

# Updated code promotes better managed infrastructure

UKRLG has launched an update to its Code of Practice which takes an integrated, risk based approach to managing highway infrastructure assets. Justin Ward explores why the update was necessary.



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**What is this document called?**

This Code of Practice is the first edition of 'Well-managed Highway Infrastructure'. It replaces 'Well-maintained Highways', 'Management of Highway Structures' and 'Well-lit Highways'.

**Does it apply across the UK?**

Yes, the code is intended to apply throughout the UK. Production has been overseen by the UK Roads Liaison Group (UKRLG) and its Roads, Bridges and Lighting Boards. It is recognised that there are differences in approach to some matters in England, Scotland, Wales and Northern Ireland and sets out general principles that apply to all countries.

**Why is this now a single document?**

The code is designed to promote the adoption of an integrated asset management approach to all highway infrastructure based on the establishment of local levels of service through risk based assessment.

It should be read in conjunction with the UKRLG Highway Infrastructure Asset Management Guidance to provide a starting point against which to develop, review and formally approve highway infrastructure maintenance policy and to identify and approve the nature and extent of any variations.

**What is meant by a risk based approach?**

Delivery of a safe and well maintained highway network relies on good evidence and sound engineering judgement. The intention of this code is that authorities will develop their own levels of service and the code provides them with guidance to consider when developing their own approaches in accordance with local needs, priorities and affordability.

**What will this mean for highway authorities?**

It marks a change from a reliance on specific guidance and recommendations

↑ Authorities are encouraged to develop their own levels of service through the revised code

in the previous codes to a risk based approach determined by each highway authority.

Some authorities may be able to implement a full risk based approach immediately. Others may require more time and may choose to continue with existing practices for an interim period.

In this case the previous codes will remain valid for them, either until they have implemented their new approach or after a period of two years from the date of publication of this code.

**Is there a risk of inconsistencies in approach between authorities?**

All authorities including strategic, local and combined authorities and those in alliances are encouraged to collaborate with others to determine levels of service for highway users. It is especially important to work closely with neighbouring authorities responsible for strategic and local highway networks that cross borders.

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Authority boundaries are not usually apparent to highway users and authorities should be aware of the possibility of distinct changes to levels of service through a risk based local approach.

**What does this mean for inspections?**

A risk based inspection regime, including regular safety inspections, should be developed and implemented for all highway assets. And a risk based defect repair regime should be developed and implemented for all highway assets.

**What happens if someone claims against an authority?**

Records should be kept of all activities, particularly safety and other inspections, including the time and nature of any response. Procedures must be established to ensure efficient management of claims while protecting the authority from unjustified or fraudulent claims.

**Is this a statutory document?**

This Code of Practice is not statutory but provides highway authorities with guidance on highways management. Adoption of the recommendations within this document is a matter for each highway authority based on their own legal interpretation, risks, needs and priorities.

**What about climate change?**

The effects of extreme weather events on highway infrastructure assets should be risk assessed. Ways to mitigate against the impacts of the highest risks should also be identified.

Drainage assets should be maintained in good working order to reduce the threat and scale of flooding. Particular attention should be paid to locations known to be prone to problems, so that drainage systems operate close to their designed efficiency.

The impact of highway infrastructure maintenance activities in terms of whole life carbon costs should be taken into account too when determining appropriate interventions, materials and treatments.

**What should authorities do when faced with extreme situations?**

Roles and responsibilities of a highway authority in responding to civil emergencies should be defined in the



↑ Consideration should be given to the whole life carbon costs of maintenance DFT

authority’s civil emergency plan. A severe weather emergencies plan should also be established in consultation with others, including emergency services, relevant authorities and agencies.

It should include operational, resource and contingency plans and procedures to enable timely and effective action by a highway authority to mitigate against the effects of severe weather on the network

and provide the best practicable service in the circumstances.

**Is communication key?**

Severe weather and civil emergencies plans should both incorporate a communications plan to ensure that information including weather and flood forecasts are received through agreed channels and that information is disseminated to highway users through a range of media.

**Does the code address environmental issues?**

Materials, products and treatments for highway infrastructure maintenance should be appraised for environmental impact and for wider issues of sustainability. Highway verges, trees and landscaped areas should be managed with regard to their nature conservation value and biodiversity principles as well as whole life costing, highway safety and serviceability.

**What about historic conservation?**

Authorities should identify a schedule of listed structures, ancient monuments and other relevant assets and work with other organisations to ensure that maintenance reflects planning requirements.

**Revised code will better protect authorities says claims lawyer**

Steven Conway, a lawyer from Keystone Law who specialises in claims against highway authorities, worked with the Department for Transport on the review of the updated Code of Practice.

The legal perspective is very important given that the code may be a relevant consideration when looking at the legal obligations of authorities. The expectation is that courts will look upon the code as evidence of good practice.

Introduction of a risk based approach is the biggest change to the code from a legal perspective, according to Steven Conway. He says that highway authorities are going to have to ensure that those tasked with devising their highways policies have been properly trained in relation to risk assessment.

“I expect we are going to see an increase in the scrutiny of the competence and training of highways inspectors and the decisions they make on the ground,” he says. “The records they make of their decisions will become even more important.”

Authorities are encouraged to collaborate to determine levels of service in the revised code, especially across boundaries with neighbours responsible for strategic and local highway networks.

“I can see criticism being made of authorities

whose policies are out of step with similar or neighbouring authorities,” Steven Conway says. “They may have a more difficult time justifying the criteria in their policies unless they are properly backed by a rigorous decision making process which has been properly evidenced.”

Another significant change is the introduction of the concept of affordability in relation to the general principle that authorities will adopt a risk based approach in accordance with local needs, priorities and affordability. The issue of affordability will be tested by the courts in the future.

In conclusion he says of the update: “The risk based approach – if properly followed – should enable highway authorities to be able to defend more claims than previously.”

Insurance specialist Colette Dark from insurer Gallagher Bassett, who chairs a steering group for an update to the Highway Risk & Liability Guide (due early in 2017) welcomes the increased flexibility offered through a risk based approach.

But she adds: “Understanding of risk is now at the heart of decision making on highway asset planning. There are opportunities to be had as well as threats to avoid; asset managers need to become more risk savvy.”