

CABINET MEMBER OR ENVIRONMENT – 20 DECEMBER 2018

HIGHWAYS POLICY STATEMENTS

Report by Rikke Hansen, Head of Integration and Improvement

Recommendation

1. The Cabinet Member for Environment is **RECOMMENDED** to agree:
 - (a) the revised Highways Policy Statements at Annex 1 – 10 to this report;
 - (b) the revised Statement of Priorities at Annex 11 to this report.

Introduction

2. This report has been produced to seek approval from the Delegated Cabinet Member for a series of updated Highways Policy Statements. The policy statements have been updated because of the establishment of the new Highways Code of Practice (October 2018) and the recent Countryside Records Service Improvement Project.
3. This approach follows Cabinet approval in November 2017 for the development of a new Highways Infrastructure Management Framework with agreement that approval of updated policy statements and procedures would be via reports to the Cabinet Members Decisions Meeting or by the relevant Director dependent on the level of service change. As this is the first grouping of policy statement updates it was agreed that these should be presented to the Cabinet Members Decision Meeting.

Context

Highways Policy Statements

4. In 2016 the UK Roads Liaison Group launched the new Code of Practice; [Well-managed highway infrastructure](#) which supersedes the previous Codes '[Well-maintained Highways](#)', '[Well-lit Highways](#)' and '[Management of Highway Structures](#)'. The Code is designed to promote the adoption of an integrated asset management approach to highway infrastructure based on the establishment of local levels of service through risk-based assessment. The new Code sets out 25 recommendations which authorities must adhere to before the 31st October 2018.
5. Oxfordshire has considered these recommendations. Officers, with the assistance of Skanska and Capita, carried out a detailed review of 17 existing policies that were considered medium to high priority. The review was to update and ensure

compliance with the Code and alignment to current working practices and the latest specialist guidance and legislation.

6. Please see the table below for further detail.

Cat 1 (Policy statement complete)	Cat 2 (Policy statement part of wider projects)	Cat 3: Policy in development
1. Safety Improvement Policy (previously skidding resistance) 2. Coloured surfacing 3. Trees and vegetation (also includes planting) 4. Street lighting 5. Drainage 6. Traffic signs and bollards 7. Road markings and road studs 8. Safety Fencing & Barriers 9. Grass cutting 10. Speed limit	11. Parking 12. Community Engagement 13. Memorials	14. Winter service - to now include resilience network 15. Structures 16. Safety Inspections to include 17. Public Rights of Way

7. A collaborative approach was taken and advice was sought from the Legal Team and the Insurance Team reviewed each in detail to ensure that the Authority's ability to defend its position legally is not compromised.

8. Members of the Environment and Transport Cabinet Advisory Group were engaged in updating policies and suggestions have been incorporated in either the policy statements or inclusion in the more detailed procedure documentation.

9. The policy statements annexed in this report (annex 1 to 10) will be supported by more detailed procedures for staff, the public and developers. The intention is to have these documents available for use by the end of January 2019.

10. A SCIA has been completed to accompany the street lighting policy statement as it is acknowledged that there is a change in service delivery with the use of LEDs for which there are potential issues that have required exploration. The other policies have not required a SCIA to be completed as these generally reflect a continuing level of service and suggest no significant change.

11. Policy statements not in this report (Cat 2 & 3) are still in development and will be presented if required (i.e due to a change in level of service) at a future meeting.

The Definitive Map and Statement - Revised Statement of Priorities

12. The Council's Statement of Priorities sets out the council's policy on the order of which applications to modify the Definitive Map are addressed. It has been

updated to allow for a more dynamic case treatment process that is intended to speed up the assessment process and reduce the waiting list.

13. Since the last update, applications have been addressed in the order they were received. The updated statement will allow the council to process applications 'out of sequence' where it is deemed that this would lead to a faster reduction in caseload or where a certain case outcome may have a significant impact, e.g. Where linked to planning applications.
14. The Oxfordshire Countryside Access Forum (OCAF) supports the revised statement.

Financial and Staff Implications

15. There are no known financial or staff implications identified.

Equalities Implications

16. A Services Key Impact Assessment has been completed because of the changes to the Street Lighting Policy. This can be viewed in the appendices.

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Annex 1

Coloured Surfacing Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the provision and maintenance of coloured surfacing on the network throughout Oxfordshire excluding motorways and trunk roads.
2. This policy covers the provision and replacement of applied coloured surfacing on roads, cycleways and bus lanes, it does not include white lining or markings. Coloured surfaces are not considered as signs or road markings and therefore have no legal status.
3. Applied coloured surfacing is less durable and is more expensive to maintain and installed than a tarmac road surface. Oxfordshire County Council aims to reduce the amount of coloured surfacing which the Authority is responsible for on its network. It will consider requests for the provision or replacement of coloured surfacing on a case by case basis.

Policy: CSP1

Oxfordshire County Council will only allow applied coloured surfacing where there is demonstrated requirement for provision on;

- safety grounds
- enhancement of the natural or urban environment (in the case of public realm or public rights of way schemes)

and when;

- all other alternatives have been considered and there is no viable alternative
- the whole life cost of the applied surfacing has been calculated and accounted for

Policy: CSP2

Oxfordshire County Council will not replace Coloured Surfacing apart from

- When carrying out localised repairs
- It is considered necessary for safety reasons

Service Aims

- Oxfordshire County Council will reduce the amount of coloured surfacing on Oxfordshire's network
- Oxfordshire County Council will increase funding for the maintenance of coloured surfacing where it is specified
- Oxfordshire County Council will improve durability and service life of applied coloured surfacing

- Coloured Surfacing Procedure
- Highway Safety Procedure
- [OCC Highways Asset Management Plan](#)
- [Highway Safety Inspection Policy](#)
- [Oxfordshire Cycling Design Standards](#)
- [Design Manual of Roads and Bridges TA 81/16 – Coloured Surfacing in Road Layout](#)

Annex 2

Highway Electrical Assets Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the provision and maintenance of electrical assets on the road network throughout Oxfordshire excluding motorways and trunk roads.
2. The policies cover the requirements for the installation and maintenance of all types of electrical assets that are in the ownership or are maintained by Oxfordshire County Council covering. Lighting is provided for both highway and social safety reasons.
3. Oxfordshire County Council does **not** provide and/or maintain electrical assets:
 - in private areas such as residents' garages, public car parks, or roads that have not yet been, or are not going to be, adopted as highway maintainable at the public expense
 - if a parish council has decided to continue maintaining their own lights or has a policy of no street lighting
 - associated with new lighting on definitive footpaths, footpaths with permitted rights, bridleways, and towpaths, or on lengths of highway between town or village settlements

Policy: EAP1

Oxfordshire County Council will provide, or ensure provision, of adequate and appropriate electrical assets to ensure safe passage to users of the highway network.

Policy: EAP2

Oxfordshire County Council will ensure the safety of highway users is maintained by taking a risk-based approach to the provision of street lighting and electrical assets. Policy.

Policy: EAP3

Oxfordshire County Council will respect the wishes of a parish council not to provide street lighting in its village locations unless lighting is warranted on safety grounds, and there are no cost-effective alternatives.

Policy: EAP4

Oxfordshire County Council will protect and enhance the night-time environment by implementing part-night lighting and dimming unless there are risk assessed reasons not to.

Policy: EAP5

Oxfordshire County Council will reduce the council's impact on climate change, as our Procedure for Electrical Highway Assets and Oxfordshire County Council's Energy Strategy.

Policy: EAP6

Oxfordshire County Council will reduce street clutter wherever possible by the removal of unnecessary and redundant electrical assets and support structures, for which they are responsible.

Service Aims

- Reduce Oxfordshire County Council's energy bill
- Reduce the number of electrical assets to reduce street clutter.
- Increase the service life of electrical assets.
- Reuse and recycle redundant equipment where feasible
- Adhere to the service standards detailed within the Highway Safety Inspection Policy and the Procedure for Highway Electrical Asset with regards to Inspection and maintenance.

Reference & Supporting Documents

- Procedure for Highway Electrical Asset
- [Highway Safety Inspection Policy](#)
- **BS 5489-1:2013** Code of practice for the design of road lighting. Lighting of roads and public amenity areas
- **BS EN 13201:2015** Road lighting. Calculation of performance
- **BS 7671:2018** Requirements for Electrical Installations. IET Wiring Regulations
- **CEN/TR 13201-1:2014** Road lighting. Guidelines on selection of lighting classes

Annex 3

Existing Road Assets Highway Safety Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for ensuring the safety of highway users is maintained across the road network throughout Oxfordshire excluding motorways and trunk roads.
2. The analysis of skidding resistance and collision data are used to identify and prioritise high risks areas of the network. Locations for asset improvements will be considered where a safety concern relating to the condition of the asset is identified.
3. The analysis of the potential risk, with regards to skidding and collisions combined, is limited to all existing A and B roads and high-use C roads and police recorded wet skidding related accidents, as defined by the Highway Safety Procedure and national guidance.
4. These policies cover management of the existing road assets and does not include; new developments, local safety schemes including traffic calming schemes or the installation of speed cameras.

Policy: HSP1

Oxfordshire County Council will identify works and improvements to highway assets that improve road safety and aim to reduce the number of road traffic accidents which occur within Oxfordshire each year.

Policy: HSP2

Oxfordshire County Council will continue to maintain highway assets that have been installed to specifically support road safety unless a risk assessment identifies that they are no longer required.

Policy: HSP2

Oxfordshire County Council will work with Thames Valley Police to improve road safety.

Service Aim

- Reduce the overall number of casualties on Oxfordshire’s roads.
- Reduce the percentage of the road network that is below the skidding resistance Investigatory Level.
- Improve public perception of safety on Oxfordshire’s roads

Reference & Supporting Documents

- Highway Safety Procedure
- Coloured Surfacing Procedure
- [OCC Highways Asset Management Plan](#)
- Official Police Accident Statistics (STATS 19)

Related Standards:

- [HD28/15 – Skidding Resistance](#)

Annex 4

Grass Cutting Policy

1. Oxfordshire County Council, as the Highway Authority, is ultimately responsible for the maintenance of grass verges alongside the carriageway network throughout Oxfordshire excluding motorways and trunk roads.
2. A number of Parish Councils are contracted to undertake grass cutting as part of the Oxfordshire Together Community Engagement programme.

Policy: GCP1

Oxfordshire County Council will undertake grass cutting on

- all roadside verges in both rural and urban areas on an annual basis, and
- a full cut back in Areas of Outstanding Natural Beauty (AONB) on a cyclic basis, in line with our Grass Cutting Procedure.

Additional cuts will only be undertaken if a safety risk is identified.

Policy: GCP2

Oxfordshire County Council will seek to enhance and protect the natural environment;

- carrying out minimal treatment of noxious weeds through reactive spraying and/or weed pulling as funding allows.
- Taking into consideration local area needs and request where appropriate and possible regarding timing and type of cut provided.

Policy: GCP3

Oxfordshire County Council will maintain visibility at junctions and other locations that are considered a safety risk if visibility is restricted. *This excludes visibility splays at entrances to individual residential or commercial premises.*

Policy: GCP4

Oxfordshire County Council will work and allow Parish and Town Councils that wish to carry out their own or enhanced grass cutting on the highway providing it is safe to do so.

Service Aims

Oxfordshire County Council will undertake a risk based approach to grass cutting, with the following minimum levels of service:

- 1 cut per year on visibility splays
- 1 cut per year for fully adopted highway urban verge areas
- 1 cut per year, utilising a 1m wide swathe cut along the roadside edge in rural verge areas
- 1 cut per year, utilising a 1m wide to the rear of the shared use facility and a full width cut between the Footway /Cycleway shared use facility and the carriageway
- 1 cut per year on roads with a speed limit of 50mph or more (including all dual carriageways). Minimum standard is a 1m swathe cut.
- 1 cut every two years, at the end of the growing season, in Areas of Outstanding Natural Beauty (AONB) a full width cut and collect of the adopted verge will be undertaken
- 1 cut per year, at the end of the growing season or such time to main their habitat value, on road side Nature Reserves.

Full width cut backs of ¼ of the adopted verges takes place every year on a cyclical basis.

Removal of grass cuttings will not be carried out unless the cut is part of the full cut

Reference & Supporting Documents

- Grass Cutting Procedure
- Trees & Vegetation Procedure
- [Highway Safety Inspection Policy](#)
- [OCC Highways Asset Management Plan](#)
- Wildlife and Countryside Act 1981 (Schedule 9)
- OCC Oxfordshire Together

Annex 5

Drainage Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the provision and maintenance of drainage assets on the road network throughout Oxfordshire excluding motorways and trunk roads.
2. The Highways Act 1980 empowers highway authorities to construct and maintain drainage systems to remove surface water from the highway.
3. There are also responsibilities and duties under the Flood and Water Management Act 2010 that relate to the provision and maintenance of the county's drainage assets. Oxfordshire County Council, as the Lead Flood Authority has responsible for flood risk management.
4. Oxfordshire County Council seeks to proactively maintain the highway drainage asset to deliver a highway drainage service that follows a prioritised, risk-based approach.
5. An effective drainage procedure can contribute significantly to the following:
 - To aid road safety and reduce the risk of flooding;
 - To effectively manage our ditches and gullies;
 - To contribute to our obligations of Local Lead Flood Authority, (LLFA) responsibilities

Policy: DP1

Oxfordshire County Council will provide safe and efficiently maintained highway drainage systems to ensure safe passage to users of the highway network.

Policy: DP2

Oxfordshire County Council will accurately define and record location and condition of the Highway Drainage Asset

Policy: DP3

Oxfordshire County Council will make safe any defects identified as a safety defect following any inspection or incident within the timescales indicated within the Safety Inspection Policy

Policy: DP4

Oxfordshire County Council will continue to deal with flooding incidents on a reactive basis and as part of any investigations into the cause of a flood, the Council will investigate, record the case and feed into a risk based approach of prioritisation leading to a forward works programme

Policy: DP5

Oxfordshire County Council will undertake the duties and responsibilities of the Flood and Water Management Act as the Lead Local Flood Authority for Oxfordshire

Policy: DP6

Oxfordshire County Council will update the council's Flood Risk Management Plan and Preliminary Flood Risk Assessment

Policy: DP7

Oxfordshire County Council will promote and use Sustainable Urban Drainage Systems (SUDS) in accordance with the Flood Water Management Act

Policy: DP8

Oxfordshire County Council will assist individuals and stakeholders in identifying their flood risk and how to respond to the threat of flooding if it should occur as detailed in the [Oxfordshire Flood Toolkit](#) .

Policy: DP9

Oxfordshire County Council will issue enforcement notifications to private owners of ditches that affects the safety and operation of the public highway.

Where an enforcement notice has been issued and not actioned, the County Council will undertake the works and seek to recover costs.

Service Aims

- We will investigate all reports of highway flooding and damaged/blocked highway drains and take appropriate measures to remove water from the highway, alleviate or mitigate flooding as appropriate.
- We will collect condition data on all gullies to facilitate repairs and to also inform future changes to gully emptying frequencies.
- We will carry out a programme of known grip cleaning and cutting.
- We will facilitate ditch maintenance by adjacent landowners and if necessary take appropriate action to cleanse and recover costs from those landowners not fulfilling their obligations.

Reference & Supporting Documents

- Drainage Procedure
- [Highway Safety Inspection Policy](#)
- [OCC Highways Asset Management Plan](#)
- [Oxfordshire Flood Toolkit](#)
- [Design Manual for Roads & Bridges \(DMRB\): Volume 4, Section 2 – DRAINAGE](#)

Annex 6

Road Markings & Road Studs Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the provision and maintenance of road markings and road studs on the network throughout Oxfordshire excluding motorways and trunk roads.
2. Road Markings are all white and yellow markings on the road surface, as defined in the Traffic Signs, Regulations and General Directions 2016.
3. Regulatory Road Markings are subject to legal enforcement. Advisory Markings provide guidance and direction to the road user but are not enforceable.
4. An effective road marking policy will ensure effective traffic control and the efficient working and enforcement of road traffic regulations
5. With the emergence of assisted driving technologies such as lane identification, the removal of road centreline markings, lane and edge markings may lessen the effectiveness of the technology

Policy: RMSP1

Oxfordshire County Council will provide or ensure provision of adequate and appropriate road markings to ensure safe passage to users of the highway network by giving clear direction and warning.

Policy: RMSP2

Oxfordshire County Council will undertake an annual programme of white and yellow road marking replacement, prioritised using a risk-based approach.

Policy: RMSP3

Oxfordshire County Council will consult with key stake holders, including the police, town and parish councils with regards to the removal of road centre lines, edge markings and road studs where we believe there is no safety need for them.

Policy: RMSP4

Oxfordshire County Council will consult householders with regards to the provision or removal of access protection markings (H markings).

Policy: RMSP5

Oxfordshire County Council will consider how the removal of centreline and edge markings will impact on effectiveness of emerging vehicle technologies.

Service Aims

- Oxfordshire County Council will take a risk-based approach to maintain and inspect existing road markings and road studs on the network so that information remains clear, visible and legible, in accordance with our Highway Safety Inspection Policy
- Oxfordshire County Council will seek to reduce the amount of unnecessary road markings and road studs on the network.
- Oxfordshire County Council will provide new road marking and road studs and renew existing road marking and road studs only where necessary on road safety grounds.
- Oxfordshire County Council will honour access protection markings (H markings)

Reference & Supporting Documents

- Road Markings & Road Studs Procedure
- Traffic Signs Procedure
- Speed Limits Procedure
- Coloured Surfacing Procedure
- [Highway Safety Inspection Policy](#)
- [Oxfordshire Cycling Design Standards](#)
- [OCC Highways Asset Management Plan](#)
- [Traffic Signs and General Directions 2016](#)
- [TD 26/17 Inspection and Maintenance of Road Markings and Road Studs on Motorways and All-Purpose Trunk Roads](#)

Annex 7

Speed Limits Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the setting of all local speed limits across the road network throughout Oxfordshire excluding motorways and trunk roads.
2. Speed limits fall under two categories:
 - National Speed Limits; 30mph, 60mph and 70mph, as defined within the Road Traffic Regulation Act 1984.
 - Local Speed Limits; 20mph, 40mph and 50mph, which set by Local Authorities and guided by [DfT Circular 1/13 Setting Local Speed Limits](#)
3. Oxfordshire County Council does not enforce speed limits, the responsibility of this function lies with Thames Valley Police.
4. An effective speed limit policy can contribute significantly to the following outcomes:
 - To aid road safety and reduce the risk of injury
 - To ensure the efficient working and enforcement of road traffic regulations
 - To maintain effective traffic control
5. Speed limits should be considered as part of a package of measures to manage vehicle speeds and improve road safety.
6. The imposition of any new speed limit, or amendment to existing speed limit, requires a Traffic Regulation Order to be made.

Policy: SLP1

Oxfordshire County Council will ensure speed limits are appropriate to the location, nature and purpose of the road. All new speeds limit will be consulted upon with public bodies such as the police, district and parish councils, as per our statutory duties.

Policy: SLP2

Oxfordshire County Council will consider Speed limits when changes to the road layout or usage of a road are proposed because of development or improvement schemes, and in response to emerging road safety issues and concerns.

Policy: SLP3

Oxfordshire County Council will only provide the minimum statutory level and type of signage (and lines) to support a speed limit, unless there are specific safety or enforcement justification to provide more.

Service Aims

- We will investigate and respond to all requests to changes in speed limit.
- We will use a risk based approach in the setting and review of speed limits.

Reference & Supporting Documents

- Road Markings & Road Studs Procedure
- Traffic Signs Procedure
- Road Traffic Regulation Act 1984
- [DfT Circular 1/13 Setting Local Speed Limits](#)
- [Traffic Signs and General Directions 2016](#)

Annex 8

Highways Safety Fencing and Barriers Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for ensuring the safety of highway users is maintained across the road network throughout Oxfordshire excluding motorways and trunk roads.
2. This policy applies to all vehicle restraint systems (VRS) and pedestrian guard rails. An effective safety barrier policy can contribute significantly to maintaining effective traffic control
3. Static objects on or near to the road can present a significant hazard to the road user and there is a clear need to ensure that they are reasonably protected. Examples of such objects would be structures, large signs, lamp columns or where there is a large difference in level near to the road edge or risk of incursion onto other mode of transport corridors such as rivers or rail lines.

Policy: HSFP1

Oxfordshire County Council will provide and maintain adequate and appropriate vehicle restraint systems and pedestrian barriers to ensure safe passage of users within the highway network.

Redundant or obsolete safety barriers will be removed to reduce street clutter and long-term maintenance costs.

Policy: HSFP2

Oxfordshire County Council will carry out cyclical visual checks to make sure safety fences and barriers are in a safe condition, in accordance with Oxfordshire's Safety Fences and Barriers Procedure and the Highways Safety Inspection Policy.

Policy: HSFP3

Oxfordshire County Council will repair defects identified as a safety defect following any inspection or incident within the timescales indicated within the Safety Inspection Policy.

Joint inspections will take place with private landowners, Highways England, Network Rail and the Environment Agency, where there is an interface between the highway safety barrier and their asset where there is an identified risk of incursion.

Policy: HSFP5

Oxfordshire County Council will recover all costs incurred in repairing sections of accident damaged fencing or barrier, where practicable.

Service Aims

- Inspect all safety barriers at intervals set out within, the Safety Fences and Barriers Procedure and our Highway Safety Inspection Policy.
- Maintain Safety Barriers in a safe condition and in a manner appropriate to its use and location.
- Reduce the amount of unnecessary safety barriers on the network.
- Provide new safety barriers studs only where necessary on road safety grounds.

Reference & Supporting Documents

- Safety Fences and Barriers Procedure
- [Highway Safety Inspection Policy](#)
- Structures Policy
- [OCC Highways Asset Management Plan](#)
- [Managing accidental rail obstructions by road vehicles \(TAL 06/03\)](#)
- [Provision of Road Restraint Systems for Local Authorities](#)
- [The Road Restraints Risk Assessment Process \(RRRAP\)](#)
- [LTN 2/09 Pedestrian Guard Railing](#)

Annex 9

Traffic Signs Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for the provision of signing on the road network throughout Oxfordshire excluding motorways and trunk roads.
2. This policy covers directional, warning, tourism, illuminated, special event signage and traffic mirrors. It excludes: street name signs (which is the responsibility of District Councils) and bus shelters (normally the responsibility of the Town and Parish Councils)
3. To support users to move around the transport network safely, regulatory signs and lines are used to communicate and implement traffic regulation orders that may impose restrictions on speed, width, weight, height, movement (turning or access for specific modes of travel) or waiting and loading.
4. Tourism signing is used to guide visitors to a tourist destination along the most appropriate route during the latter stage of their journey, particularly where a destination may be difficult to find. This will only be provided from the nearest available 'A' or 'B' class road.
5. Temporary signage may be required for events or other short-term activity. Those advertising businesses or commercial activity will not be tolerated. Implementation of equipment or signage on the highway other than that approved is not permitted.

Policy: TSP1

Oxfordshire County Council will provide or ensure provision of adequate and appropriate signage to ensure safe passage to users of the highway network by giving clear direction and warning.

Policy: TSP2

Oxfordshire County Council will permit the implementation of tourism signage to provide supplementary directional information on a case by case basis, subject to the signage being fully funded by the requestor.

Policy: TSP3

Oxfordshire County Council will allow temporary event signage on the network, subject to prior written approval, except for local signage for small parish events which have no wider impact.

Policy: TSP4

Oxfordshire County Council will remove any unauthorised signs which pose an obstruction or safety risk to the highway user.

Policy: TSP5

Oxfordshire County Council will not permit, other than in exceptional circumstances, the erection of traffic mirrors on any part of the public highway.

Service Aims

- Oxfordshire County Council will take a risk-based approach to maintain and inspect existing signing on the network so that information remains clear, visible and legible, in accordance with our Highway Safety Inspection Policy
- Oxfordshire County Council will reduce the number of signs to reduce street clutter.

Reference & Supporting Documents

- [Highway Safety Inspection Policy](#)
- BS EN 12899-1:2007 - Fixed, vertical road traffic signs. Fixed signs
- [Traffic Signs Regulations and General Directions 2016](#)
- Road Traffic Regulation Act 1984
 - Section 64 General placement of traffic signs
 - Section 65 Powers and duties of highway authorities as to the placing of traffic signs
 - Section 68 Placing of signs in connection with the exercise of other powers
 - Section 85 Placing of speed limit signs

Annex 10

Highway Tree and Vegetation Policy

1. Oxfordshire County Council, as the Highway Authority, is responsible for maintaining trees and vegetation that are on the highway network, and ensure others do to ensure the safe passage of highway users is maintained across the road network throughout Oxfordshire excluding motorways and trunk roads.
2. This policy sets out the county council's strategy for the managing risk of harm to highway users, or damage to property, posed by trees under the council's control, or directly adjacent to the County Council's assets such as highways or properties.
3. The policy does not cover;
 - a. work requests for vegetation covered by Tree Preservation Orders, Conservation Areas or high hedge legislation which is administered by the District Councils.
 - b. trees under private ownership, which pose no risk to the highway user, or Oxfordshire County Council Property
4. As the Local Highway and Planning Authority, the county council is obliged to consider a whole range of public amenities provided by trees. However, we will not agree to felling or pruning of, any of its trees, unless the application meet the criteria detailed in the Trees and Vegetation Procedure.

Policy: TVP1

Oxfordshire County Council will improve tree and vegetation safety by identifying and prioritising high-risk locations, utilising a risk based approach.

Any dead, dying or dangerous trees on land that is under the county councils control will be removed.

Policy: TVP2

Oxfordshire County Council will undertake regular inspection of its trees. Information gathered from these inspections, national good practice, and localised information on risk will help determine appropriate frequency.

Policy: TVP3

Oxfordshire County Council will only permit new trees, and only certain species, as part of developments that are justified and required to enhance or protect the natural environment.

Policy: TVP4

Oxfordshire County Council will issue planting licenses to local stakeholders to enable vegetation to be planted on land that is deemed to form part of the public highway, as per our statutory obligations under the Highways Act.

Policy: TVP6

Oxfordshire County Council will issue enforcement notifications to private owners of Trees and vegetation that affects the safety and operation of the public highway.

Where an enforcement notice has been issued and not actioned, the County Council will undertake the works and seek to recover costs.

Service Aims

- Reduce the number of tree failures across the highway network
- Reduce the overall number of claims relating to vegetation.
- We will respond to and investigate all tree related queries and incidents on the highway network.
- Maintain the tree stock in a sound and safe condition.

Reference & Supporting Documents

- Trees & Vegetation Procedure
- Grass Cutting Procedure
- [Highway Safety Inspection Policy](#)
- BS 3998:2010 – Recommendations for tree work
- BS 5837:2012 - Trees in relation to design, demolition and construction.

OXFORDSHIRE COUNTY COUNCIL

**STATEMENT OF PRIORITIES FOR MAINTAINING THE DEFINITIVE MAP AND
STATEMENT OF PUBLIC RIGHTS OF WAY**

The Definitive Map and Statement (DMS) of Public Rights of Way for Oxfordshire is the legal record of public rights of way in the county. The Council is the Surveying Authority for such purposes. In accordance with the Wildlife and Countryside Act 1981 section 56, the DMS is conclusive evidence of the existence of a public right of way and its status, width, position and any limitations or conditions that affect it.

It has a relevant date of 1 February 2006.

In accordance with the Wildlife and Countryside Act 1981 section 53, Oxfordshire County Council has a duty as the Surveying Authority to keep the DMS under continuous review and to modify it by way of Orders as and when relevant events occur.

The Council's priorities in respect of its DMS are to: -

- Process applications for Definitive Map Modification Orders
- Update and maintain the DMS, including addressing anomalies and errors

This Statement of Priorities replaces the previous version dated October 2007.

Processing Definitive Map Modification Orders (DMMOs)

Any person with substantive evidence of an error or omission in the DMS may apply to the Council for an Order to modify it to add or delete a right of way, to upgrade or downgrade one that is already shown, or to amend the particulars contained in the Map or Statement. Most are claims to add rights to the DMS on the basis that they legally exist but are not recorded. The procedure to do this is set out in schedule 14 of the Wildlife and Countryside Act 1981.

The Council is required, as soon as reasonably practicable after receipt of applications, to investigate and determine whether or not to make the Order sought. If after 12 months no such determination has been made, the applicant may appeal to the Secretary of State who may then direct the Council to determine the application and may impose a timescale for doing so. Government Guidance in the form of Circular 1/09 states that the Secretary of State, when considering a response to a request for a direction to determine an application for an Order within a specified period, will take account of any Statement made by the Surveying Authority setting out its priorities for bringing and keeping the DMS up to date and the reasonableness of such priorities.

There are a large number of applications outstanding, each requiring significant research and investigation and are frequently contentious, further extending the period of the process. A single application might take between 6 and 18 months, and sometimes longer, to conclude depending on the different factors that might impact on it. There is also a steady stream of new applications being received, the rate of which is anticipated will increase in the light of the impending legislative reforms which will introduce an end date for the making of applications based on historic evidence.

Details of all Definitive Map applications are contained in a statutory register published on the Council's website, alongside a 'Pending DMMO Case List' detailing the applications currently being progressed, updated on a monthly basis, and where progress can be tracked. These can be viewed at www.oxfordshire.gov.uk/modificationsanddiversions

Rationale for Prioritising Applications for DMMOs

Oxfordshire County Council finds itself in a similar position to many Surveying Authorities across the country where the volume and complexity of applications makes it unsustainable to determine them all within the 12 months before any appeal can be triggered. Backlogs can then accrue, further exacerbated by the continuous flow of new applications. The waiting list for new applicants currently stands at more than 10 years.

The County Council recognises that delays of this kind do not reflect the level of service it expects to provide and has reviewed its resourcing and processes to ensure a renewed rigour is applied to the way in which it addresses its existing and future caseloads. A recent restructuring of the Council's duties and responsibilities has resulted in a further investment into this activity. This Statement is reflective of that review and further sets out an intention to address its caseload and introduce much greater flexibility and discretion where this can improve its overall service to customers.

There remains a need to be as equitable as possible in determining the basis on which the list of applications is addressed. At its core, this necessitates addressing applications in chronological order of receipt; this being the fairest means of prioritising where no application is more important than any other. However, in certain instances, it will be necessary to address some applications out of turn where the impact of deferral could have consequences. For this reason, the Council must retain an element of discretion. If it considers that action of this kind is warranted and there are exceptional circumstances, the Council will consider if the circumstances of that case merit it being taken 'out of turn'.

Similarly, the Council may target an application if this helps achieve a greater efficiency or reduce backlogs faster.

This means that, in some cases, an application already on the register may be taken out of sequence where circumstances dictate, or for the purposes of expediency.

The Council's plan for dealing with applications may also be disrupted should the Secretary of State determine, on appeal, to direct the Council to address cases out of turn and within specific deadlines.

Updating and Maintaining the Definitive Map and Statement

The processing of Definitive Map applications must be addressed in parallel with other duties necessary to keep the DMS as up to date as possible.

The present Definitive Map, produced in 2006, was the culmination of significant investment to produce a modern map utilising digital mapping software replacing previous paper-based versions. This has many benefits, including improved management processes and a more straightforward means of physically amending and updating it when any changes occur.

This has also had the considerable added benefit of allowing an online version of the Map to be made available to view on the Council's website.

Managing the integrity of the Map data entails: -

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- Addressing any issues of the accuracy of the DMS by systematically investigating discrepancies such as: -
 - Errors in drafting
 - Discrepancies between the Map and Statement
 - Possible errors or omissions in the DMS (such as an unexplained change of status where a path crosses a parish boundary or where the route on the ground differs from that shown on the DMS).

Whilst these will be prioritised and researched as resources permit depending on their significance or impact, these are not matters that normally feature on Wildlife and Countryside Act 1981 s53b Registers of Applications. As such, any work undertaken will impact on the rate at which formal applications on the Register are addressed.

Undertaking an investigation on a particular 'anomaly' may have a degree of urgency where, for example, a sale of property is reliant on it. The DMS can usually only be amended by fully researching the case and making and advertising a DMMO. As such there is inevitable impact on priorities.

- Keeping the DMS up to date by making regular 'Legal Event' Modification Orders to modify it in respect of changes resulting from Public Path Orders, Agreements, etc.
- To periodically republish the DMS, currently dated 2006. The timing for such a major piece of work will be kept under review and carried out when appropriate and balanced against other workloads.

Prioritising Applications for Definitive Map Modification Orders

This approach is adopted with the agreement of the Oxfordshire Countryside Access Forum, a body representing a wide range of interest groups including user groups and landowning associations.

Whilst there are, essentially, two types of Definitive Map application (based either on historic documentary evidence or are, primarily, user-based) distinction could be made between the two in that user-based applications are more likely to be in contemporary use and may have been called into question by an action on the part of the owners of the land. The integrity of the user evidence may be at risk if there are inherent delays in dealing with them. Conversely, due to the potential introduction of a cut-off date, there is increasing pressure to record historic routes that have been 'lost' over time and remain unrecorded on the DMS. Frequently these can be routes that are (or would be) important links in the overall network.

On that basis, a priority system initially based on date of receipt is inherently simple and fair and does not discriminate between applicants.

The Council will, however, exercise discretion for purposes of expediency.

The prioritisation of applications is, therefore, as follows: -

1. As a principle, all applications will be investigated in date order of receipt.
2. The Council will exercise discretion to take cases out of the 'date order' sequence where, for example: -

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- There is a development proposal or planning application that affects or threatens the claimed route.
 - An affected party can demonstrate that they are experiencing exceptional problems due to the impact of an application on their property, such as where this potentially affects its sale.
 - The evidence in support – or geographical location – of an application is shared with another and, therefore, it would be efficient to investigate them concurrently.
 - The path would help fulfil one of the Council's strategic aims, such as where routes have been identified in a Transport Strategy or Rights of Way Improvement Plan.
3. With the aim of reducing its caseloads and bringing down waiting times, the Council uses discretion to identify any application on its Register where there may be opportunity to, for example: -
- Address an application by some other means (such as a public path order or agreement).
 - Address an application where the extent of the evidence and / or the lack of opposition would involve minimal workload to conclude the matter.

Oxfordshire County Council
November 2018