of local needs and priorities, having first fulfilled their statutory obligations and the jointly agreed set of national and local priorities.

The 2022-23 Local Government Settlement of almost £12.7 billion is both fair and affordable, under the most challenging of circumstances. The independent Scottish Fiscal Commission highlighted that our overall Scottish Budget in 2022-23 is 2.6 per cent lower than in 2021-22 – a real terms cut of 5.2 per cent. Despite this reduction, the overall local government funding package of almost £12.7 billion represents an increase of over £1 billion or 9.2 per cent in cash terms, or 6.3 per cent in real terms compared with 2021-22. The 2022-23 settlement also offered several fiscal flexibilities, including giving councils the full flexibility they asked for on council tax rate-setting, and a commitment to collaborate on a fiscal framework for local government during 2022.

Annexe D

Petitioner submission of 30 August 2022

PE1936/B: Remove Potholes from Scotland's Roads

Whilst I understand the difficulties that everyone is experiencing especially due to COVID and this new cost of living crisis. However, I find it hard to understand why Scotland is plagued with so many potholes. As a former Health and Safety Rep for Unite the Union, I deem safety on the roads should be paramount. Therefore, experiencing pothole after pothole in this country is far from safe. Most of us need to use our cars at some point and although I try to limit the use of such, it is not always possible. I have been faced many times with two choices when between the wheel. Do I hit a pothole or simply swerve and hit another car? It's not much of a choice these days.

Even before COVID the roads were suffering and resembling what someone with much knowledge of travel quoted to be a "third world country". It seems to me that road maintenance has been ignored for years and the problems have been left to get worse. It is simply not acceptable or in line with health and safety.

About a year ago I swerved to miss a pothole and was questioned by the police. I reverted to the Highway Code and stated that we should all drive in line with road conditions and the condition of that particular road was so poor that I deemed it appropriate to cross into the other lane to miss the hole. The police accepted my explanation and stated that their sergeant had been contacting AMEY as the road in and out of the police office was slowing them down when trying to get to emergencies. It is a very bad situation when potholes are stopping emergency workers doing the job they are paid to do. That then puts lives further at risk.

So, what is the answer? Proper road repairs and not some person throwing stones down and literally running away. It should not get to the point that someone will have to die for things to change. What about cyclists who can't avoid potholes and have no choice but to hope for the best. I saw a video online and it was made by the cyclist who was in hospital after an encounter with a pothole.

In my view, health and safety has been deflected and procrastinated over for years and that is not good enough. Whilst people state that libraries and parks are important, I do agree. However, more important is putting your child in the back of your car and driving to that park. The child and other occupants should not be at risk in the car to get there!

When I raised the petition, many signed it and added comments to the Facebook page. Many were calling out for better safety and a better schedule for maintenance. Many others spoke about needing to pay for repairs due to hitting potholes in the road. Many spoke about fear of driving in the dark or in the wet and not being able to see the potholes. No one should be limited to drive in specific conditions to simply avoid car damage or even damage to human life. We are struggling enough to keep a car on the road. We are struggling to survive and don't need the added problem of car damage due to potholes.

Please look at better maintenance and please look at health and safety and stop putting the people of Scotland at risk.