



Highways Committee
25 January 2017

**Report from the Strategic Director of
Regeneration and Environment**

For Action

Wards Affected: ALL

Medway Gardens Petition

Forward Plan Ref:

1.0 Summary

- 1.1 In common with other Highway Authorities, Brent has an increasing highway maintenance requirement. The backlog is currently estimated in Brent at £100m, and more defects are appearing year on year. Against this, public expectations are rising with more customer reports of highways defects every year asking for these to be repaired.
- 1.2 On 23rd May 2016, the Council Cabinet approved the programme of an additional £2m investment in highways infrastructure, the aims of which included achieving greater equality in condition between pavements and roads; reducing the amount of expensive reactive repairs and increasing the amount of cost-effective programmed maintenance
- 1.3 Accordingly, the Council Cabinet approved pavement slabs being replaced with asphalt, which will help to make pavements more resilient and durable, and fit for purpose for the demands of today.
- 1.4 The footway reconstruction of Medway Gardens had been identified as part of the additional investment programme. The Council received a petition on 26th October from residents in Medway Gardens regarding the works, which were postponed pending the hearing of the petition.
- 1.5 The petition states " *We the undersigned demand that Brent council halt the "planned improvements" to Medway gardens, due to commence on the 24th October 2016. Brent Council has not given residents adequate, or any notification of the materials to be used. This risks undermining the distinctive character of the area as well as durability and safety of the proposed material. We further ask that prior to any work being commenced, that a meaningful consultation be held with the residents and their representatives.*"

2.0 Recommendations

- 2.1 That the Committee notes the petition from residents in Medway Gardens Sudbury regarding the proposed pavement reconstruction, received by the Council on 26th October.
- 2.2 That Medway Gardens pavement reconstruction goes ahead with asphalt used in between concrete block areas at dropped crossings and street corners.

- 2.3 That the Committee notes petitions concerning the use of asphalt are not required under the council's standing orders to be considered by the Committee.

3.0 Background

The Highway Maintenance Backlog

- 3.1 Our highways infrastructure (including roads and pavements) is the asset most used by the public and the most visible. In common with other Highway Authorities, Brent has an increasing maintenance requirement which cannot be met through a standstill budget. The maintenance backlog is currently estimated in Brent at £100m, and more defects are appearing year on year. Against this, public expectations are rising with more customer reports of highways defects every year asking for these to be repaired.

Increased Investment and a more cost-effective approach

- 3.2 An increase in the level of investment to maintain the highway network was required to respond to public concerns, make it safer and fit-for-purpose, and to improve public satisfaction. Accordingly, on 23rd May 2016, the Council Cabinet approved the programme of an additional £2m investment in highways infrastructure
- 3.3 The aims of the additional investment included achieving greater equality in condition between pavements and roads; and reducing the amount of expensive reactive maintenance and increase the amount of cost-effective programmed maintenance.

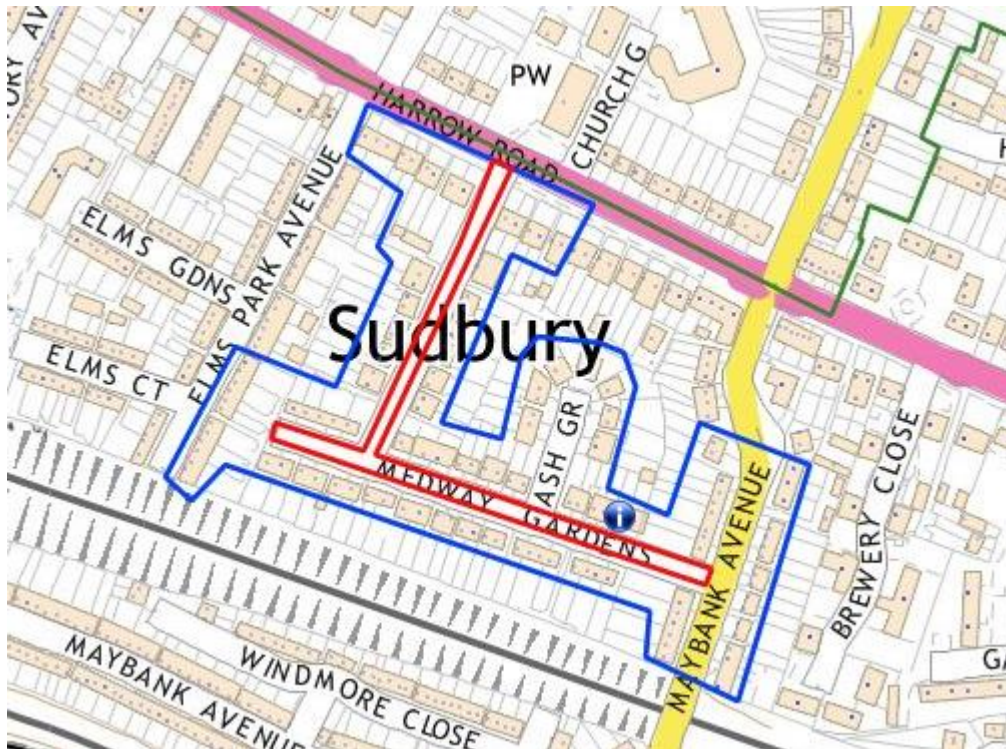
A Change in Pavement Materials

- 3.4 To move from a reactive way of working to a cheaper and more effective one of programmed work, alternative materials were considered in order to reduce the total cost over the whole life of the pavements. Figures indicated that typically significant savings of between 5 and 10% could be made in the initial cost of reconstruction (depending on the proportion of dropped crossings in a street) by using asphalt between dropped crossings instead of slabs
- 3.5 Concrete block areas on dropped crossings and street corners were designed to create "features" along the length of the street. This is an aesthetic measure, to maintain visual interest in what would have otherwise been long lengths of uninterrupted asphalt. Finished examples of this can be seen in Appendix B.
- 3.6 Asphalt was the most cost effective and means that existing budgets can be spread further: more streets can be resurfaced for the same money. Additionally the pavements will be less susceptible to damage by overrunning vehicles, so reducing accidents and complaints, increasing public satisfaction and reducing future maintenance costs
- 3.7 As well as the initial cost, in any assessment of options we must also take into account the cost of the pavement over the course of its life – the "whole life cost". The life of a slabbed pavement is limited by factors such as damage by tree roots, overrunning by vehicles and disruption by utility works. Slabbed paving also often deteriorates if not constrained at the edges. Over time the pavement spreads and gaps form between slabs. Deformation of underlying clay by drought, wet or frost can also disrupt a slab pavement
- 3.8 Accordingly, the Cabinet resolved that the material to be used for the 2016/17 footway reconstruction programmes was to be asphalt, as a default. Category 1 & 2 pavements,

and pavements in conservation areas were to be considered on a case by case basis, but normally replaced like for like

The 2016/17 Pavement Reconstruction Programme

- 3.9 In total there are 15 footway reconstruction schemes being carried out in 2016/17, of which 13 involved the use of asphalt. At time of writing in November 2016 three have been completed and seven are in progress. Photos of completed work are included in Appendix A
- 3.10 The reconstruction of the pavements in Medway Gardens had been identified as part of the £2m additional investment programme.



The Petition

- 3.11 The Council received a petition on 26th October from residents in Medway Gardens Sudbury regarding the proposed pavement reconstruction. The work was postponed pending the hearing of the petition.
- 3.12 The petition states” *We the undersigned demand that Brent council halt the “planned improvements” to Medway gardens, due to commence on the 24th October 2016. Brent Council has not given residents adequate, or any notification of the materials to be used. This risks undermining the distinctive character of the area as well as durability and safety of the proposed material. We further ask that prior to any work being commenced, that a meaningful consultation be held with the residents and their representatives.*”
- 3.13 Regarding the point about adequate notification; normally two weeks’ notice is given to residents of work starting, which means the letters should have been delivered on the 10th, however there appears to be some disagreement over when the letters were actually delivered, with the contractor saying 11-13th October and some residents saying 18th October.
- 3.14 Notwithstanding the issue about notice of the works, the Council acted promptly in postponing the works until the petition could be heard.

The Character of the Existing Pavements

- 3.15 The pavements in Medway Gardens are typical of many in Brent, in that they are made up of slabs (or technically, “Artificial Stone Paving” - ASP) with crossovers constructed in concrete. Original dark-coloured slab paving is still present, with repairs in newer lighter-coloured slabs creating a patchwork effect in parts. Significant deterioration of concrete verges and crossovers can also be seen. (see Appendix B for photos)
- 3.16 The original granite kerbs are still present, which would be reused wherever possible in the reconstruction. Kerbs would be re-laid to achieve a satisfactory kerb upstand and a consistent level. The only times the original granite kerbs would have to be replaced is when they break into little pieces when they are being lifted for relaying, or where the original kerb has been pushed into the road by tree roots, and a narrower kerb is laid (if possible) to squeeze past the roots and still maintain a straight front edge. In these cases, new “conservation kerb” would be used which is granite-like in appearance.
- 3.17 There are street trees in Medway Gardens and they do disrupt the paving in places, though their number, size and type do not appear to result in the widespread problems apparent in other streets.
- 3.18 The pavement in Medway Gardens is crossed at regular intervals by vehicle crossings; apart from stretches of Medway Gardens next to Harrow Road, or Maybank Avenue, where the pavement is adjacent to the flanks, rather than the fronts, of houses.

Conclusion

- 3.19 The pavements in Medway Gardens have been identified as being a priority for maintenance and included in the 2016/17 pavement reconstruction programme
- 3.20 On 23rd May 2016, the Council Cabinet resolved that the material to be used for the 2016/17 footway reconstruction programmes was to be asphalt, as a default. This is helping to make pavements more resilient and durable, making our limited resources stretch further, meaning more pavements can be repaired.
- 3.21 At time of writing in November 2016, all pavement schemes which have started in 2016/17 have seen this policy implemented without exception. In total there are 15 footway reconstruction schemes programmed for 2016/17, of which 13 involve the use of asphalt (the two others are Category 1 / 2 footways), three have been completed and seven are in progress.
- 3.22 Under the policy, dropped crossings and street corners are being surfaced using concrete block paving, to ensure long term resilience to create a good look and feel. Medway Gardens has a significant number of dropped crossings and so the aesthetic benefits of the concrete block paving features would be realised
- 3.23 The Council understands residents' initial concerns regarding use of asphalt in the new pavements. However, a number of similar reconstructions have been successfully completed across the borough and the policy has started to deliver on what will be long term benefits.

4.0 Financial Implications

- 4.1 The cost of Medway Gardens pavement reconstruction is estimated at £172k. The postponement of this scheme means that the spend will occur in the next financial year. The only financial impact should be on the timing of the cash-flows of the project, as it will be spent in 2017/18 rather than 2016/17, barring any unforeseen circumstances

5.0 Legal Implications

- 5.1 The Highways Act 1980 places a duty on the council to maintain the public highway under section 41. Breach of this duty can render the council liable to pay compensation if anyone is injured as a result of failure to maintain it. There is also a general power under section 62 to improve highways.
- 5.2 Under Standing Order 68(e)(ii,) petitions with 50 or more signatures concerning specific decisions planned to be made are referred to the planned decision-maker. Under Standing Order (e)(iii), other petitions with 50 or more signatures are referred to the Cabinet, the Council or a council committee, unless the petition is concerned with a decision which has already been made in which case this is not required

6.0 Diversity Implications

- 6.1 The proposals in the Highways Capital Scheme Programme 2016-17 report, which are the same in nature to those in this report, have been subject to screening there are considered to be no diversity implications that require full assessment. The works proposed do not have different outcomes for people in terms of race, gender, age, sexuality or belief.
- 6.2 In addition, the design criteria used in all highway work does take note of the special requirements of various disabilities. These will take the form of levels and grades associated with wheelchair users, for example road crossing points, and for partially sighted / blind persons at crossing facilities. The highway standards employed are nationally recognised by such bodies as the Department for Transport. This programme of works continues the upgrade of disabled crossing facilities at junctions which were not constructed to modern day standards. All new junctions are designed to be compliant at the time of construction.
- 6.3 Strengthened areas of footway are far less susceptible to damage and will therefore aid the movement of pedestrians that may find it difficult to walk on uneven pavements.
- 6.4 We make sure accessibility ramps are provided to aid wheelchair users and those with prams. We make sure high visibility barriers and tapping rails are provided to allow those with visual impairments to negotiate the works as they are in progress
- 6.5 We make sure of the visibility of the required signage, also where temporary work is being carried out.
- 6.6 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

Cabinet Report 23rd May 2016 - Highways Investment Programme 2016-17
Advanced Warning letter to Residents of Medway Gardens
Medway Gardens Petition

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APPENDIX A



Example of a tarmac resurfaced pavement, concrete blocks are used on vehicle crossings and street corners with a recycled permeable material around tree pits

Appendix B – Existing pavements in Medway Gardens



Medway Gardens - Original dark coloured slab paving is still exists, with lighter newer slabs being evidence of where repairs have had to be carried out



Medway Gardens: significant deterioration of concrete verges and crossovers can be seen



Medway Gardens: significant deterioration of concrete verges and crossovers can be seen