

## Adoption of the ‘Well-managed highway infrastructure’ Code of Practice by Somerset County Council

Cabinet Member(s): Cllr John Woodman– Cabinet Member for Highways and Transport Division and Local Member(s): All

Lead Officer: Mike O’Dowd-Jones, Strategic Manager – Highways and Transport Commissioning

Author: Neil Guild, Highways - Asset Commissioning Officer

Contact Details: 01823 358224

	<b>Seen by:</b>	<b>Name</b>	<b>Date</b>
	County Solicitor	Honor Clarke	03/09/18
	Monitoring Officer	Scott Wooldridge	03/09/18
	Corporate Finance	Martin Gerrish	30/08/18
	Human Resources	Chris Squire	24/08/18
	Property / Procurement / ICT	Simon Clifford	03/09/18
	Senior Manager	Paula Hewitt	30/08/18
	Local Member(s)	All	
	Cabinet Member	Cllr John Woodman	03/09/18
	Opposition Spokesperson	Cllr Mike Rigby	30/08/18
	Relevant Scrutiny Chairman	Cllr Groskop for Scrutiny Place	23/08/18
<b>Forward Plan Reference:</b>	FP/18/05/01		
<b>Summary:</b>	<p>A new Code of Practice (CoP) for ‘Well-managed Highway Infrastructure’ (Appendix A) was published by the UK Roads Liaison Group in October 2016. This replaces the existing codes for the management of the carriageway (Appendix B), footways, street lighting and structures highways assets.</p> <p>The UK Roads Liaison Group set October 2018 as the recommended date to have adopted the new Code by. The new Code is designed to “promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment”.</p> <p>The recommendations contained within the CoP cover all areas</p>		

	<p>of the highway maintenance service for local roads under the control of the County Council, as Highway Authority.</p> <p>While the CoP is not a legal requirement, it does recommend highway maintenance standards and is frequently a key component in court decisions on whether or not a highway authority is complying with good industry practice and its statutory duty to maintain and repair the highway. As such failure to adopt the CoP and its recommendations would expose the Council, in its role as the Highways Authority, to substantial financial and reputational jeopardy.</p> <p>In order to demonstrate compliance with this recommendation Somerset County Council has updated a number of key documents and policies to be included within this decision. This includes the Highways Safety Inspection Manual (HSIM) (Appendix C). It also includes the creation of Safety Inspection documents for Public Rights of Way, Structures, Street Lighting and Traffic Signals (Appendix H).</p>
<p><b>Recommendations:</b></p>	<p><b>That the Cabinet approves:</b></p> <ol style="list-style-type: none"> <li><b>1. The adoption of the new Code of Practice, its recommendations and the “risk based approach” for the management of the highway network.</b></li> <li><b>2. The adoption of a new Highways Safety Inspection Manual that meets the recommendations of the new CoP and safety inspection documents for Public Rights of Way, Structures, Street Lighting and Traffic Signals.</b></li> <li><b>3. The updating of the Highways Infrastructure Asset Management Policy (HIAMP) and the Highways Infrastructure Asset Management Strategy (HIAMS) to reference and incorporate the recommendations of the CoP.</b></li> <li><b>4. Amendments to other supporting documents and policies to reference and incorporate the recommendations of the new CoP.</b></li> </ol>
<p><b>Reasons for Recommendations:</b></p>	<p>To ensure that SCC is compliant with the recommendations of the new ‘Well managed highways infrastructure’ Code of Practice (2016), in order that the Council’s position is protected in respect of accidents and incidents on the highway network.</p> <p>The new Code of Practice is not mandatory and should not be considered law. However, the previous version of the Code has been utilised as “Best Practice”, and sets an industry standard that authorities are assessed against in the event of a legal claim. While it is possible in principle for an authority to not adopt the CoP this would set Somerset County Council apart from the practice of the vast majority of other HAs. A local authority that adopts the new CoP will be demonstrating that it possesses a</p>

	<p>sound, effective highway maintenance policy and will therefore be able to robustly defend insurance claims in a court of law.</p> <p>In order for the Council to be compliant requires the revision of a number of key documents to ensure they include reference to the CoP and adopt the appropriate recommendations. This includes a revised Highway Safety Inspection Manual in accordance with the new Code of Practice.</p> <p>The new CoP contains 36 recommendations and can be found at Appendix A. The recommendations can be divided into a set of broader themes relating to the operational delivery of highways maintenance services.</p> <ol style="list-style-type: none"> <li>1. asset management;</li> <li>2. asset inventory and systems;</li> <li>3. performance management;</li> <li>4. risk management;</li> <li>5. environmental, heritage and civil contingencies.</li> </ol> <p>This decision is intended to ensure that SCC meets and adopts the key intentions of the CoP.</p>
<p><b>Links to Priorities and Impact on Service Plans:</b></p>	<p>The adoption of the Code of Practice is referenced within both the Highways and Transport Commissioning Service Plan and the E&amp;CI Operations Service Plan as a key challenge and priority for 2018/19.</p> <p>The Joint Somerset Vision contains two aims that support the necessity to adopt of the new CoP. These are:</p> <ul style="list-style-type: none"> <li>• A County of resilient, well-connected and safe and strong communities working to reduce inequalities.</li> <li>• A County infrastructure that supports affordable housing, economic prosperity and sustainable public services</li> </ul> <p>The County Vision was published in May 2018; within that document two aims support the necessity to adopt the new CoP. These are:</p> <ul style="list-style-type: none"> <li>• A County of resilient, well-connected and compassionate communities working to reduce inequalities.</li> <li>• A County where all partners actively work together for the benefit of our residents, communities and businesses and the environment in which we all live.</li> </ul> <p>These aims are also referenced within the HIAMP 2018 document and therefore inform the Asset Management Framework for the delivery of highways maintenance services. The adoption of the CoP and the new HSIM 2018 are covered within the HIAMS 2018 document. It is the intention that this will be developed further through the introduction of a Highways</p>

	<p>Infrastructure Asset Management Operational Plan in 2019.</p>
<p><b>Consultations and co-production undertaken:</b></p>	<p>The publication of the new Code of Practice was anticipated in advance of its publication in October 2016. This has allowed for substantial cross working with neighbouring highway authorities to take place ahead of the adoption date to ensure a consistent, common approach in the South West region. The majority of HAs in the south west have adopted the CoP and the new hierarchies contained within it.</p> <p>A key element of adopting a risk based approach is demonstrating that a Highways Authority (HA) has sought to manage its risk by assessing its own practice against the practice of other HAs, while also applying a local judgement on priorities and acceptable levels of risk.</p> <p>Consultations with neighbouring HAs on the application of the new hierarchies were also undertaken as part of their development, in particular testing cross county boundary network connections to confirm that a coherent assessment of hierarchy had been taken along a shared section of road.</p> <p>The new HSIM document was also shared for review with neighbouring HAs. Internal stakeholders within SCC were consulted informally and then formally – this included the Highways and Transport Commissioning Team, Highways Operations, the Insurance Team and Area Highway Offices.</p> <p>Briefings were also held with the Strategic Risk Management Group, the Cabinet Member for Highways and Transport and the ECI Senior Leadership Team.</p> <p>External consultees included all neighbouring HAs and key service providers such as Skanska, and the Council’s insurers.</p> <p>A formal consultation with the public was not carried out in this instance. The view was taken that this is a technical matter regards the adoption of national guidance into local practice by the Highways Authority for Somerset. The Council was not required to run a public consultation by either the guidance or legislation. Nor has it been the practice in the past to consult on the adoption of previous codes of practice.</p>
<p><b>Financial Implications:</b></p>	<p>The driver for this decision is ensuring that the Council is compliant with the Code by October and not exposed to undue risk and potential costs arising from claims against it; which could be substantial.</p> <p>It should be noted that the new HSIM will include an “Overhanging Vegetation” defect category. This is a defect type that was removed from a previous version of the HSIM and included as a MTFP saving. Its re-inclusion is due to the</p>

	<p>experience within the operational service that this is an unavoidable cost in some circumstances where there is an immediate threat to the safety of members of the public using the highway.. The costs of its re-inclusion will be met from within the existing highways safety budget and will not be an additional cost. In tandem the focus will be on ensuring that land owners who do not maintain vegetation in a safe manner are notified of their responsibilities, and enforcement action taken if required. The combined effect of the new hierarchies (Appendix G) and the planned inspection programme against the new hierarchies (HSIM 2018, Appendix C) is currently forecast to be neutral in terms of staffing resource, with no additional costs forecast. It should be noted that the assignment of the highway network into the new hierarchy categories means that some roads in the County will be inspected both more frequently and some less frequently than they are now. These sections of road largely sit within Category 7 of the new hierarchy. Specifically 759km will be inspected less frequently and 963km more frequently.</p> <p>Furthermore, 20% of the Council's capital allocation from the Department for Transport (DfT), for Highways Maintenance, is determined as a result of its performance against the DfT's Local Highways Incentive Fund.</p> <p>Somerset County Council is currently at the highest band (Band 3) which secures it the maximum amount of funding. However, the DfT has also strongly indicated that adoption of the new Code is likely to become a consideration in future allocations, which means that it is prudent to ensure the CoP is adopted in advance of that occurring in order to secure the full allocation in the future.</p>
<p><b>Legal Implications:</b></p>	<p>The key legislation that covers the delivery of highways services and the responsibilities of a Highways Authority are the Highways Act (1984), and the New Roads and Street Works Act (1991).</p> <p>Section 41 of the Highways Act (1980) states that "the authority who are for the time being the highway authority for a highway maintainable at the public expense are under a duty to maintain the highway".</p> <p>The majority of claims against a local highway authority arise from an alleged breach of Section 41. If a local authority is deemed to have breached Section 41 it may have a defence under Section 58. Section 58 of the Highways Act (1980) states that a statutory defence against third party claims is provided where the Highway Authority can establish that reasonable care has been taken to "secure that the part of the highway to which the action relates" to a level commensurate with the volume of ordinary traffic such that it "was not dangerous to traffic".</p> <p>Section 130 of the Highways Act (1980) places a general duty</p>

	<p>on the Highway Authority to “assert and protect the rights of the public” in their lawful use of the highway.</p> <p>The Code of Practice is not a legal requirement and does not carry the weight of legislation or regulation, but does recommend highway maintenance standards and in practice is used by the courts to determine if the highway authority is complying with good industry practice. It should be noted that if a defect is dangerous and poses a significant risk to the highway user, it will be actioned as a priority.</p> <p>Adopting a robust HSIM that is compliant with the new CoP, while also adopting recognised training and qualifications minimises potential error in the identification and classification of highways defects, and therefore reduces risk to highway users and to Somerset County Council in its statutory role as the Highways Authority.</p>
<p><b>HR Implications:</b></p>	<p>A component of meeting the recommendations of the new Code of Practice will be developing a robust competency framework for highways inspections and putting in place the training to support it.</p> <p>To do this the ECI Operations has conducted an assessment of competencies of its existing staff. It has also developed a competency framework based on the requirements arising from the new CoP and the new HSIM. It has also examined national standards for training and the practice for other similar highways authorities.</p> <p>Through this process it has been noted that at present the Council’s highways inspection staff are not required to hold any formal qualification to conduct highways inspections. In the past training to highways inspectors has been supplied in-house</p> <p>The project board reached the conclusion that the requirements of the new Code mean that it is necessary to formalise the training requirements of the role. This was based on two main reasons – that the new Code places more onus on staff to make professional risk-based judgements on safety defects against criteria (investigatory levels) within the HSIM, and that it is the case that the majority of HAs require their highway inspection staff to have completed the LANTRA “Highways Safety Inspectors Training” for Highways Safety Inspectors.</p> <p>As a consequence the LANTRA training has been organised and will be run to be completed before October 2018. All highways inspectors and appropriate managers identified through the competency review will attend this training.</p>
<p><b>Risk Implications:</b></p>	<p>Not adopting the Code of Practice and the ‘Risk Based</p>

	<p>Approach' would mean creating substantial risk to the Council.</p> <p>SCC has maintained a strong repudiation rate of 93% of claims against it, which compares well with other HAs, placing the Council in the top 10% nationally. Maintaining that repudiation rate is one of the key purposes for adopting the CoP. However, every year there are still a number of successful claims against SCC.</p> <p>Failure to adopt the CoP may prejudice the statutory defence exercised by the County Council under the Highways Act (1984) and therefore may increase the likelihood of a successful claim against the County Council and increase overall costs above the current level.</p> <p>It should also be noted that the process of assigning the current network to the new hierarchy has meant that a proportion of roads will be inspected less frequently than they are currently. Specifically, 759km of carriageway will be inspected on a less frequent basis, moving from 6 monthly inspections to 9 month inspections. These roads fall within the new Category 7 (Local Access Roads) of the hierarchy. While 759km will be inspected less frequently this still falls within the scope of the practice of other similar HAs in the region as shown at item 1.11 in the background section to this report. It should also be noted that 963km of road will move from annual inspection to 9 monthly inspections, also under Category 7 of the new hierarchy.</p> <p>In addition, due to the need to not increase costs to the service and to prioritise the inspection staffing resource against the requirements arising from the new HSIM, there is no longer capacity within the Highways Safety Inspection team to undertake the night time survey (40 days per year for 2 inspectors) or urban white line survey (30 days per year for 1 inspector).</p> <table border="1" data-bbox="512 1435 1465 1473"> <tr> <td><b>Likelihood</b></td> <td><b>2</b></td> <td><b>Impact</b></td> <td><b>4</b></td> <td><b>Risk Score</b></td> <td><b>8</b></td> </tr> </table>	<b>Likelihood</b>	<b>2</b>	<b>Impact</b>	<b>4</b>	<b>Risk Score</b>	<b>8</b>
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<p><b>Other Implications (including due regard implications):</b></p>	<p><b><u>Equalities Implications</u></b></p> <p>As the new HSIM contains changes to the hierarchy of the footway, cycleway and carriageway there is a potential impact on service users. This may include those with a visual impairment if footways are not clear and trip hazards are increased. It may also impact on people with limited mobility and their carers.</p> <p>While noting this potential impact the actual changes to the hierarchy, inspection programme, investigatory levels and response times are not anticipated to be of a material nature that would affect protected groups.</p> <p>It should be noted that SCC remains the highway authority for</p>						

Somerset and is required to maintain the network in a safe condition for service users. The HSIM 2018 makes clear reference to these responsibilities. If a safety defect is noted and reported then it will be addressed within a response time that is detailed within the HSIM.

It is not the intention of the new HSIM or the adoption “risk based” approach that a reduced service is delivered; rather that it is better targeted. It should also be noted that stronger competency and training requirements for inspection staff is expected to deliver a higher quality of identification of safety risks to all highways service users, which also includes those with disabilities.

Somerset County Council allows for multiple means of reporting defects by the public. The majority are identified by SCC staff but a third of defect reports are generated by the public, either by telephone, email or an internet form through the SCC website. Details of the range of reporting mechanisms are contained at Appendix F, within the HSIM’s Communication Plan.

### **Community Safety Implications**

There are no identified community safety implications to this decision.

### **Sustainability Implications**

This decision and the adoption of the CoP largely relates to reactive maintenance activities, such as the repair of potholes and other defects on the highway. Capital funded activities, such as major replacement programmes, sit outside the scope of this decision. For that reason there are not considered to be significant sustainability implications associated with the adoption of the CoP. As the HA for Somerset, SCC is required to maintain the highway network in a safe condition for all service users, which, for the purposes of this decision, means repairing identified defects within specified timeframes as detailed in the HSIM. Furthermore, it is SCC’s policy to make permanent rather than temporary repairs to highway defects in the first instance. This has been shown to improve longevity of the repair and the overall lifespan of that section of highway. This means a reduced requirement for material to make the repair. It also reduces the number of journeys required to a site by work gangs.

### **Health and Safety Implications**

The new CoP and its adoption into practice in Somerset means a more targeted approach to the delivery of highways maintenance activities.

In adopting the CoP a comprehensive review of the hierarchies



	<p>for carriageways, footways and cycleways has been undertaken. This is an assessment of those elements of the highway for their purpose and usage against defined criteria contained within the CoP. This means that the new hierarchies should more accurately reflect the current actual usage of a section of highway, and mean that the inspection regime, and use of resources, are more appropriate and better targeted to the actual risk to road users.</p> <p><b><u>Privacy Implications</u></b></p> <p>Not applicable.</p> <p><b><u>Health and Wellbeing Implications</u></b></p> <p>The adoption of the Code of Practice relates to largely revenue funded activities for the maintenance of the highway network. That being the case there is some potential to affect serviceability and amenability of the highway for service users. It is not anticipated that the adoption of the CoP will have an impact on the condition of the highway network within the short to medium term, as it supports rather than replaces existing practice. In line with national best practice for managing highways networks, the Council has long adopted an asset management approach to managing the highway to deliver optimal asset condition against available budgets. The CoP supports and recommends utilising the asset management approach, and this is referenced in the HIAMS document.</p>
<p><b>Scrutiny comments / recommendation (if any):</b></p>	<p>No comments received.</p>

## 1. Background

1.1. This report sets out the proposal to adopt a ‘risk based approach’, as recommended in the new Code of Practice for ‘Well-managed Highway Infrastructure’, which was published by the UK Roads Liaison Group in October 2016. This Code replaces the existing codes for the management of the carriageway, footways, street lighting and structures highways assets.

The new Code of Practice (CoP) contains 36 recommendations (found at Appendix A). October 2018 was set as the date for the recommendations to have been adopted by. These recommendations touch on all areas of the highway maintenance service for local roads – including asset management; asset inventory and systems; performance management; risk management; and environmental, heritage and civil contingencies.

1.2. Recommendation 7 of the CoP addresses adopting a ‘risk based approach’. It states “that a risk based approach and a risk management regime should be adopted for all aspects of highway infrastructure maintenance, including setting levels of service, inspections, responses, resilience, priorities and programmes.”

Reflecting that risk based thinking there are no prescriptive or minimum standards in the Code. Adoption of a risk based approach, taking account of the advice in the Code, will enable authorities to establish and implement levels of service appropriate to their circumstances.

**1.3.**

The Council currently spends approximately £1.6m annually on repairs to safety defects. Safety defect repairs incur significant cost and need to be repaired within a specified response time as they have been recorded as a category of defect that may have safety implications for the highway user. The County Council has a claims repudiation rate of 93%, which is in the top 10% of HAs in the UK. This repudiation rate reflects the Council's strong standards on maintaining the safety of the highway network for service users and that those standards are maintained through a robust policy framework, which is then delivered in practice by highways services staff.

The Highways Safety Inspection Manual is the document that details Somerset Councils standards and procedures regards identifying and responding to defects in the highways. This manual sets the standards for highway inspection on the county roads of Somerset and is designed to give front-line guidance on Somerset County Council's policy and procedures relating to Highway Safety Inspections. As the new CoP also replaces the manuals for Structures, Street Lighting and Public Rights of Way, and in part Traffic Signals documents have also been produced to detail the Safety Inspection protocols for those asset types (Appendix H).

As the Highway Authority, Somerset County Council has a statutory duty under the Highways Act 1980 to maintain the highway network, ensuring that the highways are safe and that the public can use them without obstruction.

To ensure a consistent countywide approach a formalised Inspection System that prescribes the frequency of inspections and the method of assessment, recording and actioning of defects has been adopted. The Safety Inspection regime provides the basic information for addressing the first core objective of highway maintenance, network safety.

The inspection system and maintenance regime also assists in providing the evidence for a defence in any case of litigation brought against the County Council where lack of adequate maintenance has been alleged by a third party (Section 58, Highways Act 1980). Section 58 of the Highways Act (1980) states that a statutory defence against third party claims is provided where the Highway Authority can establish that reasonable care has been taken to "secure that the part of the highway to which the action relates" to a level commensurate with the volume of ordinary traffic such that it "was not dangerous to traffic".

Given the level of risk associated with this area of the highways service it is necessary that a new HSIM be adopted that incorporates the risk based approach.

**1.4.**

Within the HSIM Consideration has been given to each type of safety defect, the number, cost of repair and the number of claims made for each

type of defect and it has been identified that there are some types of safety defect where there have historically been no claims for personal injury or damage.

**1.5.** The adoption of the Code and amendments to the HSIM have significant implications for the management of risk associated with the highway service and have required further work to support them. This means adopting a new highways hierarchy (how the Council categorises its highway network), as well as amendments to the Highways Infrastructure Asset Management Policy (HIAMP), Strategy (HIAMS), and in the future will need to be incorporated within new Asset Management Operational Plans and Lifecycle Plans.

**1.6.** A review of Somerset County Council’s network hierarchy was carried out and all carriageways, footways and cycleways were re-assigned against new hierarchies contained within the CoP. The total number of safety inspections has not changed significantly, with some roads receiving more and some fewer than under the current regime. The rationale behind the changes is included in the new HSIM, which has been reviewed by the Council’s insurers. The new hierarchies and their definitions are listed below.

### Carriageway Hierarchy

No.	Carriageway Hierarchy	General Description	HSIM Description
1	Motorway	Limited access motorway regulations apply.	Routes for fast moving long distance traffic. Fully grade separated and restrictions on use.
<i>Note: Not applicable to Somerset County Council – Motorway Network is operated and maintained by Highways England</i>			
2	Strategic Route	Principal ‘A’ Roads between Primary Destinations. (Trunk roads in Somerset i.e. A303 and A36, are operated and maintained by Highways England).	Routes for traffic travelling long distances, often 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 often prohibited. Not always National Speed Limit.
3	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 often with limited frontage access. In urban areas speed limits are usually 40 mph or less, parking is often restricted at peak times and there are positive measures for pedestrian safety.
4	Secondary Distributor	B and C class roads and some unclassified urban routes carrying bus, HGV and local traffic with frontage access and frequent junctions	In rural areas these roads link the larger villages, industrial sites and commercial sites to the Strategic and Main Distributor Network.  In urban areas these roads usually have 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.
5	Link Road	Roads linking between the Main and Secondary Distributor Network with	Roads interconnecting the Secondary Distributor Network with collector roads and Local Access Roads with frontage access and

		frontage access and frequent junctions.	frequent junctions. In rural areas these roads link the smaller villages to distributor roads. In urban areas these for residential, industrial and public transport interconnecting roads, usually with a 30 mph speed limit and pedestrian movements.
6	Local Link Road	Roads connecting Link Roads and other Distributor Roads. Local Link Roads usually have frontage access and junctions onto Local Access Roads.	These roads are residential interconnecting roads, usually with uncontrolled pedestrian movements. They provide well used vehicular links within the local access roads.
7	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 a number of properties or land. In urban areas they are often residential streets, cul-de-sacs or small industrial estates.
8	Minor Road	Local roads serving an extremely limited number of properties or agricultural land.	In rural areas these form minor access roads to houses and farms.  In urban areas these form minor side roads and vehicular alleyways
9a	Lanes		In rural areas these often narrow metalled roads serving isolated agricultural buildings In urban areas they are often metalled no through lanes serving garages or the rear of properties.
9b	Minor Lanes	Minor lanes and low use tracks that provide access to field entrances only and/or Rights of Way.	In rural areas these are often narrow metalled and are usually only used by 4WD or agricultural vehicles.
10	Green Lanes and Tracks	Lanes and tracks that are unsuitable for vehicular traffic.	Lanes and tracks that are unsuitable for vehicular traffic but may be used as a footpath, part of a Cycle Trail or by horse riders, generally for leisure purposes.
11	Disused Tracks	Unmetalled tracks that are unrecognisable as a road.	Roads that have become unrecognisable as such, having fallen into disuse through regression or agricultural use.

### 1.7. Footway Hierarchy

No.	Footway Hierarchy	Description
F1	Prestige Walking Zones	Very busy areas of towns and cities with high public space and streetscene contribution.
<i>No Prestige Walking Zones have been identified within Somerset</i>		
F2	Primary Walking Routes	Busy urban shopping and business areas and main pedestrian routes.
F3	Secondary Walking Routes	Medium usage routes through local areas feeding into primary routes, local shopping centres etc.
F4	Link Footways	Linking local access footways through urban areas and busy rural footways.
F5	Local Access Footways	Footways associated with low usage, short estate roads to the main routes and cul-de-sacs.
F6	Minor Footways	Little used rural footways serving very limited numbers of properties.

### 1.8. Cycleway Hierarchy

No.	Cycleway Hierarchy	Description
1	Cycle lane forming part of the	Cycle gaps at road closure point (no entry to traffic but

	carriageway, commonly a strip adjacent to the nearside kerb	allowing cycle access)
2	Cycle Track	A highway route for cyclists not contiguous with the public footway or carriageway. Shared cycle/pedestrian paths, either segregated by a white line or other physical segregation, or un-segregated.
3	Cycle provision on carriageway, other than a marked cycle lane or marked cycle provision, where cycle flows are significant.	
4	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 or duties.

**1.9.** Re-assigning the network to new hierarchies has meant some changes in the lengths of road contained within each hierarchy, as shown below:

### Carriageway inspections -

	OLD HIERACHY		NEW HIERACHY		Difference between old/new
	m	kms	m	kms	kms
Monthly	1,226,075	1,226	1,262,345	1,262	36
3-Monthly	464,049	464	573,220	573	109
6-Monthly (rural)	1,062,717	1,063	1,620,918	1,621	558
Annual (rural)	2,516,487	2,516	1,837,417	1,837	-679
Totals	5,269,328	5,269	5,293,900	5,294	25

### Footway Inspections –

	OLD HIERACHY		NEW HIERACHY		Difference between old/new
	m	kms	m	kms	kms
Monthly	2,638	3	7,366	7	5
3-Monthly	7,213	7	4,874	5	-2
6-Monthly (rural)	122,897	123	120,423	120	-2
Annual (rural)	10,966	11	10,966	11	0
Totals	143,714	144	143,629	144	0

**1.10.** In assessing its inspection frequencies the Council compared itself to neighbouring, similar authorities in the south west region. That indicated that Somerset County Council's proposed approach in the new HSIM 2018 was similar to that adopted by other authorities as shown below:

Number	Description	Somerset	Wiltshire	Devon	Dorset	Gloucestershire	Cornwall
2	Strategic Route	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
3	Main Distributor	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
4	Secondary Distributor	Monthly	Monthly	Monthly	Monthly	Monthly	6-monthly
5	Link road	3-monthly	3-monthly	6-monthly	3-monthly	3-monthly	6-monthly
6	Local Link Road	6-monthly	3-monthly	6 monthly	Annual	3-monthly	6-monthly
7	Local Access Road	9-monthly	Annual	Annual	Annual	Annual	6-monthly
8	Minor Road	Annual	Annual	Annual	Annual	Annual	6-monthly
9	Lanes	Annual	Annual	2 years	Annual	Annual	6-monthly
10	Green Lanes & Tracks	Annual	Reactive	-	Annual	Annual	Annual
11	Disused Tracks	Reactive	Reactive	-	Reactive	Annual	Reactive

- 1.11.** The Department for Transport recently consulted on the creation of a new 'major road network' tier based on the busiest local roads in the country. DfT is creating a new roads fund using vehicle taxation duty and will seek to work with new sub-national transport bodies to prioritise and agree improvements to this network. The consultation document does not indicate that this new tier in the network will be expected to have an enhanced maintenance regime, but in due course the Council may need to review its network hierarchy to take this new initiative into account. Subject to this decision to accept the adoption of the new CoP, it is the intention to review the new HSIM 2018 on an annual basis.

## **2. Options considered and reasons for rejecting them**

- 2.1.** As the Code of Practice holds the status of guidance rather than law or regulation the Council could choose to not adopt it in September 2018. It is the case that some other authorities have decided to not adopt the CoP. This was considered by Somerset County Council. However, it was noted that all of the authorities that are not adopting the CoP are smaller unitary authorities. All other HAs of a similar network size and character to Somerset County Council are adopting the CoP ahead of October 2018 due to the level of risk associated with the size of the Somerset highway network, with over 6,500 km of roads, and over 70% being unclassified rural roads. Given that scale of network there are substantial risks to not adopting the CoP. There are also potential benefits to adoption of the Code, allowing the Council to better prioritise higher risk sections and assets and utilise resources.

Advice was also sought internally from the Insurance and Risk Team, and externally from the Council's insurers. The clear advice was that the Council should adopt the new CoP, as the old codes will no longer be supported, which would make it difficult for Somerset County Council to defend its position against claims as it would no longer be in line with recommended best practice.

## **3. Background Papers**

- 3.1.** Appendix A - 'Well managed highways infrastructure' Code of Practice (2016)  
Appendix B – 'Well-maintained highways' Code of Practice (2005)  
Appendix C – Highway Safety Inspection Manual (2018)

Appendix D – HMEP Asset Management Guidance

Appendix E – HIAMS 2018

Appendix F – HIAMP 2018

Appendix G – New Hierarchies for carriageway, footway, cycleways

Appendix H – Safety Inspection documents for Public Rights of Way, Street Lighting, Traffic Signals, and Structures