

CABINET

21 March 2017

HIGHWAY INSPECTION POLICY REVIEW

Report of the Director for Places (Environment, Planning & Transport)

Strategic Aim:	Safeguarding	
Key Decision: Yes	Forward Plan Reference: FP/050816/02	
If not on Forward Plan:	Chief Executive Approved	
	Scrutiny Chair Approved	
Cabinet Member(s) Responsible:	Mr T Mathias, Leader, Portfolio Holder for Finance and Places (Highways, Transport and Market Towns)	
Contact Officer(s):	Dave Brown, Director for Places (Environment, Planning & Transport)	01572 758461 dbrown@rutland.gov.uk
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Ward Councillors	Not applicable	

DECISION RECOMMENDATIONS

That Cabinet approves

1. The Highway Inspection Policy attached in Appendix 1.

1 PURPOSE OF THE REPORT

- 1.1 To consider the revised Highway Inspection Policy attached as Appendix 1

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Under Section 41 of the Highways Act 1980 Rutland County Council has a statutory duty to maintain the public highway. The Council receives an average of 20 claims per year for damages resulting from alleged failures to maintain the highway. Under Section 58 of the 1980 Highways Act, the highway authority has a “special defence” in respect of such claims if it can demonstrate that it has a reasonable inspection regime and the defect was not present when the highway was last inspected.
- 2.2 The Council and its insurer have been very successful in defending claims over the last 5 years. The current highway inspection policy was approved in 2012 to bring it into line with the code of practice for highway maintenance (Well Maintained Highways - 2005). This document has now been superseded by Well Managed Highway Infrastructure: A Code of Practice, published in October 2016.
- 2.3 The Council is already working towards the recommendations in this document and the latest Highways Asset Management Plan was adopted by Cabinet on 15th November 2016 (report no 160/2016). The adoption of the revised Highway Inspection Policy will address the following further recommendations:
- **INSPECTIONS** - A risk-based inspection regime, including regular safety inspections, should be developed and implemented for all highway assets.
 - **MANAGEMENT SYSTEMS AND CLAIMS** - Records should be kept of all activities, particularly safety and other inspections, including the time and nature of any response, and procedures established to ensure efficient management of claims whilst protecting the authority from unjustified or fraudulent claims.
 - **DEFECT REPAIR** - A risk-based defect repair regime should be developed and implemented for all highway assets.

3 MAIN CHANGES

- 3.1 Inspection Frequencies:

- Local access roads will be inspected every 12 months, instead of every 6 months
- Local access footways will be inspected every 12 months instead of every 6 months

3.2 Response Times:

- Category 1 response increased from 24hours to 7 days (& days allows for weekend, so repairs should be carried out within 5 working days)
- Category 2 defects increased from 28 days to 3 months

3.3 Intervention Levels:

- Diameter of Category 1 defect defined as 275mm
- Depth of Category 1 defect increased from 40mm to 50mm for carriageway
- Depth of Category 1 defect increased from 20mm to 30mm for footways

4 CONSULTATION

4.1 The Inspection Policy in Appendix 1 has been reviewed by the Places Scrutiny Panel on 9th February 2017. Some minor amendments have been made as a result of the panel's feedback.

5 ALTERNATIVE OPTIONS

5.1 Continue with the existing inspection and intervention routine.

- This would impact on planned works and resources, as they would need to be made available at very short notice to meet a 24hour response time.
- This would also result in repairs being undertaken on a temporary basis, instead of permanent, and would see in increase in temporary repair costs.

6 FINANCIAL IMPLICATIONS

6.1 The proposed changes to the inspection policy will improve efficiency. This will result in current standards being maintained at a lower cost or higher standards being achieved within existing budgets. Given that our roads are in relatively good condition it is expected that there will be contribution towards the savings targets in the MTFP; however budget setting is outside the scope of this report.

6.2 The proposed intervention levels and response times have been trialled since November 2015. During the trial, expenditure on the temporary filling of potholes has reduced by over 50%. This has seen monthly costs for temporary pothole repairs drop from an average of £12k per month in early 2015 to an average of around £5k per month in 2016/17. These reductions have allowed the budget to be spent on permanent repairs, as well as contributing towards £35k savings to 2016/17 budgets.

7 LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 Under Section 41 of the Highways Act 1980 Rutland County Council has a statutory duty to maintain the public highway.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 It is recognised that the public sector equality duty in s149 of the Equality Act 2011 will apply because the proposals in the report are likely to have an effect on persons who share one or more relevant protected characteristics as defined in that section, including disability. However, it is considered that the nature and impact of the proposals is such that persons who are disabled, or who may share other relevant protected characteristics, will not be affected by the proposals in a manner which will be significantly different from those persons who do not share such characteristics. For that reason the justification for the proposals, as set out in the report, is considered to outweigh any need to have any further, special, regard to the proposals as they might affect persons who share such characteristics.

9 COMMUNITY SAFETY IMPLICATIONS

- 9.1 None

10 HEALTH AND WELLBEING IMPLICATIONS

- 10.1 None

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 11.1 That the highway inspection policy attached as Appendix 1 be approved.

- 11.2 To deliver the Council's strategic aims to 'Safeguard the most vulnerable and support the health & well-being needs of our community', by providing a safe highway network, and to fulfil the Council's statutory duties with regard to highway maintenance and road safety.

12 BACKGROUND PAPERS

- 12.1 Well-Managed Highway Infrastructure: A Code of Practise can be found here:
<http://www.ukroadsliaisongroup.org/en/guidance/codes-of-practice.cfm>

13 APPENDICES

- 13.1 Appendix 1 – Highway Inspection Policy

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

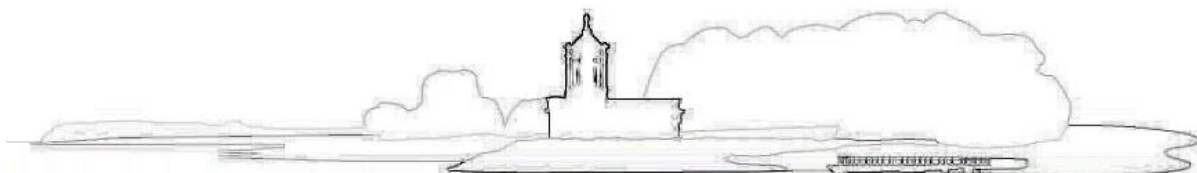


Rutland County Council

HIGHWAY INSPECTION POLICY

Version & Policy Number	Version 1.0 Policy COMM/1234
Guardian	Neil Tomlinson, Senior Highways Manager, 01572 758 342
Date Produced	February 2017
Next Review Date	February 2020

Approved by Scrutiny	
Approved by Cabinet	
Approved by Full Council	



Summary of document

Rutland CC has a statutory duty under the Highways Act 1980 to maintain the highway network in a safe condition.

To fulfil this duty, we have developed a Highway Safety Inspection Policy based on the recommendations in the “Well Managed Highway Infrastructure: A Code of Practise” with amendments to meet the local circumstances and needs of our community.

We have adopted a risk based approach in determining the inspection regime to ensure hazards are identified, prioritized, made safe, and permanently repaired in the most cost efficient method. The paramount concern in implementing the Highway Inspection Policy is public safety and the adoption of best practice within the resources available.

Appendix 1

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1.0 SAFETY INSPECTIONS

- Safety inspections are designed to identify those defects likely to create a risk to highway users;
- The inspections will cover all areas of the highway, including carriageways, footways, cycleways, verges and central reservations;
- Surveys may be driven, cycled or walked, dependent on location and accessibility of the asset;
- Defects are to be recorded on an electronic hand held device;
- Surveys will be undertaken by competent persons who have received appropriate training.

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2.0 SAFETY DEFECTS

The following are examples of types of defect. This list is **not** exhaustive, and the Inspector will need to his their judgement as to what is likely to be hazardous.

- Safety fences - Damage that has caused failure and/or pushed into the carriageway or footway causing an obstruction;
- Damaged Signs – Damaged or missing mandatory signs;
- Obscured Signs - Mandatory, regulatory or warning signs not easily visible;
- Damaged Lighting/Lit Signs/Bollards - Evidence of vehicle impact or vandal damage. Missing covers;
- Displaced Road Studs - Dislodged or missing road studs;
- Overriding of Verges - Overriding of verges causing rutting along the edge of the carriageway >150mm;
- Broken Ironworks - Ironwork which is broken, has sunk abruptly by >40mm or protrudes > 25mm in the carriageway or 10mm in the footway;
- Dislodged or Missing Kerbs - Any kerb which projects more than 25mm into the carriageway or footway. Any sharp edge created as the result of a missing kerb;
- Dislodged or missing Setts - Any sett which projects more than 50mm into the carriageway or footway. Any sharp edge created as the result of a missing sett;
- Trenches - A trench that has settled or raised by greater than 25mm;
- Obstructions - Any obstruction on the carriageway, footway or cycleway which is considered hazardous to vehicle drivers , pedestrians or cyclists;
- Footway Trips/Depressions - Trips and Rocking slabs > 10mm and rapid change of footway profile >25mm extending horizontally < 600mm;
- Potholes – Sharp edged depression anywhere in the carriageway, footway or cycleway where part or all of the surface layers have been removed. (see Appendix A for definitions)

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3.0 NETWORK CLASSIFICATION

The Rutland CC network is classified based on the recommendations in the “Well Managed Highway Infrastructure: A Code of Practise” for Highway Maintenance & Management

3.1 Carriageways

Cat	Hierarchy Description	RCC Local Category	Type of Road General Description	Description
1	Motorway	Not Applicable in Rutland	Limited access motorway regulations apply.	Routes for fast moving long distance traffic. Fully grade separated and restrictions on use.
2	Strategic Route		Trunk and some Principal 'A' roads between primary destinations.	Routes for fast moving long distance traffic with little frontage access or pedestrian traffic. Speed limits are usually in excess of 40 mph and there are few junctions. Pedestrian crossings are either segregated or controlled and parked vehicles are generally prohibited.
3a	Main Distributor		Major urban network and inter-primary links. Short-medium distance traffic.	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access. In urban areas speed limits are usually 40 mph or less, parking is restricted at peak times and there are positive measures for pedestrian safety.
3b	Secondary Distributor		Classified Road (B and C class) and unclassified urban bus routes carrying local traffic with frontage access and frequent junctions.	In rural areas these roads link the larger villages and HGV generators to the Strategic and Main Distributor Network. In built up areas these roads have 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings. On-street parking is generally unrestricted except for safety reasons.

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4a	Link Road		Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions.	In rural areas these roads link the smaller villages to the distributor roads. They are of varying width and not always capable of carrying two way traffic. In urban areas they are residential or industrial interconnecting roads with 30 mph speed limits random pedestrian movements and uncontrolled parking.
4b	Local Access Road		Roads serving limited numbers of properties carrying only access traffic.	In rural areas these roads serve small settlements and provide access to individual properties and land. They are often only single lane width and unsuitable for HGV's. In urban areas they are often residential loop roads or cul-de-sac.

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3.2 Footways

Category	Category Name	RCC Local Category	Description
1(a)	Prestige Walking Zones	Not applicable in Rutland	Very busy areas of towns and cities with high public space and street scene contribution
1	Primary Walking Routes	Town Centres	Busy urban shopping and business areas and main pedestrian routes.
2	Secondary Walking Routes		Medium usage routes through local areas feeding into primary routes, local shopping centres etc.
3	Link Footways	All other footways	Linking local access footways through urban areas and busy rural footways.
4	Local Access Footways		Footways associated with low usage, short estate roads to the main routes and cul-de-sac.

In Oakham the town centre is defined as the following roads:

- a) High St
- b) Melton Rd
- c) New St
- d) Church St
- e) Gaol St
- f) Northgate
- g) Market St
- h) Market Place
- i) Mill St
- j) Burley Rd

In Uppingham the town centre is defined as the following roads:

- a) Market Place
- b) High St East
- c) High St West
- d) Orange St
- e) Queen St
- f) North St East
- g) North St West
- h) London Rd (from Orange Street to Market Place exit)

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3.3 Cycleways

Category	Category Name	Description
A	Cycle lanes.	Forming part of the carriageway, commonly 1.5m wide, adjacent to the nearside kerb.
B	Cycle track	A highway route for cyclists non-contiguous with public footway or carriageway. Shared cycle/pedestrian paths, either segregated by a white line or other physical segregation, or unsegregated
C	Cycle trails	Leisure routes through open spaces. These are not necessarily the responsibility of the highway authority but may be maintained by an authority under other powers of duty.

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Appendix 1

4.0 INSPECTION FREQUENCY

We will inspect the carriageways and footways, footpaths and cycleways based on the hierarchies recommended in the Code of Practice, broadly grouped as:-

Frequency	Carriageway Category	Footway and Footpath Category	Cycleway Category
Monthly	3a – Main Distributor 3b – Secondary Distributor	1 – Primary Walking Routes	A - As per carriageway category.
3 Months	4a – Link Roads	2 – Secondary Walking Routes	A - As per carriageway category.
6 Months		3 – Link Footways	B - Cycle track
12 Months	4b – Local access Roads	4 – Local Access Footways	C - Cycle trails

- 4.1 The defined inspection frequencies should be maintained wherever possible; however some flexibility will enable the effects of weather and resource availability to be managed more effectively. 5 working days flexibility will be allowed for monthly inspections and 7 working days flexibility will be allowed for 3 and 6 monthly inspections.

5.0 INSPECTION METHODS

Driven

- 5.1 Carriageway safety Inspections should always be undertaken by two people in a slowly moving (25 -30mph) vehicle where possible in both directions, one driving and the other inspecting/recording. The driver will not be expected to be actively involved in identifying and recording defects, but will concentrate on ensuring the safe passage of the vehicle. For narrow roads, typically those less than 4m total width, the driven inspection should be carried out in one direction only.
- 5.2 For driven Safety Inspections, the survey vehicle should be equipped with high intensity roof-mounted flashing beacons and high visibility reflective markings (magnetic). The inspection of any traffic sensitive lengths should be surveyed at off-peak times.
- 5.3 Rural footways and cycleways may be inspected by two people in a vehicle if the inspector observes just the nearside footway/cycleway. Isolated footways that cannot be seen from the vehicle must be walked. Isolated cycleways that cannot be seen must be walked or cycled.

Walked

- 5.4 Footways in the urban area must be inspected on foot. If there is a footway on both sides of the road the footways are to be inspected in both directions.
- 5.5 Carriageways can be inspected by one person on foot if the person is walking on a footway and can inspect the footway and carriageway at the same time.
- 5.6 Cycleways can be walked.

Cycled

- 5.7 The cycle network (urban and rural) can be inspected by one person on a bicycle.

6.0 INFORMATION TO BE RECORDED

- 6.1 Each inspection will be recorded against the relevant Unique Street Reference Number (USRN) if practical for the named street. As well as any defects found, the overall condition of the carriageway and footway must be recorded as this information will be used to identify potential preventative maintenance and renewal schemes. Weather conditions should also be recorded.
- 6.2 The inspection record will show the name of the inspector who carried out the inspection.

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Appendix 1

7.0 DEFECT CATEGORISATION

7.1 Emergency

Defects which require urgent action because they represent an immediate hazard. Examples include:-

- Missing covers to large chambers, manholes or gully gratings
- Road collapse
- Exposed electrical wiring
- Substantial debris or obstruction of the highway, such as a fallen tree
- Any significant highway structure in imminent danger of collapse, such as retaining walls

Defects which are not the responsibility of Rutland CC, such as defects relating to statutory undertakers apparatus in the highway, will be reported to relevant undertaker. If necessary, Rutland CC will apply appropriate temporary measures to protect the public, but will in no way relieve the owners of that apparatus from their statutory duty and common law duty to maintain their apparatus.

7.2 Category 1

Defects which require prompt action because they represent an imminent hazard or there is a risk of further rapid deterioration.

7.3 Category 2

Defects which meet the investigatory level criteria, but do not present an immediate or imminent hazard.

7.4 Potholes

Carriageway potholes are considered to be a safety defect where it measures > 250mm in a horizontal direction and are categorised depending on the pothole dimensions, location, road hierarchy and road speed. (see Appendix A for definitions and treatment applications)

Carriageways		Road Hierarchy			
Defect Depth	Road Speed	Main Distributor	Secondary Distributor	Link Road	Local Access Road
>75mm	Any	Category 1	Category 1	Category 1	Category 1
>50mm < 75mm	>30mph	Category 1	Category 1	Category 2	Category 2
>50mm < 75mm	<30mph	Category 1	Cat 1 or 2	Category 2	Category 2
>40mm <50mm	Any	Category 2	Category 2	No Action	No Action

Appendix 1

If a carriageway pothole is located at a controlled pedestrian crossing, or other defined crossing point (i.e. at junctions or dropped kerbs) footway standards apply.

Footway potholes are considered to be a safety defect where it measures > 75mm in a horizontal direction and are categorised depending on the pothole dimensions, location and footway hierarchy.

Footways	Footway Location	
	Town Centre	All other footways
>40mm	Category 1	Category 1
>30mm <40mm	Category 1	Cat 1 or 2
>20mm <30mm	Cat 1 or 2	Category 2
<20mm	No Action	No Action

8.0 RESPONSE TIMES

We will aim to repair or make safe defects within the following response times:-

Category	Carriageways	Footways
Emergency	Make safe within 2 hours by way of a permanent repair, temporary repair or guarding	
Category 1 – Imminent Hazard	Within 7 working days	Within 7 working days
Category 2 – no immediate risk	Within 3 months	Within 3 months

9.0 CLAIMS BY THIRD PARTIES

- 9.1 All claims and complaints which may result in a claim shall be reported to the insurance department within 2 working days of receipt.
- 9.2 Technical reports shall be completed by the relevant inspector within 5 working days of a request from the insurance department and sent to the Operations Manager

A large print version of this document is available on request



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CATEGORISATION OF POTHOLES

Introduction

How potholes are dealt with depends on the severity of the risk that the pothole creates. As such Rutland County Council with their Highway Service provider, Tarmac, has taken a risk based approach to repairing potholes. Potholes that fall into the criteria are called “safety defects” and have a time bound response within which the pothole needs to be repaired.

The following definitions, response times and repair techniques relates to how potholes that are considered to be a safety defect are defined and treated. The response times do not apply to potholes that fall outside the criteria and are not considered safety defects.

Definition of a Pothole:

There is no formal definition for a pothole recognized nationally, although the recent Highway Maintenance Efficiency Programme (HMEP) Pothole Review documents suggest that a more formal definition may be jointly developed by local authorities and the Department for Transport (DfT).

Rutland County Council and Tarmac have adopted a risk based definition recognising that potholes pose different risks to users of the highway network, depending on the pothole location and network hierarchy of the asset. Subsequently we have provided a different definition of a pothole for carriageways and footways.

CARRIAGEWAY

For a carriageway a pothole has been defined as a sharp edged depression anywhere in the carriageway where part or all of the surface layers have been removed including carriageway collapses, surrounds to ironwork and missing cat's eyes. A pothole will be identified when its maximum horizontal dimension is **greater than 250mm** and is:

- Greater than 40mm deep on main distributors and secondary distributors
- Greater than 50mm deep on local access roads and link roads.

At controlled pedestrian crossings or other defined crossing points (i.e. junctions or where dropped crossings are provided) footway standards apply.

FOOTWAY

For a footway a pothole has been defined as a sharp edged depression anywhere on the footway where part or all of the surface layers have been removed including footway collapses and surrounds to ironworks. A pothole will be identified when it has a maximum horizontal dimension **greater than 75mm** and a depth greater than 20mm.

Appendix A of Appendix 1

Response Times:

The maximum permissible time between a pothole being identified and the defect being repaired is dependent on two key factors:

- The magnitude of the pothole
- The network hierarchy of the asset containing the pothole

Both of these factors relate to the risk the pothole creates as well as the likelihood of a danger being realised.

Currently three response times are used, from the most urgent response first, these are:

- Emergency A two hour response. Examples include a road collapse.
- Category 1 A repair is required within seven working days
- Category 2 A repair is required within three calendar months for carriageway footway potholes.

The two tables below outline how response times vary depending on the depth of the pothole and the category of road or footway that the pothole lies on. Where the defect may be either a category 1 or category 2 defect it is for the inspecting officer to use their judgment when the defect is identified.

Carriageways		Road Hierarchy			
Defect Depth	Road Speed	Main Distributor	Secondary Distributor	Link Road	Local Access Road
>75mm	Any	Category 1	Category 1	Category 1	Category 1
>50mm < 75mm	>30mph	Category 1	Category 1	Category 2	Category 2
>50mm < 75mm	<30mph	Category 1	Cat 1 or 2	Category 2	Category 2
>40mm <50mm	Any	Category 2	Category 2	No Action	No Action

Footways	Footway Location	
Defect Depth	Town Centre	All other footways
>40mm	Category 1	Category 1
>30mm <40mm	Category 1	Cat 1 or 2
>20mm <30mm	Cat 1 or 2	Category 2
<20mm	No Action	No Action

Appendix A of Appendix 1

Repair Types

Our Term Maintenance Contractor has agreed with Rutland County Council that pothole repairs will fall into the following three categories:

Permanent

The most robust repair that includes removing debris from a pothole, saw cutting edges and overbanding using a hot applied material mechanically compacted.

Temporary

A repair that includes removing debris from a pothole and repairing the pothole using a cold applied material mechanically compacted.

Whilst our aim is to have all repairs as permanent repairs, the additional time needed on the highway to undertake a permanent repair may result in a temporary repair being made to immediately remove the hazard the defect poses, with a permanent repair carried out in the future.