



Dear

Safety at Road Works and Street Works Code of Practice

I am writing to advise you that the above Code of Practice has now been revised and published by the Department for Transport and comes into effect on 1st October 2014.

The revised code, dated October 2013 (2nd impression (with amendments), June 2014 ISBN 9780115531453) is available to purchase from The Stationary Office and further details are available by visiting either www.gov.uk or www.tso.co.uk

I would draw your attention to the fact that under s174(1A) of the Highways Act 1980, this revised code has statutory status for any and all works on the highway, regardless of the works promoter. In essence, whilst the previous version applied legally only to the works of statutory undertakers, this revised version applies to all highway works including Council issued works.

The Council will be monitoring all works to ensure compliance with the revised code of practice and any failure may be subject to prosecution. Whilst legal action would always be seen as a last resort, I want to make you aware of this change in legislation and enlist your support in compliance with its requirements. There have already been cases in court where the new safety code of practice has been deemed best practice regardless of its legal status and the case pursued accordingly, this is especially prevalent in the case of civil actions.

Regardless of the legal situation, safety on the highway is always a priority for the Council and compliance with best practice will help ensure the safety of both workforce and the traveling public. I trust I can rely on your support in this matter and would further request that you ensure *that the Council's highway operation employees who work on the highway and** any subcontractors you engage are fully aware of these revised requirements.

Should you have any questions or require any clarification, please contact the *Council's contract management representative** at the earliest opportunity.

Yours sincerely

* *Words in italics to be changed as necessary depending on the respective Council's highway operations.*