

Environment and Climate Change Committee

6 September 2022

Title	Investing in Barnet's roads and pavements
Report of	Chair of Environment and Climate Change Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	None
Officer Contact Details	Ian Edser, Director of Highways and Transportation ian.edser@barnet.gov.uk

Summary

This report seeks the Committee's approval for the delivery of the 2023/24 Highway Network Recovery Plan (NRP) and Community Infrastructure Levy (CIL) Work Programme (the "**Work Programme**") totalling £11.785 million to be funded from the agreed NRP Capital allocation of £6.240 million for 2023/24 and Highways and Transportation Community Infrastructure Levy (**CIL**) allocation of £5.545 million for 2023/24. This is an increase of £299,000 compared with 2022/23 and supports the new administration's commitment to better repairs of roads and pavements.

The investment split for 2023/24 will be as follows: 52% carriageway, 32% footway, 2% retrospective rubber crumb footway works and 14% structures, drainage, road markings and other highway assets.

Officers Recommendations

1. That the Committee approves the capital expenditure of £11.785 million from the total capital programme previously agreed by full Council for the delivery of the 2023/24 Highway 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 5.2.1 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 the development and delivery of the NRP and CIL Work Programme and agree the proposed investment proportions for the Work Programme for 2023/24.

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 council has a new Labour administration who have set out a commitment to sustainability and a series of planned actions to mitigate the effects of climate change and encourage sustainable behaviours. This includes a manifesto commitment to set up a citizen's assembly on climate change and biodiversity, declaring a climate and biodiversity emergency, and taking forward the sustainability strategy.
- 2.3 The delivery of the NRP and CIL Work Programme will lead to a positive impact on the Council's carbon and ecology, is aligned to the council's emerging Sustainability Strategy and commitment to biodiversity in relation to the quality of the green infrastructure, operational delivery and material selection.
- 2.4 In particular, wherever possible the use of materials with the maximum proportion of recycled aggregates and other waste products such as defective car tyres, along with low carbon emission processes, will be utilised.
- 2.5 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.
- 2.6 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, with reference to Section 41, of the HA 1980.

- 2.7 The Work Programme is developed using an independent condition assessment survey company, XAIS Asset Management, who undertake a survey of every footway and carriageway in the borough and record the data to a defined national standard. 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.
- 2.8 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.
- 2.9 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 defective length of carriageway is less than 60 metres) where the footway condition over shorter lengths of the network warrants remedial treatment, in instances where footway relay is not appropriate.
- 2.10 The 2023/24 Work Programme works budget is £11.785 million. The proposed investment breakdown is included in table 2 paragraph 5.2.1 of this report. This is funded from borrowing (£6.240 million) with an additional £5.545 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.
- 2.11 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 were considered necessary.

- 2.12 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.
- 2.13 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.
- 2.14 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.

2.15 Network Recovery Programme progress to date

2.15.1 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 £19.43 million for a further three years (2022/23, 2023/24 and 2024/2025).

2.15.2 A total of 912 schemes have been completed to date across the eight years of the Network Recovery Programme, as set out in the table below. For the Year 8 programme to the end of August 2022 we have completed 38% of the combined carriageway and footway schemes, as illustrated in Table 1 below:

Table 1: Network Recovery Programme Delivery Eight Year Profile

Programme	Year 1 (15/16)	Year 2 (16/17)	Year 3 (17/18)	Year 4 (18/19)	Year 5 (19/20)	Year 6 (20/21)	Year 7 (21/22)	Year 8 (22/23)
Carriageway resurfacing	51	42	12	17	24	25	33	22* (of 31)
Carriageway large scale patching	-	-	-	-	27	19	32	17* (of 93)
Carriageway micro asphalt	43	23	44	33	-	-	-	-
Carriageway surface dressing	125	-	-	-	-	-	-	-
Footway relay	83	64	17	33	27	19	30	18* (of 70)
Footway Patching	-	-	-	-	-	-	-	32* (of 40)

“**” The year 8 programme is currently 38% complete, thus only 89 completed schemes are shown in Table 1

2.15.3 Figure 1 below, shows the carriageway network condition trend forecast from 2022 to 2032. The current level of investment of £3.9m per annum will broadly keep pace with the rate of network deterioration as demonstrated by the steady proportions of network condition over the 11-year period.

2.15.4 Figure 2 below show the resultant increase in the carriageway maintenance need over the next 10 years increasing from a base need of £74m in 2023 and increasing by £3.9m per annum. For the 2022/23 year, this maintenance need has been partially met by the additional CIL allocation to supplement the NRP Work Programme budget.

2.15.5 Figure 3 below, shows the footway network condition trend forecast from 2022 to 2032. The current level of investment of £1.45m per annum will not kept pace with the rate of network condition deterioration as demonstrated by the forecast increasing volume of the network to requiring maintenance over the 11-year period.

2.15.6 Figure 4 below show the resultant increase in the footway maintenance need over the next 10 years increasing from a base need of £50m in 2023 and increasing by £1.45m per annum. For the 2022/23 year, this maintenance need has been partially met by the additional CIL allocation to supplement the NRP Work Programme budget.

Figure 1

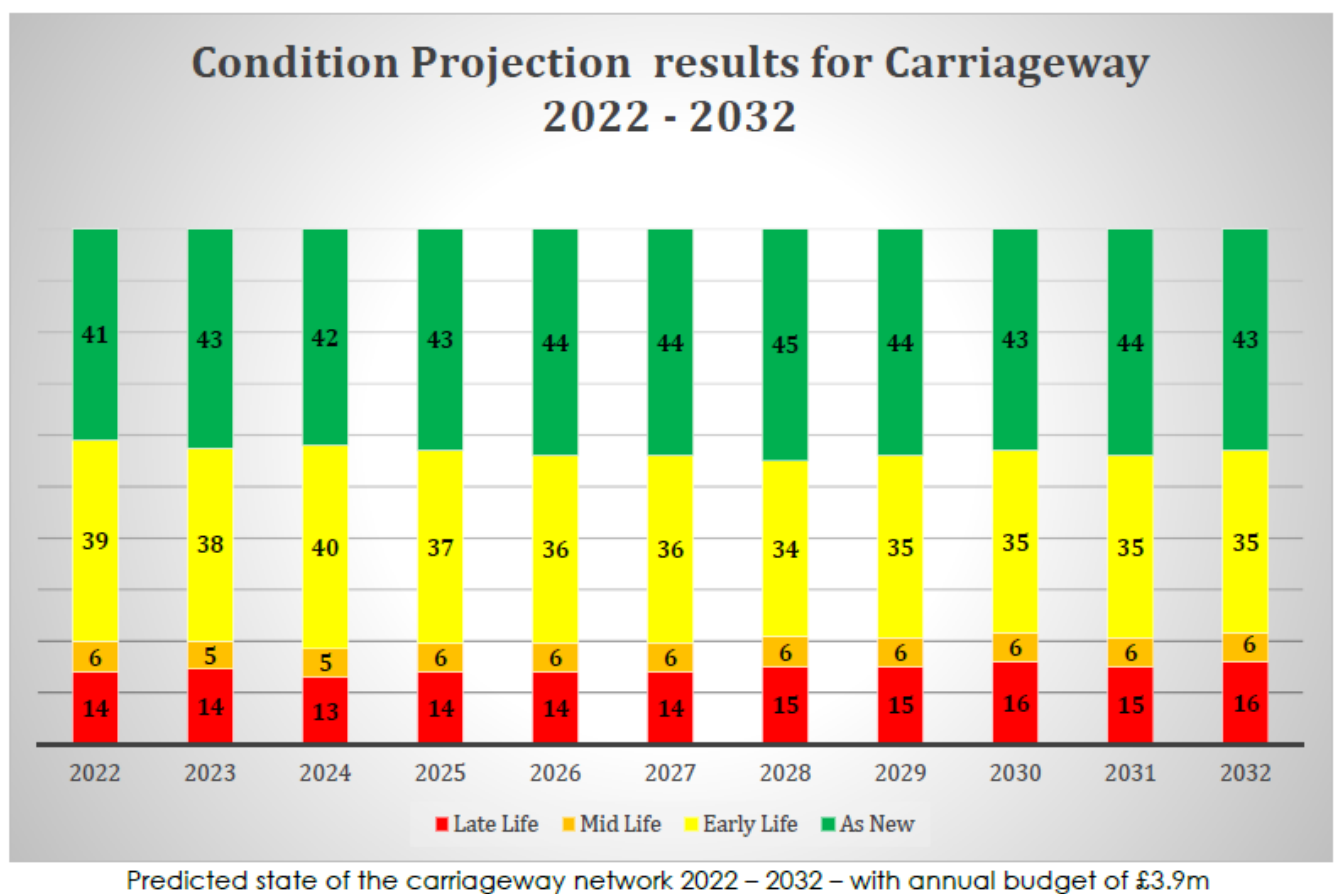


Figure 2

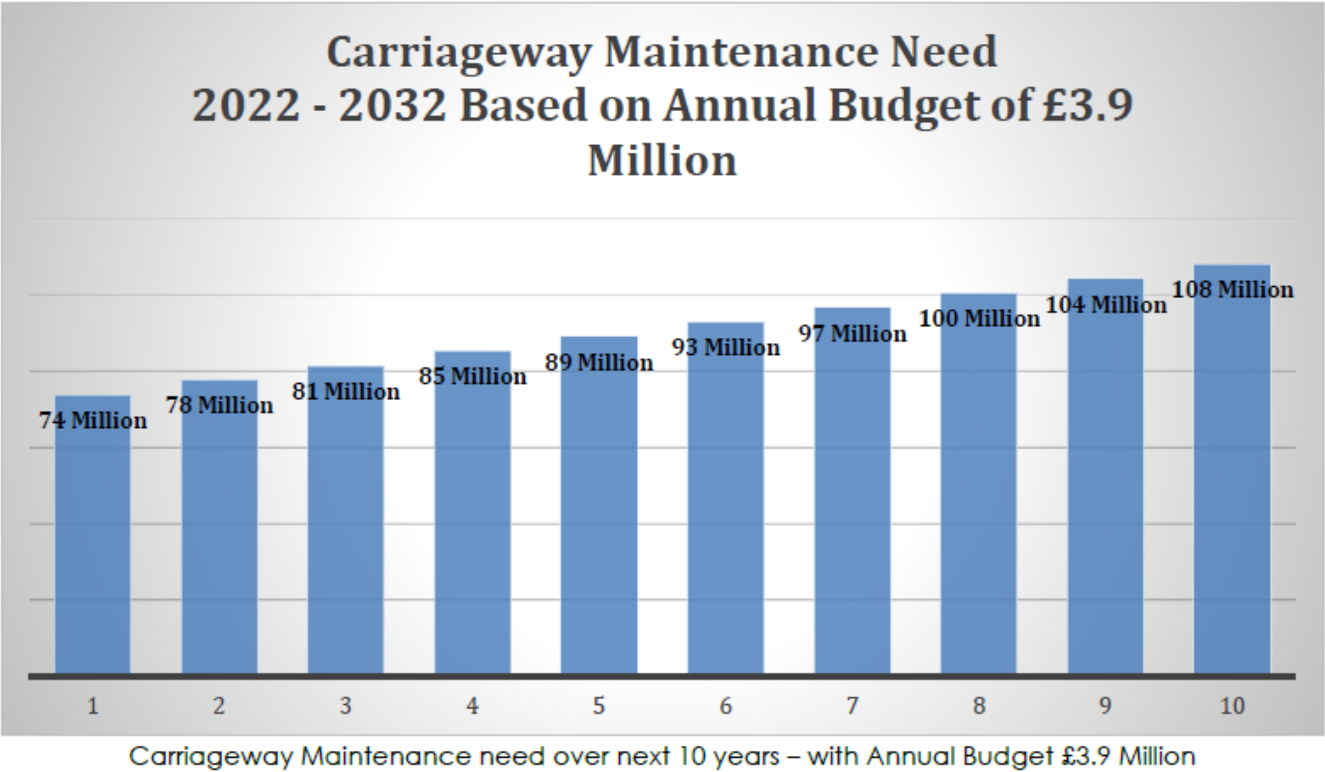


Figure 3

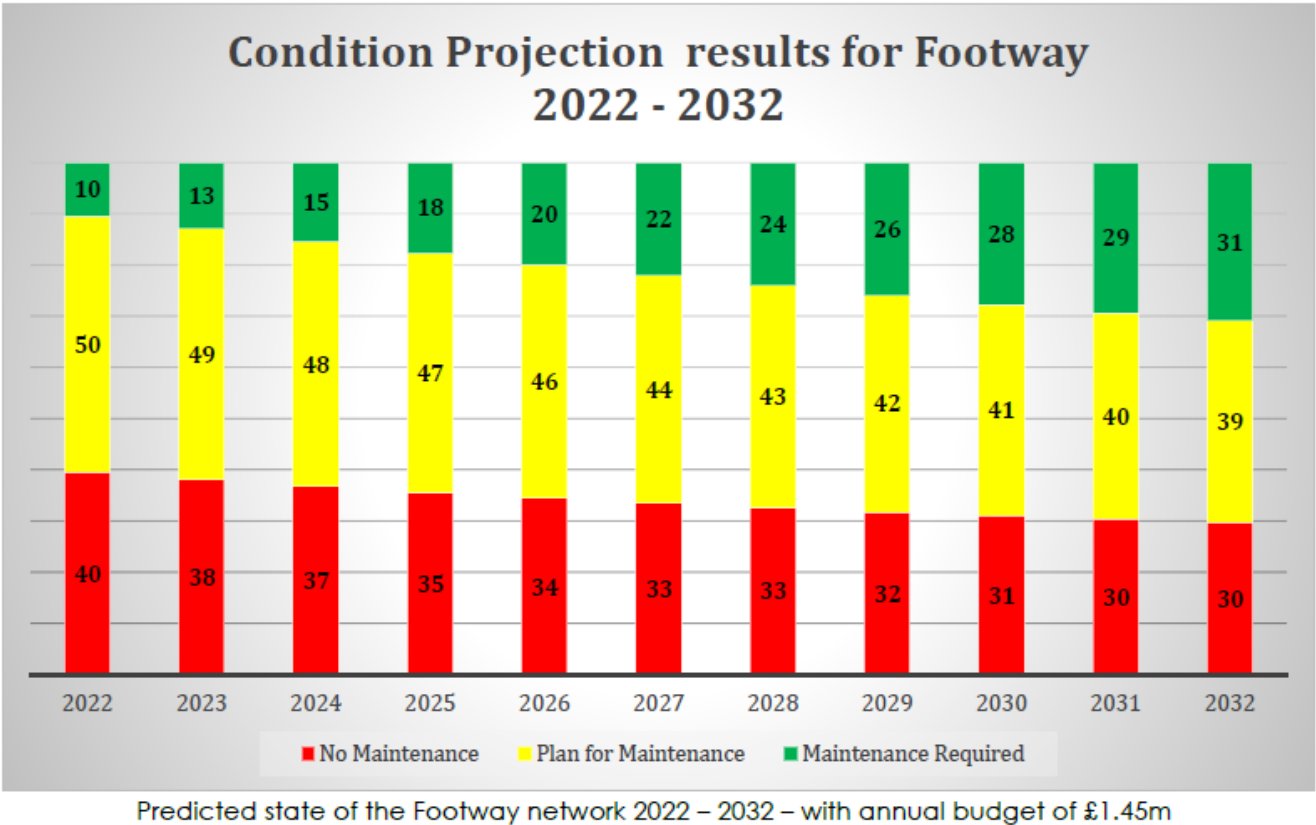
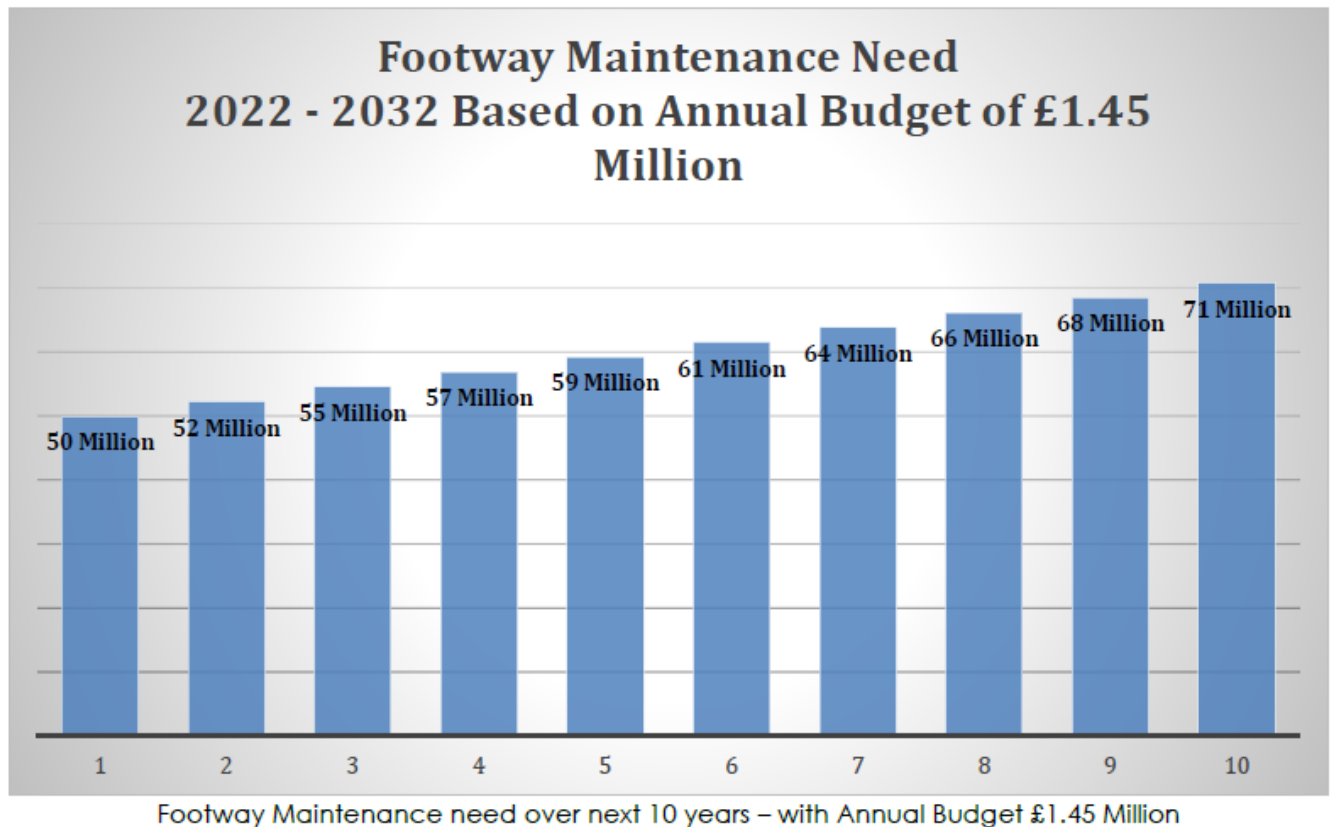


Figure 4



2.15.7 As part of 23/24 Work Programme, a further independent condition assessment has been commissioned via XAIS Asset Management to assist in preparations for future years' investment strategies.

2.15.8 During 2022/23 a new highway investment strategy is being developed in line with highway asset management best practice to create better visibility of planned highway maintenance beyond the current year on year approach. This approach aligns to the Highways Infrastructure Asset Management Plan (HIAMP) which is the subject of a separate report to this committee.

2.15.9 With the advancement in data capture and analysis technology, officers are proposing to implement a rolling 3-year investment plan allowing schemes to be designed and ward members briefed up to 12 months prior to works being implemented. This revised approach will allow members to obtain a better view of the maintenance and improvements works planned within their respective wards several years ahead. In addition, it is anticipated that this approach will improve the confidence of stakeholders regarding the highway maintenance activity adopted within the Borough.

2.15.10 Currently the carriageway and footway schemes to be constructed in 2023/24 are being identified and designed.

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 and Climate Change Committee will be presented with the finalised 23/24 programme at the January 2023 Committee meeting, for approval.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

Investing in Barnet's roads and pavements supports the new administration's commitment to better roads and pavements.

- 5.1.1 The Network Recovery Programme and Community Infrastructure Levy fund 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.
- 5.1.2 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.
- 5.1.3 The Highway network 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 matter to people and often public opinion surveys highlight dissatisfaction with the condition of local roads and the way they are managed. The proposed 2023/24 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 The total proposed allocation for the Network Recovery Programme works in 2023/24 is £11.785 million, with £6.240 million funded from the Network Recovery Programme and £5.545 million funded from the CIL allocation. The breakdown is shown in table 2 below:

Table 2

Programme	NRP Allocation	CIL Allocation
Carriageway resurfacing principal road network	-	£1.700 million
Carriageway resurfacing unclassified road network	£2.300 million	-
Footway relay	£0.900 million	£1.350 million
Footway patching	£0.550 million	£0.550 million
Carriageway patching principal road network	£1.000 million	-
Carriageway patching unclassified road network	£0.600 million	-
Carriageway and Footway Brent Cross	-	£0.060 million
Capital works (including flooding & drainage)	-	£1.00 million
Retrospective rubber crumb footway works	£0.250 million	-
Other assets (drainage and structures)	£0.200 million	£0.200 million
Heritage Assets		£0.025 million
Total works budget	£5.800 million	£4.885 million
Fees and other works costs	£1.100 million	
Combined total works budget	£11.785 million	

5.2.2 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 52%, 32%, 2% and 14% respectively.

5.2.3 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 and Climate Change Committee responsibility for all borough-wide or cross-area matters relating to the environment.

5.3.2 At full Council in March 2021, it was agreed to extend the programme by £19.43 million for a further three years (2022/23, 2023/24 and 2024/2025). The 2022/23 CIL allocation was agreed at full Council in March 2022. The 2023/24 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

5.4.2 Not applicable to this report, however the revised delivery plan will be informed by strategic insight data provided by TfL and other sources in due course.

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

5.6.2 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.

5.6.3 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

- 5.7.2 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.
- 5.7.3 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.
- 5.7.4 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 Forums, Leader listens and Chief Executive Walkabouts, etc. 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.
- 5.7.5 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 conduct 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.
- 5.7.6 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-clutter of street furniture and an updating of highway features to meet the latest statutory or technical expectations.

5.8 Corporate Parenting

- 5.8.2 No direct or indirect impacts on looked after children or care leavers identified beyond those applicable to the population as a whole.

5.9 Consultation and Engagement

- 5.9.2 Engagement with local ward councillors was undertaken post the September 2022 Environment and Climate Change Committee in order to brief on the proposed carriageway treatments and footway relay schemes.
- 5.9.3 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 Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact aligned to the council's emerging Sustainability Strategy in relation to supply chain operations and material selection including use of low carbon and recycled materials. The work programme will utilise the Highway Material Palette as endorsed at this committee on 8 March 2022.

7 BACKGROUND PAPERS

- 7.2 Environment Committee approval of 15th 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>
- 7.3 Environment Committee approval of the 2022/23 Network Recovery Programme
https://barnet.moderngov.co.uk/documents/s69487/Environment%20Committee%20Report%20NRP%20CIL%20Year%208%20040122%20Final_.pdf
- 7.4 Environment Committee approval of the Highway Material Palette
<https://barnet.moderngov.co.uk/documents/s70858/Environment%20Committee%20Report%20Highways%20Materials%20Palette%20080322%20FINAL.pdf>