Dear Sir

PROVISION OF ADEQUATE ROAD SIGNS & CARRIAGEWAY MARKINGS BEFORE ROAD IMPROVEMENTS ARE OPENED TO TRAFFIC & RE-INSTATEMENT OF MARKINGS AFTER MAINTENANCE WORKS

1. This Circular replaces Circular Roads No 17/72, which was addressed to Trunk Road Agent Authorities in England and referred specifically to Trunk Road improvements.

2. The legal position has not changed since the issue of Circular Roads No 17/72, but cases continue to arise on roads opened to traffic after road works where it is claimed that lack of adequate signing and/or road markings had been a contributory factor in causing an accident.

3. There is no specific legal liability on a Highway Authority to provide carriageway markings and traffic signs except those required in respect of traffic regulation orders. But the action of opening a new road without warning signs could be judged to be a misfeasance under common law in not giving warning of danger. A Highway Authority (the Secretary of State in the case of Trunk Roads) could therefore be liable for damages in the event of an accident.

4. All Highway Authorities should be especially careful not to allow any new length of road or junction to be opened to traffic, even for a limited period, without the provision of such warning and other signs and carriageway markings as would normally be required by the particular conditions. Arrangements to secure the delivery and installation of traffic signs and the application of carriageway markings must therefore be made in good time.

5. Adequate time must be allowed for tendering and the supply and erection of signs for major roadwork schemes. Consideration as to what signs will be required for any scheme should be given at a very early stage in the design. The design, manufacture, delivery and erection of the variety of traffic signs usually required is a complicated operation and manufacturers will be better able to produce satisfactory results if given adequate time. Special advance consideration should be given to signing and marking if, for any reason, part of the new road network is to be brought into early use.

6. If the final necessary signs or markings cannot be provided before the new length of road or junction needs to be opened to traffic, it is essential that adequate temporary signs should be provided to give clear warning of any hazards that the new length of road or junction might present.
7. Where road markings have been obliterated during maintenance works or other highway works similar temporary measures should be provided. Highway Authorities are asked to ensure that this is kept well in mind.

8. Further advice on this subject is given in Chapter 5 of the Traffic Signs Manual (para 5.213).

Yours faithfully

M MAGGS
ASSISTANT CHIEF ENGINEER

Enquiries about the contents of this Circular should be made to TE 2 Division (01 928 7999 Ext 3463). Distribution enquiries to 01 212 4944.