Highways Act 1980
Section 58
Highway Safety Inspections

Code of Practice for Highway Safety Inspections

April 2021

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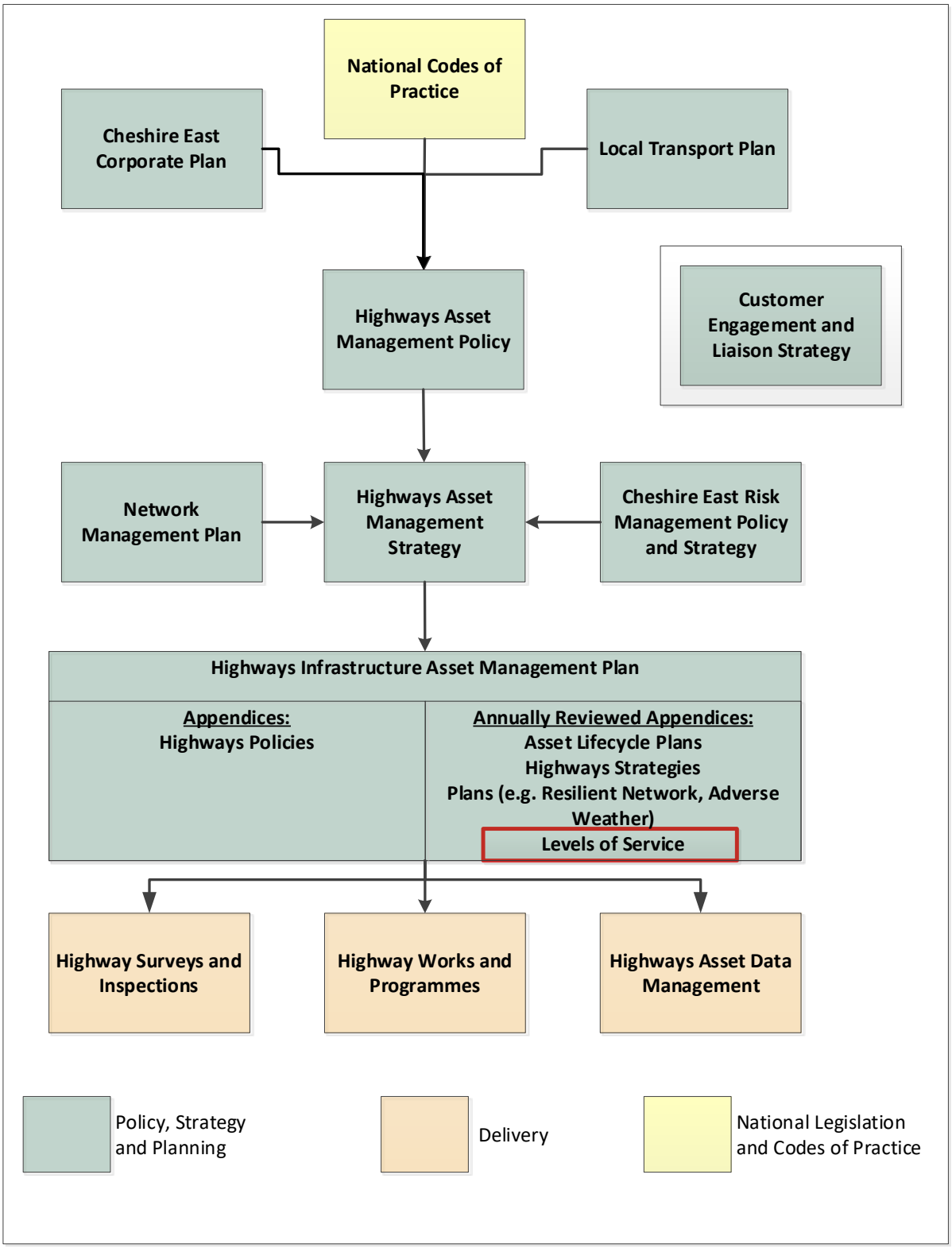
Cheshire East Council

Version Control

Version	Purpose/Change	Date
1.0	Final	December 2022

Contents

Document Structure



1. Introduction

1.1. Cheshire East Council's Policy: Highway Safety Inspections

Cheshire East Council will carry out highway safety inspections of all adopted highways in accordance with its Highway Safety Inspections Policy and the Code of Practice for Highway Safety Inspections

1.2. This Document

Safety inspections are an important means of keeping the highway safe for the travelling public. They are also vitally important in court cases for providing evidence that the Council takes a responsible attitude to it's duties as Highway Authority, and to provide a defence against third party claims under Section 58 of The Highways Act 1980. If a member of the public has an accident which can be attributed to the condition of a section of highway, then the Highway Authority maybe liable to pay damages unless it can show that it has taken reasonable care to keep the highway safe; as is its duty under Section 41 of the Highways Act 1980.

This document has been developed following the recommendations of 'Well Managed Highway Infrastructure: A Code of Practice 2016' (WMHI). Although not statutory, WMHI provides guidance to Highway Authorities on highways management. It promotes the adoption of an integrated asset management approach and establishment of local levels of service through risk-based assessment.

Highway safety inspections are designed to identify, record and prioritise the repair of defects which may present an immediate danger or significant inconvenience to any users of the highway (Emergencies), present a hazard to any highway users or are likely to affect the structural condition of the highway structure or assets (Category 1 Defects). In addition, they are used to identify defects of a lesser magnitude which may be included within future programmes of planned maintenance work (Category 2 Defects) or to indicate that a more in depth service inspection is required.

In accordance with the guidance provided in WMHI, this document forms part of the Council's wider Asset Management Strategy and helps to deliver an asset management led approach. Condition data from Highway Safety Inspections helps to inform future maintenance programmes, supporting the overall objectives of the Council's Asset Management Strategy.

Highway safety inspections are supplemented by other inspections and assessments undertaken in line with national standards and/or good practice, including but not limited to:

- Ad-hoc inspections undertaken in response to specific matters identified through enquiries and correspondence
- Specialist inspections of certain assets within the highway boundary (for example street lighting and highway structures)
- Technical assessments of carriageway condition generally undertaken using machine-based equipment (for example SCANNER or SCRIM surveys)
- Structural maintenance visual assessments (CVI or DVI)
- Streetworks inspections

The strategy used by the Council to determine the frequency of inspections follows the risk- based approach for safety inspections promoted in 'Well-Managed Highway Infrastructure A Code of Practice' for highway maintenance management. The Strategy also aligns with the general approach adopted by the Midland Service Improvement Group (MSIG). MSIG is a collective of Midlands and North West English Shire Counties, Shire Unitaries and City Unitaries sharing Best Practice within the disciplines of Highways and Transportation. In addition, consultation has taken place with all neighbouring authorities to ensure cross-border consistency where possible.
This Code of Practice sets the standard for highway safety inspections on the roads of Cheshire East Council. In most cases, following the advice given will be adequate. However, staff engaged on safety inspections will

always be expected to apply a risk assessment approach as not every eventuality can be covered in this document. All details of inspections, defects and intended repairs must be recorded together with details of when subsequent repairs are carried out. In addition, inspections for road sections with **no defects** must be positively recorded.

This document describes the safety inspections carried out by trained and competent inspectors. It sets out the standards to be followed on the Borough's highway network. It is to be used by all members of staff who may be required to report defects or to visit sites to check on defect reports from members of the public, police etc.

Updated and amended versions of this document will be published as required.

1.3. Highway Inspections

Highway visual inspections used to record defects in highway condition are of three types:

Safety	To visit all adopted highways to a regular schedule, record actionable defects and initiate action to make safe within the required response times detailed in 3.5.
Detailed	Annually to record hazards plus non urgent repairs that are to be considered for inclusion in planned works.
Structural	To assess the overall structural condition of Sections of the road network so that funds can be allocated where need is greatest.

This Code sets out the criteria for safety inspections. It does not include inspections for ice & snow. Details relating to the Council's winter service are contained in the Adverse Weather Plan.

2 Legal Framework

2.1. Highway Safety

The Highway Authority has a legal duty to maintain the highway. Under Section 41 of the Highways Act 1980, it may be exposed to the possibility of actions for breach of statutory duty if it fails to maintain a highway.

The policy of regular inspections and the subsequent actions to repair are designed to meet that duty. The records maintained in the 'Confirm' Business Management System assist in establishing the facts and provide evidence of the current maintenance standards.

The regular inspection / recording / retrieval system and the consequent action provide both a formal record of the condition of the highway and the defence for the Highway Authority under Section 58 of the Highways Act 1980. The recording of inspections & investigations made following notification of a possible hazard by members of the public, the Police etc. or on the receipt of a Third-Party Claim is essential in establishing a comprehensive defence.

In order to provide a defence against a claim there must be written standards of maintenance, which are in accordance with nationally accepted criteria. The Highway Authority needs to show that it had effective policies and that they were adhered to. The 'Confirm' Business Management System is designed to be a key element in that task.

2.2. Definition of Maintenance and Repair

The ordinary meaning of 'maintain' is to keep something in the state that enables it to serve the purpose for which it exists. Haydon v Kent County Council [1978 Q.B. 343 et 364). It is broader than just matters of repair and keeping in repair. Maintenance is defined in the Highways Act 1980 Section 329(1) as including repair. A

partial definition such as this suggests a wider meaning beyond mere repair, although this document is not intended to be a legal analysis for the purpose of any potential claim whether for an alleged statutory breach or in negligence.

Maintenance does not mean improvement. There is no duty on a Highway Authority to improve highways. Thus there is no duty on the Highway Authority to widen an existing highway, even if an accident may be said to be attributable to the amount of traffic using a road which is too narrow. (Highway Law, S.J.Sauvain 1989 p 104 Sect 5-21).

2.3. The Highways Act 1980

The Act expressly provided that the reasonableness of the Council's actions in attempting to perform the duty of maintenance could form a defence to the action.

The burden of proof was to be on the Highway Authority to establish that it had taken such care as was in all the circumstances reasonably required to secure that the part of the highway to which the action related was not dangerous for traffic. This statutory defence is contained in the Highways Act 1980, Section 58. (Highway Law, S.J.Sauvain 1989 p95 Sect 5-03).

The Highways Service has the task of providing for the defence of the Council on the roads within the Borough, by taking action to make safe. Insurance against third party highways claims is carried by Cheshire East Council for all adopted highways in the Borough.

The Council needs to establish that it has acted reasonably, which it would do by the production of adequate documentation and evidence in support of actions taken. In Cheshire East, these include a defined and monitored inspection regime, inspection records, the ordering of works of repair and the checking of compliance with instruction to repair.

2.4. Ensuring a Defence

A claimant must show that the highway was not in a reasonably safe state as a result of failure to maintain. The test is whether the state of the highway was such as to cause a reasonably foreseeable danger.

For the purposes of a defence under subsection (1) of Section 58, the court shall in particular have regard to the following matters:

- the character of the highway, and the traffic which was reasonably expected to use it;
- the standard of maintenance appropriate for a highway of that character and used by such traffic;
- the state of repair in which a reasonable person would have expected to find the highway;
- whether the Highway Authority knew, or could reasonably have been expected to know, that the condition of the part of the highway to which the action relates was likely to cause danger to users of the highway;
- where the Highway Authority could not reasonably have been expected to repair that part of the highway before the cause of the action arose, what warning notices of its condition had been displayed;
- The burden of proof is on the claimant to prove that the accident occurred as described and that such caused their losses and damage. It is also on the claimant to prove that the condition of any 'defect' in the highway was dangerous such to breach Section 41 of The Highways Act 1980.

  If it is established that the defect is dangerous then the burden of proof rests with the defendant to establish their Section 58 'special defence' and also to prove any allegations of contributory negligence.

2.5. Statutory Undertakers

Section 58 does not apply to damage resulting from Statutory Undertakers' works or apparatus forming part of the highway surface.

The following sections of the New Road and Street Works Act apply to reinstatements:

- Sections 70 & 71. The undertakers must ensure that their reinstatements conform to the requirements of the "Specification for the Reinstatement of Openings in Highways" published in 1991.

- Section 72. If a reinstatement is causing a danger, the Highway Authority may carry out appropriate work at the Statutory Undertakers' expense.

The Highway Authority becomes responsible for a permanent reinstatement upon expiry of the guarantee period which is two years (three years in the case of openings deeper than 1.5 metres).
Statutory Undertakers are entitled to rely on the Highway Authority's inspections where they do no inspections themselves.

In Reid v British Telecommunications plc (1987) it was held that the Undertaker was not negligent in relying on a Highway Authority's six-monthly inspections rather than itself conducting regular inspections of the condition of its manhole covers. However, if an Undertaker did so rely, it was to be taken to have the same knowledge of their condition as it would or ought to have had if it had carried out its own inspection at the time of the Highway Authority's inspection. To achieve this the Highway Authority must promptly inform the utility of any dangerous defect.

Hazardous defects in Undertakers' apparatus, insofar as it forms part of the highway surface, or reinstatements discovered during an inspection must be recorded and a report sent immediately to the appropriate Street Works Inspector in order that the correct statutory undertaker may be informed.

Swift recorded action may be necessary by the Street Works Inspector by telephone or Email. Any failure to report such defects could place responsibility for damages partly on the Highway Authority. *(Nolan v. North West Water & Merseyside County Council 1982)*.

Action may need to be taken by the Highway Authority if the Undertaker does not respond in accordance with The New Roads and Street Works Act 1991.

"The Nolan Principle" is often cited by Statutory Undertakers and their insurers in the event of a third-party claim being made against them. If the principle is upheld the Highway Authority and the Undertaker share the costs on a 50:50 basis. A Nolan agreement may be rejected by the Highway Authority when the Highway Authority has an effective inspection & repair system and can demonstrate that it was in use and that the Undertakers were told of the defect but failed to repair.

2.6. Other Authorities & Owners

An inspection or a visit to a site may reveal hazardous defects in street furniture, overhanging trees etc. which do not fall within the remit of the Highway Authority. Any hazards found must be recorded in the authority's Asset Management System and a report sent immediately to the appropriate engineering supervisor in order that the correct street authority or owner may be informed. Swift action may be necessary by telephone or email. Any failure to report such defects could raise arguments in so far as liability

3. Safety Inspections

3.1 General

Highway safety inspections, defect identification and repair are the responsibility of the integrated service provider and will be delivered in accordance with this code.

Regular inspections of the whole network are made by trained and competent personnel operating either from a slow-moving vehicle or on foot, using hand-held tablet devices to record the date, location and nature of defects hazardous to highway users.

The data from safety inspections is transferred to a central database and used as instructions to carry out the repairs or make safe the hazard.

3.2 Network Hierarchy

In accordance with WMHI, the Council has developed a Network Hierarchy in order to prioritise its resources in the most effective way allowing it to better address the various risks and issues associated with the management of the highway network. Each road is categorised in accordance with the criteria outlined in Table 1 of WMHI:

CATEGORY	**CRITERIA**
Resilient Network	The category of roads to which priority is given for maintenance and other measures to maintain economic activity and access key services.
Strategic Routes	Trunk and some Principal 'A' class 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.
Main Distributors	Routes between Strategic Routes and linking urban centres to the strategic network with limited frontage access.
Secondary Distributors	B and C class roads and some unclassified urban routes carrying buses. In residential and other built-up areas these roads have 20 or 30 mph speed limits and very high levels of pedestrian activity with some crossing facilities including zebra crossings.
Link Roads	Roads linking between the Main and Secondary Distributor Network with frontage access and frequent junctions. In urban areas these are residential or industrial interconnecting roads with 20 or 30 mph speed limits, random pedestrian movements and uncontrolled parking. In rural areas these roads link the smaller villages to the distributor roads.
Local Access Roads	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.

Note: Special Interest Areas are defined as town centre areas etc.

3.3 Inspection Regime and Frequencies

In line with national codes of good practice (notably the new Code of Practice, Well Managed Highway Infrastructure, published on 28 October 2016) the characteristics of the inspection regime, including frequency of inspection, items to be recorded and nature of response, are defined following an assessment of the relative risks associated with the formation of defects within the highway boundary.

The inspection regime is applied and recorded systematically and consistently. As well as information relating to defects, all inspections must also therefore record:

- time of inspection and defect identification;
- weather conditions;
- any unusual circumstances of the inspection;
- person(s) conducting the inspection.

Frequencies for safety inspections of individual network sections are based upon the Network Hierarchy adopted by the Council, details of which can be found on the Council's website.

Although the Network Hierarchy will be the main determinant of inspection frequency, site specific factors may merit a decision to temporarily or permanently increase or reduce the frequency in a specific location (for example to mitigate the risk of unusually high defect levels or accident rates, or with consideration for vulnerable users).

Frequencies of Inspection for each Road

Hierarchy Classification	Frequency of safety inspection per year	Hierarchy Category
S	**12**	Special Interest Areas
1R	**12**	Resilient Network
2	**6**	Strategic Road
3A	**6**	Main Distributor Road
3B	**3**	Secondary Distributor Road
4A	**3**	Local Link Road
4B	**2**	Local Access Road

Safety Inspection Frequency for Carriageways and Footways

Cycleway Hierarchy Classification	Frequency of safety inspection per year	Hierarchy Category
1	**As per carriageway frequency**	Cycle lane or on carriageway signed cycle route - contiguous with the carriageway
2	**2**	Cycle Track, Shared Cycle/Footway – a route for cyclists remote from the public footway or carriageway or a shared cycle/pedestrian path
3	**2**	Cycle trails - Leisure routes through open spaces which are the responsibility of the highway authority to maintain

Safety Inspection Frequency for Cycleways

Notes

- Total Number of Inspections in a year is shown in bold
- Inspections will ideally be scheduled evenly across the year however in time of adverse weather the time between inspections may vary
- Safety inspections will normally be carried out from a slow moving vehicle. Where the inspector determines that, in their reasonable opinion, the inspection cannot be undertaken and defects effectively observed from the vehicle, the inspection will be carried out on foot;
- Safety inspections will be carried out during daylight hours and where weather conditions do not create poor visibility;
- Footway inspections will be carried out on foot when remote from carriageways;
- Cycleway inspections will be carried out on foot when remote from carriageways;
- Driven inspections will be carried out by two people, with the passenger being the inspector;
- Dual carriageway inspections will be carried out in both directions.
- The table defines the minimum frequency at which inspections will be undertaken. Additional inspections may be planned in response to user or community concern, requirements for monitoring of structural concerns, as a result of incidents or in response to extreme weather conditions.

Arrangements are made to review the inspection, assessment, frequency and recording regime at least annually. This review will be considered at a senior management level within Cheshire East Highways (CEH) and will consider:

- changes in network characteristics and use;
- completeness and effectiveness of data collected;
- trends within defect formation;
- success of repair programmes;
- the need for changes/amendments/additions to the inspection regime derived from risk assessment.

As a result of such reviews, proposals may be put forward to amend the inspection frequency or methodology should such alterations be deemed to be beneficial. Any such amendment will be considered, proposed to CEC and Cabinet Member for agreement and, if implemented, recorded as such in formal minute.

Consideration will be made to reviewing and updating details of any Asset Management Plans as a result of any such changes.

3.4 Defect Categories

Having identified a defect, it is necessary for the Inspector to undertake a risk-assessment which informs the decision on what remedial action is required and the required response time.

Once the defect & response time are determined, the defect is recorded and given one of three categories:

- Emergency - those that require prompt attention because they represent an immediate hazard with potential for significant damage, serious injury or risk to life;
- Category 1 - those that require priority attention because they represent a potential risk to road users or to the integrity of the highway asset;
- Category 2 - all other defects.

Emergency defects will be corrected or made safe at the time of the inspection, if reasonably practicable. In this context, making safe may constitute displaying warning notices, coning-off or fencing-off to protect the public from the defect or other suitable action. If the inspection team cannot make safe the defect at the time of inspection then they will instigate the relevant emergency call procedures to ensure appropriate resources are mobilised to make the defect safe. It may be necessary for the Inspector to remain on site until the Response Team arrive and the defect can be made safe. These procedures aim to ensure initial attendance to the defect within 1 hour of notification (2 hours outside normal working hours of 0800 hours -1700 hours Mon – Fri).

Category 1 defects may also be corrected or made safe at the time of the inspection, if reasonably practicable. If it is not possible to correct or make safe the defect at the time of inspection then an appropriate repair will be carried out within 2 working days of the identification of the defect.

Category 2 defects are those which are deemed not to represent an immediate hazard and which can be repaired within longer timescales.

Category 2 defects are categorised according to priority: High (Cat 2H), Medium (Cat 2M) and Low (Cat 2L), with response times defined within Section 3.3 'Time to Make Safe'. Guidance on appropriate classification of defects is provided in Inspectors Manual, Part 2 of this Code. The Manual provides examples of defects which may be encountered on the network and potential categorisation. However, on-site assessment will always need to take account of particular circumstances.

The Inspector will also take into account the likelihood of further deterioration before the next scheduled inspection, and where this is a considered a high probability, a higher defect classification may be determined.

Notes:

- During periods of severe weather conditions it may not always be possible to meet the target response times for both highway safety inspections and defect repair. In such circumstances, evidence of the best use of resources should be considered as mitigation against any claims.
- Full details of categorised highway defects and response times are contained within Part 3 - Detailed Guidance Codes.

3.5 Response Times

Clearly some defects need to be treated more urgently than others. In order to record how quickly action needs to be taken after an inspection, a "category" is applied to each individual defect.

Cheshire East Category	**Description**
E	Repair or make safe within 1 hour of notification (2 hours outside normal working hours of 0800 hours -1700 hours Mon – Fri)
1	Make safe/repair within 2 working days
2H	Make safe/repair within 5 working days
2M	No temporary repair necessary. Attend and permanently repair within 20 working days
2L	Consider repair within future programmes of planned maintenance works

The time scale for each category commences when the Highway Safety Inspector identifies and records the defect

3.6 Defect Risk Assessment

The principals of a system of defect risk assessment for application to highway safety inspections are set out below. This has been designed following the guidance provided in 'Well Managed Highway Liability Risk', produced by the Institute of Highway Engineers. Any item with a defect level which corresponds to, or is in excess of, the Investigatory Levels described in Annex 1, is to be assessed using the risk assessment matrix and guidance within the Inspectors Manual. Risks will be assessed with consideration to a wide variety of factors including location, usage, local amenities, vulnerable users, public transport etc.

A 4x4 matrix is used to allow sufficient flexibility when assessing risk and determining the appropriate level and speed of response.

By way of example that risk assessment process might be as described below:

Impact

The impact of a risk occurring is measured on a scale of 1 – 4 (1 lowest, 4 highest) the following table gives guidance:

Impact Ratings

Impact rating	**Score**	**Description**	**Possible Indicators**
High	4	The hazard presented by the defect, or due to the short-term structural deterioration in the defect, could result in serious injury.	Highway users coming into contact with the defect could result in serious injury or damage to property. Highway users will instinctively react to avoid the defect, presenting a hazard to themselves and to others. Location may present specific hazards.
Medium	3	The hazard presented by the defect, or due to the short-term structural deterioration in the defect, could result in injury.	Highway users coming into contact with the defect could result in injury or damage to property. Highway users will instinctively react to avoid the defect, presenting a hazard to themselves and to others
Low	2	The Hazard presented by the defect, or due to the short term structural deterioration in the defect, could result in minor injury.. If untreated the defect will contribute to the deterioration in the overall condition of the highway asset. The defect is likely to deteriorate further before the next safety inspection.	Most impacts will not result in any injury or damage to property. Highway users are unlikely to react to avoid the defect and the impact will not interrupt their passage. The defect will be felt and recognised as a defect by most highway users. If untreated the defect will accelerate the local deterioration of the highway asset.
Very Low	1	The hazard presented by the defect, or due to the short-term structural deterioration in the defect, is unlikely to result in injury, but the defect will contribute to the deterioration in the overall condition of the highway asset. The defect is unlikely to deteriorate further before the next scheduled safety inspection.	The defect will be recognised by Highway Safety Inspectors as requiring attention, but is unlikely to be felt and recognised as a defect by most Highway users. The defect is very unlikely to cause injury or damage to property.

Probability

The probability of a risk occurring is measured on a scale of 1 – 4

Probability Ratings

Probability Ratings	**Score**	**Description**	**Possible Indicators**
High	4	More than a 75% chance of occurrence.	High use by all road users, higher category roads. Vulnerable users and/or different transport modes regularly pass through the site. The location and nature of the defect, as well as the topography of the site will mean that it is difficult for the defect to be avoided

			Forward visibility may be compromised.
Medium	3	40 – 75% chance of occurrence.	High use by all road users, higher category roads, but vulnerable users and/or differing modes are less likely to share the highway at this location. Responsible highway users may be able to recognise and take action to mitigate the impact of the defect. Forward visibility is good.
Low	2	10 – 40% chance of occurrence.	Use by all users is moderate or low. Vulnerable users and/or different transport modes are unlikely to share the highway at this location. The majority of responsible highway users will be able to recognise and take action to mitigate the impact of the defect.
Very Low	1	Less than 10% chance of occurrence.	Use by all users is very low. The speed differential between users is very likely to be low. The majority of responsible highway users will be able to avoid the defect.

Risk Probability

The probability of a risk occurring is assessed as follows:

- Very low probability;
- Low probability;
- Medium probability;
- High probability.

The probability is quantified by assessing the likelihood of users, passing by or over the defect, encountering the risk. As the probability is likely to increase with increasing vehicular or pedestrian flow and local amenities, the network hierarchy and defect location are important considerations in the assessment.

Risk Impact

The impact of a risk occurring, as adopted by CEC, is assessed as follows:

- Very low impact;
- Low impact;
- Medium impact;
- High impact.

The impact is quantified by assessing the extent of damage likely to be caused should the risk be realised. The main consideration of impact is the severity of the defect, although likely consequences should also be taken into account. Other variables such as road speed may also affect the likely impact.

Risk Factor

The risk factor for a particular risk is

Risk Factor = impact score x probability score.

It is this factor that identifies the overall seriousness of the risk and consequently the appropriateness of the speed of response to remedy the defect.

Risk Management

Having identified a particular risk, assessed its likely impact and probability and calculated the risk factor, the category and the timescale to rectify the defect is either defined as an Emergency response, Category 1 response or allocated to one of the Category 2 defect types (Low, Medium or High).

To assist the inspector, a risk matrix is included within the Inspectors Manual, which considers the appropriate classification of defects when considering impact/severity against probability:

		PROBABILITY			
		Very Low (1)	Low (2)	Medium (3)	High (4)
IMPACT/SEVERITY	Very Low (1)	Cat 2L (1)	Cat 2L (2)	Cat 2M (3)	Cat 2M (4)
	Low (2)	Cat 2L (2)	Cat 2M (4)	Cat 2H (6)	Cat 2H (8)
	Medium (3)	Cat 2M (3)	Cat 2H (6)	Cat 1 (9)	Cat 1 (12)
	High (4)	Cat 2M (4)	Cat 2H (8)	Cat 1 (12)	Emergency (16)
	Emergency	Emergency (16)	Emergency (16)	Emergency (16)	Emergency (16)

Risk Matrix for defect identification

Score of 1 to 2	Cat 2L
Score of 3 to 4	Cat 2M
Score of 6 to 8	Cat 2H
Score of 9 to 12	Cat 1
Score of Over 12	Emergency

Scoring mechanism within Risk Matrix

**Note: It should be recognised that an emergency response can be requested for any high impact defect regardless of road hierarchy. Examples may include fallen trees, subsidence or flooding, missing covers etc.*

Investigatory Levels

It is recognised that on any highway network, a multitude of minor defects will exist which do not pose any risk to either the safety or the integrity of the highway and for which it may be impractical and inefficient to expend limited financial resources to undertake repairs. Any defects which do not meet the Investigatory Levels (as defined within Annex 1) will be recorded should the Highway Safety Inspector deem this appropriate (for example, where a cluster of such defects may form a potential preventative maintenance scheme in the future). Where such defects are recorded, they will be recorded as Cat 2L defects.

3.6 Information from the Public or the Police

Defects reported by the public or emergency services will be inspected in accordance with this code. Should action be required, the defect will be recorded in the authority's Asset Management System, in order to provide a reliable and documented history of reported highway defects. Completed defects are then entered into the authority's Asset Management System to ensure that repair instructions and work completion dates are all recorded into the same database from which data for Third Party Claims reports and performance statistics will be drawn up.

3.7 How the Information is Recorded

A defect found on the highway has to be identified by its location on the road network. Without this information it would be impossible to direct a contractor to the right place to affect a repair.

It would also be difficult to confirm or deny the presence of a defect alleged to have been the cause of injury or damage. The time of inspections and of when defects are found must be recorded.

Defects found within the highway are grouped according to an “activity” such as work to the carriageway or to signs. Each type of defect is given a description such as “pothole” or “safety barrier too low”.

Depending on the defect, its location and the materials of construction, a “treatment” is chosen from a range of permitted ones such as “adjust level” or “provide new”.

The size of the defect is needed in order for the right quantity of materials to be provided to the repair gang.

In order to make the business of recording all the information required as simple and quick as practicable, a coding system has been devised.

Each road has a unique number. Each part of the highway has a position from the left or the right across the whole width between boundaries. Distance to a defect is measured, always in the same direction from a fixed origin.

The coding system turns the English descriptions for defects and treatments into letter groups that are easy to remember because they are partly “mnemonic” and resemble the full words e.g. Ironwork difference in level = “IDLV” (the defect); Adjust level = “AJL” (the treatment).

3.8 Locational Referencing

The transverse location of a defect is recorded by using the UKPMS cross-section position referencing.

The Main Carriageway Lanes are numbered CL1 to 9 or CR1 to 9 from the edge toward the centre of the carriageway for the left and right respectively. The off-carriageway features are numbered sequentially upward from L1 or R1 for the left or right respectively, away from the Carriageway. Kerbs and Kerb defects are referenced to LE ("Left Edge") or RE ("Right Edge").

The full code descriptions can be found in "the UKPMS user manual, Vol 2 Visual Data Collection for UKPMS, chapter 4: cross-Section Position Referencing.

3.9 Archiving

The details recorded into the authority’s Asset Management System of the inspections, findings and any subsequent actions are to be retained in archive form for six years following the date of inspection.

3.10 Emergency Procedures

If a Highway Safety Inspector identifies a defect which is assessed to be sufficiently dangerous to require an emergency response, arrangements will be made to make the defect safe in accordance with the response times detailed within this document.

Operational procedures are in place to ensure that resources are available during and outside normal working hours to ensure that the required response times can be achieved.

During normal working hours, third party reports are made to the Council’s Customer Contact Centre. If it is determined that an emergency response is required, the details are passed directly to the appropriate operational team and resources deployed to meet the required response time.

Outside of office hours, third party reports of dangerous defects made using the Council's Out of Hours service will be reported to the on call Duty Inspector who will arrange the appropriate response within 2 hours of receiving the call. Additional resources will also be available to attend to specific situations as determined by the Duty Inspector.

3.11 Highway Safety Inspectors

Roles and Responsibilities

- Carry out highway safety inspections in accordance with current policy, and the code of practice ;
- Ensure network condition data is identified and recorded accurately;
- Represent Cheshire East Highways when defending 3rd party liability claims;
- Act as representative of the service and deal with public enquiries whilst completing inspections duties;
- Work closely with the operations team to ensure defects are repaired to the appropriate standard and within the prescribed timescales;
- Assist Senior Safety Inspector with site audits.

Training and Competence

All personnel involved in Highway Safety Inspections must be competent and have successfully completed the UK Highway Inspectors Training and Certification Scheme approved by the UK Roads Board in 2010 or any subsequent revision. It is desirable that all personnel should be included on the National Register of Highway Inspectors currently held by the Institute of Highway Engineers. Personnel undertaking a highway safety inspection must also demonstrate competency in the current Safety at Street Works and Road Works Code of Practice.

Highway Safety Inspectors will be trained to identify defects that may present a hazard to all highway users, including motorists, pedestrians, cyclists, motorcyclists, equestrians, wheelchair users, blind and partially sighted users and other vulnerable users.

Quarterly claims review meetings will be carried out with all Highway Safety Inspectors to ensure a culture or continual learning and a consistency of approach.

Competency will be continually assessed through a sample audit programme.

LOCAL HIGHWAYS OFFICE CONTACT DETAILS

LOCAL HIGHWAYS OFFICE	ADDRESS	TELEPHONE NUMBER OUT OF HOURS
Wardle Depot	Cheshire East Highways Wardle Deport Green Lane Wardle CW5 6BJ	Phone: 0300 123 5020 Out of Hours Emergencies: 0300 123 5025
Brunswick Depot	Cheshire East Highways Brunswick Wharf Deport Brook Street Congleton CW12 1RG	Phone: 0300 123 5020 Out-of-Hours Emergencies: 0300 123 5025

ANNEX 1: Photographic Illustrations

PHOTOGRAPHIC GUIDE TO ILLUSTRATE EXAMPLES OF DEFECTS

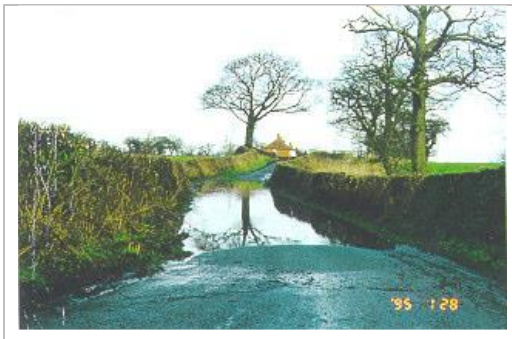
SHOWING THE TYPE, THE RESPONSE TIME AND THE INVESTIGATORY LEVEL

ACTION TO BE CONSIDERED WHEN A DEFECT MEETS THE INVESTIGATORY LEVEL

	*Defect:* **Pothole (POTH)** *Location:* In the body of the carriageway *Category: E,1,2* *Investigatory level:* 40mm
	*Defect*: **Pothole (POTH)** *Location*: On the edge of, and extending into the carriageway *Category: E,1,2* *Investigatory level*: 40mm
	*Defect*: **Localised Edge Deterioration (LODT)** *Location*: Cracking and breaking away on the edge of the carriageway not encroaching into the carriageway more than 250mm , and not requiring vehicles, motorcycles or bicycles to alter their course. *Category: E, 1*, 2 *Investigatory level*: ≥100mm
	*Defect*: **Condition of Fittings (COFT)** *Location*: Signs over carriageways or footways. *Category: E, 1* *Investigatory level:* If in danger of falling on pedestrian or vehicle.

	*Defect*: **Slurry or Mud on Road (SLOP)** *Location*: All roads *Category: 1 (dependent on severity)* *Investigatory level*: Slippery surface *Notes*: Contact person responsible, if known, and request signing/clean up. If no response, Local office to do work and recharge.
	*Defect*: **Unauthorised Obstruction/Enclosure of Verge (UNOB)** *Location*: All roads. *Investigatory level*: Stones, cultivation, fencing, etc., on verge. *Notes*: Local office to issue notice to person responsible and ensure removal.
	*Defect*: **Slab Profile Uneven (SLPF)** *Location*: Urban footways and pedestrian areas. *Category: E, 1, 2* *Investigatory level*: ≥ 20mm *Notes*: Use 'Notes' on DCD to record type and number of slabs/flags to be re-laid. If other slabs/flags are broken, number of new slabs/flags to be recorded also.
	*Defect*: **Concrete Blocks/Sets Missing (CBMS)** *Location*: Footways, pedestrian areas and cycle paths. *Category: E, 1, 2* *Investigatory level*: Missing blocks/sets *Notes*: Use 'Notes' on DCD to record number of blocks to be replaced.

	*Defect*: **Difference in level (IDLV)** *Location*: Footway, pedestrian area or cycleway Category: E,1, 2 *Investigatory levels:* ≥ 20mm *Notes*: Use 'Notes' to inform Network Management Team of the type and owner (if apparent) of cover. If Utility owned, Network Management Team to contact Utility, and set time for response. Make safe in case of emergency.
	*Defect*: **Cracked or Broken cover (IBCK)** *Location*: All areas of highway *Category: E, 1, 2* *Investigatory level*: Cat E if in danger of collapse *Notes*: Use 'Notes' to inform Network Management Team of the type and owner (if apparent) of cover. If Utility owned, Network Management Team to contact Utility, and set time for response. Make safe in case of emergency.
	*Defect*: **Missing (MISS)** *Location*: All areas of highway *Category: E, 1, 2* *Investigatory level*: Cover not present *Notes*: Use 'Notes' to inform Network Management Team of the type and owner (if apparent) of cover. If Utility owned, Network Management Team to contact Utility, and set time for response. Make safe in case of emergency.
	*Defect*: **Obscured Sign (OBSG)** *Location*: All Roads *Category: 1,* if at a junction with a busy or high-speed road. *Notes*: Applies to Stop, Give Way, Slippery Road, junctions, bends and roadworks signs. Does not apply to direction signs.

	*Defect*: **Flooding (FLOD)** *Location*: All Roads *Category: E* *Investigatory Level*: Road obstructed by water. *Notes*: Partial obstruction to be considered dependent on extent and location on the road. Area Office to establish cause and remedy.
	*Defect*: **Missing Door (MISP)** *Location*: All Roads *Category*: E *Investigatory Level:* Missing door (open, off or missing) Notes: Telephone message to Street Lighting Superintendent to arrange attendance within ONE hour. Technician to stand by column until help arrives if in high risk location (play area, school, shops, busy footway, and the like). Inspector **is NOT to touch column or replace door.**
	*Defect*: **Blacktop Profile (BKTP)** *Location*: Footway, pedestrian area or cycleway with bituminous surface. *Category: 1, 2* *Investigatory levels*: ≥ 20
	*Defect*: **Rocking Element (ROCK)** *Location*: Any element including ironwork on footways, pedestrian areas or cycleways. *Category: 1,2* *Investigatory levels:* ≥ 20mm when depressed at one end. *Notes*: Use 'Notes' to record number of blocks to be relaid.