

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	Tuesday 19 September 2023
<b>Subject:</b>	Winter Maintenance Policy & Operational Plan		
<b>Report of:</b>	Assistant Director of Place (Highways and Public Protection)	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Locality Services		
<b>Is this a Key Decision:</b>	No	<b>Included in Forward Plan:</b>	No
<b>Exempt / Confidential Report:</b>	No		

**Summary:**

To consider the revised policy document for 2023/24

**Recommendation(s):**

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 2023.

**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:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
None.	
<b>Legal Implications:</b>	
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'.	
<b>Equality Implications:</b>	
There are no equality implications.	
<b>Impact on Children and Young People:</b>	
No.	
<b>Climate Emergency Implications:</b>	
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
The current vehicles are the latest models, which are fuel efficient and more environmentally friendly than previous models.  Officers are continuing to explore options for an electric or hydrogen fleet, however, there is currently nothing on the market that meets our requirements.	

**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 carbon impact.

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD 7352/23) and the Chief Legal and Democratic Officer (LD.5553/23) 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.

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### 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) 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 13<sup>th</sup> October 2011, resolved to authorise the Director of Built Environment (now Assistant Director of Place - 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 28<sup>th</sup> July 2023.
- 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 To date, there has been no response from Merseytravel. Officers will continue to work with them to ensure that we do treat all designated bus routes, as per our policy.
- 3.5 We had one response from an elected member requesting to grit a location which is currently not part of the designated routes. As the location does not meet the criteria to be included, we are not intending to include this location into the policy.
- 3.6 A request was received in January this year from a member of the public, via a Councillor, to grit all school locations in the Borough. A previous exercise, undertaken in 2010, estimated the additional costs for this would be £220,000 per year. Based on the revised legislation in 2013, including more stringent requirements for gritting vehicles, the updated costs would now be approximately double that figure at £440,000 per year. This is based on estimates of gritting activity which does fluctuate each year, depending on weather conditions.
- 3.7 Officers have discussed the analysis and findings of gritting all schools with Cabinet Member – Locality Services. Current funding does not allow for implementation at this time. Members are therefore requested to note the report with a view to future consideration should the financial situation change.
- 3.8 Other minor amendments have been made to the policy to reflect the updated age profiles of equipment and also job title changes.

**Councillors**

Date:  
Our Ref: NWMWMGJ  
Your Ref:  
**Please contact: Gary Jordan**  
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Dear Councillor,

**Winter Service Review 2023**

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.

As an overview of last season, we treated the carriageways on 57 occasions and the footways on 31 occasions. To give you a comparison, the gritting figures for previous years were- 34 carriageway and 9 footway routes in 2021/22, 50 Carriageway and 22 footway routes in 2020/21, 34 carriageway and 8 footway routes in 2019/20.

The increased gritting figures for last season were mainly due to the prolonged cold spell in December when we had to grit the carriageways on 18 occasions in 2 weeks. Whilst we didn't have any issues with salt supply and the main routes were kept clear throughout, we did receive requests to treat locations that are not part of the agreed policy locations which, unfortunately, we were not able to respond to.

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 2022/23, ensure that any issues can be addressed during the summer period and any further revisions considered before the commencement of the winter season 2023/24. 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 28<sup>th</sup> July 2023 to allow sufficient time to revise and present the policy for approval.

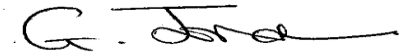
The existing policy and operational plan is available to view by following this link:

[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 19<sup>th</sup> September 2023.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Jordan', with a horizontal line above the name.

Gary Jordan  
Highway Asset Manager