

<b>Agenda Item</b>	<b>12</b>
<b>Report No</b>	<b>ECI/39/2024</b>

# The Highland Council

**Committee:** Economy and Infrastructure

**Date:** 22 August 2024

**Report Title:** Road Policy Updates

**Report By:** Assistant Chief Executive - Place

## 1 Purpose/Executive Summary

- 1.1 This report invites the Committee to approve the new Variable and Vehicle Activated Signs Policy, the new Grit Bin Policy, as well as updates to the existing Cattle and Deer Grid Policy, Roadside Hazards Policy and Coast Protection Policy.
- 1.2 The introduction of the Variable and Vehicle Activated Signs Policy and the associated manual will provide consistency of installation across the authority and allow the public to be clear on the correct use of this signage. It also introduces a maintenance fee for externally funded signs.
- 1.3 The purpose of the Grit Bin Policy is to outline the procedures in place for the provision, replacement and refilling of grit bins/ heaps for use on the adopted road network.
- 1.4 The updated Cattle and Deer Grid Policy aims to ensure a consistent approach when dealing with customer requests for private Cattle or Deer Grids on roads for which The Highland Council is the Roads Authority, and to clarify roles and responsibilities on installation, maintenance and removal of grids. It also amends the current fee structure for future maintenance of the grids.
- 1.5 The updated Coast Protection Policy aims to ensure a consistent approach when dealing with customer requests and use limited resources to the best effect.
- 1.6 The updated Roadside Hazards Policy replaces the existing policy "Roadside Hazards Caused by Adjacent Landowners/ Occupiers" and aims to ensure a clear and consistent approach when dealing with roadside hazards.

## 2 Recommendations

- 2.1 Members are asked to:-
  - i. **Approve** the Variable and Vehicle Activated Signs Policy as contained in Appendix 2;
  - ii. **Approve** the introduction of a one-off fee of £300 for variable and vehicle activated signs that are externally funded, to be paid upfront, before installation;

- iii. **Note** that after the policy is approved, the “Variable and Vehicle Activated Signs Manual” will be finalised and distributed accordingly;
- iv. **Approve** the Grit Bin Policy as contained in Appendix 3;
- v. **Approve** the updated Cattle and Deer Grid Policy as contained in Appendix 5;
- vi. **Approve** the proposed change to the cattle and deer grids charge to 10% of the construction cost with £2,500 as a minimum;
- vii. **Approve** the updated Coast Protection Policy as contained in Appendix 7; and
- viii. **Approve** the updated Roadside Hazards Policy as contained in Appendix 9.

### 3 Implications

- 3.1 **Resource** - Variable and Vehicle Activated Signs Policy: Existing infrastructure will be unaffected by this policy. Funding and maintenance resources for new installations will be agreed on a per site basis. The policy will allow for consistency in provision across Highland. Grit Bin Policy: Grit bins are currently funded through the winter budget allocation. The implementation of this policy will have no effect on the way the budget is allocated. Cattle and Deer Grids Policy: proposed amendment to the fee structure for grids requested by a third party will increase the charge to partly cover future requirements. There are no direct implications arising from the rest of the proposals.
- 3.2 **Legal** - Variable and Vehicle Activated Signs Policy: Highland will adhere to relevant legal requirements. Grit Bin Policy: The Council has a duty under the Roads (Scotland) Act 1984 to take reasonable steps to prevent snow and ice endangering the safe passage of pedestrian and vehicles over public roads. The public can use grit bins for the public road but not their own private roads or driveways. Cattle and Deer Grid Policy: There are no direct implications arising from these proposals. Coast Protection Policy: Under the Coast Protection Act 1949, The Highland Council has discretionary powers to undertake work within or outside its boundary for the protection of land in its area. However, there is no obligation to do so. Roadside Hazard Policy: The requirement for consent, giving notice and recovery of costs by the Roads Authority is set out under the Roads (Scotland) Act 1984, Section 59.
- 3.3 **Risk** - Variable and Vehicle Activated Signs Policy: If the policy is not implemented, there is a risk that there will be a continuation of varying applications of signage across Highland. The aim of the policy is to provide clear and consistent direction on the provision and use of variable and vehicle activated signs. Grit Bin Policy: Grit bins are currently provided and refilled as standard practice which carries risks to roadworkers, mitigated through training. The implementation of this policy will not incur additional risks. Roadside Hazard Policy: The aim of this policy is to remove risk to road users from objects at the roadside which may not be passively safe. There are no direct implications arising from the rest of the proposals.
- 3.4 **Health and Safety (risks arising from changes to plant, equipment, process, or people)** – Grit Bin Policy: Grit bins are currently provided and refilled as standard practice while adhering to Health and Safety procedures. The implementation of this policy will not change these practices and procedures. There are no direct implications arising from the rest of the proposals.
- 3.5 **Gaelic** - There are no direct implications arising from these proposals.

## 4 Impacts

- 4.1 In Highland, all policies, strategies or service changes are subject to an integrated screening for impact for Equalities, Poverty and Human Rights, Children’s Rights and Wellbeing, Climate Change, Islands and Mainland Rural Communities and Data Protection. In this case, a full impact assessment was not required for the proposed policies.
- 4.2 Considering impacts is a core part of the decision-making process and needs to inform the decision-making process. When taking any decision, Members must give due regard to the findings of any assessment.
- 4.3.1 An Integrated Impact Assessment screening has been undertaken for each policy on 16/07/2024. The conclusions have been subject to the relevant Manager Review and Approval.
- 4.3.2 The Screening process has concluded that there are no impacts for most of the assessment areas. Utilisation of resources for roads activities can result in a positive or negative effect on carbon emissions and supporting mitigation of climate change, depending on the outcome of each decision. Members are asked to consider the summary in **Appendix 1** to support the decision-making process.

4.3.3

Impact Assessment Area	Conclusion of Screening
Equality	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – No Impact</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>
Socio-economic	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – Positive (Places)</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>
Human Rights	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – No Impact</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>
Children’s Rights and Well-being	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – No Impact</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>

Island and Mainland Rural	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – No Impact</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>
Climate Change	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – Positive</li> <li>• Grit Bin Policy – Positive or Negative</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>
Data Rights	<ul style="list-style-type: none"> <li>• Cattle and Deer Grid Policy – No Impact</li> <li>• Coast Protection Policy – No Impact</li> <li>• Grit Bin Policy – No Impact</li> <li>• Roadside Hazard Policy – No Impact</li> <li>• Variable and Vehicle Activated Signs Policy – No Impact</li> </ul>

## 5 Variable and Vehicle Activated Signs Policy

- 5.1 There is currently no policy within Highland Council covering the installation of variable and vehicle activated signage which has resulted in an inconsistent approach across the authority. The introduction of this policy and the associated manual will provide consistency of installation across the geographic area and allow the public to be clear on the correct use of this signage.
- 5.2 For the purposes of the Policy, the types of variable and vehicle activated signs considered can be categorised as follows:-
- permanent vehicle activated signs emphasising speed limits;
  - temporary vehicle activated signs emphasising speed limits;
  - vehicle activated signs warning of hazards;
  - signs for part-time 20mph speed limits at schools; and
  - other signs with flashing amber lights to warn of intermittent hazards
- 5.3 The proposed policy document is contained within **Appendix 2**. It sets out the high-level criteria by which Highland will install or replace variable and vehicle activated signs. The proposed Variable and Vehicle Activated Signs Policy has been adapted, with permission, from one which Aberdeenshire Council has approved.
- 5.4 In some instances, signs are funded by external sources such as developers or a community. Where this is the case, it is proposed that a fee of £300 is applied to cover the maintenance of the sign. This would include, but is not limited to, changing batteries or electricity costs and would be paid upfront before installation. Signs funded externally would also require to be replaced using the same funding mechanism by the developer or community as there is currently no budget in the Council for these.

- 5.5 One aspect to note is the introduction of a 'Variable and Vehicle Activated Signs Manual.' Again, this has been drafted and adapted from Aberdeenshire Council's document. It is not a policy but sets out guidance for officers to use for the installation of variable and vehicle activated signs. As an example, it will provide guidance on technical aspects such as details on site selection, speed trigger threshold and messages to be displayed for speed indications devices which are commonly used to calm traffic in communities. If the policy is approved, a draft of the manual will be circulated to various technical staff who will be consulted on its contents. Thereafter, it is proposed that the document will be taken to the Roads Redesign Working Group so that Members have the opportunity to view it before it is finalised. Once implemented, this document will be updated as necessary by the Roads Service.

## **6 Grit Bin Policy**

- 6.1 There is no current Grit Bin Policy. The purpose of the Grit Bin Policy is to outline the procedures in place for the provision, replacement and refilling of grit bins in the Council area and to provide advice for local communities. After Committee approval the policy will be available on The Highland Council website.
- 6.2 The proposed policy document is contained within **Appendix 3**. This new policy sets out a consistent approach to the delivery, replacement and refilling of grit bins. There are over 1,950 grit bins serving the Highland area, but the total amount is currently unknown. During periods of wintery weather, roads and footways can become icy and/ or covered in snow. The policy explains why grit bins or heaps are provided in some locations but not others, and what the criteria are.
- 6.3 The Winter Resilience Community Aid Programme supports communities who wish to undertake snow clearing and gritting in areas where the Council is unable to provide an early service. It provides the grit and equipment required and offers Health and Safety advice to volunteers.
- 6.4 The Winter Resilience assistance to communities webpage provides useful information on the programme. It includes a how-to video for using grit bins, what assistance the Council provides and information on how to apply. The webpage can be found [here](#).
- 6.5 Volunteers can apply for the assistance by filling out a form and posting or emailing it to their local Roads office from the following [link](#).
- 6.6 The public can request provision of a grit bin, report a damaged bin or request a refill through an online application on the 'Report A Grit Bin Issue' webpage. The webpage can be found from the following [link](#).

## **7 Cattle and Deer Grids Policy**

- 7.1 The current 'Policy for Cattle and Deer Grids' within **Appendix 4** was approved by the Transport, Environmental and Community Services Committee on 7 November 2013. The proposed policy has been updated to reflect current practice.
- 7.2 Delegated powers are already given to Officers regarding the maintenance and installation of grids on the adopted road network. This policy clarifies the Council's position in relation to the installation of grids requested by a third party.

- 7.3 Cattle and deer grids present a significant maintenance liability and are removed wherever possible. The updated Policy clarifies the consultation procedure for removal of cattle and deer grids at the end of its service life, or where it appears to The Highland Council that a cattle or deer grid is no longer required.
- 7.4 The proposed policy document is contained within **Appendix 5**.
- 7.5 The charges relating to cattle and deer grids are currently increased annually in line with inflation or as part of The Highland Council's annual increases. The Fee amounts can be found in The Highland Council's Schedule of charges under roads legislation, published on The Highland Council's website.

The one-off charges for 2024/ 25 are set out in the table below:-

<b>Cattle/deer grid Type</b>	<b>Fee</b>
Single lane cattle grid	£932
Double lane cattle grid	£1396
Single lane deer grid	£1243
Double lane deer grid	£1864

- 7.6 The current fee structure is low and will barely cover future requirements for the grids. It is proposed that a new fee structure of 10% of the construction cost of a grid including the bypass, with a minimum of £2,500, is adopted. This ensures a contribution towards the grid installed and reduces the burden on public funding. The cost of the installation of the grid is already covered by the third party requesting it. Any future maintenance costs will be borne by The Highland Council as they will become part of the adopted road network.
- 7.7 Paragraphs 1.1 and 1.2 provide a definition of cattle and deer grids as per the Roads (Scotland) Act 1984, and further detail on The Highland Council's duties and responsibilities with regards to the installation and maintenance on roads for which The Highland Council is the Roads Authority.
- 7.8 Paragraph 3.1 states that cattle grids should only be provided where alternative measures, such as gates, have been investigated and found unsuitable.
- 7.9 Paragraphs 3.2 to 3.4 clarify the notification to third parties process and the legal procedures to follow if objections and representations are duly made.
- 7.10 Paragraphs 3.5 to 3.8 clarify the applicant's responsibilities with regards to providing design details for the proposed grid structure, foundations, approaches, drainage and horizontal and vertical alignments. All new grids will require to have internal animal 'escape' ramps as standard. The technical requirements will be reviewed by The Highland Council. If approved, the cost of installation, including Traffic Management, will be borne in full by the applicant.
- 7.11 Paragraphs 3.10 and 3.11 provide further detail on the consultation process for removal of cattle and deer grids at the end of their service life or where it appears to The Highland Council that the grid is no longer required, and the procedure to follow if a new cattle or deer grid is requested after a grid has previously been removed.

## 8 Coast Protection Policy

- 8.1 The current 'Policy for Coast Protection' within **Appendix 6** was approved by the Community Services Committee on 21 August 2014. The proposed policy has been updated to reflect current practice.
- 8.2 The updated Coast Protection Policy aims to ensure a consistent approach when dealing with customer requests and to avoid raising the community's expectations about what can be undertaken within limited resources.
- 8.3 In recent years, The Highland Council has received several requests to provide protection to private property from the effects of erosion. There is an expectation that The Highland Council will undertake this work and in some cases that The Highland Council has a duty to undertake this work. The most common enquiries received relate to coastal and river erosion, however some enquires have been made in relation to landslides due to heavy rainfall.
- 8.4 Under the Coast Protection Act 1949, The Highland Council has discretionary powers to undertake work within or outside its boundary for the protection of land in its area, but there is no obligation to do so.
- 8.5 The Committee should note that the current coast protection budget limits the amount of work which can be undertaken by the Council in providing defence measures and maintaining existing ones.
- 8.6 The proposed policy document is contained within **Appendix 7**.
- 8.7 Paragraphs 1.2 to 1.5 provide further detail on The Highland Council's duties and responsibilities as the Coast Protection Authority for the Highland area.
- 8.8 Paragraph 3.2 clarifies that The Highland Council has the power to promote a flood protection scheme but is under no obligation to do so unless it is included in a Local Flood Risk Management Plan.
- 8.9 Paragraph 3.5 clarifies the position of The Highland Council where no clearly responsible Coast Protection Authority exists and where river or coastal erosion, or landslips affect only private land including built assets thereon.
- 8.10 Paragraph 4.1 (b) establishes that for small groups of houses and individual houses, if notification of potential erosion or flooding problems had previously been given during the planning process, The Highland Council will not take the lead in promoting new coast protection works.
- 8.11 Paragraph 4.1.c.(iii) states the minimum contribution to be obtained from the owner benefitting remains to be a 25% of the total estimated cost or the final out-turn cost, whichever is the lesser. Index linked minimum amounts have been removed. In 4.1.d, the protection of Sports or Recreational Facilities would remain the subject of an option appraisal on a case-by-case basis and approved by The Highland Council's Committee responsible for setting the Budget. In general, such groups should be directed to relevant external sources of funds such as sports and recreation foundations.

8.12 Paragraph 4.1 (h) establishes the position of The Highland Council with regards to coast protection works on private roads. In these cases, contributions will not normally be considered. Reasonable technical advice can however be given if requested and the Council is able to do so. Formal design work including the processing of statutory procedures in connection with such works will be undertaken on request at a suitable fee to be agreed in advance, again, when the Council has the ability to do so.

## **9 Roadside Hazard Policy**

9.1 The Highland Council has a duty under the Roads (Scotland) Act 1984 to manage and maintain their adopted roads, ensuring that they are safe for use and fit for purpose.

9.2 The current Roadside Hazards Caused By Adjacent Land Owners/ Occupiers Policy (see **Appendix 8**) was approved by the Roads and Transport Committee on 30 September 1999.

9.3 The proposed policy document is contained within **Appendix 9**.

9.4 Only minor changes to wording and clarification of legal duties and roles have been made in the updated policy. This will enable a clear and consistent approach across The Highland Council area.

## **10 Roads Improvement Project**

10.1 The introduction of new policies or updates to existing ones supports one of the aims of the Roads Improvement Project, to compile a programme of policy renewal. Further policies will be brought to this Committee for approval, as finalised.

Designation: Assistant Chief Executive - Place

Date: 15 July 2024

Author: Elizabeth Maciver, Principal Engineer – Transport Planning / Road Asset Management and Policy  
Lisa MacKellaich, Road Safety Manager

Background Papers: [RDB/03/23 Roads Improvement Project - Update](#)

Appendices: Appendix 1 – Integrated Impact Assessment Summary  
Appendix 2 – Proposed Variable and Vehicle Activated Signs Policy (New)  
Appendix 3 – Proposed Grit Bin Policy (New)  
Appendix 4 – Current Cattle and Deer Grids Policy  
Appendix 5 – Proposed updated Cattle and Deer Grids Policy  
Appendix 6 – Current Coast Protection Policy  
Appendix 7 – Proposed updated Coast Protection Policy  
Appendix 8 – Current Roadside Hazards Caused By Adjacent Land Owners/ Occupiers Policy  
Appendix 9 – Proposed updated Roadside Hazard Policy



## Appendix 1: Integrated Impact Assessment Summary

<b>Policy</b>	<b>Summary</b>
Cattle and Deer Grid Policy	Cattle and deer grids are predominantly placed in the rural areas of Highland. There are no differential impacts as a result of this proposal. The application process is not being changed. There is no major difference to current practice in the use of grids on the road network.
Coast Protection Policy	The Coast Protection Policy clarifies The Highland Council's powers and duties as the Coast Protection Authority. No major difference to current practice is proposed. Reducing overall flood risk caused by coastal erosion contributes to a growing and diverse economy and safer communities. The climate change/ carbon clever implications relevant to this policy are general statements relating to changes in climatic conditions. Sea levels are rising because of climate change and this trend is predicted to continue. Increased sea levels lead to an increased probability of coastal assets being flooded.
Grit Bin Policy	Due to the geographic nature of Highland, communities are able to use grit bins to supplement any winter service provision as they are placed, for example, where there is a steep gradient. Grit bins are currently provided and refilled as standard practice. The implementation of this policy may affect the amount of carbon emissions produced, depending on whether the number of bins are increased or reduced. The use of grit/ salt in providing a winter service is an established practice. Heaps are only used where it is not practical to use bins for storage.
Roadside Hazard Policy	The issue of roadside hazards is predominantly seen in rural areas on verges and/ or adjacent to the carriageway. There is no major change to the current procedure for storing contact details or the current practice to ensure the safety of road users.
Variable and Vehicle Activated Signs Policy	No major difference to current practice is proposed. The Policy clarifies the use of the signs for the public. There is no major change to the current procedure for storing contact details. Providing a driver with adequate warning of a hazard results in less braking and acceleration which reduces vehicle emissions. Lower speeds can reduce the perception of danger and help to enable modal shifts to walking, wheeling and cycling.



**DRAFT**

# Variable and Vehicle Activated Signs Policy

Roads and Infrastructure  
Infrastructure, Environment and Economy

[www.highland.gov.uk](http://www.highland.gov.uk)

## Approval

	<b>Name</b>	<b>Date</b>
<b>Prepared By:</b>	L MacKellaich/M McLeod	24 April 2023
<b>Approved By:</b>	E Maciver	30 April 2023

<b>Responsible Officer:</b>	Head of Roads and Infrastructure
<b>Committee:</b>	Economy and Infrastructure
<b>Approval Date:</b>	

## Document Control

<b>Version Number</b>	<b>Date</b>	<b>Comments</b>
1.0		Version 1.0 Drafted.

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## 1.0 Introduction

- 1.1. Variable message signs are widely used outside schools to sign part-time 20 mph speed limits in line with Scottish Government Policy. In addition, there is now a widespread use of vehicle activated signs to warn road users of potential hazards or remind them of speed limits.
- 1.2. This policy aims to achieve consistency in the provision and use of variable and vehicle activated signs across the Highland area. It seeks to achieve best value in the use of variable and vehicle activated signs by focusing on sites where they will be most effective and by standardising on simpler units where appropriate.

## 2.0 Scope

- 2.1. This policy shall apply to:
  - All adopted and prospectively adoptable roads for which The Highland Council is the local roads authority.

## 3.0 Policy

- 3.1. The Highland Council recognises the contribution variable and vehicle activated signs can make to road safety and will seek to use them efficiently whilst avoiding overuse and unnecessary sign clutter.
- 3.2. We will:
  - Only install or replace variable and vehicle-activated signs which comply with the criteria specified in The Highland Council's Variable and Vehicle Activated Signs Manual.
  - Only install or replace variable and vehicle-activated signs when sufficient funding is available.
  - Require that a maintenance fee is paid upfront for any signs that are funded through another body such as a Community Council or Developer, as set out in the Roads Service Schedule of Charges.
  - Require that signs funded by another body such as a Community Council or Developer have permission to be erected from the local Road Operations Manager, the Lighting and Communications Manager and the Road Safety Manager.
  - Require that any signs to be installed on street lighting apparatus are
- 3.3. Applications for departures from the guidance set out in the Manual shall be authorised by the Head of Roads and Infrastructure.

## 4.0 Guidance

- 4.1. The Highland Council's "Variable and Vehicle Activated Signs Manual" contains detailed guidance on the appropriate use of variable and vehicle activated signs within Highland and is available on the Council website.



**DRAFT**

# Grit Bin Policy

Roads and Infrastructure  
Infrastructure, Environment and Economy

## Approval

	<b>Name</b>	<b>Date</b>
<b>Prepared By:</b>	C Gunn	March 2024
<b>Approved By:</b>	E Maciver	March 2024

<b>Responsible Officer:</b>	Head of Roads and Infrastructure
<b>Committee:</b>	Economy and Infrastructure
<b>Approval Date:</b>	TBC

## Document Control

<b>Version Number</b>	<b>Date</b>	<b>Comments</b>
1.0	March 2024	Version 1.0 Drafted.



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## **1.0 Introduction**

1.1 The Highland Council has a duty under the Roads (Scotland) Act 1984 to take reasonable steps to prevent snow and ice endangering the safe passage of pedestrian and vehicles over public roads. Grit bins and heaps are used as an additional resource to gritting at specific locations, to allow the public access to use the material on publicly adopted roads where vehicles may become immovable due to the wintry conditions or to assist pedestrian movements.

## **2.0 Scope**

2.1 This Policy will apply to:

- All adopted and prospectively adoptable roads for which The Highland Council is the local Roads Authority.
- Roads not on the adopted list but are managed/ maintained by The Highland Council under other Services such as Property, Housing, Planning and Education.
- Private areas or car parks and any other public or private property where there is a service level agreement in place.

## **3.0 Policy**

3.1 The Council provides grit bins and grit heaps in both urban and rural areas to offer the public a self-help option to overcome the localised effect of severe winter weather on public footways and carriageways.

3.2 The grit provided in bins or heaps is not for use on private paths and driveways. It is illegal to do so and is considered theft.

3.3 Grit bins/ heaps are located at sites identified as meeting the following criteria:

- On low priority gritting routes in urban areas, where the gradient is above 5% (not a relatively level road), grit bins will be considered. They will be placed at an interval determined by the Area office but will generally be at a maximum of approximately 200m.
- In rural areas grit bins/ heaps may be considered on low priority gritting routes where the gradient (above 5%) and local conditions mean additional resources may be required during spells of extreme winter weather. Intervals will be at a distance determined by the Roads Area Team according to the gradient of the section of road.
- Grit bins/ heaps will not normally be considered on high priority gritting routes as the risk should be mitigated by planned treatment.
- Grit bins will be located where they can be filled from a vehicle, will be left in place during the summer and replenished at the start of the winter period.

- The Council will not provide grit bins/ heaps in private areas or car parks, or on any other public or private property such as schools, parks, hospitals, care homes etc unless a service agreement is in place.
- 3.4 The bins are normally filled before the winter period. They are replenished regularly over defined routes as well as on an ad-hoc basis as required, subject to availability of resources.
- 3.5 The placement of grit bins will be reviewed on an ad-hoc basis and they may be removed if Area Roads Teams determine that they have not been regularly used over the winter period or are no longer required.
- 3.6 The Council does not sell grit or salt to the public. Private occupiers should purchase salt from DIY stores, builders' merchants or other retailers.

## Appendix 4 - Current Cattle and Deer Grids Policy



### Transport, Environmental and Community Services Policy Statement Cattle and Deer Grids

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#### 1. Introduction

- 1.1. This policy applies to the installation and maintenance of cattle and deer grids on The Highland Council's statutory List of Roads.
- 1.2. All grids on adopted roads shall be adopted and maintained as part of the road network.

#### 2. Applications from outside parties

- 2.1. Where grids on adopted roads are requested by landowners, tenants, etc. for their own benefit, the application shall be considered by the relevant Area Roads and Community Works Manager.
- 2.2. If the application is accepted, such grids shall be paid for and installed by the applicants. Land for a by-pass requires to be made available at no cost to the Council.
- 2.3. Accepted requests for grids from outside parties will be subject to a single charge for future maintenance (index linked at 1<sup>st</sup> April 2014) during the life of the grid as follows:-

(i) single track cattle grid	£600
(ii) double track cattle grid	£900
(iii) single track deer grid	£800
(iv) double track deer grid	£1200

#### 3. Installation

- 3.1. The location and construction of all grids on adopted roads shall conform to the requirements of the Roads Authority.
- 3.2. All grids on the statutory List of Roads require Technical Approval from the Council's Chief Structural Engineer.

#### 4. Removal

- 4.1. Requests for grids to be removed will be considered by the Area Roads and Community Works Manager.
- 4.2. Where a grid is no longer required, it will be removed and the road reinstated. Removal will be subject to the resources available at the time.



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# Cattle and Deer Grid Policy

Roads and Infrastructure  
Infrastructure, Environment and Economy

[www.highland.gov.uk](http://www.highland.gov.uk)

## Approval

	<b>Name</b>	<b>Date</b>
<b>Prepared By:</b>	J Cruz	June 2024
<b>Approved By:</b>	E Maciver	June 2024

<b>Responsible Officer:</b>	Head of Roads and Infrastructure
<b>Committee:</b>	Economy and Infrastructure
<b>Approval Date:</b>	

## Document Control

<b>Version Number</b>	<b>Date</b>	<b>Comments</b>
1.0	February 1994	Version 1.0 approved.
2.0	November 2013	Version 2.0 approved.
3.0	June 2024	Minor changes and amendment to fee structure.

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## **1.0 Introduction**

- 1.1. A cattle grid, as defined in the Roads (Scotland) Act 1984, Part IV, Section 41, is “a device designed to prevent the passage of animals, but to allow the passage of all or some other traffic, and includes any fence, by-pass or other works necessary for securing the efficient operation of the said device”. Any reference in this policy to ‘grids’ will also include deer grids.
- 1.2. The Highland Council has responsibility for regulating and managing the installation of all grids on those roads for which it is the Roads Authority. All applications for cattle and deer grids must be made to, and approved by, The Highland Council. All grids on adopted roads shall be adopted and maintained as part of the road network.
- 1.3. This policy ensures that where a grid is permitted it is installed, managed and maintained to an acceptable and consistent standard which minimises unreasonable nuisance and safety risk to road users.
- 1.4. The Highland Council’s document ‘Cattle and Deer Grids Manual’ contains more detailed direction on the assessment and provision of grids.

## **2.0 Scope**

- 2.1. This policy shall apply to all adopted and prospectively adoptable roads for which The Highland Council is Roads Authority.
- 2.2. All grids and necessary by-passes on adopted roads shall be adopted and maintained as part of the road network.

## **3.0 Policy**

- 3.1. Where grids on adopted roads are requested by private parties for their own benefit, the application shall be considered by the relevant Area Roads Operations Manager. Grids should only be provided where alternative measures, such as gates, have been investigated and found unsuitable.
- 3.2. The Highland Council will display a notice in the locus for a statutory period of not less than 28 days, and publish said notice in two successive weeks in one or more local newspapers for objections and representations to be made by other affected residents and road users. The applicant will be responsible for the costs for this and the process won’t start until the applicant has paid the required amount in full.
- 3.3. If no objection is duly made, or every objection so made is withdrawn, The Highland Council may proceed to consider the application. Where a representation is duly made during the consultation period and not withdrawn, the application will be subject to the procedures set out in the Roads (Scotland) Act 1984, Schedule 4(3).
- 3.4. The Highland Council may grant permission for construction of grids on its public roads. The proposed location of the grid will be subject to approval by The Highland Council, taking into consideration the current traffic movements and future traffic requirements of the road.

- 3.5. The Highland Council requires that all grids on public roads are installed to adequately meet technical requirements including minimum width, load bearing capacity, materials, signage, and visibility markings.
- 3.6. The applicant must provide design details for the structure, including the by-pass, and have a design certified by a Structural Engineer. A number of companies manufacture prefabricated grid units. Subject to their design specifications being reviewed and approved by The Highland Council, such units will be approved for use. The applicant shall construct drainage under the grid to ensure that no damming or ponding of water run-off occurs on the carriageway and adjacent areas.
- 3.7. Details of the grid structure, foundations, abutments, approaches, and horizontal and vertical alignment shall be submitted with the application for a grid and shall be sufficient to guarantee, under normal circumstances, the safe transit of vehicles and other road users and shall not interfere with the natural drainage of the area.
- 3.8. If the application is approved, an agreement must be signed by the applicant agreeing to full responsibility for all costs associated with the construction of the grid. Any land required for a by-pass will be made available at no cost to The Highland Council.
- 3.9. Under Section 47 of the Roads (Scotland) Act 1984, approved applications will be subject to a single charge for future maintenance during the life of the grid. The amount of this single charge will be published in the Schedule of Charges.
- 3.10. At the end of its service life, or where it appears to The Highland Council that a grid is no longer required, The Highland Council will remove the grid and any gate or other works which have been provided for use in connection with it, making good the site thereof. This will be after consultation with local landowners, the local Area Committee and Grazer's Committee.
- 3.11. If, after the removal of a grid and reinstatement of the road, a new grid is requested by a private party, the process will be as per paragraphs 3.1 to 3.6.



## Appendix 6 - Current Coast Protection Policy



### Community Services Policy Statement Coast Protection

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#### 1. Introduction

- 1.1. The Coast Protection Act 1949 defines coast protection work as - “any work of construction, alteration, improvement, repair, maintenance, demolition or removal for the purpose of the protection of any land and includes the sowing or planting of vegetation for the said purpose”.
- 1.2. The Highland Council is the Coast Protection Authority, in terms of The Coast Protection Act 1949.
- 1.3. This Policy confirms the Council’s obligations for maintenance of existing works of coast protection, and states the circumstances under which the Council will consider the provision of new coast protection measures, within the limited resources available. However, each individual case will be determined according to its particular circumstances.
- 1.4. Where formula based contributions are indicated, these will be applied on the basis that they will not result in a contribution greater than that provided for by the Coast Protection Act 1949.

#### 2. Multi-Agency/Partnership Working

- 2.1 The Council will work in partnership with other agencies and contribute technical advice as well as facilitating funding opportunities. Such an approach would provide a multi-agency strategy and solutions for improving coast protection measures which the Council on its own cannot provide.

#### 3. Maintenance

- 3.1 Except as described in 3.2 and 3.3 below, the Council will maintain only those measures which were constructed by the Highland Council, or by previous coast protection authorities, as formal coast protection schemes.
- 3.2 The Council will not normally maintain formal coast protection schemes constructed by others. If failure to do so would result in serious erosion which could threaten residential property, the Council will, at its discretion, consider the funding of maintenance.
- 3.3 Where measures were installed under “Job Creation” or similar schemes, and where no clearly responsible authority exists, the Council will, at its discretion, consider the funding of maintenance.

#### **4. New works**

4.1 In the following circumstances the Council will consider provision of coast protection measures, and will seek voluntary contributions from those benefiting from a protection scheme as set out below:

**a. Existing Communities:**

Protection of existing communities from erosion should receive first priority; inconvenience by flooding from overtopping should receive lower priority; no charges would generally be levied against property owners benefiting from the schemes and therefore only worthwhile schemes with a benefit/cost ratio greater than 1 would be undertaken.

**b. Small Groups of Houses and Individual Houses:**

These would be treated as in a. above, provided that in the case of small groups of houses, at least one house (and in the case of individual houses, that house) is permanently occupied, does not constitute a second home and is not let as a business.

**c. Septic Tanks:**

Privately owned septic tanks would be eligible for protection provided that:

- (i) there is reasonable evidence that at the time of its construction, the tank was situated out with the inter-tidal zone;
- (ii) attempts have been made to keep properly maintained, any privately owned coast protection measures protecting the tank; and
- (iii) a contribution of 25% (with a minimum contribution of £600 index linked at 1st April 2014) be obtained from the owner benefiting, based on the total estimated cost, or the final out-turn cost, whichever is the lesser.

**d. Sports or Recreational Facilities:**

The general protection of Sports or Recreational Facilities, for example golf courses will only be undertaken by the Council in exceptional circumstances. Where protection is being considered then the club will be required to contribute a minimum of £50 per head of club membership. The value of the contribution rate will be index linked from 1<sup>st</sup> April 2014.

Membership of Sports or Recreational Facilities is defined as a member paying a full membership fee. O.A.P.'s, juniors and others paying a reduced fee and non-playing members are not included.

**e. Rights of Way, Coastal Paths and Amenity Areas:**

The protection of amenity areas (including rights of way and coastal paths) will not, in general, be undertaken by the Council.

Where other agencies are promoting protection of such amenity areas the Council may, in exceptional circumstances, make a contribution towards the cost of such protection. This contribution may be in the form of technical assistance with the design and statutory procedures.

In each case the funding package and arrangements for future maintenance of the proposed protection scheme will require the express approval of the Council.

**f. Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites:**

No schemes will be funded to protect Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites, however free technical advice will be given to proprietors if requested.

**g. Council Roads:**

The protection of roads is a charge against the roads budget, and will not be funded as coast protection measures.

**h. Other Public Bodies, National Bodies and Utilities:**

The Council will not fund any schemes to protect land owned by this category of proprietor.

**DRAFT**

# Coast Protection Policy

Roads and Infrastructure  
Infrastructure, Environment and Economy

## Approval

	<b>Name</b>	<b>Date</b>
<b>Prepared By:</b>	J Cruz	June 2024
<b>Approved By:</b>	E Maciver	June 2024

<b>Responsible Officer:</b>	T Urry, Head of Roads and Infrastructure
<b>Committee:</b>	Economy and Infrastructure
<b>Approval Date:</b>	

## Document Control

<b>Version Number</b>	<b>Date</b>	<b>Comments</b>
1.0	June 1996	Version 1.0 approved.
2.0	August 2014	
3.0	September 2023	Updated Policy for Approval
4.0	June 2024	Minor changes

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## **1.0 Introduction**

- 1.1. The Coast Protection Act 1949 (“the Act”) defines coast protection work as - “any work of construction, alteration, improvement, repair, maintenance, demolition or removal for the purpose of the protection of any land and includes the sowing or planting of vegetation for the said purpose”.
- 1.2. The Act also defines The Highland Council as the Coast Protection Authority for the Highlands and Islands, and sets out the Authority’s powers in relation to the protection of the coast against erosion and encroachment by the sea.
- 1.3. The Act provides The Highland Council with powers to carry out coast protection work, whether within or outside their area, as may appear to them to be necessary or expedient for the protection of any land in their area.
- 1.4. The Highland Council has a duty to maintain roads entered on the list of public roads as the Roads Authority under the Roads (Scotland) Act 1984. Works undertaken to protect public roads against erosion and encroachment by the sea may be carried out by The Highland Council acting as the Roads Authority or Coast Protection Authority.
- 1.5. It is the aim of The Highland Council to exercise its powers under the Act where necessary to protect the coast against encroachment and erosion by the sea, within the budget allocated and in accordance with the priorities of the policy outlined in this document. Where formula based contributions are indicated, these will be applied on the basis that they will not result in a contribution greater than that provided for by the Act.

## **2.0 Scope**

- 2.1. This Policy confirms The Highland Council’s obligations for maintenance of existing works of coast protection for which The Highland Council is the Coast Protection Authority, and states the circumstances under which The Highland Council will consider the provision of new coast protection measures, within the limited resources available. However, each individual case will be determined according to its particular circumstances.

## **3.0 Policy**

- 3.1. Under the Act, The Highland Council has discretionary powers to undertake work within or outside its boundary for the protection of land in its area. However, there is no obligation to do so. Coast protection works other than works of maintenance require an Order under the Act and would be a Scheme in the Capital Plan having followed due process. Primary responsibility for erosion management rests with the landowner of the affected site.
- 3.2. Under the Flood Risk Management (Scotland) Act 2009, The Highland Council has a duty to assess bodies of water and undertake clearance and repair work where it will significantly reduce the risk of flooding. The Highland Council also has the power to promote a flood protection scheme but is under no obligation to do so unless it is included in a Local Flood Risk Management Plan. This Act does not consider erosion unless it leads to increased flood risk. This is dealt with under a separate policy.

- 3.3. The Highland Council will maintain only those measures which were constructed by The Highland Council, or by previous coast protection authorities, as formal coast protection schemes. The Highland Council may undertake erosion protection work where its assets are at risk. These assets may typically be buildings, bridges, roads and flood and coast defence infrastructure.
- 3.4. The Council will not normally maintain formal coast protection schemes constructed by others. If failure to do so would result in serious erosion which could threaten residential property, the Council will, at its discretion, consider the funding of maintenance.
- 3.5. Where no clear responsible authority exists, The Highland Council will, at its discretion, consider the funding of maintenance. The Highland Council would presume against taking action where river or coastal erosion, or landslips affect only private land including built assets thereon.
- 3.6. The Council will work in partnership with other agencies and contribute technical advice as well as facilitating funding opportunities. Such an approach would provide a multi-agency strategy and solutions for improving coast protection measures which the Council on its own cannot provide.

#### **4.0 New works**

- 4.1. In the following circumstances The Highland Council will consider provision of coast protection measures, and will seek voluntary contributions from those benefiting from a protection scheme as set out below:

- a. Existing Communities:**

Protection of existing communities from erosion should receive first priority; inconvenience by flooding from overtopping should receive lower priority; no charges would generally be levied against property owners benefiting from the schemes and therefore these works would remain the subject of an option appraisal on a case-by-case basis. Only worthwhile schemes with a benefit/cost ratio greater than 1 would be undertaken.

- b. Small Groups of Houses and Individual Houses**

These would be treated as in a. above, provided that in the case of small groups of houses, at least one house (and in the case of individual houses, that house) is permanently occupied, does not constitute a second home and is not let as a business.

If however notification of potential erosion or flooding problems had previously been given during the planning process, The Highland Council will not take the lead in promoting new coast protection works.

- c. Septic Tanks**

Privately owned septic tanks would be eligible for protection provided that:

- (i) there is reasonable evidence that at the time of its construction, the tank was situated out with the inter-tidal zone;



- (ii) attempts have been made to keep properly maintained, any privately owned coast protection measures protecting the tank; and
- (iii) a contribution of 25% be obtained from the owner benefiting, based on the total estimated cost or the final out-turn cost, whichever is the lesser.

#### **d. Sports or Recreational Facilities**

The general protection of Sports or Recreational Facilities, for example golf courses will only be undertaken by The Highland Council in exceptional circumstances. These actions would remain the subject of an option appraisal on a case-by-case basis, and approved by The Highland Council's committee responsible for setting the Budget.

In general, such groups should be directed to relevant external sources of funds such as sports and recreation foundations.

#### **e. Rights of Way, Coastal Paths and Amenity Areas**

The protection of amenity areas to which the general public have free access will not in general be undertaken by The Highland Council.

Where other agencies are promoting protection of such amenity areas The Highland Council may, in exceptional circumstances, make a contribution towards the cost of such protection. This contribution may be in the form of technical assistance with the design and statutory procedures.

In each case the funding package and arrangements for future maintenance of the proposed protection scheme will require the express approval of The Highland Council.

#### **f. Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites**

No schemes will be funded to protect Farm, Crofting or Estate Land, Commercial Properties and Caravan Sites, however technical advice can be given to proprietors if requested.

#### **g. Public Roads**

The protection of roads is a charge against the roads budget and will not be funded as coast protection measures.

#### **h. Private Roads**

Coast protection works for privately maintained roads will not be normally promoted by The Highland Council. Contributions to such works will not normally be considered. Reasonable technical advice can however be given if requested.

Formal design work including the processing of statutory procedures in connection with such works will be undertaken on request at a suitable fee to be agreed in advance.

#### **i. Other Public Bodies, National Bodies and Utilities**

The Highland Council will not fund any schemes to protect land owned by this category of proprietor.

## Appendix 8– Current Roadside Hazard Adjacent Land Owners Policy



### **ROADS AND TRANSPORT POLICY ON ROADSIDE HAZARDS CAUSED BY ADJACENT LAND OWNERS/OCCUPIERS**

The Council's policy on "Roadside Hazards caused by Adjacent Land Owners/Occupiers" was agreed by the Roads and Transport Committee on the 30<sup>th</sup> September 1999.

#### **1. Preamble**

1.1 An increasing number of rural residents and landowners are placing stones and other objects, some of a considerable size and some painted, on roadside verges or adjacent to the carriageway. This is done with the intention of either highlighting their particular entrances or preventing vehicles from running on or parking/stopping on the road verge adjacent to their properties.

1.2 In some situations such obstructions in the roadside verge represent a hazard to road users.  
This policy sets out the Sections of the Roads (Scotland) Act that are involved and describes the actions to be taken by Council Officers using powers delegated to them by the Council.

#### **2. Background**

2.2 Under the Council's Scheme of Delegation to Officers, agreed at the meeting of the Transport Service Committee on 24th April 1996, the Director of Roads and Transport is responsible for exercising powers under the Roads (Scotland) Act 1984.

2.3 Under the Act in Section 59.(1) stones or objects in the road can be considered an obstruction and unless consent to place them has been obtained in writing from the Roads Authority the contravening parties commit an offence under Section 59.(2) of the Act. In this context the road includes verges and any cycle tracks, footways and footpaths.

#### **3. Policy**

3.1 Where the Director of Roads and Transport, or his representative in a particular Area, is of the opinion that a particular situation represents a hazard to road users, he must issue a notice under Sections 59.(2) and (3) of the Roads (Scotland) Act 1984 on the owner/occupier of the land concerned.

3.2 Where a notice is not complied with the Council as Roads Authority may remove the obstruction, or cause it to be removed, and recover such expenses as are reasonably incurred from the owner/occupier.

3.3 Where owners or occupiers are required to remove obstructions from the roadside verge under Sections 59.(2) and (3) of the Roads (Scotland) Act 1984 the Council shall, where appropriate and safe to do so, allow the installation of verge markers in place of the obstruction at a safe distance from the edge of the carriageway.

3.4 Verge markers must be of a type approved by the Council and installed and located as specified by the Council.

**4. Costs**

4.1 Owners and occupiers wishing to mark or protect the verge with verge markers will be required to do so wholly at their own expense.



**Draft**

# Roadside Hazards Policy

Roads and Infrastructure  
Infrastructure, Environment and Economy

[www.highland.gov.uk](http://www.highland.gov.uk)

## Approval

	<b>Name</b>	<b>Date</b>
<b>Prepared By:</b>	M McLeod	June 2024
<b>Approved By:</b>	E Maciver	June 2024

<b>Responsible Officer:</b>	T Urry, Head of Roads and Infrastructure
<b>Committee:</b>	Economy and Infrastructure
<b>Approval Date:</b>	

## Document Control

<b>Version Number</b>	<b>Date</b>	<b>Comments</b>
1.0	June 2024	Update to previous policy



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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.