



Highways Committee

Monday 16 October 2017 at 6.00 pm

Boardrooms 3&4 - Brent Civic Centre, Engineers Way,
Wembley HA9 0FJ

Membership:

Members

Councillors:
Southwood (Chair)
Tatler (Vice-Chair)
Farah
Hirani
M Patel

Substitute Members

Councillors:
Butt
McLennan
Miller

For further information contact: Tom Welsh, Governance Officer
tom.welsh@brent.gov.uk; 020 8937 6607

For electronic copies of minutes, reports and agendas, and to be alerted when the minutes of this meeting have been published visit **democracy.brent.gov.uk**

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also a Prejudicial Interest (i.e. it affects a financial position or relates to determining of any approval, consent, licence, permission, or registration) then (unless an exception at 14(2) of the Members Code applies), after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral ward affected by the decision, the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who employs or has appointed any of these or in whom they have a beneficial interest in a class of securities exceeding the nominal value of £25,000, or any firm in which they are a partner, or any company of which they are a director
- any body of a type described in (a) above

Agenda

Introductions, if appropriate.

Item **Page**

1 Apologies for Absence and Clarification of Substitutes

For the Committee to note any apologies for absence and clarification of any substitute Members at the meeting if need be.

2 Declarations of Interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary, personal or prejudicial interests in the items on this agenda and to specify the item(s) to which they relate.

3 Minutes of the Previous Meeting 1 - 4

To approve the attached minutes of the previous meeting on 27 June 2017 as a correct record.

4 Matters Arising (If Any)

For Members to comment on any matters arising from the previous minutes.

5 Deputations (If Any)

To hear any deputations received from members of the public in accordance with Standing Orders 66 and 67.

Petitions

6 Reeves Avenue Petition 5 - 10

This report outlines the Council's proposals in response to a petition received on 15 May 2017 regarding the condition of the pavements and road surface of Reeves Avenue, NW9.

Ward Affected: Welsh Harp

Contact Officer: Tony Kennedy, Head of Highways and Infrastructure, Jonathan Westell, Highways Contracts and Delivery Manager

Tel: 020 8937 5151, Tel: 020 8937

3360

tony.kennedy@brent.gov.uk,
jonathan.westell@brent.gov.uk

7 The Mall Petition

11 - 22

This report outlines the Council's response to a petition received on 30th March 2017 entitled "Put an end to the Infrastructure problem on The Mall, Harrow (HA3 9TG)". The petition was signed by 61 signatories.

Ward Affected: Barnhill

Contact Officer: Tony Kennedy, Head of Highways and Infrastructure, Jonathan Westell, Highways Contracts and Delivery Manager

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8 Response to Petition - Upgrading of Pavements and Grass Verges In Sudbury Using Available CIL Funding

23 - 26

The purpose of this report is to provide an update on the response to a petition submitted by Paul Lorber on behalf of residents in the Sudbury ward requesting the use of CIL funds to upgrade pavements and grass verges.

Ward Affected: Sudbury

Contact Officer: Nkechi Okeke-Aru, Programme Management Office

Nkechi.Okeke-Aru@brent.gov.uk

9 Any Other Urgent Business

Any decisions taken urgently under this heading must comply with the provisions outlined in paragraph 39 of the Council's Access to Information Rules (part 2 of the Constitution).

10 Date of Next Meeting

The next meeting of the Highways Committee is scheduled for 24 January 2018.



Please remember to switch your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be available for members of the public on a first come first served basis.

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LONDON BOROUGH OF BRENT

MINUTES OF THE HIGHWAYS COMMITTEE Held on Tuesday 27 June 2017 at 6.05 pm

PRESENT: Councillors Tatler (Vice-Chair, in the Chair), Hirani, Farah, Miller and M Patel

1. **Apologies for Absence and Clarification of Substitutes (if necessary)**

Apologies for absence were received from Councillor Southwood (Chair), with Councillor Miller present as substitute. Councillor Tatler, as Vice-Chair of the Committee, acted as Chair of the meeting.

2. **Declarations of Interest**

There were no interests declared by Members.

3. **Minutes of the Previous Meeting**

It was **RESOLVED** that the minutes of the previous meeting held on 27 March 2017 be approved as an accurate record of the meeting.

4. **Matters Arising (If Any)**

There were no matters arising from the minutes.

5. **Deputations (If Any)**

There were no deputations to be heard by the Committee.

6. **Petitions (If Any)**

There were no petitions to be discussed by the Committee.

7. **Brent Council Parking Service Annual Report 2016-2017**

Gavin Moore (the Council's Head of Parking and Lighting) introduced the report which set out the key achievements of the Council's Parking Service over the last financial year, alongside key aims and objectives for the coming year. Mr Moore explained that whilst the publication of the annual report fulfilled a statutory duty in accordance with the Traffic Management Act 2004, the Council's Parking Team viewed the Annual Report as an important opportunity to be open and accountable to residents. He had therefore brought the draft report to Members for comment and endorsement in advance of the statutory publication date.

Mr Moore outlined a summary of the key achievements over the past year, as detailed within the report, which included: a gradual increase in Parking Charge

Notices (PCNs) issued by Civil Enforcement Officers (CEOs); an increase in PCNs issued by Closed Circuit Television (CCTV) cameras for both parking contraventions and bus lane contraventions; enhanced productivity from CEOs; a lower number of complaints from residents about the service; a continued strong performance on debt recovery; a further increase in cashless on-street parking payments; the introduction of the borough's first business specific CPZ and accompanying 'business visitor' permit; and a substantial increase in the number of car parks in Brent which had secured the 'Park Mark' safer parking accreditation award. Mr Moore stated that it was hoped that the enforcement progress would assist in driving up traffic and driving standards across the borough.

Members welcomed the report from officers and it was felt that the progress made had been very positive. Questions arose on what could identifiably be improved from the Parking Service in the coming year. Gavin Moore stated that the quality of enforcement, and the adjudication of representations, could continue to be improved to try to avoid PCNs being issued in error. He noted that, staffing wise, the parking team were looking to recruit to a specific post to drive up quality within the service in order to address this, and another post to deal specifically with presenting Brent's case at independent appeal hearings. The Committee also heard that there was additional work planned to remove both older, poorly functioning pay and display machines, and those machines which were not in regular use. It was additionally explained that a further ten cameras for capturing moving traffic contraventions were planned to be introduced in 2017.

Members asked for detail on the approach that the Parking Team had been taking around schools, as it was felt that busy school drop-off times could often lead to illegal parking or anti-social behaviour. Gavin Moore explained that enforcement around schools was difficult at peak times but that the Council had been taking steps to address this. He explained that the difficulties caused by the Deregulation Act 2015 which had restricted CCTV use on locations that parking PCNs could be issued. This was a particular problem when CEOs were deployed, as drivers who were parked illegally were more likely to drive away before being issued with a PCN. Mr Moore outlined that the Council had been trialling a re-deployable camera with the aim to capture contraventions on school's 'keep clear' zig-zag markings, which was permitted under the Deregulation Act. He noted that it was clear that the threat of a PCN was an effective deterrent and it was hoped that this approach would prove to be effective over the course of the trial period.

Specific questions were asked on whether more could be done to issue PCNs for dangerous parking on red routes and also illegal parking on roads around the borough's town centres. Gavin Moore stated that red routes were monitored and managed by Transport for London (TfL) rather than the Council, however he said that Brent reported any identified problem areas on these routes to TfL. He also explained that the Council always tried to respond to notifications and intelligence from residents on illegal parking around town centres and that deployment plans for CEOs were often amended to react to these. The Committee heard that problems in addressing these issues were often caused by a lack of CEOs available to respond, particularly at peak times. Mr Moore went on that there was a wider difficulty caused by a lack of supply of people applying to be CEOs. He noted that the CEOs were employed by Serco and were currently offered minimum wage. He outlined that ideally the Council and Serco would want CEOs to be paid London Living Wage, but that the Council could not instigate this under the current inter-

authority agreement. He explained that the contract with Serco would be up for renewal in 2018 and that this issue could then be addressed.

A Member of the Committee asked whether the Council could improve its approach on providing information and clarity to residents when pay and display machines were removed. Gavin Moore said that the Council replaced the machines with a sign that detailed the removal. Mark Fairchild (the Council's Parking Projects Manager) added that the sign was also designed to include where information on the location of the nearest machine was, but officers acknowledged that this signage could sometimes be clearer. Officers outlined that any feedback would be taken on board.

Discussions moved to customer feedback on the service more generally. Members questioned whether feedback obtained was positive and also whether the Council had captured any feedback from visitors to the borough. Gavin Moore stated that the number of complaints were reduced but that the Council would always continue to take resident feedback into account. He emphasised that the Parking Service aimed to reduce the numbers of appeals which were referred to the Environment and Traffic Adjudicators (ETA) independent appeals service. On feedback from visitors, Gavin Moore said this was largely only picked up directly where the service had issued a PCN. However, he noted that Brent residents frequently fed back the comments of their visitors. This had been important in 2016 when feedback had been decisive in ensuring that the Council's permit system made appropriate provision for regular visitors to vulnerable residents.

A question was asked by a Member on whether the Parking Team had been working alongside the Council's new Town Centre Managers in order to manage parking demand in accordance with the Council's wider objectives. Gavin Moore confirmed that the Parking Team had been working with the two new Town Centre Managers who were now in post (Wembley and Harlesden). He stated that it was a fast learning curve for both sides but there had been a lot of initial communication on issues such as: where the car parks and controlled parking zones (CPZs) were around town centres; which areas had high demand for parking; and the typical yield per parking bay.

Questions were raised on the business specific CPZ in Stonebridge ward (mentioned within paragraph 4.10 of the covering report) and whether there were plans to extend this to other areas within the borough, such as the business park in Park Royal. Mark Fairchild agreed that this was an area which had been considered in the past, but the work had been overtaken by the borough-wide consultation on CPZs. He agreed that Park Royal was an area that could be considered for a CPZ review if there were indications from businesses that this would be their preference.

A question arose on whether the Council should be communicating more widely on the laws relating to parking on pavements throughout the borough. Gavin Moore said that the Parking Team worked closely with colleagues in the Highways Team who had the expertise in this area. He made clear that signage and formal decisions were vitally important to any PCNs issued in relation to pavement parking, and that both the Highways and Parking Teams would continue to ensure that this was consistent across the borough.

In response to a final question from a Member, Gavin Moore outlined that the key findings from the borough-wide consultation on CPZs was due to be discussed at 24 July Cabinet meeting.

RESOLVED that:

- (i) The publication of the Council's Parking Annual Report 2016/17, subject to amendment in respect of the 2016/2017 Environment and Traffic Adjudicators (ETA) data, be approved for publication prior to October 2017; and
- (ii) It be noted that the additional information on the outcome of appeals to the independent appeals service, ETA, in 2016/17, would be added to the published Annual Report in September 2017.

8. Any Other Urgent Business

There was no other urgent business to be transacted.

9. Date of Next Meeting

It was noted that the next meeting of the Highways Committee was scheduled for 16 October 2017.

The meeting was declared closed at 6.44 pm

COUNCILLOR SHAMA TATLER
Vice-Chair, in the Chair



Highways Committee 16 October 2017

Report from the Operational Director of Environment Services

For Action

Wards Affected: ALL

Reeves Avenue Petition

1.0 Summary

- 1.1 On 15th May 2017 the Council received a petition regarding the condition of the pavements and road surface of Reeves Avenue NW9.
- 1.2 The petition states that the residents are experiencing a lot of problems due to uneven and broken pavements; and cracks and potholes in the road.
- 1.3 Taking into account the condition as measured by independent surveys, under the council's procedure for resurfacing prioritisation neither the road surface nor the pavements in Reeves Avenue are likely to put forward for complete resurfacing in the near future.
- 1.4 However, there are a number of areas requiring repair. Officers recommend that any areas deemed defective by officers on both road and pavements are repaired using existing revenue maintenance budgets. Whilst not a complete resurface of road and pavements, this will repair any significant defects present.

2.0 Recommendations

- 2.1 That the Committee notes the petition regarding the condition of the pavements and road surface of Reeves Avenue NW9.
- 2.2 That the Committee agrees any areas deemed defective by officers on both road and pavements are repaired, using existing revenue maintenance budgets. The Committee notes that whilst not a complete resurface of road and pavement, this will repair any significant defects present.

3.0 Background

The Petition

- 3.1 On 15th May 2017 the Council received a petition regarding the condition of the pavements and road surface of Reeves Avenue NW9. The petition was signed by 54 signatories. The main points of the petition are summarised below

3.2 The petition states that the residents are experiencing a lot of problems due to

- Uneven and broken pavements
- Cracks and potholes in the road

3.3 The petition goes on to say that all residents especially the elderly, disabled and children are subject to many hazards due to the poor condition of the pavements and the road surface

3.4 The petition demands immediate repair of the pavement and resurfacing of the road.

4.0 The condition of the Road and Pavements in Reeves Avenue in NW9

4.1 There are a number of pavements and roads around the borough that would benefit from maintenance to improve their condition and visual appearance. This is a nationwide issue: the latest “Alarm Survey Report “published by the Asphalt Industry Alliance said that “Local authorities need over £12 billion to bring the network up to scratch” The ongoing imbalance between repair need and resource availability means that repairs have to be prioritised.

4.2 The process for deciding which roads and pavements are programmed for resurfacing is that every year, officers assess the highway network to determine its current condition, using condition surveys carried out by independent consultants. The officers then take account of a range of factors to define relative priorities for maintenance. The Council uses a scoring system to identify roads and pavements suitable for major resurfacing or preventative maintenance that assesses the following:

- Condition based on outcomes of annual condition surveys and inspection programmes;
- Road hierarchy and traffic usage, including proximity of local schools / colleges;
- Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history

4.3 Underpinning all this is the fact that there are many more roads and pavements that we would like to resurface than there is funding available to do them.

4.4 Since February 2014 the Council has received only 5 Customer Reports regarding the road surface and pavements of Reeves Avenue; 3 were regarding damaged or misplaced kerbs; one was about a pothole and one about the road and pavement conditions generally (the latter was in May 2015). Since September 2011 a total of 20 defects of intervention level or greater were identified, of which 4 were prioritised for repair and completed.

4.5 Reeves Avenue is a residential road just under 300m in length. The construction of the road is called a “flexible” one, that is, one made up of layers of asphalt. The pavements also have an asphalt surface (see photos in Appendix A) .The pavements are subjected to the additional wear and tear of “two wheels up” pavement parking.

4.6 The latest highway condition survey shows that approximately 75% of the road surface is in good or fair condition. A site inspection by a council engineer indicates there are a few small areas mainly kerbside that require maintenance soon but are not dangerous. Overall the engineer assessed the condition as reasonably good. Therefore Reeves Avenue is not likely to be a candidate for traditional full-depth resurfacing in the near future; which is estimated to cost £31k.

- 4.7 Regarding the pavements, the latest highway condition survey shows that approximately 95% of them are in a fair condition, with the remainder being classed as in a “good” condition. Therefore Reeves Avenue pavements are not currently candidates for resurfacing, which would cost around £113k. The structure of the pavements is generally sound but they suffer from a number of patches, both repairs and utility reinstatements that have degraded the visual amenity of the pavements. A number of kerbs have also been displaced, due to trees and vehicle incursion.
- 4.8 Neither the road surface nor the pavements in Reeves Avenue are likely to be prioritised for complete resurfacing in the near future. However, notwithstanding this, there are a number of areas requiring repair. Officers recommend that any areas deemed defective by officers on both road and pavements are repaired using existing revenue maintenance budgets. Whilst not a complete resurface of road and pavement, this will repair any significant defects present.

5.0 Legal Implications

- 5.1 Section 41 of the Highways Act 1980 (“the Act”) places a duty on the council as a highways authority to maintain public highways in the borough. Breaching this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it public highways in the borough. There is also a general power which the council can exercise under section 62 of the Act to improve highways. Under section 45 of the Act, the council has the power to obtain materials for the repair of highways that are maintainable at the public expense subject to certain restrictions specified in section 45.

6.0 Financial Implications

- 6.1 No additional funding is required as a result of this petition. Any areas deemed defective by officers on both road and pavements are to be repaired, using existing revenue maintenance budgets.

7.0 Diversity Implications

- 7.1 There are considered to be no diversity implications that require full assessment. The works proposed under the highways main programme do not have different outcomes for people in terms of race, gender, age, sexuality or belief.
- 7.2 We make sure of the visibility of the required signage, also where temporary work is being carried out.
- 7.3 We monitor of the quality of the work to ensure that the finished surface is to specification and does not form a mobility hindrance; and that signage and road markings are correctly provided as aid to movement.

Background Papers

None

CONTACT OFFICERS

Jonathan Westell, Highways Contracts & Delivery Manager
Tony Kennedy, Head of Service, Transportation

CHRIS WHYTE

Operational Director, Environment Services

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APPENDIX A – Photos of Reeves Road







Highways Committee 16 October 2017

Report from the Operational Director of Environment Services

For Action

Wards Affected: ALL

The Mall Petition

1.0 Summary

- 1.1 On 30th March 2017 the Council received a petition entitled "Put an end to the Infrastructure problem on The Mall, Harrow (HA3 9TG)". The petition was signed by 61 signatories.
- 1.2 The petition stated that a major concern was the intense vibration of the houses due to the road surface, which causes damage. The petition asserts that speeding is also a contributing factor. The road safety record of The Mall is then discussed. The petition says flooding is another major contributing factor and the drainage system is not well equipped to handle heavy rainfall.
- 1.3 The flooding in The Mall and Brent North catchment, including L. B. Harrow has been on-going for many years. The group known as Brent North and Harrow Flooding working group was formed many years ago in order to identify the root cause of flooding in this catchment.
- 1.4 Vibration is caused by vehicles hitting surface defects, which then is transmitted through the ground to the buildings. According to the Building Research Establishment "Although vibrations induced in buildings by ground borne excitation are often noticeable, there is little evidence that they produce even cosmetic damage (such as small cracks in plaster)" The conclusions of their research should provide some assurance on that point
- 1.5 Several severe road defects have been identified on The Mall and have either been repaired or are ordered for completion; this will reduce the vibration in the locality of the defects. However, given that the total length of The Mall is affected by cracks, this will not solve the more general vibration problem.
- 1.6 The current highway condition survey shows around 85% of The Mall is in "Green" (good) condition. Consequently there are currently no plans to resurface The Mall. In any case given that the Mall is nearly a kilometre long, the cost of resurfacing would be very high, around £265,000. So if we are to address the vibration problem, we need a more affordable solution.

- 1.7 One option we can try in an effort to improve the situation is to fill cracks in the road surface, a cause of vibration, along with localised areas of reconstruction are carried out on the 15% of the road not in “good” condition. This would be at an estimated total cost of £80,000. The alternative is waiting for the road to become a priority for full depth resurfacing at some uncertain point in the future.
- 1.8 If the recommendation is confirmed, this £80,000 scheme would be put forward as part of the Highways Capital Maintenance programme for 2018 / 19 for approval at Cabinet.

2.0 Recommendations

- 2.1 That the Committee notes the petition which asks the council to put an end to the Infrastructure problem on The Mall, Harrow (HA3 9TG)
- 2.2 That the Committee notes the long term nature of the drainage problem and the work being done with other agencies to solve the problem.
- 2.3 That in response to the Petition, the Committee approves the affordable solution proposed to alleviate the vibration i.e. that a) the joints are treated along the full length of The Mall and b) localised areas of reconstruction are carried out on the 15% of the road not in “good” condition; at a total approximate cost of £80,000. The crack filling is expected to be a medium term solution in lieu of expensive full depth resurfacing. It is proposed that the scheme would be put forward as part of the Highways Capital Maintenance programme for 2018 / 19, to be approved at Cabinet.
- 2.4 Additionally in response to the Petition, that the Committee authorises traffic speed surveys to be carried out along the Mall to ascertain whether average speeds are consistent with the speed limit. The Committee notes that should a speeding issue be identified, appropriate low cost remedial measures, for example additional warning signs or SLOW carriageway markings, will be considered in the shorter term (all to be done within existing budgets)

3.0 Background

The Petition

- 3.1 On 30th March 2017 the Council received a petition entitled “Put an end to the Infrastructure problem on The Mall, Harrow (HA3 9TG). The petition was signed by 61 signatories. The main points of the petition are summarised below
- 3.2 The petition stated that one of the major concerns was that most houses vibrate intensely on a daily basis due to the surface of the road. The petition then states that due to this vibration, cracks in the road, houses, pavements and driveways have worsened over the past 6 years and says to date no proper action has been taken.
- 3.3 The petition asserts there are about 200 double decker buses on The Mall on a daily basis; that this has had a tremendous impact on the houses resulting in costs for repairs to damage caused by the vibration.
- 3.4 The petition asserts that speeding is also a contributing factor towards the damage to the houses, as cars and vans (especially HGV vehicles and buses) going above the 30 mph speed limit increase the damage to the road and the houses.

- 3.5 The road safety record of The Mall is then discussed. The petition says there have been numerous accidents which have occurred on the mall, on one occasion in 2015, fatal. It says any children's lives are at risk especially as there is a school on this road and a busy local park. It says it is the council's duty to take action to against the speeding this road.
- 3.6 The petition says flooding is another major contributing factor and the drainage system is not well equipped to handle heavy rainfall. It says the main cause of flooding on The Mall is due to groundwater from the fields, causing houses to become damp and more damage to the road. Consequently, the buses and heavy vehicles increase the damage and vibration because of the water damage to the road.

Discussion of Points Raised in the Petition

- 3.7 Vibration caused by traffic in nearby buildings is induced by two routes. Noise is itself a vibration of the air molecules. Secondly, vibration is caused by vehicles hitting surface defects, which then is transmitted through the ground to the buildings. People can worry about the possible effect that vibration is having on the structure of their houses. It would be logical for the ground vibration to increase with the increasing, number, speed and weight of vehicles. It would also be logical for vibration to be more apparent in the upper floors of a building.
- 3.8 According to the Building Research Establishment "Although vibrations induced in buildings by ground borne excitation are often noticeable, there is little evidence that they produce even cosmetic damage (such as small cracks in plaster)". Officers submit that the conclusions of their research provide some assurance on that point. However, we do understand that vibration can be a nuisance and we do what we can to alleviate it within the financial constraints we operate under.
- 3.9 Brent is committed to the continued reduction of personal injury accidents (PIAs) and improvement of road safety on our roads. To this end our accident reduction programme prioritises locations with the most significant accident problems for the introduction of mitigation measures. A number of issues need to be taken into account when considering any potential road safety schemes within the Borough. One of these is the availability of funding to design and install measures. Every year the Council receives a considerable number of requests for road safety improvements throughout the borough. Over the years the Council have installed a raised zebra crossing near the junction with Preston Hill, pedestrian refuge and traffic islands, and central hatching along the Mall to improve road safety.
- 3.10 The main source of funding to implement safety schemes is Transport for London through the annual (LIP) allocation. Unfortunately the level of funding and resources available to deal with all of these requests is not sufficient to cope with demand. As a result it is necessary to prioritise potential locations for funding in terms of the level of benefit any measures may provide. The nationally recognised method for determining which locations would benefit most from investment in accident reduction measures is through analysis of recorded traffic accident information.
- 3.11 Data on road traffic accidents resulting in personal injury (PIAs) within the Borough is provided on a regular basis by the Metropolitan Police. This data is used to identify locations where significant numbers of PIA's have occurred and through this analysis it is possible to prioritise where measures would be of most benefit in terms of accident reduction. This is in line with the Government's road safety strategy to reduce the number of road traffic accidents nationally. We take into consideration trends along with the circumstances in relation to accidents from the Police reports.

- 3.12 We have analysed the latest available PIA data for the Mall covering the 3 year period ending 31/12/2016, the latest data available. Over a 3 year period, a total of 6 accidents were recorded in the Mall. Three accidents occurred near the junction with The Garth, two near the junction with Minterne Road, and one just to the south of Kingsbury Circle. Two accidents involved pedestrians and one accident involved a powered two wheeler. No children were involved in any of the accidents. Four of the accidents occurred during the hours of darkness and four occurred in either wet or icy conditions.
- 3.13 Given the long length of The Mall, the number of accidents recorded is not high in comparison with some other locations within the borough and therefore there are currently no plans for further traffic calming measures. However, we will add this location to our list of potential Local Implementation Plan (LIP) future schemes although funding cannot be guaranteed as other sites with a more acute accident record will need to be given priority for funding and remedial action. We shall also arrange for traffic speed surveys along the Mall to ascertain whether average speeds are consistent with the speed limit. Should a speeding issue be identified, appropriate low cost remedial measures, for example additional warning signs or SLOW carriageway markings, will be considered in the shorter term. To ensure that the speed surveys are conducted under 'typical' traffic conditions, we have waited until the school summer holidays have finished before commissioning the surveys.
- 3.14 The flooding in The Mall and Brent North catchment, including L. B. Harrow has been on-going for many years. The group known as Brent North and Harrow Flooding working group was formed many years ago in order to identify the root cause of flooding in this catchment. This group comprises of Brent, Harrow, Environment Agency and Thames Water. The flooding in this area is mainly due to inadequate capacity in Thames Water sewer network and also in the Wealdstone Brook which is the responsibility of Environment Agency.
- 3.15 At present, Thames Water are preparing a drainage model to establish the flow characteristics and capacity within the public sewer network and the Wealdstone Brook. This drainage study is in its final stages and results are likely to be available by the autumn. It is anticipated that the drainage model will identify flood risk areas and this will enable to identify suitable solutions.
- 3.16 The solutions will comprise of various flood relief schemes in Brent and Harrow but the majority of the problems are arising from Harrow. In Harrow, they have dual manhole system, where both surface water and foul sewer pipes are within one manhole with open channel and during heavy rain, surface water overflows in foul system and this causes sewer network to surcharge. Also, there are number of cross connections between foul and surface water sewers which were installed during the World Wars I and II as emergency precautions, so that if one pipe was damaged by bombing, then it can overflow in to other pipe. The model will also identify locations of these cross connections and will be sealed off as necessary.
- 3.17 One of the solutions will be to separate surface water from foul sewer and provide additional storage in both foul and surface water sewer systems in various locations. Four areas in Harrow are identified and by implementing the schemes, this will drastically reduce the flow entering in Brent and flooding risks will be drastically reduced. The scheme in Brent is likely to be a providing a storage in the Wealdstone Brook in Woodcock Park and in Fryent Country Park and this will be mainly a large pond or enlarging existing watercourse.

3.18 The Mall is subject to flooding at the junction with Preston Hill, which occurs mainly during very heavy rain and last event was on 8th June 2017. On average, this location floods approximately twice a year and this is mainly due to surcharging from the public sewer. There are no specific problems related to blocked gullies in this area. The gullies at The Mall j/w Preston Hill area are classified as “Vulnerable gullies” and they are cleaned twice a year , the last cleansing being in April 2017.

4.0 Maintenance Plans for the Road Surface of the Mall

4.1 There are a number of pavements and roads around the borough that would benefit from maintenance to improve their condition and visual appearance. This is a nationwide issue: the latest “Alarm Survey Report “published by the Asphalt Industry Alliance said that “Local authorities need over £12 billion to bring the network up to scratch” The ongoing imbalance between repair need and resource availability means that repairs have to be prioritised.

4.2 The process for deciding which roads and pavements are programmed for resurfacing is that every year, officers assess the highway network to determine its current condition, using condition surveys carried out by independent consultants. The officers then take account of a range of factors to define relative priorities for maintenance. The Council uses a scoring system to identify roads and pavements suitable for major resurfacing or preventative maintenance that assesses the following:

- Condition based on outcomes of annual condition surveys and inspection programmes;
- Road hierarchy and traffic usage, including proximity of local schools / colleges;
- Level of risk in terms of numbers of accident claims, historic pothole repair records and/or collision history

4.3 Underpinning all this is the fact that there are many more roads and pavements that we would like to resurface than there is funding available to do them.

4.4 Since February 2014 the Council has received 53 Customer Reports regarding the road surface of The Mall. A total of 36 defects of intervention level or greater were identified, of which 20 were prioritised for repair and completed.

4.5 The Mall is a long busy road, approximately 960m in length. The construction of the road surface is made up of concrete slabs, which has at some point in the past been overlaid with a layer of asphalt. In between the concrete slabs there are expansion joints, where movement due to thermal expansion and contraction is greatest. Over time this movement causes cracking in the asphalt layer above. Water then gets in and causes further deterioration in the surface layer. As discussed in section 3.7, when surface defects are subjected to traffic loading, ensuing vibration is transmitted to adjacent properties.

4.6 The current highway condition survey shows around 85% of The Mall is in “Green” (good) condition. Consequently there are currently no plans to resurface The Mall, but we are aware of the condition. In February 2017 the Council commissioned a Ground Penetrating Radar survey on the section of road around 88 The Mall. Following this, a substantial repair was carried out at this location. At time of writing in September 2017 officers have already recently repaired three severe defects at a cost of £5000 and officers are planning to repair five more severe localised defects, costs as yet not estimated.

- 4.7 Fixing these severe defects will reduce the vibration in the locality of the defects. However, given that the total length of The Mall is affected by cracking defects, this will not solve the more general problem.
- 4.8 The Mall is not likely to be a candidate for traditional full depth resurfacing in the near future given its overall “good “ condition; in any case given that the Mall is nearly a kilometre long, the cost would be very high, around £265,000. This would include localised areas of reconstruction on the 15% of the road which the condition survey says is not in “good” condition.
- 4.9 This being the case, if we are to address the vibration problem a more affordable solution needs to be identified. Officers are in Brent looking to increase the Council’s range of highway maintenance repair types so the council can derive more value from the money it spends on its highways network and improve its condition
- 4.10 One option we can try is to fill the cracks, in an effort to improve the situation. It will not be as good as full depth resurfacing but should result in an improvement. We know that because of the high thermal movement at the crack locations, the repairs can only be expected to last a few years before the joints deteriorate again, but it is better than the alternative of waiting for the road to become a priority for full depth resurfacing at some uncertain point in the future.
- 4.11 It is therefore recommended that a) the joints are treated along the full length of The Mall and b) localised areas of reconstruction are carried out on the 15% of the road not in “good” condition at a total approximate cost of £80,000.
- 4.12 If approved, this scheme would be put forward as part of the Highways Capital Maintenance programme for 2018 / 19.
- 4.13 If the joint sealing is found to be ineffective from the start, the Council could consider bringing forward full-depth resurfacing in future years, in two or three phases to reduce the cost impact in any one year.

5.0 Legal Implications

- 5.1 Section 41 of the Highways Act 1980 (“the Act”) places a duty on the council as a highways authority to maintain public highways in the borough. Breaching this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it public highways in the borough. There is also a general power which the council can exercise under section 62 of the Act to improve highways. Under section 45 of the Act, the council has the power to obtain materials for the repair of highways that are maintainable at the public expense subject to certain restrictions specified in section 45.

6.0 Financial Implications

- 6.1 The cost of the recommended maintenance works is estimated at £80,000. If approved the scheme would be put forward as part of the Highways Capital Maintenance programme for 2018 / 19, to be approved at Cabinet.

7.0 Diversity Implications

- 6.1 There are considered to be no diversity implications that require full assessment. The works proposed under the highways main programme do not have different outcomes for people in terms of race, gender, age, sexuality or belief.

- 6.2 We make sure of the visibility of the required signage, also where temporary work is being carried out.
- 6.3 We monitor of the quality of the work to ensure that the finished surface is to specification and does not form a mobility hindrance; and that signage and road markings are correctly provided as aid to movement.

Background Papers

None

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APPENDIX A – Photos of The Mall Road surface











Highways Committee 16 October 2017

Report from the Strategic Director, Regeneration and Environment

For Action

Wards Affected: Sudbury

Response to Petition - Upgrading of Pavements & Grass Verges In Sudbury Using Available CIL Funding

1. Summary

- 1.1 The Community Infrastructure Levy (CIL) is a charge applied to eligible developments to help fund strategic (borough-wide) and neighbourhood infrastructure and address deficits that might otherwise be caused by development. Brent's CIL was formally introduced on 1 July 2013.
- 1.2 The purpose of this report is to provide an update on the response to a petition submitted by Paul Lorber on behalf of residents in the Sudbury ward requesting the use of CIL funds to upgrade pavements and grass verges.

2. Recommendations

- 2.1 The Highways committee are asked to note the contents of this report.

3. CIL – Background

- 3.1 The Planning Act 2008, and CIL Regulations (2010) as amended, provided for local authorities to apply the CIL to support development. A list of all strategic infrastructure that CIL funds collected in Brent may contribute towards, is available on the Brent website. (The Regulation 123 list).
- 3.2 The CIL Regulations 2010 also stipulate that at least 15 per cent of CIL receipts generated must be spent on Neighbourhood Projects. Whilst the legislation does not prescribe a process for how Neighbourhood CIL is allocated, the expectation is that priorities for spend are agreed with the local community. A cabinet report outlining Brent's Neighbourhood CIL spend process was approved on 13 February 2017¹ and, as a result, Brent is divided into five 'CIL Neighbourhoods'; Kilburn, Kingsbury & Kenton, Wembley, Willesden and Harlesden. Priorities for spend in each area were agreed by Brent's Cabinet in May 2017.
- 3.3 A summary of the priorities for each CIL Neighbourhood is below:

¹ <http://democracy.brent.gov.uk/ieDecisionDetails.aspx?AllId=24493>

CIL Neighbourhood	Community Space & Cultural facilities	Parks & Open Space	Schools & Education	Town Centre & High Streets	Transport & Roads
Harlesden	✓			✓	✓
Kilburn	✓		✓		✓
Kingsbury		✓		✓	✓
Wembley	✓	✓		✓ (joint 1 st)	✓ (joint 1 st)
Willesden	✓			✓	✓

4. Update on response to petition received.

- 4.1 A letter, dated 26 July 2017 and addressed to Tony Kennedy, Head of Highways & Infrastructure was passed to Nkechi Okeke-Aru, Principal Development Funds Officer, concerning how the community infrastructure levy (CIL) is spent in Brent. The letter particularly requested that CIL funds collected in the Wembley area should be used to meet the cost of upgrading, maintaining and protecting pavements and grass verges.
- 4.2 A petition was also submitted signed by residents of Station Approach & Crescent, Priory Park Avenue, Priory Avenue and Close, Eton Avenue, Charterhouse Avenue & Repton Avenue. This was passed to Democratic Services to log.
- 4.3 A response was issued on 24 August 2017 acknowledging the letter and petition. The response explained that whilst public realm infrastructure and roads are eligible for CIL funding, the responsibility for how CIL is allocated does not sit with the Highways & Infrastructure Service. This is a strategic recommendation made by Brent Council's Capital Programme Board; balancing needs across services and types of infrastructure. The process of identifying and agreeing strategic infrastructure priorities and projects is currently underway, and will be agreed as part of the budget setting process, by Brent's Cabinet in February 2018.
- 4.4 The response also reiterated that as a process for allocating Neighbourhood CIL has been agreed by Cabinet, any request for funds will need to align to this process. The response letter explained that local residents are eligible to bid for Neighbourhood CIL funds and explained the process for doing this. Projects that demonstrate that they meet the shortlisting criteria are likely to be approved; provided there are enough funds available. The letter also explained that any materials chosen for repairs would need to be consistent with council policy. It was also explained that if residents wished to submit an application for Neighbourhood CIL, the petition may be used as evidence to support the proposal.
- 4.5 The next application round for Neighbourhood CIL funds will close on 1 December 2017. If residents wish to submit an application for Neighbourhood CIL funds, they may access the Neighbourhood CIL application form via the Brent website: www.brent.gov.uk/cil (scroll down to spending CIL).

5. Financial Implications

- 5.1 At least 15 per cent of CIL receipts must be spent on local projects that mitigate the impact of development and are identified in consultation with local communities (capped at £100/dwelling each financial year). Where a

Neighbourhood Forum has an adopted Neighbourhood Plan, 25 per cent of CIL receipts may be spent on local projects. The remainder is used to fund strategic infrastructure in accordance with Brent's Regulation 123 list and aligned to Brent's capital programme priorities.

- 5.2 The value of CIL funds available to projects is dependent on the number and value of CIL liable developments in Brent. The Planning Policy & Projects Team maintains a profile of all upcoming CIL liable developments; however, the due date of CIL payments is dependent on when development commences. Therefore, the biggest risks to financial planning are that even though a development may be CIL liable, a development may be delayed, or CIL instalments may be late, or not paid by developers. However to mitigate this, the ongoing monitoring of income and spend will remain the responsibility of the Planning Policy & Projects Team, and a summary CIL monitoring report is produced annually.

6. Legal Implications

- 6.1 The Planning Act 2008, and CIL Regulations (2010) as amended, provided for local authorities to apply the CIL to support development. The Neighbourhood element may be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure, or anything else that is concerned with addressing the demands that development places on an area (Reg 59c).
- 6.2 CIL spend is governed by Part 7 of the CIL Regulations and for any financial year in which CIL receipts are received, a report outlining CIL receipts and expenditure must be prepared and published on the council's website. (Reg 62a). However the CIL Regulations do not prescribe a process for agreeing how the neighbourhood portion should be spent. Whilst there is an expectation that communities are involved in this process (see DCLG Planning Practice Guidance), the use of existing community consultation and engagement processes, proportionate to the level of CIL receipts and the scale of any proposed development, is anticipated. Brent's cabinet approved the process for allocating Neighbourhood CIL in February 2017.

7. Diversity Implications

- 7.1 In compliance with the Equality Act 2010 and the Public Sector Equality Duty (PSED), the Council must, in the exercise of its functions, have "due regard" to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 7.2 The duty covers the following nine protected characteristics: age, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity, race, religion or belief, sex and sexual orientation.
- 7.3 When considering, shortlisting and approving the use of CIL funds for projects, decision-makers must also ensure that due regard is given to PSED and each

project that receives CIL funding will need to be assessed separately for any potential / likely diversity implications.

8. Staffing/Accommodation Implications (if appropriate)

8.1 None.

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