Cumberland Council

Highway Skid Policy

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Contents

1 Policy Statement and Purpose

1.1 Introduction

Ensuring safe levels of skid resistance is not a specific legal requirement on local authorities. However, maintaining highways to an acceptable level of safety supports the fulfilment of the duties of Highways Authorities under the Highways Act 1980. In addition, it is general good practice and clearly desirable to maintain acceptable skid resistance.

1.2 Policy Statement

Skid resistance is an important property relating to the safety of the 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 Cumberland Council will take a proactive approach so that the skid resistance across the network is maintained to an appropriate standard.

This policy takes an Asset Management approach to managing skidding resistance and puts a greater emphasis on engineering assessment.

1.3 Policy

The Skidding Resistance Policy is to:

- Enable the public to travel safely. Reduce the number of Killed or Seriously Injured on the Council's targeted road network.
- Ensure the Council adheres to their duty of care under the Highways Act 1980
- Enable the Council to robustly defend against claims.
- Ensure that the Council has adequate defence in a Corporate Manslaughter case brought against the Council or its Chief Officer.

To achieve this the Council will:

- Formalise processes for monitoring skid resistance across the Council's targeted road network on an ongoing basis.
- Identify deficient sites using skid resistance survey methods for further investigation.
- Use collision data on sites identified for further investigation to determine whether inadequate skidding resistance could be a factor.
- Recommend appropriate actions to mitigate risks where possible.
- Prioritise skid deficient sites for improvement works based on those that present the greatest risk.

Where remedial treatment is deemed to be of benefit, sites will be prioritised using a risk assessment approach and inserted into a work programme for action within the resources and budget available.

The methodology detailed in CS228 forms the bases for the Council Skid Resistance Procedure *[Service Procedure 04/005 Skid Resistance]*. However, this is adapted to reflect local road network needs and resource constraints.

In summary, *Service Procedure 04/005 Skid Resistance* is as follows:

- Cumberland's Skid resistance surveys will be undertaken annually on identified sections within the road network where deemed appropriate.
- The network has been assigned Investigatory Levels (IL's) depending on a range of factors such as the speed limit and geometry of the road.
- Skid resistance data for a particular section of road (a site or scheme) will be scrutinised and compared against its IL's.
- Sites where skid resistance falls below the investigatory level will be identified for further investigation.
- This investigation will consider other factors such as whether there is road traffic incident history at the site to establish whether remedial treatment is necessary.
- Where remedial treatment is deemed to be of benefit, sites will be prioritised using a risk assessment approach and inserted into a work programme for action within the resources available.

The above principles will be applied on an ongoing bases so that skid resistance across the highway network is continually monitored and managed appropriately.

The term "Skid resistance" used in this document refers to the frictional properties of a road surface, measured using a specified device, under standard conditions. Skid resistance testing is carried out on wet or damp surfaces, unless stated otherwise, as the skid resistance of a surface will be substantially lower than when the same surface is dry.

Skid resistance measurements are used as an empirical assessment of a road surface's level of grip and as an indication of the potential need for further investigation based on known acceptable limits. However, it should be noted it does not represent the definitive grip available to a road user making a particular manoeuvre at a particular time and at a particular speed.

2 Responsibilites

2.1 Legal Responsibilities

The Council has a statutory duty under Section 41 of the Highways Act 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 Infrastructure Asset Management Strategy. It is also part of the national data set required by central government for statistical analysis.

Section 58 of the Highways Act 1980 provides the ability to form a statutory defence to counter legal actions for negligence. The Council must be able to prove in a court of law that it has taken 'such care as is in all the circumstances reasonably required to secure that part of the highway to which the action relates was not dangerous for traffic.' When considering a third-party legal action against the Council the Court will consider such factors as:

- The character of the highway and the traffic which was reasonably expected to use it.
- The standard of maintenance appropriate for a highway of that character and used by such traffic.
- The state of repair in which a reasonable person would have expected to find the highway.
- Whether the Council knew or could reasonably have been expected to know that the condition of the highway to which the action relates to 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.

Section 58 of The Highways Act 1980 does not stipulate the standard of maintenance applicable to the highway.

It is accepted by the Courts that different standards of maintenance are applicable to the road network; this is related to vehicle and pedestrian usage as well as speeds of the vehicles using the highway. The Court therefore takes into account that it would be unrealistic for the Council to monitor and maintain adequate levels of skid resistance on the whole network as this would not be deemed "reasonably practicable".

The development of this Skidding Resistance Policy is to ensure a suitably structured procedure and strategy is implemented for the highway under its care and adequate levels of skid resistance are maintained within reasonable expectations as outlined in the Highways Act 1980.

Importantly, this Policy document will provide documentary evidence that the Council has a proactive approach to skid resistance management.

2.2 Roles, Responsibilities and Competencies

This section sets out the various roles and responsibilities for the management of the Council's Skidding Resistance Policy.

The annual Skid Resistance Survey Programme will be procured through a specialist accredited SCRIM or GripTester contractor.

The Councils Highway Asset Management Team will have the relevant competencies and will:-

- Management, development, implementation, and regular review of the Skidding Resistance Policy
- The procurement and subsequent management of skid resistance surveys with contractors
- Assignment of site categories and Investigatory Levels on the road network subject to skid resistance surveys
- Processing, analysis, and review of skid resistance data received from survey contractor.
- Review of the site categories and Investigatory Levels for the road network subject to skid resistance surveys. This review will be undertaken every three years.
- That appropriate records of site visits and associated documents are maintained.
- Informing other Council departments of any issues affecting the site which may be contributory to skid resistance issues.
- Providing a prioritised list of sites that would benefit from improvement works and making informed decisions about how these are integrated into the annual highways forward works programme.

The Council's Highways Delivery Team will ensure that the most appropriate remedial action is taken at sites that are identified as requiring action. Some examples of the options available are:

- Monitor
- Erection and removal of warning signs
- Refresh the road markings on the carriageway.
- Retexture the road surface with the appropriate treatments available.
- Resurface the carriageway with a material that will ensure that the road achieves the correct skid resistance for that road section.

3 References

Document	Publisher
The Design Manual for Roads and Bridges	Department for Transport https://www.standardsforhighways.co.uk/ha/standards/
CS 228 on Skidding Resistance	Department for Transport CS 228 - Skidding resistance - DMRB (standardsforhighways.co.uk)
CD 236 on Surface course materials for construction	Department for Transport CD 236 - Surface course materials for construction - DMRB (standardsforhighways.co.uk)
Well-Managed Highway Infrastructure	Roads Liaison Group http://www.ukroadsliaisongroup.org/en/codes/index.cfm
The Highways Act 1980	The National Archives – UK Legislation Highways Act 1980 (legislation.gov.uk)
Traffic Signs Regulations and General Directions	Department for Transport Road traffic signs, signals and road markings - GOV.UK (www.gov.uk)
Service Procedure 04/005 Skid Resistance	Cumberland *Service Procedure 04/005* *Skid Resistance*