

September 5th meeting Item 16 – Appendices J.

Information for the discussion/decision relating to the condition of railings bordering the stream that runs through the village.

July draft minutes A.O.B. ITEM (H) - *Cllr Heymoz requested an inspection of the railings by 'Fordacres' and 'Bridges' which need painting. Clerk to contact SCC Structures Engineer.*

The following information is given to assist discussion.

Two replies from SCC Highways Department.

Reply from the Parish Council Insurance.

Location of all the railing in the village.

The last occasion this subject was raised and SCC Highways reply.

Replies from SCC Highways Department.

Thank you for your recent enquiry regarding the guardrails in The Street adjacent to 'The Bridges' and 'Fordacre' in Hessett. Unfortunately our limited budget for bridge maintenance throughout the County means that it's currently difficult for us to justify spending money on cosmetic re-painting works – Our priority has to be on works that are required to ensure safety, structural integrity and durability.

Notwithstanding this, I'm happy to assist you and do what I can to facilitate some painting by the PC. SCC as the highway authority can only give consent to certain types of organisations to undertake works in the highway, this does not include individuals but does include Parish & Town Councils. The Parish Council would however need to have suitable insurance in place (including public liability cover), and would need to indemnify the County Council against any action, cost, claim or proceeding arising from any work that they undertake.

Undertaking any works to the longer length of railings on the east side of the road (where there is no footway) would require traffic management (probably temporary traffic lights), which might make it difficult/costly for the PC to arrange. The short length of railing on the west side of the road has a footway adjacent to it, which makes it easier to undertake painting safely, and could probably be undertaken with appropriate advance signing & guarding. There are some potential hazards that need to be considered by the PC before undertaking any such works, the most significant being:

- The existing paint would need to be 'rubbed-down/abraded' before re-painting– It's possible that the paint may contain lead – if it does, there would be significant complications – SCC would be willing to get the existing paint sampled and tested for lead.
- The method used to prepare and paint the guardrail would need to ensure that no debris/paint enters the stream - The stream is Ordinary Watercourse and the Lead Local Flood Authority SCC would need to be consulted to gain approval for any works - [Working on a watercourse | Suffolk County Council](#)
- Measures would need to be taken to ensure that a safe route for pedestrians is available at all times on the adjacent footway, and that advance signing is in place to warn road-users of the works.
- The work would involve working adjacent to a vertical drop of around 1.5m into the stream - suitable measures would need to be taken to guard against falls.
- Suitable PPE would need to be worn (High-vis clothing, gloves, goggles etc)

- **You would need to be compliant with the Construction, Design and Management Regulations 2015.**

Please consider the above and let me know if you would like to pursue further.

Regards, Stuart Hearsum, Structures Maintenance Manager

I can advise that white Hammerite Smooth would be suitable for this type of application.

I will hopefully get a sample of paint tomorrow and then get it tested.

Regards, Stuart Hearsum

The paint analysis has not yet been received.

Reply from the Parish Council Insurance.

Dear Mrs Seaman

Thank you for your email.

Given the comments of the Suffolk County Council officer regarding the east side of the road and the traffic issues I assume any work undertaken by the Parish Council would be restricted to the west side? However, if the Parish Council is looking to undertake work on the east side themselves rather than employing a contractor with their own Public Liability Insurance I will need to refer the matter to the insurers for their consideration.

They will require sight of a risk assessment for the work with full details of how the traffic will be managed and the experience /qualifications of the persons who will undertake this.

Turning to the west side; this is not so much of an issue provided the Parish Council follows the County Council's advice, particularly the concerns over the lead content and the potential for debris/paint to enter the stream.

On the basis reasonable steps are taken to follow the advice provided, any volunteers, Councillors or employees undertaking the work on behalf of the Parish Council are covered automatically by the policy we arrange under the Employers' and Public Liability sections where a £10 million limit of indemnity applies under both sections. This cover will also indemnify the County Council as they have requested. The policy wording caters for this automatically where such a request is made.

If aged over 16 and under 86 the participants are also covered by the Personal Accident section where there is a sum payable of £50,000 in the event of an accident causing death, loss or limbs or sight or permanent total disablement. A £200 weekly benefit is payable for a maximum period of 2 years should the accident prevent the individual from pursuing their usual occupation.

In order to reduce the likelihood of injury or damage arising we recommend that a risk assessment of the work is completed in writing and kept on your records. The Parish Council should ensure the participants are competent to carry out the work they are offering to undertake and they have access to the correct tools as well as suitable clothing/protective equipment. Any work near roads or the stream should only be undertaken by adults.

I trust this clarifies the insurance position on this matter but please contact me again if I can be of further assistance.

Kind regards, Andrew Bedding

Came & Company Local Council Insurance

Location of all the railing in the village.



On the west side of The Street leading towards Beyton Road & in front of Elm Drive.



On the East side of The Street outside The Bridges. There is a further rail inside the Bridges perimeter.



In Drinkstone Road on the South side.



**In Drinkstone Road on the bridge bridge.
The railings on the North are on the left. Those on the South side are on the right.**



In The Street by the Five Bells.



In The Street by outside Hedgeset Cottage and opposite Alwyd.



On the corner of The Street and Heath Road.

The last occasion this subject was raised and SCC Highways reply.

The issue regarding the railings condition has been raised on several occasions. The last occasion was in May 2014. The response from Suffolk County Council is shown below:

23/6/2014

Good morning Mrs Seaman

I am responding to your request for the railings in Hessel by 'Fordacres' and 'Bridges' to be examined.

The railings in question are intended to prevent pedestrians falling into the watercourse.

Recent inspections show the rails are still fit for this purpose and safe for use.

There is some impact damage, but the railings remain safe. The paint finish is flaking off in patches and so has failed.

Repainting these rails would be for aesthetic or decorative function only, and so is classed as low priority. Currently, Structures Office does not have enough funding for such work.

Yours sincerely

John Payne
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