



HILLINGDON
LONDON



Petition Hearing - Cabinet Member for Planning, Transportation and Recycling

Cabinet Member hearing the petitions:

Keith Burrows, Cabinet Member for
Planning, Transportation and Recycling

How the hearing works:

The petition organiser (or his/her
nominee) can address the Cabinet
Member for a short time and in turn the
Cabinet Member may also ask questions.

Local ward councillors are invited to these
hearings and may also be in attendance
to support or listen to your views.

After hearing all the views expressed, the
Cabinet Member will make a formal
decision. This decision will be published
and sent to the petition organisers shortly
after the meeting confirming the action to
be taken by the Council.

Date: WEDNESDAY, 20 JUNE
2012

Time: 7.00 PM

Venue: COMMITTEE ROOM 3
CIVIC CENTRE
HIGH STREET
UXBRIDGE
UB8 1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

**This agenda and associated
reports can be made available
in other languages, in braille,
large print or on audio tape.
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Published: Tuesday, 12 June 2012

Contact: Charles Francis
Tel: 01895 556454
Fax: 01895 277373
Email: cfrancis@hillington.gov.uk

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk



INVESTOR IN PEOPLE

Useful information

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

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If there is a FIRE in the building the alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT.



Agenda

CHAIRMAN'S ANNOUNCEMENTS

PART 1 - MEMBERS, PUBLIC AND PRESS MAY ATTEND

1 To confirm that the business of the meeting will take place in public.

2 To consider the report of the officers on the following petitions received.

Please note that individual petitions may overrun their time slots. Although individual petitions may start later than advertised, they will not start any earlier than the advertised time.

	Start Time	Title of Report	Ward	Page
3	7pm	Petition Asking For The Adopted Public Footpath Between Airdrie Close and West Quay Drive, Yeading To Be 'Stopped Up'	Yeading	1 - 6
4	7pm	Cardinal Road, Eastcote - Petition Requesting For The Carriageway To Be Repaired	Cavendish	7 - 14
5	7:30pm	Boleyn Drive, Eastcote - Petition Requesting For The Carriageway To Be Repaired	Cavendish	15 - 22
6	7:30pm	Castleton Road, Eastcote - Petition Requesting For The Carriageway To Be Repaired	Cavendish	23 - 30
7	8pm	Chiltern Road, Eastcote - Petition Requesting For The Carriageway To Be Repaired	Eastcote & East Ruislip	31 - 38

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PETITION ASKING FOR THE ADOPTED PUBLIC FOOTPATH BETWEEN AIRDRIE CLOSE AND WEST QUAY DRIVE, YEADING TO BE 'STOPPED UP'

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Cabinet Member for Planning, Transportation and Recycling
Officer Contact(s)	John Fern Planning, Environment, Education and Community Services
Papers with report	None.

1. HEADLINE INFORMATION

Summary	To update the Cabinet Member on the Petition received asking for the adopted public footpath that runs between Airdrie Close And West Quay Drive, Yeading to be kept closed.
Contribution to our plans and strategies	The request can be considered as part of the Council's Road Safety Programme
Financial Cost	The cost of re-opening the footpath can be met from existing budgets.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	Yeading

2. RECOMMENDATION

That the Cabinet Member;-

1. Meets and discusses with petitioners their request for the adopted public footpath to be kept closed and informs them of the consultation results.
2. Notes that when deciding whether or not to open up the adopted footpath, officers will take into account all relevant considerations including the consultation results and the views of petitioners.

PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

Reasons for recommendation

The recommendation reflects the Cabinet Members position for dealing with petitions and the Highways Authorities obligation to protect the rights of the public to use the adopted public highway.

Alternative options considered / risk management

There are no alternatives to consider as the Council will have taken all appropriate steps to ensure that the views of all persons who may be affected by a decision have been consulted before taking the appropriate action.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. A Petition with 32 Signatures was submitted to the Council under the following heading *“Residents petition to keep the footpath between 7 & 8 Airdrie Close, Yeading fenced off”*.
2. The Glencoe Estate was developed in around 1995 and Airdrie Close was adopted in early 1996 together with a footpath that joins Airdrie Close with West Quay Drive. Other such footpaths throughout the estate were also adopted at the same time.
3. The footpath which has a tarmac surface and street lighting was constructed to provide residents in various roads and closes on the Glencoe Estate access to West Quay Drive and Marina Approach together with the Marina’s with residential moorings and restaurant.
4. It is understood that at some time in the past, due to anti social behaviour along the path, residents erected a wooden fence across the path thereby blocking its use to the public.
5. In April 2011 the Council received correspondence from Solicitors on behalf of the lead Petitioner asking for the footpath to be kept fenced off. This was to enable the lead petitioner who lives adjacent to the footpath to purchase the land and incorporate it within his property.
6. The Council replied at that time that they did not wish the footpath to be closed and thanked the writer for bringing the matter of the obstruction to the Council’s attention. They said that every effort would be made to re-open the path as they have a duty to protect the rights of the public to the use and enjoyment of any highway. The overgrowth would be cut right back which would open up the way and make it safe and accessible.
7. In July 2011 the Council received a letter of support for the permanent closure of this footpath from John McDonnell the Member of Parliament for Hayes & Harlington.

PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

8. Although this footpath has been blocked by residents there is prima facia evidence of use in the past. The footpath is a convenient route which links the estate roads to the north of the footpath to West Quay Drive, Marina Approach and the Marina with its residential moorings and restaurant.
9. The Petition Hearing was heard at the Civic Centre on 12th October 2011. At the hearing the petitioner voiced that the matter had been presided over by a Council Committee some years earlier however he was not in possession of any exact details at that time. The Cabinet Member asked that officers investigate the history to the petitioners claims and that the petition be re-submitted to a future hearing once this information has been received
10. Officers investigated the history to the petitioner's claims and a search was conducted of Council records however no trace of any formal request to close the footpath could be found. The petition was therefore re-submitted to a future petition hearing on 22nd February 2012.
11. At the Petition Hearing on 22nd February 2012 at the Civic Centre the petitioner was informed that no trace of any Committee Minutes had been found relating to the matter.
12. The petitioner presented the Cabinet Member with a letter from the Council dated 2nd November 1998 showing that the matter was to be presided over at the Environmental Committee on 15th December 1998. Following this further information the Cabinet Member asked that officers investigate this further and that the petition be re-submitted to the next petition hearing in March 2012.
13. Investigation by officers has found that following a report by officers to the Environmental Committee held at the Civic Centre on 15th December 1998 listing residents concerns about this footpath in Airdrie Close and listing it within paragraph 16.5 of their report the Committee resolved that – 'when funds become available, approval be given to initiate the formal closure procedure for the footpaths listed in paragraph 16.5 of the officers report'.
14. Following this new information being brought to light officers obtained further Legal advice on the matter which gave three options available to the Council: -
 - a) Start procedures to stop up the adopted public highway. This could leave the Council open to criticism and possible Judicial Review on the grounds that it is not reasonable to do so until all relevant considerations have been taken into account.
 - b) Take action to open up the footpath. Once again this could leave the Council open to criticism and possible Judicial Review on the grounds that it is not reasonable to do so until all relevant considerations have been taken into account.
 - c) Consult with the land owner and all the residents who would be affected by any closure or opening up of the highway before making a decision.
15. As a result officers were of the opinion that option c) above would ensure that everything would have been taken into account when considering the matter and that the Council would have acted correctly and reasonably in determining the matter.
16. At the Petition hearing on 21st March 2012 the petitioner was informed that the Council would conduct a consultation exercise with all the residents and occupiers of the Glencoe Estate

PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

that would be affected by the closure of this footpath in order for the Cabinet Member to have taken everything in to account when listening to the petition.

17. A consultation exercise was carried out with 400 questionnaires being delivered to houses and commercial premises within the nearby vicinity of the footpath. The closing date for the consultation was 21st May 2012.
18. Of the 400 questionnaires delivered 131 were returned. 66 wished the footpath to remain open for use. 56 wished the footpath to be permanently closed. 21 expressed no view on the matter and 1 was returned unfilled.
19. Two letters were also received on the subject, one from the owner of the sub soil (Bovis Homes Ltd) who wished the footpath to stay open and adopted and the responsibility for its maintenance to rest with the Council. The second from a disabled resident who wished it to remain open for his ease of use in obtaining access to the Marina.
20. Although the result was relatively evenly balanced the consultation did show that the majority were in favour of opening the footpath and showed that the footpath is required for use by members of the public.

Financial Implications

The financial implications of consultation were met from existing highways budgets. If the decision is taken to re-open the footpath and undertake clearance of undergrowth then this can also be met from existing highways budgets.

Alternatively if it was decided to close the footpath, it should be noted that there is no specific budget for 'stopping up' public highways, and therefore a budget would need to be identified and any related approval processes undertaken to allocate it if this were to be undertaken.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The recommendation will enable the Cabinet Member to listen to the petition in accordance with the Council's constitution.

The decision on any further actions to be taken is one that must be taken by officers who will have taken into consideration the views of all residents who may be affected. If officers decide to open up the footpath, the public will be able to use the highway for passage. Should officers decide not to open up the footpath, officers would need to instigate procedures to formally stop up the highway.

Consultation Carried Out or Required

Consultation was carried out on 400 of the residential properties within the Glencoe Estate that would be affected by the decision.

PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications as stated. Please note if a decision to close the footpath is made an additional budget would need to be identified, which would need to be done through the related approval processes.

Legal

This petition followed a request by the lead petitioner's solicitors for the Council to keep the footpath fenced off. Council officers responded that they intended to take action to open up the footpath for public use. As a result of this, the lead petitioner submitted the petition that is the subject of this report requesting that the Council do not take action to open up the footpath.

Section 130 of the Highways Act 1980 imposes on the Council a legal duty to assert and protect the public's right to use and enjoy the highway. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 provides that the executive is not permitted to exercise any functions under Section 130 of the Highways Act 1980. Therefore the decision on whether to open up the footpath is one that may only be taken by officers of the Council. Cabinet Members should not influence the decision making process of officers.

In exercising the Council's functions under section 130 of the Highways Act 1980, officers must ensure that the views of the public, including the land owner and utilities companies, have been taken into consideration. In this case, officers will take into account the views of the petitioners as well as the views of the wider public as evidenced by the consultation responses.

Section 137 of the Highways Act 1980 provides that it is a criminal offence for any person to willfully obstruct the free passage along a highway.

Relevant Service Groups

Not affected.

6. BACKGROUND PAPERS

None.

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Agenda Item 4

CARDINAL ROAD, EASTCOTE - PETITION REQUESTING FOR THE CARRIAGEWAY TO BE REPAIRED

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	James Birch – Street Environment Service Manager (and Traffic Manager)
Papers with report	Appendix A and B

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that a petition has been received from residents requesting the Council to repair the carriageway in Cardinal Road, Eastcote.
Contribution to our plans and strategies	A safe Borough, a clean and attractive Borough.
Financial Cost	There are none at present associated with this report.
Relevant Policy Overview Committee	Residents and Environmental Services.
Ward(s) affected	Cavendish

2. RECOMMENDATION

That the Cabinet Member:

1. **Considers the petitioners' request and discusses with them in detail their concerns regarding the condition of the carriageway surface.**
2. **Subject to the outcome of (1), instruct officers to place Cardinal Road on to the list for roads being considered for treatment in a future resurfacing programme.**

Reasons for recommendation

The existing carriageway surface has deteriorated to the extent that shallow fretting has taken place in isolated areas of the carriageway. The failure is due to the natural ageing of the bitumen surface, which is now slowly disintegrating after an estimated life of 5 to 15 years. Past patching has filled some of the worst fretting but only as a medium term measure. The road profile is “bumpy” in places and construction joints have opened at a number of locations. Resurfacing would improve the visual appearance of the road and improve the ride quality. Officers will also undertake isolated repairs to the footway, which fall within the Council’s intervention levels.

Alternative options considered / risk management

Further patching works: However, this option has been discounted given the level of deterioration and that it does not offer the most economic solution. Delaying or not undertaking certain schemes may place additional pressure on the Council’s financial resources if highway permanent repairs are not implemented in a timely manner. In many instances, the delay of schemes may also have safety implications with possible consequent impact on the public liability insurance budget.

Officers consider that the carriageway surface is now beyond normal patching repair and that resurfacing is the only option available to restore a watertight smooth surface.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. The petition with 47 signatures states that local residents from Cardinal Road would like the road to be repaired.
2. Cardinal Road is a residential road, approximately 4,500sq.m. It is located between Aragon Drive and Cranmer Close to the west and Seymour Gardens to the east. The carriageway is of rigid (concrete) construction, which has been overlaid with bituminous (tarmac) material. The uppermost layer has oxidised to the extent that potholes and surface cracking have appeared as well as a general ‘wearing away’ of the surfacing, resulting in ruts, general unevenness and a porous surface that is liable to let in surface water that will ultimately affect the strength of the structural road layers.
3. Based on the results of the most recent United Kingdom Pavement Management System (UKPMS) structural condition surveys, carried out on all Borough roads between January and March 2010, Cardinal Road is placed high on the advised priority list for future treatment. Officers also consider that this road should be considered on ‘serviceability’ criteria such as appearance, ride quality etc. At the time of the assessment, prior to writing this report, there was no fretting in evidence greater than 40mm, the minimum intervention level for immediate repair of dangerous defects; however deterioration of the surface was evident.

4. Numerous patching operations have been carried out over the years. Compacting of new repair material is impractical due to the brittleness of the existing surface course. Therefore resurfacing the whole road is an option, which would cost approximately £76,500.

Financial Implications

The estimated cost of the resurfacing works is £76,500. If it is decided to proceed with these works a funding source would need to be identified. These works are typically funded from the Highways Structural or the Highways Revenue Programmes. Officers will also explore the availability of Section 106 funds. This would be subject to normal capital release and member approval protocols.

In certain circumstances, the Council can incur legal liability, as the Highway Authority, for loss or damages to users of the highway, as a result of not complying with their duties under the Highways Act 1980 which could result in costs being incurred by the Council in settling insurance claims if the work is not carried out.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The resurfacing of Cardinal Road will take into consideration the particular needs of local residents, schoolchildren and older people and people with disabilities to provide smoother, safer highway surfaces and features. A full resurfacing of the deteriorated road area will offer the most satisfactory outcome for residents, as they would be less pleased with patching works.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications as stated.

Legal

The Council has a statutory duty to maintain the highway under section 41 of the Highways Act 1980 (the duty). Each street must be maintained to the standard necessary to allow its ordinary traffic to pass along it. For example, there is a breach of duty in cases where danger is caused by a failure to repair.

A failure to comply with the duty leading to loss or damage to users of the highway creates a risk of legal liability for the Council.

Continued periodic inspection and the making of expeditious repairs, is sufficient to keep the highway in accordance with the necessary standard. The officer's report indicates that

although the highway is not dangerous, improved ride quality would be facilitated in the longer term by resurfacing rather than a programme of continued patching.

There are competing priorities in any ongoing programme of maintenance. It is a matter for officers to recommend when the planned resurfacing should take place in the programme of highway works having regard to the legal requirement to meet the duty.

Corporate Property and Construction

None at this stage.

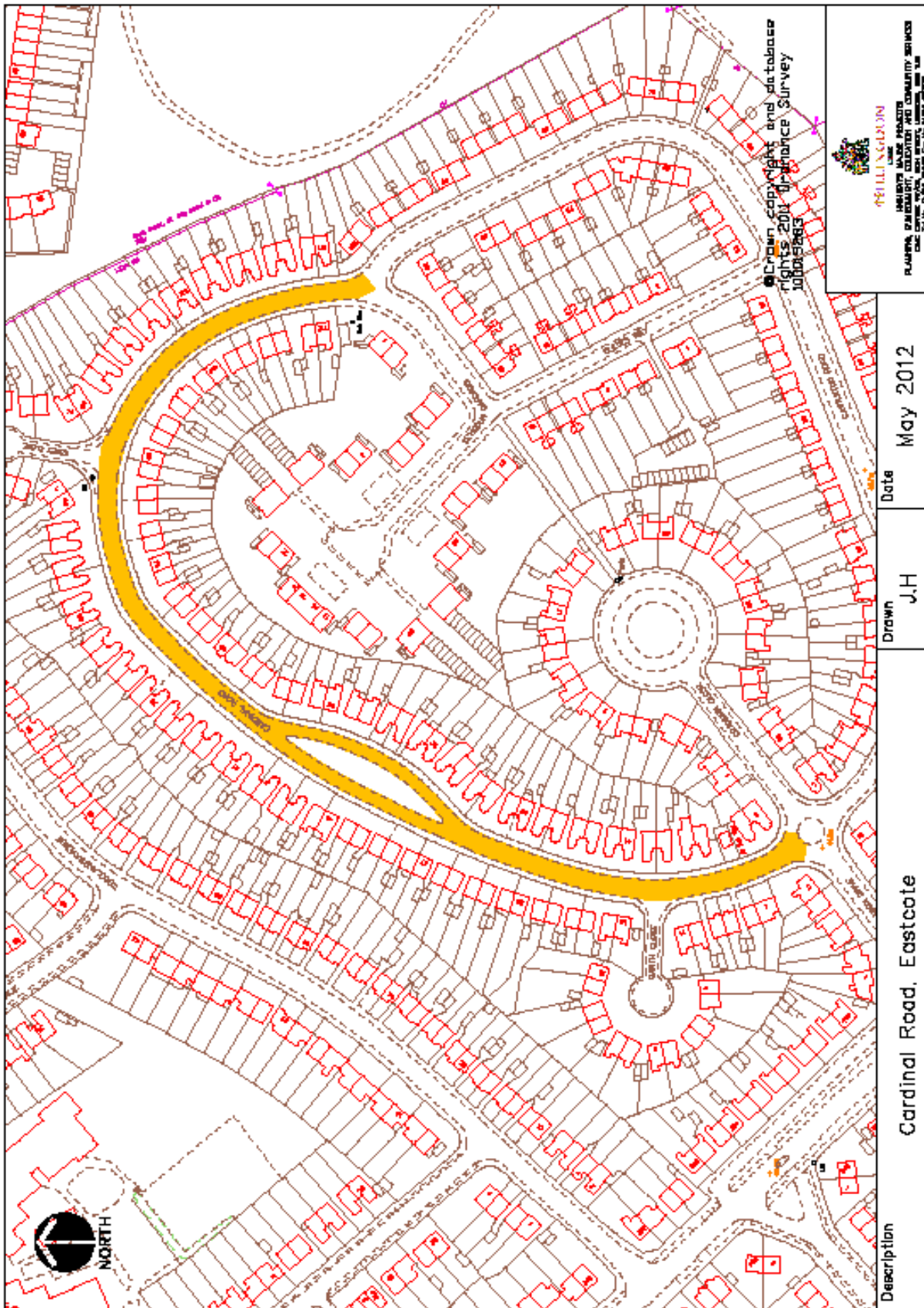
Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

A petition received 7th March 2012.

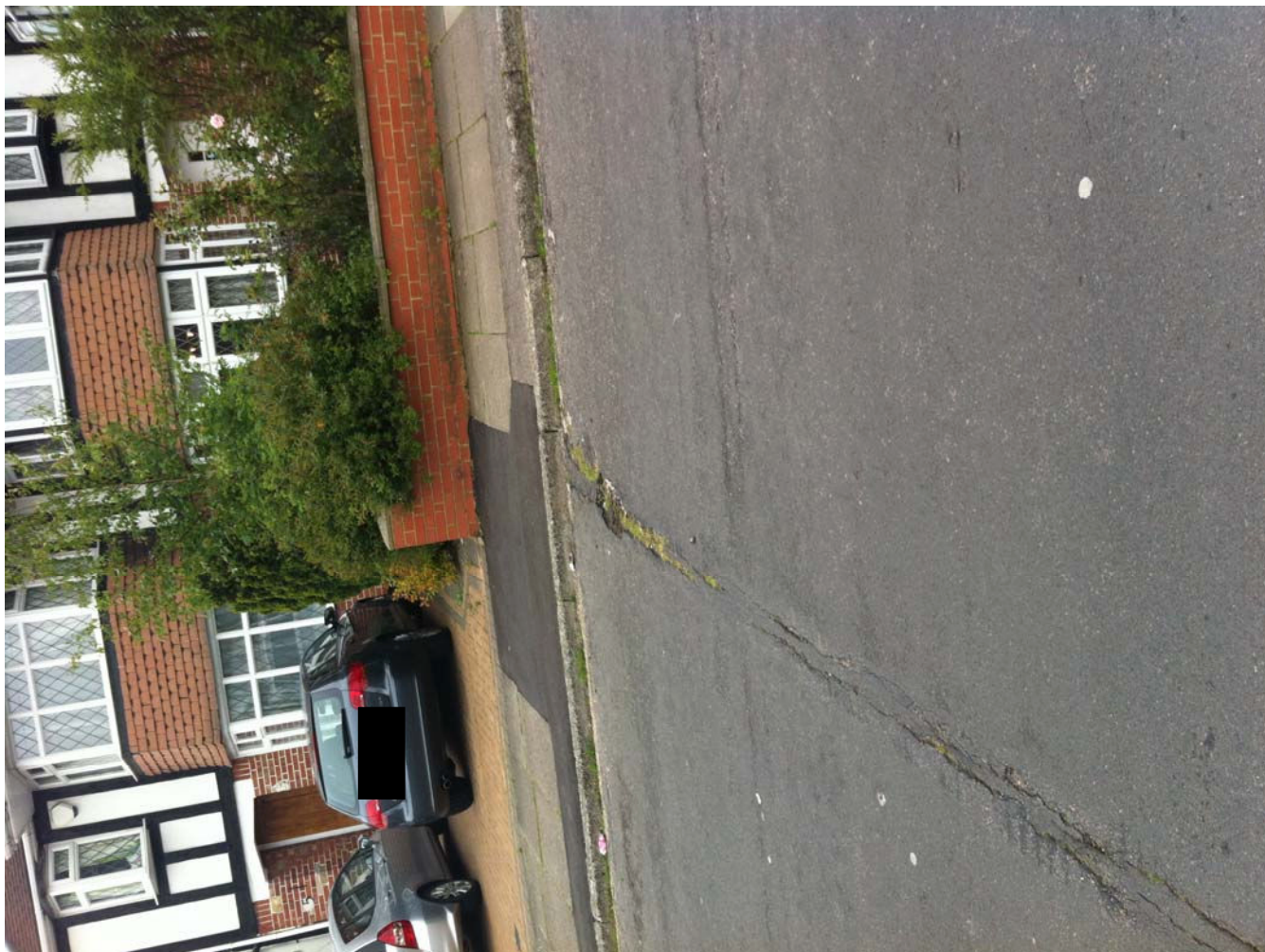
Appendix A



PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

Appendix B



PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

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PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

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BOLEYN DRIVE, EASTCOTE - PETITION REQUESTING FOR THE CARRIAGEWAY TO BE REPAIRED

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	James Birch – Street Environment Service Manager (and Traffic Manager)
Papers with report	Appendix A and B

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that a petition has been received from residents requesting the Council to repair the carriageway in Boleyn Drive, Eastcote.
Contribution to our plans and strategies	A safe Borough, a clean and attractive Borough.
Financial Cost	There are none at present associated with this report.
Relevant Policy Overview Committee	Residents' and Environmental Services.
Ward(s) affected	Cavendish

2. RECOMMENDATION

That the Cabinet Member:

- 1. Considers the petitioners' request and discusses with them in detail their concerns regarding the condition of the carriageway surface.**
- 2. Subject to the outcome of (1), instruct officers to place Boleyn Drive on to the list for roads being considered for treatment in a future resurfacing programme.**

Reasons for recommendation

The existing carriageway surface has deteriorated to the extent that shallow fretting has taken place in isolated areas of the carriageway. The failure is due to the natural ageing of the bitumen surface, which is now slowly disintegrating after an estimated life of 5 to 15 years. Past patching has filled some of the worst fretting but only as medium term measure. The road profile is “bumpy” in places and construction joints have opened at a number of locations. Resurfacing would improve the visual appearance of the road and improve the ride quality. Officers will also undertake isolated repairs to the footway, which fall within the Council’s intervention levels.

Alternative options considered / risk management

Further patching works: However, this option has been discounted given the level of deterioration and that it does not offer the most economic solution. Delaying or not undertaking certain schemes may place additional pressure on the Councils financial resources if highway permanent repairs are not implemented in a timely manner. In many instances, the delay of schemes may also have safety implications with possible consequent impact on the public liability insurance budget.

Officers consider that the carriageway surface is now beyond normal patching repair and that resurfacing is the only option available to restore a watertight smooth surface.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. The petition with 25 signatures states that local residents from Boleyn Drive would like the road to be repaired.
2. Boleyn Drive is a residential road, approximately 1,283sq.m. It is located between Field End Road to the south-west and Castleton Road to the north. The carriageway is of rigid (concrete) construction, which has been overlaid with bituminous (tarmac) material. The uppermost layer has oxidised to the extent that potholes and surface cracking have appeared as well as a general ‘wearing away’ of the surfacing, resulting in ruts, general unevenness and a porous surface that is liable to let in surface water that will ultimately affect the strength of the structural road layers.
3. Based on the results of the most recent United Kingdom Pavement Management System (UKPMS) structural condition surveys, carried out on all Borough roads between January and March 2010, Boleyn Drive is placed high on the advised priority list for future treatment. Officers also consider that this road should be considered on ‘serviceability’ criteria such as appearance, ride quality etc. At the time of the assessment, prior to writing this report, there was fretting in evidence greater than 40mm, the minimum intervention level for immediate repair of dangerous defects.

4. Numerous patching operations have been carried out over the years. Compacting of new repair material is impractical due to the brittleness of the existing surface course. Therefore resurfacing the whole road is an option, which would cost approximately £21,600.

Financial Implications

The estimated cost of the resurfacing works is £21,600. If it is decided to proceed with these works a funding source would need to be identified. These works are typically funded from the Highways Structural or the Highways Revenue Programmes. Officers will also explore the availability of Section 106 funds. This would be subject to normal capital release and member approval protocols.

In certain circumstances, the Council can incur legal liability, as the Highway Authority, for loss or damages to users of the highway, as a result of not complying with their duties under the Highways Act 1980 which could result in costs being incurred by the Council in settling insurance claims if the work is not carried out

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The resurfacing of Boleyn Drive will take into consideration the particular needs of local residents, schoolchildren and older people and people with disabilities to provide smoother, safer highway surfaces and features. A full resurfacing of the deteriorated road area will offer the most satisfactory outcome for residents, as they would be less pleased with patching works.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications as stated.

Legal

The Council has a statutory duty to maintain the highway under section 41 of the Highways Act 1980 (the duty). Each street must be maintained to the standard necessary to allow its ordinary traffic to pass along it. For example, there is a breach of duty in cases where danger is caused by a failure to repair.

A failure to comply with the duty leading to loss or damage to users of the highway creates a risk of legal liability for the Council.

Continued periodic inspection and the making of expeditious repairs, is sufficient to keep the highway in accordance with the necessary standard. The officer's report indicates that although the highway is not dangerous, improved ride quality would be facilitated in the longer term by resurfacing rather than a programme of continued patching.

There are competing priorities in any ongoing programme of maintenance. It is a matter for officers to recommend when the planned resurfacing should take place in the programme of highway works having regard to the legal requirement to meet the duty.

Corporate Property and Construction

None at this stage.

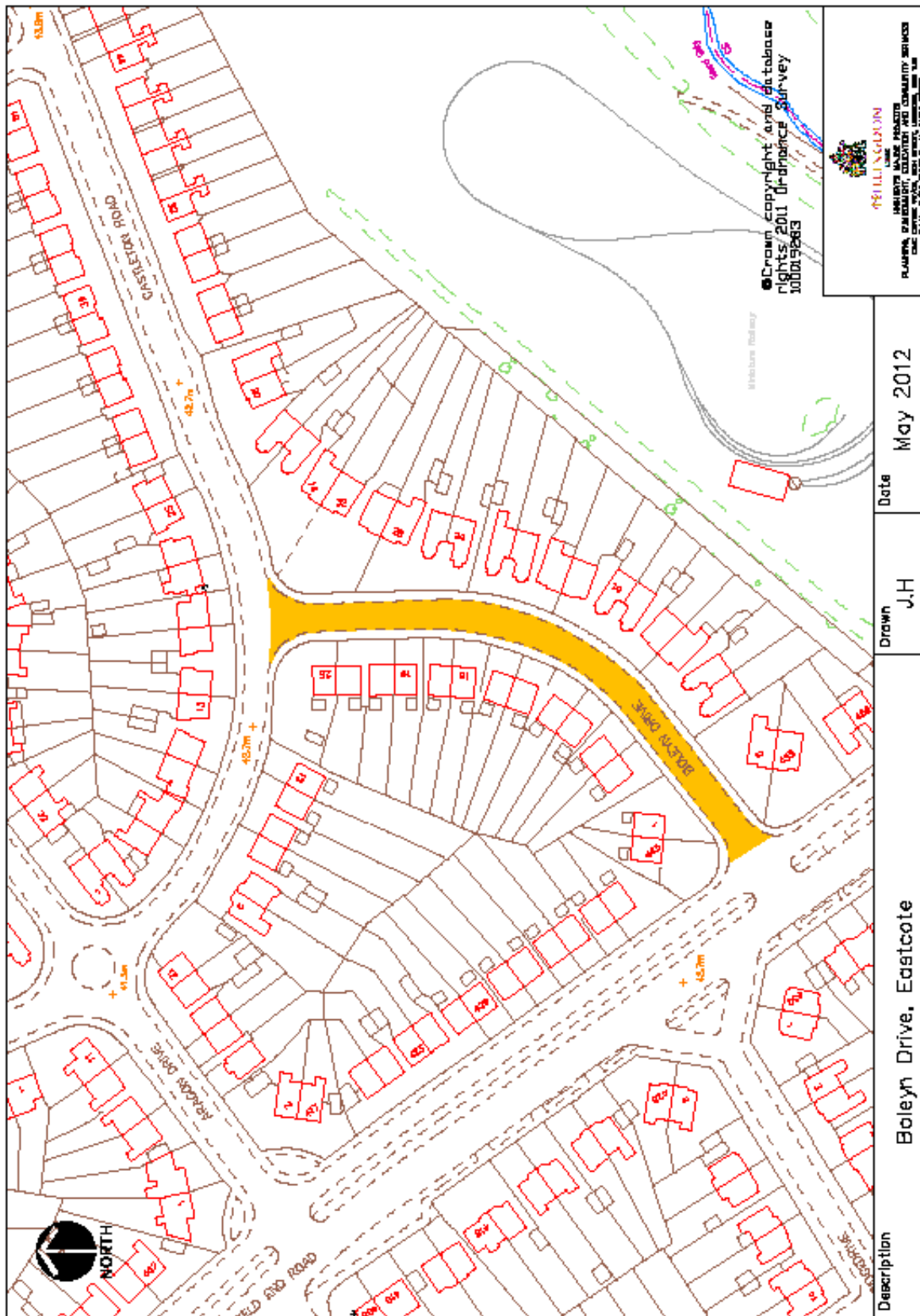
Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

A petition received 7th March 2012.

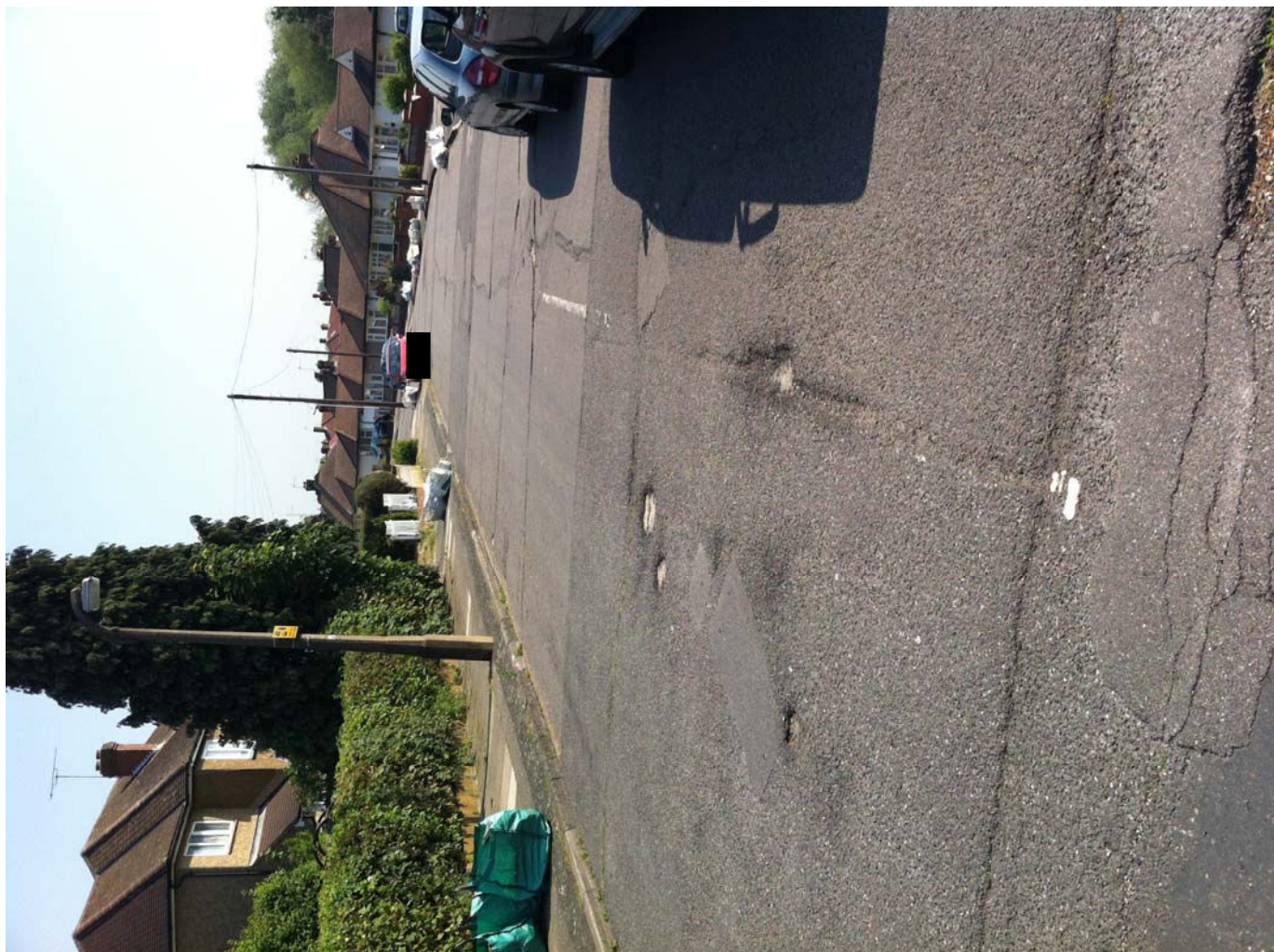
Appendix A



PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

Appendix B



PART 1 – MEMBERS, PUBLIC AND PRESS

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PART 1 – MEMBERS, PUBLIC AND PRESS

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Agenda Item 6

CASTLETON ROAD, EASTCOTE - PETITION REQUESTING FOR THE CARRIAGEWAY TO BE REPAIRED

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	James Birch – Street Environment Service Manager (and Traffic Manager)
Papers with report	Appendix A and B

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that a petition has been received from residents requesting the Council to repair the carriageway in Castleton Road, Eastcote.
Contribution to our plans and strategies	A safe Borough, a clean and attractive Borough.
Financial Cost	There are none at present associated with this report.
Relevant Policy Overview Committee	Residents' and Environmental Services.
Ward(s) affected	Cavendish

2. RECOMMENDATION

That the Cabinet Member:

1. **Considers the petitioners' request and discusses with them in detail their concerns regarding the condition of the carriageway surface.**
2. **Subject to the outcome of (1), instruct officers to place Castleton Road on to the list for roads being considered for treatment in a future resurfacing programme.**

Reasons for recommendation

The existing carriageway surface has deteriorated to the extent that shallow fretting has taken place in isolated areas of the carriageway. The failure is due to the natural ageing of the bitumen surface, which is now slowly disintegrating after an estimated life of 5 to 15 years. Past patching has filled some of the worst fretting but only as medium term measure. The road profile is "bumpy" in places and construction joints have opened at a number of locations. Resurfacing would improve the visual appearance of the road and improve the ride quality.

Officers will also undertake isolated repairs to the footway, which fall within the Council's intervention levels.

Alternative options considered / risk management

Further patching works: However, this option has been discounted given the level of deterioration and that it does not offer the most economic solution. Delaying or not undertaking certain schemes may place additional pressure on the Council's financial resources if highway permanent repairs are not implemented in a timely manner. In many instances, the delay of schemes may also have safety implications with possible consequent impact on the public liability insurance budget.

Officers consider that the carriageway surface is now beyond normal patching repair and that resurfacing is the only option available to restore a watertight smooth surface.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. The petition with 28 signatures states that local residents from Castleton Road would like the road to be repaired.
2. Castleton Road is a residential road, approximately 3,000sq.m. It is located between Aragon Drive / Cranmer Close to the south-west and Seymour Gardens / Cardinal Road to the north-east. The carriageway is of rigid (concrete) construction, which has been overlaid with bituminous (tarmac) material. The uppermost layer has oxidised to the extent that potholes and surface cracking have appeared as well as a general 'wearing away' of the surfacing, resulting in ruts, general unevenness and a porous surface that is liable to let in surface water that will ultimately affect the strength of the structural road layers.
3. Based on the results of the most recent United Kingdom Pavement Management System (UKPMS) structural condition surveys, carried out on all Borough roads between January and March 2010, Castleton Road is placed high on the advised priority list for future treatment. Officers also consider that this road should be considered on 'serviceability' criteria such as appearance, ride quality etc. At the time of the assessment, prior to writing this report, there was no fretting in evidence greater than 40mm, the minimum intervention level for immediate repair of dangerous defects; however deterioration of the surface was evident.
4. Numerous patching operations have been carried out over the years. Compacting of new repair material is impractical due to the brittleness of the existing surface course. Therefore resurfacing the whole road is an option, which would cost approximately £51,000.

Financial Implications

The estimated cost of the resurfacing works is £51,000. If it is decided to proceed with these works a funding source would need to be identified. These works are typically funded from the Highways Structural or the Highways Revenue Programmes. Officers will also explore the

availability of Section 106 funds. This would be subject to normal capital release and member approval protocols.

In certain circumstances, the Council can incur legal liability, as the Highway Authority, for loss or damages to users of the highway, as a result of not complying with their duties under the Highways Act 1980 which could result in costs being incurred by the Council in settling insurance claims if the work is not carried out.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The resurfacing of Castleton Road will take into consideration the particular needs of local residents, schoolchildren and older people and people with disabilities to provide smoother, safer highway surfaces and features. A full resurfacing of the deteriorated road area will offer the most satisfactory outcome for residents, as they would be less pleased with patching works.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications as stated.

Legal

The Council has a statutory duty to maintain the highway under section 41 of the Highways Act 1980 (the duty). Each street must be maintained to the standard necessary to allow its ordinary traffic to pass along it. For example, there is a breach of duty in cases where danger is caused by a failure to repair.

A failure to comply with the duty leading to loss or damage to users of the highway creates a risk of legal liability for the Council.

Continued periodic inspection and the making of expeditious repairs, is sufficient to keep the highway in accordance with the necessary standard. The officer's report indicates that although the highway is not dangerous, improved ride quality would be facilitated in the longer term by resurfacing rather than a programme of continued patching.

There are competing priorities in any ongoing programme of maintenance. It is a matter for officers to recommend when the planned resurfacing should take place in the programme of highway works having regard to the legal requirement to meet the duty.

Corporate Property and Construction

None at this stage.

Relevant Service Groups

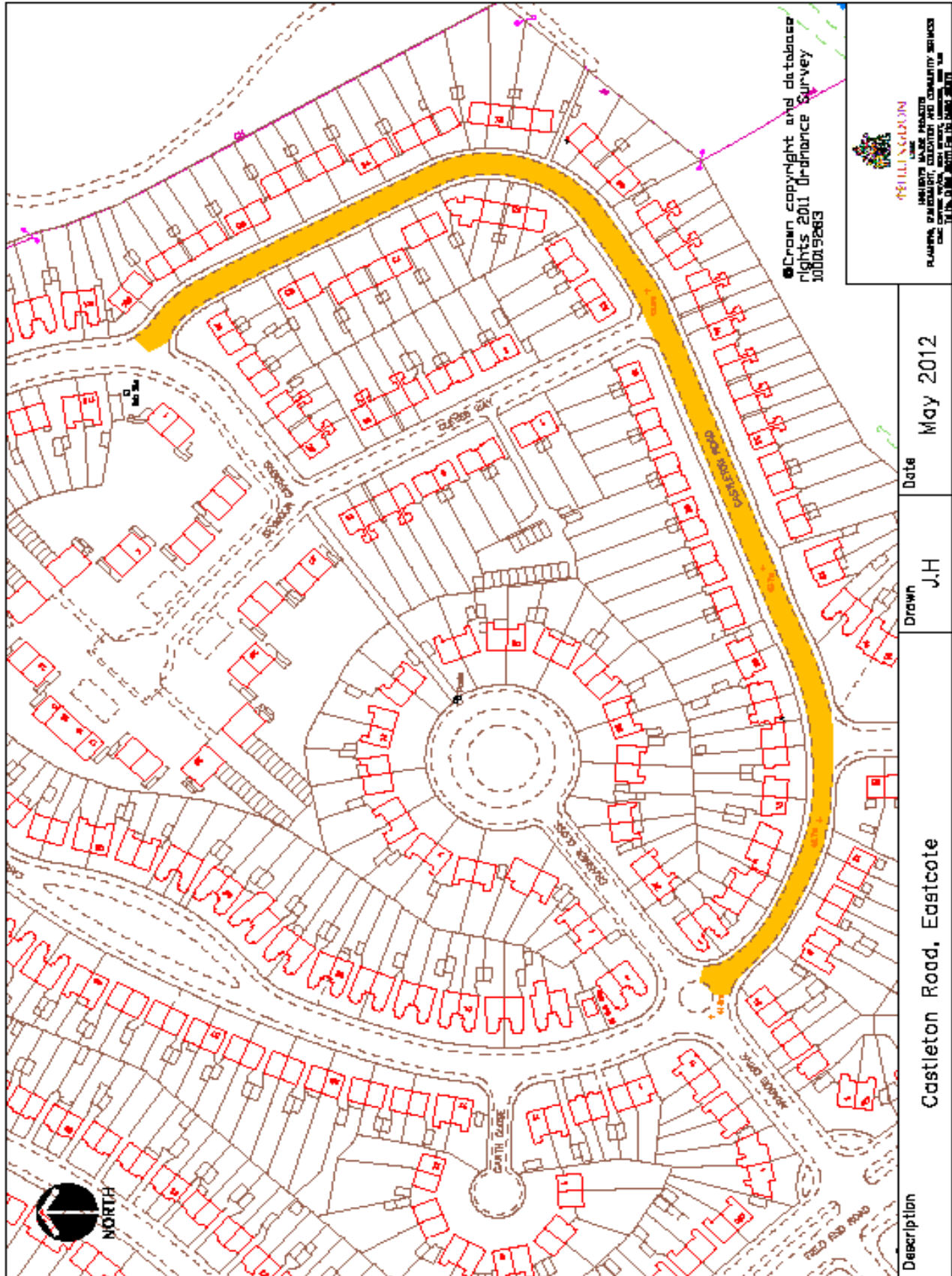
PART 1 – MEMBERS, PUBLIC AND PRESS

None at this stage.

6. BACKGROUND PAPERS

A petition received 7th March 2012.

Appendix A



Appendix B





PART 1 – MEMBERS, PUBLIC AND PRESS

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Cabinet Member meeting with Petitioners – 20 June 2012

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CHILTERN ROAD, EASTCOTE - PETITION REQUESTING FOR THE CARRIAGEWAY TO BE REPAIRED

Cabinet Member(s)	Councillor Keith Burrows
Cabinet Portfolio(s)	Planning, Transportation and Recycling
Officer Contact(s)	James Birch – Street Environment Service Manager (and Traffic Manager)
Papers with report	Appendix A and B

1. HEADLINE INFORMATION

Summary	To inform the Cabinet Member that a petition has been received from residents requesting the Council to repair the carriageway in Chiltern Road, Eastcote.
Contribution to our plans and strategies	A safe Borough, a clean and attractive Borough.
Financial Cost	There are none at present associated with this report.
Relevant Policy Overview Committee	Residents' and Environmental Services.
Ward(s) affected	Eastcote & East Ruilslip

2. RECOMMENDATION

That the Cabinet Member:

1. **Considers the petitioners' request and discusses with them in detail their concerns regarding the condition of the carriageway surface.**
2. **Subject to the outcome of (1), instruct officers to place Chiltern Road on to the list for roads being considered for treatment in a future resurfacing programme.**

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Cabinet Member meeting with Petitioners – 20 June 2012

Reasons for recommendation

The existing carriageway surface has deteriorated to the extent that shallow fretting has taken place in isolated areas of the carriageway. The failure is due to the natural ageing of the bitumen surface, which is now slowly disintegrating after an estimated life of 5 to 15 years. Past patching has filled some of the worst fretting but only as a medium term measure. The road profile is "bumpy" in places and construction joints have opened at a number of locations. Resurfacing would improve the visual appearance of the road and improve the ride quality. Officers will also undertake isolated repairs to the footway, which fall within the Council's intervention levels.

Alternative options considered / risk management

Further patching works: However, this option has been discounted given the level of deterioration and that it does not offer the most economic solution. Delaying or not undertaking certain schemes may place additional pressure on the Council's financial resources if highway permanent repairs are not implemented in a timely manner. In many instances, the delay of schemes may also have safety implications with possible consequent impact on the public liability insurance budget.

Officers consider that the carriageway surface is now beyond normal patching repair and that resurfacing, possibly using a micro surfacing material, is the only option available to restore a watertight smooth surface.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

1. The petition with 20 signatures states that local residents from Chiltern Road would like the road to be repaired.
2. Chiltern Road is a residential road, approximately 1,137sq.m. It is located between Cheney Street to the west and Francis Road to the east. The carriageway is of rigid (concrete) construction, which has been overlaid with bituminous (tarmac) material. The uppermost layer has oxidised to the extent that potholes and surface cracking have appeared as well as a general 'wearing away' of the surfacing, resulting in ruts, general unevenness and a porous surface that is liable to let in surface water that will ultimately affect the strength of the structural road layers.
3. Based on the results of the most recent United Kingdom Pavement Management System (UKPMS) structural condition surveys, carried out on all Borough roads between January and March 2010, Chiltern Road is placed medium on the advised priority list for future treatment. Officers also consider that this road should be considered on 'serviceability' criteria such as appearance, ride quality etc. At the time of the assessment, prior to writing

PART 1 – MEMBERS, PUBLIC AND PRESS

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this report, there was fretting in evidence greater than 40mm, the minimum intervention level for immediate repair of dangerous defects.

4. Numerous patching operations have been carried out over the years. Compacting of new repair material is impractical due to the brittleness of the existing surface course. Therefore resurfacing the whole road is an option, which would cost £19,300.

Financial Implications

The estimated cost of the resurfacing works is £19,300. If it is decided to proceed with these works a funding source would need to be identified. These works are typically funded from the Highways Structural or the Highways Revenue Programmes. Officers will also explore the availability of Section 106 funds. This would be subject to normal capital release and member approval protocols.

In certain circumstances, the Council can incur legal liability, as the Highway Authority, for loss or damages to users of the highway, as a result of not complying with their duties under the Highways Act 1980 which could result in costs being incurred by the Council in settling insurance claims if the work is not carried out.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The resurfacing of Chiltern Road will take into consideration the particular needs of local residents, schoolchildren and older people and people with disabilities to provide smoother, safer highway surfaces and features. A full resurfacing of the deteriorated road area will offer the most satisfactory outcome for residents, as they would be less pleased with patching works.

Consultation Carried Out or Required

None at this stage.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications as stated.

Legal

The Council has a statutory duty to maintain the highway under section 41 of the Highways Act 1980 (the duty). Each street must be maintained to the standard necessary to allow its ordinary traffic to pass along it. For example, there is a breach of duty in cases where danger is caused by a failure to repair.

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Corporate Property and Construction

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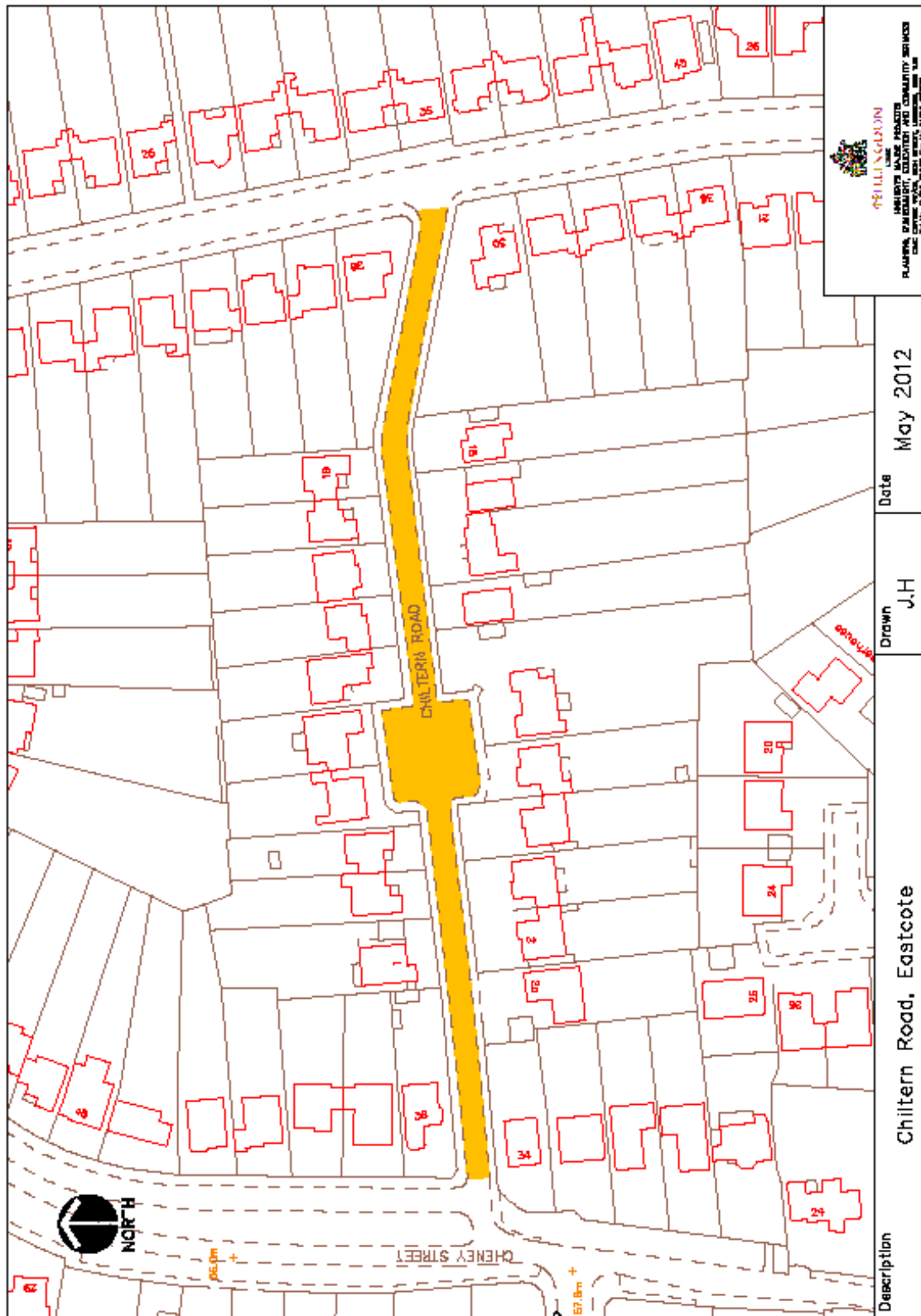
Relevant Service Groups

None at this stage.

6. BACKGROUND PAPERS

A petition received 7th March 2012.

Appendix A



PART 1 – MEMBERS, PUBLIC AND PRESS

Cabinet Member meeting with Petitioners – 20 June 2012

Appendix B



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Cabinet Member meeting with Petitioners – 20 June 2012



PART 1 – MEMBERS, PUBLIC AND PRESS

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