

## SERVICE ROAD, OFF PRINCES WAY – FLOODING AND ADOPTION

**Cabinet Member**

Councillor Keith Burrows

**Cabinet Portfolio**

Cabinet Member for Planning and Transportation

**Officer Contact**

Colin Stewart

**Papers with report**

None

### HEADLINE INFORMATION

**Purpose of report**

This report deals with a petition signed by 17 residents of Willow Grove, requesting that the service road leading off Princes Way be adopted and the drain cleaned.

The lead petitioner is Mr D Jones, 865 Victoria Road, Ruislip Middlesex HA4 0JJ.

**Contribution to our plans and strategies**

A safe borough, a clean and attractive borough

**Financial Cost**

Nil

**Relevant Policy Overview Committee**

Residents' and Environmental Services Policy Overview Committee

**Ward(s) affected**

South Ruislip Ward

### RECOMMENDATIONS

It is recommended that the Cabinet Member for Planning & Transportation

Notes that officers have visited the site and concluded that the council have no responsibility to adopt the service road or to carry out any drainage work.

### INFORMATION

**Reasons for recommendation**

The service road provides access to the back gardens of houses and is mainly used for access to private garages owned by households living in Diamond Road and Victoria Road. The service road is not adopted and is unlikely to be brought up to an adoptable standard without significant

expenditure. The Council therefore has no responsibility for the service road. There is a low point on the road which is drained by one sub-standard gully. This gully is also not the responsibility of the Council as it is entirely within the unadopted road and does not receive any highway water.

### **Alternative options considered**

- Adoption of the service road- however in its present condition the service road is not up to adoptable standard and would therefore create an unacceptable precedent for numerous other similar service roads in the Borough.

### **Comments of Policy Overview Committee(s)**

None at this stage

### **Supporting Information**

- 1 The service road leading off Princes Way and providing access to the rear gardens of houses on Victoria Road and Diamond Road is a typical service road providing vehicle and pedestrian access to the back gardens of private properties.
- 2 The dimensions of the service road do not meet any of the adoption standards required by the Council and the structure of the riding surface is poor and would need extensive reconstruction to meet modern standards. There are numerous similar service roads in the Borough and adoption of them, even after reconstruction, would involve the Council in continuous additional maintenance costs.
- 3 The existing gully at the low point of the service road appears to be a small rectangular chamber about 225mm square in plan, of unknown depth with a missing cover but full of silt and debris. As a matter of goodwill the gulley has been cleaned to try and establish whether it is connected to the public storm water sewer. Unfortunately a connection to a storm water sewer could not be established although there is clearly a pipe leading off in a North Westerly direction.
- 4 The lead petitioner Mr Jones was informed that officers believe the Council to have no liability and that in the event of the entire drain being blocked or collapsed then the residents would have to make the necessary arrangements to have the work completed and also pay any associated costs.

### **Financial Implications**

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 claims if the work is not carried out.

In this situation there is no liability for the Council as the road is unadopted.

### **Legal Implications**

There is no legal requirement upon the Council to adopt this service road as a highway.

### **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

The ongoing drainage problem may cause inconvenience to householders but is unlikely to create any major problem as the pond created by the defective gully does drain away with time.

### **BACKGROUND PAPERS**

Petition received, dated 1 May 2009.

# APPENDIX 'A' – LOCATION PLAN



**APPENDIX 'B' – PHOTOGRAPHS OF EXISTING SERVICE ROAD – MAY 2008**

