

CABINET REPORT

Date of Meeting	Tuesday 13 th October 2015
Report Subject	Review of Winter Maintenance Policy
Portfolio Holder	Deputy Leader of the Council and Cabinet Member for Environment
Report By	Chief Officer (Streetscene and Transportation)
Strategic Operational	Strategic

EXECUTIVE SUMMARY

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.

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'. 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.

This report updates 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 (and salting routes), and the actions taken by Streetscene and Transportation portfolio to support the Winter Maintenance Service.

RECOMMENDATIONS

(1)	That the Winter Maintenance Policy (Appendix 1) and its procedures for delivering the winter maintenance service be approved.
(2)	That the removal of 2 rural gritting routes (Cilcain and Hope Mountain Areas) carried out by contractors that do not meet the criteria required within the Priority 1 be noted.
(3)	That it be noted that 2 unclassified roads that have historically been treated by Denbighshire County Council (DCC) and have been removed from their Priority 1 gritting routes as part of their savings will not be precautionary gritted in future and therefore will not be included on Flintshire's Priority 1 route list. Removed from DCC as part of savings: <ul style="list-style-type: none">• Gwaenysgor Crossroads to the Bryniau (Gwaenysgor)• Bedlwyn Crossroads – Rhyd y Ceirw (Rhydtalog)

REPORT DETAILS

1.00	BACKGROUND TO THE CURRENT WINTER MAINTENANCE POLICY
1.01	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.
1.02	Section 111 of the Railways and Transport Act 2003 states that <i>"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"</i> .
1.03	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.
1.04	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.
1.05	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.
1.06	In order to provide a statutory defence, a County Policy on winter maintenance services is required which should be reviewed on a regular basis.
1.07	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.

1.08	The level of service for County Roads 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 review of the Winter Maintenance operations is undertaken each year before the winter season.
1.09	The changes in levels of service in this version of the Winter Maintenance Policy are outlined within the policy and summarised as follows:
1.10	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.
1.11	2 unclassified roads which have historically been treated by Denbighshire County Council and have been removed from their Priority 1 gritting routes as part of their savings will not be precautionary gritted in future as again the routes do not meet the Council's criteria for Priority 1 routes. The routes will also be signed to advise road users of the change
1.12	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 and other Council owned car parks which require treatment following a risk assessment.
1.13	The spread rate for precautionary gritting has been changed to reflect the Welsh framework.
1.14	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 total)
1.15	The winter maintenance service on publicly accessible roads and footpaths at sheltered accommodation units is now carried out by the Streetscene service with the caretaker/housing services clearing individual drives and paths. This provides Members and residents with a single point of contact for the service and a provisional budget has been allocated to the Environment Directorate for the provision of the service.

2.00	RESOURCE IMPLICATIONS		
2.01	Finance - Previous Years Budgets		
	2012	2013	2014
Budget	1,275,595	998,595	998,595
Actuals	1,413,497	891,894	923,859

2.02	Costs increased in 2012 due to the high number of snow events.
2.03	This report does not impact on staffing levels.
2.04	Winter maintenance operations on the highway infrastructure are carried out predominantly by the Streetscene Staff and resources supplemented by local agricultural contractors as necessary.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	<p>Consultation has taken place with:</p> <ul style="list-style-type: none"> • Operational departments and stakeholders • With Cabinet Member • Neighbouring Local Authorities in relation to their Winter Maintenance Operations
3.02	Further consultation will be required with members in areas where routes are affected

4.00	RISK MANAGEMENT
4.01	The winter maintenance service has undertaken various risk assessments on the routes and the type of de-icer, which are outlined within the policy.

5.00	APPENDICES
5.01	Appendix 1 - Revised Winter Maintenance Policy

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Highways Act 1980.
6.02	Well Maintained Highways - Code of Practice for Highway Maintenance July 2005
6.03	Quarmby Report – July 2010
6.04	Trunk Road Maintenance Manual
6.05	Welsh Government Advice Documents
6.06	<p>WLGA Advice Documents</p> <p>Contact Officer: Stephen O Jones Chief Officer (Streetscene and Transportation)</p> <p>Telephone: 01352 704700</p> <p>E-mail: stephen.o.jones@flintshire.gov.uk</p>

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7.00	GLOSSARY OF TERMS
7.01	None