

WELL MANAGED HIGHWAY INSPECTIONS

Report of the Director of Investment

1. SUMMARY

- 1.1 Derby Homes now undertake cyclical safety communal inspections of the car parks, access roads, footpaths and other hard standing areas associated with our managed/owned properties. The attached manual Appendix 1 describes how that will be achieved.
- 1.2 The inspections are based on the principles adopted by Derby City Council Highway Maintenance in inspecting the highway network. Highways use a risk based approach to safety inspections based on Well-Managed Highway Infrastructure - A Code of Practice: October 2016.

2. RECOMMENDATION

- 2.1 For the Operational Board to note the adoption of the Derby Homes Well Managed Highway Inspections Manual: August 2019.

3. REASONS FOR RECOMENDATION

- 3.1 Having a more formalised inspection and remedial works programme of the paths & car parks, in addition to improved overall asset management, will help reduce the number of and defence against slip, trips and falls cases against Derby Homes.

During the period April 2013 to Dec 2019 Derby Homes have registered 109 incidents with the insurers. By far the biggest issue is slip, trips and falls, with 54 incidents. It should be noted that not all of these cases relate to incidents on land that will be covered by this policy, such as the workplace, curtilage of own homes, communal areas inside of buildings etc.

It is anticipated that full adoption and adherence to this policy will assist Derby Homes in the future defence of such claims on land covered by the policy.

4. MATTER FOR CONSIDERATION

- 4.1 As a Housing Authority Derby City have a duty of care to maintain the safety and accessibility of the external infrastructure associated with its properties.
- 4.2 The main purpose of Derby Homes Inspections is:
 - for Derby Homes to meet and provide evidence towards its obligation to

maintain the car parks, access roads, footpaths and other hard standing areas associated with its properties in a safe condition

- to identify safety defects that are hazardous or likely to create a danger to residents and visitors
- to determine the extent of defects requiring prompt repair and their timing
- to reduce the likelihood of liability claims arising and to provide a defence against such liability claims
- to identify defects which should be repaired to avoid problems developing and which can be dealt with as part of a works programme.
- they can provide data on the condition of infrastructure assets to aid the identification of a planned improvement works programme

- 4.3 The new code significantly changes from the reliance on nationally set standards and recommendations to a risk-based approach to infrastructure asset management. The purpose of a risk-based approach is to determine the scale of the risk presented by a defect, in order to prioritise the appropriate category of response.

The Derby Homes Well Managed Highway Inspections Manual: August 2019 is a dynamic document and is subject to amendments, as we will continually review and reflect changes in the infrastructure supporting our housing stock.

5. OTHER OPTIONS CONSIDERED

- 5.1 From August 2019 and in line with the Well-Managed Highway Infrastructure - A Code of Practice: October 2016, Derby City Council will undertake risk-based assessments in accordance with local needs, context and priorities. A trained and competent Inspector will carry out safety inspections. It demonstrates reasonable care has been taken to identify and respond appropriately to a defect which presents a danger to residents and visitors. The Inspector will consider the potential consequences of that defect and the likelihood of the risk occurring by a dynamic risk assessment. An on-site evaluation will determine the scale of risk and the category of response applied.

Derby Homes could have employed an inspector and remedial works team. This would have required setting up with additional space required to facilitate. Derby City Council already employs both and this allows us to demonstrate a consistency across the inspection and intervention regimes.

- 5.2 It has been decided that the assets to be subject to routine inspections would be limited to those in communal areas, every 12 months. Assets serving single properties that have garden boundaries etc are not to be inspected. The need for repairs to assets associated with single properties will be reported by the tenant, as per the tenancy agreement.

6. FINANCIAL AND BUSINESS PLAN IMPLICATIONS

- 6.1 Derby Homes have allocated a 2020/21 budget of £360,000 for the inspection and remedial works associated with well managed highways inspections. This is expected to fund the inspection costs and minor (revenue) remedial repairs. Once we have run the service for a full year we will have a greater understanding of what the annual revenue costs are likely to be.

Some of the required works (resurfacing of paths & car parks , plus any new paths or car parks) would be classed as capital improvements and be funded from the Councils HRA Capital programme. Such capital budget will be identified once a programme of major works and their costs has been established.

7. HEALTH & SAFETY IMPLICATIONS

- 7.1 As a Housing Authority Derby City have a duty of care to maintain the safety and accessibility of the external infrastructure associated with its properties.

8. RISK IMPLICATIONS

- 8.1 If the Policy and resulting works are not implemented, Derby Homes are at risk of claims from third parties. The Inspector undertaking the safety inspection is responsible for the accuracy of both the inspection and the recorded information. In the event of a third party claim, he/she may be required to provide information relating to the claim and provide statements towards the defence. In the event of a claim litigating, that Inspector may have to attend court to substantiate their actions and inspection records. They will have to articulate the reasoning behind the authority's approach and what led to the Inspector making the decision they did.

9. POLICY REVIEW IMPLICATIONS

- 9.1 This is a key policy of Derby Homes and will be included in the Key Policy Review Schedule. In accordance with Derby Homes Board Minute 10/51 this policy will be reviewed no later than 3 years from the date of this meeting.

The areas listed below have no implications directly arising from this report:

Consultation
Legal and Confidentiality
Council
Personnel
Environmental
Equalities Impact Assessment

If Board Members or others would like to discuss this report ahead of the meeting please contact:

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Background Information: None
Supporting Information: Estate Pride Programme 2020/21 and Appendix 1

This report has been approved by the following officers:

Finance Director/Derby Homes Accountant	M Kirk	24/01/2020
Company Solicitor	T Lalia	24/01/2020
Head of Service (Operational Board reports)	I Yeomans	24/01/2020
Managing Director	Maria Murphy	03/02/2020