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Report of: *Director of City Growth*
Report to: *Cabinet Member for Transport and Development*
Date of Decision: *9th July 2019*
Subject: *Sheffield Road Safety Audit Standard 2018*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? <i>Transport and Development</i>		
Which Scrutiny and Policy Development Committee does this relate to? <i>Economic and Environmental Wellbeing</i>		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given?		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		
<i>"The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."</i>		

Purpose of Report:

To gain approval for a new Sheffield Road Safety Audit Standard to replace the existing standard dating from 2005. This is required in order to better conform to the latest national guidance (HD19/15) and to address identified deficiencies in the existing standard.

Recommendations:

- That the Sheffield Road Safety Audit Standard 2018 be adopted as the new road safety audit standard for schemes on the Sheffield highway network.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: <i>Gaynor Saxton 05/03/19</i>
	Legal: <i>Bob Power / Richard Cannon 22/03/19</i>
Equalities: <i>Annemarie Johnston 14/02/19</i>	
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission: <i>Edward Highfield 04/04/19</i>
3	Cabinet Member consulted: <i>Councillor Lewis Dagnall</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: <i>Ashley Carnall</i>
	Job Title: <i>Road Safety Audit Coordinator</i>
	Date: <i>8th April 2019</i>

1. PROPOSAL

- 1.1 The objective of Road Safety Audit is to identify aspects of a Highway Improvement Scheme that could give rise to road safety problems and to suggest modifications that would improve the road safety of the resultant scheme. The Road Safety Audit procedure has been developed to ensure that operational road safety experience is applied during the design and construction process in order that the number and severity of collisions is kept to a minimum.
- 1.2 Research from the Chartered Institute of Highways and Transportation has shown that the application of a road safety audit has the potential to save one collision per scheme per year. Given the number of schemes implemented and audited across Sheffield in a year, this equates to a significant casualty saving.
- 1.3 The procedure for carrying out Road Safety Audits is included in the Design Manual for Roads and Bridges. This was previously set out in HD 19/03 and IAN 152/11 (and the other Overseeing Organisation documents IAN 152/11 (W), DEM 136/11 and TS Interim Amendment 40/11). These documents have now been superseded by HD19/15 and reference to the previous documents should be removed.
- 1.4 The HD describes the stages at which Road Safety Audit shall be carried out, the procedures to be followed and the requirement for road safety monitoring of Highway Improvement Schemes after opening. The application of road safety audit is mandatory for all trunk road Highway Improvement Schemes, including motorways.
- 1.5 A new Sheffield Road Safety Audit Standard has been drafted following the publication of the Highways England (HE) Road Safety Audit Standard HD 19/15, closely based on that standard. Whilst adoption of HD19/15 is not required on local authority networks it is commended to local authorities as “best practise” and most other local authorities have or are undertaking revisions to their Road Safety Audit Standards to reflect the updated HE guidance.
- 1.6 The ICMD report is to present the Sheffield City Council revised Road Safety Audit Standard and to gain Council approval for it to replace the Sheffield City Council Road Safety Audit Standard 2005.
- 1.7 This new Sheffield Standard is closely based on HD19/15 but is adapted to suit the structure and resources of a Local Authority as recommended by engineering institutions. The requirements in HD 19/15 have not been incorporated in their entirety, as their extent is unnecessarily complex and excessively consuming of staff resources for dealing with the types and number of schemes in Sheffield.
- 1.8 The departures are clearly identified in pages 3 to 5 of the Standard. The

Standard has been written in a similar format to HD19/15 to further make it as easy as possible to identify differences and also to simplify and minimise the work involved in updating any future Standard when HE get round to replacing HD19/15.

2. HOW DOES THIS DECISION CONTRIBUTE?

2.1 In addition to the need to bring the local Standard more into line with the updated HE guidance an updated Standard will also have the following benefits for the Council:

- 1) It will formally reflect procedural changes following the commencement of the Sheffield PFI Highways Maintenance Contract, in particular in relation to the auditing of maintenance schemes associated with the contract.
- 2) It will bring local procedure formally into line with the South Yorkshire Road Safety Audit Position Statement published in 2016.
- 3) It will formally document the Exception Report and Arbitration Procedure. The existing 2005 Standard does not cover the existing practise with regards to the Exception Report process. The paragraphs in the 2005 Standard have been wholly superseded and required updating.
- 4) It will provide a formal road safety audit procedure for developer schemes. Such a procedure is outlined in HD19/15 and has, with some variations to reflect local practise, been adopted in the new Standard. The existing 2005 Standard (and the previous HE Standard HD19/03) contains no such guidance and has led to some confusion and inconsistency in the past both in Sheffield and other local authorities. A formal procedure is desirable as the Council is actively becoming more and more involved in the audit of private developer schemes, with the double benefits of bringing money into the Council as well as better ensuring a safer road network.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 There has been no public consultation on this document as this is considered unnecessary, as compliance with national standards relating to safety is self-evidently appropriate bearing in mind the duty in section 39 of the Road Traffic Act 1988 referred to in paragraph 4.3.1 below.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 There are no equalities implications from this proposal. The updating of an already existing procedure will continue to support the aim that the number and severity of collisions is kept to a minimum, benefitting all

Sheffield road users.

4.2 Financial and Commercial Implications

4.2.1 Overall there are no significant financial or commercial impacts. Having a more robust audit standard will assist the Council in bidding for external work, in particular development schemes, bringing fees into the Council. The new standard will also assist in the better regulation (and improved road safety) of the design of development schemes accessing the public highway, lessening the risks of additional post scheme costs to the Council. The adoption of the Standard will therefore have some positive financial benefits.

4.3 Legal Implications

4.3.1 The Council is under a duty to prepare and carry out a programme of measures designed to promote road safety as stated in section 39 of the Road Traffic Act 1988 but this does not give rise to a common law duty of care. There will never be liability for the simple failure to exercise a power but where an authority has acted positively in the exercise of their powers and, in doing so, have created a hazard to highway users then they will have assumed a duty of care to the road user and will be liable for their negligence in creating that hazard.

4.3.2 This principle applies to the design and layout of the highway. Where there has been negligent construction or improvement of the highway by the Council then it may, as highway authority, be held liable. A Road Safety Audit is one measure which helps to minimise the possibility of this happening, officers being of the opinion that the updated standard is more effective in this regard. There will be no liability per se in respect of dangers not created or exacerbated by the highway authority but the carrying out of an audit on behalf of a third party in respect of a development scheme may be a positive act for which a duty of care may be assumed and for which liability for negligence may be attached.

4.3.3 The Council may carry out and charge for discretionary services, such as a Road Safety Audit on behalf of a developer, under section 93 of the Local Government Act 2003.

4.4 Other Implications

4.4.1 There are no known other implications.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 It would be possible to continue using the Sheffield Road Safety Audit Standard 2005 instead of the proposed 2018 standard. However, there are significant drawbacks in doing this as identified in Section 1 above. Also, such an approach could increase the risk that the Council is found not to be discharging its obligation in section 39 of the Road Traffic Act 1988. It could also give rise to increased risks that liability may be

incurred when doing audits on private developer schemes.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Updating the Sheffield Road Safety Audit Standard will bring Sheffield City Council's procedures more in line with national guidance and will, by creating a more vigorous standard for ensuring road safety on the Sheffield highway network, help ensure that the risk of collisions associated with new highway schemes (including private developments) is minimised as much as possible. This will contribute to a reduction the number and severity of collisions.
- 6.2 A formal procedure is desirable as the Council is actively becoming more and more involved in the audit of private developer schemes, with the double benefits of bringing money into the Council as well as better ensuring a safer road network as detailed above.