

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE**

DATE: **WEDNESDAY, 16 SEPTEMBER 2015**

REPORT BY: **CHIEF OFFICER (STREETSCENE AND TRANSPORTATION)**

SUBJECT: **REVIEW OF WINTER MAINTENANCE**

1.00 PURPOSE OF REPORT

1.01 To seek a recommendation from Environment Overview and Scrutiny Committee to Cabinet to approve the revised Winter Maintenance Policy for use by this Council as Highway Authority.

2.00 BACKGROUND

2.01 A Highway Authority is under a duty to ensure, so far as is reasonably practicable, that a safe passage along a highway is not endangered by snow or ice. The legislation does not impose an absolute duty but rather involves a balance between the degree of risk and the steps necessary to eliminate the risk.

2.02 The level of service for County Roads is determined by a risk assessment approach to determining a cost effective hierarchy of routes and treatments. The Authority believes that the level of service meets the requirements on the current interpretation of 'reasonably practicable' but it is good practise to regularly review the content and practises set out in the current Winter Maintenance Policy, particularly in respect of any legal judgements or following any changes in National policy since the last review which took place in 2013.

2.03 This report provides the following:

- Details of the updates and changes to the current Winter Maintenance Policy,
- The legislative requirements of providing such a service,
- The budget allocation and actual expenditure (over 4 financial years) in complying with the existing policy
- Changes to the Councils salting routes
- The actions taken by Streetscene and Transportation portfolio to support the Winter Maintenance Service.

3.00 CONSIDERATIONS

- 3.01 The Council, as the Highway Authority for County Roads, has a general duty, under Section 41 of the Highways Act 1980, to maintain the highway network in a good state of repair so as to render it safe for ordinary traffic at all times of the year.
- 3.02 Section 111 of the Railways and Transport Act 2003 states that *“In particular, a highway authority is under a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow and ice”*.
- 3.03 Under Section 150(1) of the Highways Act 1980, there is a requirement for the highway authority to remove an accumulation of snow which forms an obstruction, subject to a number of factors stated in Section 150(3) of the 1980 Act.
- 3.04 The 2005 Code of Practice for Highway Maintenance Management advocates using principles of risk assessments to establish which routes should be included in a programme of treatment during inclement weather.
- 3.05 The legislation does not impose an absolute duty but rather involves a balance between the degree of risk and the steps necessary to eliminate the risk.
- 3.06 In order to provide a statutory defence, a County Policy on winter maintenance services is required which should be reviewed on a regular basis. Flintshire reviews its winter maintenance policy every 2 years
- 3.07 The requirement to ensure compliance has been emphasised in collaborative meetings that have taken place amongst the six North Wales Authorities following the Coroner’s inquest into the winter maintenance incidents that have occurred in North Wales Authorities during recent years.
- 3.08 The level of service for County Roads is determined by the elected Members of each Council. This is based on a risk assessment approach to determining a cost effective hierarchy of routes and treatments. The Authority believes that the level of service meets the requirements on the current interpretation of ‘reasonably practicable’ but will continue to keep service provision under review, particularly in respect of any legal judgements. A officer review of the Winter Maintenance operations is undertaken each year before the winter season.
- 3.09 The changes in levels of service in the revised version of the Winter Maintenance Policy are outlined within the policy and summarised as

follows:

- 3.10 3 rural gritting routes (Cilcain, Afonwen and Hope Mountain Areas) that are currently treated by agricultural contractors do not meet the criteria required within the Priority 1 gritting routes. The routes have been treated historically and for the reasons of consistency need to be removed. The routes will be appropriately signed to notify road users of the change in policy.
- 3.11 2 Unclassified roads which have historically been treated by Denbighshire County Council and have been removed from their Priority 1 gritting routes will not be precautionary gritted in future as again the routes do not meet the Councils criteria for Priority 1 routes. The routes will also be signed to advise road users of the change.

Roads removed from DCC priority routes:

- Gwaenysgor Crossroads to the Bryniau (Gwaenysgor)
- Bedlwyn Crossroads – Rhyd y Ceirw (Rhydtalog)

- 3.12 The gritting of car parks will take place only within the normal working week (Mon – Sun, 7am – 5pm) and the work will be restricted to the pay and display car parks only. Other car park will be subjected to a Risk Assessment and will be treated only if the assessment requires them to be treated
- 3.13 The spread rate for precautionary gritting has been changed to reflect the Welsh framework which is adopted by all Councils in Wales.
- 3.14 The new policy confirms that Alltami depot will become the single operational depot for delivering the winter maintenance service following the closure of Halkyn depot. The level of pre-winter stock has been maintained by increasing the level of residual stock in Greenfield. 10,200 tonnes of rocksalt are kept in stock at the start of the winter period and replaced by the supplier as it is used.

4.00 RECOMMENDATIONS

- 4.01 That Environment Overview and Scrutiny recommends approval of the revised Winter Maintenance Policy (Appendix 1) and its procedures for delivering the Winter Maintenance service to Cabinet.
- 4.02 That Environment Overview and Scrutiny notes the removal of 2 rural gritting routes, currently operated by Agricultural contractors, that do not meet the criteria required within the Priority 1 gritting routes
- 4.03 That Environment Overview and Scrutiny notes that 2 Unclassified roads that have historically been treated by Denbighshire County

Council and have been removed from their Priority 1 gritting routes, will not receive precautionary gritting in future as they do not meet Flintshire's Priority 1 gritting route criteria.

5.00 FINANCIAL IMPLICATIONS

5.01 Finance - Previous Years Budgets

	2012	2013	2014
Budget	1,275,595	998,595	998,595
Actuals	1,413,497	891,894	923,859

5.02 Costs increased in 2012 due to the high number of snow events.

6.00 ANTI POVERTY IMPACT

6.01 No identifiable impact.

7.00 ENVIRONMENTAL IMPACT

7.01 No identifiable impact.

8.00 EQUALITIES IMPACT

8.01 No identifiable impact.

9.00 PERSONNEL IMPLICATIONS

9.01 This report does not impact on staffing levels.

9.02 Winter maintenance operations on the highway infrastructure are carried out predominantly by the Streetscene Staff and resources supplemented by local agricultural contractors as necessary.

10.00 CONSULTATION REQUIRED

10.01 Consultation will be required with members in areas where routes are affected.

11.00 CONSULTATION UNDERTAKEN

11.01 Consultation has taken place with:

- Operational departments and stakeholders
- With Cabinet Member
- Neighbouring Local Authorities in relation to their Winter Maintenance Operations

12.00 APPENDICES

12.01 Revised Winter Maintenance Policy

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS

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