

Roadside Hazards Policy



Roads and Infrastructure
Infrastructure, Environment and Economy

Approval

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1.0 Introduction

- 1.1. In rural areas, residents or landowners will sometimes place stones, logs or other objects on roadside verges or adjacent to the carriageway. This is usually done with the intention to highlight the entrance to their property or to prevent vehicles from encroaching or parking on the road verge. These objects may create hazards to other road users, thereby causing an offence under Section 59 of the Roads (Scotland) Act 1984.
- 1.2. The requirement for consent, giving of notice and recovery of costs by the Roads Authority regarding obstructions within the road is set out in section 59 of the Roads (Scotland) Act 1984 and is not repeated in this Policy.
- 1.3. This updated policy aims to promote safe practices on roads within The Highland Council. Compliance with this policy should ensure a level of consistency across the whole of Highland.

2.0 Scope

- 2.1. This policy shall apply to:
 - All adopted roads for which The Highland Council is the Local Roads Authority.
 - Roads not on the adopted list but which are managed or maintained by The Highland Council under other Services such as Property, Housing, Planning and Education.

3.0 Policy

- 3.1. The Council is required to comply with Section 59 of the Roads (Scotland) Act 1984. In this context the road includes verges and any cycle tracks, footways and footpaths.
 - 3.1.1. In the interest of road safety and fairness, the placement of stones, logs or other objects causing an obstruction on the road is not permitted as a matter of principle.
 - 3.1.2. Where owners or occupiers either contact the Roads Authority direct or are requested, in compliance with Section 59 of the Roads (Scotland) Act, by the Council to remove an obstruction on the road, they will be advised of any appropriate alternatives. Such alternatives may include the installation of verge markers in place of the obstruction at a safe distance from the edge of the carriageway.
 - 3.1.3. Verge markers or other alternatives must be of a type approved by the Council. Applicants wishing to install verge markers or other alternatives must apply for a permit and gain approval from The Highland Council prior to installation.
 - 3.1.4. Owners and occupiers wishing to mark or protect the verge with verge markers or other alternatives will be required to do so wholly at their own expense.

4.0 Implementation and Compliance

- 4.1. The requirement for consent, giving of notice and recovery of costs by the Roads Authority regarding obstructions within the road is set out in section 59 of the Roads (Scotland) Act 1984. Applicants must get authorisation from The Highland Council prior to installation. As such, Road Operations Managers shall be responsible for compliance within their Areas.