



**Council Cabinet
11 September 2019**

ITEM 11

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Director of Communities and Place
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Derby City Road Skid Resistance Policy

Purpose

- 1.1 Derby City Council is responsible for maintaining 731km of road network, containing 192 km of roads which are currently subject to a skidding resistance survey.
- 1.2 Skid resistance is an important property relating to the safety of highway users, particularly in damp or wet conditions. Over the course of a road's life, the surface can lose some of its characteristics associated with grip. Effective maintenance of the highway network includes the requirement to systematically monitor the skid resistance of the road surface and to take a proactive approach to maintain this across the network to an appropriate standard.
- 1.3 A robust policy (Document AMF-20) and process ensures the Council can adequately adhere to their duty of care under the Highways Act 1980 and enable the public to travel safely on the highway network.
- 1.4 An operational document has also been developed (Document AMF-21), which provides a step by step approach to identifying skid deficient sites and the process for deciding their subsequent treatment through a prioritisation process, in accordance with the requirements of the Well Managed Highway Infrastructure Code of Practice: October 2016.

Recommendations

- 2.1 To approve the policy for the management of skid resistance on the City's highway network.
- 2.2 To note the development work in progress to review and assess skid deficient sites, following revised guidance from Highways England.

Reasons

- 3.1 The annual surveying and testing of skid resistance has been undertaken for some time in Derby, but the approval of an overarching policy will allow the Council to robustly defend against claims and have an adequate defence in the possibility of a Corporate Manslaughter case.
- 3.2 It demonstrates to the Department for Transport that we have a robust and proactive

approach to skid resistance and is evidence of good asset management.

Supporting information

- 4.1 The Council has a statutory duty under Section 41 of the Highways Act 1980 to maintain highways that are maintainable at public expense. Although the formal management of highway skid resistance is not a legal requirement, it is considered good practice and it supports the aims and objectives set out in the Council's Highway Asset Management Policy. We are however required to provide road condition data relating to skid resistance as part of the National Single Data List.
- 4.2 In 2015, Highways England published an updated comprehensive methodology for managing carriageway skid resistance on motorways and trunk roads and this is set out in their design bulletin, HD 28/15. Their methodology forms a basis for the Council's Skid Resistance Policy. However, this can be and has been adapted to reflect local needs and road characteristics and available budgets.
- 4.3 The systematic surveying and testing of skid resistance has been undertaken for some time in Derby and the 2018/19 surveys have been deployed with results expected by end of Summer. As part of a risk based approach to managing the highway network, we have now applied our skid policy to maintenance hierarchies which has also required a wholesale risk based review of the Investigatory Levels required for processing the data. Investigatory Levels are the appropriate level of risk based analysis which warrants the measures put forward for improvement and the level of skid resistance required for each type of site (e.g. approaches to traffic lights, bends, roundabouts, gradients etc.)
- 4.4 The broad principles of HD 28/15 and therefore the Council's policy are as follows:
 - a. Skid resistance surveys will be undertaken annually on defined parts of the highway network, using an accredited contractor
 - b. The defined network will be assigned Investigatory Levels, depending on a range of factors such as the speed limit and geometry of the road and appropriate for the risk on that site
 - c. Skid resistance data for a particular section of road will be scrutinised and compared against its Investigatory Level, within software designed to manage corporate risk
 - d. Sites where skid resistance falls at or is below the Investigatory Level will be identified for further investigation, which will take into account other factors such as road collision history
 - e. Where remedial treatment is deemed to be of benefit, sites will be prioritised using a risk assessment approach and included in a work programme for action. This can include, the erection of 'slippery road' warning signs, refreshing road markings, retexturing of the road surface, resurfacing or a treatment with a material that achieves the correct skid resistance required.

- 4.5 Detailed methodology is now available on the development of these Investigatory Levels and officers are currently collating data to assess deficiencies. A programme of identified short, medium and long term measures will be identified by the end of the calendar year and for appropriate inclusion in revenue activities and subsequent years' capital programmes
- 4.6 The Investigatory Levels shall be reviewed every three years or when a significant change to the network is made, for example, a new roundabout construction, change of road layout or change in speed limit. The policy will be provided to officers across Highways and Transportation to assist in the design of new and improvement schemes, so that anti-skid measures are applied appropriately and correctly.

Public/stakeholder engagement

- 5.1 Internal consultation has been completed with key teams, including Traffic and Transportation to assess when investigating measures to reduce collisions and Engineering Design when designing new and maintenance schemes
- 5.2 A skid policy is considered best practice and forms part of the Highway Asset Management Framework, reported to cabinet in September 2018. Derby City have engaged XAIS Asset Management Ltd in the development of our approach and will use their software, Expert Assets, to assess data and prioritise measures. XAIS produced the best practice skid policy guide, recommended by the Road Surface Treatment Association and chair an annual user group meeting for practitioners.
- 5.3 Derby City will continue to form part of the User Group to develop best practice for Local Authorities and continually review and improve the process.

Other options

- 6.1 None. Continuing as we have without a policy in place weakens our defence to counter legal actions for negligence on our network. It will only demonstrate to Department for Transport and other key stakeholders that we have not considered what is 'reasonably practicable' to secure the highway to an adequate condition

Financial and value for money issues

- 7.1 The cost of routine surveying of the network will be contained within existing highway maintenance revenue budgets. Any identified measures will be completed using existing revenue and capital budgets. It will illustrate clearly to Department for Transport that a thorough prioritised examination has been given to proposed sites and demonstrates value for money.

Legal implications

8.1 The formal management of highway skid resistance is not a legal requirement, but Section 41 of the 1980 Highways Act imposes a duty on the Council, as Highway Authority, to ‘maintain highways maintainable at public expense’. Section 58 of the Act provides for a defence against ‘action relating to alleged failure to maintain a highway maintainable at public expense on grounds that the authority has taken such care as in all circumstances was reasonably required to secure that the part of the highway in question was not dangerous for traffic.’

Other significant implications

9.1 A risk based approach has been used in developing the skid resistance policy. Sites have been individually assessed for their specific characteristics and an appropriate level of intervention designed to prioritise each category of site. This approach will enable funding to be targeted in areas of most need and will also protect the Council against litigation

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	
Finance	Amanda Fletcher	
Service Director(s)	Richard Antcliff	
Report sponsor	Rachel North	
Other(s)		

Background papers: List of appendices: Appendix 1	Road Skid Resistance Policy
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