



## *Transport Operational Policy Statement: Highway functions*

### **Private Street Works**

**HP 3/2**

#### **Objective:**

To set out the principles for:-

1. The making up of private streets;
2. The apportionment of costs;
3. Urgent repairs.

#### **Policy:**

1. The Council will only resolve to execute street works under the Private Street Works Code (Section 203-237 Highways Act 1980) where:-

- i) there is a **considerable** benefit to the community at large, not simply to the properties within the street  
and

- ii) at least 60% of the frontagers are in favour of the proposals.

In such cases and if funds are available, the Council shall fund a proportion of the cost of the scheme to represent the benefit to the community at large and the remainder of the cost shall be apportioned amongst the frontagers in accordance with the provisions of the private street works code.

2. The Council may resolve to execute street works under the private street works code if it receives a petition to this effect from at least 75% of the frontagers. In such cases the whole cost of the scheme shall be apportioned between the frontagers in accordance with the provisions of the private street works code.
3. In the case of a need for urgent repairs, action shall be taken in accordance with the most appropriate of the following options:-
  - (a) Advise frontagers that the responsibility for maintenance is theirs and suggest that they employ a contractor to carry out repairs on their behalf;
  - (b) Where it is claimed that the damage is caused by “outside” users, advise frontagers to seek legal advice as to whether they can claim the cost of the repairs from those held to be responsible;
  - (c) Serve notices under Section 230 of the Highways Act 1980 and in default execute the works. (Section 230 empowers a Street Works Authority to serve notices on

frontagers requiring them to carry out repairs and in default of said repairs carry out repairs and recover costs).

**Supporting information:**

A private street is a street that is not a highway maintainable at the public expense. Frontagers to private streets must be aware, if they have carried out a proper search on purchasing their properties, that they have a potential liability for street works charges.

The Highways Act 1980 gives a Street Works Authority the power to make up and adopt such private streets. (Although this would only be carried out for the benefit of the community at large), Section 205[1] states, inter alia:

“Where a private street is not, to the satisfaction of the Street Works Authority, sewered, levelled, paved, metalled, flagged, channelled, made good and lighted, the Authority may resolve with respect to the street to execute street works.....”

**References:**

Highways Act 1980

**Date of last approval:** January 2008

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**Review by:** 5 years or if any major changes required



## ***Transport Operational Policy Statement: Highway functions***

### **Maintenance of footways – materials**

**HP 7/2**

#### **Objective:**

To maintain a safe, quality environment for pedestrians within the financial resources available.

#### **Policy:**

1. Footway maintenance shall be carried out in accordance with the standard specification for the inspection and implementation of safety maintenance incorporated in the Council's "Highway Maintenance Plan".
2. Black Bituminous material is the most economical form of footway surfacing. It is recognised that in certain locations such as conservation areas, this type of material may not be appropriate. However within the available funding for essential safety repairs, it is now not possible to maintain surfaces completely with a 'like for like' basis as before, and therefore different materials may be used where it is more sustainable and cost-effective to do so. Where enhancements are funded via grant aid or capital monies, every effort will be made to maintain the enhancements to the desired standards where budgets permit.
3. Where a scheme is proposed which will change the footway or kerb material, the new materials shall be subject to a maintenance audit by the Highway Maintenance Team. New materials will need to be safe, suitable, readily available and value for money.
4. Surface finishes will generally accord with the Council's street design documents.
5. In certain areas such as adjacent to tree roots and in areas constantly overrun by vehicles, bituminous surfacing may be necessary in order to ensure public safety and best value for money.
6. The use of alternative sources of funding for enhancing footway materials should be encouraged as a well designed and constructed footway should remain virtually maintenance free for a number of years, and provide a considerable environmental and economic benefit to the community.
7. A contribution from maintenance monies may be made towards any "match-funding" required to draw down additional funding.
8. In all works, the use of environmentally sustainable materials is to be considered.

Conservation areas and scheme sites may necessitate the use of specific materials but these should be sought from sustainable and local suppliers where possible.

**Supporting information:**

The primary function of highway safety maintenance is to maintain the highway in a safe condition in accordance with the council's statutory duty, as set out in section 41 of the Highways Act 1980, and the Highway Maintenance Code of Practice).

**References:**

Highways Act 1980  
Code of Practice for Well Maintained Highways  
Highway Maintenance Plan  
Street Design Manual  
Manual for Streets

**Date of last approval:** January 2008

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**Review by:** 5 years or if any major changes required



**Transport Operational Policy Statement: Highway functions**

**Tree planting and landscaping in connection with highway improvements**

**HP 8/1**

**Objective:**

To control the planting of trees in highway verges.

**Policy:**

1. Wherever possible, at least one new tree shall be planted for any highway tree felled in the course of highway improvements.
2. Tree planting shall be carefully planned and the Engineer and Arboriculturist shall ensure that the siting does not obstruct visibility and choice of species is such that the trees are capable of growing into their natural shape without causing an obstruction to road users or house owners or affect the surface structure of the highway.
3. Existing trees in streets will be allowed to grow to their natural shape, where the condition of the trees and their distance from nearby houses and carriageway users permit.
4. The Arboriculture Manager shall be consulted on the selection of species and planting requirements.
5. Financial provision should be made for landscaping and tree planting on all appropriate highway schemes.
6. Appropriate measures shall be taken to protect existing trees during the course of all highway works.

**Supporting information:**

The policy of Brighton and Hove is to discourage tree felling and to ensure that new planting is appropriate to its location to retain the enhanced appearance that street trees offer the community.

**References:**

- H & T Committee – 22 March 1974 Agenda Item 3
- H & T Committee – 25 March 1975 Agenda Item 8
- H & T Committee – 16 December 1980 Agenda Item 6.2
- H & T Committee – 16 September 1992 Agenda Item 9.2

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| OSOC – Street Trees - April 2007<br><b>Date of last approval:</b> January 2008 |
| <b>Date of current approval:</b>   |
| <b>Review by:</b> 5 years or if any major changes required                     |



## ***Transport Operational Policy Statement: Highway functions***

### **Tree Management (other than in connection with highway improvements)**

#### **HP 8/2**

**Objective:**

To regulate conditions under which trees may be felled or planted on the highway (for reasons other than highway improvements).

**Policy:**

1. No singly standing tree may be felled other than for reasons of it becoming so diseased, damaged or positioned by growth as to pose a threat to life or property (whether on or off the highway) and then only if the threat cannot be dealt with by tree surgery.
2. Where a tree is necessarily felled, a single replacement tree shall be planted.
3. In considering a site for replacement or other planting the Highway Maintenance Manager and Arboriculture Manager shall together take into consideration the following factors:-
  - (a) the nature and volume of traffic using the road;
  - (b) the profile and geometry of the road;
  - (c) proximity of street lights, signs and other furniture;
  - (d) proximity of underground mains, drains and services;
  - (e) proximity of adjacent structures;
  - (f) the ability of the site to allow the tree to grow to its full natural shape in good health;
  - (g) Preservation of areas designated as having importance as wildlife habitats.
4. Trees may be donated by individuals for planting in the highway provided that the species are satisfactory and that suitable sites can be agreed taking into account the above criteria. Alternatively, individuals may contribute a suitable sum (to be agreed with the Executive Director Environment Development and Housing) and

the work be put in hand by the Highway Maintenance Manager and Arboriculture Manager.

5. The Arboriculturist, when considering species selection, shall select a tree most appropriate to its highway location and specific subsoil conditions present locally.
6. Any proposal which would require a departure from any condition of this Policy must be referred to the Highway Maintenance Manager for consideration as a special case.
7. The above conditions are to be applied in existing roads for the sake of continuity. Where a new road is proposed, then consultation with both the Arboriculture Manager and the Highway Maintenance Manager shall be undertaken. A joint site visit shall be arranged for this purpose.

**Supporting information:**

The Policy addresses the Highway Authority's duty to maintain highways cost-effectively and ensure the safe passage of users and ensures the appropriate factors are considered at all times in relation to trees in a street environment.

**References:**

OSOC – Street Trees – April 2007

**Date of last approval:** January 2008

**Date of current approval:**

**Review by:** 5 years or if major changes required





## **Transport Operational Policy Statement: Highway functions**

### **Control of Placements on the Highway**

**HP 8/4**

#### **Objective:**

To control obstructions upon the highway to ensure safe use and access for everyone, whilst supporting business and encouraging a vibrant street scene.

#### **Policy:**

1. The Executive Director, Environment, Development and Housing shall, where appropriate, issue licences under the Highways Act 1980 as amended by the Local Government (Miscellaneous) Act 1982 for reasonable use and controlled obstruction of the highway by businesses and organisations. Permitted items shall include:-
  - a) Shop displays (including stands and racks)
  - b) Tables and chairs
  - c) Event-related items (stalls, stages, safety barriers etc.)
  - d) Free-standing items for advertising/information (map panels, menu boards, "A" Boards, dispensers etc.)
  - e) Other items permitted by said legislation

A licence fee will reflect the cost to the council of providing this service.

The Authority will set reasonable licence conditions, including site-specific conditions, for all licences issued. In general such conditions will relate to public access and safety. Recommendations from Licensing Committee April 24th 2009 and The Street Access Scrutiny Panel 2010 shall be included in this policy.

Where deemed necessary, for example in pedestrianised zones, conservation areas and districts within the main tourist areas of the City, the Council may, in addition to the above, impose reasonable conditions regarding the appearance of objects and structures authorised by licence. Such conditions would be intended to preserve or enhance the amenity of the highway and its immediate surroundings.

2. The Executive Director, Environment, Development and Housing shall issue, where appropriate, statutory licences permitting the following obstructions:-
  - (a) Temporary obstructions associated with building, refurbishment and development works, as permitted by the Highways Act 1980 (e.g. deposit of building materials, parking of builders' skips, erection of scaffolding/hoardings, etc.). A licence fee will reflect the cost to the council of providing this service.

- (b) Temporary Highway Obstructions – e.g. private drain/sewer connections, etc.
- (c) Permanent Highway Furniture – e.g. roadside seats, bus shelters, etc.
- (d) Amenities on certain highways and provided for under Section 115A to K of the Highways Act as amended under the Local Government (Miscellaneous Provisions) Act 1982. A licence fee will reflect the cost to the council of providing these services.

3. Licences fees are considered and set annually at Environment, Transport & Sustainability Committee.
4. Appropriate enforcement action shall be undertaken against unlicensed objects and breaches of licence conditions.
5. All licensees will be required to indemnify the Council against all claims arising from the grant of any permission relating to the highway.
6. Powers under the Highways Act 1980 shall be applied to control overhanging trees/hedges, projecting roots, etc. considered to obstruct the highway.
7. To exercise the functions of the Council in relation to (a) the interference with, or obstruction to, any highway, or (b) any nuisance on any highway or land adjoining a highway.

**Supporting information:**

The Council will carry out its duty to protect and uphold the rights of use and enjoyment of all legitimate users of the public highway, without discrimination, as established by the Highways Act 1980 and other relevant legislation.

**References:**

Highways Act 1980  
 Local Government (Miscellaneous Provisions) Act 1982  
 Equalities Act 2010  
 Clean Neighbourhoods Act 2005  
 Environmental Protection Act 1990  
 Licensing Committee (Non Licensing Act 2003 Functions) report April 24th 2009  
 The Street Access Scrutiny Panel 2010

**Date of last approval:** 2010

**Date of current approval:**

**Review by:** 5 years or if major changes required



## ***Transport Operational Policy Statement: Highway functions***

### **Planting on the highway by commercial concerns**

**HP 8/5**

**Objective:**

To permit planting on highway land by commercial concerns and their advertisement of the fact.

**Policy:**

1. The Executive Director, Environment Development and Housing is authorised to agree planting on highway land by commercial concerns with associated advertising, and may set appropriate conditions.
2. Any applicant requires permission to carry out such planting, and will need to enter an agreement satisfying, among other things, the following:-
  - a) Provision of a planting plan scale 1/500 or greater;
  - b) Exact and complete details of any signs the applicant wishes to be displayed;
  - c) An undertaking covering a five year maintenance period or financial reimbursement in the event of a failure to fulfil the conditions;
  - d) Indemnification of the Council against any claims relating to the planting or as a subsequent result of a tree being installed by a Commercial body for a period of 2 years post planting.
3. In considering an application, factors such as road safety, additional maintenance implications, forthcoming highway work, the sympathy of the proposals within the environment and other relevant matters shall be taken into account.
4. Procedure for considering applications shall provide for taking into account at the appropriate time the views of the local members.
5. Proposals will need to satisfy current legislation concerning Public Utilities apparatus and in some cases this may require provision by the applicant of proposed drawings and details.
6. Information relating to the above proposals shall be passed onto both the Arboriculture Manager and Highway Maintenance Manager for comment and a

possible site visit organised for all parties concerned in order to ensure these conditions are adhered to.

**Supporting information:**

Planting in verges has been regulated by the provisions of the Highways Act 1980. This policy is designed to allow commercial organisations to improve the aesthetic appearance of the highway.

**References:**

OSOC – Street Trees 2007

**Date of last approval:** January 2008

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**Review by:** 5 years or if major changes required



## ***Transport Operational Policy Statement: highway functions***

### **Vehicle Crossings over Footways and Verges to private hardstandings**

**HP8/6**

**Objective:**

To control the construction and use of vehicle crossings.

**Policy:**

1. For all crossing proposals the layout and specification of the vehicle crossing shall conform to the Manual for Streets.
2. For all properties the layout and specification of a hardstanding shall conform to the Manual for Streets. Where the gardens of existing properties are small, the absolute minimum length of a hardstanding, within the property curtilage, shall be not less than 4.5m at right angles to the Highway boundary or the length of the owners'/occupiers' vehicle, whichever is the greater. The minimum width of a hardstanding shall be not less than 2.75m.
3. There is no right of appeal against refusal of a crossing application. Refusals will include the reason(s) for the decision. If the reason(s) can be overcome the applicant should make a new application and appropriate costs will be charged.
4. The usual permitted width of a single crossing will be 2.75m plus any tapered kerbs. The maximum allowed width of a crossing will be 5.5m including any tapered kerbs.
5. The hardstanding should be in place before the crossing is constructed, though a crossing application can be made before the hardstanding is built. The crossing will not be signed off as acceptable if there is no hardstanding or if it is not accessible.
6. A visibility splay of 2m by 2m on each side of the vehicle access to the property must be kept clear of obstructions over 0.6m in height to allow clear visibility of pedestrians on the footway. The crossing will not be signed off as acceptable if this area is obstructed.
7. Carriageway visibility will also be taken into account when assessing whether permission can be granted for a crossing. This includes there being a minimum distance of 10m from the crossing to any junction.
8. If the crossing is within a Controlled Parking Zone the application will be passed to the relevant team to assess the impact on overall parking provision. The applicant is responsible for paying for the removal of any relevant parking bay and the costs associated with the amendment of the Traffic Regulation Order (TRO) if permission is

granted.

9. A second crossing to a property will not be approved if there is less than 5m between the two crossings.
10. If there is street furniture such as a lamp column within 1m of the proposed crossing the applicant is responsible for paying for and arranging the relocation of the street furniture with the relevant Council team if permission is granted.
11. If there is a street tree within 1m of the proposed crossing the Council's Arboriculture team will be consulted. If the proposed crossing will damage the tree and no mitigation is possible the application will be refused. If mitigation measures are possible these will be stated on the permission, and the applicant is responsible for ensuring that they are followed.
12. Other local factors such as siting of bus stops or pedestrian crossings will also be considered.
13. The contractor carrying out the crossing works must be accredited in accordance with the New Roads and Street Works Act 1991 and hold Public Liability insurance to the value of £10 million. The contractor cannot start the works until a licence has been issued, which will include the agreed construction dates.
14. The contractor will be responsible for carrying out any necessary remedial works to the crossing for a period of two years from the date of completion. Responsibility for and maintenance of the crossing will then revert to the Council.
15. The Council will issue a sign off letter when the works are complete, confirming that they have been carried out to a satisfactory standard.
16. The Council may exercise its powers to seek recovery of costs and damages where unauthorised alteration of the public highway has occurred.
17. Approval of a vehicle crossing shall, where appropriate, be subject to planning permission and/or other consents. If planning permission or other consents are required and are refused, Highways approval will also be refused.
18. Highways approval to construct a vehicle crossing will lapse after six-months from the date of written approval unless works have commenced. The applicant should reapply and appropriate costs will be charged.

**Supporting information:**

Section 184 of the Highways Act 1980 gives the Highway Authority the power to demand a properly constructed footway crossing "where the occupier of any premises adjoining or having access to a highway maintainable at the public expense habitually takes or permits to be taken a mechanically propelled vehicle across a kerbed footway or a verge in the highway to or from those premises".

This Policy gives the officers authority to ensure that vehicle crossings are properly

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| <p>constructed and that hardstandings conform to the Council’s recommended minimum dimensions and to rectify illegal crossings.</p> <p>The policy does not replace the need to obtain planning permission or any other form of consent for the crossing or hardstandings.</p> |
| <p><b>References:</b><br/>Highways Act 1980<br/>Manual for Streets</p> <p><b>Date of last approval:</b> January 2008</p>  |
| <p><b>Date of current approval:</b></p>   |
| <p><b>Review by:</b> Within 5 years or if major changes required</p>  |



## ***Transport Operational Policy Statement: Highway functions***

### **Provision of highway bollards**

**HP 8/7**

#### **Objective:**

To ensure a consistent approach to the installation of bollards or posts on the public highway.

#### **Policy:**

1. Bollards or posts will only be provided from the Highway Safety Maintenance budgets where necessary to protect the public highway (roads and pavements) from damage.
2. Requests by third parties for the provision of a bollard/s to protect non-public highway land or structures shall not be funded through Highway Safety Maintenance budgets.
3. Bollards/posts will be kept to the minimum practicable and particular regard will be paid to siting so as not to cause a dangerous or unnecessary obstruction on the public highway
4. Third party requests can be serviced by Highway Maintenance Teams if:-
  - a) Funding is provided by said third party or separate source;
  - b) The Highway Authority is able to agree to the installation of the posts having considered that visibility splays and sight lines are not restricted and passage along the highway is not affected.
  - c) Only recognised and approved types of posts shall be permitted in the public highway and installed by the council's nominated contractor.
  - d) When private property is at risk of damage by motor vehicles the installation of bollards on the public highway shall be the last option considered and may still not be agreed. Funding would have to be identified from outside of the Highway Maintenance budget.
5. Highway Maintenance will not use bollards or posts to prevent vehicular conflict with pedestrians.

#### **Supporting information:**

Where vehicular traffic traversing onto the public footway is causing damage to the



structure of the footway, some form of remediation will be considered. Provision of bollards will only be considered where all other alternatives have proved to be ineffective or are impractical.

**References:**

Disability Discrimination Act 1995  
Highways Act 1980

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**Review by:** 5 years or if any major changes required



## **Transport Operational Policy Statement: Highway functions**

### **Transport Abandoned on the Highway**

**HP 8/8**

#### **Objective:**

To investigate forms of transport and associated items believed to have been permanently discarded upon the public highway on in the open air and to remove those found to be abandoned within the meaning of relative legislation.

#### **Policy:**

1. Motor vehicles, trailers and caravans believed to have been left upon the highway or in the open air with the intention of permanently discarding them shall be investigated. Those believed, after investigation, to be genuinely abandoned within the meaning of the Law (i.e. those without current owners/keepers) shall be removed and disposed of in accordance with appropriate legislation.
2. Bicycles, electric buggies and other similar forms of transport believed to have been left upon the highway with the intention of permanently discarding them shall be investigated. Those items believed, after investigation, to have been so discarded shall be removed and disposed of in accordance with appropriate legislation
3. Unidentifiable bicycle parts and security equipment (locks, chains etc.) believed to have been discarded upon the highway shall be removed and disposed of in accordance with appropriate legislation

#### **Supporting information:**

The Council will carry out its duty to remove forms of transport abandoned within the meaning of relevant legislation.

#### **References:**

Refuse Disposal (Amenity Act) 1978  
Clean Neighbourhoods and Environment Act 2005  
Highways Act 1980

**Date of last approval:** January 2008

**Date of approval:**

**Review by:** 5 years or if any major changes required



## ***Transport Operational Policy Statement: Highway functions***

### **Grass verge parking and vehicle overrun**

**HP 8/10**

#### **Objective:**

To ensure a consistent approach to the provision of posts on highway grass verges.

#### **Policy:**

1. There is no legislation that requires the highway authority to maintain a verge. Verges are not intended as a right of passage, but to provide drainage, protect the footway from vehicles and improve the appearance of the neighbourhood. (See **Supporting Information**).
2. Vehicles driven over or parked on grass verges have increased as a result of car ownership. This is often within narrow streets not designed with high volumes of vehicle ownership in mind. This issue is generally a parking issue rather than a maintenance issue. (See **Supporting Information**).
3. Where cars are parking on or driving over grass verges and this results in safety issues to people using the pavement (footway) or road (carriageway) the Highway Safety Maintenance team may take action. Safety issues could include:-
  - Excessive mud and detritus being regularly deposited over a period of time on the footway or carriageway which could cause slips or trips.
  - De-stabilisation of the footway or kerbs (surrounding the verge) making either of them unsafe for their intended purpose.
4. The Highway Safety Maintenance team will not necessarily take action such as installing posts if the parking is only affecting the verge itself. This is because of the following reasons:-
  - There is no statutory duty to maintain the verge.
  - Access may become an issue – if cars are parking on the verge, putting posts in may result in vehicles parking fully on the road, thus potentially narrowing the carriageway and causing obstruction, especially for emergency vehicles.
  - The overrun is sometimes required for passage of large vehicles such as buses and delivery lorries.
  - Posts increase street clutter, create ongoing maintenance issues and also add to difficulties with grass cutting.
  - There may be displacement of parking to nearby or adjacent streets including other verges.

- 5 As a general rule, the council does not use bollards or posts to prevent vehicular conflict with pedestrians. (See Policy HP8/7)
- 6 The Council may allow the installation of bollards/posts within verges by an adjoining householder if :-
- Funding is provided by said third party.
  - The Highway Authority is able to agree to the installation of the posts having considered that visibility splays and sight lines are not restricted and passage along the highway is not affected.
  - Only recognised and approved types of posts shall be permitted in the public highway and installed by the council's nominated contractor.
  - When private property is at risk of damage by motor vehicles the installation of bollards/posts on the public highway shall be the last option considered and may still not be agreed. (see provision of Highway Bollards Policy HP8/7)
7. Hardening of verges to tolerate parking is not recommended because of the following reasons:
- Drainage – verges perform an important surface water drainage function
  - Aesthetics and appearance in a local area
  - Increased parking - this may encourage more vehicles to park on the hardened area, increasing potential conflict with pedestrians, causing potential for damage to kerbing, utility plant and other infrastructure, and removing any clear pavement delineation, resulting in obstructive or potentially dangerous parking.
  - Resources – to harden verges or create lay-bys is an expensive process, which requires adequate drainage, porous surfacing materials, possible re-alignment of the highway and may require moving of utility equipment at the council's expense.
8. The Department of Transport has approved signage for 'no verge/no pavement parking.' This needs to be accompanied by a Traffic Regulation Order to legally designate the restrictions. This type of prevention can only be carried out following investigation on a site-by-site basis and if specially-designated funding is identified for that purpose.

**Supporting information:**

Statutory Duty

- There is no duty placed on a local authority to maintain the verge as there is with the rest of the structure of the highway, other than to mow any grass or trim vegetation if present.

Maintenance and Financial implications

- Verge posts tend to be regularly knocked out and require maintenance. The more posts across the city the greater the cost to the Authority.

- There are no identified budgets for the process of hardening verges or creating parking bays unless this is part of a new scheme design.

Access

- If vehicles are forced to park fully on the road by verge posts then they can become an obstruction for larger and emergency vehicles.
- If verges are hardened, more vehicles may park there; where verges have been hardened previously this has led to obstruction of the pavement, at pedestrian crossing points and of lines of sight for both vehicles and pedestrians at junctions.

Street Clutter

- Councils are trying to reduce street clutter and not to hinder other services like Cityparks carrying out their duty to cut the grass.

Displacement

- Large scale posting of verges could result in vehicle displacement to other locations potentially creating the same problems there.

Drainage

- Councils are responsible for Surface Water Management, and verges play an important part in absorbing rainfall and reducing the flood risk to nearby properties.

**References:**

**Legislation**

A local authority may designate limited areas of 'no pavement/verge parking' through a Traffic Regulation Order (TRO) supported by authorised signage.

The Department for Transport's Code of Practice for Well Maintained Highways 2005 stipulates the criteria used to maintain the highway structure but makes no reference to any verge or its maintenance.

**Previous approval:** None

**Date of approval:**

**Review by:** 5 years or if major changes required



## ***Transport Operational Policy Statement: Highway functions***

### **Events Road Closures**

**HP 9/1**

#### **Objective:**

To adhere to B&HCC Network Management Duty in authorising road closures for events other than resident street parties or play streets.

#### **Policy:**

1. The Brighton & Hove Permit scheme came in to force on 30th March 2015 and has been introduced to more effectively manage the busy road network in the city. The permit scheme's main objective is to co-ordinate any activity that needs road space on the council's network thereby meeting the requirements of its Network Management Duty. (See **supporting information**)
2. The event will need to be checked with the Council as Permit Authority to ensure road space is available and then the application can be managed by the Council's Highway Events Team who will issue any road closure orders necessary. (See **supporting information**)
3. The Highway Events Team must ensure every occupation of the highway/road closure is managed safely and to the same standard as a Utility or Highway Contractor's site.
4. Applications for road closures must be received at least 3 months before the proposed event date.
5. The following information must be included within a traffic management plan before the road space can be booked:
  - Description of the event and how it will impact on the road network
  - Exact dates and times of the event's intended road closures
  - Traffic management drawing to detail the exact location of signage
  - Dates of when advanced warning signs will be placed. An agreement from the street lighting department to secure any signs to lamp columns is required
  - Dates of when event materials will be placed on the highway and removed
  - Details of the traffic management company the event intends to use to enact the road closure
  - Copies of the intended traffic management company's £10 million public liability insurance
  - Copy of the intended traffic management company's Lantra qualification
  - Details of the stewarding company the event intends to use to maintain the road

closure

- Details of the stewards' Lantra qualification
- Evidence of consultation with all affected properties within any road closure
- Confirmation of the date that agreement of any re-routing was obtained from all public transport providers and evidence of that agreement
- Confirmation of the date that agreement of any re-routing was obtained from emergency services and evidence of that agreement
- Payment for processing of the legal road closure document

**Supporting information:**

The Events Road Closure Policy does not apply to Resident Street Party or Play Street applications. For guidance and application forms for these applications please follow the link to the councils web page <https://www.brighton-hove.gov.uk/content/parking-and-travel/roads-and-highways/street-parties-and-play-streets> or request details from [highwayevents@brighton-hove.gov.uk](mailto:highwayevents@brighton-hove.gov.uk) or call 01273 293366

The Traffic Management Act 2004 (TMA) allows authorities to implement permit schemes as a way to fulfil their Network Management Duty. The TMA describes the Duty as managing the road network with the aim of securing the expeditious movement of traffic on an authority's road network and ensuring the safe transit of its users.

For guidance on the council's traffic management permit scheme please follow the link to the council's web page <https://www.brighton-hove.gov.uk/content/parking-and-travel/roads-and-highways/traffic-management-permit-scheme> or request details from [permit.admin@brighton-hove.gov.uk](mailto:permit.admin@brighton-hove.gov.uk) or call 01273 293366

Ensuring parity is also a requirement within the Network Management Duty and events therefore need to show that they meet the requirements for road closures as detailed in "Safety at Street Works and Road Works: A Code of Practice", as required of any organisation wishing to close the public highway such as Utility Companies or our own contractors.

**References:**

- Traffic Management Act 2004
- New Roads and Street Works Act 1991
- Traffic Signs and General Directions Manual 2002
- Safety at Street Works and Road Works A Code of Practice

**Previous approval:** None

**Date of approval:**

**Review by:** 5 years or if major changes required

