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Dear Guy

### **Maintenance of paths for cyclists, pedestrians and others riding or wheeling**

Thank you for your recent letter and please accept my apologies for the delay in issuing this formal response to it.

May I firstly say that it is always good to hear that you receive good engagement with all parts of National Highways, in this instance with Freda Rashdi's team in the Customer, Strategy and Comms directorate. I will pass that feedback onto Elliott.

We value greatly the research that Transport Focus carry out among road users, be they motorised vehicle users or those who use the paths alongside our roads. I wholeheartedly agree that we should be ensuring that the paths we maintain for cyclists, pedestrians and other riding or wheeling should meet their reasonable needs, particularly in terms of safety and journey experience.

You will be aware from previous discussions with Andrew Butterfield and Phillip Treacher, that we are already actively working on improving our approach to inspections. As an example, I know that you are contributing to an e-learning package being developed by Phillip's team which seeks to instil "through a customer's eyes" thinking into our inspector community.

We do have significant funding challenges, from the flat opex funding to the additional inflationary pressures, which results in difficult decisions on how we prioritise spend so it positively impacts the safety of most users. However, there is certainly more we can do and the examples you have cited bear testament to that, highlighting where we can do things earlier and be less reactive.

I have looked into the 4 matters that you have raised and will address them individually.

## **Inspection regimes**

Our inspection requirements are laid down in *GS801 Asset delivery / asset inspection requirements* which forms part of the Design Manual for Roads and Bridges (DMRB).

The extract below covers asset type 0700 – paved areas.

Extracts from GS801 Asset delivery asset inspection requirements

**Asset type 0700– Paved areas**

Inspection regimes to assess and record asset condition of paved areas shall be as per the following frequencies.

2) urban APTR carriageways / footways / cycle tracks- 6 months;

3) rural APTR footways / cycle tracks- 3 years

**Inspections for network safety**

The optimum frequencies for safety patrols and safety inspections shall be established to ensure that the network remains safe and serviceable and meets the customers' needs and expectations.

The methodology for undertaking inspections shall depend upon the network characteristics, its accessibility and the safety of inspecting. For some locations it may be necessary or appropriate for the inspection to be **undertaken on foot**. The appropriate inspection frequencies and the methodology for inspecting shall be set using a risk-based approach with a thorough understanding of the character of the affected property and the traffic expected to use it.

**Safety patrols**

Safety patrols shall be carried out using a suitable method to ensure the network is safe, serviceable and meets our customers' needs and expectations by ensuring, as far as possible, that defects and imminent defects are identified to be made safe.

**Safety inspections**

Safety inspections shall be carried out using a suitable method and include all the duties of a safety patrol and extends to include identification of defects before they become hazardous.

The frequency of condition inspections can be slightly different to, but no less frequent than those laid down in GS801. As an example, in the South East, footways and cycleways are assigned one of the following three hierarchies and frequency of inspection:

- Urban High-risk links: 3 monthly walked inspection
- Urban Medium risk links: 6 monthly walked inspection
- Rural Low risk links: Annual walked inspection

Whilst in the North West, footways and cycleways are inspected on an annual basis following an assessment of:

- Local amenities
- Anticipated footfall levels
- Road speed limit
- Defect numbers

I can confirm that all regions have inspection requirements plans in place, produced by the Planning & Development teams, covering all parts of the APTR network. These inspections will include checking for defects caused by instances of encroachment, broken curbs, deformation of pavement surface etc. Where an inspection identifies that the pavement has deteriorated significantly since the last inspection, this would trigger a more frequent inspection cycle being introduced.

Your letter asks specifically about the Design, Build, Finance and Operate (DBFO) concessions, and whilst they do seek to deliver the same outcomes as on the All-Purpose Trunk Roads (APTR), they use the *Network Management Manual* and *Routine and Winter Service Code* which are a little more prescriptive.

### ***Effective Maintenance Regimes***

Whilst I would have hoped that the cyclical maintenance regimes would have been sufficient to prevent unacceptable vegetation encroachment on the pathways and that these would be done during the growing season, the examples you have highlighted clearly show that there is more to do.

Whilst I have shared your letter with my Regional Directors, Heads of Service Delivery and DBFO Central Team, I am keen to understand how we can enhance our approach to maintenance in preparation for RIS3 and the expected increase in opex funding, I will be personally sponsoring a strategic review and will routinely provide Transport Focus with updates.

### ***Completion of Inspections***

We don't formally report on the completion rate of condition inspections but we do for more specialist activities, namely those on structures, variable restraint systems (VRS), lighting, geotech and traffic signs & technology. Of these 99.6% were completed in 22/23. Your letter and my subsequent enquiries has also identified that there isn't one system used to record condition inspections across the regions but I have asked that a Task & Finish group be stood up to review condition inspections and how they are recorded.

Turning to the DBFOs, the picture is far more complicated I am afraid and to illustrate this I will use a couple of examples:

- Area 5 (M25 DBFO) are required to report on performance indicators linked to asset inspections
- The A50 concession are required to report if inspections are either missed or delayed/postponed. We received no such notifications in 2022/23
- The A417/A419 concession has no requirements to report on inspections in their contract

I cannot therefore confirm that 100% of inspections and cyclical vegetation management work on paths were completed during 22/23.

### ***Reactive Maintenance and Minor Capital Interventions (MCI)***

I think you make an interesting point about the safety and journey experience for those using the paths by the side of the APTRs and I am personally committed to ensuring we provide non-motorised users of the network with the same quality of experience as motorised users.

I will again ask my Heads of Service Delivery to examine if they have explored all opportunities to use available funding to address encroachment type issues and importantly I know Finance colleagues recently issued guidance to the regions on what MCI funding can and can't be used for.

MCI funding is, however, not available to DBFOs as their funding was agreed at the start of the concession.

Thank you again for taking the time to write to me with your observations and concerns.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Duncan Smith', written in a cursive style.

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