



Department  
for Transport

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Web Site: [www.gov.uk/dft](http://www.gov.uk/dft)

Our Ref: 208931  
Your Ref:

23 February 2018

Jay Townsend  
By email  
request-460544-  
e8a3ae83@whatdotheyknow.com

Dear Mr Townsend

### **Freedom of Information Request 15753**

Thank you for your request for information request dated 7 February. You requested the following information under the Freedom of Information Act 2000 as follows:

***“This request refers to the council called Cheshire West and Chester***

***Please supply the name of the person responsible for the condition of the highways in Cheshire West and Chester***

***Is this person accountable to The Department for Transport?***

***Does the Department for Transport monitor the work of this person?***

***Do they report to the Department of Transport and if so how and what do they report?***

***Does the Does the Department for Transport monitor the condition of the roads and pavements in Cheshire West and Chester? If so what is the mechanism?***

***How much money does Cheshire West and Chester receive annually for the maintenance and repair of the roads and pavements? Please give figures for the past 5 years.***

***Who selects the contractors who carry out the work on behalf of the council?***

***Who assesses the effectiveness of the contractors work?***

***Does Cheshire West and Chester receive any special funding for the maintenance and repair of the roads and pavements, for example pot hole repairs? If so when and how much?***

***Is there a procedure whereby one might alert, report or complain to the Department for Transport about the failure to keep the roads and pavements safe in Cheshire West and Chester by the responsible person in the council.***

***If so what is that process and what can be expected as the outcome of that process if anything?"***

Your request has been considered under the Freedom of Information Act 2000.

I am writing to confirm that the Department has now completed its search for the information. A copy of the information is enclosed.

It might be helpful if I explain that Local highway authorities, such as Cheshire West and Cheshire Council, have a duty under Section 41 of the Highways Act 1980 to maintain the highways network in their area. The Act does not set out specific standards of maintenance, as it is for each individual local highway authority to assess which parts of its network are in need of repair and what standards should be applied, based upon their local knowledge and circumstances. Central Government has no powers to override local decisions in these matters

The table below shows funding provided by the Department to Cheshire West and Chester Council for highway maintenance during the last five years.

£m	Highways Maintenance Block	pothole Action Fund	Wet Weather	Local Pinch Point Fund	Total
2013/14	7.354		0.857	1.778	9.989
2014/15	6.405	1.516			7.921
2015/16	7.951				7.951
2016/17	7.691	0.448			8.139
2017/18	7.683	0.640			8.323
Total	37.084	2.604	0.857	1.778	42.323

The Local Pinch Point Fund was for repairs to the Sutton Weaver Swing Bridge.

There is not a formal procedure for alerting the Department for Transport about the performance of a local highway authority. However, a member of the public can write to the Department for Transport, which has to respond to correspondence from the public within 28 days, with any concerns. The Department can be contacted at: [general-enquiries@forms.dft.gov.uk](mailto:general-enquiries@forms.dft.gov.uk).

With regard to monitoring the condition of the local highway network, such as in Cheshire West and Cheshire, the Department annually publishes Official Statistics on road conditions in England. Local highway authorities use automated survey machines and visual surveys to determine the percentage of the network that 'should have been considered for maintenance' for different road types. Local Highway Authorities provide the Department with this information via an online survey.

Figures are presented in the publication tables at local highway authority level for those authorities whose data passed validation checks for a given year. The latest available published data are for the financial year 2016/17 with data available back to 2007/08 which

can be found at: <https://www.gov.uk/government/statistics/road-conditions-in-england-2017>

Further information on the methods used and the nature of the measure can be found in the technical note:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/610920/road-length-statistics-methodology.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/610920/road-length-statistics-methodology.pdf)

The following questions fall within the responsibility of Cheshire West and Chester Council, as the highway authority:

***Please supply the name of the person responsible for the condition of the highways in Cheshire West and Chester***

***Who selects the contractors who carry out the work on behalf of the council?***

***Who assesses the effectiveness of the contractors work?***

May I suggest you contact Cheshire West and Chester Council to answer. The council can be contacted at:

Cheshire West and Cheshire Council  
Nicholas Street  
Chester  
CH1 2NP

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's FOI Advice Team at:

Zone D/04  
Ashdown House  
Sedlescombe Road North  
Hastings  
East Sussex TN37 7GA  
E-mail: [FOI-Advice-Team-DFT@dft.gsi.gov.uk](mailto:FOI-Advice-Team-DFT@dft.gsi.gov.uk)

Please send or copy any follow-up correspondence relating to this request to the FOI Advice Team to help ensure that it receives prompt attention. Please also remember to quote the reference number above in any future communications.

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely,

Gary Kemp  
Local Infrastructure Division  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR  
[gary.kemp@dft.gsi.gov.uk](mailto:gary.kemp@dft.gsi.gov.uk)  
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## **Your right to complain to DfT and the Information Commissioner**

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF