

Subject:	Provision of Highway Mirrors		
Date of Meeting:	9th October 2018		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Len Holloway	Tel: 01273 292184
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Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek approval from this Committee to adopt a formal policy for the provision of highway mirrors and at the same time ensuring effective signing for road users.

2. RECOMMENDATIONS:

- 2.1 That the Committee approve the policy to only allow the use of highway mirrors in limited circumstances
- 2.2 That the Committee grants delegated authority to the Executive Director for Economy, Environment & Culture to grant licences for highway mirrors and to take enforcement action to remove unlicensed mirrors as appropriate.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2012 the law changed to allow mirrors to be used on a public highway only in conjunction with a traffic signal head placed beside a cycle lane to allow drivers to see a cyclist approaching on their nearside.
- 3.2 In 2016 the introduction of a new Traffic Signs Regulations and General Directions document (TSRGD) 2016 allowed the use of highway mirrors in various situations where strict criteria apply. This document also defines the size and shape of the mirrors as it does other highway signs.
- 3.3 Officers receive requests for mirrors to be placed on the highway to assist with exiting properties adjacent to the highway primarily due to limited or poor visibility. Officers also receive requests for mirrors for other purposes such as at bridges with narrow openings or bends on the approach/exit.
- 3.4 Mirrors are not often appropriate because they can exacerbate visibility problems due to drivers misinterpreting the information from the mirror and assuming it is safe to proceed. Drivers can also be misled at night when headlights are reflected or by the glare from the sun during the day. Drivers can also misjudge oncoming vehicles speeds or distance and also create an unreasonable dependency on the mirror.

- 3.5 TSRGD regulations state that where no other reasonable action can be taken, a traffic mirror may be permitted for private accesses with restricted visibility where:
1. The mirror is erected outside the limits of the highway and complies with the Traffic Signs Regulations and General Directions
 2. The mirror will not be a hazard to other road users due to glare from reflected sunlight or headlights at night
 3. The mirror does not overhang the highway so as to obstruct the free passage of any vehicles, pedestrians or equestrians
 4. Permission from the affected landowner has been obtained
 5. All costs for installation and maintenance of any Traffic Mirror are met by the applicant
 6. Any person installing a traffic mirror may be liable if an incident occurs attributed to its installation
- 3.6 Taking into account sections 3.1 to 3.5 above it is appropriate for a suitably qualified and experienced road safety engineering officer to consider on a case-by-case basis any requests for traffic mirrors.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 A number of mirrors have been installed by residents at locations which do not meet current regulations. Without delegated powers to deal with these situations officers will need to report every appeal against an unauthorised mirror to the Committee.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Highway Enforcement team have confirmed that anything placed on the public highway needs permission from the Highway Authority, and that these mirrors could cause a danger to public safety. Any mirrors that are placed without permission will be investigated by the Highway Enforcement team in conjunction with a road safety engineering officer and removed by that team.
- 5.2 Other neighbouring authorities have been contacted and most have or are adopting similar policies to this one.

6. CONCLUSION

- 6.1 Delegating powers on this issue will avoid the need for further reports on each mirror to the Committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The Council's corporate fees and charges policy aims to increase the proportion of income contributed by users of services where appropriate, rather than the cost being met from the general council tax payer. As a minimum, charges will be reviewed annually as part of the budget and service planning process and reported to the Environment, Transport and Sustainability (ETS) Committee. In

accordance with the Council's corporate fees and charges policy, the fee for licences issued for highway mirrors should be set at a level to ensure cost recovery and reported to this committee.

- 7.2 Costs incurred for the removal of unlicensed highway mirrors will be charged back to property owners. Any administrative staff costs should be recovered from licence fee income.

Finance Officer Consulted: Gemma Jackson

Date: 12/09/2018

Legal Implications:

- 7.1 In 2016 the law changed with the introduction of a new Traffic Signs Regulations and General Directions document (TSRGD) that allowed the use of highway mirrors although there are strict criteria to adhere to. The adoption of a formal policy will enable the Council as highway authority to approve highway mirrors in accordance with the criteria in the TSRGD.

- 7.2 Under section 132 of The Highways Act 1980 the Council as highway authority has the power to remove mirrors from a highway if they were erected without permission.

Lawyer Consulted: Stephanie Stammers

Date: 10/09/2018

Equalities Implications:

- 7.3 None.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None

SUPPORTING DOCUMENTATION

Appendices:

1. Copy of relevant page from TSRGD 2016
2. Policy document for highway mirrors

Documents in Members' Rooms

1. None

Background Documents

1. TSRGD is a Government publication that dictates the shape and size of signs that are allowed on a public highway. The relevant section is Schedule 11, Part 2 item 75.