



Committee and Date

CABINET

13<sup>th</sup> July 2016

## **Proposed New Highway Safety Inspection Manual for Shropshire 2016 – 2020.**

**Responsible Officer Steve Brown – Highways, Transport & Environment  
Commissioning Manager**

e-mail: Steven.brown@shropshire.gov.uk Tel: 01743 257802

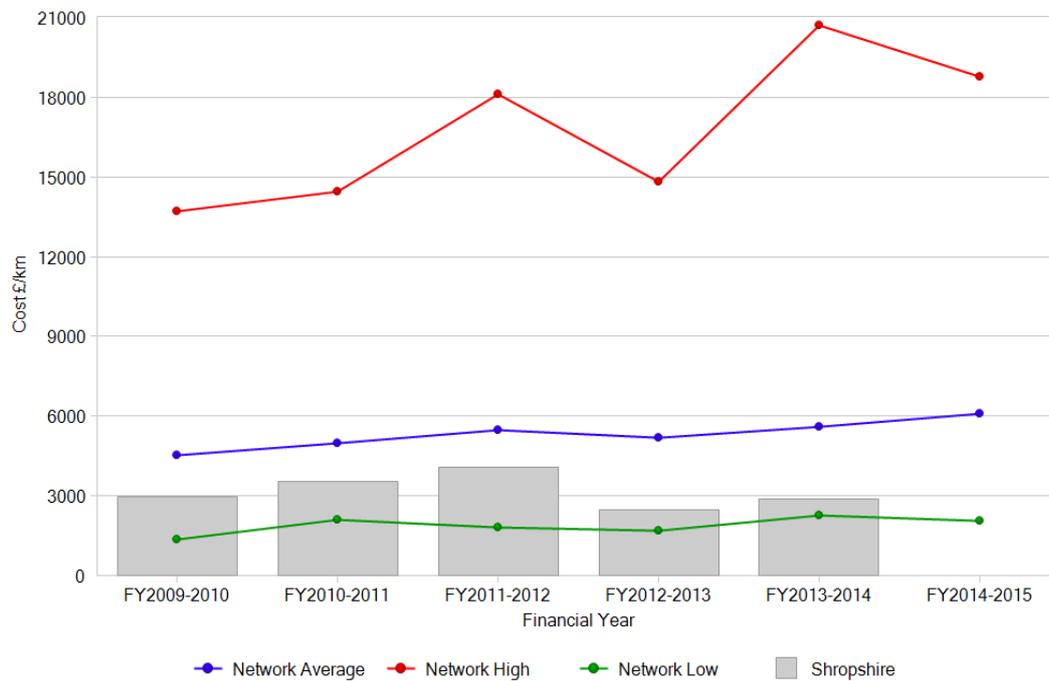
### **1. Summary**

- 1.1. This report proposes an update to the previously approved Highway Inspection Manual for Shropshire Council, for Cabinet to consider. The Highway Safety Inspection Manual is important in formalising an approach as to how the highway is kept safe for the travelling public. The revised Inspection Manual supersedes the previously approved document by Cabinet in 2007. The Policy and Guidance has been reviewed to ensure that national guidance and industry developments are considered. Current and anticipated national amendments to practice in operations have been factored in, and that an ongoing efficiency review of this element of the service and its impact upon our contractor(s) has been included.
- 1.2. Critically, the Highway Safety Inspection Manual will be key to the Council's defence in court, litigation or liability cases. Simply, if a member of the public who uses the highway network has an accident that can be attributed to the condition of the highway network, then the highway authority is liable to pay damages, *unless* it can be proved that the Highways Authority has taken reasonable care to keep the highway safe.
- 1.3. Therefore the manual will be key in defending insurance claims and preventing increased insurance premiums that would have a negative financial and reputational impact upon the Council.
- 1.4. The Highway Safety Inspection Manual reflects the need to embed, drive and sustain:
  - Ever improving efficiency in the treatment interventions ordered, and the work system(s) utilised by highways inspectors, and the associated cost of treating interventions by contractors – which will drive efficiency savings, across the maintenance contract.
  - Reviews to maximise efficiency of inspection frequencies, to ensure improved work flow to highways maintenance contractors, to create reciprocal contract efficiency and reduced costs in the maintenance cycle.

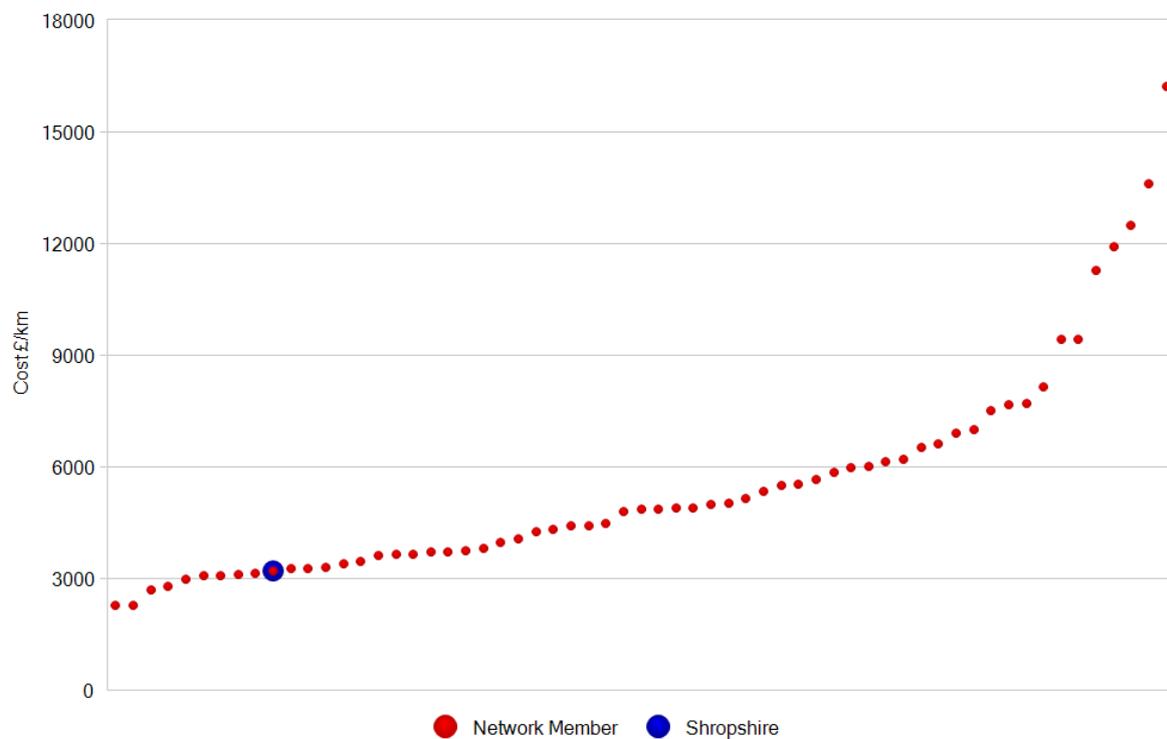
- 1.5. The report requests Cabinet to approve the new Highway Safety Inspection Manual for implementation by Highways.
- 1.6. The Inspection Manual is also cognisant of the need to embed, drive and sustain:
  - Ever improving efficiency in the treatment interventions ordered, and the work system by highways inspectors, and the associated cost of treating interventions by contractors – which will drive efficiency savings across the maintenance contract.
  - Efficiency of inspection frequencies, to ensure improved work flow to highways maintenance contractors, to create reciprocal efficiency and reduced costs in the maintenance cycle.
  - Recognition that capital budgets (block grant) directly from the Department for Transport (DfT) are reducing and an Incentivisation process linked to increase funding on asset management is now in operation across England. Thus the manual has a focus on all of the above drivers of statutory, financial and reputational responsibilities, and the need to embed new systems and processes to drive efficiencies in cost and work systems.
  - The above is also an intrinsic contribution to Highways developing its target of achieving Level 3 status as recognised by the Department for Transport by 2018. Cabinet will recall a recent detailed report was approved in October 2015 - Highway Asset Management Strategy, which set out the case for Shropshire embracing an asset management approach, predominantly due to the fact that there is an Incentivisation in reduced capital block grants over the next four years of over 60% in capital allocations to this authority from the DfT.
  - The revised Highway Safety Inspection Manual contributes directly into Corporate Objectives of Resilient Communities and a Prosperous Economy, by ensuring the access and maintenance to an effective and efficient highways network in Shropshire. Which in turn builds upon the recent National Highways Survey (NHT) which Shropshire participates in as part of its Benchmarking data. This survey concluded, (based upon all of the participants whom responded in the national survey) that Shropshire Highways were :-
    - Low Cost
    - Medium Quality
    - Higher Satisfaction than average (of other authorities participating)

Extracts of the key finding of the NHT survey are demonstrated for reference.

**Total Cost Comparison £/km**

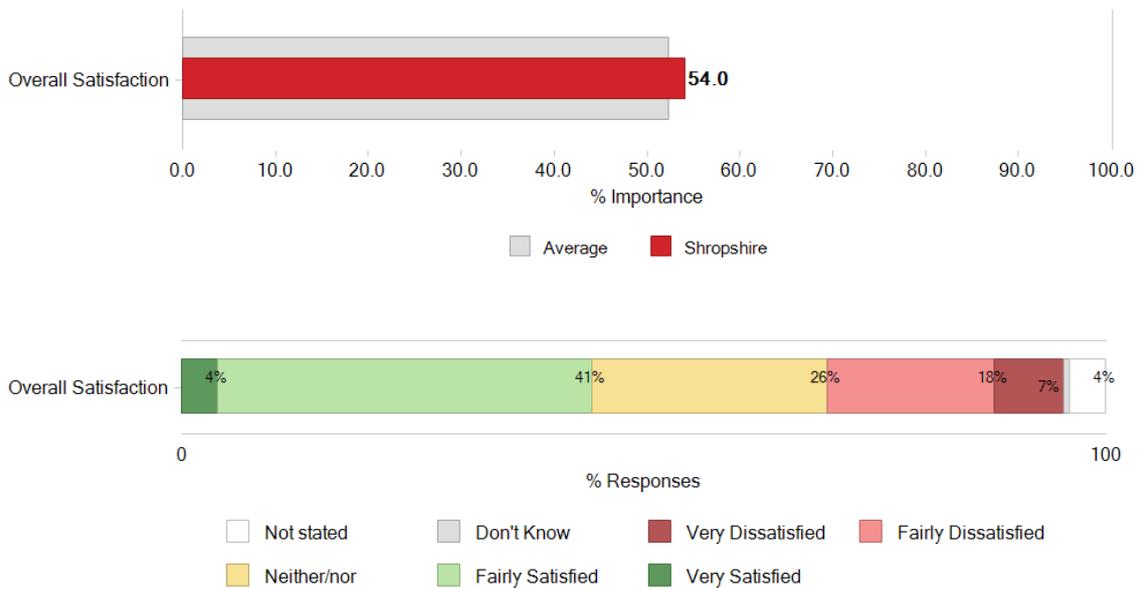


**Total Cost Ranking £/km (average of all years)**



SOURCE: CQC Efficiency Network Annual Report 2016: Shropshire

**How satisfied or dissatisfied are you overall with transport and highway Services?** (Source NHT Shropshire results 2015).



**2. Recommendations:**

- 2.1. That the report and attached Highway Safety Inspection Manual are approved for adoption.
- 2.2. Cabinet notes the ongoing transition of Highways to an asset management approach, in line with the Department for Transport guidance.
- 2.3. Cabinet notes that Shropshire Highways was assessed as a Level 2 Highways Authority by the Department for Transport, and aspects of its assessment were nationally recognised at a national seminar on highways improvements.
- 2.4. Cabinet notes Highways intent to become a Level 3 Highways Authority by 2018.

**3. Risk Assessment and Opportunities**

- 3.1. The Highway Safety Inspection Manual prescribes technical inspection and intervention details to Highways officers. It has been reviewed and an updated policy and guidance is proposed replacing a previously approved document.
- 3.2. An Equality and Social Impact Inclusion Assessment (ESIIA) has been completed for this report and attached documentation and is included in Appendix 3, the assessment has identified a low level impact at Stage 1.
- 3.3. It is not anticipated that there will be any negative or detrimental impact on highways users as a result of this report and attached documents being approved.

3.4. The report and attached documentation has been consulted internally with colleagues in

- Finance
- Insurance Team
- Highways Maintenance Managers
- Mouchel

#### **4. Financial Implications**

4.1 The updated manual and guidance is designed to be delivered within existing budgets in accordance with the local authority's financial strategy, therefore no additional pressure on budgets is anticipated. Additional staff training will be required, but provision for this will be made from within Environmental Maintenance's revenue budget.

4.2 There should be a recognition that capital budgets (block grant) directly from the Department for Transport (DfT) are reducing from 2016 / 2017 and an Incentivisation process linked to increase funding on asset management is now in operation across England. Shropshire Council was recently assessed as a Level 2 Highway Authority (only two authorities nationally have achieved Level 3 – the highest possible). Cabinet should note Shropshire Highways received £927,000 of additional Incentivisation fund in recognition of its Asset Management Approach (achieving Level 2 status) over and above its 2016/17 Capital block Grant from DfT). A detailed report was presented to and approved by Cabinet in October 2015 on this issue. Shropshire Highways were recognised for its good practice and was invited to share its approach at a national event in London in April 2016.

4.3 Cabinet should note that other authorities were awarded Level 3 status automatically as part of the transition process to Regional Devolution - such as the West Midlands Combined Authority, Liverpool, and Manchester Authorities et al.

4.4 Recognition that revenue budgets are reducing (£1.1 million has been agreed as corporate savings in 2016 /17 as Highways is classed as a 'maintained service'), over and above the reduced capital allocation as described above. Hence with a reducing capital and revenue pressure on the service, a key service priority is to identify efficiency via service reviews, or mini "Lean" reviews. Thus the manual has a focus on all of the above drivers of statutory, financial, reputational responsibilities, and the need to drive efficiencies in cost and work systems to embed new systems and process.

## 5 Background

5.1 Shropshire Council's highways service has developed an updated Highway Safety Inspection Manual for consideration by Cabinet – see **Appendix 1**. The highway network represents a significant asset to support the connectivity, resilience and reputation of the county. It is vitally important that this network is managed and developed appropriately.

5.2 Shropshire Council is responsible for the majority of highways in the county and these are used for:

- Vehicle journeys
- Walking
- Cycling
- Horse riding etc.

5.3 To provide some perspective, the table below provides a “dashboard indicator” of the volumes and scope of the highways assets.

Asset type	Quantity – length in kilometres or volume	Condition
<b>Carriageway</b>	5,150 km	Asset condition is comparable with other rural shire authorities. 13% of the carriageways could be considered for maintenance.
<b>Footway</b>	1,350 km	Approximately 2% of footways could be considered for maintenance.
<b>Structures</b>	1015 in total	The Bridge Condition Indicator for the stock of bridges is 80%.
<b>Drainage</b>	85,290 gullies in total	Gully data is being recorded and cleaning programme is ongoing.
<b>Street lighting</b>	18,311 columns in total	The equipment associated with traffic signals is in good condition, only smaller projects of upgrading pedestrian crossings required over the next 3 years and few major junctions in the next 5 years require Capital allocation.

5.4 For context, Shropshire has the following type of road by kilometre length (excluding trunk roads - managed by Highways England.)

Road type	Length (km`s)	Percentage of total
Minor roads	4,613.6	91.33%
Major Principal Roads	437.8	8.66%

- 5.5 The type, location, geography and topography of the road network, causes operational issues of logistics, network management and inherent hidden costs in physically assessing and 'seeing' the network in a dynamic and responsive content.
- 5.6 For clarity and understanding, the legal definition of the highway includes footpaths, walkways etc. Under the Highways Act 1980, Shropshire Council is not responsible for national trunk roads or motorways, these are managed by Highways England (for example the A5). Shropshire Council is responsible for all non-trunk A roads, as well as B, C and unclassified roads in Shropshire, as demonstrated in the above table.
- 5.7 The Highway Safety Inspection Manual has been revised – for key changes and amendments from the 2007 version to the proposed version, please refer to Appendix 2 to refresh the Council's approach to inspection, intervention and maintenance requirements, with the primary aim of providing operational guidance to Highway Technicians and Highway Managers who undertake inspections across the network on a prioritised basis.
- 5.8 The refreshed Highway Safety Inspection Manual will continue the existing countywide approach of utilising a formal system that prescribes the frequency of inspections and the method of assessing and recording its response to defects on the highway, and move towards identifying further efficiencies locally. Assuming approval, the revised guidance will be implemented from 1<sup>st</sup> October 2016 to allow for staff briefings and technical updates.
- 5.9 Street lights and bridge maintenance inspection schedules, policy and guidance are contained in other policies and are not included in this document.
- 5.10 For clarity, Cabinet should note that the Councils Insurance Team and Insurance Underwriters have been consulted upon this report and attached manual. The Councils insurers raised a number of clarification issues, which were duly responded to, all of these comments, clarifications or amendments have now been made and accepted by all.
- 5.11 The following are key sections of legislation that apply to the duty to maintain the highway:
- **Section 41 of the Highway Act 1980** imposes a duty on the Highways Authority to maintain those roads, footways and cycle tracks that are 'highways maintainable at public expense'.
  - **Section 58 of the Highways Act 1980** states that a statutory defence against third party claims is provided where the Highways Authority can establish that reasonable care has been taken to secure the part of the highway to which the action relates, so that it is not dangerous to traffic or users.

- **Section 130 of the Highways Act 1980** sets a general duty on the Highways to assert and protect the rights of the public in their lawful use of the highway.
- **Section 81 of the New Roads and Streetworks Act 1991** places a duty on utility companies to maintain their apparatus to the satisfaction of the Highways Authority.

5.12 Therefore, an updated and corporately agreed inspection manual is critical for the Council in respect of:

- Ensuring adequate resources are deployed by the Highways Authority to ensure a high quality intervention regime is constantly delivered.
- Providing confidence that statutory functions are being delivered as well as the reputational, economic and perception forming elements that the Council's major assets can create. The Council maintains a high repudiation rate in respect of third party claims, and this could have obvious consequences. **Currently the repudiation rate is circa 91.4% for 2016** (i.e. 91.4% of all claims defended / resisted). Obviously the figures vary depending on when the claims data is run, but Shropshire's repudiation rate is consistently above 90%, which is well above the national average. The average insurance claim nationally is circa £3,000, which can impact upon the council's direct and indirect budgets – i.e. increased insurance premiums.

5.13 For context the recent repudiation rates are:

<b>2014</b>	<b>90.9%</b>
<b>2015</b>	<b>95.4%</b>
<b>2016 (part year figure to date )</b>	<b>91.4%</b>

5.14 This document aims to improve this already high and well established position by ensuring efficiency of work ordering by Highways Technicians, and that consistent and efficient interventions are ordered for maintenance or repair via Highway Contractors to Shropshire Council.

5.15 Therefore the manual defines:

- Which type of defects are hazardous to highway users and must be dealt with as a priority
- Which defects should be repaired to avoid problems developing and can be dealt with as part of a works programme

- The safety inspection regime which forms a key aspect of Shropshire Council's strategy for managing liability and risk

5.16 The following aims are also supported by the manual:

- To assist Shropshire Council in implementing its approved asset management strategy (approved by Cabinet in October 2015)
- To collect data to ensure efficient and economic interventions into the highway network.
- To provide confidence that statutory responsibilities are being fulfilled.

5.17 Therefore the manual prescribes

- Which type of defects are hazardous to highway users and must be dealt with as a priority
- Which defects should be repaired to avoid problems developing and can be dealt with as part of a works programme
- The safety inspection regime which forms a key aspect of Shropshire Council's strategy for managing liability and risk
- To assist Shropshire Council in implementing its approved asset management strategy (approved by Cabinet in October 2015)
- To collect data to ensure efficient and economic interventions to the highway network.
- To provide confidence that statutory responsibilities are being fulfilled.

5.18 Currently Shropshire manages the carriageway asset according to a hierarchy based on Well Maintained Highways Code of Practice as set out in the following table:

<b>Category</b>	<b>Hierarchy Definition</b>	<b>Type of Road General Description</b>	<b>Description</b>
<b>1</b>	<b>Motorway</b>	Limited access motorway regulations apply	Routes for fast moving long distance traffic. Fully grade separated and restrictions on use
<b>2</b>	<b>Strategic route</b>	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
<b>3a</b>	<b>Main Distributor</b>	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.
<b>3b</b>	<b>Secondary Distributor</b>	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
<b>4a</b>	<b>Link road</b>	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
<b>4b</b>	<b>Local access road</b>	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 HGVs. In urban areas they are often residential loop roads or cul-de-sacs.

5.19 Our hierarchy of footway network is similar to the current Well Maintained Highways Code of Practice structure and is shown in the table below

<b>Category</b>	<b>Category Name</b>	<b>Description</b>
<b>1</b>	<b>Primary Walking Route</b>	Busy urban shopping and business areas and main pedestrian routes
<b>2</b>	<b>Secondary Walking Route</b>	Medium usage routes through local areas feeding into primary routes, local shopping centres etc.
<b>3</b>	<b>Link Footways</b>	Linking local access footways through urban areas and busy rural footways
<b>4</b>	<b>Local Access Footways</b>	Footways associated with low usage, short estate roads to the main routes and cul-de-sacs.

5.20 While this hierarchy is a useful starting point, it is worth noting road classification should not be used as the sole basis for developing a hierarchy, as there may be differences between the classification of the road and its function or its criticality. Also, within Shropshire there are different characteristics that influence use of carriageways based on either a rural or urban setting, and as such, a more meaningful carriageway hierarchy based on road use would enable asset managers to make better decisions regarding the asset.

## **6 Conclusion**

6.1 This report and associated documentation develops our approach to achieving its statutory objectives under the Highways Act, and ensuring the continued development of the previously approved asset management approach.

### **List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

2007 Highways Inspection Manual

Cabinet Report of 14 October 2015, Shropshire Highways – Draft Asset Management and Communications Strategy and Implications of Department for Transport – Incentivised Funding.

#### **Cabinet Member (Portfolio Holder)**

Councillor Simon Jones, Portfolio Holder for Highways and Transport

**Local Members** – All local members affected.

## **Appendices**

**Appendix 1** Highway Safety Inspection Manual 2016

**Appendix 2** List of changes, amendments from the previously approved 2007 version

**Appendix 3** Equality and Social Impact Inclusion Assessment (ESIIA)