

## Dfl Roads Policy & Procedure Guide: RSPPG\_E074

**Title:** Dfl Roads Owned & Maintained Laneways

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### Classification

**Level 1** (Title / Key Words) : Maintenance, laneway(s)  
**Level 2 :** Network Services  
(Directorate/Owner):  
**Level 3:** (RSHQ or HoBU Managed Function): Network Maintenance Group  
**Level 4 :** (Work Areas) Maintenance

### Notes

### Certification

This document complies with Dfl Roads Policy. For Implementation and Issue Dates, see above.

(Signed)

Director of Engineering

Certification Date: 07 November 2017

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## 1 Introduction

### 1.1 Purpose

This DfI Roads Policy & Procedure Guide (RSPPG): -

- a) Is aimed at all DfI Roads staff involved in Roads Maintenance.

### 1.2 Definitions

None

### 1.3 Background

1.3.1 DfI Roads is a business unit within the Department for Regional Development for Northern Ireland, which is the authority responsible for maintaining the public road network in Northern Ireland.

1.3.2 Over the years DfI Roads, or its predecessors (TransportNI, Roads Service / county councils etc.), has constructed access laneways to private property. The first of these were built in the 1960's as part of the motorway construction programme. Significantly greater numbers have been built in more recent years as part of Strategic Road Improvement schemes with more likely to be built in the foreseeable future.

1.3.3 The laneways were constructed on land owned by the Department to provide a means of access to the public road network from land which has been deprived of its original access due to road works.

1.3.4 This document sets out the policies and standards to be used to ensure that the limited resources available for maintenance are used most effectively in the maintenance of DfI Roads owned laneways.

### 1.4 Costs and Benefits

1.4.1.1 As this RSPPG is a formalisation of previous 'unwritten' policies and procedures costs are not relevant at this stage.

1.4.1.2 The anticipated benefits deriving from the implementation of this RSPPG will be a standardisation of procedures across Divisions as well as providing guidance to Section Engineers and staff in relation to the maintenance of laneways.

## 2 DfI Roads Policy & Procedure

### 2.1 Legal Requirement

2.1.1 The DfI Roads owned and maintained 'private' laneways do not fall within the definition of 'road' as provided under Article 2(2) of the Roads (NI) Order 1993 and as such do not form part of the public road network.

2.1.2 As these laneways do not form part of the public road network the provisions of the Roads Order do not apply. As a result the Road Maintenance Standards for Safety do not apply either. However, as the Department owns the land upon which the laneways have been constructed, the Department will have liability to third parties from the 1957 Occupiers Liability Act.

2.1.3 The laneways do not have a public right of way over them. Only the owners of land and property served by the lanes have right-of-way over them, together with those lawfully visiting (invited guests) those locations, as is the case with private lanes.

2.1.4 In order to prevent these laneways becoming 'public roads' by default in the future under the principles of dedication and acceptance, a distinction must be preserved between these laneways and the public road network maintained by the Department.

2.1.5 This Policy and Procedure Guide is intended to ensure that this distinction is retained whilst ensuring that the laneways are maintained to a reasonable standard dependent on the available resources.

### 2.2 Inspections

2.2.1 Inspections are designed to identify those defects likely to create a hazard to laneway users and must therefore be dealt with in a reactive manner.

2.2.2 Laneways should be inspected on an annual basis.

2.2.3 Additional ad-hoc inspections may be carried out following requests for additional maintenance from permitted users.

### 2.3 Defects and Response Times

2.3.1 Some defects need to be treated more urgently than others. There are 5 target response times as follows:

- R0 – Emergency situations which need to be dealt with as soon as possible.
- R1 – Repair or make safe before the end of the next calendar day

- R2 - Repair or make safe within 5 working days.
- R3 - Repair within 4 weeks
- R4 - Repair during the next available programme or by target response time as specified or review condition at next inspection.

2.3.2 For the purposes of defect response and repair, laneways are split into two separate categories

- Those serving dwellings, commercial / industrial premises and farmyards
- Those serving agricultural land only

2.3.3 The respective response times are shown below

Laneway purpose	Defect Response Times				
	Cat 0	Cat 1 (missing gully lid)	Cat 1 (>100mm deep)	Cat 2 (>50mm to 100mm deep)	Cat 3 (>20mm to 50mm deep)
Serving dwellings, commercial / industrial premises or farmyards	R0	R1	R2	R3– Not repaired during limited service	R4– Not repaired during limited service
Serving agricultural lands only	R0	R2	R3	R4– Not repaired during limited service	Not repaired

2.3.4 Defects have been classified in the following categories:

2.3.4.1 Category 0 means:

- any defect that requires an R0 response e.g. manhole / culvert collapse, fallen tree, missing manhole lid

2.3.4.2 Category 1 means:

- abrupt level differences in the surface > 100 mm (measured vertically)

- potholes > 100 mm deep
- missing gully lid

2.3.4.3 Category 2 means:

- abrupt level differences in the surface > 50 mm up to 100 mm (measured vertically)
- potholes > 50 mm up to 100 mm deep
- edge deterioration\* within 250mm of the original pavement edge and > 100mm deep.
- badly cracked or damaged ironwork

\*edge deterioration means damage to the pavement edge (edge of running surface) only.

2.3.4.4 Category 3 means

- abrupt level differences in the surface > 20 mm up to 50 mm (measured vertically)\*
- potholes > 20 mm deep and up to 50 mm deep\*
- edge deterioration\* (see definition above) within 250mm of the original pavement edge and > 50mm deep.

2.3.4.5 The following are not considered to be significant defects and safety-related action is not required:

- level differences in the surface of 20 mm, or less (measured vertically)
- potholes 20 mm deep, or less
- edge deterioration (see definition above) within 250 mm of the original road edge and 50 mm deep, or less.

## 2.4 Other Defects

2.4.1 Other obvious hazardous defects identified during inspections should be recorded as category 3 safety defects. These will automatically generate a R4 response time. However, depending on the severity of the defect a revised target completion date may be used to initiate an earlier response time.

2.4.2 As a guide the following should normally be looked for and recorded in

addition to surface defects on the laneway. This is not an exhaustive list and in determining the urgency of remedial action the inspector must consider the severity of the defect, its position within the laneway and the potential danger or serious inconvenience to the user.

- Excessive standing water and water discharging onto or flowing across the laneway;
- Dangerous debris and spillage within the laneway;
- Trees, grass, shrubs and hedges which by virtue of their position or condition are obviously dangerous or causing obstruction;
- Damaged boundary fencing along the laneway;
- Earth slips

## 2.5 Boundary fences / hedges

2.5.1 Dfl Roads is responsible for the maintenance of the boundary fences / hedges between the laneways and public road. Therefore any damage to these features has to be made safe / repaired by the Department.

2.5.2 Damage to other boundary fences / hedges along the laneway, which may allow livestock to gain access to the public road, should be notified to the relevant land owner.

2.5.3 Any damaged fencing which is the responsibility of Dfl Roads to repair and which might allow livestock to gain access to the public road should be repaired / made safe as soon as possible. All other damage should be repaired as soon as practicable.

## 2.6 Drainage Systems

2.6.1 Standing water and water discharging onto or flowing across the laneway will be recorded during safety inspections of the laneway network under the category of other defects. Where appropriate these defects should be recorded and any necessary action instigated.

## 2.7 Grass Cutting

2.7.1 Grass verges along the laneway shall be cut once annually to prevent overgrowth.

2.7.2 In the interests of safety of those using the public road as well as the laneway, sightlines at the junction of the laneway and public road shall be cut at the same time as the verges on the public road and at other times as required for safety purposes.

## 2.8 Weed Control

2.8.1 Measures to control the spread of invasive and noxious weeds shall be taken as necessary.

## 2.9 New Entrances

2.9.1 Entrances associated with developments which have planning approval can be made onto the public road without separate approval from Dfl Roads, however entrances onto Dfl Roads laneways cannot be made without the express permission of Dfl Roads even if planning permission is obtained. Any entrance made onto any laneway without Dfl Roads' permission would effectively be interfering with private land (the Department's).

2.9.2 Inspectors should note any new entrances that are constructed off laneways and refer them to the appropriate Divisional Development Control Office for investigation.

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### 3 EQUALITY & RURAL NEEDS IMPACT ASSESSMENTS

#### 3.1 Equality Impact Assessment - Section 75 of the Northern Ireland Act 1998

3.1.1 This RSPPG has been considered in terms of section 75 equality implications. An EQIA screening considered that it did not have significant implications for equality of opportunity, thereby making it unnecessary to carry out a full Equality Impact assessment.

#### 3.2 Rural Needs Impact Assessment - The Rural Needs Act (NI) 2016

3.2.1 The Department has a duty under The Rural Needs Act (NI) 2016 to have due regard to rural needs when developing new policies / strategies and when any policies are revised or reviewed. This RSPPG has been considered in terms of The Rural Needs Act (NI) 2016 and a Rural Needs Impact Assessment has been carried out.

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## 4 REFERENCES

### 4.1 General References

4.1.1 None

### 4.2 Endnote References

4.2.1 None

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## 5 Appendices

### 5.1 Appendix 1 – SCHEDULE OF LANEWAYS

5.2 The schedule of laneways is maintained as an HPRM document:

IN1/16/85995 – ‘Schedule of DfI Roads maintained laneways’.

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<b>6 Control Sheet – DfI Roads Policy &amp; Procedure Guide: E0XX</b>
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**Title: DfI Roads Owned & Maintained Laneways**

6.1 Document History

Version	Date	Author	Authorised by Document Control Panel Members Name : Signature
1	07/11/2017	A McMurray	J Lawson
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3			
4			
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6.2 Overall Reasons For This Version

Version	Reasons
1	First issue of RSPPG
2	
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6.3 Revision Details

Version	Amendments