

Board meeting 22.03.11

Secretariat memorandum

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LTW378

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Standards of roads and pavements

1 Purpose of report

- 1.1. To provide information to passengers and pedestrians on the responsibilities of Transport for London (TfL) in maintaining the condition of the Transport for London Road Network (TLRN).

2 Recommendation

- 2.1. None, the report is for information only.

3 Legal framework

- 3.1. Although there are many regulations, statutes and precedents relating to legal responsibility for highways maintenance, the main piece of legislation is Section 41(1) of the Highways Act 1980 in England and Wales, which places a duty on highway authorities to maintain the highway.
- 3.2. TfL is the highway authority for London's main arterial roads. The TLRN comprises 580 km of roads, producing some 2,400 lane kilometres and more than 1,000 kms of footway.
- 3.3. TfL has responded to the duty in the Highways Act by publishing its Highway Asset Management Plan (2007), in which it sets out how it manages the capital renewal of carriageways, capital renewal of footways, and day-to-day operational management of carriageways and footways.

4 Condition surveys and safety inspections of roads and footways

- 4.1. TfL carries out annual condition surveys, which deal primarily with the overall condition of roads and footways.
- 4.2. In addition, it carries out detailed inspections of streets and pavements specifically to identify visible flaws, many of which have suddenly, such as potholes, objects blocking the road or footpath, or guardrails damaged after being hit by a vehicle.
- 4.3. Safety inspections involve a trained inspector walking or riding in a slow-moving vehicle along the network observing all types of highway assets, including roads and pavements, for visible safety defects.

- 4.4. The frequency with which a road is inspected depends on its classification. Rural fringe roads, Prestige Walking Zone footways and Primary Walking Zone footways are inspected weekly. Other roads and pavements, including suburban roads, urban roads, secondary walking route footways, link footways and local access footways are inspected monthly.
- 4.5. If the safety inspection finds any defects they are evaluated based on the risk that they pose, and categorised and prioritised for repair accordingly. The procedure for categorising defects is in line with guidance provided in Well Maintained Highways – Code of Practice for Highway Maintenance Management.
- 4.6. In addition to scheduled surveys, TfL carries out ad hoc inspections when it receives a report that requires investigation on-site.

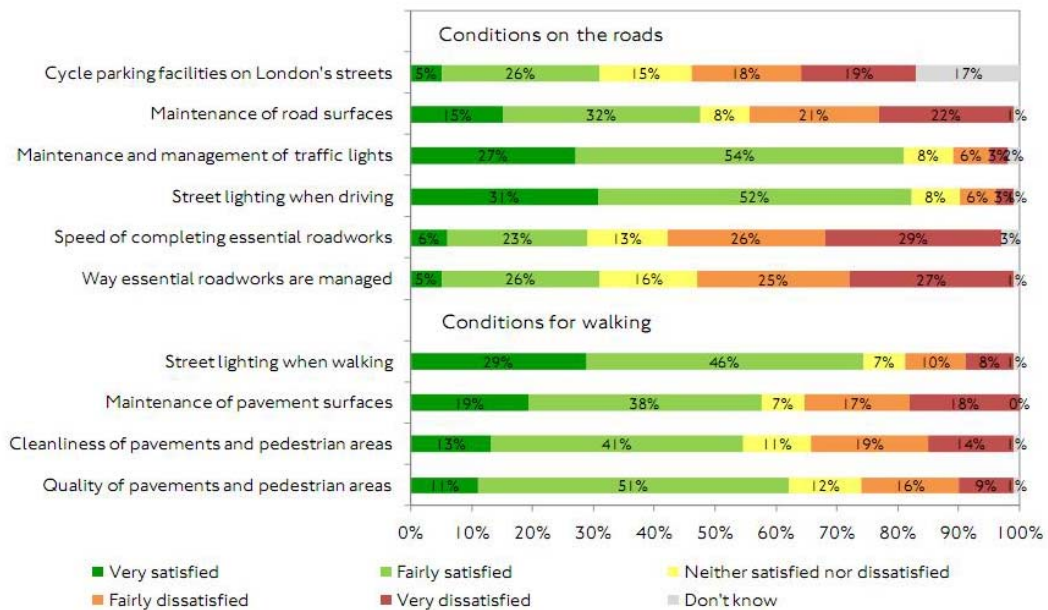
5 Funding arrangements and predicted state of roads and footways

- 5.1. TfL's Business Plan for 2009/10-2017/18 shows that capital expenditure on London Streets, although a broad category wider than just road surface maintenance, falls from a peak in 2010/11 of £147 million to £88 million in 2016/17 and £92 million in 2017/18.
- 5.2. In direct correlation with this, the percentage of the TLRN that is deemed to be in a state of good repair is predicted in the Business Plan to fall from 6.7% in 2010/11 to 8.2% in 2017/18. It should be noted, however that although the 2009/10 indicator was also 6.7% the outturn figure fell short of that at 8% as reported by TfL.

6 Satisfaction with roads and footways

- 6.1. TfL published its report Travel in London 3, which summarises key trends and developments relating to travel and transport in London in the period 2009/10.
- 6.2. The report shows that the satisfaction of London residents with aspects of streets and pavements as a whole has declined. This may in part be due to the severe weather conditions of winter 2009/10, which led to a reduction in the quality of the road surface across the whole of London.
- 6.3. For pedestrian road users, there has been a decrease in the proportion saying that they are either 'very' or 'fairly' satisfied with the maintenance of pavement surfaces and a similar decrease in satisfaction with the quality of pavements, which may also have been affected by the severe weather.
- 6.4. The graph below, taken from Travel in London 3, shows the levels of satisfaction among London residents with the state of streets and pavements.

Figure 10.11 London residents' satisfaction with aspects of streets and pavements, 2010.



Source: TfL Streets Management Customer Satisfaction Survey 2010.

- 6.5. It should be noted that the most recent data available for customer satisfaction with the TLRN in particular, which dates from 2009, shows that residents are generally more satisfied with this than the road network more generally. The survey shows that 29% of respondents were fairly or very dissatisfied with the management and maintenance of footways and 22% were fairly or very dissatisfied with the management and maintenance of roads.

7 Making a complaint

- 7.1. The Transport for London website allows users to report faults relating to the following categories: buildings, nuisance/pollution, rubbish, streets/public spaces, and vehicles/parking.
- 7.2. The webpage is located in the “road users” section of the site and allows users to enter a postcode or address which then generates an electronic report that is fairly straightforward to complete. Defects in roads and pavements, such as potholes, can be found in the streets/public spaces section.
- 7.3. If the fault relates to a body other than TfL, for example a borough highway authority, the website will direct the report through to the appropriate external organisation.
- 7.4. Problems can also be reported by telephone to the 24-hour Street Faults Contact Centre on 0845 305 1234.

8 Defences to complaints

- 8.1. It is important to note that Section 58 of the Highways Act 1980 in England and Wales sets out the circumstances in which a highway authority will not be liable for the non-repair of the highway. The authority needs to show that it has taken “such care as in all the circumstances was reasonably required to secure that the part of

the highway to which the action relates was not dangerous for traffic” (which includes pedestrian traffic).

- 8.2. This makes it clear that the highway authority is not required to make sure the condition of the road is absolutely perfect, just that it must take reasonable care to ensure that the road was not dangerous. TfL has stated that its inspection and maintenance procedures ensure it complies with the requirements of the Highways Act.

9 Equalities and inclusion implications

- 9.1. No equalities and inclusions implications arise from this report.

10 Legal powers

- 10.1. Section 248 of the Greater London Authority Act 1999 places upon London TravelWatch (as the London Transport Users Committee) a duty to consider – and where it appears to the Committee to be desirable, to make recommendations with respect to - any matter affecting the functions of the Greater London Authority or Transport for London which relate to transport (other than of freight).

11 Financial implications

- 11.1. No financial implications arise from this report.