

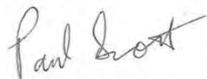
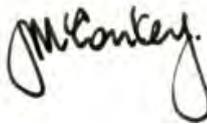
# Strategic Guidance for Highway Safety Inspections

Second Edition: April 2024

## Quality Management

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## **Safety Inspections of Adopted Public Highways within the Borough of Sefton Council.**

### **1.0 Introduction.**

Sefton Council, as the local highway authority, have a statutory duty under Section 41 of the Highways Act 1980 (“the Act”) to maintain highways which are under their control. The duty is owed to all users of highways, whether using vehicles or on foot. For the purpose of this document the term “highway” is used to include “road” and “street” over which “the public at large” can pass and repass as frequently as they wish, without hindrance and without charge.

The duty only applies to highways maintainable at the public expense and does not extend to unadopted highways or private roads which the highway authority is not responsible for.

Sefton Council, need to prove that they have taken such care as in all the circumstances was reasonably required to secure that the part of the highway was not dangerous. This is usually proved by having a reasonable system of routine scheduled highway safety inspections or customer led highway safety inspections in place having regard to various factors set out within section 58 of the Act.

This document describes Sefton Council’s procedures for highway safety inspections. It sets out consistent practice for those carrying out highway inspections and managing the process.

The information contained within this document sets out the practices in terms of network hierarchy, investigatory levels, frequency of inspections and response times to repair defects identified on a Risk Based Approach.

This Strategic Guidance is underpinned by the recommendations set within the ‘Well-Managed Highway Infrastructure: Code of Practice 2016’ (“WMHI 2016”) published by The UK Roads Liaison Group on 28 October 2016 (amended 15 March 2017) which provides highway authorities with guidance on highways management strategies. Adoption of the recommendations contained in the WMHI 2016 code is a matter of judgement for each highway authority, based on their own legal interpretations, risks, needs and priorities.

This document also has due regard for the following documents:

**Transportation & Highways Infrastructure Asset Management Policy & Strategy 2019.**

**Highways Act 1980.**

**Highway Risk and Liability Guide – Code of Practice Liverpool City Region Highway Safety Inspection Framework.**

**ISO 31000:2018 This policy came into force on 1st April 2022.**

**1.1 Purpose.**

1.1.1 This Strategic Guidance is to assist Highways inspectors and those managing the process of safety inspections to arrive at reasonable and consistent decisions. The guidance sets out standards and is intended for use by Council officers who may be required to report concerns or to deal with reports of concerns received from Members of the Public, Police, Councillors, Disabled Associations, Residents Groups and other third parties.

1.1.2 Highway inspections are of three types: Safety, Service and Structural Condition.

**Table 1.1. Inspection Types.**

<b>Inspection Type</b>	<b>Inspection Definition</b>
<b>Safety Inspections</b>	To visit highways on a scheduled basis, identify, risk assess then record actionable defects and initiate action to make safe within prescribed timescales.
<b>Service Surveys</b>	The scale and scope of these inspections are optional. Their purpose is to record non-urgent repairs that are to be considered for inclusion in programmes of surface treatments, large patch repairs, resurfacing or reconstructions.
<b>Structural Condition Surveys</b>	To assess the overall structural condition of sections of the road network so that funds can be allocated where need is greatest.  Assessments may consist of the following: Visual Surveys (coarse and detailed), Deflection and residual life, Skidding resistance, Comprehensive machine surveys.

1.1.3 This Strategic Guidance sets out the criteria for **Safety Inspections**. It does not include the Policy and Practice for ice, snow and winter maintenance which is laid down in the Sefton Council’s annual Winter Policy. It also does not include the policy and practice for floods, flood damage, storm damage which is laid down in the Sefton Council’s Flood Management Strategy & Plans.

1.1.4 The WMHI 2016 recommends ‘Changing from reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each Highway Authority’. The Council’s frequency of inspection and specific investigatory levels are based on the risk, functionality or usage of the highway’.

### **2.0 Safety Inspections.**

#### **2.1 General.**

- 2.1.1 Throughout the development of this Strategic Guidance Sefton Council has consulted with its neighbouring authorities to strive to achieve where possible consistency in approach, as recommended within the WMHI 2016.
- 2.1.2 This Strategic Guidance highlights example quality standards for highway safety inspections on the roads within the Sefton Council. In most cases, the recommendations in this guidance will be sufficient, but staff engaged on safety inspections will always be expected based on their experience and competence to apply their own on-site judgement to take account of particular & unique circumstances and to make decisions on the risks as they see it. All details of inspections, defects and intended repairs should be recorded, together with the details of when subsequent repairs are carried out and completed. In addition, sections with no defects identified on site must be positively documented as such.
- 2.1.3 This document details the risk-based inspection regime carried out by trained and competent highway safety inspectors and investigators. It sets out example quality standards to be followed on the Borough's roads. It is to be used by all members of staff who may be required to report defects or to attend sites to conduct follow up inspections on concerns reported by members of the public, the police, local Councillors etc.
- 2.1.4 The highways safety inspections are supplemented by other ad-hoc inspections and assessments, undertaken in accordance with national standards and/or good practice in response to (1) specific requests received through correspondence or other channels, and (2) technical notes and circulars published by organisations including the Department for Transport, National Highways and Local Authority associations. Additional inspections may be implemented following ad-hoc risk assessments in response to user or community concern, as a result of incidents or extreme weather conditions, or in the light of monitoring information.
- 2.1.5 This Strategic Guidance will be subject to periodic review, to implement identified improvements through continual evaluation of the WMHI 2016 Code of Practice and any changes to reflect new legislation and recommendations within national guidance together with any emerging case law, along with internal reviews on the efficiency and effectiveness of our Highway Maintenance systems. Any updated versions of this document will be submitted for approval in accordance with agreed Council procedure.
- 2.1.6 This Strategic Guidance is not intended as a detailed technical reference for all aspects of highway infrastructure maintenance or to repeat technical guidance available elsewhere.
- 2.1.7 Safety inspections are designed to identify all defects likely to create danger or serious inconvenience to users of the network or the wider community. Such defects should include those that will require urgent attention as well as those where the locations and sizes are such that longer periods of response would be acceptable.
- 2.1.8 Records of cyclic safety inspections and safety inspections following enquiries are maintained on Sefton Council's Highway Management Information System.

**2.2 Inspection Frequencies.**

2.2.1 Regular Inspections of the whole network are made by trained and competent personnel. Most inspections are carried out on foot however there are a number of areas without footpaths that are inspected by motor vehicle.

2.2.2 Inspection frequencies have been set based on a risk review of all roads in the Sefton Borough with focus given to areas of history or incidents reported, Condition, Road priorities and local road risk factors including schools, high use pedestrian areas...etc. to name a few. This has been done in accordance with the guidance provided by the WMHI 2016, extract:-

***‘Changing from reliance on specific guidance and recommendations in the previous Codes to a risk-based approach determined by each Highway Authority’. The Council’s frequency of inspection and specific investigatory levels are based on the risk, functionality or usage of the highway’ Tables 2.1 & 2.2 below.***

**Table 2.1 Inspection Regimes.**

Inspection Regimes	Walked	Reference	Driven	Reference	Cycled	Reference
Multiple customer enquiries only	2hr	S2HR				
Multiple customer enquiries only	24hr	S24HR				
Multiple customer enquiries only	10 Days	S10D				
Insurance Report	5 Days	I5D				
Planned Up to 12 x per year	Monthly	W1M	Monthly	D1M	Monthly	C1M
Planned Up to 6 x per year	2 Monthly	W2M	2 Monthly	D2M	2 Monthly	C2M
Planned 3x per year	4 Monthly	W4M	4 Monthly	D4M	4 Monthly	C4M
Planned 2x per year	6 Monthly	W6M	6 Monthly	D6M	6 Monthly	C6M
Planned 1x per year	Annually	WA			Annually	CA
Planned 1x every 2 years	Bi-annually	WBA			Bi-annually	CBA

At any point it is determined that a road risk needs to be increased (for example following an increased number of defects identified, or future development needs...etc) increased frequency of inspection regime can be put in place.

**Table 2.2 Road Risk Categories.**

Road Risk Categories Planned	Walked	Reference	Driven	Reference	Cycled	Reference
Very High	Monthly	W1M	Monthly	D1M	Monthly	C1M
High	2 Monthly	W2M	2 Monthly	D2M	2 Monthly	C2M
Medium	4 Monthly	W4M	4 Monthly	D4M	4 Monthly	C4M
Medium to low	6 Monthly	W6M	6 Monthly	D6M	6 Monthly	C6M
Low	Annually	WA			Annually	CA
Very Low	Bi-annually	WBA			Bi-annually	CBA

2.2.3 Due to the effect of weather, workload, Inspector availability and other operational reasons it may not always be possible to meet the inspection frequencies set out above. For this reason, a tolerance in the frequency of inspections has been set.

2.2.4 The tolerance on the period between inspections will be as detailed in Table 2.3 below. Where days are stated these relate to calendar days.

**Table 2.3 Safety Inspection Frequency Tolerance.**

Safety Inspection Frequency	Tolerance against programme
Customer enquiry demand Only 2hr	None
Customer enquiry demand Only Next day	None
Customer enquiry demand Only 10 days	None (if resources allow)
Insurance Report	None (if resources allow)
Planned Monthly	+/- 7 Days
Planned 2 Monthly	+/- 14 Days
Planned 4 Monthly	+/- 28 Days
Planned 6 Monthly	+/- 28 Days
Planned Annually	+/- 56 Days
Planned Biannually	+/- 56 Days

2.2.5 In exceptional circumstances, inspections may not be able to be carried out, e.g. during periods of extreme weather. In these circumstances, the Safety Inspection Policy may be suspended and/or temporary measures put in place. The decision and action taken is to be documented, through a briefing note to either Cabinet Member or the appropriate Head of Service.

- 2.2.6 A complete highway index street listing with allocated frequencies is maintained on the Council’s asset and route management system. When an inspection is recorded the system automatically sets the next due date based upon the frequency of inspection. Weekly checks shall be undertaken by Highways Maintenance Team to ensure that inspections are being carried out on time (within the tolerance as stated above), and regular audit checks undertaken and documented, to ensure that inspections are being carried out in accordance with this guidance.
- 2.2.7 Site specific factors are then assessed to temporarily or permanently increase or reduce the frequency to mitigate any additional risk. The factors that may be taken into consideration are listed below in Table 2.4 but are not an exhaustive list.

**Table 2.4 Assessment Factors.**

<b>Factors</b>	<b>Details</b>
Characteristics of street and local knowledge	Schools, shops, hospitals, areas of large employment located adjacent to the highway.
Characteristics of adjoining network elements	Hierarchy of streets adjoining.
Condition data	Visual Assessments Defect numbers including minor repairs.
Accident rates	Claim statistics recorded on street, numbers and trends derived from claims.

**2.3 Investigatory Levels.**

- 2.3.1 The investigatory level is the level at which a risk assessment takes place to determine the action or non-action to be taken.
- 2.3.2 The investigatory levels for footways & carriageways adopted are detailed in table 2.5.

**Table 2.5 Indicative Investigatory Levels.**

<b>Category</b>	<b>Indicative Investigatory Levels</b>
Prestige Footway (Defined high use, shopping areas)	15mm
Footway	25mm
Carriageway	40mm
Carriageway/footway at pedestrian crossing	15mm
Kerb Defects (horizontal displacement)	50mm
Designated Cycle Route Carriageway/footway	25mm

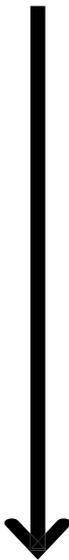
**2.4 Defect Risk Assessment.**

- 2.4.1 The safety inspection regime uses a risk assessment process as recommended in the WMHI 2016 Code of Practice. Any defect identified will be subject to a risk assessment by the inspector to determine the extent of risk it presents to the highway users.
- 2.4.2 The usage categories contained within Tables 2.6 & 2.6a provide a basic guidance to the inspectors of the levels of risk regarding the likelihood & consequence of an event occurring on that particular category of highway.

**Table 2.6 Likelihood.**

<b>Carriageway Usage</b>	<b>Risk Descending</b>	<b>Footway Usage</b>
High Usage Urban Carriageway E.g. Derby Road.	<b>Higher Risk</b>  <b>Lower Risk</b>	High Usage Urban Footways E.g. Lord Street Southport.
Rural High Speed Carriageways E.g. Moss Lane (Hightown Bends).		Rural High Usage Footways E.g. Waddicar Lane.
Urban Low Usage Carriageways E.g. None bus routes, residential.		Urban Low Usage Footways, E.g. E.g. None bus routes, Residential.
Rural Low Usage Carriageways E.g. None bus routes, Lunt Road.		Rural Low usage Footways, None E.g. bus routes, Coastal Road.

**Table 2.6a Consequence.**

<b>Carriageway / Footway</b>	<b>Risk Descending</b>
In/near pedestrian crossing points adjacent to high level traffic flows or high speed roads, or on high speed bends or elevated cycleway's with limited edge protection measures, or adjacent to / or over a live railway line with potential to impact upon if accident was to occur which could result in significant injury risk. (life changing / fatal).	<b>Higher Risk</b>  <b>Lower Risk</b>
In/near high use footpath areas with medium level traffic flows, likes of school opening times or busy shopping areas with delivery vehicles, busy tourist routes, or within breaking zones for either vehicles or cyclists, adjacent to bridges & embankments which could result in a moderate injury risk. (serious).	
In/near average use footpath areas with low level adjacent traffic flows, like near park areas or local pedestrian link routes to busy areas adjacent to link roads, on a residential bus route, local shops and businesses, which could result in minor injury risk. (slight).	
In/near low use footpath areas with minimal traffic flows, no bus routes, mainly residential areas with access limited to local population and associated family / visitors. (damage only).	

2.4.3 Any item that meets the investigatory level is to be assessed using the risk assessment matrix in Table 2.7.

2.4.4 The degree of risk = Likelihood x Consequence.

**Likelihood** of Event Occurring - The inspectors assessment of the likelihood of the defect to pose a danger or serious inconvenience to users of the network or the wider community.

**Consequence** of Event Occurring – The consequence (impact/severity) is identified by the Inspector assessing the extent of damage likely to be caused should the danger or serious inconvenience being realised.

**Table 2.7 Defect Risk Matrix.**

Matrix of Consequence vs Likelihood	Consequence	Consequence	Consequence	Consequence
	Very Low (1)	Low (2)	Medium (3)	High (4)
Likelihood Very Low (1)	1 Green	2 Yellow	3 Yellow	4 Yellow
Likelihood Low (2)	2 Yellow	4 Yellow	6 Yellow	8 Orange
Likelihood Medium (3)	3 Yellow	6 Yellow	9 Orange	12 Pink
Likelihood High (4)	4 Yellow	8 Orange	12 Pink	16 Red

2.4.5 It is the Risk Factor that identifies the overall risk rating and the speed of response to remedy the defect.

2.4.6 Having identified a particular defect, assessed its likelihood (danger / serious inconvenience) and its Consequence (impact/severity) and calculated the degree of risk, the priority and the timescale to rectify the defect is to be allocated.

2.4.7 The risk assessment matrix will be the prime document used by the Highways inspectors during the course of their inspections. The matrix will be used to assess the risk associated with the defect and the appropriate priority response as detailed in Table 2.8.

**Table 2.8 Priority Response.**

Priority	Response	Score	Risk Colour
P1	2 hours	16	Red
P2	24 hours	12	Pink
P3	5 Working days	8-9	Orange
P4	28 Calendar days	2-6	Yellow
P5	Record Purposes only	1	Green

2.4.8 inspectors may use discretion in arranging and prioritising repairs where the defects identified combined with additional factors represent either an existing or potential future hazard.

2.4.9 The Inspector in his final assessment of the risk takes account of other on site local factors. Although not exhaustive these may include:

- a) The close proximity of a school, hospital or other establishment which attracts increased activity.
- b) The location of the defect relative to other features such as junctions and bends. The proximity to other defects.
- c) The final on site risk assessment by the Inspector allows the appropriate priority response to be applied as per table 2.8.

2.4.10 It is recognised that on any highway network, a multitude of minor defects will exist which do not pose a risk or are classified as a low risk and may result in no action being taken nor them being recorded.

## **2.5 Defect Categories and Action to be Taken.**

2.5.1 Once the defect is identified and response time determined, the defect is recorded and given one of the following categories:

- a) Emergency Action (P1) - defects that are so dangerous as to require emergency action shall be made safe within 2 hours. Cones and signs may be used ahead of repair work but they are vulnerable and are a short-term solution only. The primary objective shall be to carry out a repair which will last at least until the time of the next inspection. Sometimes a combination may be requested e.g. temporary repair or make safe action followed by an order for permanent works.
- b) 24 Hour Response (P2) - defects that are an immediate hazard requiring prompt attention and repairs to make safe shall be made within 24 hours.
- c) 5-Day Response (P3) - Defects that are considered actionable and are of a size and location requiring a repair within 5 calendar days. Generally these defects could be located in the highly used pedestrian areas, or in breaking zones for cars and cyclists at junctions or crossing location.

- d) 28-Day Response (P4) - Defects that are considered actionable and are of a size and location requiring a repair within 28 days. These are the standard repairs and should be delivered when high pedestrian flows are not present.
  - e) General Enquiry, no response (P5) – No response required, Record Purposes only.
- 2.5.2 The allotted time to make safe a dangerous hazard starts from when it is either identified by the Inspector or by a trained member of staff. Response times are set out in the guidance and must be adhered to. The normal response is 2 hours for an immediate danger such as missing manhole covers, collapsed sewers causing sinkages etc. but longer timescales may be applicable dependent upon the level of risk associated with the particular defect.
- 2.5.3 Records of inspections and consequential actions must be kept for at least 9 years. It should be noted that all reported enquiries require risk assessment and if repairs are required they are actioned within the appropriate risk score identified timeframe for repair.

### **3.0 Safety Inspection Procedure.**

#### **3.1 Training & Competence.**

- 3.1.1 They all possess a Highway Safety Inspection Qualification City and Guilds 6033 – units 301 and 311 or equivalent, and the national highway sector scheme NHSS12D M7 for managers and client officers, with inspectors reporting to the Highways Management team.
- 3.1.2 It is recommended that any new highway Inspector shadows a colleague within the inspection team for a period of time prior to being formally authorised, and documented, to undertake inspections.
- 3.1.3 Induction training will be undertaken for any new employees.
- 3.1.4 All highways inspectors will be subject to the Authority's performance management and skills development process, which should be documented.
- 3.1.5 Regular team meetings and tools box talks will be undertaken to discuss issues in relation to the inspection process therefore allowing it to be documented and continually reviewed.
- 3.1.6 To assist with inspections and data recording the inspectors are provided with tape measures, depth gauges, measuring wheels and hand-held mobile tablet computers and trained in their use. Regular update training is provided as changes occur. Guidance notes and the appropriate protective clothing and safety equipment have been issued.
- 3.1.7 Regular audits will be undertaken and documented to review the competence of the highway inspectors and the quality of the inspections undertaken to ensure they are in possession of all equipment and PPE issued and it is in good working order.

#### **3.2 Location Referencing, Marking Out Defects and Recording Information.**

- 3.2.1 In order that defects may be recorded, and a contractor dispatched to the relevant area to carry out repairs, an accurate location shall be recorded. This will include the street name, ward and possibly the nearest house number, lamp column number, plotted co-ordinates and any other relevant indicators where appropriate.
- 3.2.2 The Inspector will note if the defect is in the footway, carriageway, verge etc. The defect should be clearly marked with white spray paint or in some limited situations with less intrusive crayon. Markings shall be kept to a minimum but sufficient to enable the contractor to identify the site and carry out a satisfactory repair, ideally leaving no markings on site upon completion of repair works. Also, a number of photographs shall be taken, one showing a close up of the identified defect and the others with a wider shot, taking in surrounding reference points. Without this information it would be difficult to later confirm or deny the presence of defects alleged to be the cause of injury or damage. The size of the defect shall also be accurately recorded using appropriate measuring equipment supplied to the Inspector. A photograph will be taken showing the measuring equipment in place for all 2hr, 24hr and 5-day defects.
- 3.2.3 The information from safety inspections is downloaded into the Council's Works Management System, which produces work instructions for the Council's maintenance contractors. The Contractor updates the defect repair dates into the system. Running reports from the system enables monitoring of outstanding work instructions. The database holds a complete history of every repair ordered.

3.2.4 In the event of a malfunction occurring to hand-held tablet devices recording of the actual co-ordinates and taking of photographs may not be possible. In these events manual/paper based records of any identified defects and mobile phone photographs shall be taken and input into the Council's Works Management System at the earliest opportunity.

### **3.3 Making out a Report.**

3.3.1 The hand-held tablet device has the facility for the Inspector to make a report for the attention of the engineering staff. Examples of situations for which this facility shall be used are as follows:

- a) To note the presence of outstanding repair work.
- b) As confirmation of the issuing of emergency work.
- c) To record the issue of defective apparatus reports to utility companies.
- d) To identify locations for which a standard enforcement letter is required.
- e) To suggest possible planned maintenance or resurfacing work to engineering staff.
- f) To suggest possible large patch repair sites to engineering staff.
- g) To photographically record areas of weed growth (Marestail & Knotweed etc).
- h) To identify defects that may be issued to other departments.

### **3.4 Schedule of Rates Codes.**

3.4.1 When an Inspector issues repair work they shall utilise their skill and judgement using the most effective way of delivering the works and the associated schedule codes listed on the hand-held table computer. Additional tool box talks with senior engineers in the highways team may be required to highlight any potential problem areas and find the optimum cost effective solutions.

### **3.5 Typical Defects.**

3.5.1 Typical defects noted on inspection and the actions are shown in Appendix B.

### **3.6 Wet Weather Inspections.**

3.6.1 Weather conditions are recorded for all scheduled inspections. Where inspections are carried out during or immediately following heavy rain the functionality of highway drainage systems will be assessed and defects noted.

### 3.7 Emergency Procedures.

- 3.7.1 If a defect is in the opinion of the Inspector sufficiently dangerous to require an emergency response, provision has been made for rapid action if required.
- 3.7.2 This will be initiated from site by the Inspector using a mobile telephone. The Inspector will contact the Highways Team or contract the appropriate Contractor directly. A Security back-up service (Sefton Arc Security) is on call out of hours, from 4pm onwards, seven days a week to handle any out of hour's emergencies, eg damage to the highway infrastructure which is required to be made safe. (Monday to Friday: 4pm to 8am, Friday 4pm to Monday 8am and also including Bank Holidays and Shut Down periods). The contact number for Sefton Arc Security is **0151 922 6107**. Any emergency requirements outside of these periods must be called into the Sefton Contact Centre on **0345 140 0845**.
- 3.7.3 Details of the call outs must be recorded by the person initiating the action and also by the Contractor.
- 3.7.4 The Inspector will endeavour to check next day that the emergency work has been completed. Emergency repairs should be carried out to a permanent repair standard but for certain locations the Inspector may need to order a follow on permanent repair where they consider the emergency repair is not sufficient or a workmanship issue is to be recorded.

#### **4.0 Other Actions.**

##### **4.1 Mud on the Road.**

- 4.1.1 If an Inspector identifies mud or slurry on the road they shall notify those causing the problem and request immediate action to have the road cleaned. Where the situation is not considered to justify immediate action, notification will be issued to the enforcement team in order to arrange for an enforcement letter to be sent. If the required response is not forthcoming the Council may have the road cleaned and recharge the costs incurred to those causing the problem.

##### **4.2 Diesel / Liquid / Load Spillage.**

- 4.2.1 Upon notification of a spillage an Inspector shall issue a request for emergency action to the Contact Centre who are required to respond appropriately. If the situation is so severe that it could result in a major incident then arrangements shall be made to close the road. This action is often done with Police assistance.

Contact Numbers are as follows:

*Merseyside Police (Control Room) – 101 Non-emergencies or 999 Emergencies*

*Sefton Arc Security – 0151 922 6107.*

*Sefton Council Contact Centre – 0345 140 0845.*

##### **4.3 Surface Chippings.**

- 4.3.1 Where an Inspector identifies chipping loss to such an extent that loose chippings could be dangerous they shall issue a request to the cleansing department to have the road swept. Or to the engineers if recent surfacing works has been undertaken for them to arrange the contractor to sweep as required, within appropriate timescales.

##### **4.4 Investigating Third Party Reports.**

- 4.4.1 Third party reports can be received from members of the public, Councillors, Police, Residents Associations, local businesses and the like.
- 4.4.2 All third party reports alleging the presence of dangerous defects on the highway shall be investigated in a timely manner and treated as potential insurance claims. The outcome of the investigation shall be recorded and the defect shall be measured and photographed. Details of any action taken or not, including work instructions shall be recorded.

#### **4.5 Other Land Owners.**

- 4.5.1 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 and a report sent immediately to the appropriate highways engineering staff in order that the correct Street Authority or owner may be informed. Following which the appropriate section will use this information to be transmitted in the form of a "Duty of Care" letter or in the form of an enforcement letter, depending on the circumstances. Any failure to report such defects could place responsibility for damage partly on the Highway Authority by an extension of the Nolan principle.
- 4.5.2 It should be noted that the A5036T Trunk Road which runs through part of the Borough is owned, managed and maintained by National Highways and as such is not inspected or subsequently maintained by Sefton Council. Notwithstanding this if Sefton received a notification or identified any significant defects on their road these this would be forwarded to their National Highways managing agents for inspection and repair as required. Please note Sefton have a current Service Level Agreement for Urban Traffic Control (UTC) maintenance only on the A5036T for National Highways and any traffic light issues should be reported to the Contact Centre or Sefton UTC team.

#### **4.6 Investigating an Insurance Claim.**

- 4.6.1 It is essential that the highways Inspector who is required to investigate an insurance claim returns a fully completed Insurance Claim Report to the Council's Insurance team within the time frame required.
- 4.6.2 As soon as it becomes apparent that there is insufficient information to progress the claim the investigating officer shall request the necessary information. This could be for a location plan or photographic evidence of the defect. All requests for additional information shall be recorded, with the appropriate body.
- 4.6.3 Where following an investigation it is apparent that the incident did not take place on the adopted highway the claim shall be returned to the Council's Insurance team promptly along with any supporting information which will assist with progressing the claim.
- 4.6.4 At the location of the incident, photographs of the alleged defect shall be taken highlighting the defect in context with its position in the surrounding environment and the measurements of the defect recorded if possible. Any other relevant information shall be included such as the likelihood that the defect had appeared after the last inspection and where it is difficult to see how the accident happened as alleged, as per the internal procedures.
- 4.6.5 If the information provided by the claimant is unclear or misleading, such as when or why the defect was repaired, or the roles of different bodies involved for example internal and external contractors, statutory undertakers, other Council departments, housing associations, a note explaining the situation shall be added, as per the internal procedures. It is important to give insurers and claims handlers as full a picture as possible at the beginning of the investigation to minimise the time taken on further enquiries.

#### **4.7 Inspection Recording of Highway Network.**

4.7.1 The overriding objective of the system of safety inspections covered in this guidance is to identify all defects likely to create dangers or serious inconvenience to users of the highway network and the wider community.

4.7.2 The inspection recording system shall record time, weather conditions, any unusual circumstances and the name of the person conducting the inspection. The absence of defects shall be recorded.

4.7.3 The inspection regime must clearly prove the following:

BEEN THERE (Attended the site)

SEEN IT (Carried out a diligent inspection, photographed and plotted)

REPAIRED IT (Taken any necessary action)

**or often of equal importance**

DID NOT NEED DOING (Record that no action was required following risk assessment).

#### **4.8 Monitoring Work Ordered.**

4.8.1 The onus is on the claimant to establish that a dangerous defect was in situ at the time of the accident (representing a breach of Section 41) and that this resulted in injury or loss (causation).

#### **4.9 Archiving.**

4.9.1 The details of safety inspections are retained in archive form in the works management database. The inspectors are responsible for ensuring the details are downloaded on a regular basis which shall be monitored.

## 5.0 Legal Constraints.

### 5.1 Ensuring a Defence.

- 5.1.1 The onus is on the claimant to establish that a dangerous defect was in situ at the time of the accident (representing a breach of Section 41) and that this resulted in injury or loss (causation).
- 5.1.2 If the claimant is able to establish breach of section 41 and causation, the onus is on the Authority to establish that it can make out the statutory defence provided by Section 58. The statutory defence requires the Authority to prove that it operates a reasonable, reliable and adequate system for highway repair and maintenance. Understanding and following the procedure in this guide is key to a defence.
- 5.1.3 Experience shows that where a Local Authority is inspecting and maintaining its roads according to current codes of practice, and efficient systems of recording and risk management are in place, highways liability compensation can be reduced.
- 5.1.4 To establish the Section 58 defence, the Authority needs to be able to convince a court of law that:
- Its policies on highway maintenance were robust, reasonable and were being complied with.
  - It was exercising a reasonable duty of care in inspecting the highway for condition and safety.
  - The individuals making the inspections were competent and suitably trained or qualified.
- 5.1.5 For the purpose of a defence under Section 58 of the Highways Act 1980, the court shall have regard to the following matters (as set out in Section 58, subsection 2):
- The character of the highway, and the traffic 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 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 that part of the highway to which the legal action related 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 action arose that warning notices of its condition had been displayed.
- 5.1.6 When highway claims include a personal injury element they will be governed by the relevant Personal Injury Pre-Action Protocol. (Form A) This guidance lays down examples of the documents which must be disclosed.

- 5.1.7 The Highway Authority must disclose the following documents covering a 12 month period prior to and adequate period following the incident:
- Records of inspection for the relevant stretch of highway. (Inspection Schedule Report).
  - Maintenance records including those of independent contractors working in the vicinity/locality. (Street Works Report).
  - Records of enquiries about the highway. (Highways Inspection Report).
  - Records of other accidents which have occurred on the relevant stretch of highway.
  - Records of the minutes of Highway Authority meetings where maintenance or repair policy had been discussed or decided.
- 5.1.8 The network of highways within the Borough are to be inspected to a regular frequency, based on the road risk assessment and frequency within table 2.2.
- 5.1.9 The inspections will also take into account the provisions of Section 58 of the Highways Act 1980.
- 5.1.10 The following points have to be established if a case is taken to law:
- The claimant must show that the highway had not been properly maintained and that it was thereby dangerous to traffic.
  - The claimant has to establish that the dangerous condition was the cause of the accident.
  - The authority has to prove that they took reasonable steps to ensure that the highway was safe (Section 58 of HA 1980) and/or that the claimant was guilty of contributory negligence and that some actual loss has occurred.
- 5.1.11 For the Highway Authority to make use of the Section 58 defence, it must be proved that they had arranged for a competent person to carry out regular safety inspections of the part of the highway to which the action relates. Additionally, it must also be proved that the Authority had given the Inspector proper instructions with regard to the agreed maintenance standards of the highway and that they had carried out those instructions as required.

## 5.2 Statutory Undertakers.

- 5.2.1 Section 58 of the Highways Act 1980 does not apply to damage resulting from Statutory Undertaker's works or apparatus forming part of the adopted highway surface.
- 5.2.2 Sections 70 & 71 of the New Road and Street Works Act 1991 apply to reinstatements carried out by the Statutory Undertakers. The Undertakers must ensure that their reinstatements conform to the "Specification for the Reinstatement of Openings in Highways". If a reinstatement is causing a danger, the Highway Authority may carry out appropriate action at the Undertaker's expense to remove the danger.
- 5.2.3 The Highway Authority becomes responsible for a permanent reinstatement upon expiry of the guarantee period. The guarantee period is two years (three years in the case of openings deeper than 1.5 metres), unless it can be proven that the work was never completed to the appropriate standard in which case the reinstatement remains the responsibility of the undertaker concerned.
- 5.2.4 Statutory Undertakers are entitled to rely on Highway Authority inspections, however visual inspections only are undertaken on statutory apparatus.
- 5.2.5 In Reid v Telecommunications plc (1987) it was held that the Undertaker was not negligent in relying on a Highway Authority's six monthly inspections rather than 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 inform the utility promptly of any dangerous defect.
- 5.2.6 Hazardous defects to Undertakers' apparatus, insofar as they form part of the highway surface, or reinstatements discovered during an inspection must be recorded and the appropriate action taken to ensure that the relevant Statutory Undertakers are promptly notified.
- 5.2.7 Any failure to report such defects could place responsibility for damage partly on the Highway Authority.
- 5.2.8 Action may need to be taken by the Highway Authority if the Undertaker does not respond within what the Highway Authority considers to be an appropriate 3rd party response timescale. This may include carrying out temporary or permanent measures to make safe and recharging the undertaker with the costs incurred.
- 5.2.9 Statutory Undertakers often cite "The Nolan Principle" in the event of a third party claim being made against them. "The Nolan Case" was a judgement where a court found a Statutory Undertaker and a Highway Authority equally liable for failure to repair a dangerous Statutory Undertakers' box located in the highway. If the principle is upheld the Authority and the undertaker may share the costs on a 50:50 basis. Nolan is unlikely to succeed if the Highway Authority has an effective inspection and repair system and can demonstrate that it was applied and that the undertaker was notified of the defect.

## Appendix B: Examples of Actionable Enquiries.

### B1: Examples of Actionable Enquiries requiring emergency response.

Defect	Action	Response and Example
<p>Any carriageway defect located in the main body of a carriageway of high to medium vehicular usage such that it is likely to cause vehicular damage.</p> <p>Indicative Investigatory level 40mm.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4)</p> <p>70-80mm defect.</p>	<p>The reporting officer should arrange for the work to be checked to ensure they have been done on time.</p> <p>Example: Pothole located in main body of bitmac carriageway likely to cause vehicle damage.</p> 
<p>Any highway defect deemed to be so dangerous as to pose a serious risk to public safety.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p> <p>90-100mm defect.</p>	<p>Typical examples are: missing flags, knocked over bollards, collapsed gullies etc.</p> <p>Example: Sunken flagstone on footway.</p> 

Defect	Action	Response and Example
<p>Any carriageway defect located in the main body of a carriageway of high to medium vehicular usage such that it is likely to cause vehicular damage.</p> <p>Indicative Investigatory level 40mm.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>The reporting officer should arrange for the work to be checked to ensure they have been done on time.</p> <p>Example: Missing gully cover in carriageway.</p> 
<p>Any highway defect deemed to be so dangerous as to pose a serious risk to public safety.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p> <p>30mm defect at Designated Crossing.</p>	<p>Typical examples are: missing flags, knocked over bollards, collapsed gullies etc.</p> <p>Example: Concrete bollard knocked on flagged footway.</p> 

Defect	Action	Response and Example
<p>Any footway defect located in an area of high pedestrian usage.</p> <p>Indicative Investigatory level 25mm.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 24 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. Medium (3).</p> <p>30mm defect – 24hrs</p>	<p>Including uneven flags, bitmac, block paving, concrete, kerbs etc;</p> <p>Example: Uneven and rocking flagged footway caused by tree root issues.</p> 
<p>Any footway defect located in an area of high pedestrian usage.</p> <p>Indicative Investigatory level 25mm.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 24 hour response order on the hand held computer.</p> <p>Likelihood. High (4)</p> <p>Consequences. Medium (3).</p> <p>30mm defect – 24HR.</p>	<p>Including uneven flags, bitmac, block paving, concrete, kerbs etc;</p> <p>Example: Displaced kerb.</p> 

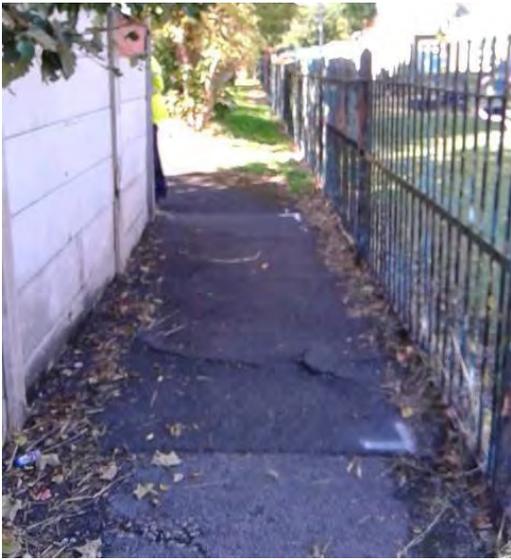
Defect	Action	Response and Example
<p>Any carriageway defect located in the main body of the carriageway and such is unlikely to cause vehicular damage.</p> <p>However in the pedestrian crossing location</p> <p>Indicative Investigatory level 15mm.</p>	<p>Arrange for emergency repair/action via the appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Likelihood. Medium (3)</p> <p>Consequences. High (4).</p> <p>20mm defect at Designated Crossing.</p>	<p>Including potholes, concrete slab joints, edge deterioration etc.</p> <p>Example: Pothole within or adjacent to pedestrian crossing.</p> 
<p>Damaged street furniture including guardrail, benches, bollards, street nameplates etc.</p>	<p>Arrange for emergency Make safe/ repair/ action via the office and / or appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged guardrail.</p> 

Defect	Action	Response and Example
<p>Damaged street furniture including guardrail, benches, bollards, street nameplates etc.</p>	<p>Arrange for emergency Make safe / repair/ action via the office and / or appropriate contractor and record as a 2 hour response order on the hand held computer.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged sign pole.</p> 

**B2: Examples of Actionable Enquiries requiring timely response**

Defect	Action	Response and Example
<p>Any carriageway defect located in the main body of a carriageway of high to medium vehicular usage such that it is likely to cause vehicular damage.</p> <p>Indicative Investigatory level 40mm.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 5 day or 28 day depending in location and usage. Order on the hand held computer. This is near but not in the crossing area.</p> <p>Likelihood. Medium (3)</p> <p>Consequences. High (4)</p> <p>40mm defect.</p>	<p>Example: Mound in carriageway in wheel location of vehicles.</p> 
<p>Any carriageway defect located in the main body of a carriageway of high to medium vehicular usage such that it is likely to cause vehicular damage.</p> <p>Indicative Investigatory level 40mm.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 5 day or 28 day response depending on location &amp; usage. Order on the hand held computer. This is near but not in the crossing area.</p> <p>Likelihood. Low (2)</p> <p>Consequences. Medium (3).</p> <p>40mm defect.</p>	<p>Example: Depression in carriageway in braking zone near junction.</p> 

**SEFTON COUNCIL STRATEGIC GUIDANCE FOR HIGHWAY SAFETY INSPECTIONS**

<b>Defect</b>	<b>Action</b>	<b>Response and Example</b>
<p>Any carriageway defect located near a purpose built, designated pedestrian crossing point of high pedestrian usage.</p> <p>Indicative Investigatory level 40mm, as outside of top of Dropped Kerb.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 5 day response as it is very highly used, order on the hand held computer. This is near but not in the crossing area.</p> <p>Likelihood. Medium (3)</p> <p>Consequences. Medium (3)</p> <p>40mm defect – 5 Day.</p>	<p>Including potholes, concrete slab joints, edge deterioration etc.</p> <p>Example: Defective concrete on carriageway of low to medium usage near to pedestrian crossing point.</p> 
<p>Any footway defect located in an area of low to medium pedestrian usage.</p> <p>Indicative Investigatory level 25mm.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 5 day to 28 day depending on footpath usage. Order on the hand held computer.</p> <p>Likelihood. Low (2)</p> <p>Consequences. Low (2).</p> <p>25mm Defect – 5 Day as Medium to high usage possible school route.</p>	<p>Including uneven flags, bitmac, block paving, concrete, kerbs etc;</p> <p>Example: Uneven footway bitmac due to tree root issues, likely to get worse before next inspection.</p> 

**SEFTON COUNCIL STRATEGIC GUIDANCE FOR HIGHWAY SAFETY INSPECTIONS**

<b>Defect</b>	<b>Action</b>	<b>Response and Example</b>
<p>Any footway defect located in an area of low to medium pedestrian usage.</p> <p>Indicative Investigatory level 25mm.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 5 day to 28 day depending on location and usage, order on the hand held computer.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2).</p> <p>Defect up to 25mm maximum, rocking flag. 28 day low usage.</p>	<p>Including uneven flags, bitmac, block paving, concrete, kerbs etc;</p> <p>Example: Uneven flags rocking on footway, likely to get worse before next inspection.</p> 
<p>Damaged street furniture including guardrail, benches, bollards, street nameplates etc.</p>	<p>Arrange for emergency Make safe via the office and / or appropriate Contractor and record as a 2 hour response order on the hand held computer if required.</p> <p>Record as defect on the hand held computer with appropriate information and issue to appropriate department for confirmation of action to be taken on nameplates.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2).</p>	<p>Example: Damaged street nameplate.</p> 

**B3: Examples of Actionable Enquiries requiring a response.**

Defect	Action	Response and Example
<p>Any carriageway defect located in the main body of the carriageway and such is unlikely to cause vehicular damage.</p> <p>Indicative Investigatory level 40mm.</p>	<p>Arrange for repair/action via the appropriate contractor and record as a 28 day response order on the hand held computer.</p> <p>Likelihood. Low (2)</p> <p>Consequences. V Low (1).</p> <p>40mm – 28 DAY</p>	<p>Including potholes, concrete slab joints, edge deterioration etc.</p> <p>Example: Edge deterioration.</p> 

**B4: Examples of Actionable Enquiries requiring immediate notification to another to make a decision about level of response.**

Defect	Action	Response and Example
<p>Door off lamp column or illuminated sign pole.</p>	<p>Notify the Street Lighting Section immediately and record as a report on the hand held computer.</p> <p>2hr Phoned in to Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Sefton internal staff to contact relevant departments.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Door off Street Lighting Column.</p> 
<p>Knocked over or damaged lamp column, illuminated bollard or sign.</p>	<p>Notify the Street Lighting Section immediately and record as a report on the hand held computer.</p> <p>2hr Phoned in to Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Sefton internal staff to contact relevant departments.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged lamp column.</p> 

Defect	Action	Response and Example
<p>Knocked over or damaged lamp column, illuminated bollard or sign.</p>	<p>Notify the Street Lighting Section immediately and record as a report on the hand held computer.</p> <p>2hr Phoned in to Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Sefton internal staff to contact relevant departments.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged illuminated sign.</p> 
<p>Knocked over or damaged lamp column, illuminated bollard or sign.</p>	<p>Notify the Street Lighting Section immediately and record as a report on the hand held computer.</p> <p>2hr Phoned in to Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Sefton internal staff to contact relevant departments.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged illuminated bollard.</p> 

**SEFTON COUNCIL STRATEGIC GUIDANCE FOR HIGHWAY SAFETY INSPECTIONS**

Defect	Action	Response and Example
<p>Highway sinkage or collapse.</p>	<p>Arrange for emergency Make safe / repair/ action via the office and / or appropriate contractor or third parties and record as a 2 hour response order on the hand held computer.</p> <p>2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Due to the nature of these defects emergency action will often be required.</p> <p>Example: Highway collapse.</p> 
<p>Damaged Utility apparatus including missing or damaged service box cover, manhole (on public sewer) and damaged cabinets etc. deemed to be so dangerous as to pose a serious risk to public safety. Damaged or missing highway manhole lid, inspection chamber cover, gully cover or channel grating.</p>	<p>Arrange for emergency repair/action via the appropriate Utility company as a 2 hour response.</p> <p>Procedure is to phone through to relevant utility company and record using the section 81 facility within Eton. Monitor Utility response.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Due to their nature these will often require emergency action.</p> <p>Example: Missing manhole cover in footway.</p> 

Defect	Action	Response and Example
<p>Damaged or missing private manhole lid, inspection chamber cover, gully cover or channel grating.</p>	<p>Notify whoever is responsible for the drain immediately and record as a report on the hand held computer.</p> <p>If ownership cannot be found and advised within the 2hrs. Arrange for emergency make safe / repair/ action via the office and / or appropriate contractor or third parties.</p> <p>Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Due to the difficulty in determining responsibility these will often require emergency action in the meantime.</p> <p>Example: Damaged private drain cover.</p> 
<p>Damaged Utility apparatus including missing or damaged service box cover, manhole (on public sewer) and damaged cabinets etc. deemed to be so dangerous as to pose a serious risk to public safety.</p>	<p>Arrange for emergency Make safe/repair/action via the appropriate Utility company as a 2 hour response.</p> <p>Procedure is to phone through to relevant utility company and record using the section 81 facility within Eton. Monitor Utility response.</p> <p>If ownership cannot be found and advised within the 2hrs. Arrange for emergency make safe / repair/ action via the office and / or appropriate contractor or third parties.</p> <p>Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. High (4)</p> <p>Consequences. High (4).</p>	<p>Example: Damaged utility cover in carriageway.</p> 

Defect	Action	Response and Example
<p>Defective Reinstatement.</p>	<p>Record as defect on the hand held computer with appropriate risk levels and issue to appropriate department for action, if 2hr or 24hr risk, please arrange to call the office to allow co-ordinated appropriate discussions and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2)</p>	<p>Example: Failed footway reinstatement.</p> 

**B5: Examples of Hazards requiring Enforcement Letter.**

Defect	Action	Examples
<p>Obstruction on the Highway.</p>	<p>Record as defect on the handheld computer with appropriate risk levels and issue to appropriate department for action, if 2hr or 24hr risk, please arrange to call the office to allow coordinated appropriate discussions and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. Low (2)</p> <p>Consequences. Low (2).</p>	<p>Example: Building materials causing obstruction.</p> 
<p>Other hazards.</p>	<p>Record as defect on the handheld computer with appropriate risk levels and issue to appropriate department for action if 2hr or 24hr risk, please arrange to call the office to allow coordinated appropriate discussion and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2).</p>	<p>Example: Dangerous structure on the highway.</p> 

Defect	Action	Examples
<p>Other hazards.</p>	<p>Record as defect on the handheld computer with appropriate risk levels and issue to appropriate department for action if 2hr or 24hr risk, please arrange to call the office to allow co-ordinated appropriate discussion and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2).</p>	<p>Example: Tree roots on private land adjacent to the highway.</p> 
<p>Any danger adjacent to the Highway.</p>	<p>Record as defect on the hand held computer with appropriate risk levels and issue to appropriate department for action, if 2hr or 24hr risk, please arrange to call the office to allow co-ordinated appropriate discussions and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. Low (2)</p> <p>Consequences. Low (2).</p>	<p>Example: Dangerous structure on the highway.</p> 

Defect	Action	Examples
<p>Defective Reinstatement.</p>	<p>Record as defect on the hand held computer with appropriate risk levels and issue to appropriate department for action, if 2hr or 24hr risk, please arrange to call the office to allow co-ordinated appropriate discussions and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2)</p>	<p>Example: Failed footway reinstatement.</p> 
<p>Illegal Vehicular Crossing.</p>	<p>Record as defect on the hand held computer with appropriate risk levels and issue to appropriate department for action, if 2hr or 24hr risk, please arrange to call the office to allow co-ordinated appropriate discussions and actions to take place.</p> <p>Public 2hr contact Sefton Contact Centre on Tel number 0345 140 0845. (Mon-Fri 8am-4pm). Weekends or evenings 4pm - 8am, contact Sefton Arc on Tel number 0151 922 6107.</p> <p>Likelihood. V Low (1)</p> <p>Consequences. Low (2).</p>	<p>Example: Illegal crossing, wood in channel.</p> 

**B6: Examples of no work required. Record purpose only from general enquiry.**

Defect	Investigatory Level:	Response Time:
<p>Example: Broken flag (not rocking) on footway not causing a trip hazard.</p> 	<p>25mm on Footway, 15mm in designated priority footway areas including designated pedestrian crossing points.</p>	<p>No works required therefore only action required is to record for record purposes if from general enquiry.</p> <p>Likelihood V Low (1)</p> <p>Consequences V Low (1)</p>
<p>Example: Deterioration of surface of carriageway.</p> 	<p>40mm in carriageway, 25mm on Footway, 15mm in designated priority footway areas including designated pedestrian crossing points.</p>	<p>No works required therefore only action required is to record for record purposes if from general enquiry. However may issue to Highway Engineers as a potential future scheme.</p> <p>Likelihood V Low (1)</p> <p>Consequences V Low (1)</p>

Annex C

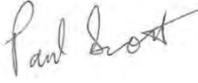
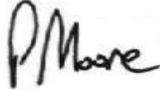
# Public Rights of Way Information Guide

Second Edition: April 2024

**Quality Management**

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## 1. Introduction to Public Rights of Way.

A **Public** Right of Way (PRoW) is a highway over which the public has the right to pass and re-pass at any time. All PRoWs are highways and are recorded as such on the Definitive Map and Statement, the legal record of Public Rights of Way.

There are four types of path, each of which can be used by different users as detailed below. It is an offence to prevent the public exercising these rights.

**Table of Path Types.**

PRoW type	Permitted use	National waymark colour	Colour shown on inspection maps
Footpath	On foot only.	<b>Yellow</b>	<b>Yellow</b>
Bridleway	On foot, horseback and bicycle.	<b>Light blue</b>	<b>Blue</b>
Restricted Byway	On foot, horseback, bicycle and horse-drawncarriage.	<b>Purple</b>	<b>Red</b>
Byway Open to All Traffic (BOAT)	On foot, horseback, bicycle, horse-drawn carriage and motor vehicle.	<b>Red</b>	<b>Red</b>

Contrary to popular belief, the land occupied by, or crossed by a Highway is not usually owned by SMBC (unless, of course, it happens to be the landowner). This applies to “adopted” highways as well as PRoW highways.

Highway status means there is a legal right of passage rather than ownership rights.

There may be private access rights over a PRoW, for example, people who live in a house along a track that is a footpath may have rights to access their property by driving along the track, or a farmer may access his fields via a Public Right of Way he owns (or has permission from the landowner to use).

## 2. SMBC Responsibilities.

This document is aimed towards PROW inspectors in order to assist in the discharge of statutory and cover duties and to ensure consistent standards and approaches are adopted.

Main duties and responsibilities regarding PROW are:

- Review and update the Definitive Map and Statement (the legal record of all Public Rights of Way) and make it available to the public for inspection.
- Consider applications for new structures (usually gates and stiles).
- Consider requests for the temporary closure of routes.
- Remind landowners of the rights and responsibilities they have toward the Public Rights of Way network and enforce these where necessary.
- Ensure that the network is safe and accessible for the public to use.
- Maintain the surface of most Public Rights of Way, including the control of natural vegetation growing on them, to a standard suitable for that status of path; so a bridleway, for example, should be maintained to a standard suitable for horse riders, cyclists and walkers.
- Sign Public Rights of Way where they leave metalled roads, with the discretion to undertake further waymarking at other appropriate locations.
- Maintain the surface of bridges over which Public Rights of Way pass.
- Where public access across a bridge is shared with private rights, the maintenance

responsibility is may also be shared between the respective landowner.

- Maintain the structure of a bridge if it is a Highway structure.

### **3. Landowner Responsibilities.**

Landowners are responsible for:

- Providing and maintaining in good order stiles, kissing gates, gates and other lawful structures (excepting bridges, a number of stiles, gates, fencing that are the responsibility of SMBC) on PRow (Back office records may need to be checked to establish responsibility).
- Ensuring PRow are clear and unobstructed. This includes cutting back vegetation encroaching from the side or above to provide convenient access for all lawful users (for example, on bridleways adequate clearance should be provided for equestrians).
- Ensuring that field edge PRow are not ploughed or disturbed.
- Ensuring that cross-field footpaths and bridleways are reinstated within 2 weeks of first being ploughed or disturbed for that crop, or within 24 hours of any subsequent disturbance.
- Ensuring that bulls are not kept in a field crossed by a path unless they are less than 10 months old or are of a beef breed and accompanied by cows or heifers. Landowner to display notices BULLS IN FIELD.
- Ensuring consent is obtained from SMBC before a new structure is introduced on a PRow (applications for new structures are only considered on the grounds of either stock control or user safety).
- Ensuring consent is obtained from SMBC before carrying out any alterations to the surface of a public path.
- Not discouraging public access with misleading signs.

### **4. Public Responsibilities.**

The public, whilst having the right to access the countryside and the PRow network, are expected to abide by the countryside code for rural paths.

Full details can be found by visiting [www.countrysideaccess.gov.uk](http://www.countrysideaccess.gov.uk). It is broken into five sections to help members of the public respect, protect and enjoy the countryside:

It is advised the public follow the following guidelines:-

- Be safe, plan ahead and follow any signs.
- Leave gates and property as you find them.
- Protect plants and animals and take your litter home.
- Keep dogs under close control.
- Consider other people.

The public should only access areas / paths where they have a right or permission to go, and they should not exceed the permitted rights, e.g. they shouldn't cycle on a footpath.

A person who strays from a PRow or uses it other than for passing and re-passing commits trespass against the landowner. In most cases trespass is a civil rather than a criminal matter.

## 5. PRow Inspections.

What to look for on inspections:

- It is advised to take a hard copy of PRow maps/location plan showing the routes.
- Check status of PRow e.g. Footpath, Bridleway, Restricted Byway, or BOAT (Byway Open to All Traffic).
- Where PRow leaves the metalled highway (sealed/flagged surfaced highway) a sign post must be in place displaying the status and direction of way.
- Where the status of a PRow changes i.e. from Footpath to Bridleway signs are needed.
- When plotting a defect ensure co-ordinates and location are recorded on the handheld device and photographs are taken.

When inspecting we are looking for many things, most of which fall broadly into 5 categories:

### Signage.

- Is it clear where the path direction is and what its status is e.g. footpath.
- Is it waymarked from the road, and appropriately along the route, with signs or waymarkers, that indicate who can use it, i.e. footpath, bridleway, etc.
- Can the route be followed without a map by following signs or waymarkers by the public.

### Legal Route.

- Is the path on its correct legally recorded line?
- If unclear e.g. desire lines, the Definitive Map records will need to be checked.

### Hazards.

Are there any hazards that could harm users such as:-

- Barbed wire adjacent to or across the PRow.
- Electric fence not signed adjacent to a PRow.
- Electric fence across the PRow.
- Electric fence across a stile that's not insulated.
- Surface defects.
- PRow ploughed out or damaged path by farm traffic e.g. rutted surface across the path.
- Damaged trees adjacent to PRow.
- Damaged stiles, gates steps or bridges.
- Dangerous structure adjacent to PRow e.g. wall fence etc.
- Dogs or other dangerous animals on private land adjacent to a PRow that would deter the public from walking the path.

### Clear and Unobstructed.

Are there any obstructions to inhibit convenient use such as:-

- Encroaching vegetation from either private or highways land.
- Up-growth on the surface.

- Overhanging vegetation tree branches from either private or highways land.
- Cropped cross field or field edge path.
- Reduced width of field edge path.
- Bridleways require special consideration minimum of 3m width and height clearance of trees 3.5m.
- Material or physical barrier e.g. locked gate, barbed wire etc. that prevents or hinders the public from walking, cycling, riding or driving (BOAT) the PRow.
- Rutted surface across the PRow.
- Dangerous adjoining land.
- Water discharging onto the path.
- Projections from buildings.
- Soil etc. being washed on to the path.
- Materials deposited on the path.
- Poorly maintained stiles or gates.

### **Improvements/Maintenance.**

What improvements/maintenance could be made or needs to be done, e.g. replacing stiles with gates or gaps or installing steps on a slippery slope.

It is extremely important that the path status is considered when inspecting as different users have different needs, for example what is appropriate for a walker is unlikely to be suitable for a horse rider or cyclist – as above in particular horses need additional height and width clearance.

What to look for on inspections:

- Sign posts - (finger posts) damaged or missing posts, missing or damaged fingers. Finger posts at a junction of other paths must show the status of the path or paths e.g. footpath, bridleway or byway. (Highways responsibility).
- Waymarkers - must have a directional arrow or arrows showing status of path and must be in accordance with the British Standards. Inspect for damaged or missing posts and or arrows, where a path changes direction or the status changes e.g. footpath to bridleway ensure correct arrows indicate this. (Highways responsibility).
- Furniture stiles, gates and fences must be fit for purposes please note not all stiles or gates are the responsibility of the authority back office records may need to be checked. The layout and form of any stiles, gates, steps and gaps must be compliant with British Standards – refer to standard detail specification. Refer to section 18 technical information (stiles etc).
- Stiles, gates etc. - if noted to be a danger to the public they must be made safe in the first instance two hour response, records checked with possible reclaim of costs from the land owner. (report to Highways Enforcement)
- Steps - if damaged forward information to Structures Development and Design..
- Culverts - if blocked and water spilling on to PRow forward to Highways Enforcement.
- Bridges - see fig/image 2 bridges pictorial guide, if damaged forward information to the Development and Design structures section.
- Path line/legal route (if unable to work out where paths go due to cropping or desire line paths check Definitive Map), if path not on legal line it must be reinstated on correct line with appropriate signage. (Highways responsibility).
- Obstructions - e.g. locked gate, physical barrier, ploughing or rutted/damaged PRow,

- must be reported to Highways Enforcement.
- Obstructions - e.g. encroaching vegetation from private land. (report to Environmental Enforcement).
  - Surface defects.
  - Cropping/ploughing - (cross field footpaths must be reinstated within two weeks of first being cropped/ploughed) information must be passed to Highways Enforcement following first inspection.
  - A landowner cannot plough, or reduce the width of a field edge path for any reason see Table 1b Cross-Field Path.
  - All paths - must be free from encroaching vegetation or excessive up-growth if within the boundary of a PRow. (Highways Responsibility).
  - Encroaching vegetation from private land report to Environmental Enforcement.
  - Bridleways - require special consideration in relation to width and overhanging tree branches, minimum height from ground level 3.5m.
  - Electric fencing - must have notices clearly displayed however if the electric fencing is across a path e.g. a stile it is considered an obstruction unless insulated. Always assume that electric fencing is live. (report to Highways Enforcement).
  - Barbed wire, - fencing adjacent to PRows can be permitted, however it may be considered a hazard this will often depend on the path width and must be fixed on field side not path side. If barbed wire path side or narrow path. (report to Highways Enforcement).
  - Illegal notices, - it is an offence to erect and maintain a notice along a PRow that may deter lawful uses from the path (report to Highways Enforcement) see pictorial guide information re illegal notice.
  - Invasive weeds - (see attached information leaflet section 19) if encroaching from or growing on private land adjacent to a PRow report to Environmental Enforcement. Request feedback in your notes from Environmental Enforcement regarding action taken.

## 6. Widths of PRow.

The width of any PRow can be very individual, indeed many PRow vary in width along their length. The only paths with statutorily defined widths are those around the edge (headland) of or through arable fields (excluding grass) See Tables 1a and 1b below. The widths of some of the PRow's is recorded in the Definitive Map and Statement.

**Table 1a Table Headland Path (Field edge).**

<b>Path Status</b>	<b>Minimum width</b>	<b>Maximum width</b>
Public Footpath	<b>1.5m</b>	<b>1.8m</b>
Public Bridleway	<b>3m</b>	<b>3m</b>
RestrictedByway	<b>3m</b>	<b>5m</b>
Public Byway (BOAT)	<b>3m</b>	<b>5m</b>

**Table 1b Table Cross-Field Path (Field edge).**

<b>Path Status</b>	<b>Minimum width</b>	<b>Maximum width</b>
Public Footpath	<b>1m</b>	<b>1.8m</b>
Public Bridleway	<b>2m</b>	<b>3m</b>
RestrictedByway	<b>3m</b>	<b>5m</b>
Public Byway (BOAT)	<b>3m</b>	<b>5m</b>

Public Bridleway is a statutory 3m width unless stated otherwise in a statement.

Otherwise, the rule of thumb is that the public right runs the entire width between two defined features, whether ditch, hedge, wall, fence, row of trees or other. Where a path is open to one side SMBC relies on historic evidence and current land use to determine a width.

## 7. Surface Maintenance (excluding vegetation).

Locations vary according to land use / occupation, geology, soil type and topography, there is no set investigatory criteria for natural surface paths however there is for potholes in roads and footways for e.g. see Highways Strategic Guidance. The adopted approach relies on the judgement of officers, to consider reasonable provision for any and all responsible path users – all users' actions should be responsible given that everyone has a duty of care to themselves and others.

As regards prioritising maintenance / improvement schemes, established practice has been to focus resources on usages and location.

To aid prioritisation practical consideration is made by considering factors including, but not limited to, the depth of mud (e.g. bottom-less or is there a relatively stable construction below surface); whether the path is seasonally affected; perhaps a specific introduced factor is causing surface deterioration (e.g. outfall of a gutter, which would be a public nuisance); and whether the entire path width or only part makes the path inconvenient for users.

## **8. Surface Maintenance Vegetation (excluding crops).**

The issue of vegetation clearance is particularly prominent during the growing season which is April to end of September. This is currently undertaken within the HM5 Grounds Maintenance contract issues reports from users are recorded on Mayrise, information must be forwarded to the Authority's contractor to action.

Practice is to mechanically clear paths of vegetation, herbicides are sometimes used, information can be obtained from the HM5 grounds maintenance contract. Cut vegetation material can be left tidily in the path verge in most locations.

It is often not necessary to clear the entire legal width of a PRow but enough to allow users convenient access. SMBC minimum clearance widths, unless impractical, are:

- Public Footpath – 1.5 metres.
- Public Bridleway – 3 metres.
- Restricted Byway – 3 metres.
- Public Byway – 3 metres.

Overhanging vegetation onto or across a PRow from private land is deemed an obstruction – powers are available to require owners to clear side vegetation (Highways Act 1980 s137) and overhanging vegetation (Highways Act 1980 s154). Occasionally judgement is used to clear such material if felt expedient.

## **9. Surface Maintenance (crops).**

A PRow across a field may be ploughed for the purpose of sowing a crop other than grass (Highways Act 1980 s134). If so disturbed, the line of the path and its surface must be reinstated within 14 days to the minimum width specified in table 1, after the first disturbance; if the ploughing is a subsequent disturbance then reinstatement must be within 24 hours. SMBC practice is to accept the running of a tractor along the line of the path as satisfactory for both delineating the route and levelling the surface, so long as the resulting surface is not rutted and uneven.

Growing crops, other than grass, may encroach and cause a path to be narrowed. The occupier of the land has a duty to clear any encroachment and re-define the line of the path from time to time (Highways Act 1980 s137A). The minimum width to be provided is specified in the table above.

Crossfield paths through a cropped field must have a clearance of the minimum width plus the growing height of the crop to ensure the crop cannot obstruct the path if it leans or falls to the side.

## **10. Steps and Ramps.**

Steps are often installed to facilitate walkers' access up or down gradients on footpaths - they are not installed on paths of other status as they are a potential hazard to lawful users. SMBC has a standard specification but modification is usually needed in each instance to suit gradient, soil type, tree roots and specific land management features. It is accepted and important to note that steps may prove a barrier to access for some.

## **11. Trees.**

Established practice in law is that trees within a PRow are considered as property and thereby the responsibility of the landowner. However, Highway Authorities have responsibilities to the user of the highway and therefore has general powers to control trees. Therefore, trees within the PRow boundary e.g. between two fence lines or ditches are the considered the responsibility of the authority.

Trees within the highway that affect the use of the path must be recorded and action taken. Fallen/split trees obstructing access along a path do not necessarily need to be completely removed, just enough of it so the obstruction has gone to restore sufficient clear width for convenient access rather than felling / clearing the entire tree. This is dependent on the type of path and its location.

Assessing tree safety is not a duty of the inspecting officer, Green Sefton will assist with this.

When inspecting paths a concern for a tree adjacent to a path may be identified, e.g. a tree that has split adjacent to the path on private land. Take a note of this and report it to Environmental Enforcement unless it is considered an immediate risk to the safety of the users of the path in this instance forward to Highways Enforcement on a two hour response.

## **12. Animals.**

Livestock in fields – Horses, sheep, are managed stock within the rural areas of Sefton in fields crossed by PRow. Bulls are, under certain conditions, permitted in fields crossed by PRow (Wildlife and Countryside Act 1981 s59). Bullocks up to 10 months old, are permitted both singularly and with other stock. Beef breed bulls exceeding 10 months are permitted when run with cattle but may not be in a field crossed by a PRow on their own. Dairy breed bulls exceeding 10 months are not permitted under any circumstance.

The legislation is not new, so farmers are well practiced in managing stock accordingly.

It is advised to encourage farmers to erect advisory 'Bull in Field' notices at entry points to these fields but the notices must be removed when bulls are removed from the field else the notice may be considered a deterrent.

## **13. Rabbits.**

Formby Byway numbers 42, 43, 44 and 45 are known to be affected by rabbit holes. See warning notices for the above Byways pictorial information warning notices.

The management and control of rabbits on land is the responsibility of the landowner. Natural England has produced a guidance note for land managers on the subject. However, it's difficult to enforce and historically SMBC has undertaken repairs to the path to ensure public safety.

Rabbit holes can pose a hazard to path users, particularly to walkers and horses. We aim to record holes in paths where they are considered to pose a hazard, more likely those in a path's centre than those at the edge. Where a known rabbit hole is found, and considered to be a hazard, there and then the inspecting officer will take all steps possible to infill the hole and record this. Many holes will also be recorded and specified to be infilled by the maintenance team. It is appreciated that infilled holes may be dug out by rabbits, which it is unreasonable for the PRow service to continually infill, so advising landowners of the problem is recommended.

#### **14. Badgers.**

Badgers are a protected species (The Protection of Badgers Act 1992) and can cause hazards on PRow similarly to rabbits. However, the practice for dealing with these problems greatly differs as it is an offence to disturb a badger sett. DEFRA has powers to issue licences for certain works and the inspector will need to contact Department for Environment Rural Affairs (DEFRA) for advice when such situations arise.

#### **15. Dogs.**

There is no law specifying that dogs must be kept on a lead but owners must keep them under close control; for example, it is an offence for dogs to freely roam in fields with sheep (Dogs (Protection of Livestock) Act 1953 s1). The recent Public Spaces Protection Order PSPO implemented across the borough will impact on where dogs can go and what responsibility the owner has.

Dogs not owned by a path user but that act to deter lawful use of a path may constitute a public nuisance or an offence of obstruction. If dogs deemed to be threatening to them or others are encountered during inspections, record the incident so that an accurate record can be maintained and appropriate enforcement action considered. The report should be passed onto Network Management for the appropriate enforcement action.

16. Location Plans showing different status of Public Rights of Way.

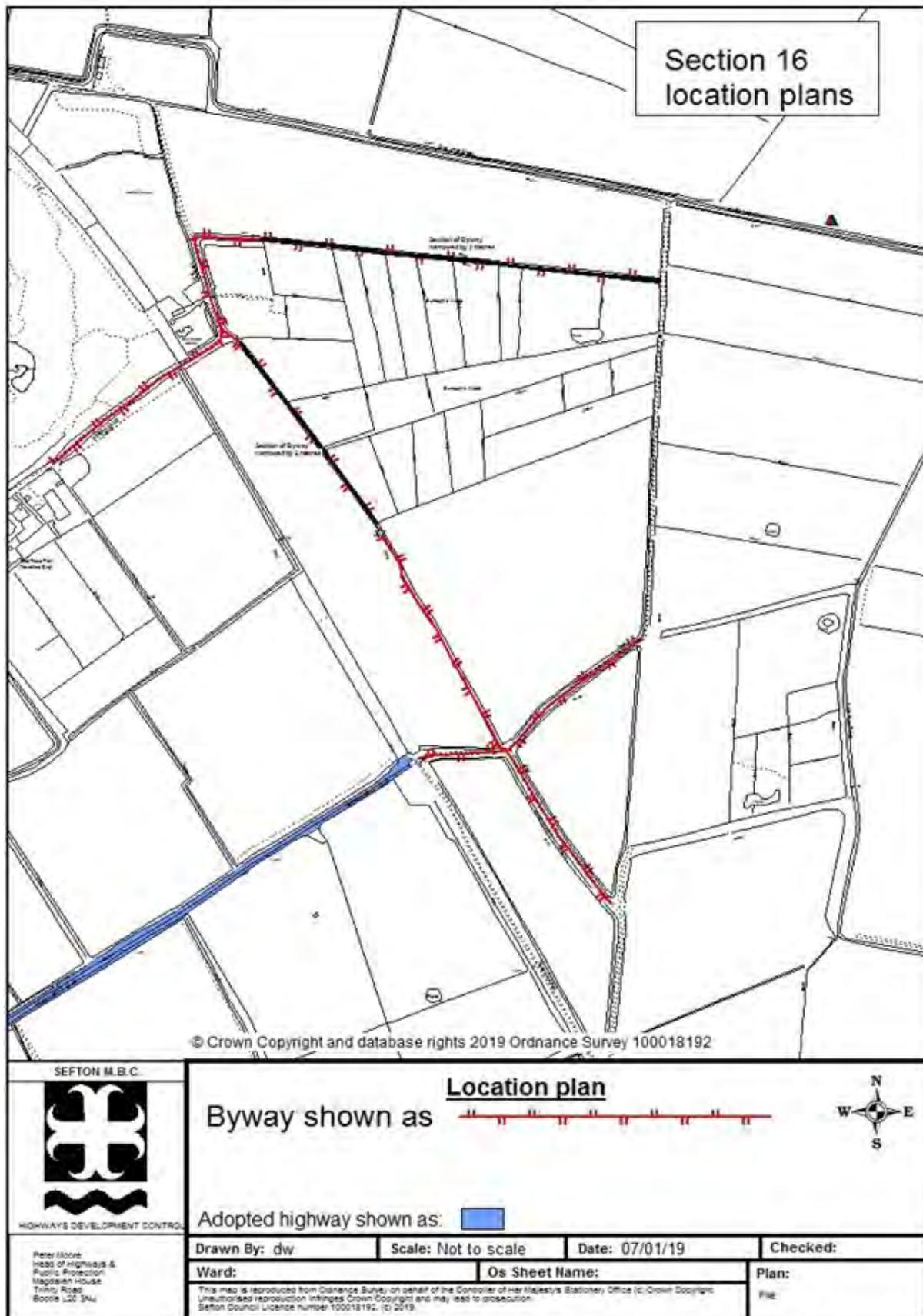
Location Plan Example 1.



**Location Plan Example 2.**



**Location Plan Example 3.**



17. Pictorial guide information showing issues affecting Public Rights of Way.



Image 1 barbed wire on path side also narrow path report to **Highways Enforcement**.



Image 2 dangerous structure adjacent to PRoW report to **Highways Enforcement**.



Image 3 electric fence across a PRow obstruction, report to **Highways Enforcement**.



Image 4 electric fence adjacent to PRow no notices displayed report to **Highways Enforcement**.



Image 5 field edge path a landowner is not permitted to crop/plough or reduce the width of a field edge path, **minimum width of a field edge path is 1.5m.**



Image 6 a field edge path has been cropped/ploughed or disturbed report to **Highways Enforcement.**

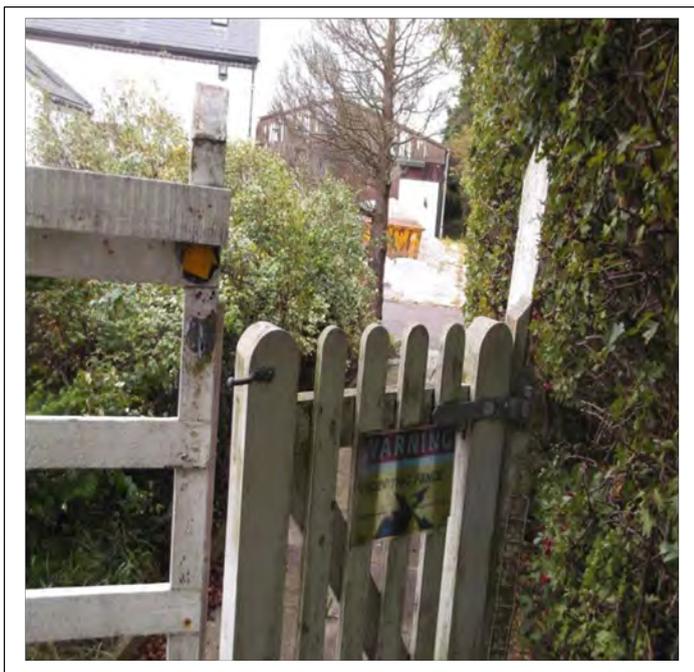


Image 7 the public footpath continues through the gate and continues in a straight line.



Image 8 from the gate if the footpath is obstructed report to **Highways Enforcement**.



Image 9 up-growth on a public footpath SMBC responsibility, **HM5 Grounds Maintenance contract.**



Image 10 encroaching and overhanging vegetation on a public footpath between to boundaries SMBC responsibility **Grounds Maintenance HM5 contract.**



Image 11 cross field path cropped; landowner is permitted to crop a cross field path however the path must be reinstated within 14 days.



Image 12 cross field path reinstated. During inspection if noted a cross field path has been cropped report to **Highways Enforcement** to follow up.



Image 13 obstruction to a PRow, a tree from private land fallen across Lydiate Footpath No.18 Report to **Highways Enforcement**.

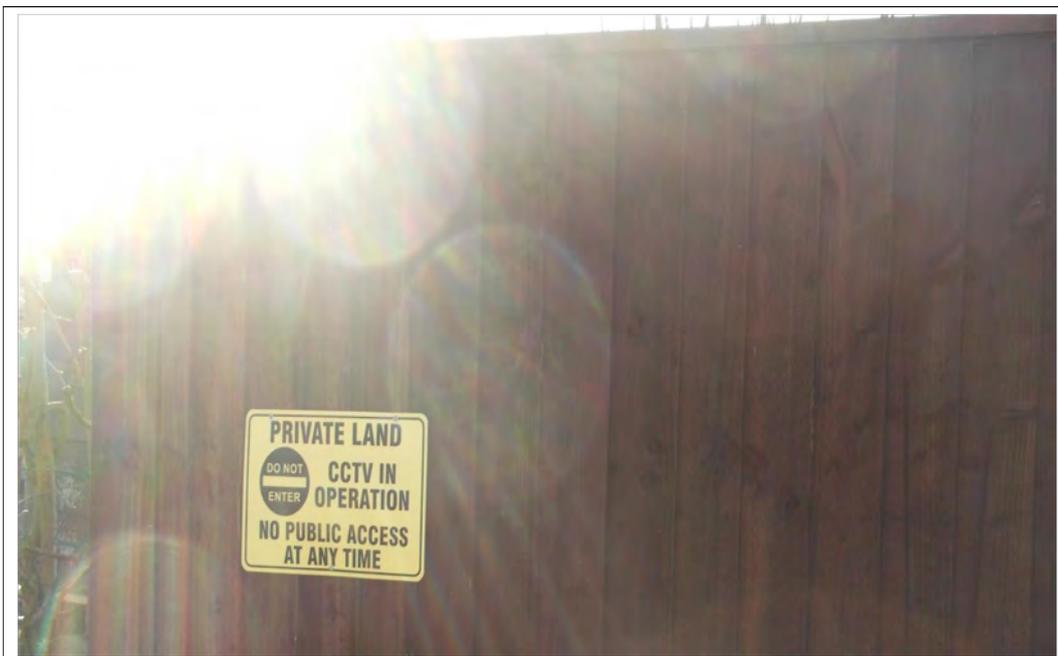


Image 14 shows illegal notice at the start of a PRow, this may deter lawful uses from the path. Report to **Highways Enforcement**.

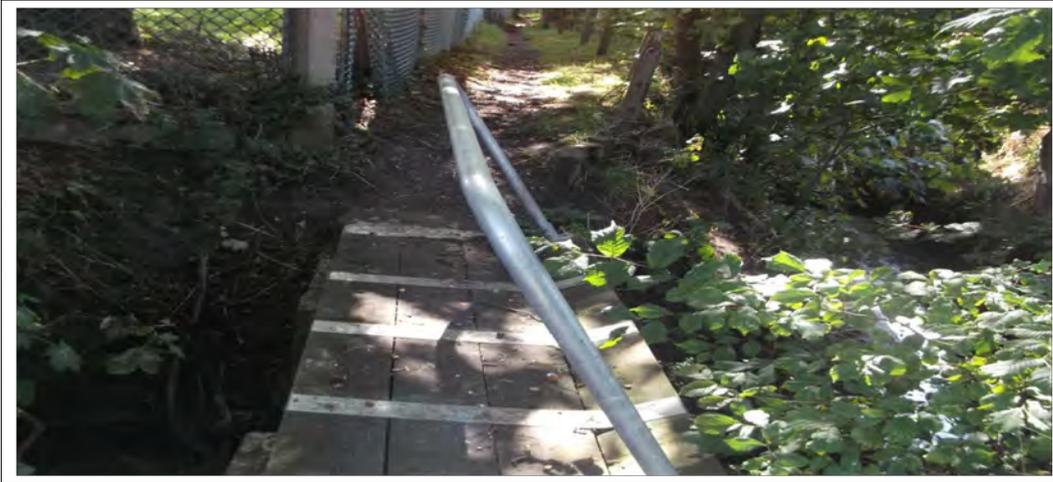


Image 15 Damaged handrail Melling footpath No. 11, report to **Structures, Development and Design.**



Image 16 damaged handrail report to **Structures, Development and Design**.



Image 17 repair to handrail undertaken repairs undertaken like for like.



Image 18 show damaged steps Ince Blundell Footpath Number 6, this defect presented a danger to the public.

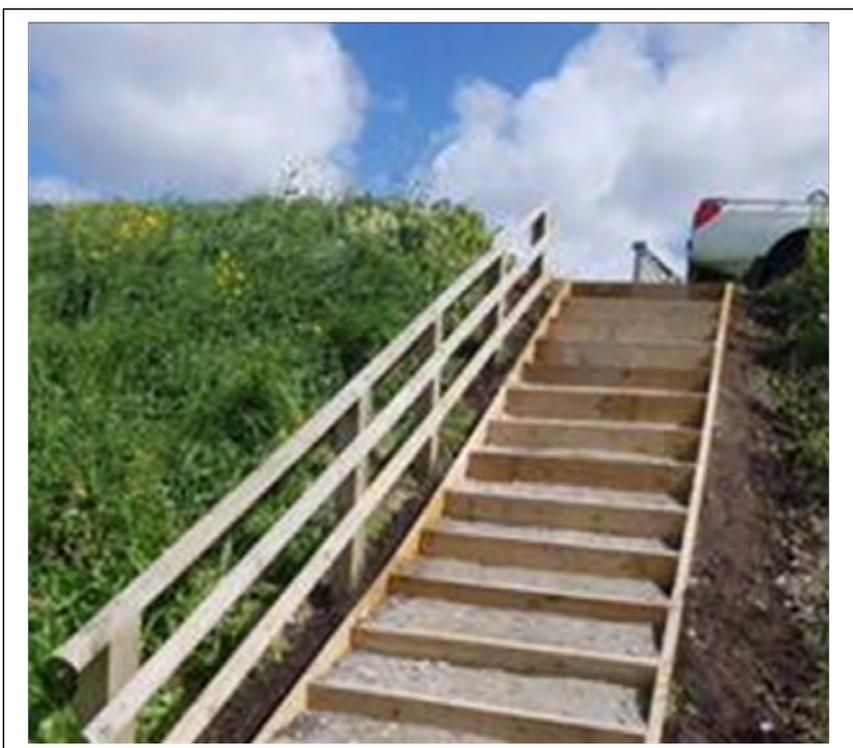


Image 19 show repaired damaged steps Ince Blundell Footpath Number 6; this defect presented a danger to the public.

Repair undertaken by Highways.



Image 20 shows missing stile, stile out of repair, landowner responsibility.

Report to **Highways Enforcement** as a dangerous structure.



Image 21 stile in same location installed 2007.



Invasive weeds, Image 22 Himalayan Balsam.



Image 23 Himalayan Balsam growing adjacent to Ince Blundell Footpath No. 1. The Himalayan Balsam is growing within the boundary line of the PRow, SMBC responsibility **Ground Maintenance contract HM5**. If HB is also present on adjacent private land report to **Environmental Enforcement**.



Image 24 Japanese Knotweed growing adjacent to Lydiate Footpath No. 5.



Image 25 Japanese Knotweed growing adjacent to Lydiate Footpath No. 5.

Invasive weeds (see attached information leaflet) if encroaching from or growing on private land adjacent to a PROW report to Environmental Enforcement. Request feedback in your notes from Environmental Enforcement regarding action taken.



Image 26 Bridleway low tree branches need to be cut at a minimum height of 3.5m from ground level minimum width of 3m **Grounds Maintenance HM5 contract.**

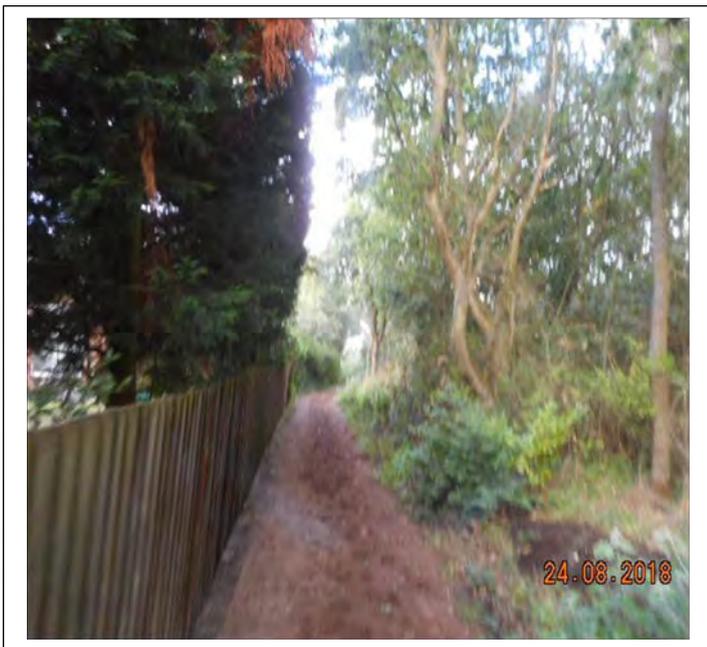


Image 27 Bridleway with good height and width clearance.

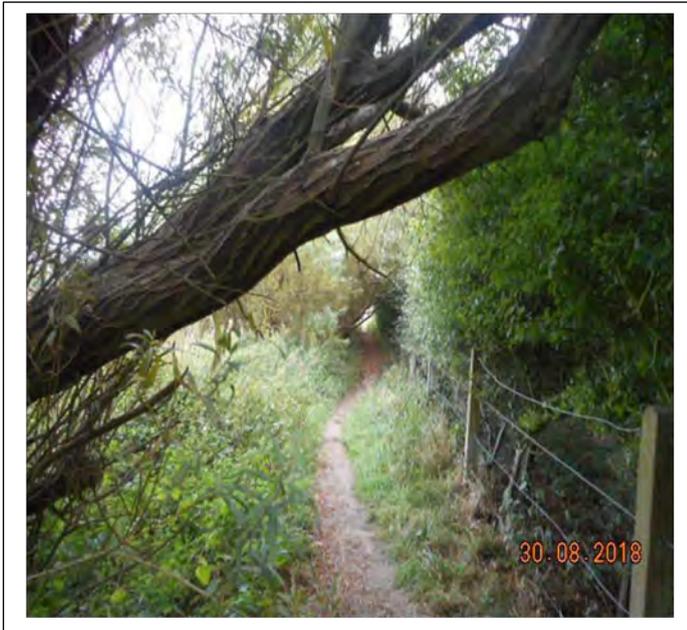


Image 28 Low tree branches on a public footpath, all trees between boundaries within a PRow are the responsibility of the authority **Grounds Maintenance HM5 contract.**



Image 29 trees removed path clear and unobstructed.



Desire line

Legal line

Image 30 showing a desire line, that is not the legal line. Install waymarker, arrow indicating footpath direction, it is advisable to take a location plan or map to site.

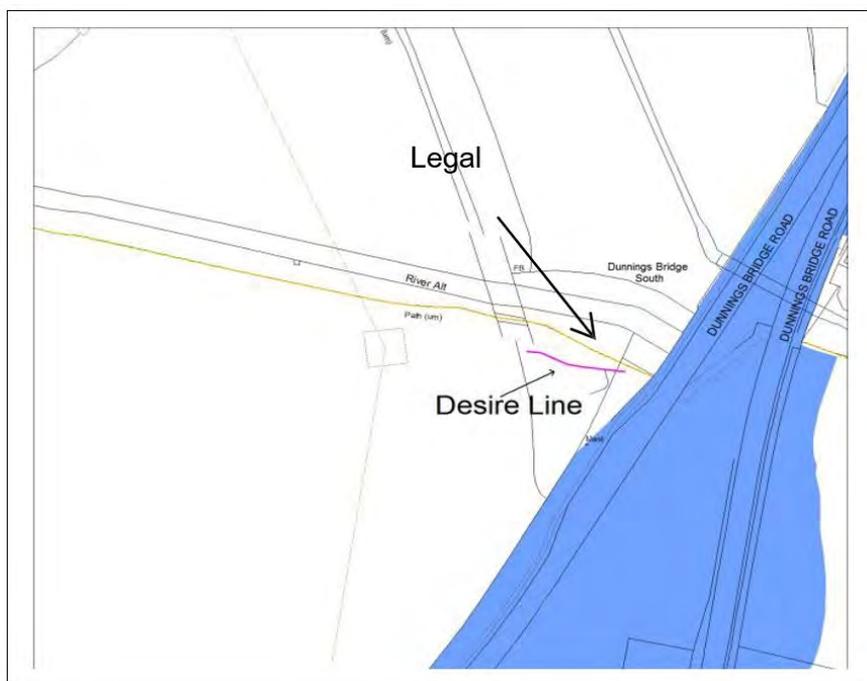


Image 31 showing the correct/legal line of the footpath and desire line.



Image 32 showing Lydiate footpath No. 6 cut on wrong line, path must be reinstated on legal/correct line **Grounds Maintenance HM5 contract.**

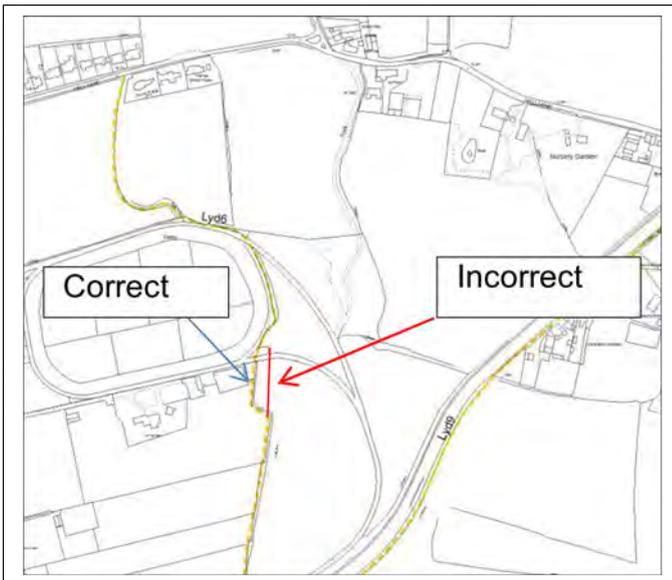


Image 33 shows location plan of correct/legal line of Lydiate footpath No.6. As above it is advisable to take a location or map to site during inspections.



Image 34 waymarker post with yellow directional footpath arrow showing a change of direction.



Image 35 waymarker post on a footpath with yellow directional footpath arrow showing straight on.



Image 36 waymarker post showing change in PRow status from a footpath to bridleway indicated in a yellow arrow for footpath and blue arrow for bridleway.



Image 37 showing two yellow direction footpath arrows on a telegraph pole.



Image 38 showing damaged timber finger post on a junction of two footpaths replace with new finger post with three fingers.

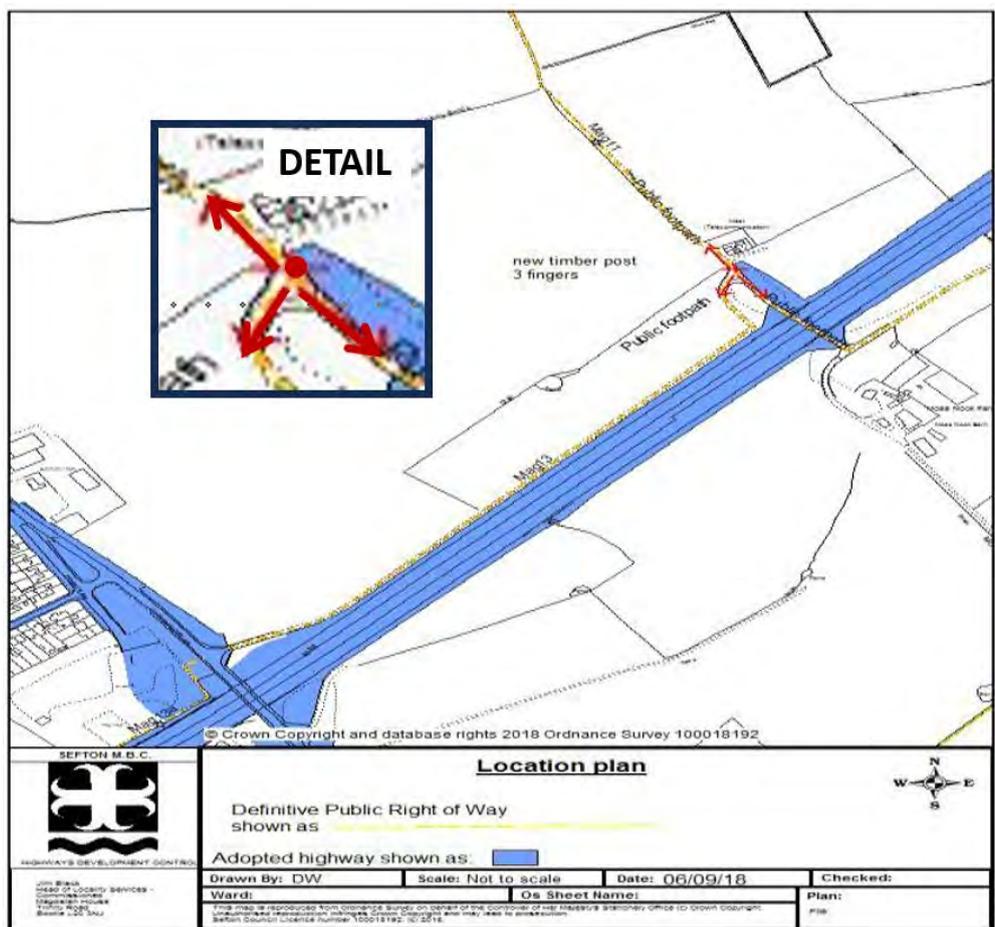


Image 39 stating Public Footpath on all three fingers. Ensure the design corresponds with the footpath directions.



Image 40 timber fingerpost showing status of PRow indicating Footpath and Bridleway shown by yellow arrows for footpath and blue for bridleway.



Image 41 showing byway indicated by a red arrow.



Image 42 and showing Public Footpath metal finger sign with destination.



Image 43 showing Public Footpath metal finger sign with destination and distance.



Image 44 shows a double sided footpath sign with permissible cycle use.



Image 45 shows metal single sided footpath sign.



Image 46 Rights of way post with multi directional signs installed on 4m post.

Installing or replacing multi directions signs on a single post ensure minimum height of lowest positioned sign is 2.3m from ground level.



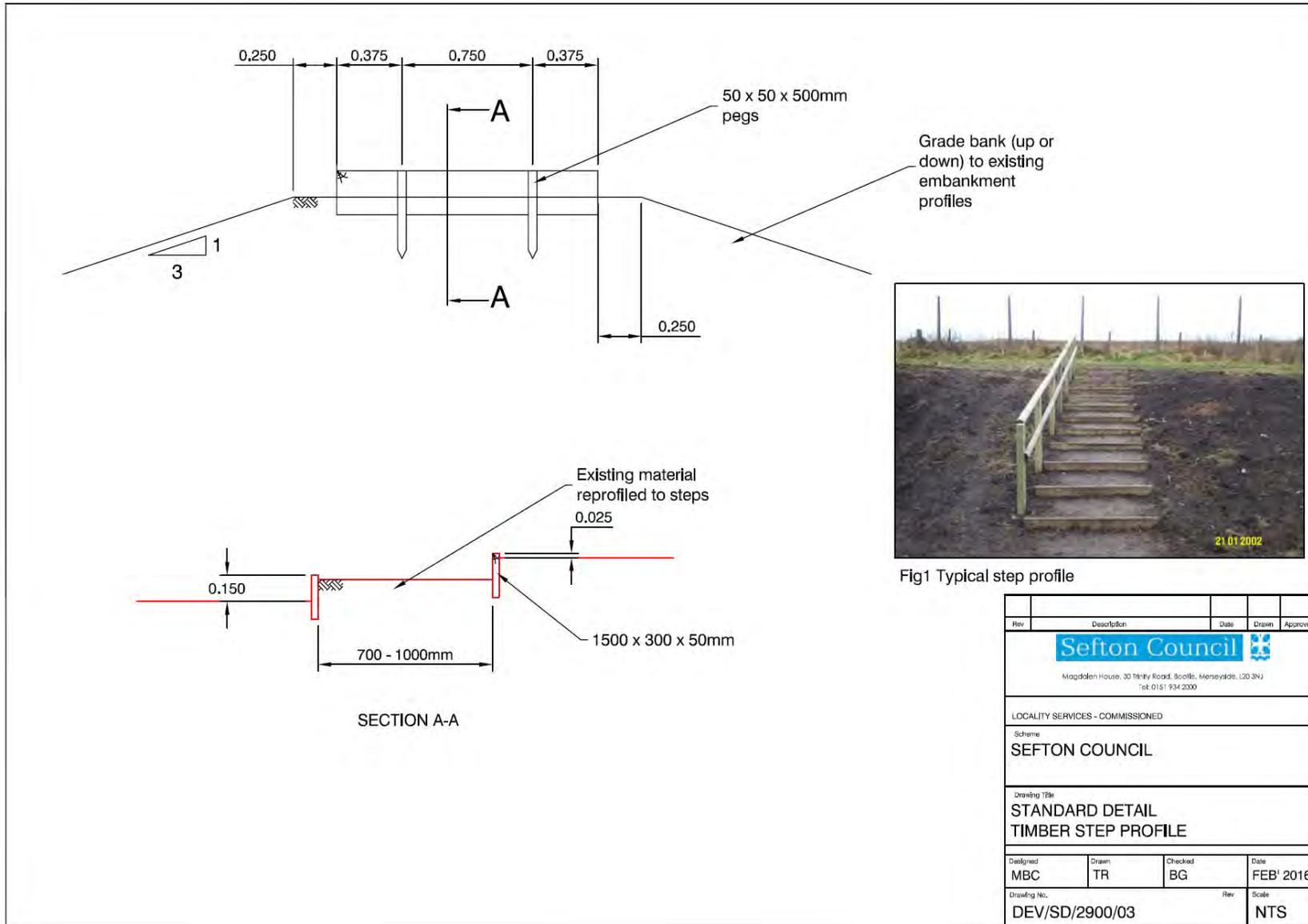
Image 47 Rights of way post with multi directional signs installed on 4m post.

Information forwarded to contractor must contain all relevant information in relation to individual signs e.g. Trans Pennine Trail, Public Footpath, Themed cycle route.

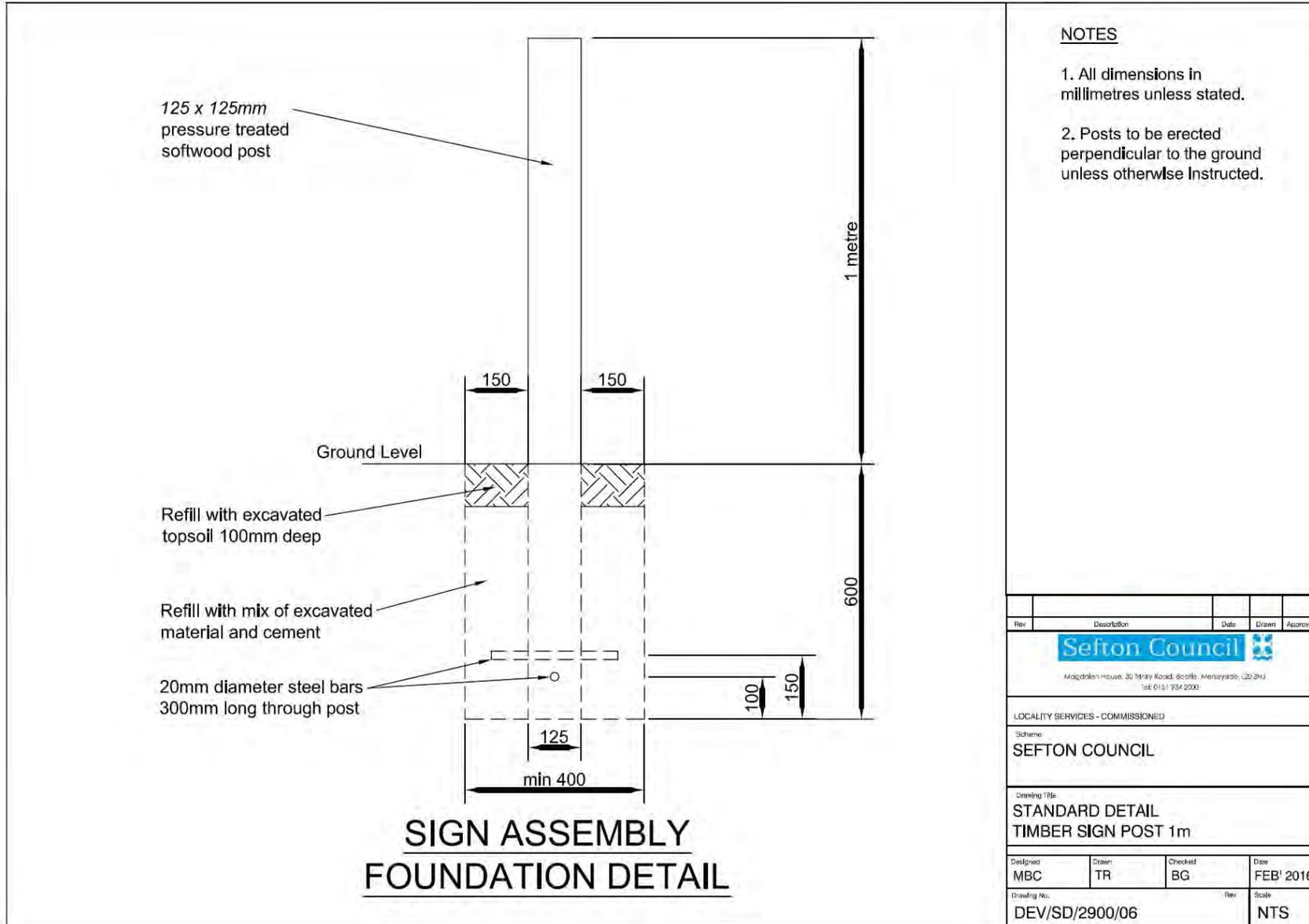


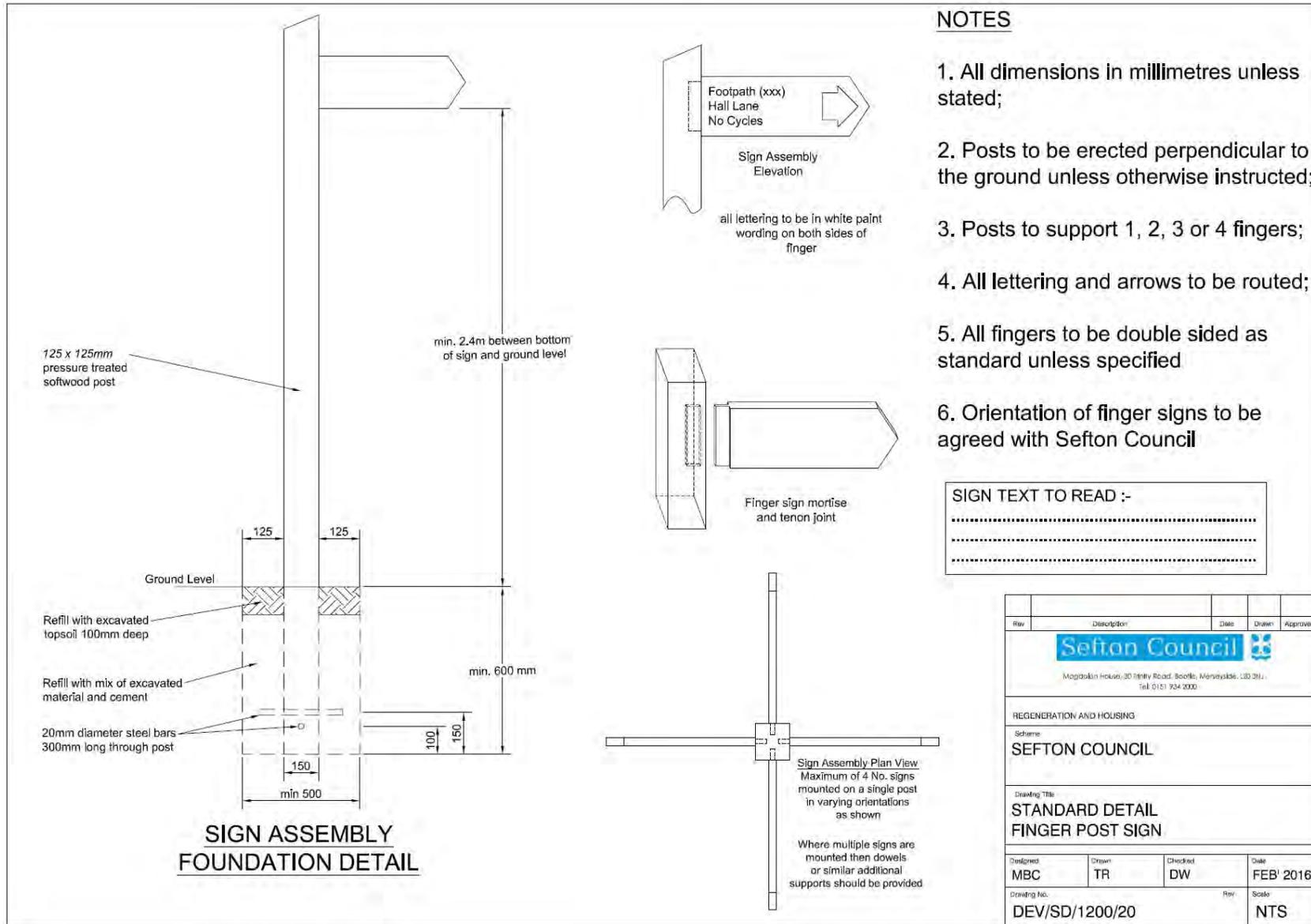
Image 48 shows a warning notice on Formby Byway No. 42 to advise horse riders to dismount (see location plan for locations of notices).

# **18. Public Rights of Way Technical Information (stiles, gates, signs etc.)**

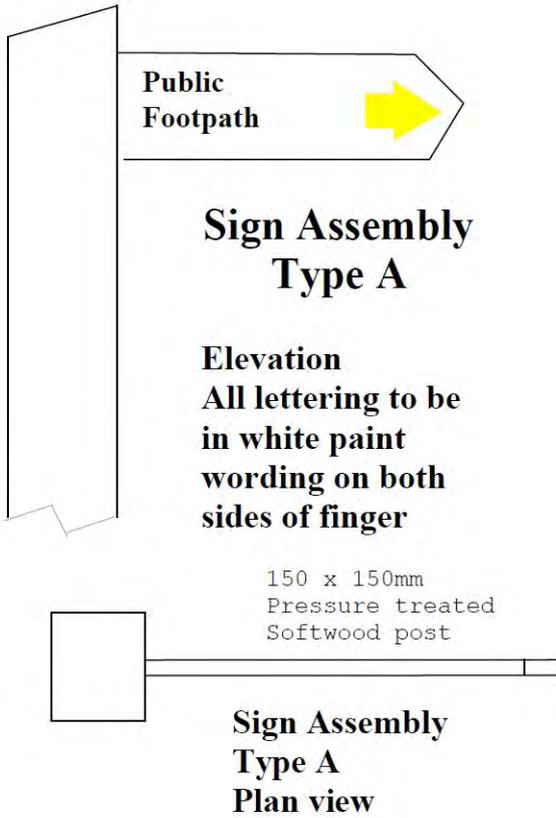
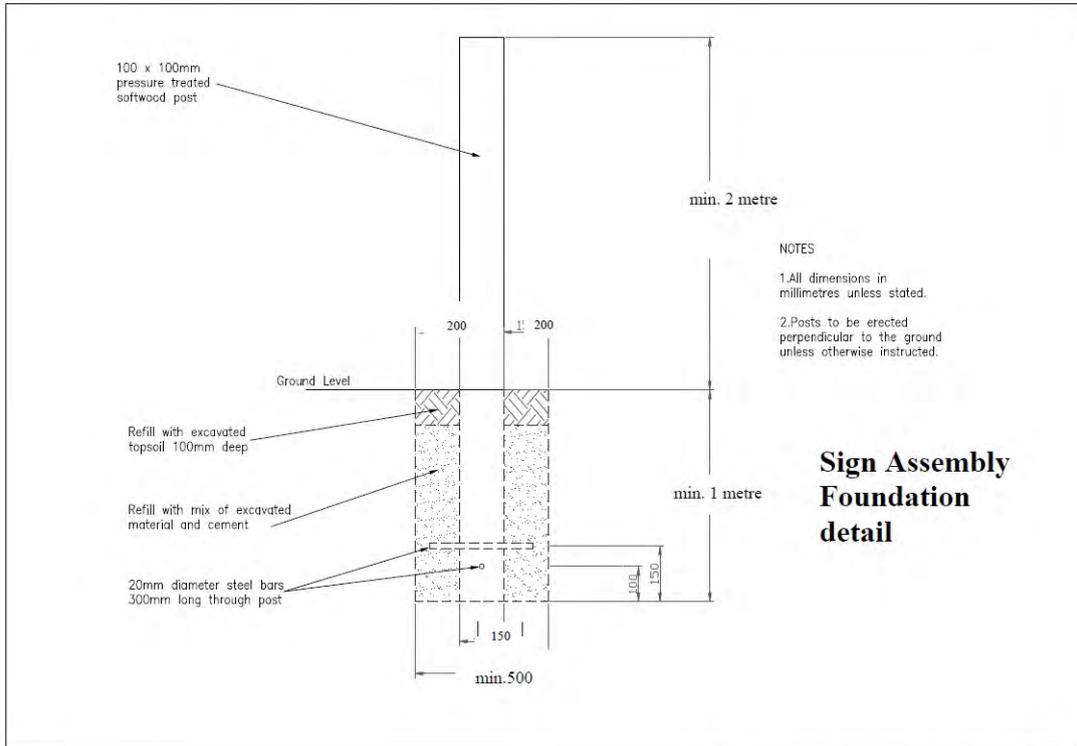


Rev	Description	Date	Drawn	Approved
 Magdalen House, 30 Trinity Road, Sefton, Merseyside, L20 3NJ Tel: 0151 934 2000				
LOCALITY SERVICES - COMMISSIONED				
Scheme <b>SEFTON COUNCIL</b>				
Drawing Title <b>STANDARD DETAIL TIMBER STEP PROFILE</b>				
Designed MBC	Drawn TR	Checked BG	Date FEB' 2016	
Drawing No. DEV/SD/2900/03			Rev	Scale NTS

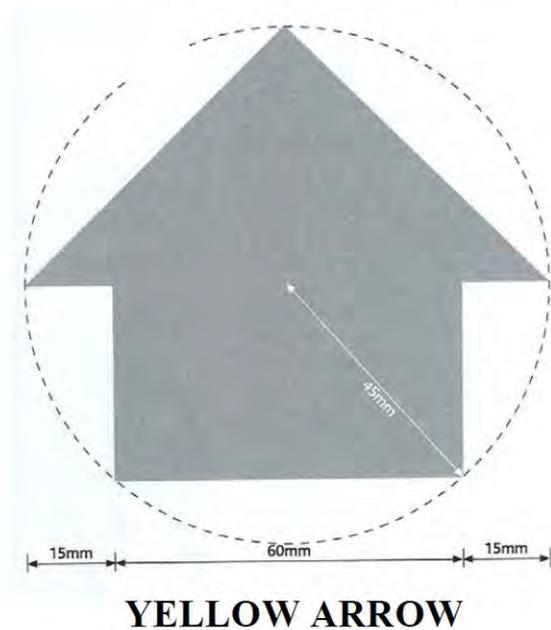




## Sign No Finger

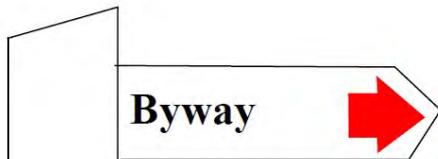
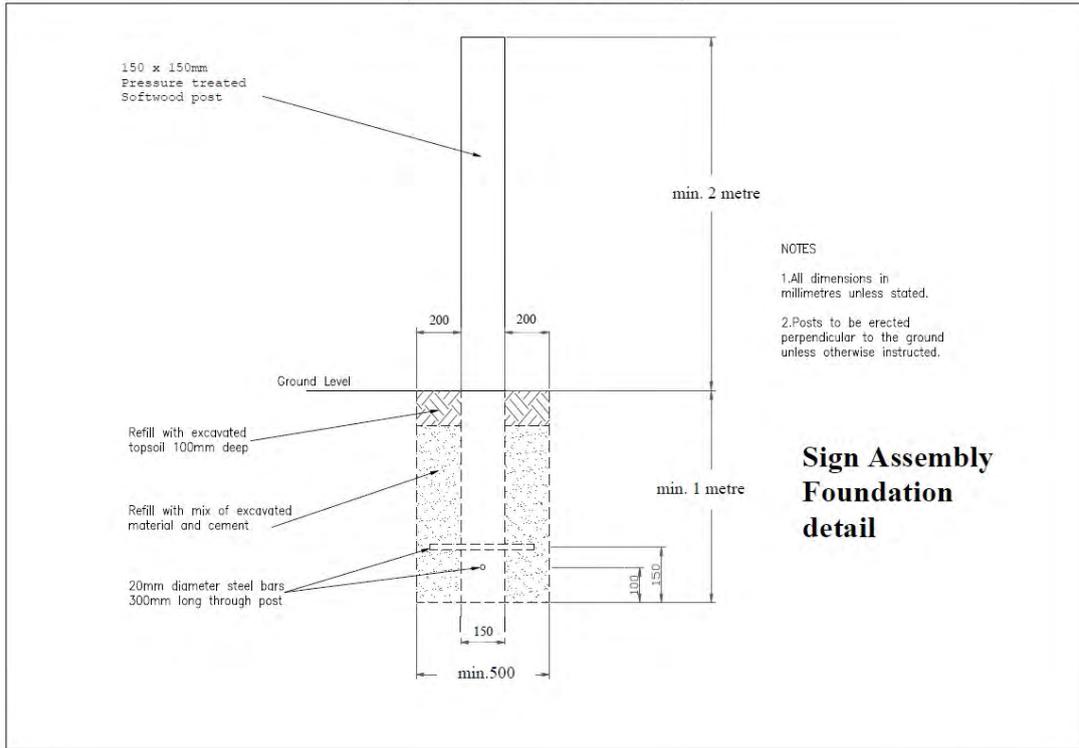


### Dimensions for Coloured Arrow



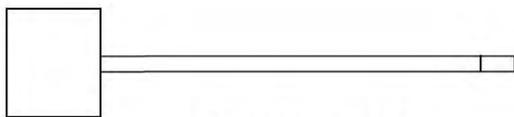


### Sign Finger example



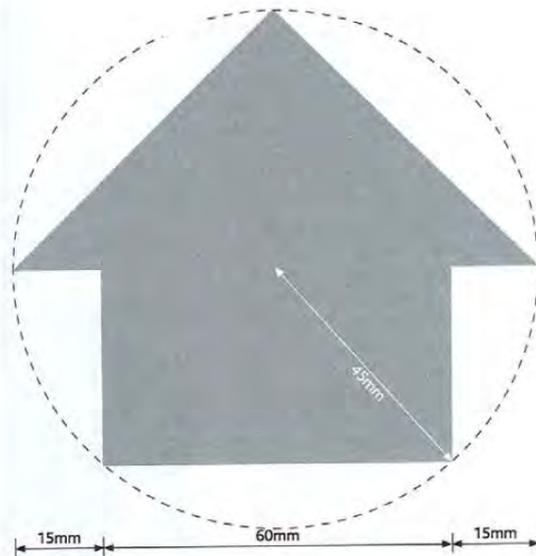
### Sign Assembly Type A

**Elevation**  
 All lettering to be in white paint  
 Wording on both Sides of finger



### Sign Assembly Type A Plan view

### Dimensions for Coloured Arrow



### RED ARROW



Scheme Ref. Byway	
Sign Ref. Tsd1	x-height 20.0
Letter colour WHITE	SIGN FACE
Background DARK GREEN	Width 260mm
Border WHITE	Height 80mm
Material Class RA2 (12899-1:2007)	Area 0.02sq.m

## Rights of way pedestrian footpath signs

### 1) Typical footpath sign



Scheme Ref.		Pedestrian only PFP	
Sign Ref.	TSD3	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	1150mm
Border	WHITE	Height	275mm
Material	Microprismatic	Area	0.32sq.m

### 3) Pedestrian Symbol only



Scheme Ref.		Pedestrian only	
Sign Ref.	TSD2	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	370mm
Border	WHITE	Height	275mm
Material	Microprismatic	Area	0.10sq.m

### 2) Typical named route with distance



Scheme Ref.		PFP - Moor lane	
Sign Ref.	TSD1	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	1280mm
Border	WHITE	Height	315mm
Material	Microprismatic	Area	0.40sq.m

SIGN NUMBER TO BE USED:

SIGN TEXT TO READ:

.....

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.....

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#### NOTES

1. All dimensions in millimetres unless stated;
2. Posts to be erected perpendicular to the ground unless otherwise instructed;
3. Posts to support 1, 2, 3 or 4 fingers;
4. All lettering and arrows to be routed where possible;
5. All fingers to be double sided as standard unless specified
6. Orientation of finger signs to be agreed with Sefton Council

## Rights of way bridleway sign



COMMENTS:

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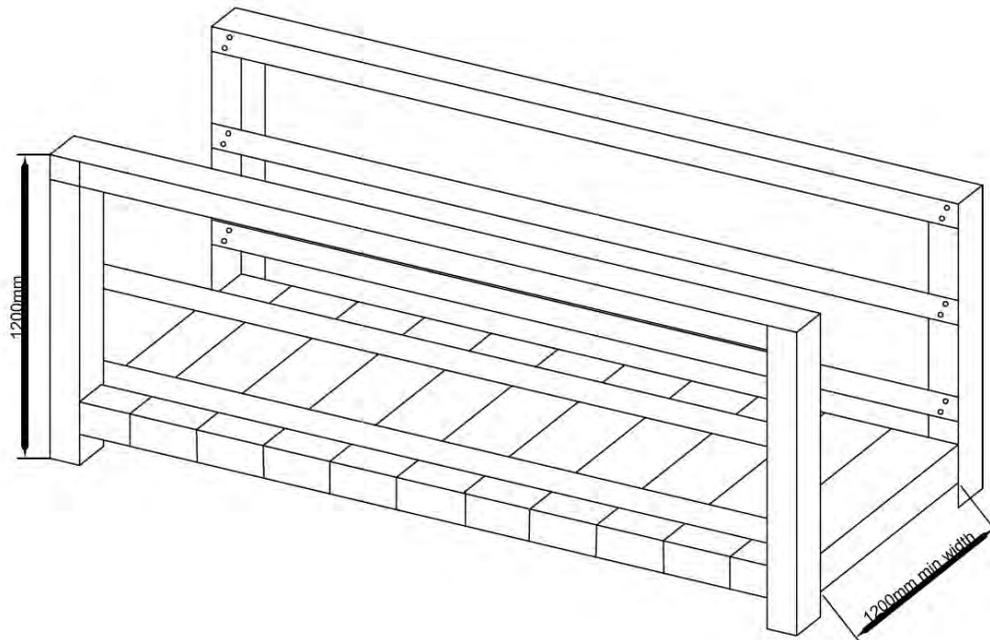
Scheme Ref.	Public Rights of Way		
Sign Ref.	B	x-height	35.0
Letter colour	WHITE	SIGN FACE	
Background	GREEN	Width	250mm
Border	WHITE	Height	155mm
Material	Class 1	Area	0.04sq.m

NOTES

1. All dimensions in millimetres unless stated;
2. Posts to be erected perpendicular to the ground unless otherwise instructed;
3. Posts to support 1, 2, 3 or 4 fingers;
4. All lettering and arrows to be routed where possible;
5. All fingers to be double sided as standard unless specified
6. Orientation of finger signs to be agreed with Sefton Council

Components

3	125mm x 225mm x 2600mm	Sleepers (measurements vary)
		metal dog clips
		Weldmesh
		Anchoring - as Required
2	100mm x 100mm x 1500mm	Posts
1	50mm x 100mm x length	Rail



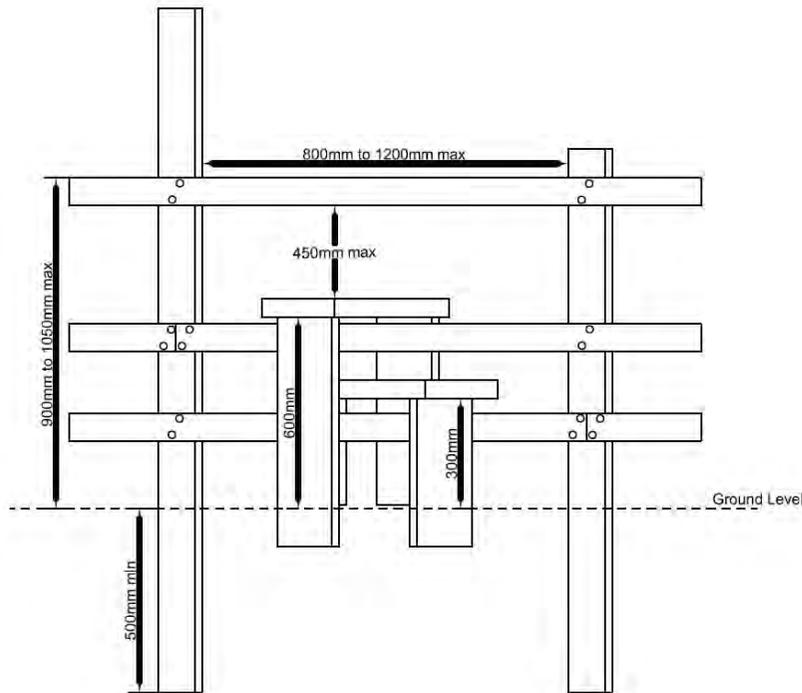
NOTES

1. The minimum width of a bridge is 1200mm;
2. All bridges must have 2 handrails;
3. If stock prevention is needed a self closing pedestrian gate may be attached as required;
4. Access to the bridge should be 'at level' or ramped with a maximum gradient of 1 in 10. If steps are used the maximum step height is 300mm;
5. Decking boards should be no more than 10mm apart;
6. Where the watercourse is likely to flood, the bridge must be properly anchored;
7. There must be no sharp edges on steps, fence rails and uprights.

Rev	Description	Date	Drawn	Approved
 Magdalen House, 30 Trinity Road, South, Merseyside, L20 3NJ Tel: 0151 934 2000				
LOCALITY SERVICES - COMMISSIONED				
Scheme <b>SEFTON COUNCIL</b>				
Drawing Title <b>STANDARD DETAIL TIMBER BRIDGE</b>				
Designed MBC	Drawn TR	Checked BG	Date FEB' 2016	
Drawing No. DEV/SD/2900/04			Rev	Scale NTS

**Components**

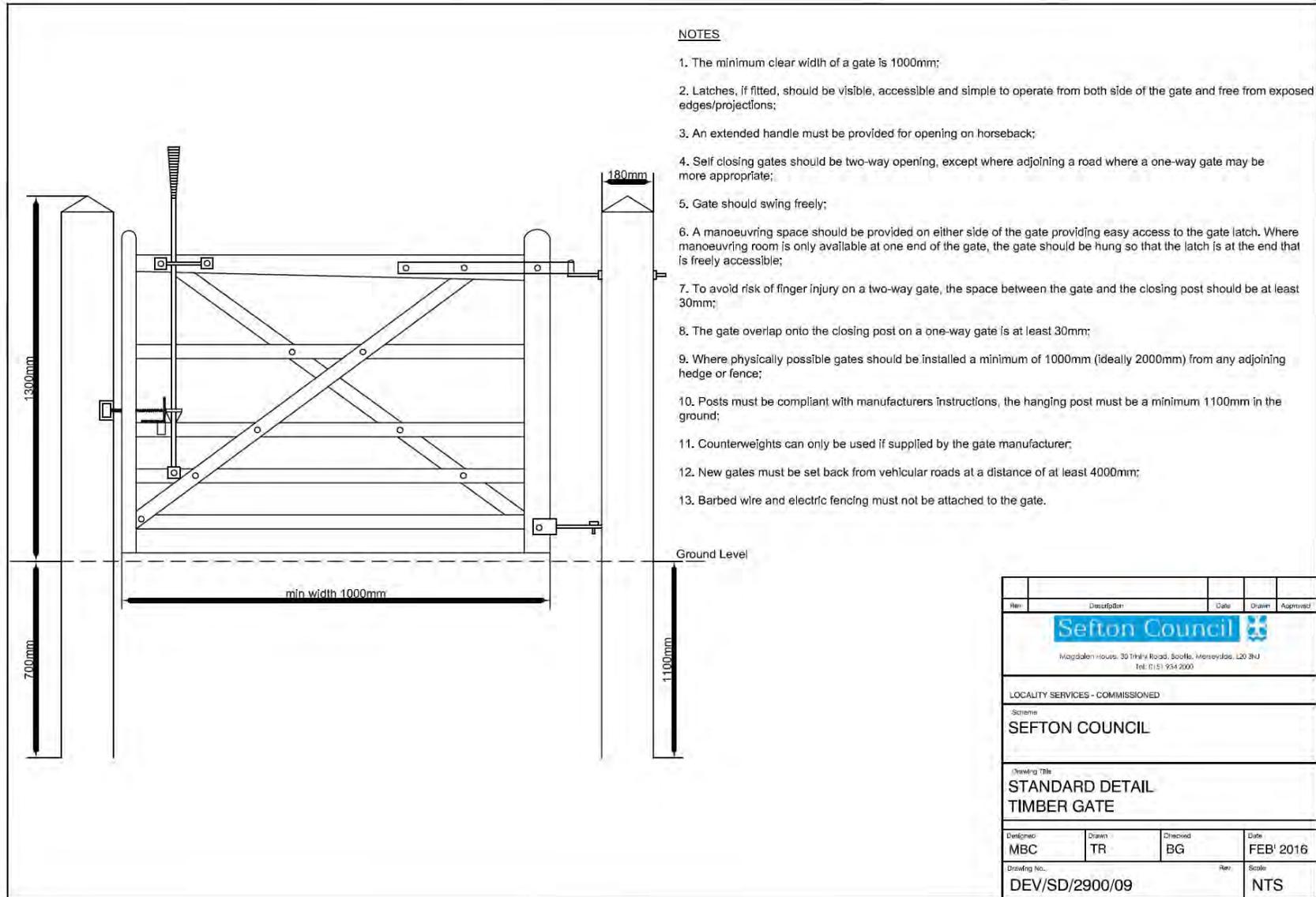
1	100mm x 100mm x 2000mm	Upright
1	100mm x 100mm x 1500mm	Upright
3	75mm x 50mm x 1000mm	Rails (Can vary from 800-1200mm)
2	200mm x 50mm x 900mm	Cross steps
2	150mm x 150mm x 800mm	Step supports
2	150mm x 150mm x 1100mm	Step supports



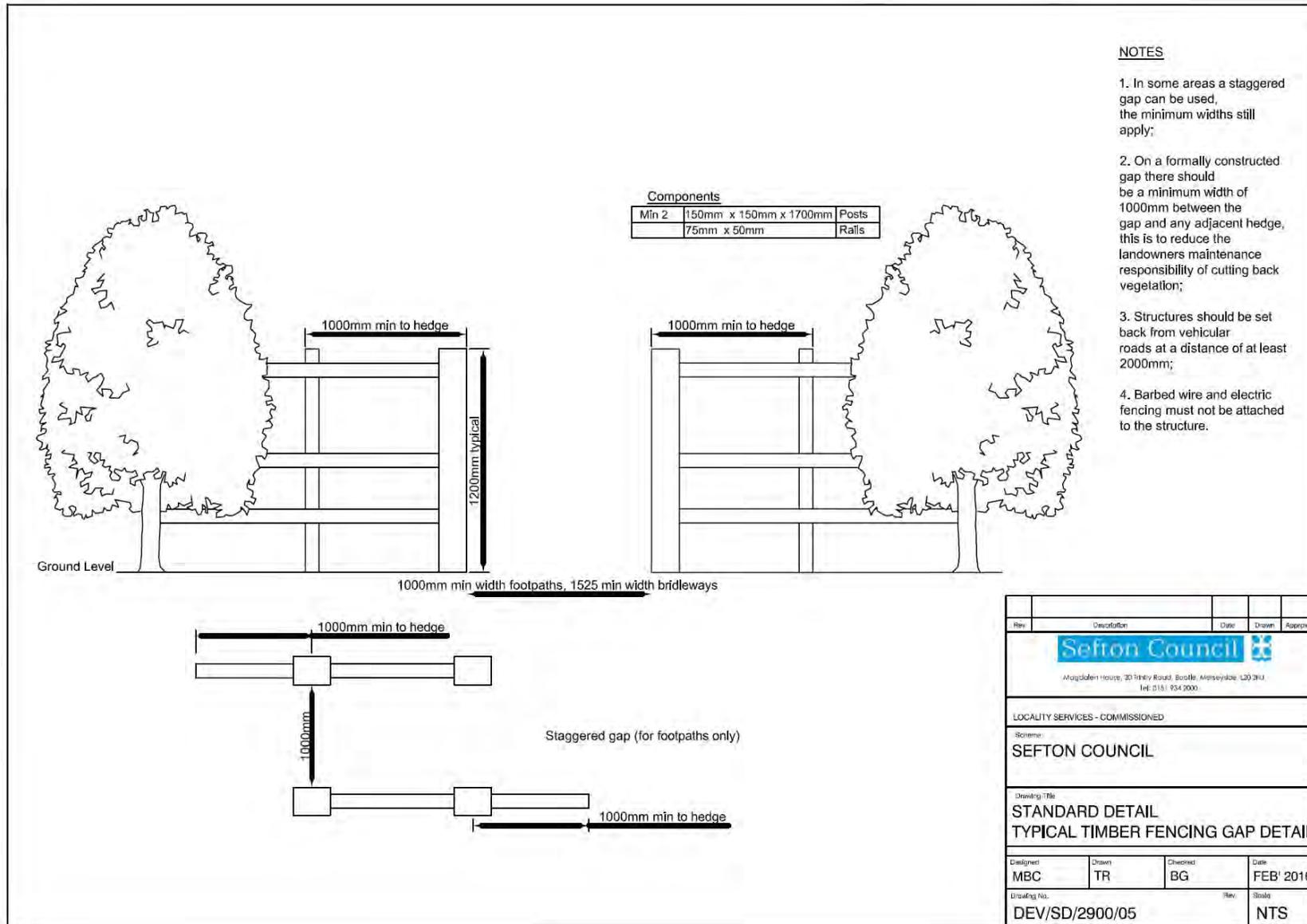
**NOTES**

1. The maximum height rise between the ground and the first step, and between steps, is 300mm;
2. The maximum height rise between the top step and the top of the rail is 450mm;
3. Height of the top of the rail from the ground must be a minimum of 900mm to a maximum of 1050mm;
4. Steps must be level, and at least 200mm wide, 900mm long and 50mm thick;
5. Hand posts must be 500mm to 700mm above the top rail;
6. Many people find crossed steps easier and more comfortable to negotiate than parallel steps;
7. There must be no sharp edges on steps, fence rails and uprights;
8. On stiles that cross wire fences, the top wire must be enclosed in cross rails to ensure that it does not pose a hazard to the users;
9. Posts must be between 5000mm and 7000mm in the ground dependent on soil type;
10. Stiles should be set back from vehicular roads at a distance of at least 2000mm;
11. Barbed wire and electric fencing must not be attached to the stile;

Rev	Description	Date	Drawn	Approved
 Maggallen House, 30 Trinity Road, Sefton, Merseyside, L20 3HJ Tel: 0151 934 2000				
LOCALITY SERVICES - COMMISSIONED				
Sponsor				
<b>SEFTON COUNCIL</b>				
Drawing Title				
<b>STANDARD DETAIL TIMBER STILE</b>				
Designed	Drawn	Checked	Date	
MBC	TR	BG	FEB' 2016	
Drawing No.			Rev	Scale
DEV/SD/2900/08				NTS



Rev	Description	Date	Drawn	Approved
 Magdalen House, 30 Trinity Road, Sefton, Merseyside, L20 9JU Tel: 0151 934 2000				
LOCALITY SERVICES - COMMISSIONED				
Scheme <b>SEFTON COUNCIL</b>				
Drawing Title <b>STANDARD DETAIL TIMBER GATE</b>				
Designer: <b>MBC</b>	Drawn: <b>TR</b>	Checked: <b>BG</b>	Date: <b>FEB' 2016</b>	
Drawing No.: <b>DEV/SD/2900/09</b>			Rev:	Scale: <b>NTS</b>



**18a. Information to aid contractor HM5 CONTRACT to locate and undertake the correct works on PROW the following information for individual works is advised to be forwarded.**

Section 18a.

HM5 contract information to aid contractor to locate and undertake works on PRow.

Example 1.

1. Provide a location plan showing and identifying the path or paths e.g. Crosby footpath No. 5 and Crosby bridleway No. 6 identified on the location plan by a yellow broken line for footpath and blue line for bridleway.
2. Provide on location plan access details e.g. Manor Road Crosby. Plan will identify location of works required; this will be identified by a works number. E.g. sign 2, 2a, 2b etc showing direction of waymarker disks for waymarker or timber finger.
3. Provide information on works required e.g. sign 2 Crosby footpath No.5 supply and erect 1 x timber waymarker post.
4. Provide specifications for works required e.g. timber waymarker post Crosby footpath No. 5 (sign 2).
5. Provide specifications for works required e.g. timber finger post Crosby footpath No. 5 (sign 2a).
6. Provide specifications for works required e.g. timber finger post Crosby bridleway No. 6 (sign 2b).
7. Request from contractor for an alternative quote for metal posts and finger signs (shelf life of a timber finger post approx. 10 years; shelf life of metal posts and signs approx. 25 years. It may be more cost effective to replace timber with metal).

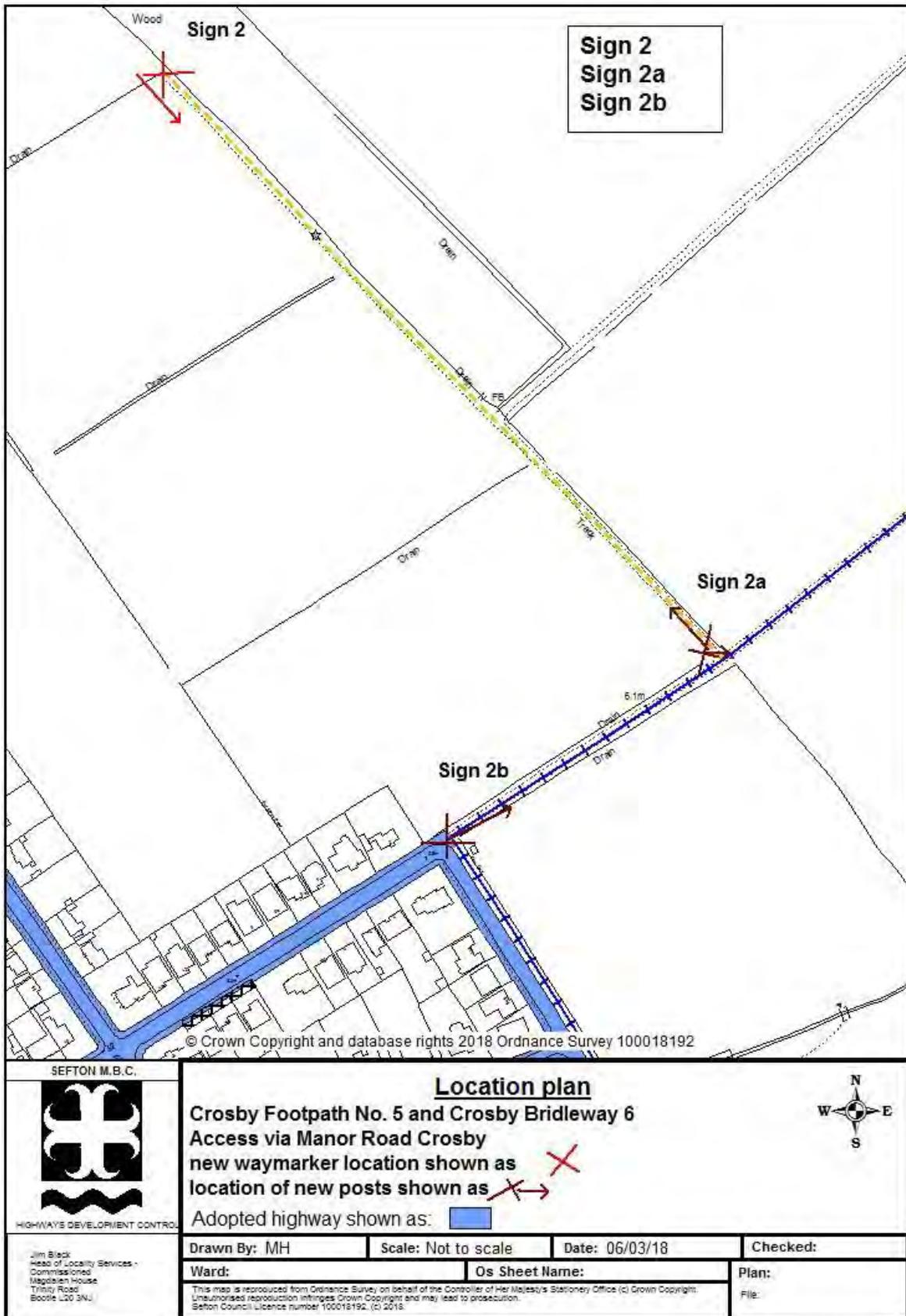
Example 2.

Contains all of the above information location plan, works required and specifications. All will be specified to each individual work or works.

Example 3.

Shows ad hoc works on a PRow including signs, timber bollards and safety rails.

Sign 2 Location Plan.



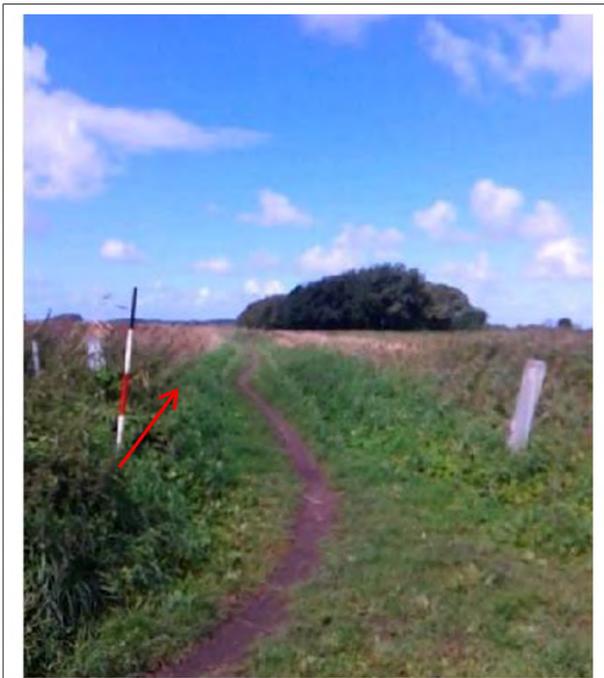
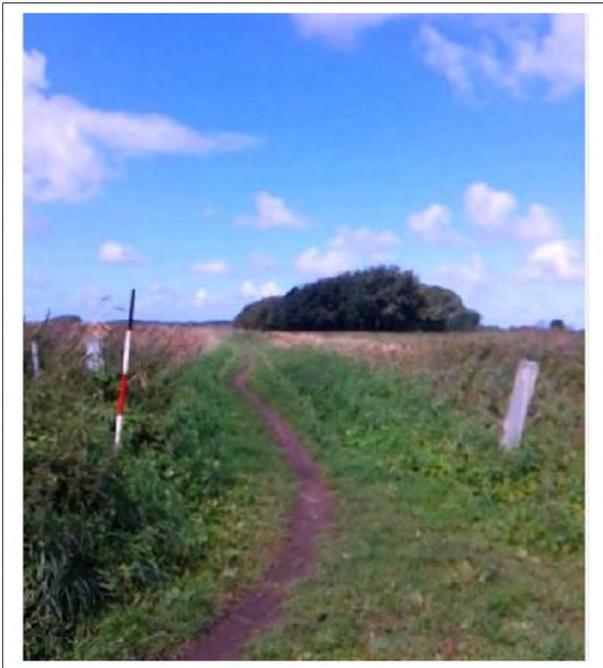
SEFTON M.B.C.		<b>Location plan</b>		
 HIGHWAYS DEVELOPMENT CONTROL		Crosby Footpath No. 5 and Crosby Bridleway 6 Access via Manor Road Crosby new waymarker location shown as location of new posts shown as Adopted highway shown as:		
		Drawn By: MH	Scale: Not to scale	Date: 06/03/18
Ward:		Os Sheet Name:		Plan:
Jim Black Head of Locality Services - Commissions Magdalen House Trinity Road Bootle L20 3NU		This map is reproduced from Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution. Sefton Council licence number 100018192, (c) 2018.		File:

## Sign 2 Requirement.



Works Required. Crosby Footpath No. 5.  
Supply and erect 1 x timber waymarker post.  
Location as per ranging pole.  
Disks supplied by Highways, direction of arrow as shown right.  
**Defect Number 068482.**

## Sign 2a Requirement.



Works Required Crosby Footpath No. 5.

Supply and erect 1 x timber finger post, 1 finger Location as per ranging pole left hand side of path.

**Defect Number 068481.**

Please also supply alternative quote for 3m metal post and footpath finger sign.

## Sign 2b Requirement



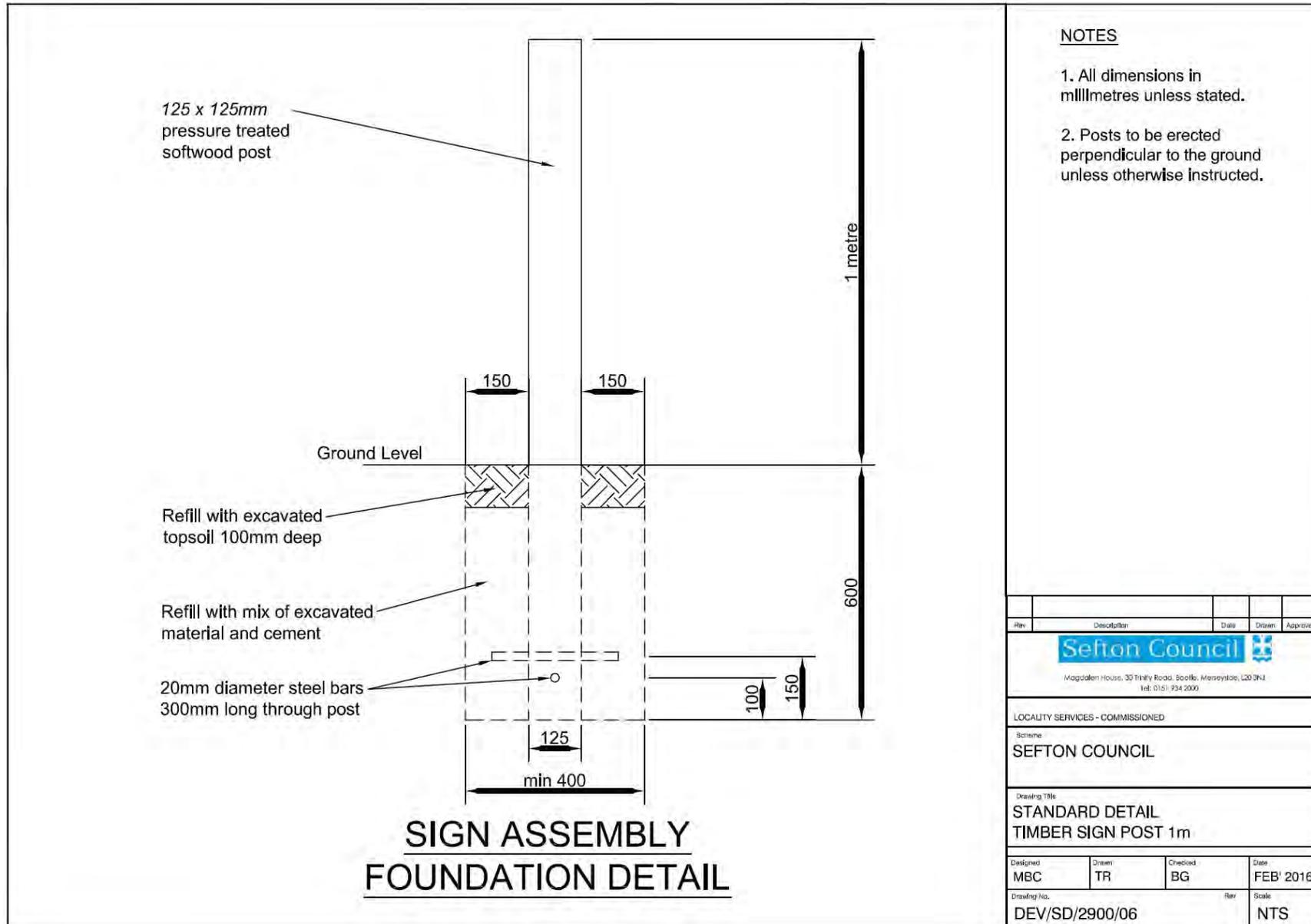
Works Required Crosby Bridleway No. 6.

Remove to tip damaged timber post Supply and erect 1 x timber finger post.

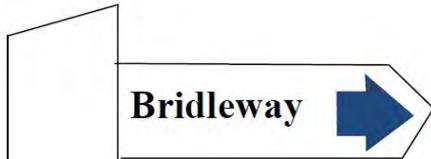
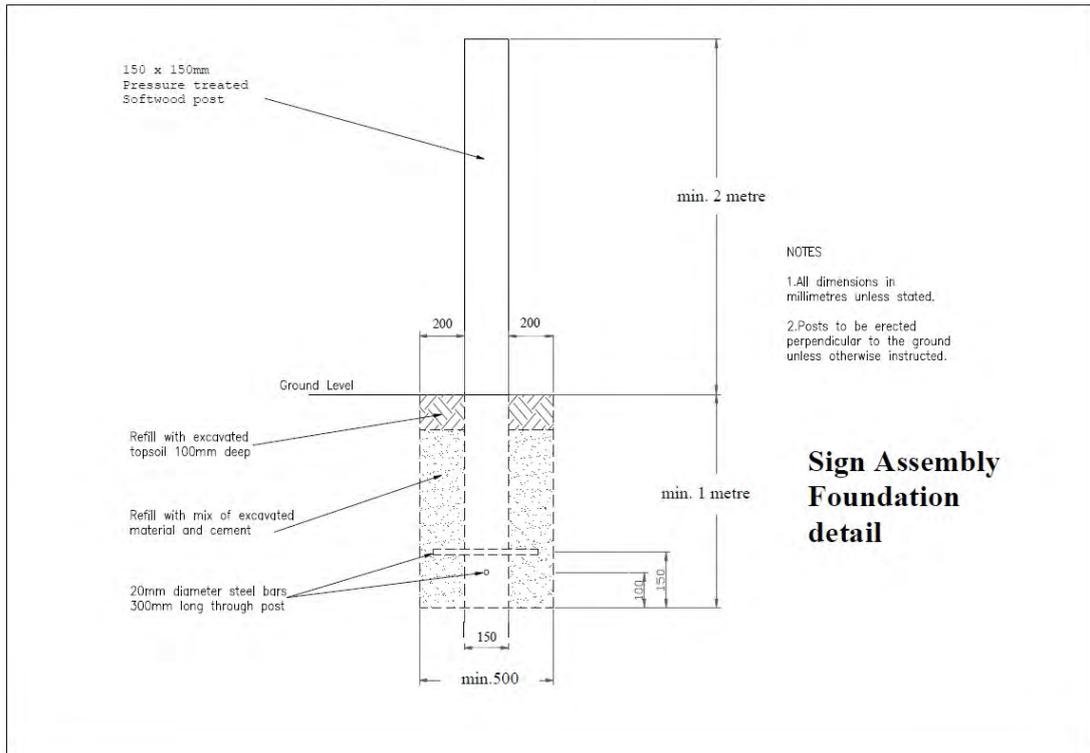
Location as per removed post erect left hand side of path.

**Defect Number 068479.**

Please also supply alternative quote for 3m metal post and footpath finger sign.

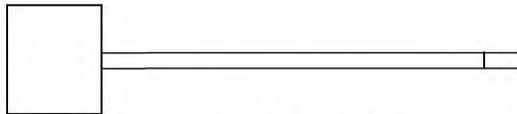


### Sign No x Finger example



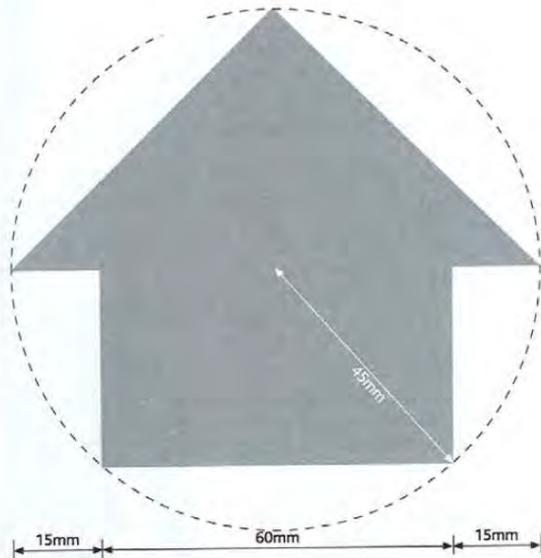
### Sign Assembly Type A

**Elevation**  
 All lettering to be in white paint  
 Wording on both Sides of finger



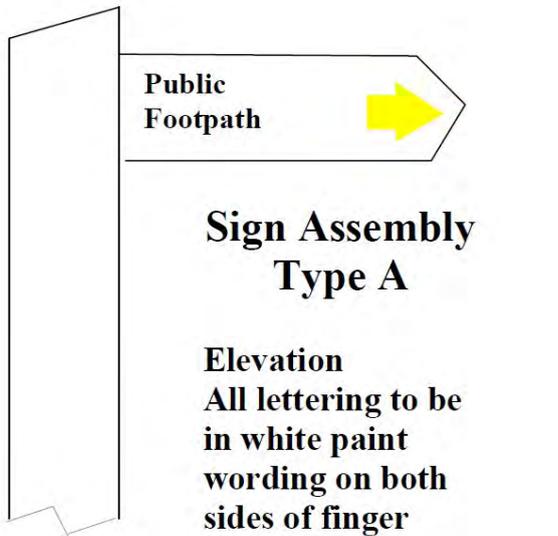
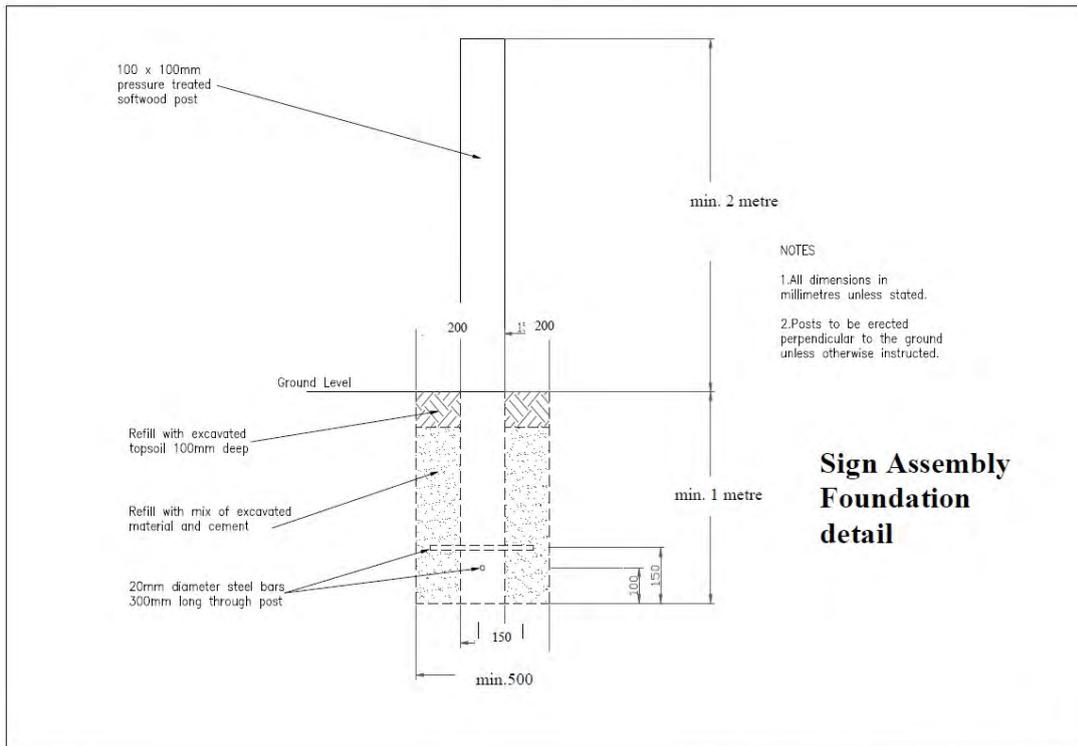
### Sign Assembly Type A Plan view

### Dimensions for Coloured Arrow

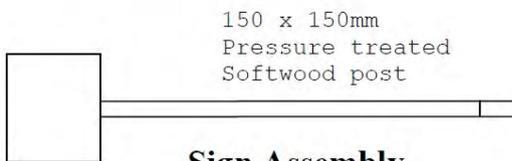


### BLUE ARROW

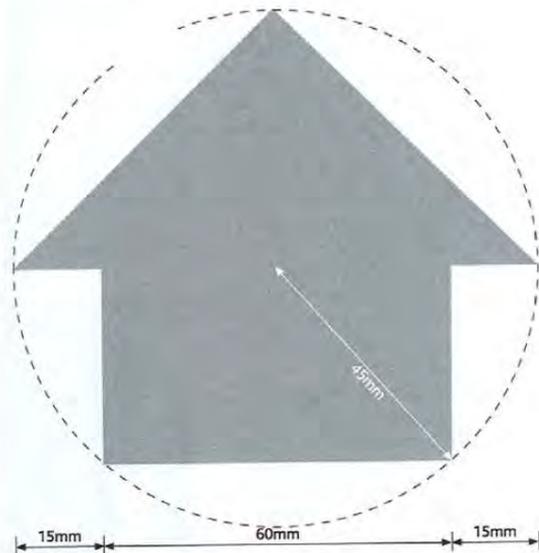
## Sign No Finger



**Elevation**  
All lettering to be in white paint wording on both sides of finger



### Dimensions for Coloured Arrow



**YELLOW ARROW**

## Rights of way bridleway sign



COMMENTS:

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Scheme Ref.	Public Rights of Way		
Sign Ref.	B	x-height	35.0
Letter colour	WHITE	SIGN FACE	
Background	GREEN	Width	250mm
Border	WHITE	Height	155mm
Material	Class 1	Area	0.04sq.m

NOTES

1. All dimensions in millimetres unless stated;
2. Posts to be erected perpendicular to the ground unless otherwise instructed;
3. Posts to support 1, 2, 3 or 4 fingers;
4. All lettering and arrows to be routed where possible;
5. All fingers to be double sided as standard unless specified
6. Orientation of finger signs to be agreed with Sefton Council

## Rights of way pedestrian footpath signs

### 1) Typical footpath sign



Scheme Ref.	Pedestrian only PFP		
Sign Ref.	TSD3	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	1150mm
Border	WHITE	Height	275mm
Material	Microprismatic	Area	0.32sq.m

### 3) Pedestrian Symbol only



Scheme Ref.	Pedestrian only		
Sign Ref.	TSD2	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	370mm
Border	WHITE	Height	275mm
Material	Microprismatic	Area	0.10sq.m

### 2) Typical named route with distance



Scheme Ref.	PFP - Moor lane		
Sign Ref.	TSD1	x-height	50.0
Letter colour	WHITE	SIGN FACE	
Background	DARK GREEN	Width	1280mm
Border	WHITE	Height	315mm
Material	Microprismatic	Area	0.40sq.m

SIGN NUMBER TO BE USED:

SIGN TEXT TO READ:

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#### NOTES

1. All dimensions in millimetres unless stated;
2. Posts to be erected perpendicular to the ground unless otherwise instructed;
3. Posts to support 1, 2, 3 or 4 fingers;
4. All lettering and arrows to be routed where possible;
5. All fingers to be double sided as standard unless specified
6. Orientation of finger signs to be agreed with Sefton Council

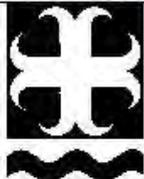
Example 2.

This example shows change in status of PRow, Bridleway and Byway.

1. Location plan.
2. Works required.
3. Specifications.



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<p>SEFTON M.B.C.</p>  <p>HIGHWAYS DEVELOPMENT CONTROL</p> <p>Jim Black Head of Locality Services - Commissioned Magdalen House Trinity Road Boothle L20 3NU</p>	<p><b>Location plan</b></p> <p>location of new finger post shown as accessed via Hawsworth Dr formby</p>   <p>Adopted highway shown as:</p>			
<p>Drawn By: MH</p>	<p>Ward:</p>	<p>Scale: Not to scale</p> <p>Os Sheet Name:</p>	<p>Date: 06/03/18</p> <p>Plan:</p>	<p>Checked:</p> <p>File:</p>

**Sign 19 Requirement.**



Works required.

Supply and erect new timber two finger post.

Bridleway No. 40 finger right handed single sided.

Formby Byway No. 39 finger left handed single sided.

Supply alternative quote for 3m metal post and two single sided metal fingers.

Bridleway No. 40 finger right handed single sided.

Formby Byway No. 39 finger left handed single sided.

Defect number 067878.



Scheme Ref. Byway	
Sign Ref. Tsd1	x-height 20.0
Letter colour WHITE	SIGN FACE
Background DARK GREEN	Width 260mm
Border WHITE	Height 80mm
Material Class RA2 (12899-1:2007)	Area 0.02sq.m

## Rights of way bridleway sign



COMMENTS:

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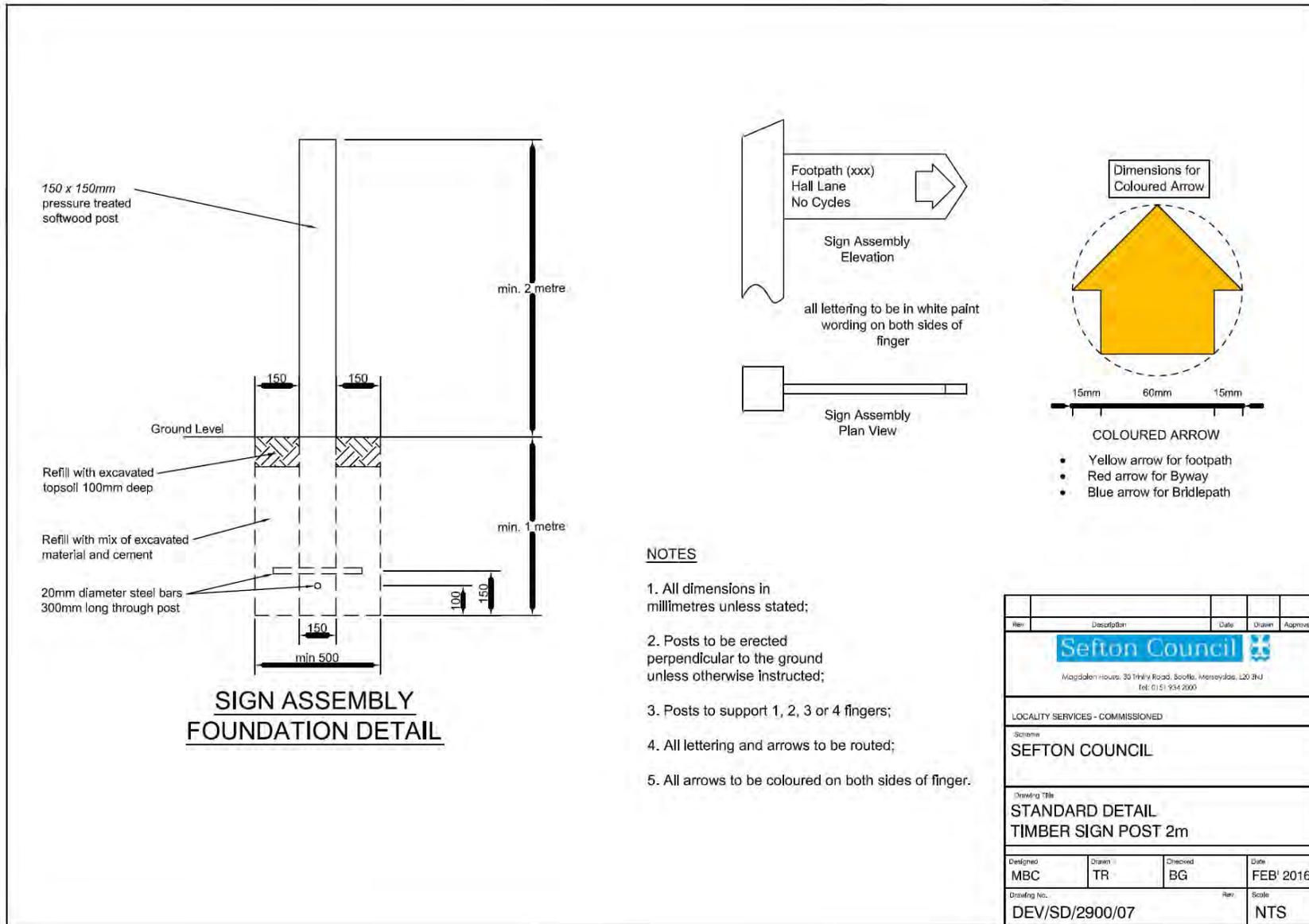
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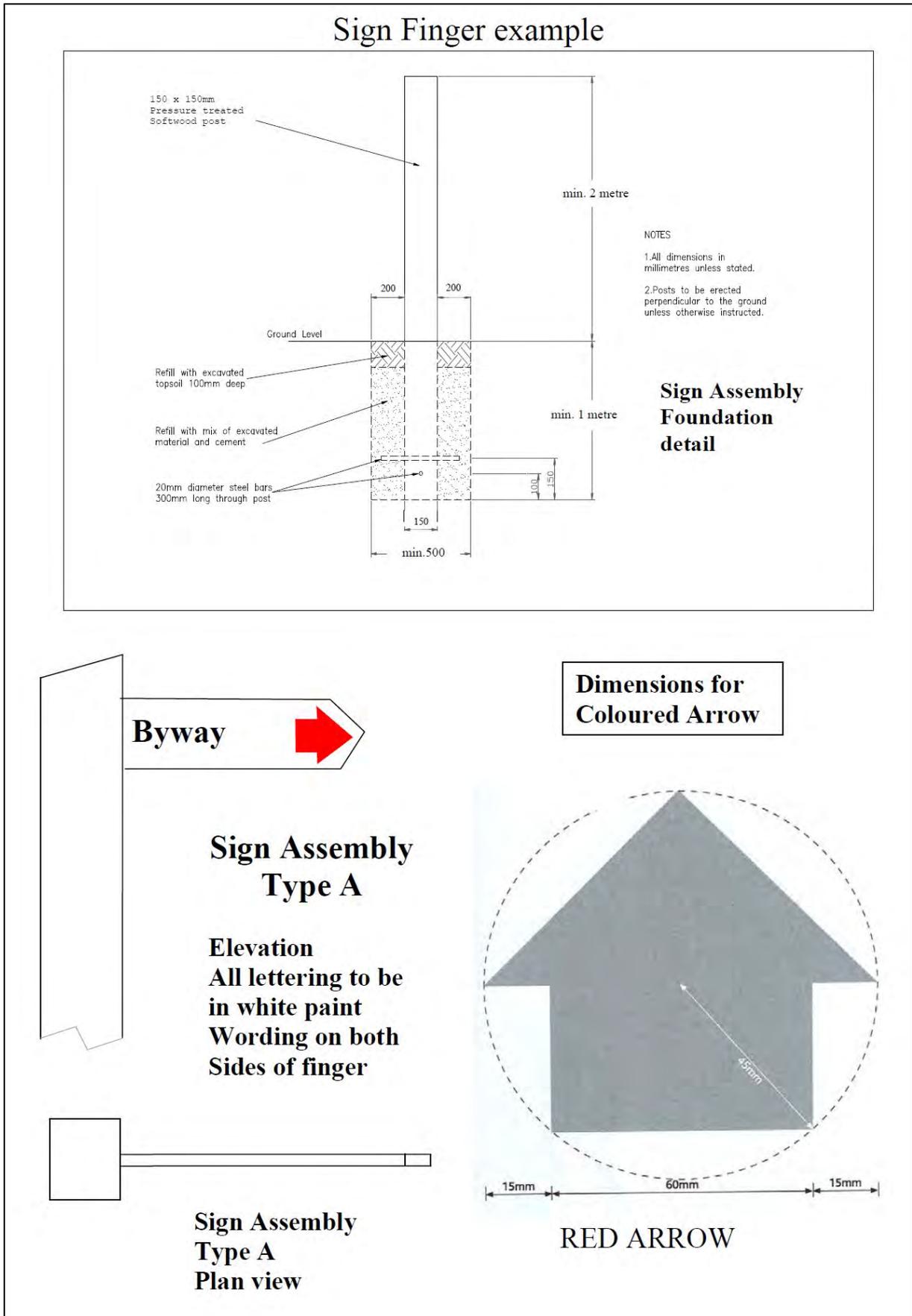
.....

Scheme Ref.	Public Rights of Way		
Sign Ref.	B	x-height	35.0
Letter colour	WHITE	SIGN FACE	
Background	GREEN	Width	250mm
Border	WHITE	Height	155mm
Material	Class 1	Area	0.04sq.m

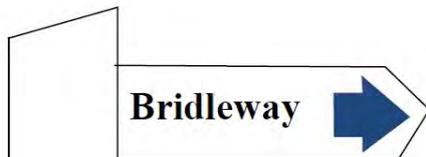
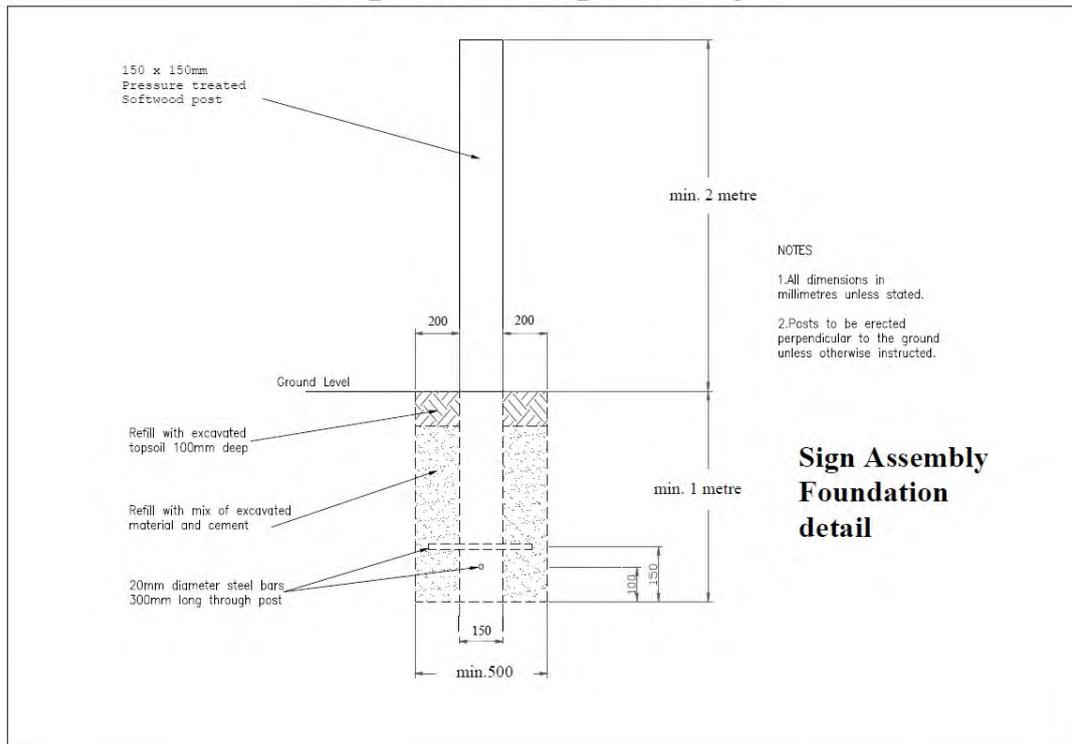
NOTES

1. All dimensions in millimetres unless stated;
2. Posts to be erected perpendicular to the ground unless otherwise instructed;
3. Posts to support 1, 2, 3 or 4 fingers;
4. All lettering and arrows to be routed where possible;
5. All fingers to be double sided as standard unless specified
6. Orientation of finger signs to be agreed with Sefton Council





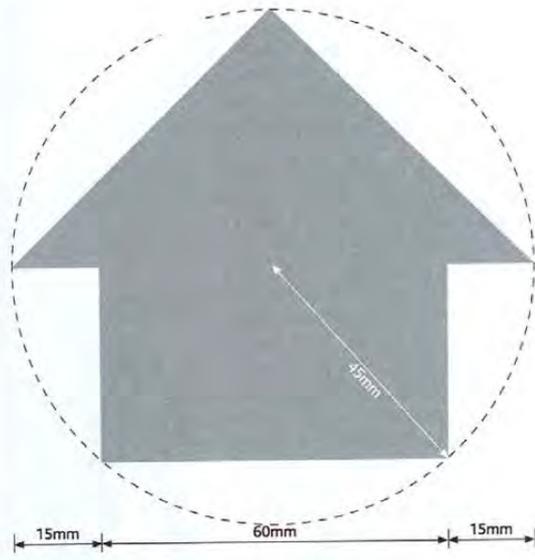
### Sign No x Finger example



**Dimensions for Coloured Arrow**

**Sign Assembly Type A**

**Elevation**  
 All lettering to be in white paint  
 Wording on both Sides of finger



**Sign Assembly Type A Plan view**

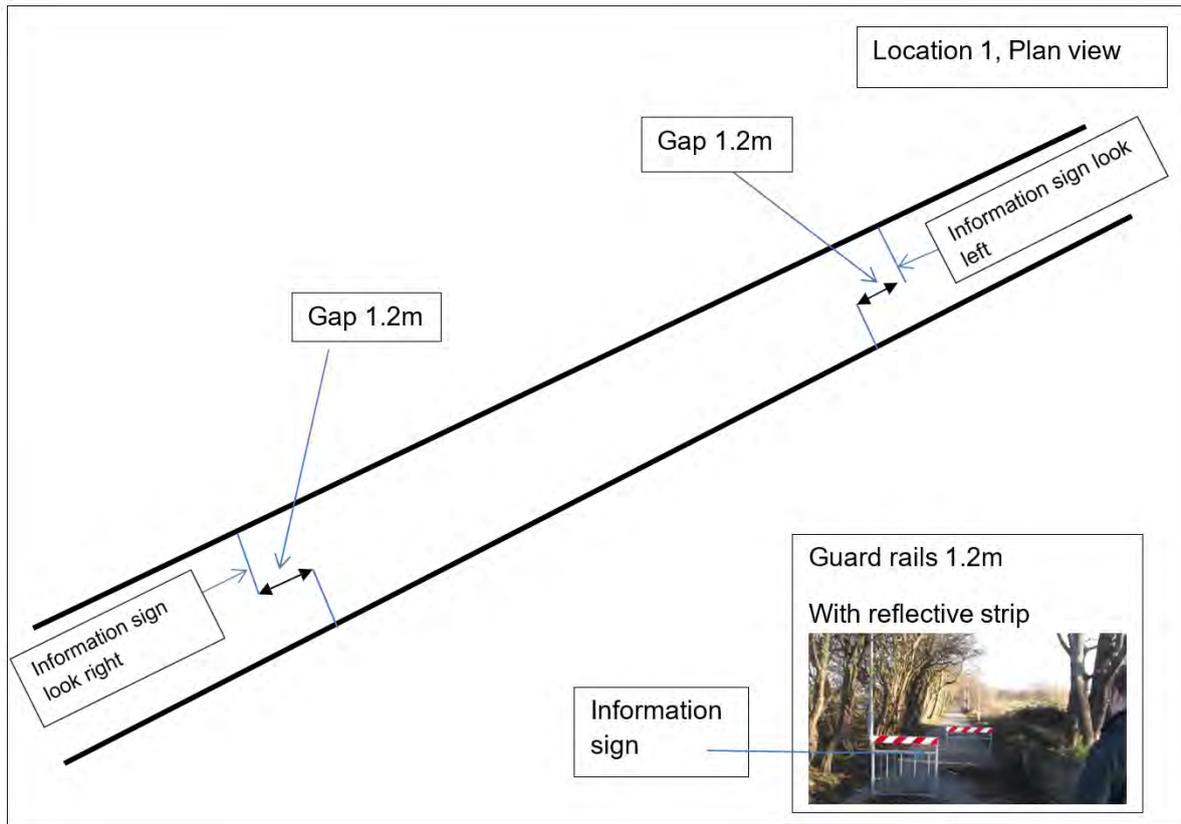
**BLUE ARROW**

Example 3.

Shows adhoc works on a PRow including signs, timber bollards and safety rails.



Location 1, Plan view.



Works required.

Remove to tip existing guard rails.

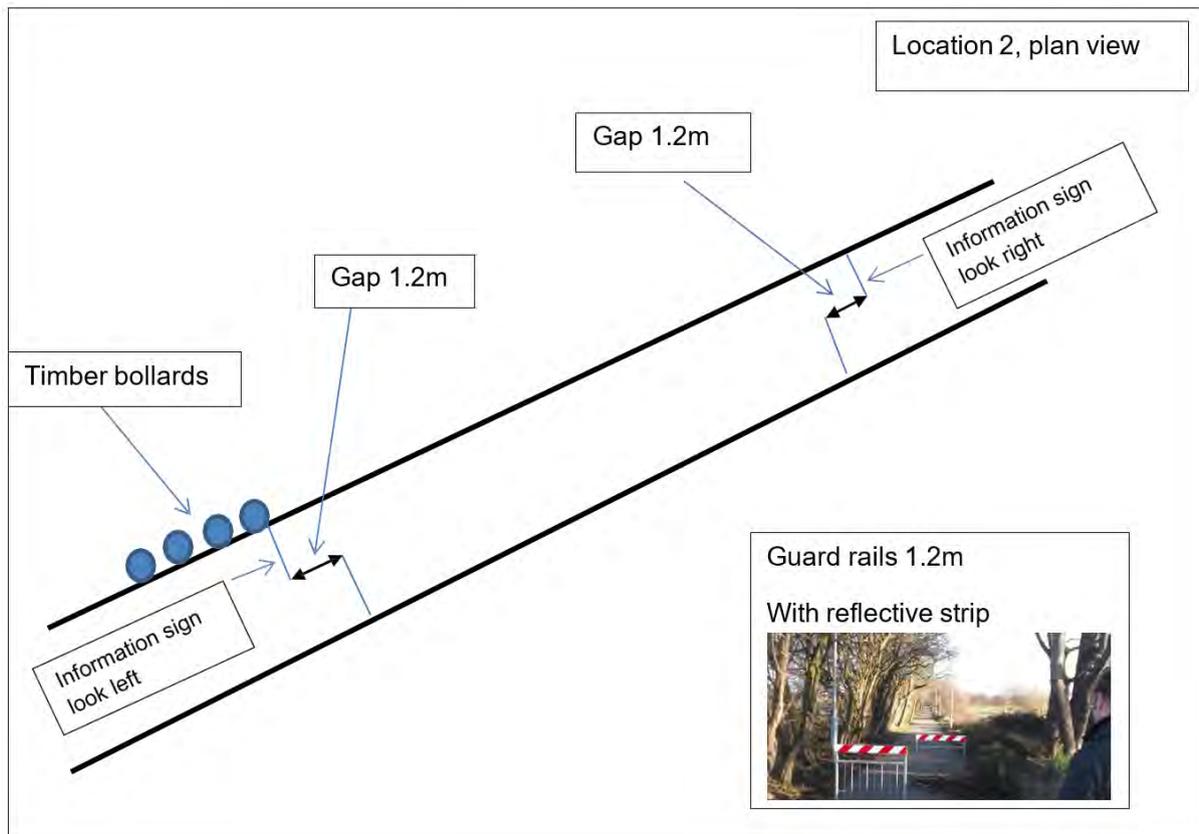
Supply and erect 4 number 1.2 guard rails with reflective strip as shown.

Supply and erect 2 number information signs to be erected on guard rails as shown.

One sign to read caution golf course ahead look right.

One sign to read caution golf course ahead look left.

Location 2, plan view.



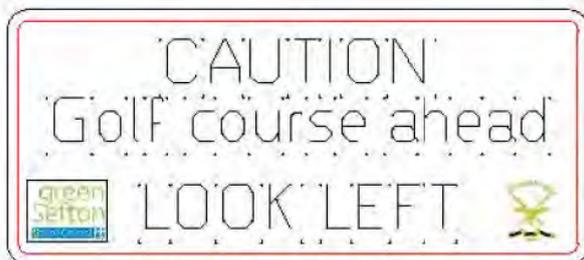
Works required.

Supply and erect 4 number 1.2m guard rails with reflective strip as shown. Gap of 1.2m between rails.

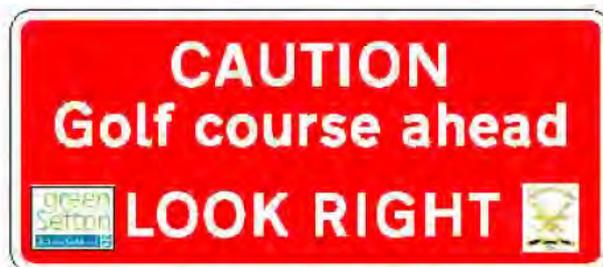
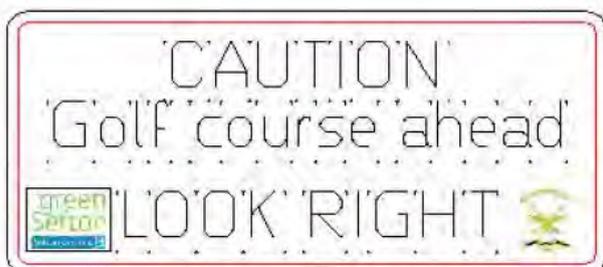
Supply and erect 10 number timer bollards gap between bollards 300mm (bollards specification as per waymarker installation and design).

Supply and erect 2 number information signs to be erected on guard rails as shown One sign to read caution golf course ahead look right.

One sign to read caution golf course ahead look left.



Scheme Ref. Golf Driving Range			
Sign Ref.	L1	x-height	30.0
Letter colour	WHITE	SIGN FACE	
Background	RED	Width	595mm
Border	WHITE	Height	265mm
Material	Microprismatic	Area	0.16sq.m



Scheme Ref. Golf Driving Range			
Sign Ref.	R1	x-height	30.0
Letter colour	WHITE	SIGN FACE	
Background	RED	Width	595mm
Border	WHITE	Height	265mm
Material	Microprismatic	Area	0.16sq.m

## 19. Notifiable Weeds (Himalayan Balsam, Japanese Knotweed etc.)

### 19.1 Himalayan Balsam.



#### **Species Description:**

**Scientific name:** *Impatiens glandulifera*.

**AKA:** Policeman's Helmet, Indian Balsam, Jac yNeidiwr (Welsh).

**Native to:** West and central Himalayas.

**Habitat:** Found mostly on riverbanks and in damp woodland, can grow in other damp habitat.

A tall, attractive, annual herb with explosive seed heads. Although easy to identify as a mature plant with its pink-purple flowers, fleshy stem and characteristic leaves, the seedlings and last year's dead stems of this annual are more difficult to spot.

Introduced as a garden plant in the early 19th century and first recorded in the wild in 1855. Often favoured by the general public for its aesthetic appeal and is still deliberately planted on occasion. Now widespread in the UK, especially along urban rivers. Spreads solely by seeds, which are small and easily carried by wind or water.

Out-competes native species in ecologically sensitive areas, particularly riverbanks. Where it grows in dense stands along riverbanks it can impede flow at times of high rainfall, increasing the likelihood of flooding. Die back of extensive stands over winter can leave riverbanks bare and exposed to erosion.

Himalayan balsam is listed under Schedule 9 to the Wildlife and Countryside Act 1981 with respect to England and Wales. As such, it is an offence to plant or otherwise allow this species to grow in the wild.

For Details of legislation go to [www.nonnativespecies.org/legislation](http://www.nonnativespecies.org/legislation).

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# Key ID Features



# Identification throughout the year

Can be identified at most times of the year: March-June by its seedlings, stem and leaf shape, from July to September by its stem, leaf shape and flowers. More difficult to identify over winter (October to February), look for hay like remains and distinctive root structure.



## Similar Species

### Orange Balsam Non-Native (*Impatiens capensis*)



Flowers slightly earlier, June to August

Smaller than Himalayan balsam, growing to a height of 1.2m

Flower is similar in shape but orange in colour

Orange balsam is much less aggressive than Himalayan balsam, forming smaller less dense stands

Smaller leaves, with fewer serrations

## Distribution

Widespread and common across the whole of the UK. Primarily on riverbanks and in other damp areas.

Source: NBN Gateway. Check website for current distribution



### References and further reading:

Blamey, M, Fitter, R and Fitter, A (2003) "*The Wild Flowers of Britain and Ireland. The Complete Guide to the British and Irish Flora*". A & C Black

Preston, C D, Pearman, D A and Dines, T A (editors) (2002) "*New Atlas of the British and Irish Flora*". Oxford University Press

Stace, C (1999) "*Field Flora of the British Isles*". Cambridge University Press

Photos from: Olaf [Booy](#), Mike Harris, Max Wade

## 19.2 Japanese Knotweed (*Fallopia Japonica*).



This non-native invasive plant was brought to the UK as an exotic oriental plant from Japan but it did not take long for horticulturalists to realise the invasive qualities of the species. The plants thrives wherever it is found and spreads like wildfire.

With deep, penetrating roots, the plant can force out native plants and has caused many problems in public and private sewers, waterlines and foundations. Presently, there is no quick fix for eradicating this species.

And only licensed landfills can accept the refuse when Japanese Knotweed is brought for discard.

Japanese Knotweed is plainly visible along rail lines, waterways and riverbanks but it has begun to creep into more and more local gardens and even existing building foundations. The plant is so invasive that mortgage lenders will not make loans on properties that have Knotweed.

**19.3 Curly Waterweed (Lagarosiphon Major / Eldoes Densa).**



Curly Waterweed is another non-native invasive plant that is threatening the UK landscape. This one appears subtle because it thrives underwater.

Classed as an oxygenating plant or pondweed, Curly Waterweed roots are not visible but grow as long as 3 meters, like Japanese Knotweed, and spread exceedingly rapidly. Like Knotweed, Curly Waterweed has spread across the UK wherever there are ponds, rivers, canals or lakes.

The clutter caused by the plant's underwater roots threatens native water plants and even game like fish. Unfortunately, Curly Waterweed impedes water flow in these fresh water sources. Despite being sold as oxygenating plants, this species is harmful to invertebrates.

**19.4 Cotoneaster (Cotoneaster).**



This is yet another non-native, invasive plant that is popularised by passionate gardeners who did not understand the ecosystem and risks these non-native plants can pose.

This plant is quickly spread by birds and the wind and other animals. There are four types of Cotoneasters that are considered five-star critical risk under government's Rapid Risk Assessment.

Once extremely popular with gardeners, Cotoneaster is a favourite for birds and wildlife. Gardeners still view the plant as an appealing landscaping shrub. For birds, the plant's berries are delicious, and this has helped spread the seed across the UK.

Unfortunately, this species damages native species and crowds native plants out. Chances are good that you can see evidence of Cotoneaster on limestone cliffs, bursting through pavements and screes or invading a neighbour's garden. The species is stubborn and difficult to eradicate.

### 19.5 Floating Pennywort (*Hydrocotyle Ranunculoides*).



Environmentalists won the first round of the battle with another non-native plant species when the sale of Floating Pennywort was banned after April 2014.

Floating Pennywort is another invasive aquatic species that features dense mats of rounded leaves that appear to float across water surfaces.

The plant is prevalent in England southeast region but has begun to crop up in the west and Midlands as well. In the past, the plant was sold under the inaccurate label of “marsh pennywort”. It is often called “water pennywort”.

## 19.6 Giant Hogweed (*Heracleum Mantegazzianum*).



Giant Hogweed climbs to heights of 6 meters, so it is difficult to miss this species. The height of plants in this species and the pointed leaves make this easily distinguishable from native hogweed, which barely reaches heights of 2 meters.

Giant Hogweed thrives on UK riverbanks and also spreads quickly in vacant lots in urban settings. The quick growth into dense colonies crowds out native species.

Contact with the plants can lead to blistering of the skin due to the phototoxic properties of the species. If you are trying to eradicate the plant and come in contact with it, you may very well suffer skin aggravation and be forced to a dermatologist. Cover arms, legs and hands when working with Giant Hogweed.

Giant Hogweed is classed on schedule 9 of the Wildlife and Countryside Act in England and Wales. That means it is a violation to plant or otherwise encourage the spread of the plant species.

This section is based on a blog entry: A List & Overview of UK Invasive Plant Species from TP Knotweed Solutions Ltd.

<https://tpknotweed.com/blog/>

Retrieved 16/08/2018.

**20. Sefton Council Activity Risk Assessment.**

Name of activity: **Site inspections "PublicRights of Way".**

Name of assessor: DW.

Date of this assessment: 24/01/2024.

Date of next assessment: at next review.

<b>Hazard</b>	<b>Who is at risk?</b>	<b>Possible accident</b>	<b>Risk control measures</b>	<b>Probability of accident*</b>	<b>Severity of outcome*</b>	<b>Risk Level*</b>	<b>Additional Information</b>
<b>Confrontation with landowner and/or Public</b>	Staff	Assault Physical attack Cuts Sprains Bruising Abrasions Broken limbs	<ul style="list-style-type: none"> <li>• Inform colleagues of movements (staff diary system &amp; the Calendar system) Staff Bookingin/out procedure, including out of hours.</li> <li>• Staff to have an understanding of conflict management.</li> <li>• Where landowners/Public is known to be difficult, officers are to be accompanied by their line manager or other experienced member of staff.</li> <li>• Record arrival on site and expected departure times and use buddy system in circumstances of no expected conflict.</li> </ul>	Possible	Intermediate	Low	<p>Please also refer to Lone Working and / or departmental procedures</p> <p>Information sheet relating to conflict management</p>
<b>Water/Rivers streams/Lakes or ponds</b>	Staff	Drowning Bacterial Infections Water borne virus infections  Weil's disease rats	<ul style="list-style-type: none"> <li>• Do not go out in extreme weather conditions.</li> <li>• Do not enter water when water courses are in flood or running fast.</li> <li>• Do not enter water course/Body if depth is unknown to you and cannot be ascertained with certainty.</li> <li>• Ensure lone working practice in place or buddy system applies.</li> <li>• Weil's disease rats do not touch mouth.</li> </ul>	Possible	Minor	Low	

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Hazard	Who is at risk?	Possible accident	Risk control measures	Probability of accident*	Severity of outcome*	Risk Level*	Additional Information
<b>Physical ground &amp; terrain conditions</b>	Staff	Broken limbs Abrasions Cuts Bruises	<ul style="list-style-type: none"> <li>• Wear correct and suitable footwear</li> <li>• Boots with good well-defined cleats or tread.</li> <li>• Boots that also provide adequate ankle or cuffsupport.</li> <li>• Do not proceed where ground conditions areexcessively wet on steep gradients.</li> <li>• Avoid areas where surface collapse or subsidence is apparent or known.</li> </ul>	Possible	Intermediate	Low	
<b>Traffic</b>	Staff	Death Impact injuriesBroken limbs Cuts Abrasions	<ul style="list-style-type: none"> <li>• Park and exit vehicle where possible off the highway.</li> <li>• Wear Hi Vis jacket when inspecting roadsidesites.</li> <li>• Do not park on bends or blind corners. Ensure plenty of space to exit and enter vehicle.</li> </ul>	Possible	Intermediate	Major	
<b>Agricultural vehicles</b>	Staff	Death Impact injuriesBroken limbs Cuts Abrasions	<ul style="list-style-type: none"> <li>• Park and exit vehicle where possible away from agricultural vehicles on the highway.</li> <li>• Wear Hi Vis jacket when inspecting agricultural farms.</li> <li>• Do not walk behind or under any part of an agricultural vehicle.</li> <li>• Do not attempt to climb over or squeeze past any part of an agricultural vehicle.</li> </ul>	Possible	Intermediate	Major	
<b>Crop treatment</b>  <b>Walking adjacent to paths where crop spraying in progress</b>	Staff	Broken limbs Abrasions Cuts Bruises Poison Infections Allergic reaction	<ul style="list-style-type: none"> <li>• Notify staff of the type of treatments that can occur on the network.</li> <li>• Visually check agricultural farms for on-going crop treatment.</li> <li>• Do not inspect a path that has recently / is being crop treated or the adjacent land is being treated.</li> <li>• Do not pick any crop or eat any crop.</li> <li>• Wear suitable clothing.</li> </ul>	Possible	Minor	Low	
<b>Existence of dangerous substances e.g.Asbestos, agricultural chemicals</b>	Staff	Poison Infections Allergic reaction	<ul style="list-style-type: none"> <li>• Make staff aware of the kind of substances that can be found.</li> <li>• Visually check paths for presence of substances.</li> <li>• Do not move or handle any dangerous substances of containers.</li> <li>• Report any instances of the presence of discarded dangerous substances.</li> </ul>	Possible	Minor	Low	

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Hazard	Who is at risk?	Possible accident	Risk control measures	Probability of accident*	Severity of outcome*	Risk Level*	Additional Information
Existence of sharps	Staff	Poison Infections Allergic reaction	<ul style="list-style-type: none"> <li>Report any instances of sharps/needles.</li> </ul>	Possible	Minor	High	
Rail Line / Trains	Staff	Death Electrocution Impact injuries Broken limbs Cuts Abrasions	<ul style="list-style-type: none"> <li>Wear Hi Vis jacket when inspecting rail side or cross rail sites.</li> <li>Do not use headphones or mobile devices when crossing or inspecting rail lines.</li> <li>Follow crossing instructions posted at any level crossing.</li> <li>Do not park close to rail lines.</li> </ul>	Possible	Intermediate	Major	
Physical obstructions such as barbed wire	Staff	Cuts, Bruises & Abrasions	<ul style="list-style-type: none"> <li>Visually check paths for obstructions.</li> <li>Do not climb fences or negotiate passage if barbed wire is present.</li> </ul>	Possible	Minor	Low	
Insect bites Bees Wasps Mosquito Gnats/midges Horsefly Ticks/Fleas etc	Staff	Stings/Bites	<ul style="list-style-type: none"> <li>Make sure staff are aware of the types and implications of stings and bites.</li> <li>Make sure staff have disclosed any pre-existing medical conditions and allergies.</li> <li>Avoid working in or near bracken in July /August. Make staff aware of zoonotic effects and preventative measures such as inoculation and clothing barriers to stop ticks unless absolutely essential.</li> <li>Make staff aware of Lyme's disease and the effects.</li> </ul>	Possible	Minor	Low	Information sheet provided with information relating to insects and stings and bites.
Rural Furniture Gates, Stiles, Cross steps, Ditch Crossings, Bridges etc	Staff	Falls Sprains Broken limbs Cuts Abrasions Bruises	Visual and physical inspection of all furniture to be conducted during access of sites and before use.	Possible	Minor	Low	

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Hazard	Who is at risk?	Possible accident	Risk control measures	Probability of accident*	Severity of outcome*	Risk Level*	Additional Information
<b>Weather &amp; Temperature</b>	Staff	Heat stroke Heat stress HyperthermiaDehydration	<ul style="list-style-type: none"> <li>• Take appropriate protective clothing, waterproof jackets, trousers, gloves and headwear (brimmed hat for sun and thermal for cold) on-site inspections.</li> <li>• Use appropriate Sun protection creams with a sufficient UVA UVB factor 20 or above if planning to be out all day.</li> <li>• Have plenty of water or fluids and take regular breaks.</li> <li>• In Cold weather take hot fluids if on a prolonged or all-day inspections.</li> </ul>	Possible	Intermediate	Low	
<b>Faeces</b>	Staff	Parasitical InfectionsViral- Bacterial disease	<ul style="list-style-type: none"> <li>• Make sure staff are fully aware of the effects of coming into contact with faeces.</li> <li>• Visually check paths for presence of faeces.</li> <li>• Clean any equipment and clothing that may have been in contact with faeces.</li> <li>• Wash hands thoroughly and any other parts of the body if staff member has come in contact with faeces.</li> </ul>	Intermediate	Possible	Low	Information sheet provided with information relating to animal Faeces.
<b>Plants/Trees Shrubs/Fungi</b>	Staff	Poison Infections Abrasion/puncturesfrom thorns Allergic reaction	<ul style="list-style-type: none"> <li>• Ensure staff are aware of the types of plants and fungi.</li> <li>• Do not touch any plant or fungi you cannot safely identify.</li> <li>• Do not eat any plant or fungi.</li> <li>• Familiarise Staff with common plants that are likely to pose a hazard threat.</li> <li>• (Giant Hogweed, Ragwort etc)</li> <li>• Wear suitable clothing.</li> <li>• Report any instances of the presence of notifiable plants/weeds.</li> </ul>	Possible	Intermediate	low	Information sheet provided with information relating on hazardous and noxious vegetation

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Hazard	Who is at risk?	Possible accident	Risk control measures	Probability of accident*	Severity of outcome*	Risk Level*	Additional Information
<b>Animals:</b> <b>Cattle Horse</b> <b>Sheep Lama</b> <b>AlpacaGoats</b> <b>Pigs Dogs</b>	Staff	Death Trampling Crushing Bites Cuts Bruises abrasions	<ul style="list-style-type: none"> <li>• Do not enter site if stock have congregated around entrance or exit to site being inspected and block route requiring officer to move or push through stock.</li> <li>• Do not enter sites where animal behaviour appears abnormal (nervous and erratic movement).</li> <li>• Find alternative route to avoid fields with large herds and excessive ground poaching along inspection route.</li> <li>• Do not enter field that houses adult bulls</li> <li>• Do not enter fields where newborn calves are present.</li> </ul>	Possible	Minor	Low	

## 21. Personal Health and Safety Advice.

### **Insect bites and stings.**

Most insect bites and stings are not serious and will get better within a few hours or days.

But occasionally they can become infected, cause a severe allergic reaction (anaphylaxis) or spread serious illnesses such as Lyme disease and malaria.

Bugs that bite or sting include wasps, hornets, bees, horseflies, ticks, mosquitoes, fleas, bedbugs, spiders and midges.

### **Symptoms of insect bites and stings.**

Insect bites and stings will usually cause a red, swollen lump to develop on the skin. This may be painful and in some cases can be very itchy.

The symptoms will normally improve within a few hours or days, although sometimes they can last a little longer.

Some people have a mild allergic reaction and a larger area of skin around the bite or sting becomes swollen, red and painful. This should pass within a week.

Occasionally, a severe allergic reaction can occur, causing symptoms such as breathing difficulties, dizziness and a swollen face or mouth. This requires immediate medical treatment.

### **What to do if you've been bitten or stung.**

To treat an insect bite or sting:

- Remove the sting or tick if it's still in the skin.
- Wash the affected area with soap and water.
- Apply a cold compress (such as a flannel or cloth cooled with cold water) or an ice pack to any swelling for at least 10 minutes.
- Raise or elevate the affected area if possible, as this can help reduce swelling.
- Avoid scratching the area, to reduce the risk of infection.
- Avoid traditional home remedies, such as vinegar and bicarbonate of soda, as they're unlikely to help.

The pain, swelling and itchiness can sometimes last a few days. Ask your pharmacist about over-the-counter treatments that can help, such as painkillers, creams for itching and antihistamines.

### **When to get medical advice.**

Contact your GP or call NHS 111 for advice if:

- you're worried about a bite or sting.
- your symptoms don't start to improve within a few days or are getting worse.
- you've been stung or bitten in your mouth or throat, or near your eyes.
- a large area (around 10cm or more) around the bite becomes red and swollen.
- you have symptoms of a wound infection, such as pus or increasing pain, swelling or redness.
- you have symptoms of a more widespread infection, such as a fever, swollen glands and other flu-like symptoms.

### **When to get emergency medical help.**

Dial 999 for an ambulance immediately if you or someone else has symptoms of a severe reaction, such as:

- wheezing or difficulty breathing.
- a swollen face, mouth or throat.
- nausea or vomiting.
- a fast heart rate.
- dizziness or feeling faint.
- difficulty swallowing.
- loss of consciousness.

Emergency treatment in hospital is needed in these cases.

### **Prevent insect bites and stings.**

There are some simple precautions you can take to reduce your risk of being bitten or stung by insects. For example, you should:

- Remain calm and move away slowly if you encounter wasps, hornets or bees – don't wave your arms around or swat at them.
- Cover exposed skin by wearing long sleeves and trousers.
- Wear shoes when outdoors.
- Apply insect repellent to exposed skin – repellents that contain 50% DEET (diethyltoluamide) are most effective.
- Avoid using products with strong perfumes, such as soaps, shampoos and deodorants – these can attract insects.
- Be careful around flowering plants, rubbish, compost, stagnant water, and in outdoor areas where food is served.