



## Environment Committee

6 October 2021

**Title**

**Highway Network Recovery Programme 2022/23**

**Report of**

Chairman, Environment Committee

**Wards**

All

**Status**

Public

**Urgent**

No

**Key**

No

**Enclosures**

N/A

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### Summary

This report seeks the Committee's approval for the delivery of the 2022/23 Highway Network Recovery Plan (NRP) Work Programme (the "**Work Programme**") totalling £11.486 million to be funded from the agreed NRP Capital allocation of £6.826 million for 2022/23 and Community Infrastructure Levy (**CIL**) allocation of £5.95 million for 2022/23.

The investment split for 2022/23 will be as follows: 51% carriageway, 36% footway, 5% retrospective rubber crumb footway works and 9% structures, drainage, road markings and other highway assets

### Officers Recommendations

1. That the Committee approves the capital expenditure of £11.486 million for the delivery of the 2022/23 Highway Network Recovery Plan (NRP) Work Programme consisting of carriageway and footway renewal works, carriageway and footway patching, flood management and drainage works, and other associated works.
2. That the Committee agrees the proposed investment proportions detailed in paragraph 5.2.5 of this report.

**3. That the Committee authorises officers to undertake Member engagement to finalise the Work Programme.**

**1. WHY THIS REPORT IS NEEDED**

- 1.1 This report is needed to provide the appropriate Council authority to instruct Re to develop the Work Programme and agree the proposed investment proportions for the Work Programme for 2022/23.

**2. REASONS FOR RECOMMENDATIONS**

- 2.1 Barnet's highway network is our largest, most valuable and most visible community asset and is probably the most used of all our services, by nearly all residents daily. It is vital to the economic, social and environmental well-being of our community.
- 2.2 The Highways Act 1980 ("**HA 1980**") sets out the main duties of highway authorities in England and Wales. Highway maintenance policy is set within a legal framework. Section 41 of the HA 1980 imposes a duty to maintain highways which are maintainable at public expense. The HA 1980 sits within a much broader legislative framework specifying powers, duties and standards for highway maintenance.
- 2.3 The Council has a duty to ensure that the statutory functions and responsibilities in relation to those highways for which the local authority is responsible are discharged. The Council also has a duty to ensure a safe passage for the highway user through the effective implementation of the legislation available to it, principally the HA 1980, and in particular Section 41, of the HA 1980.
- 2.4 The Work Programme is developed using an independent condition assessment survey company, Xais, who undertake a survey of every footway and carriageway in the borough and record the data to a defined national standard of all footways and carriageways within the borough. This data is added to that of the defects scores, scoring to indicate the relative position on the operational network hierarchy and location in relation to places of education and worship. In the case of footways, the surveys also consider where footway deterioration was evident due to tree root protrusion. These principles and guidelines are documented in the Code of Practice 'Well Managed Highway Infrastructure' publication commissioned by the Department for Transport.
- 2.5 In adherence to the aforementioned 'Code of Practice' it is crucial that a risk-based asset management approach is employed when selecting potential schemes, and the Council continually seeks advancement in the way the condition data is collected and analysed. With the advancement in data capture and analysis technology, this has enabled us to gain more insight into the data and use it more effectively to determine areas of defectiveness on the highway network. This has meant we have amended the scheme selection approach this year, including the introduction of Artificial Intelligence (**AI**) technology and imagery for the validation of asset condition. These continual improvements enhance confidence in the data provided and improve how we look to analyse the network condition data.

- 2.6 Schemes will be prioritised based on their known condition. In order to achieve best value for the investment, the proposed carriageway treatments include resurfacing as well as patching as required (where the defective length of carriageway is less than 100 metres). Footway patching is also proposed where the footway condition over shorter lengths of the network warrants remedial treatment, in instances where footway relay is not appropriate.
- 2.7 The 2022/23 Work Programme works budget is £11.486 million. The proposed investment breakdown is included in the table in paragraph 5.2.3 of this report. This is funded from borrowing (£5.740 million) with an additional £5.746 million being funded from Community Infrastructure Levy (CIL). This levy is a charge which can be levied by local authorities on new development in their area and must be spent on infrastructure needed to support the development of their area, including repair to existing infrastructure. Officers have submitted a capital bid for an additional £5.95 million CIL funding to be allocated to supplement the Work Programme in 2022/23, as this meets the requirements for this funding.
- 2.8 The following four main treatment types are proposed:

Footway Relay: The Environment Committee on 15 March 2017 agreed two main footway treatment types with Type 3 being the standard treatment and Type 1 being used for town centres and conservation areas. Type 3 treatment is a mixture of a flexible asphalt footway behind a grey block margin by the kerb line. Type 1 is Artificial Stone Paving (ASP), with flexibility for a grey block margin by the kerb line.

It is acknowledged that there may be exceptional circumstances where the treatment type should be changed - for example in cul-de-sacs which lead off town centres, which would be paved and these may be better completed in paving as a treatment Type 1 or where sections of footway are only partially in a conservation area or town centre and the treatment type may require extending to the nearest junction to separate the treatments.

Footway Patching: This is remedial repair to the footway surface and subbase where the footway condition has deteriorated over shorter lengths of the network that warrant remedial treatment, in instances where footway relay is not appropriate. This treatment will be using "like for like" materials, for example, a concrete flagstone footway will be repaired in the same surfacing material. An example of footway patching may be works to address damage from vehicle overrun, where we would design and implement a remedial treatment to address this issue from reoccurring.

Carriageway Resurfacing: This requires the removal and replacement of the surface layer with hot rolled asphalt, dense bitumen macadam or stone mastic asphalt, and the specific treatment will be decided by the highway officers. The treatment depth is between 30 and 40 mm, but it can be more if the underlying layer also needs replacing. A typical life expectancy is 15-20 years.

Carriageway patching: This is the remedial patching of the surface layer, using machine laid patching, to a typical treatment depth of up to 40mm.

Other treatments may also be proposed such as joint sealing and use of reflective membranes where considered necessary.

- 2.9 Engagement with ward councillors will be undertaken on the proposed Work Programme, and as such the proposed Work Programme may be subject to review and possible change, to incorporate their comments where appropriate. The final Work Programme will also be subject to review and possible change to ensure that future developments and statutory undertaker works within the borough do not conflict with that proposed and result in abortive works. Any schemes which are unable to be progressed or delayed due to the above will be replaced in the Work Programme with those next on the priority list.
- 2.10 Under Section 58 of the New Roads and Street Works Act 1991, the Highway Authority is required to issue a statutory three-month Notice to Utility companies of its intention to carry out substantial road works on the public highway. This requirement is aimed at preventing or restricting streets being dug up soon after they have been resurfaced for major works. This is a legal notice which is served on all the statutory undertakers who carry out work in the Borough. The Highways Authority is required to commence the works within one month of the date specified in the notice. The restriction on statutory undertakers carrying out street work applies for a period of 36 months after the works have been implemented. However, Utility companies can still carry out emergency and service connection works by just notifying the Highway Authority. The Notice will be published in the London Gazette and sent to all the utility companies for co-ordination.
- 2.11 The Traffic Management Act 2004 introduced a new hierarchy of Strategic Roads for London where the London Boroughs retain highway and traffic authority responsibilities, but for which Transport for London (TfL) has oversight. This requires the Council to notify TfL, or both TfL and neighbouring boroughs, if the proposed works are likely to affect traffic operations on a strategic road in its own area. The Council aims to implement all the schemes safely, with minimum traffic congestion and TfL will be provided with the necessary information within the stipulated timescales. The contractor will have in place a Health and Safety Plan for implementing these schemes safely.

## 2.12 Network Recovery Programme progress to date

2.12.1 In December 2014, Council approved the five-year capital allocation of £50.365m for Phase 1 of the Network Recovery Programme. At full Council in March 2019, it was agreed to extend the Network Recovery Programme by £12 million over a further two years (2020/21 and 2021/22). At full Council in March 2021, it was agreed to extend the programme by £13.2 million for a further two years (2022/23 and 2023/24).

2.12.2 A total of 728 schemes have been completed to date across the seven years of the Network Recovery Programme, as set out in the table below. For the Year 7 programme to the end of August 2020 we have completed 52% of the combined carriageway and footway relay schemes, as illustrated in Table 1:

Programme	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7 (Current Year)
Carriageway	51	42	12	17	24	25	25 <sup>***</sup>

Programme	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7 (Current Year)
resurfacing							
Carriageway large scale patching	-	-	-	-	27	19	35 <sup>***</sup>
Carriageway micro asphalt	43	23	44	33	-	-	-
Carriageway surface dressing	125	-	-	-	-	-	-
Footway relay	83	64	17	33	27	19	2 <sup>***</sup>

Table 1: Network Recovery Programme Delivery Seven Year Profile

*“\*\*” The year 7 programme is currently 52% complete, thus only 62 completed schemes are shown in Table 1*

2.12.3 Figure 1 below shows the carriageway network condition trend from 2016 to 2031. This demonstrates that the investment into the Network Recovery Programme has been successful in maintaining the highway network in a steady state. However, the current level of investment has not kept pace with the rate of network deterioration, and Figures 2 and 3 below show the resultant increase in maintenance need over the next 10 years. For the 2022/23 year, this maintenance need has been somewhat met by the additional CIL allocation to supplement the Work Programme budget.

2.12.4 As part of Year 8 Work Programme, a further independent condition assessment will be commissioned to assist in preparations for future years' investment strategies.

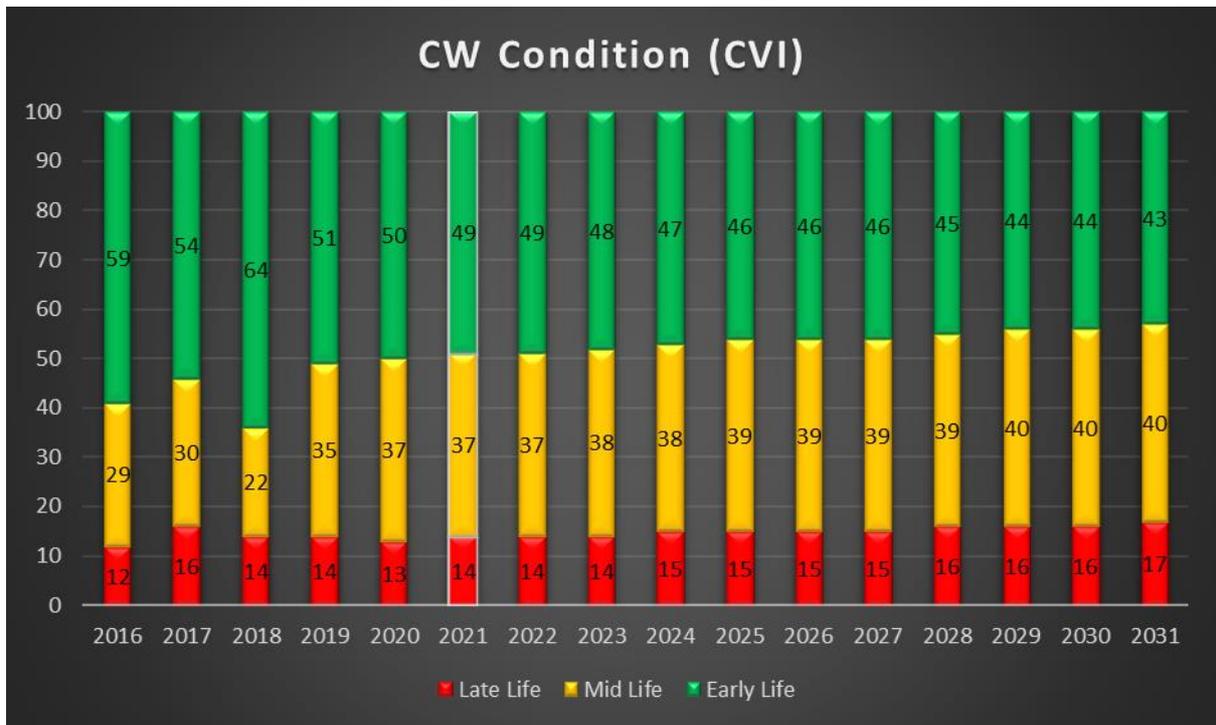


Figure 1: Barnet carriageway network condition trend 2016 to 2031

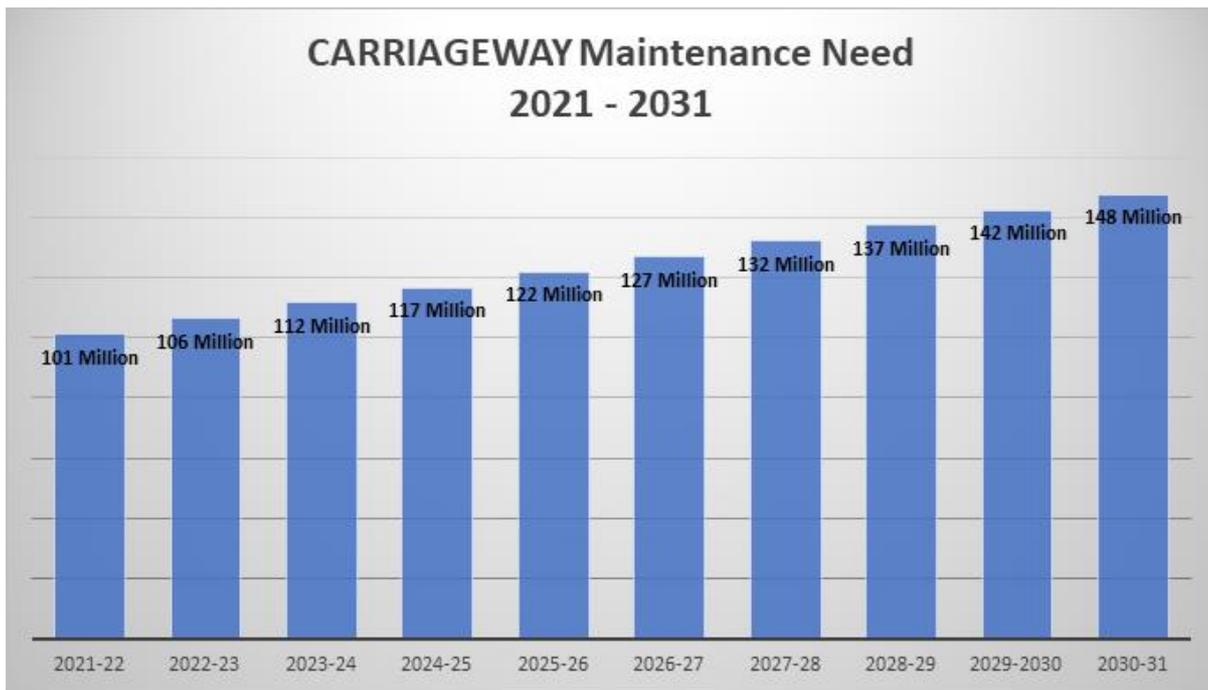


Figure 2: Barnet carriageway network maintenance need 2021 to 2031



Figure 3: Barnet footway network maintenance need 2021 to 2031

### 3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The alternative option of maintaining and improving the network through short term reactive maintenance plans has been considered and rejected in favour of an asset management approach. Previous network management was unsustainable and resulted in expensive short-term reactive repairs.

### 4. POST DECISION IMPLEMENTATION

- 4.1 Once the Committee approves the recommendations, officers will engage with ward councillors to finalise the proposed Work Programme, and the Environment Committee will approve the finalised Year 8 programme at the January 2022 Committee meeting.

### 5. IMPLICATIONS OF DECISION

#### 5.1 Corporate Priorities and Performance

- 5.1.1 The Council's Corporate Plan – The Barnet Plan 2021-25, states in its strategic priority "Clean, Safe and Well Run" that it will continue to invest in the Network Recovery Programme to ensure roads and pavements can be used for safe, reliable travel in the long term.
- 5.1.2 In particular, the Network Recovery Programme will improve the highway network, which in turn will contribute to improving the local environment and the quality of life for the residents and help create conditions for a vibrant economy.

5.1.3 The proposed Work Programme will also contribute to the Council's Health and Wellbeing Strategy by making Barnet a great place to live and enable the residents to keep well and independent.

5.1.4 The Highway network is the Council's most valuable asset and is vital to the economic, social and environmental wellbeing of the Borough as well as the general image perception. The Highways provide access for business and communities, as well as contribute to the area's local character and the resident's quality of life. Highways really do matter to people and often public opinion surveys continually highlight dissatisfaction with the condition of local roads and the way they are managed. Public pressure can often result in short term fixes such as potholes for example, rather than properly planned and implemented longer term solutions. The proposed 2022/23 Work Programme aims to minimise short term repairs that provide poor value for money and often undermine the structural integrity of the asset.

**5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 At full Council in March 2021, it was agreed that a £19.47 million addition be added to the capital programme to fund the Network Recovery Programme through to the 2023/24 financial year, with this being funded from borrowing. The budget has been split evenly with £6.826 million and £6.37 million being allocated against 2022/23 and 2023/24 respectively.

5.2.2 In addition, officers have submitted a capital bid for an additional £5.95 million Community Infrastructure Levy (CIL) funding to allocated to supplement the Network Recovery Programme in 2022/23.

5.2.3 The total proposed allocation for the Network Recovery Programme works in 2022/23 is £11.486 million, with £5.740 million funded from the Network Recovery Programme and £5.746 million funded from the CIL allocation. The breakdown is shown in the table below:

<b>Programme</b>	<b>NRP Allocation</b>	<b>CIL Allocation</b>
Carriageway resurfacing principal road network	-	£0.535 million
Carriageway resurfacing unclassified road network	£1.919 million	-
Footway relay	£1.068 million	£1.865 million
Footway patching	£0.982 million	£0.111 million
Carriageway patching principal road network	£0.637 million	-

<b>Programme</b>	<b>NRP Allocation</b>	<b>CIL Allocation</b>
Carriageway patching unclassified road network	£0.367 million	-
Carriageway and Footway Brent Cross	-	£0.065 million
Capital works (including flooding & drainage)	-	£2.750 million
Retrospective rubber crumb footway works	£0.268 million	-
Other assets (drainage and structures)	£0.500 million	£0.400 million
Heritage Assets		£0.020 million
<b>Total works budget</b>	<b>£5.740 million</b>	<b>£5.746 million</b>
<b>Combined total works budget</b>	<b>£11.486 million</b>	

5.2.4 The remaining £1.09 million NRP budget and £0.2 million CIL allocation will be allocated to capital improvements for other highway assets, condition surveys, as well as fees associated with programme delivery.

5.2.5 The amount of available funding will determine the number of schemes that can be delivered in the financial year. Where the number of schemes exceed the budget, then the identified schemes will be prioritised. The proposed percentage split of the budget between carriageways, footways, retrospective rubber crumb footway works and others (structures, drainage, signs, road markings) is 51%, 36%, 5% and 9% respectively.

5.2.6 There are no staffing ICT or property implications.

### 5.3 Legal and Constitutional References

5.3.1 The Council's Constitution Article 7 – Committees, Forums, Working Groups and Partnerships (Responsibility for Functions, 7.5) gives the Environment Committee responsibility for all borough-wide or cross-constituency matters related to the street scene.

5.3.2 On 2 March 2021, Full Council approved the addition of £19.47 million to the Council's capital programme for the Network Recovery Programme for a further four financial years (2020/21 to 2023/24). The 2022/23 CIL allocation will be included in the coming year's final capital programme, to be agreed by full Council at its forthcoming annual budget

setting meeting.

5.3.3 Highway Maintenance is a statutory duty under the Highways and Traffic Management Acts.

5.3.4 The Traffic Management Act 2004 places obligations on authorities to ensure the expeditious movement of traffic on their road network. Authorities are required to make arrangements as they consider appropriate for planning and carrying out the action to be taken in performing the duty.

## 5.4 **Insight**

5.4.1 This section of the report does not apply to this report.

## 5.5 **Social Value**

5.5.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. This report does not relate to procurement of services contracts.

## 5.6 **Risk Management**

5.6.1 Effective management of risk is an integral part of asset management and the Council's Risk Management Framework has established strategic and departmental risk registers.

5.6.2 The Code of Practice 'Well-managed highway infrastructure' (2016) advocates the adoption of a risk-based approach to the management of highway infrastructure assets, and the proposed Work Programme has been developed in accordance with this.

## 5.7 **Equalities and Diversity**

5.7.1 Good roads and pavements have benefits to all sectors of the community in removing barriers and assisting quick, efficient and safe movement to schools, work and leisure. This is particularly important for older people, people caring for children and pushing buggies, those with mobility difficulties and sight impairments. The state of roads and pavements are amongst the top resident concerns and the Council is listening and responding to those concerns by the proposed planned highways maintenance programme.

5.7.2 The physical appearance and the condition of the roads and pavements have a significant impact on people's quality of life. A poor-quality street environment will give a negative impression of an area, impact on people's perceptions and attitudes as well as increasing feelings of insecurity. The Council's policy is focused on improving the overall street scene across the borough to a higher level and is consistent with creating an outcome where all communities are thriving and harmonious places where people are happy to live.

5.7.3 There are on-going assessments carried out on the conditions of the roads and pavements in the borough, which incorporates roads on which there were requests by letter, email, and phone-calls from users, Members and issues raised at meetings such as Area Forums. The improvements and repairs aim to

ensure that all users have equal and safe access across the borough regardless of the method of travel. Surface defects considered dangerous are remedied to benefit general health and safety issues for all.

5.7.4 The Equality Act 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:

- a) Eliminate discrimination, harassment and victimisation and other contact prohibited by the Equality Act 2010.
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design policies and the delivery of services. There is an on-going process of regularisation and de-cluttering of street furniture and an updating of highway features to meet the latest statutory and technical expectations.

## 5.8 Corporate Parenting

5.7.1 This section of the report does not apply to this report.

## 5.9 Consultation and Engagement

5.9.1 Engagement with local ward councillors will be undertaken in the autumn of 2020 to finalise the proposed carriageway treatments and footway relay schemes. All requests for highways maintenance received in the last year are logged and will be considered in the preparation of the Work Programme.

5.9.2 Residents will receive notification in advance informing them of any forthcoming works. The Council's Communications Team will be engaged to communicate with the residents via the press, the Council's Barnet First magazine and other media and highlight the Council's investment in highway maintenance.

## 6. Environmental Impact

6.1 There are no direct environmental implications from noting the recommendations. The Council's new contractor, Tarmac Kier Joint Venture TKJV), are an industry lead in driving efficiency and productivity in highways construction processes, and innovation in pavement design to create a more sustainable built environment. In the delivery of the Work Programme, TKJV will use innovative materials (such as rubber mix asphalt) to reduce the requirement for virgin materials, and efficient processes like warm mix asphalt, a material can be produced at lower temperatures, therefore reducing the energy requirement. Combined these will lower the carbon footprint of the works. TKJV will produce an annual carbon report to demonstrate the success of these measures.

## 7. BACKGROUND PAPERS

- 7.1 Environment Committee approval of 15<sup>th</sup> of March 2017 of the footway treatment types (Type 1 and Type 3)  
<http://barnet.moderngov.co.uk/documents/g8593/Public%20reports%20pack%2015th-Mar-2017%2018.30%20Environment%20Committee.pdf?T=10>
- 7.2 Environment Committee approval 24 July 2014  
<https://barnet.moderngov.co.uk/documents/g7879/Public%20reports%20pack%2024th-Jul-2014%2019.00%20Environment%20Committee.pdf?T=10>
- 7.3 Environment Committee approval 18 November 2014 of the five-year Commissioning Plan  
<https://barnet.moderngov.co.uk/documents/g7880/Public%20reports%20pack%2018th-Nov-2014%2019.00%20Environment%20Committee.pdf?T=10>
- 7.4 Council approval 16 December 2014 of the five-year capital allocation of £50.365m for Phase 1 Network Recovery Programme  
<https://barnet.moderngov.co.uk/documents/g7816/Public%20reports%20pack%2016th-Dec-2014%2019.00%20Council.pdf?T=10>
- 7.5 Council approval 2 March 2021 of the four-year capital programme addition of £19.47m for Phase 2 Network Recovery Programme  
<https://barnet.moderngov.co.uk/mgChooseDocPack.aspx?ID=10237>