

CABINET

Date of Meeting	Tuesday, 20 September 2016
Report Subject	Highways and Car Park Inspection Policy
Cabinet Member	Deputy Leader of the Council and Cabinet Member for Environment
Report Author	Chief Officer (Streetscene and Transportation)
Report Type	Operational

EXECUTIVE SUMMARY

Flintshire County Council as 'Highway Authority' has a statutory duty to maintain all adopted highways, including highway structures within the County (Trunk Roads not included).

In the event of a breach of that statutory duty, the Council may be liable for claims from highway users for personal injury or loss arising from incidents or accidents which have occurred on the adopted highway network.

In order to ensure the Council's highway network remains fit for purpose and in a safe condition and in order to provide a defence for the Council against claims made for compensation by users of the network, a robust Safety Inspection Policy is required.

The Safety Inspection Policy defines safety inspection frequencies on all of the classifications of carriageway, footway and cycleway maintained by the Council and the Policy also defines intervention criteria i.e. the point at which maintenance work is required, and defines timescales for completing any required remedial work.

The Council also owns and manages a large number of car parks across the County and the inspection policy has now been extended to include these facilities, in order to ensure the safety of the sites and to again provide a defence against any claims that may be received by users of the car parks, for personal loss or damage.

The original policy was initially approved on 19 February 2013 by Cabinet and is now due for review in order to meet national and good practice guidelines which recommends the policy should be reviewed after 2/3 years of implementation.

RECOMMENDATIONS

(1)	That Cabinet approves the reviewed Highway and Car park Inspection Policy (Appendix 1) outlining the Council's approach to all safety inspections, intervention criteria and response times.
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REPORT DETAILS

1.00	<u>BACKGROUND TO THE COUNCIL'S POLICY ON HIGHWAY SAFETY INSPECTIONS</u>
1.01	Flintshire County Council as the 'Highway Authority' has a statutory duty to maintain all adopted highways (except Trunk Roads) within the County. By virtue of section 58 of the Highways Act 1980 (England and Wales), if a Highway Authority can prove it had in place adequate policies and procedures to maintain the highway, and that the policies and procedures were being adhered to, providing there was no prior knowledge of a particular defect before the incident date, a claim for damages against the Authority as a result of personnel loss or injury can be repudiated.
1.02	Following the Cabinet approval in 2013, the Council's current arrangements for highway inspections and interventions are contained within a single comprehensive policy document and the review of this document will strengthen the Council's defence against any third party claims made against the Authority in the future. The inspection regime for the Council's car parks and highway structures have now been added to this document.
1.03	Streetscene Area Coordinators based in Streetscene & Transportation's Alltami Depot carry out the highway and car park safety inspections and each Area Coordinator has received training to enable them to carry out the task. The training takes the form of 'shadowing' experienced Area Coordinators and instruction by experienced highway maintenance engineers or managers. Before Area Coordinators commence inspection duties a formal appraisal takes place to ensure they hold a good understanding of both the policy and of highway maintenance good practice.
1.04	The non-principle structures inspections are also undertaken by the Area Coordinators, who have attended a recognised training course, providing them with the necessary knowledge to carry out the inspections.
1.05	The six yearly principal inspections of structures are scheduled into a multiple tender which are then offered to the market to ensure the service is carried out in the most cost effective way for the Council.
1.06	The Policy requires that safety inspections are carried out on each element of the highway infrastructure at predetermined intervals, dependant on classification. During the inspection, defects will be noted and the necessary repairs arranged within a period of time defined in the policy (response time). The Policy also defines the level when a defect becomes actionable (intervention level).

1.07	The revised Policy now relates to <ul style="list-style-type: none"> • Carriageways (roads) • Footways • Cycleways • Highway structures (retaining walls, bridges etc.) • Council owned car parks
1.08	The inspections of carriageways will take place from a moving vehicle (with the Area Coordinators as a passenger) and in all other cases by a walked inspection or in the case of structures by direct visits to the site.
1.07	All inspection frequencies, intervention criteria and response times stated in the Policy, meet with or better nationally recognised minimum standards for safety inspections.
1.08	The proposed Council Policy for highway safety Inspection, intervention criteria and response times is included as Appendix 1 of this report.

2.00	<u>RESOURCE IMPLICATIONS</u>
2.01	The new revised policy confirms the existing arrangements and there will be no detrimental impact on operations or costs as a result.

3.00	<u>CONSULTATIONS REQUIRED / CARRIED OUT</u>
3.01	With Cabinet Member.
3.02	No further consultation required.

4.00	<u>KEY RISKS AND MITIGATION</u>
4.01	The highways maintenance service has undertaken various risk assessments on the procedures involving highway inspection which are outlined within the policy.

5.00	<u>APPENDICES</u>
5.01	Appendix 1 – Council Policy on Highway Safety Inspections, Intervention Levels and Response Times

6.00	SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972 List of Background Documents
6.01	Highways Act 1980. Contact Officer: Stephen O Jones, Chief Officer (Streetscene and Transportation) Telephone: 01352 704700 E-mail: stephen.o.jones@flintshire.gov.uk
7.00	GLOSSARY OF TERMS
7.01	None