

**Report:** Winter Maintenance Policy & Operational Plan

Date of meeting:	17 <sup>th</sup> September 2024		
Report to:	Overview & Scrutiny Committee (Regeneration and Skills)		
Report of:	Assistant Director- Highways and Public Protection		
Portfolio:	Housing and Highways		
Wards affected:	All		
Is this a key decision:	No	Included in Forward Plan:	No
Exempt/confidential report:	No		

**Summary:**

To consider the revised policy document for 2024/25

**Recommendation(s):**

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

**1. The Rationale and Evidence for the Recommendations**

- 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 13<sup>th</sup> 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 Housing and Highways). There is, therefore, no requirement to take this revision back to Cabinet for further approval.
- 1.6 The Winter Service Policy and Operational Plan is subject to an annual review, reassessment, and consultation.
- 1.7 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 9<sup>th</sup> August 2024.
- 1.8 Merseytravel were also contacted and asked if there have been any revisions to their bus routes since last year.
- 1.9 The Winter Service Policy and Operational Plan is based on guidance provided by the government in a document titled '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.
- 1.10 Since the introduction of the latest guidance a number of enhancements to the service have been undertaken to increase our resilience and compliance.
- 1.11 Officers continue to monitor and review updated guidance, as and when it is released, to ensure that we are kept fully compliant with the latest recommendations.
- 1.12 We received one response to the consultation exercise, requesting the addition of the footways in Birkdale village to the current gritting routes. Our policy states that footway gritting is targeted towards shopping areas as these are the locations of the highest footfall. We are, therefore, proposing to include Liverpool Road, Birkdale, between the railway station and Bolton Road, in the designated footway routes for the forthcoming season.
- 1.13 Other minor amendments to the policy have been made to reflect the updated age profiles of the equipment and also job title changes of the responsible officers.

## 2. Financial Implications

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

## 3. 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’.

## 4. Risk Implications

Winter Service is a statutory function and not following the latest guidance will lead to an increased litigation risk to the authority.

## 5 Staffing HR Implications

None.

## 6 Conclusion

That members approve the revised policy for implementation for the forthcoming season.

### Alternative Options Considered and Rejected

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.

<b>Equality Implications:</b>
There are no equality implications.
<b>Impact on Children and Young People:</b>
None.
<b>Climate Emergency Implications:</b>
Neutral
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.

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

**(A) Internal Consultations**

The Executive Director of Corporate Resources and Customer Services (FD.7758/24) and the Chief Legal and Democratic Officer (LD.5858/24) 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 Cabinet decision.

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**Appendices:**

Annex A – Consultation letter to Elected Members.

**Background Papers:**

There are no background papers available for inspection.

Annex A



## Highways & Public Protection

Magdalen House  
30 Trinity Road  
Bootle  
Merseyside L20 3NJ

### Councillors

Date:  
Our Ref: NWMWWMGJ  
Your Ref:  
**Please contact: Gary Jordan**  
**Contact Number: 0151 934 4731**  
**Fax No: 0151 934 4801**  
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Dear Councillor,

### Winter Service Review 2024

I am writing to you 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 for next season.

As an overview, last year was relatively mild in terms of temperatures, although we did have two periods of prolonged cold weather during the season. In total we treated the carriageways on 39 occasions and the footways 18 times. The figures were down on the previous season when we gritted the carriageways 57 times and the footways 31 times.

Whilst the figures were down from previous years, we still had officers on duty 24 hours a day during the season to monitor conditions, take decisions on pre-planned operations and to react accordingly to any subsequent events.

Whilst officers are confident that the policy remains fit for purpose, we have been asked to contact all Elected Members to seek their views on the service during the winter of 2023/24, ensure that any issues can be addressed during the summer period and any further revisions considered before the commencement of the winter season 2024/25. 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 9<sup>th</sup> August 2024 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 17<sup>th</sup> September 2024.

Yours sincerely

A handwritten signature in black ink, appearing to read "G. Jordan".

Gary Jordan  
Highway Network Manager