

Report to:	Environment and Neighbourhood Committee	Date:	1 February 2018
Report title:	Sutton Planned Maintenance Programme 2018/19		
Report from:	Mary Morrissey, Strategic Director, Environment Housing and Regeneration		
Ward/Areas affected:	Borough Wide		
Chair of Committee/Lead Member:	Councillor Jill Whitehead		
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Corporate Plan Priorities:	A Green Council		
Open/Exempt:	Open		
Signed:		Date:	16 January 2018

1. Summary

- 1.1 Valued at over £725m, Sutton Council's highway network is the most visible, used and valuable physical asset the Council is responsible for. To meet the Council's corporate objective of providing a safe and sustainable highway network for businesses, residents and visitors, considerable investment in these heavily used highway assets is required to maintain them in a serviceable condition. Consequently the highway maintenance needs have been reviewed, as set out in Appendices A and B and prioritised on a Borough wide basis.

2. Recommendations

- 2.1 The Environment and Neighbourhood Committee is recommended to:
- 2.2 Agree to incur capital expenditure of up to £1.230m proposed highway maintenance programme for footways and carriageways for 2018/19 so that the schedule of works identified under Appendices A and B can be undertaken.
- 2.3 Provide the Strategic Director for Environment, Housing and Regeneration delegated authority make in-year changes to the prioritised planned highway maintenance programme to facilitate effective delivery and to respond in-year to emerging priorities or unforeseen events.

3. Background

- 3.1 London Borough of Sutton's public highway network is the most expensive asset the Council owns. It is valued at £725 million and has a major significance to borough residents, communities and businesses.
- 3.2 A provisional planned highway maintenance programme is prepared each year from Council highways inspectors' safety condition reports and road condition survey(s). This is coupled with



the level of capital funding available and allows for a list of borough public highway locations most need of planned maintenance to be put into a works programme.

- 3.3 All carriageway and footway locations on the provisional planned maintenance list are prioritised using a weighting score condition assessment, which takes account the overall condition and usage of each location and incorporates feedback received from councillors and members of the public. Within this process, principal roads, bus routes and cycleways receive a higher priority, as do footways in shopping areas and those close to hospitals, schools and care homes.
- 3.4 Up until now, Sutton's annual highway investment programme used Sutton capital funding to fund the planned highways maintenance programme for local roads. External capital funding, provided by Transport for London (TfL), was used to deliver principal (strategic) road maintenance. Between 2018/19 and 2019/20 TfL investment in proactive planned renewals on both the Borough Principal Road Network (BPRN) and TfL Road Network (TLRN) has been paused and the council will therefore receive no TfL allocation in 2018/19. A London-wide allocation of circa £3m per annum for the next two years has been retained by TfL for the BPRN to continue condition surveys and deal with high priority sites. TfL, working with the boroughs through the London Technical Advisors Group (LoTAG), will agree how this allocation will be targeted to the highest priority sections of road across London. Local Implementation plan (LIP) financial settlement is detailed within the report under item 6 of the agenda "LIP funding settlement 2018-19".
- 3.5 As a result, there are insufficient funds available to meet the full need of repair to the borough's public highway network. Officers have prepared the prioritised list set out in the Appendices.
- 3.6 The prioritised list of roads is sent to all public utility companies for consultation as required under the New Roads and Street Works Act (NRSWA) 1991. This allows the utilities to give notice of their future planned works and provides an opportunity for schemes to be programmed in to minimise the level of any disruption to the local community.
- 3.7 Local residents, and transport providers are informed of pending works through an advance letter drop in the weeks leading up to planned maintenance works taking place. The term contractor also affixes notices to lamp columns in the days preceding the works to provide information to highway users, and the bus operators then advise passengers on any diversions required.

4. Issues

- 4.1 A selection of planned maintenance methods are used to carry out the works. The choice of the most appropriate method to be used is dictated by the existing condition and construction of the highway. Methods range from using materials where a full reconstruction is required (most expensive option) to thinner surface overlays (cheapest option). The option chosen is designed to give the greatest longevity to the road at the most economical cost.

5. Impacts and Implications

Financial

- 5.1 The capital funding proposal is as follows and includes staff costs and contingencies for all schemes in 2018 / 2019:

Carriageways £'000	Footways £'000	Total £'000
718	512	1,230

Agreement is needed by the Environment and Neighbourhood Committee to incur capital expenditure for the Planned Highway and Pavement Maintenance Programme so that the schedule of works identified under Appendices A and B can be undertaken during 2018/19 financial year.

Legal

- 5.2 The Highway Authority has a duty under Section 41 of the Highways Act 1980 to maintain the highways for which they are responsible.
- 5.3 If a person believes he/she has suffered damage as a result of a failure to maintain the highway, the Highways Authority under Section 58 of the Highways Act 1980 has a defence if it proves that this “had taken such care as in all the circumstances was reasonably required to secure that the part of the highway to which the action relates was not dangerous for traffic”.
- 5.4 Any claim brought against the Council, alleging damage resulting from a breach of their ‘duty’ is subject to statutory defence under section 58 of The Highway Act 1980. This provides defence in proof that The Highway Authority had taken such reasonable care as to secure that the relevant part of the public highway was not dangerous for highway users. In considering the defence the court is required to have regard to the following matters:-
- (a) The character of the highway, and the traffic reasonably to be expected to use it.
 - (b) The standard of maintenance appropriate for a highway of that character and used by such traffic.
 - (c) The state of repair in which a reasonable person would have expected to find the highway.
 - (d) Whether the Highway Authority knew, or could have reasonably have been expected to know that the condition of the relevant highway was likely to cause danger to users of it. By undertaking a programme of maintenance work prioritised in accordance with the criteria set out above, and having had regard to Sections 41 and 58 of The Highway Act 1980, the Authority seeks to perform its statutory duty, and reduce the potential liability for insurance claims.

Community (including safety, localism, public health).

- 5.5 Letter drops to affected residents/businesses will be carried out by our Contractor 10 working days in advance of the works commencing, advising them of the arrangements and timescale.
- 5.6 Undertaking planned highway works improves public highway user safety and takes into consideration the need for facilities for disabled people, pedestrians, cyclists and public transport users.



- 5.7 This aligns with the Council's corporate plan objective as 'A Green Council' to improve the borough's transport network infrastructure to support the local economy and meet the current and future needs of the borough by delivering a programme of works to maintain and repair the borough's roads and pavements.
- 5.8 If the highway network is allowed to deteriorate there will be considerable congestion caused by increased amounts of responsive maintenance. Therefore officers develop prioritised list of proposed footway and carriageway interventions in order to maintain our assets in a safe and serviceable condition.
- 5.9 Maintenance of the Council's highway assets inevitably entails some impact to the network and all efforts will be made to give advance notification of implications for local residents and the general public where their travel arrangements may be disrupted. Officers give careful attention to the planning and coordination of all highways works to minimise disruption and congestion.
- 5.10 Prior to footway schemes commencing, residents will be given the opportunity to apply for a new vehicle crossover or extend an existing one, if these requests meet current policies, these works will be undertaken during the footway improvement scheme. This approach has proved beneficial in the past to all parties and is critical to ensure the integrity of the new footway is protected and does not incur any vehicle overrun to access properties.
- 5.11 Within Conservation areas, every effort is made to ensure that materials match the existing. The Council's contractor is required to use vehicles and plant that comply with the European Union's requirements. When work has to be carried out at night residents are informed at least two weeks in advance.
- 5.12 Works will be scheduled to commence as early in the new financial year as possible. However, the actual timing of scheme works will be determined and coordinated with other activities, such as statutory undertakers' planned works, school holidays and other relevant events as part of the Council's network management duties.
- 5.13 Prolonged periods of very wet, cold or hot weather can have a significant influence on the works programme and priorities. Additionally, works by statutory undertakers may result in some schemes needing to be delayed to a later year. In this event, it is proposed that the next road(s) on the prioritised list would be brought forward for implementation.

Risk

- 5.14 The failure to fulfil our statutory duty as the Highway Authority would have legal and financial implications and be potentially harmful to the reputation of the Council.
- 5.15 The procurement of new highways and street lighting works term contracts is progressing with a commencing date of the 1 April 2018.

6. Appendices and Background Documents

Appendix	Title
A	List of carriageways to be resurfaced.
B	List of footways to be resurfaced.

Background documents
None

Audit Trail		
Version	Final	Date: 17 January 2018
Consultation with other officers		
Finance	Yes	Tony Cooke
Legal	Yes	David Fellows
Equality Impact Assessment required?	No	N/A



List of carriageways to be resurfaced

Road	Ward
THE CHASE WHOLE ROAD	Beddington North/South
STAVORDALE ROAD WHOLE ROAD	St Helier
SHORTS ROAD WHOLE ROAD	Carshalton Central
SUTTON COMMON ROAD REIGATE AVENUE TO RIDGE ROAD	Stonecot
MILFORD GROVE WHOLE ROAD	Sutton Central
MEADOW WALK WHOLE ROAD	Wallington North
PLOUGH LANE FROM FORRESTERS DRIVE TO BOROUGH BOUNDARY	Beddington South
MONTROSE GARDENS WHOLE ROAD	Sutton North

List of footways to be resurfaced

Road	Ward
ALBION ROAD FROM LANGLEY PARK ROAD TO PROSPECT COURT (NORTH END)	Sutton South
CHARMINSTER ROAD WHOLE ROAD	Worcester Park
WOODBINE LANE WHOLE ROAD	Nonsuch/Worcester Park
WAVERLEY WAY (SM5 3LQ) WHOLE ROAD	Carshalton South and Clockhouse
WEST AVENUE, WALLINGTON WHOLE ROAD	Beddington North
THE CHASE CENTRAL AVENUE TO STAFFORD ROAD (NORTH SIDE)	Beddington North/South

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