



## **Property, Highways & Transport Select Committee**

### **Review Scoping Report - 2022/23**

**Draft Working Title: “Obtaining Best Value for the  
Council’s Pavements and Footways Resurfacing  
Programme”**

#### **1. REVIEW OBJECTIVES**

##### **Aim and background to review**

At its meeting on 13 July 2022, the Property, Highways & Transport Select Committee suggested a number of topics for its first major review. These topics were explored for feasibility with the frontrunning topic being a review looking into how the Council can attain best value and practice through its pavements and footways reconstruction and resurfacing programme.

The aim of the prospective review would be to take a broad assessment of new technologies, methods, materials and scheduling possibilities to obtain best value and service for residents. By looking at the local context within Hillingdon, the London-wide setting, and the national picture, the Select Committee will be in a position to offer their findings and recommendations to the decision-making Cabinet.

This document serves as an introduction to the topic and sets out, in general terms the legislative and national context to footways resurfacing at a local government level. The scoping report also offers a framework for any subsequent review.

Topics suggested to be considered as part of the review are set out within the Terms of Reference:

### **Terms of Reference (DRAFT):**

The following Terms of Reference are suggested for the review, subject to any changes agreed by the Committee:

1. To understand the Council's current position and procedures with regard to footways reconstruction and resurfacing;
2. To explore the national legislative setting and initiatives undertaken by other London Boroughs and local authorities in relation to footways resurfacing;
3. To explore recent developments in resurfacing technologies, methods and materials;
4. To assess options for adopting new scheduling possibilities in an effort to improve the efficiency of the Council's resurfacing programme;
5. To influence any emerging Council plans with respect to footways, pavements and public rights of way management in terms of meeting carbon reduction targets;
6. Subject to the Committee's findings, to make any conclusions, propose actions, service and policy recommendations to the decision-making Cabinet.

## **2. SUPPORTING INFORMATION**

### **Key information and issues**

'Footway' is a modern legal term which refers to the part of the highway set aside for pedestrians. The Council is tasked with maintaining 905 kilometres of footways within Hillingdon (and 700 kilometres of roadways).

Hillingdon's public website provides a brief outline of the Council's responsibilities and activities with regard to damage to the Borough's roads and pavements for the benefit of its residents.

"All council-maintained roads and pavements in Hillingdon are inspected on a monthly, quarterly, or annual basis, depending on the road usage or classification.

Defects such as potholes or uneven pavements are noted during these inspections, and are prioritised in line with the level of danger. The inspections are carried out in line with the current [Highway Inspections Policy](#), which is

compliant with the [Well Managed Highway Infrastructure - A Code of Practice 2016](#).

When a defect is reported, highway inspectors will objectively assess the severity, nature and location of defects to determine how urgent the required work is. Defects will only be repaired if they are regarded as hazardous or serious and, in order that consistent standards are adopted throughout the borough, clearly defined categories known as 'investigatory levels' are set. If the defect assessed is not considered to be hazardous or serious and does not meet the required 'investigatory level', repair will not be undertaken. However, if it does, the priority allocated will depend on the severity, nature and location of the defect.”

For the benefit of residents, the Council's website also provides a list of the Borough's road closures authorised for roadworks by the Council. For road closures pertaining to communications and utility companies, Network Rail, Transport for London, and Highways England, the Transport for London website provides a register of roadworks taking place across the capital.

The Council is not responsible for a number of prominent highways in the Borough, these include:

- A4 Bath Road
- A40 Western Avenue
- A30 Great South West Road
- A312 The Parkway
- A4180 West End Road south of the Polish War Memorial (including the roundabout)
- A3113 Airport Way (including the roundabout on Stanwell Moor Road)
- M4 Motorway including Heathrow spur
- M25 Motorway

### **Legislative context**

The Highways Act 1980 pertains to the management and operation of the highway network, inclusive of footways, in England and Wales. Section 41(1) of the Act, provides as follows:

“The authority who are for the time being the Highway Authority for a highway maintainable at the public expense are under a duty ... to maintain the highway.”

### **Maintaining and protecting public rights of way**

Although footways are legally considered a part of the highway, local highway authorities also have a duty to maintain and protect public rights of way. Guidance issued to local highway authorities with regard to public rights of way includes that the highway authority must:

- keep the surface of public rights of way which are maintained at public expense in a fit state for public use
- make sure obstructions are removed
- maintain some bridges over natural watercourses, including farm ditches
- provide at least a 25% contribution to landowners' costs for replacing and maintaining structures for the control of animals, eg gates or stiles, on completion of the work to a standard the highway authority is satisfied with
- make sure there are no notices that prevent or discourage the use of a public right of way
- add signs where a public right of way leaves metalled roads
- make sure the public's rights to use a public right of way are protected
- make sure landowners carry out their duties, and take action if they don't

In Hillingdon, there are over 116km of registered public rights of way, forming over 406 routes. Responsibility and management of the rights of way network lies with the Council as the local highway authority. However, landowners and rights of way users also have responsibilities to ensure the network remains accessible.

### **Current data, best practice and research**

Further data and research will be identified as the review progresses.

### **Connected work**

Highways Officers are preparing a 5-year work programme which will include both major resurfacing and preventative maintenance. This is the first step towards long-term programme development and is an ongoing piece of work which will continue alongside the review. Any implications from this work impacting the review will be identified as the review progresses.

### **Executive Responsibilities**

The review would fall under the Property, Highways & Transport Select Committee's remit as set out in the Constitution. The Cabinet Member responsible for Highways is Councillor Jonathan Bianco - Cabinet Member for Property, Highways & Transport.

## **3. EVIDENCE & ENQUIRY**

### **Lines of Enquiry**

Lines of enquiry can be expanded as the review progresses or included in relevant witness session reports. However, lines of enquiry may include:

- The securing of value for money;
- Ensuring a footways resurfacing programme that is as environmentally friendly as possible;

- Enquiring as to the Council’s footways safety inspection regime;
- Assessing the way in which defect reports and service requests from residents and Members are handled by the Council;
- Enquiring as to the ways in which climate change may be impacting the network;
- Exploring new innovations in resurfacing material, methods and technologies.

### **Potential witnesses**

Witnesses will be identified by the Committee in consultation with relevant officers; although some suggested witnesses could include;

- Testimony from LBH Officers;
- Representatives of the Council’s contractors or private resurfacing companies;
- Representatives from other local authorities.

### **Surveys, site-visits or other fact-finding events**

Such opportunities will be identified as the review progresses. It is expected that witness sessions within the Committee’s meetings will act as the primary method of enquiry. There is the possibility of conducting a site visit to witness works undertaken within the Council’s footway resurfacing programme.

### **Future information that may be required**

Further information may be identified as the review progresses.

## **4. REVIEW PLANNING & ASSESSMENT**

The proposed timeframe and milestones for the review are set out below:

<b>Meeting Date</b>	<b>Action</b>	<b>Purpose / theme</b>	<b>Witnesses / officers attending</b>
20 September 2022	Agree Scoping Report		
18 October 2022	Witness Session 1	Understand the Council’s current position and national setting	LBH Officers
16 November 2022	Witness Session 2	Exploring developments in resurfacing technologies, methods and materials	TBC LBH Officers Representatives of the Council’s contractors

Possible site visit			
TBC January 2023	Witness Session 3	Exploring initiatives undertaken by other local authorities	TBC LBH Officers Representatives of the Council's contractors or private resurfacing companies Representatives from other local authorities.
09 February 2023	De-brief and emerging findings	To discuss key findings and identify potential recommendations	LBH Officers
07 March 2023	Approval of draft final report	Proposals – agree recommendations and final draft report to Cabinet	
TBC 2023	Submission of final report for endorsement by Cabinet		

### Resource requirements

None.

### Equalities impact

TBC.

### Background reading

[LBH Website – Transport, roads and parking](#)

[Highways Act 1980](#)

[Hillingdon Highways Inspection Policy](#)

[UK Roads Liaison Group - Well Managed Highway Infrastructure - A Code of Practice 2016 – Commissioned by the Department for Transport](#)

[Natural England - Public rights of way: local highway authority responsibilities](#)

### Previous Related Reviews:

[LBH Residents' and Environmental Services Policy Overview Committee – Review of Highways Maintenance 2007/08](#)