

RE-LEVELLING OF FRAMES AND COVERS INCORPORATED IN HIGHWAY WORKS

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Introduction

The purpose of this guidance note is to ensure compliance with all relevant legislation and codes of practice where highway works involve the re-levelling of undertaker frames and covers, and to provide advice on related matters that include notification and registration of works, pre-works inspection, responsibility for maintenance, and joint inspection of contested failures.

2

Background

2.1

Resurfacing works usually involve only marginal adjustment in the level of the highway and are classified as maintenance works or 'works for road purposes'.

2.2

Where the Highway Authority carry out such works it must comply with the duty imposed by Section 83 of the New Roads & Street Works Act 1991, and take all reasonable steps to protect Undertaker's apparatus in accordance with any requirement made.

2.3

The HAUC Code of Practice for Diversionary Works, 5.9 in part states:
"Highway works which involve the re-levelling of undertaker's frames and covers should normally be undertaken by the highway authority to an agreed specification which must incorporate the surface profile requirement in S2.2 of the Specification for the Reinstatement of Openings in Highways Code of Practice. When requested by the undertaker, the highway authority must ensure that unauthorised access cannot be gained to apparatus, for example, by the provision of suitable temporary covers."

2.4

"Any special materials required for the for the purpose will be supplied (and fitted if necessary) free of charge by the undertaker, as will all new frames and covers if the existing ones are worn or damaged."

2.5

The Diversionary Works code is approved under Section 84 and 85 of the New Roads & Street Works Act 1991, and the Reinstatement Specification, and the Reinstatement Specification under section 71 of the New Roads & Street Works Act 1991-Materials, workmanship and standard of reinstatement.

3

Safety-Testing for Gas and Other Hazardous Substances.

WARNING: ALWAYS CONSULT THE STATUTORY UNDERTAKER IF YOU ARE IN ANY DOUBT ABOUT THE PRESENCE OF GAS OR HAZARDOUS SUBSTANCES.

3.1

The contractor shall take all reasonable steps to ensure the chamber is free from gas and other hazardous substances before commencing work at the chamber.

3.2

If the contractor discovers the presence of gas or other hazardous substances in the chamber he must advise the Statutory Undertaker immediately. **Please Note: the cover must not be replaced over the chamber**

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Notification

4.1

The Authority's Street Works Section will issue a Section 83 registration notice to Statutory Undertakers one month in advance of the highway works start date.

4.2

The Authority shall liaise with Statutory Undertakers prior to commencing highway works, with respect to:

- a. the number of apparatus likely to be affected;
- b. arranging any replacement frames and cover(s);
- c. complying with any special requirements.

4.3

If during highway works, the Authority or contractor find any frame or cover(s) not fit for re-levelling, the Authority shall notify the statutory undertaker immediately

4.4

The Statutory Undertaker shall arrange for the frame and cover(s) to be replaced with an appropriate frame and cover(s) supplied free of charge to the authority

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Specification

5.1

Where there are no objections to the authority undertaking the re-levelling of frames and covers, the undertaker will provide a specification for that purpose which incorporates the surface profile requirements in S2.2 of the Reinstatement Specification.

5.2

The authority when executing the works will take all reasonable practicable steps to give the undertaker facilities for monitoring the works and will comply with any requirement which is reasonably necessary for the protection of the apparatus or for securing access to it .

5.3

Should the authority before or during highway works find that structural repairs below the frame and cover are required in order to meet the surface profile standards in S2.2 of the Reinstatement Specification the undertaker will arrange for remedial works to be carried out without delay.

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Performance Standards

6.1

The authority will ensure that all works comply with the surface profile performance standards in S2.2 Reinstatement Specification and the condition at hand-over is as prescribed.

6.2

The authority will bear the cost of any remedial works due to its own non-compliance during the maintenance period.

6.3

Where the authority believes it is not responsible for any non compliance that may occur, e.g. in the case of structural failure unconnected with the works, a joint inspection must take place without delay to agree responsibility and make arrangements for immediate remedial works.

6.4

In the interests of public safety the authority may have to make safe a frame and cover made dangerous by structural failure

6.5

In such circumstances the authority will be using its powers under Section 81 New Roads & Street Works Act 1991 and is entitled to recover all reasonable costs

6.6

The authority however will not attempt to cover its costs until a joint inspection has agreed responsibility.

7

Maintenance Period

7.1

The Authority shall ensure that the surface profile performance standards in S2.2 of the Reinstatement Specification conform to the prescribed standards throughout the maintenance period.

7.2

(The maintenance period shall be as agreed by each respective Local HAUC)
[Insert name of local HAUC] HAUC has agreed that the maintenance period shall begin on completion of the re-levelling works and run for [Insert duration of maintenance period] months.

7.3

Within 7 working days of completing the works, the works should be registered with the Undertaker containing details of the maintenance period

8

Disputes

8.1

Disputes concerning responsibility for failure or any other matter, will be referred for conciliation under the arrangements prescribed in the code of practice for Co-ordination of Street Works and Works for Road Purposes.

9

Liability

9.1

The undertaker is liable at all times for his apparatus.

9.2

This includes where the authority undertakes any works described above, for the duration of the said works, and any performance standard, maintenance period specified, and thereafter.

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Status

This Guidance Note was approved by WELSH HAUC at its meeting on 28th June 1995.