

<b>Report to:</b>	Overview and Scrutiny Committee (Regeneration and Skills)	<b>Date of Meeting:</b>	Tuesday 19 September 2017
<b>Subject:</b>	Winter Service Policy and Operational Plan		
<b>Report of:</b>	Head of Locality Services - Commissioned	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Regeneration and Skills		
<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 policy document for approval for 2017/18

**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 2017

**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. While every effort is made to contain costs, it is understood that it is difficult to forecast expenditure due to the fact that the level of service is dependent upon weather conditions.

**(B) Capital Costs**

None

**Implications of the Proposals:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>
<p><b>Legal Implications:</b>  Section 41 (1A) of the Highways Act 1980, as amended by The Railways and Transport Safety Act 2003 (section 111) 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 or ice'.</p> <p>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.</p>
<p><b>Equality Implications:</b></p> <p>There are no equality implications.</p>

**Contribution to the Council's Core Purpose:**

Protect the most vulnerable: This is a universal service for all.
Facilitate confident and resilient communities: This is a universal service for all.
Commission, broker and provide core services: N/A
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.
Greater income for social investment: N/A
Cleaner Greener Supports the latest technology to minimise the impact on the carbon economy.

**What consultations have taken place on the proposals and when?****(A) Internal Consultations**

The Head of Corporate Resources (FD.4832/17) and Head of Regulation and Compliance (LD.4116/17.) have been consulted and have no comments on the report.

**(B) External Consultations**

Consultation has taken place with Merseytravel as a result of the Major Bus Review that has recently been completed.

### **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:**

The following appendices are attached to this report:

Consultation letter to Members

### **Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

- 1.1 The Department provides a 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 placed a duty on 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 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 Head of Locality Services – Commissioned) 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 and 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 7<sup>th</sup> July 2017.
- 2.3 Consultation also took place with Merseytravel to ensure that, in light of the major bus review, officers were aware of any changes to bus routes in the borough.

## **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 Maintained Highways – Code of Practice for Highway Maintenance Management. Appendix H of that document refers specifically to Winter Service. This was substantially revised in September 2013. Officers reported in 2014 of the extent of the guidance which runs to 158 pages.
- 3.2 A number of changes have been made to the policy since the revised guidance was introduced. These include newer gritting vehicles, through a rental agreement, with a specification to meet the updated guidance and the storage of additional salt to meet the recommendation of a minimum opening stock of 48 runs. These have previously been reported and approved.
- 3.3 In October 2016 a new code of practice was published entitled 'Well Managed Highway Infrastructure. This supersedes all previous codes of practice and authorities have until October 2018 to adopt the code. The Section relating to Winter Service has been delayed and has yet to be published. Officers will address any revised guidance as and when this is available, reporting back to Cabinet Member and subsequently Overview & Scrutiny (Regeneration and Skills) Committee.
- 3.4 In accordance with the policy all routes as advised by Merseytravel will be gritted as part of the routine gritting operations.
- 3.5 A review of the commercial bus routes provided by Merseytravel has resulted in the identification of a number of roads which, in accordance with the policy, have been added to the gritting routes.
- 3.6 Other slight amendments have been made to update the age of the gritting fleet.

- 3.7 There were no responses received as a result of the consultation with Elected Members.
- 3.8 At the time of writing this report, the Policy and Operational Plan document is still being revised to incorporate the revisions detailed above. This final document will be presented to members prior to Overview and Scrutiny Committee (Regeneration and Skills) on 19<sup>th</sup> September 2017 .

**Councillors**

Date:  
Our Ref: NWM/WM/GJ  
Your Ref:  
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Dear Councillor

**Winter Service Review 2017**

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.

By way of some background, during the winter of 2016/17 we gritted the carriageway routes on 43 occasions and the footway routes 15 times. This compares to 33 carriageway and 1 footway in 2015/16, 49 carriageway and 15 footway in 2014/15, and 25 carriageway and 4 footway in 2013/14.

We have made a number of changes to our policy since 2013 in line with new government guidance which was published in a document entitled 'Well Maintained Highways'. The guidance gave 50 recommendations for the council to implement and also 13 warnings of potential issues to mitigate. In October 2016 a new code of practice was published entitled 'Well managed highway infrastructure.' This supersedes all previous codes and authorities have until October 2018 to adopt the code. The section relating to winter service was due to be published by the end of June, however, at the time of writing is still not available. We will review this information when available and incorporate any new guidance as necessary.

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. Again, as in previous years, at no time was the availability of salt an issue. The Council always had sufficient stock levels to deal with the winter conditions.

Whilst officers are confident that the policy remains fit for purpose (we will address the issues raised by the new code of practice when this is published), Councillor Fairclough has requested that all Elected Members be contacted to seek their views on the service during the winter of 2016/17, ensure that any issues can be addressed during the summer period and any further revisions considered before the commencement of the winter season 2017/18. 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 7<sup>th</sup> July 2017 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:

<http://www.sefton.gov.uk/parking,-roads-travel/gritting.aspx>

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 2017.

Yours sincerely

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

Dave Marrin  
Highway Management Manager