

# Briefing Note

## Market Street, Shaw Inspection Review

12<sup>th</sup> July 2016

### 1 Background and purpose of review

#### 1.1 Personal injury reports on Market Street

Following several reports of personal injury accidents on Market Street which were attributed to defects in the modular paving, a review of the current inspection criteria was requested.

#### 1.2 The current Safety Inspection

The existing inspection criteria as set out in the Oldham Council's Highways Inspection Policy which is dictated by national guidelines only identifies defects on the footway that are greater than 25mm in height.

Inspections of Market Street, Shaw are currently carried out on a monthly inspection in accordance with Oldham Council's Highways Inspection Policy. This regularity is applied to all 'Town Centres' across the Borough including Oldham Town Centre.

### 2 Current position

#### 2.1 Safety Inspection Review

A review of the current safety inspection regime of Market Street, Shaw was carried out to identify if there could be a change in defect criteria or inspection frequency.

#### 2.2 Risk and Insurance

It is felt by the Risk and Insurance Team that applying any change to the Inspection Criteria on Market Street, Shaw would significantly affect the Oldham Council's position in court when defending cases in one of the other 'Town Centres'.

To ensure that Oldham Council held a strong position in court, any change to the inspection criteria on Market Street could only be done by amending Oldham Council's Highways Inspection Policy.

### 2.3 **Cost Implications**

By increasing the inspection frequency for Town Centre, at least one additional full time employee would be required to cope with the increased demand. Oldham Council's annual revenue budget is at full capacity and any increase in repairs would result in a significant overspend. A reduction in the defect depth would result in an increase in repairs identified.

### 2.4 **Joint inspection**

Eon have recently carried out a significant programme of Street Lighting replacement across Oldham Town Centre and the temporary repairs to the footway following installations had resulted in a number of visible defects that did not meet the safety inspection criteria. A joint inspection between Oldham Council and Eon was carried out and a significant number of repairs have been carried out on Market Street, Shaw.

## 3 **Outcome**

Oldham Council's court repudiation rate continues to improve and it is felt that any change to the policy would have an adverse effect on our position in court with existing unsettled claims.

The current continued reduction in settled personal injury claims suggests that the balance between the inspection criteria and the available budget is correct for Oldham Council at this time.

An inspection carried out following the joint Oldham Council / Eon inspection shows a significant improvement to the Shaw Town Centre footways. Should Members choose to support repairs over and above the current policy there will be additional costs. A list of current minor defects is attached In the Appendix.