

The Highway Safety Policy is basically 'The Highway Bible' and decisions made in most instances are based on the content within.

POTHoles <https://new.devon.gov.uk/roadsandtransport/report-a-problem/>

Information regarding potholes, materials & an explanation.

Pothole remedial works - whilst every effort is made to ensure that remedial works are permanent and appropriate materials conforming to The Highway Authorities Product Approval Scheme (HAPAS) are employed, it should be appreciated that the recent weather conditions have been far from ideal and that materials are susceptible.

Alternatively, to simply leave the pothole until such time as weather conditions improve would require the pothole to be made safe by signing/guarding and/or possible road closure incorporating considerable resource and cost, while creating a substantial backlog.

Whilst our higher category roads are prioritised accordingly, our routes are optimised centrally to endeavour that they should be carried out in the most efficient and cost effective manner possible whilst complying with our policy response times.

If a member of the public or Parish see a pothole that meet the intervention levels of being over 300mm in diameter and having a vertical face (sharp edge) of 40mm or over, the quickest and easiest way to deal with them is to report them online through our web site using the link below. This is the same as I would do and goes straight to the contractor for investigation saving the time of the Neighbourhood Officers visit.

NOTE: -

- Potholes are only filled provided the about criteria is met and only those reported will be inspected/filled accordingly.
- When logging potholes through the Public Information Portal (PIP) system, they must be entered individually and not blocked together, our contractors will only deal with each pothole individually, therefore each must have its own unique number.
- The response time for Pothole repairs vary depending on the category of road, In most case the response time is 28 days from the date of log.

FLOODING & DRAINAGE <https://new.devon.gov.uk/roadsandtransport/maintaining-roads/flooding-and-drainage/>

Devon has approximately 180,000 gullies. A sudden storm or downpour can often result in more water on the road than our gullies or ditches can cope with. In severe weather the capacity of the drainage system can be overwhelmed by the amount of water trying to run off from the road and flooding can occur.

We will:

- empty urban gullies with sumps at least once every three years
- empty rural gullies with sumps at least once a year
- flush gullies without sumps once a year
- respond to reports of blocked drains which are causing standing water

Under Devon County Council Policy, intervention will only take place subject to the following conditions.

Standing water or running water

We will take action if, 24 hours after the rain has stopped, there is standing water where a speed limit of 40mph or above is in force, and where highway users can reasonably travel at 40mph or above, to minimise the risk of aquaplaning.

Highway flooding causing an obstruction

If it's an emergency and there is danger to life as a result of flooding call 999.

We will take action if a blocked or damaged highway is causing a property to become flooded or causes a road to become impassable.

If, 24 hours after the rain has stopped:

- **the road is impassable**

- the water is forcing vehicles, cyclists or pedestrians away from the nearside of the road by more than one metre
- vehicles have to cross the centreline marking

We will attempt to clear the standing water if appropriate. If unable to clear the water, we will use a flood sign or guard the area or close the road to make the location safe and then investigate a permanent solution.

Consultation may be required with adjacent landowner/occupier where appropriate and could result in legal action being taken in extreme circumstances.

On some occasions the Gully requires the intervention of the 'Gully Sucker' to remove debris/silt which may have accumulated in the sump at the bottom of the drain (A sump is a trap in the drain which catches the material that is washed in. This helps to ensure that the water flowing in the pipes is not obstructed), on other occasions where the sump itself may be clear, the pipe which takes the water away may be blocked so a high pressure jet of water (Jetter) is used to force the obstruction through and then is normally removed further along the system, however, If a gully is blocked, this doesn't necessarily mean that it is a safety defect (in accordance with DCC policy) and intervention will only take place if the above (in red) applies.

Please note that standing/running water will not be investigated during prolonged heavy rain.

NOTE: - It is inevitable that during adverse weather such as that recently experienced earlier in the year, some flooding may be caused to the highway network due to debris/silt build up in ditches & gully sumps/gratings, in cases such as this, the above policy applies.

LAND DRAINAGE RESPONSIBILITY - LOW LAND & WATER

Unfortunately, Devon County Council are not empowered to prevent the natural course of drainage and where this natural drainage is intercepted by roads, these roads may even become temporary watercourses.

Devon Highways are responsible for dealing with rainfall upon the highway but not water that flows off adjacent land onto the highway or to a point lower down. Unfortunately, land owners adjacent to the highway also do not have to prevent the natural drainage of water from flowing onto the highway unless this causes a pollution to watercourses.

By law, a person owning lower-level land has to accept natural land drainage water (that is, spring water, ground water or surface water run-off) from adjacent land at a higher level.

As a land/property owner/occupier, you are permitted to make necessary adjustments to prevent flooding to your property provided there is no interference with the drainage from the highway or to the detriment of other land/property owners/occupiers (Planning permission may be required in some instances).

DITCHES

Roadside ditches, a brief

There are 3 categories of roadside ditch:

- A ditch created by the Highway Authority and owned by them solely for draining the highway, which is the responsibility of the Highway Authority
- A ditch on the road side of fences and hedges taking land drainage as well as highway drainage, which is the responsibility of the Riparian Owner
- A ditch on the field side of a fence or hedge taking land drainage as well as highway drainage, which is a responsibility of the Riparian Owner

The Highway Authority has a prescriptive right to drain the highway to adjoining roadside ditches. Rural roads rely to a great extent on ditches to remove water and their effectiveness is vital to keeping them in good condition. Common Law imposes a duty on the owner of land adjoining a highway to maintain these ditches that provide natural drainage for both the land and highway. In the majority of cases the responsibility for ditch maintenance rests with the adjacent landowner.

Areas which are on private land are the responsibility of the land owner/occupier who should ensure adequate maintenance to prevent flooding to the highway or properties.

Only pipes/culverts which run under the highway are the responsibility of the Highway Authority and excludes installations where permission has been granted for example, piping from one field to another on opposite sides of the road.

HEDGES/VEGETATION

<https://new.devon.gov.uk/roadsandtransport/maintaining-roads/trees-and-vegetation/grass-cutting/>

Many hedges and trees grow on the edge of the highway and mark its boundary with private property. In these cases, the adjacent landowner or occupier is responsible for maintaining them. This also applies to trees that overhang the highway or fall on to it.

As the highway authority, we have to protect the safety of highway users by ensuring that owners and occupiers carry out their legal duty to maintain roadside hedges and trees. Owners and occupiers are required to:

- Trim hedges and trees to ensure growth does not obscure the view of road signs.
- Trim roadside hedges to maintain visibility for road users, particularly at junctions and on the inside of bends.
- Trim any hedge that directly abuts a road, footway, cycleway or public right of way so that growth does not prevent the passage or affect the safety of the highway user, including cyclists and pedestrians.
- Remove dead or decaying trees and other growth that may fall across the highway.
- Remove branches and other growth that may prevent the passage of high-sided vehicles or obstruct light from a street light.
- Ensure the highway (including the footway and drainage features) is left clear of debris from any cutting operations.

With the above in mind, there is often clear evidence of growth but not significant with action required under Devon County Council's policy for intervention.

We carry out grass-cutting on highway verges in areas that are key to maintaining visibility, such as at junctions, laybys, and the inside of bends. The aim of grass-cutting is to keep the highway safe and to maintain visibility for all road users. This has been agreed by Cabinet following the public consultation carried out in 2014.

Grass-cutting frequency: -

- Grass-cutting in the visibility areas alongside rural roads is normally carried out once a year.
- Rural roads that are more important to the network, such as A and B roads, may be cut more frequently, usually twice a year.
- Grass-cutting in visibility areas alongside urban roads is undertaken up to four times a year sometimes by district and parish councils using a contribution from Devon County Council.
- Grass-cutting may be done more frequently by city or district councils; this is at their discretion and is funded by them.

Additional cutting is done to facilitate maintenance work, such as surface treatment or ditch cleaning. Grass-cutting is also done to provide forward visibility to essential road signs. We will not cut grass at the access to private roads and drives.

Places where pedestrians are encouraged to cross, such as where a public right of way meets a road, are included.

Some hedges are also cut in visibility areas, even though they are the responsibility of the adjacent landowner.

Grass cutting is done as a planned programme.

Only report grass for cutting if it is affecting visibility and preventing a safe line of sight and stopping distance.

Devon County Council do not remove green waste following grass cutting works. The waste is left on the verges to naturally rot down.

Weed management: -

We do not treat unsightly weeds. However, we may sometimes carry out weed-spraying in some drainage systems, on high-priority roads, and before constructing new footpaths. We may also spray weeds during highway maintenance work to prevent damage to the structure or surface of roads and paths.

“3.2 The policy to achieve the County Council's objectives is given below:

Cutting on visibility areas (junctions, laybys and the inside of bends) is undertaken on an 'as needed' basis and the frequency below has proved adequate:

Rural Priority Network - twice or occasionally three times per annum

Rural other roads (excluding maintenance category 12 roads) - once per annum

Urban roads (excluding maintenance category 12 roads) - four times per annum

The Neighbourhood Office is authorised to determine the timing of the cutting and whether the maximum number of cuts is necessary. In a normal growing season, the rural cutting commences on Priority Routes during mid-May. Urban cutting usually commences in April. Any cuts additional to the maximum number will be regarded as being for amenity or environmental purposes and will be the responsibility of City, Borough or District Councils. Partnership arrangements for commissioning the highway and amenity work are encouraged where appropriate.

Additional cutting (including other areas) will be undertaken to facilitate other maintenance works for example surface treatment or ditch cleaning. Also, to provide forward visibility to essential road signs”.

MUD

Mud is a slightly different issue as most roads will at some time or another have an amount deposited on it, however, occupiers of land have a duty not to obstruct the public highway or do anything that could inconvenience or endanger the public while they use the highway. It is an offence under the Highways Act to allow soil or refuse from land adjacent to a public highway to fall, be washed, or carried on to the road. This is also an offence under Devon Bylaw 22. If Devon County Council considers the mud to be potentially hazardous the person responsible will be contacted and asked that the mud be removed. If it is not removed within a reasonable time the Council may arrange for the work to be undertaken and recharge the person responsible. In serious cases, the police can take action to ensure mud is removed.

ROAD SURFACES/REPAIR <https://www.devonnewscentre.info/devon-announces-pothole-action-fund-repair-schemes/>

Devon's roads and bridges are a most important and valuable asset (£10.2bn) and it is essential that we do all that we can to keep them safe and available for people to use.

The County Council recognises the importance of the road network to the local economy and will continue to keep A and B roads in good condition as far as possible. This is our Strategic Plan pledge and acknowledges that the majority of traffic use it in the County as a network that leads from the Motorway and Trunk road system to Exeter and our coastal and market towns.

To keep roads in their current condition would cost an average of £68 million per year. Therefore, the allocation is insufficient to protect the asset which will continue to deteriorate albeit our efforts will be to slow this down as much as possible. The funding available is used for planned structural maintenance designed to keep assets sound and to reduce long term costs and involves some resurfacing but also a programme of surface dressing which will seal the road and help prevent deterioration of the surface. This approach involves an element of preventative work so does not always select the repair of the worst roads first. The preventative maintenance strategy is making sure that we get the best value out of our funding. A “worst first” approach has been demonstrated to be more expensive in the long run as it would allow roads in a reasonable condition to get worse such that they then need full reconstruction. The preventative maintenance approach includes a large surface dressing programme, which restores surface texture and can improve skidding resistance and slow water penetration into the structure of the road thus prolonging its life.

It is evident through safety inspections and condition surveys, that there are many minor roads that would benefit from structural maintenance. However, for the foreseeable future the priority will be to keep busier roads in a serviceable condition with the limited resources available.

The Council will use reasonable endeavours to fulfil its basic legal obligation to keep all roads that are maintainable at public expense in a state of repair that allows for the reasonably safe passage for all normal ordinary traffic using the road.

Note: - On many roads, it has to be borne in mind that normal traffic may be few with vehicles travelling at low speed and that there is no requirement to travel any significant distance, therefore, whilst we will commission repairs to make the road passable with due care and provide reasonable access (such as dealing with individual deep pot-holes), we cannot justify using, nor have access to, public funds for more extensive works.

The above said, many roads have already been identified for patching or surface dressing as part of the Pothole Action Fund allocation, however, this is done on a priority basis and with a number of factors having to be considered (potential sites are also by agreement with the county councillor), including as previously advised, subject to available funding.

SURFACE DRESSING <https://new.devon.gov.uk/roadsandtransport/maintaining-roads/surface-dressing/>

We surface dress many of our roads; this involves treating the road surface to stop it getting worse. These treatments are usually cheaper than expensive rebuilding works so we can maintain more roads for the same budget. This is why some of the worst roads are not worked on first.

What is surface dressing?

Surface dressing is a cost-effective way of restoring the road surface and sealing it in one process. Surface dressing also:

- improves skidding resistance which makes the roads safer
- helps to make a road waterproof
- protects the road against frost and water damage.

We spray the road with bitumen binder, followed by a layer of stone chippings. The chippings are pressed into the surface by a roller. To ensure a uniform coating of the emulsion, more chippings are deliberately applied to the surface than are actually required to complete the dressing process. Following this process, some stone chippings will be present, however, before the road is open to traffic it is swept to remove around 90% of excess chippings. The road then receives further sweeps after 7 days, 14 days and a final sweep between 21-28 day if required to remove any loose chippings that result from the action of road traffic.

Advisory speed limits are used to keep traffic speeds to 15 mph until we are confident the dressing has settled down.

Roads are treated between April and September because the process needs warm, dry weather to allow the dressing to become established.

SURFACE DRESSING - FAULTS

Due to the very high temperatures, we have all been experiencing, the road temperatures have regularly risen above 50 deg C. This has had the effect of making some of our more open roads (rather than tree covered) becoming binder rich and liquefied in the wheel tracks and high stress areas. To try and combat this a programme of applying fine sand/grit on highlighted roads has been implemented to help protect the road network and to prevent the bitumen from becoming soft. This treatment is a precautionary measure and we are monitoring all main roads across the county, especially those in exposed areas and routes which have recently been surface dressed. Devon County Council and the surfacing contractor (Kiely Bros.) have been in constant communication to try and highlight the worst affected roads and stop any damage to any new surfacing. Once the road temperatures drop back down to normal levels any areas adversely affected will be reported and remedial works applied accordingly.

Issues relating to Surface Dressing works are forwarded to our Asset team who will inform Kiely Bros of any concerns and ensure it is investigated, if not already done so.

DIVERSION ROUTES

When a diversion is put in place, where possible the contractor involved will always try and plan the shortest route using the same category of road or better to that of the road being closed, there are of course instances where this isn't possible.

Issues regarding diversion routes should be directed to the appropriate contractor/utility involved by using the contacting information on the courtesy board on site.

COMPENSATION DUE TO ROAD CLOSURE

Devon County Council cannot make payments in respect of compensation as a result of its highway works. When Parliament passed the relevant legislation that requires the maintenance of public highways (Highways act 1980) there was no requirement on highway authorities to pay compensation to residents or businesses that might be affected by such works. We always try to ensure that we schedule and carry out such works in a way that minimises disruption and inconvenience and but even if that occurs I am afraid there is no legal basis on which we can make compensation payments.

DOUBLE YELLOW LINES & HIGHWAY MARKINGS MODIFICATIONS

The installation of parking restrictions on the public highway requires a formal traffic order to give the restrictions legal effect. Adding or amending parking restrictions is not as easy as simply placing the new lines or markings on the road, as these markings would have no legal standing on their own.

Unfortunately, the introduction of parking restrictions involves a lengthy and costly legal process as a Traffic Regulation Order (TRO) is required to make them enforceable, the cost of this being in the region of £3-5,000. The time scale for completion is around nine months to a year depending on the outcome from Public consultation, approval of Local Parish & County Councillors and the level of objections/submissions received in regards the proposals.

In order to mitigate the cost and time impacts, parking restrictions are not introduced individually, instead being brought in as part of a periodic parking review.

All locations are prioritised and only those which provide the greatest benefits to traffic and to the safety of all road users are likely to be carried forward. Our experience has shown that parking restrictions are largely ineffective in the vicinity of schools, as those motorists who park to drop off or collect children are usually only there for a short period of time, remaining in their vehicles, and as such avoiding any enforcement. Consequently, parking restrictions for this purpose are not considered to be cost effective, and are not likely to be taken forward.

Requests for Double Yellow Lines (DYL's) or modifications to School Zig Zags, Limited Waiting or Loading restrictions etc are investigated by the Highways Officer and either rejected (not meeting criteria) or added to the Highway And Traffic Orders Committee (HATOC) list for consideration.

BADGERS <https://naturalresources.wales/media/3889/guidance-on-undertaking-work-close-to-badger-setts-that-cannot-be-licensed-under-the-protection-of-badgers-act-1992.pdf>

Badgers are protected by legislation. Works in the vicinity of a badger sett are only permissible, under licence, between the months of July and November, so any works to repair the road will need to be undertaken during this time. Any work that disturbs badgers is illegal without a licence and Natural England are responsible for issuing licences to permit interference with a badger sett. As such, we are reliant on the advice of the organisation in our decisions regarding the maintenance options for any site.

LENGTHSMAN now called GRIPS, BUDDLEHOLE & EASEMENTS GANG

Parish lengthsman visit each parish in Devon on a programmed basis to undertake the cleaning of drainage features such as grips and easements and hand cleaning of gullies on the minor network.

Get 2 visits per year, 2 days each visit.

HIGHWAYS ENGLAND

The A35, A30, A303, M5 are under the authority of Highways England and therefore all correspondence/enquiries should be direct to them. Their nationwide contact number is 0300 123 5000

USEFUL CONTACT NUMBERS/INFORMATION <https://new.devon.gov.uk/help/contact-us/>

Customer Service Centre (CSC) 0345 155 1004

Highways England (Nationwide Contact Number) 0300 123 5000

HOCC (Highway Operations Control Centre) 24hr 7 days-a-week 0345 155 1008

USEFUL WEB LINKS

DCC Website 'Roads & Transport' <https://new.devon.gov.uk/roadsandtransport/>

DCC Accident sites/statistics <http://www.devoncctraffweb.co.uk/public/collisionmap.html>

Roadworks.org <https://www.roadworks.org/>

Winter Service Information <https://new.devon.gov.uk/roadsandtransport/safe-travel/winter-travel/grit-bins/>

Annual Collision Report (public facing)

<https://new.devon.gov.uk/roadsandtransport/safe-travel/road-safety/collision-data/collision-reports/>

Devon Collision Map (public facing)

<http://www.devoncctraffweb.co.uk/public/collisionmap.html>

Devon Collision Dashboards (public facing)

<https://new.devon.gov.uk/roadsandtransport/safe-travel/road-safety/collision-data/data-dashboards/>

AMENDMENTS

OTHER USEFUL INFORMATION