

# **CHESHIRE EAST COUNCIL**

## **REPORT TO: ENVIRONMENT AND PROSPERITY SCRUTINY COMMITTEE**

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**Date of Meeting:** 8<sup>th</sup> February 2011  
**Report of:** Head of Regeneration  
**Subject/Title:** Highway Routine Maintenance Operational Policies  
**Portfolio Holder:** Councillor Menlove

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### **1.0 Report Summary**

1.1 That the Committee members provide comments on the proposed routine highway maintenance operational policies for:

- Highway Tree Maintenance and Inspections
- Highway Verge Maintenance
- Highway Weed Control
- Highway Hedge Maintenance
- Highway Surface Water

1.2 These routine maintenance activities are carried out by the Council for safety and serviceability purposes which in part contribute to the Council's statutory duty under the Highways Act 1980. These activities also contribute to the biodiversity and sustainability of the highway and surrounding environment.

### **2.0 Recommendations**

2.1 **Members of the Committee are asked to provide comment on proposed Highway Routine Maintenance Operational Policies prior to the Policies being submitted to the Portfolio Holder for Environment for formal approval.**

### **3.0 Reasons for Recommendations**

3.1 These routine maintenance policies are required so that highway users and stakeholders can be clear about the level of service the Council provides. They are also helpful in the event of claims for damages against the Council relating to the condition of the highway.

3.2 One of the issues the courts would look at would be the Council's stated policy, whether that policy was reasonable and importantly whether the Council carried out the level of service set out in the policy. The Council would have a defence against any claim brought against where it was able to show that its policies were reasonable in all the circumstances and that the policy was duly applied and carried out

#### **4.0 Wards Affected**

4.1 This report affects all wards equally.

#### **5.0 Local Ward Members**

5.1 This report affects all wards equally.

#### **6.0 Policy Implications including - Climate change - Health**

6.1 There are no human resources implications of the recommended option.

#### **7.0 Financial Implications (Authorised by the Borough Treasurer)**

7.1 The Strategic Director confirms that the costs of implementing this policy will be met from existing budgets.

7.2 The revenue budgets made available for discharging these policies for 2010/11 were

• Highway Tree Maintenance and Inspections	£50,000
• Highway Verge Maintenance	£818,377
• Highway Weed Control	£256,520
• Highway Hedge Maintenance	£196,100
• Highway Surface Water	£1,039,267

For 2011/12, it is envisaged that operational budgets may change as a consequence of the new highways contract arrangements and expected efficiency savings forecast for 2011/12 and 2012/13.

7.3 It is envisaged that the proposed efficiency savings will not have a direct detrimental effect on the ability to achieve these standards of service level.

#### **8.0 Legal Implications (Authorised by the Borough Solicitor)**

8.1 Section 41 of the Highway Act 1980 imposes a duty on the Highway Authority to maintain highways which are maintainable at the public expense. The duty requires the highway authority to maintain the highway in a fit state to accommodate the ordinary traffic which passes or maybe expected to pass along it.

8.2 The duty is owed to all users, whether using vehicles or on foot, of the highway whether pedestrians or vehicle users. Section 130 of the Highways Act 1980 imposes a further duty on the highway authority to assert and protect the rights of the public to the use and enjoyment of the highway. This leads to the Council dealing with any unlawful interference with the highway such as encroachment on and obstruction of the highway.

8.3 Section 58 of the Highways Act 1980 provides the Council with a statutory defence against claims where it can establish that it had taken such care as in all the circumstances was reasonable to ensure that the highway is kept safe.

The carrying out of regular inspections coupled with reasonable highway policies which are carried out provides that defence.

## **9.0 Risk Management**

- 9.1 The Authority has a robust inspection and assessment regime which seeks to ensure that the road network is kept in a safe condition and that 'safety-related' defects are dealt with in a timely fashion. Maintenance works are planned and supervised to ensure safety for all affected parties and appropriate treatments are designed to minimise risks throughout the lifecycle of the asset.
- 9.2 Routine and cyclical maintenance operations play a key part in meeting the core objectives of highway maintenance which are to ensure network safety, serviceability and sustainability. The successful execution of regular, routine and cyclical maintenance works can contribute greatly to the visual appearance of the highway environment and street scene. Conversely, poor routine/cyclical maintenance practices and policies generally lead to highways appearing to be unkempt and badly maintained.

## **10.0 Background and Options**

### **10.1 Highway Tree Maintenance and Inspections – Appendix A**

- 10.1.1 This policy deals with the maintenance and inspection of highway trees. The objective is that highway trees are maintained in a healthy condition and do not pose a danger to users of the highway and or cause structural damage to private property or the highway itself.
- 10.1.2 The Council is responsible for all trees on the highway. Trees within falling distance of the highway are those in third party ownership on land adjacent to the highway which may cause damage to the highway or put users of the highway at risk from harm. Liability for these trees rests primarily with the owner or occupier of the land. The Council however has a duty of care to users of the highway with respect to these trees.
- 10.1.3 For the Council to fulfil its obligations for highway trees it requires a system of inspection by a competent person normally an arboriculturist. These inspections are carried out to find trees that may be diseased or have structural problems which may lead to putting highway users at risk of harm.
- 10.1.4 The Council is currently undertaking a review of its responsibilities for all trees within its ownership, schools, Tatton Park etc including trees on the highway. The review is assessing the regime needed for specialist arboreal inspections to enable the Council to discharge its obligations as a tree owner.
- 10.1.5 The default position is that each tree should be inspected by an arboriculturist every five years. However previous advice suggests that frequency between inspections of any one tree can be varied depending on the species of tree, age, its condition at the last inspection etc. In other

words, the frequency of inspection can be increased or decreased based on the risk that a particular tree poses.

- 10.1.6 The policy as set out includes for inspections by an arboriculturist with any work that is required as a result of such an inspection being carried out. Where trees adjacent to the highway are found, by report or inspection, to be in an unsafe condition, that may affect the highway or users of the highway, the Council will use its powers under Section 154 of the Highways Act 1980 to remedy the situation and recover from the owner any associated costs.
- 10.1.7 The reason for the tree or branch falling into the highway is fundamental. If it is because of a particularly bad storm then nobody is likely to be found liable. Where the reason is that the tree was diseased then, unless the owner has taken reasonable steps to examine the condition and had no reason to think it would fall over, the owner is liable for any damage caused.
- 10.1.8 Where a third party owned tree falls across the highway, the Council will seek to recover all the costs, from the owner of the tree, incurred in carrying out any work including any traffic management measures.
- 10.1.9 Highway trees generate a number of complaints each year regarding the blocking of light to various premises, interference with television and radio signals and general nuisance from trees dropping sap, leaves, fruiting bodies etc.
- 10.1.10 The right to light is an emotive area for people affected. Many people are aware of the ancient and prescriptive 'right-to-light', but this only relates to loss of light over a considerable period of time and in certain specific circumstances. Where trees are concerned, there is no 'right-to-light'. The tree owner is not required or obliged in respect of any law to prune the tree for the benefit of his neighbour's level of light.
- 10.1.11 The purchase of a television licence entitles the buyer to operate any equipment to receive a transmission. It is not a guarantee of any television reception, let alone a perfect reception. The Council (or indeed any tree owner) is not required to remove or prune trees for the benefit of television reception. To expect the Council to take responsibility for the quality of television reception is unrealistic and unsustainable, and there is no basis in law for that expectation.
- 10.1.12 Being living, growing organisms some trees have certain characteristics that are not always compatible with the expectations of some residents. In particular, sporadic complaints are received with regard to problems such as leaf-fall, fruiting bodies, sap and bird fouling.
- 10.1.13 These are natural and seasonal processes and there is little the Council can, or indeed would wish do to alleviate them. The Council does not accept liability for damage as a result of such natural deposits from trees and there is no decided case law holding that these secretions are a legal nuisance.

## **10.2 Highway Verge Maintenance – Appendix B**

10.2.1 Highway Verge Maintenance is carried out for both safety and amenity purposes to:

- maintain visibility at junctions and bends
- prevent signs and bollards becoming obscured
- provide a refuge for pedestrians and road users where no footway exists
- prevent the encroachment of grass on to paved areas
- prevent the spread of weeds
- maintain and enhance the biodiversity of road side without compromising road safety

Appearance is a high priority for urban verges whereas in rural areas conservation is given a greater importance.

10.2.2 The policy provides for a performance specification for urban verges, roads with a speed limit of 40 mph or less, and a set number of cuts for rural verges, roads with a speed limit above 40 mph, with additional cut should safety needs dictate. Additionally the policy deals with the cutting of vegetation around obstructions in verges to ensure a good appearance.

10.2.3 The urban performance specification requires that the height of the vegetation is kept between 25mm and 100mm throughout the year. Whilst the rural verges are cut to a height of below 100mm.

## **10.3 Highway Weed Control – Appendix C**

10.3.1 Highway weed control is carried out for a number of reasons. Weed infestation if left unchecked can interfere with visibility for road users, cause structural damage to the highway, block road side gullies and affect drainage systems.

10.3.2 There is also an amenity value in that weed growth on the highway looks unsightly. Further there is a statutory duty on the council as highway authority to control injurious and noxious weeds as defined in the Weeds Act 1959 and the Wildlife and Countryside Act 1981.

10.3.3 The policy provides for the routine weed spraying of paved areas, kerbs and channels etc. to safeguard the structural integrity of the highway and for amenity. The policy also deals with the Council's responsibilities to control injurious and noxious weeds.

## **10.4 Highway Hedge Maintenance – Appendix D**

10.4.1 The Council as Highway Authority is not usually the owner of hedges that form the boundary of the highway and is therefore not responsible for their maintenance. The responsibility for the maintenance of such hedges normally lies with the adjacent landowner or occupier.

10.4.2 Where the Council is the owner of a hedge then it will be maintained so as not to cause a nuisance or obstruction to highway users.

- 10.4.3 The policy takes account of the Council's responsibilities under the Wildlife and Countryside Act 1981 and sets out the times of the year that hedges may be cut and trimmed. Any cutting and trimming of hedges for safety purposes may be carried out at other times.
- 10.4.4 The Highways Act 1980 (Section 154) empowers the Council, as Highway Authority, to protect the safety of highway users by ensuring that owners and occupiers of land adjacent to highways carry out their legal duties in respect of roadside hedges impacting on highway safety.
- 10.4.5 The policy also deals with issues regarding impacting on highway safety. Where this occurs a notice will be served on the landowner or occupier under section 154 of the Highways Act 1980. This gives the landowner 14 days to undertake the necessary maintenance work. In the event that the maintenance is not carried out the Council will carry out the work and recharge the landowner or occupier.

## **10.5 Highway Surface Water – Appendix E**

- 10.5.1 The efficient operation of highway drainage systems plays a major role in maintaining the safety and serviceability of the network. Primarily, they are provided to fulfil the following:
- Ensuring that the highway is drained efficiently and effectively removing surface water from the carriageway and footway.
  - Ensuring that properties adjacent to the highway do not suffer flooding due to the highway drainage system
  - Limiting the negative effects that poor drainage has on the integrity of the highway structure.
  - Ensuring that watercourses are not contaminated by highway pollutants.
  - The policy provides for the setting of maintenance regimes for the cleansing and maintenance of the highway drainage system that reflects the location and needs of the various drainage units and systems to ensure the function and meet the policy objectives.
  - Fulfil the statutory duties required under the Flood and Water Management Act 2010.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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**Policy: Highway Tree Maintenance and Inspections**

**1.0 Introduction**

- 1.1 The Council is responsible for all trees on the highway. Trees within falling distance of the highway are those in third party ownership on land adjacent to the highway which may cause damage to the highway or put users of the highway at risk from harm. Liability for these trees rests primarily with the owner or occupier of the land. The Council however has a duty of care to users of the highway with respect to these trees.
- 1.2 The aim of the Council's policy for trees on the highway is that they are maintained in a healthy condition and do not pose a danger to users of the highway and or cause structural damage to private property or the highway itself.

**2.0 Policy**

- 2.1 For trees on the highway the Council will carry out tree inspections and operate a defect reporting system in line with current codes of practice, established guidelines and current best practice in order to meet its legal obligations. This will include the visual inspection from the highway of trees within falling distance of the highway where practicable.
- 2.2 The Council's tree maintenance regime is based on safety both for users of the highway and adjacent properties. The aim is to maintain adequate clearance for vehicles and pedestrians using the highway including visibility splays, signs and street lights.
- 2.3 In addition to the regular highway inspections the Council carries out the Council will respond to complaints, queries and reports from members of the public and others regarding highways trees by inspecting the site and if appropriate commission a report by a qualified arboriculturist.
- 2.4 The Council will carry out any remedial/preventative works that are deemed necessary as a result of the arboreal inspection within the recommended timescale. All inspections and work recommendations shall be in accordance with current codes of practice, British Standards and the principles of good arboricultural practice.
- 2.5 Any remedial action that is required to remove a hazard identified during a routine safety inspection will be carried out in accordance with the Council's inspection policy and the highway made safe by remedying / removing the hazard as soon as reasonably practicable
- 2.6 In the event that an emergency response is required to an incident the Council will take all necessary actions to make the highway safe by removing the hazard or obstruction with the minimum of delay or by closing the highway, or part of it, to until such time that the remedial actions can carried out safely.

- 2.7 Where trees adjacent to the highway are found, by report or inspection, to be in an unsafe condition, that may affect the highway or users of the highway, the Council will use its powers under Section 154 of the Highways Act 1980 to remedy the situation and recover from the owner any associated costs.
- 2.8 Where a third party owned tree falls across the highway, the Council will seek to recover all the costs, from the owner of the tree, incurred in carrying out any work including any traffic management measures.
- 2.9 The Council will not normally carry out tree work in response to complaints regarding television or radio reception. Complaints regarding blocking of light will only be considered should the exclusion of light be unreasonable and affect a habitable room.
- 2.10 Highway trees will not be pruned or otherwise cut back due to leaf fall, fruiting bodies, sap and bird fouling.



**Policy: Highway Verge Maintenance****1.0 Introduction**

- 1.1 It is recognised that well maintained highway grass verges and landscaped areas enhance the appearance of the highway environment and street scene. Conversely, badly maintained margins tend to create poor impression, especially in urban areas. In order to maintain a high standard of appearance throughout the Borough, they require regular maintenance to keep them looking at their best.
- 1.2 Generally speaking, the highway verge is defined as being the grassed or planted area that lies between the footway and carriageway or where no footway exists between the carriageway and highway boundary. It plays an important role in providing an area for locating street furniture and signs so that they do not create an obstruction on footway/cycleways. Verges also assist in draining the highway and they also provide an area for utility infrastructure that is relatively easy to reinstate and maintain.
- 1.3 Verge Maintenance is carried out on the highway for both safety and amenity purposes to:
- maintain visibility at junctions and bends
  - prevent signs and bollards becoming obscured
  - provide a refuge for pedestrians and road users where no footway exists
  - prevent the encroachment of grass on to paved areas
  - prevent the spread of weeds
  - maintain and enhance the biodiversity of road side without compromising road safety

Appearance is a high priority for urban verges whereas in rural areas conservation is given a greater importance.

**2.0 Policy**

- 2.1 Rural Verges (Roads with Speed Limit >40mph)  
Cutting will be carried out to visibility splays, at junctions and on bends and a 1.2m swathe adjacent to carriageways or footways. The frequency of cutting will be dependent on the rate of growth but will normally be twice per year. Additional cutting of visibility splays at junctions and bends will be carried when conditions determine that sight lines are, or are likely to become, obstructed by vegetation. The vegetation is to be cut to a height of below 100mm.
- 2.2 There are some special rural verges containing wild flowers. These areas of verge where identified are subject to a sensitive maintenance regime which takes account of the wild flowers and biodiversity of the area.
- 2.3 Urban Verges (Roads with Speed Limit 40mph or less)  
The whole width of the verges shall be cut to maintain the height of the grass between 25mm and 100mm throughout the year.

- 2.4 Vegetation around road sign, columns, safety fences, posts, walls and other vertical obstructions that cannot be cut around by mowing machine shall be cut by other means.
- 2.5 The application of the rural and urban standards shall be flexible and depend on the general character of the particular road or area rather than be determined strictly by speed limit considerations.
- 2.6 In addition to ensuring that the verges are adequately and regularly cut, the Council will also endeavour to ensure that the highway verges are not adversely damaged by vehicles, either through parking or over-riding. Measures to protect affected verges may comprise the installation of physical barriers, verge reinforcement/strengthening and/or restraint through legislative means.
- 2.7 Apart from exceptional circumstances – i.e. where immediate works are required to obviate danger to users – the need for verge reinforcement works will be assessed and any works will only be undertaken as part of a planned programme of maintenance works.

## **Policy: Highway Weed Control**

### **1.0 Introduction**

- 1.1 There are two distinct aspects of the highway weed control function;
- The first is the treatment of general weeds which are likely to interfere with the highway e.g. when they create a hazard, cause structural damage, affect drainage systems or become unsightly.
  - The second aspect is the statutory duty to control harmful/noxious weeds on the highway; these are defined in the Weeds Act 1959 and the Wildlife and Countryside Act 1981.

### **2.0 General Weed Control**

- 2.1 The following problems can arise from general weed growth on the highway if left unabated:
- Weeds will cause structural damage to the footways, carriageways and cycle ways if they are allowed to grow freely. Hence in the long term, much greater maintenance costs will result from an inadequate weed control strategy.
  - Weed growth is visually intrusive and heavy growth can give the impression that the highway network is being poorly maintained. This would impact upon customer satisfaction surveys and therefore Best Value.
  - Weed growth in the carriageway channel will cause a build up of detritus which will impede the effective drainage of the highway.

For these reasons, it is essential that the Council has an effective means of controlling weed growth on the highway.

- 2.2 Treatment intervals for the application of weedkiller will vary depending on a number of factors including climatic conditions and amount of debris on highway etc. For this reason it is more appropriate to set a performance led specification for weed control rather than a specification which stipulates a fixed number of weedkiller applications.

### **3.0 Control of Noxious/Invasive Weeds**

#### **3.1 The Weeds Act 1959**

The Weeds Act 1959 empowers DEFRA to serve notice requiring an occupier of land to take action to prevent the spread of certain specified weeds. Prosecution under the Act is pursued by DEFRA specifically when agricultural land is threatened by the specified weeds. DEFRA may also elect to have a third party undertake any necessary action and recover costs from the occupier.

Specified weeds under the Weeds Act 1959 are Spear Thistle; Creeping Thistle; Curled Dock; Broadleaved Dock and Common Ragwort

### 3.2 The Wildlife and Countryside Act 1981

Section 14 of the Wildlife and Countryside Protection Act 1981 makes it an offence, liable to a fine, to plant or otherwise cause to grow in the wild, certain specified weeds. It may be a defence to prove that all reasonable steps were taken to prevent the plants growing in the wild.

Specified weeds under the Wildlife and Countryside Act 1981 are Giant Hogweed; Himalayan Balsam and Japanese Knotweed.

### 3.3 The Town and Country Planning Act (England & Wales 1990)

Section 215 (England & Wales) empowers Local Authorities to serve notice on owners or occupiers of land to control weeds considered harmful to the amenity of the surrounding area. Failure to take appropriate action may be liable to a fine, or alternatively the Local Authority may recover costs incurred in employing a third party to take the appropriate action.

- 3.4 It is clear from the legislation that there is a duty on the authority to take practicable measures to control the growth and prevent the spread of harmful/noxious weeds on the highway. Failure to do so could potentially result in prosecution under one of the above Acts and/or compensation claims from adjacent landowners.

## 4.0 **Policy**

- 4.1 The Council will carry out total weed control operations on areas of paving and hard standings, kerb, channels, back of footway, hedge bottoms and around street furniture.
- 4.2 Weed control measures will be by either herbicide application or by mechanical and/or hand pulling of weeds. Cutting may also be used to achieve the level of vegetation control required.
- 4.3 The Council will carry out selective weed control operations on rural highway verges to control the growth of injurious, noxious and controlled weeds including other invasive vegetation.
- 4.4 The Council will respond to complaints and reports of weed infestation and carry out where necessary spot treatment of vegetation with herbicide or by mechanical/manual removal to ensure that the Council's objectives and statutory obligations are met.

## **Policy: Highway Hedge Maintenance**

### **1.0 Introduction**

- 1.1 One of the main reasons why Cheshire is regarded as being such an attractive county is that many of its country lanes and roads are still bounded by mature hedgerows and trees. Not only do these features play a key role in shaping the overall landscape character of the county, but they also help to attract inward investment, combat pollution, encourage tourism, provide an ideal habitat for a wide range of flora and fauna whilst also offering users varied, pleasant and interesting routes.

### **2.0 Maintenance Objectives**

- 2.1 Safety is the dominant issue in the maintenance of all boundary hedges. The frontagers, and not Cheshire East Council, usually own them. Hedges need cutting back so that overgrown branches do not impede pedestrians, drivers' sight lines are not blocked and traffic signs not hidden.
- 2.2 We notify landowners of any potential danger to the highway user from overgrown hedges or overhanging trees (which are usually owned by the adjacent landowner if they are within the hedgerow). If the landowner is not able, or is unwilling, to carry out the work, the Council can arrange for cutting to be done and the landowner charged for the work. Hedges within the road verges are the responsibility of Cheshire East Council. Many Parish Councils help us by reminding landowners of their responsibilities
- 2.3 Where the Council is the owner of a hedge then it will be maintained so as not to cause a nuisance or obstruction to highway users.

### **3.0 Policy**

- 3.1 Hedges that are the responsibility of the Council shall cut back or trimmed as necessary so as not to impair highway safety and use by the public. The growth from hedges will be controlled so as not to obstruct sight lines, signs, streetlights etc. or hinder highway maintenance operations.
- 3.2 Cutting and trimming of highway hedges shall be restricted to the autumn and winter months. Trimming during March to August is likely to damage or disturb nesting birds and their young which is an offence under the Wildlife & Countryside Act 1981.
- 3.3 Any additional cutting or trimming of hedges outside the autumn/winter period shall only be carried out to maintain public safety and appropriate measures shall be taken to ensure that damage to wildlife and habitats is minimised to accord with the Wildlife and Country side Act 1981.
- 3.4 The Council shall maintain a schedule of hedges that it maintains and update the records as necessary.

- 3.5 The Highways Act 1980 (Section 154) empowers the Council, as Highway Authority, to protect the safety of highway users by ensuring that owners and occupiers of land adjacent to highways carry out their legal duties in respect of roadside hedges impacting on highway safety.
- 3.6 Where the Council becomes aware of a hedge impacting on highway safety a notice will be served on the landowner or occupier under section 154 of the Highways Act 1980. This gives the landowner 14 days to undertake the necessary maintenance work. In the event that the maintenance is not carried out the Council will carry out the work and recharge the landowner or occupier.

## Policy: Highway Surface Water

### 1.0 Introduction

- 1.1 The efficient operation of highway drainage systems plays a major role in maintaining the safety and serviceability of the network. Primarily, they are provided to fulfil the following:
- Ensuring that the highway is drained efficiently and effectively removing surface water from the carriageway and footway.
  - Ensuring that properties adjacent to the highway do not suffer flooding due to the highway drainage system
  - Limiting the negative effects that poor drainage has on the integrity of the highway structure.
  - Ensuring that watercourses are not contaminated by highway pollutants.
  - Fulfil the statutory duties required under the Flood and Water Management Act 2010.
- 1.2 Generally, they are made up of a number of different elements:
- Piped drainage – includes gullies, inspection chambers, soakaways, kerb offlets and a wide variety of conduits and ironwork.
  - Ditches and grips – They may become obstructed due to silting, accumulation of vegetation and debris as well as damage by traffic
  - Culverts – a channel or conduit carrying a watercourse under roads.
- 1.3 Flooding on carriageways, cycleways and footways can arise due to a number of factors some of which may be related to the condition of drainage systems. For instance, as well as structural failure, piped systems and culverts can suffer from silting and blockage by debris and vegetation. Furthermore, ironwork and inspection chambers may be subject to subsidence and on occasions collapse.
- 1.4 To discharge our statutory duty as required by the Flood and Water Management Act 2010 inspections of flooding incidents will be undertaken whenever notification of such an event is received. During periods of consistent or heavy rainfall, numerous incidents can be reported and inspections of these will be carried out as resources allow. When flooding constitutes a risk to the safety of the highway user or threatens adjacent properties, the Council will do what is reasonable and practicable to alleviate the problem and minimise the risk.
- 1.5 Flooding incidents will be recorded and if such instances reoccur regularly, investigations will be carried out to ascertain the cause. If it is identified that the problems are due to the failure of the drainage system, appropriate

remedial work will be undertaken as soon as funding can be secured and the works can be programmed. On occasions, remedial works may be of a specialised nature or require significant pre-planning. Such schemes will be considered for implementation as part of the planned structural maintenance programme.

- 1.6 For those elements which are visible, defects will be identified when safety or other inspections are carried out (i.e. following a service request). Details of defects will be accurately and properly recorded and dealt with in accordance with the Highway Safety Inspection Code of Practice.

## **2.0 Policy**

- 2.1 The cleansing, emptying and removal of detritus from highway drainage units, gullies, manholes, catchpits, channels and combined kerb and drainage units will be carried out at frequencies, appropriate to their location, to ensure the effectiveness of the highway drainage system.

Cleansing of drainage units includes:

- The removal of all detritus and weed growth around and in drainage units including any surrounding apron.
  - Checking and clearing connections
  - Recharging gullies with water and
  - The reporting of any damaged or non-functioning units
- 2.2 Highway drainage interceptors will emptied and cleansed at a frequency to ensure they function correctly and do not contaminate water courses or drainage systems.
- 2.3 Where the highway drainage is found or reported to be not fully functional through the Council's routine inspections or report from the public the issue will be investigated and any blockages cleared and system repaired to return the system back to its fully operational condition.
- 2.4 Where third party drainage adversely affects the highway the Council will investigate and take such action, involving other agencies as necessary, to protect the highway and its users.
- 2.5 Carry out investigations of flooding incidents (where appropriate or necessary) to identify which organisation have the relevant flood risk management functions and what they have done or intend to do to mitigate this risk.