

Report to:	Overview and Scrutiny Committee (Regeneration and Skills)	Date of Meeting:	Tuesday 28 September 2022
Subject:	Winter Maintenance Policy & Operational Plan		
Report of:	Assistant Director (Highways and Public Protection)	Wards Affected:	(All Wards);
Portfolio:	Locality Services		
Is this a Key Decision:	No	Included in Forward Plan:	No
Exempt / Confidential Report:	No		

Summary:

To consider the revised policy document for 2022/23

Recommendation:

That the Overview and Scrutiny Committee (Regeneration and Skills) be requested to consider the Policy and Operational Plan and advise Cabinet Member – Locality Services of any issues or recommendations.

Reasons for the Recommendation(s):

To approve a revised policy, following consultation with Elected Members during the summer of 2022.

Alternative Options Considered and Rejected: (including any Risk Implications)

The Council could choose to retain the existing policy. Winter Service is a statutory function and not following the latest guidance will lead to an increased litigation risk to the authority.

What will it cost and how will it be financed?

(A) Revenue Costs

The service is funded from the Transport and Highway Infrastructure revenue budget.

(B) Capital Costs

None.

Implications of the Proposals:

Resource Implications (Financial, IT, Staffing and Assets):	
None.	
Legal Implications:	
Section 41(1A) of the Highways Act 1980 places a statutory duty on Highway Authorities in respect of winter conditions, as follows:- 'In particular, a Highway Authority is under a duty to ensure, as far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice'.	
Equality Implications:	
There are no equality implications.	
Climate Emergency Implications:	
The recommendations within this report will	
Have a positive impact	Yes
Have a neutral impact	No
Have a negative impact	No
The Author has undertaken the Climate Emergency training for report authors	Yes
There is a slight reduction in the routes from the previous 2 years, which has a positive impact. A number of enhancements were made when the initial contract was awarded in 2018, including a brand-new gritting fleet. The current vehicles are the latest models, which are more fuel efficient, and environmentally friendly, than the previous vehicles. The gritting fleet is due a refresh next year, in accordance with the contract conditions. Officers will work with the contractor, before the current vehicles are replaced, to determine if the fleet market has changed and consider the options for newer, greener, vehicles.	

Contribution to the Council's Core Purpose:

Protect the most vulnerable: This is a universal service for the benefit of all.
Facilitate confident and resilient communities: This is a universal service for the benefit of all. The Winter Service Policy helps to

ensure that safe passage is maintained for our communities along the identified routes
Commission, broker and provide core services: The Council has a statutory duty to provide a winter service function.
Place – leadership and influencer: Providing sustainable services to support our communities and businesses.
Drivers of change and reform: N/A
Facilitate sustainable economic prosperity: Providing sustainable services to support our communities and businesses. The Winter Service Policy helps to ensure that safe passage is maintained along the identified routes
Greater income for social investment: N/A
Cleaner Greener Supports the latest technology to minimise the impact of the carbon economy.

What consultations have taken place on the proposals and when?

(A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD.6924/22) and the Chief Legal and Democratic Officer (LD.5124/22) have been consulted and any comments have been incorporated into the report.

(B) External Consultations

Merseytravel.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting.

Contact Officer:	Gary Jordan
Telephone Number:	Tel: 0151 934 4731
Email Address:	gary.jordan@sefton.gov.uk

Appendices:

Annex A – Consultation letter to Elected Members.

Background Papers:

There are no background papers available for inspection.

1. Introduction/Background

- 1.1 The Department provides a Highway Winter Service to the Borough in accordance with the Winter Service Policy and Operational Plan. Officers monitor the weather conditions 24 hours a day throughout the winter season and enact the plan when weather conditions dictate.
- 1.2 The Railways and Transport Safety Act 2003 (section 111) has inserted an additional section 41(1A) to the Highways Act 1980 which places a duty on the Highway Authorities in respect of winter conditions, and states 'In particular, a Highway Authority is under duty to ensure, as far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice'
- 1.3 In addition, The Traffic Management Act 2004 placed a Statutory Network Management Duty on all local traffic authorities in England. It requires authorities to do all that is reasonably practicable to manage the network effectively to keep traffic moving. In meeting the duty, authorities should establish contingency plans for dealing promptly and effectively with unplanned events, such as unforeseen weather conditions, as far as is reasonably practicable.
- 1.4 The Council operates to a Winter Service Policy and Operational Plan which has been approved by the Council and is reviewed each summer to ensure that it remains 'fit for purpose'.
- 1.5 Cabinet, at its meeting on 13th October 2011, resolved to authorise the Director of Built Environment (now Assistant Director Highways and Public Protection) to make any further revisions to the Winter Service Policy and Operational Plan in consultation with Cabinet Member Transportation (now Locality Services). There is, therefore, no requirement to take this revision back to Cabinet for further approval.

2.0. Consultation

- 2.1 The Winter Service Policy and Operational Plan is subject to an annual review, reassessment, and consultation.
- 2.2 In accordance with Cabinet Member's wishes, a consultation letter was sent to every Elected Member and a copy is attached as Annex A. The closing date for responses was 29th July 2022.
- 2.3 Merseytravel were also contacted and asked if there have been any revisions to their bus routes since last year.

3.0 Revisions to the Policy

- 3.1 The Winter Service Policy and Operational Plan is based on guidance provided by the government in a document entitled 'Well Managed Highway Infrastructure'. Guidance relating to practical issues and delivery of the service is now contained within the National Winter Service Research Group (NWSRG) Practical Guidance Documents.
- 3.2 A number of enhancements have previously been made to the winter service policy to ensure that we are compliant with this guidance. These include a new

purpose-built salt storage facility, capable of holding 3500 tonnes of rocksalt and new gritting vehicles with the latest technology to allow for optimum spread rates.

- 3.3 Officers will review any revised and updated guidance, as and when it is released, to ensure that we are kept fully compliant with the latest recommendations.
- 3.4 There were no responses received to the annual consultation from Elected Members or Merseytravel.
- 3.5 In parallel with the consultation, the policy document has had a desk top review by our risk consultant at Gallagher Basset. We have utilised our free consultancy days for this exercise.
- 3.6 The feedback stated that the policy was one of the best that they had reviewed and was comprehensive and well organised. There were no recommendations for changes to the actual policy, however, there were areas highlighted for clarification and typographical errors.
- 3.7 Changes have been made to the clarify some of the policy information and to amend the typographical errors, in accordance with the recommendations.
- 3.8 In addition to these changes, the temporary routes which were added to grit the covid vaccination centres have now been removed and we have now reverted to the routes pre-pandemic.

Annex A



Highways & Public Protection

Magdalen House
30 Trinity Road
Bootle
Merseyside L20 3NJ

Councillors

Date:
Our Ref: NWMWM/GJ
Your Ref:
Please contact: Gary Jordan
Contact Number: 0151 934 4731
Fax No: 0151 934 4801
e-mail: network@sefton.gov.uk

Dear Councillor

Winter Service Review 2022

I am writing to you on behalf of my Cabinet Member, Councillor John Fairclough, regarding the above. Each year during the early summer, we review the winter service policy and operational plan from the previous season to ascertain if members have any comments they would like taken into account in the review.

During last season we gritted the carriageway routes on 34 occasions and the footway routes 9 times. Included in this were the covid sites that we were routinely gritted, in accordance with Government advice.

To give you a comparison, the gritting figures for previous years were- 50 Carriageway and 22 footway routes in 2021/21, 34 carriageway and 8 footway routes in 2019/20, 43 carriageway and 11 footway in 2018/19,

Alongside this consultation, we are currently having our policy independently reviewed by our liability insurer, Gallagher Bassett. We will provide feedback and recommendations on this as part of the review process.

With the above in mind, the winter service policy continues to serve the Council well and officers, who were on duty 24 hours per day over the whole season, were always able to provide the appropriate response to the prevailing conditions.

Whilst officers are confident that the policy remains fit for purpose, Councillor Fairclough has requested that all Elected Members be contacted to seek their views on the service during the winter of 2021/22, ensure that any issues can be addressed during the summer period and any further revisions considered before the commencement of the winter season 2022/23. I would, therefore, be grateful if you could advise me of any issues you would like to raise regarding the policy and the provision of the winter service. I would be grateful to hear from you by 29th July 2022 to allow sufficient time to revise and present the policy for approval.

The existing policy and operational plan is available to view by following this link:

[Gritting \(sefton.gov.uk\)](http://sefton.gov.uk)

Following receipt of any issues raised by Elected Members, the policy will be revised as appropriate and presented to Cabinet Member for approval and adoption for the coming winter season. The finalised policy and operational plan will then be presented to Overview & Scrutiny Committee (Regeneration & Skills) on 20th September 2022.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D. Marrin', written on a light-colored background.

Dave Marrin
Highway Management Manager