

CABINET

REVIEW OF WINTER MAINTENANCE 27 July 2010

Report of Head of Environmental Services

PURPOSE OF REPORT				
To give Cabinet the necessary information to provide a response to inform Lancashire County Council's review of winter service provisions				
Key Decision	<input checked="" type="checkbox"/>	Non-Key Decision	<input type="checkbox"/>	Referral from Cabinet Member
Date Included in Forward Plan	July 2010			
This report is public				

RECOMMENDATIONS

- (1) **To use the information provided within the report to provide a response to each of the six winter maintenance issues raised by the County Council.**

1.0 Introduction

- 1.1 As the highways authority Lancashire County Council have the statutory responsibility for winter maintenance of adopted highways and pavements across the entire county. Lancaster City Council are only responsible for winter maintenance of open space that belongs to the City Council. Lancaster City Council's policy to date has been to maintain this split of responsibility.
- 1.2 Because of the unpredictable nature of winter maintenance prioritisation of resources has to take place. In practice this means that the County Council ensures gritting routes are prioritised to keep the majority of the road network open to the majority of the population. During periods of snow and ice the County Council's available resources are directed to these. This means that the roads that are determined to be priority are gritted and are kept open. However, in achieving this footways remain ungritted as do many non priority roads.

- 1.3 The last winter was extraordinarily severe. During the winter the County Council directed a huge amount of resource to ensuring that the priority road network remained open.
- 1.4 Whilst the County Council and City Council generally appreciate the reasons for the split of responsibility for winter maintenance understandably the majority of residents and businesses do not. Many complained to both County and City Councils that although they were pleased the priority roads remained open they couldn't actually get to them because footways or non priority roads were covered in snow and ice. This in turn had an impact on City Council services that could then not be delivered (eg waste collection) which in turn added to the frustration of residents and businesses.
- 1.5 Following the severe winter, Council (3rd March 2010, min 101) resolved the following-
- (1) That this council congratulates the hard working staff that undertook gritting operations over the Christmas New Year period. Council notes that for many residents especially the elderly and those with mobility difficulties the conditions on footpaths and pavements were very difficult indeed and led to severe inconvenience, injury and isolation.
- (2) That, bearing in mind these difficulties experienced by thousands of our residents and taxpayers and bearing in mind that resource constraints do not allow for every path to be gritted by council staff, Lancaster City Council requests that the Lancashire County Council take the following actions to reduce these severe problems in the future:
- Provide a comprehensive network of grit bins throughout the district and ensure they are filled before the start of the winter gritting period.
 - Put in place arrangements to deal with telephone and e-mail requests to fill the bins on a regular basis during the winter gritting period so that no bin is left empty for more than 24 hours
 - Prepare advice on how best to use the gritting supplies and how to keep paths and pavements clear.
 - Obtain written advice from the LGA or Department of Transport on liabilities in the case of accidents and injuries sustained on areas gritted by members of the public.
 - Consider keeping at least one access road and pavements clear in areas of steep streets.
- 1.6 County are currently in the process of reviewing winter maintenance arrangements. The reality remains that in the event of another severe winter there are simply not enough resources available to any Council to ensure that every road and every footpath is kept clear of snow and ice. Therefore, one of the things the review is focussing on is how could available resources be used more effectively if County and Districts worked together more closely.
- 1.7 Lancaster City Council has a corporate priority of 'Partnership Working and Community Leadership' within this we have an objective of working with our partners to bring about improvements and efficiencies in the way the services are delivered

locally. The Council also has a corporate priority objective 'to tackle the challenges of Climate Change.'

1.8 The City Council has been working closely with the County Council on a shared service programme. One of the things that is being addressed through this programme is how the District and County can better work together to deliver 'public realm' services (eg highways maintenance issues, verge maintenance, tree work). It should be noted that regardless of any arrangements that are put in place to improve the effectiveness of service delivery the statutory responsibility for highways and their maintenance lies with the County Council as highways authority.

1.9 As part of both the 'public realm' discussions and in response to the City Council's request to the County Council as set out above we are being consulted with regard to a number of winter maintenance matters. The response to these will be used to inform the County Council's ongoing review of winter maintenance.

2.0 Proposal Details

2.1 County have raised a number of issues that they would welcome a response to. These are-

	Issue	Officer Comment
1	Districts are invited to identify their 'top ten' requests for additional routes for consideration for inclusion in 2010/11.	<p>The 'top ten' list was required ahead of this meeting as the routing work is urgent. Officers prepared a list which was then sent out for consultation to members of Overview and Scrutiny and Cabinet. The list has now been submitted.</p> <p>The County Council intend to carry out a full route optimisation in time for the 2011/12 season. There may well be an opportunity to contribute to this.</p>
2	Districts are invited to identify their priority secondary routes.	<p>The routes submitted for inclusion as priority routes are what officers already consider to be the priority secondary routes.</p> <p>Generally the secondary route network is comprehensive. However, the issue last year was the time taken by County to order gritting of the secondary routes. Understandably this due to concerns about possible shortages of grit which if used on the secondary route network could have then caused the priority roads to close.</p> <p>If it became apparent that particular secondary routes were causing problems we could request that County Council has in place a process to allow their area based officers discretion to be able to divert resources to grit the route.</p>

	Issue	Officer Comment
3	Districts invited to identify land that they may have to store a rock salt / grit mixture for use on footways / grit bins which will be supplied by the County.	<p>The rock salt / grit mixture is suitable for use on footways / grit bins. Space at White Lund Depot could be allocated for a supply of this.</p> <p>At this stage we do not know what quantity of the mixture County would supply to the District.</p>
4	Districts invited to identify if they are willing to apply the material when / where required.	<p>This would represent a significant change in policy and could lead to further confusion as to which Council is responsible.</p> <p>In operational terms it would only be possible to do this within existing resources by redirecting away from current services.</p> <p>For example, if the City Council decided to do this we could allocate up to a total of six staff and three vehicles to this.</p> <p>The two Quick Response Vehicles and four staff would be allocated to the work as well as a cleansing / grounds maintenance vehicle and two staff. This would mean that during periods resources were allocated to this work the normal one working day response to incidents of fly tipping would be suspended as would an element of scheduled cleansing / grounds maintenance work.</p> <p>A protocol would need to be agreed for where the gritting takes place. Clearly the City Council would want to ensure it had the major say in where the resources were directed and also have discretion to direct gritting into areas for which we had direct responsibility as long (as this was in the public interest). The City Council would also be responsible for deciding when these arrangements would begin and end.</p> <p>Members should bear in mind that resources here are finite. Therefore, expectations would need to be carefully managed. Realistically the use of the teams and grit would be focussed on-</p> <ul style="list-style-type: none"> • Lancaster, Morecambe, Carnforth

	Issue	Officer Comment
		<p>centres.</p> <ul style="list-style-type: none"> • Replenishing empty grit bins –when reported. Even doing this in a reactive way it is envisioned that prioritisation would need to take place. • Responding to community requests for a supply of grit which the community would then spread themselves. • Reacting to problem footways- based on reports and local knowledge. • The most well used sections of the cycletrack / footway. • Areas of land that belong to the City Council where gritting would be in the public interest.
5	<p>Districts invited to indicate whether they are able to offer mutual aid to clear / treat snow /ice when services are unable to carry out District functions due to weather conditions.</p>	<p>This would represent a significant change in policy and could cause further confusion on which council is responsible.</p> <p>In operational terms it is possible. In the event that functions delivered by services (eg waste collection, cleansing) could not delivered staff could be redirected to winter maintenance activities.</p> <p>As above a protocol would need to be agreed.</p> <p>As above expectations would need to be carefully managed. Experience from last winter showed that the majority of staff decided to take annual leave on the days that their normal services couldn't be delivered. So in reality numbers may be limited.</p> <p>In the case of snow clearance clarification would be needed as to liability if a member of public sustained an injury on an area that had been cleared of snow but not gritted. The LGA have been petitioned to seek clarification from central government on the liability arising from individuals and businesses taking action to clear / treat snow and ice on the highway outside their premises.</p> <p>The community payback team which is funded by the Council could also be redirected to provide mutual aid.</p>

	Issue	Officer Comment
6	Districts invited to indicate if they would become involved in handling customer calls.	<p>Experience from last year showed that many residents didn't know who to contact about winter maintenance issues. Many contacted the District Council in any case.</p> <p>An effective County / District communication plan is essential.</p> <p>The strategy needs to clearly define roles and responsibilities and set out what types of communications should take place and when.</p> <p>Particularly important in terms of communication are-</p> <p>1) Communication prior to the winter-</p> <ul style="list-style-type: none"> • What County / District Councils will and won't do. • How can residents help themselves? (eg clearing snow from outside their property, parking in a way that allows gritters access, looking after neighbours, advice on how to use grit in bins) • Information on what gets gritted and when. • Who to contact for specific issues. • Information as the resources that go into winter maintenance. <p>2) Communication during the event-</p> <ul style="list-style-type: none"> • Consistent messages from County and Districts. • Timely information from County and Districts. • Ensuring that information /requests for service from residents are shared in a timely way and acted on as appropriate. • Regular updates. <p>County and District communication officers are best placed to agree a way forward that fits the needs of both Councils and ties in with agreed operational policies.</p> <p>The City Council may wish to request compensation from the County Council for this work.</p>

3.0 Details of Consultation

3.1 Winter maintenance is a topic on the work programme of the Overview and Scrutiny Committee. At their meeting on 15th July the committee invited all Council Members to consider a similar report to this. The aim of the meeting was to recommend a response to the issues to Cabinet. The recommendations from the meeting are included in Appendix A. The recommendations made by Overview and Scrutiny Committee are consistent with the officer comments in this report.

4.0 Options and Options Analysis (including risk assessment)

4.1 Option 1- to develop a response to each of six issues raised by the County Council above. This option will allow Cabinet the opportunity to inform the County Council's winter maintenance review.

4.2 Option 2- to decide not to provide a response to the issues raised by the County Council above. This will mean that Cabinet chooses not to inform County Council's winter maintenance review.

5.0 Officer Preferred Option (and comments)

5.1 Option 1. Winter maintenance has a huge impact on people who live, work in and visit the District. Resources are finite, however, responding to this review gives the City and County Council the opportunity to use them more efficiently and effectively.

6.0 Conclusion

6.1 The report provides a basis for a response to the County Council.

RELATIONSHIP TO POLICY FRAMEWORK

Corporate Priority- Partnership working and community leadership

Objective 5- to continue to work with our partners to deliver targets in the Sustainable Community Strategy and to bring about other improvements and efficiencies in the way services are delivered locally.

Corporate Priority- Climate Change

Objective 3- to tackle the challenges of Climate Change.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

These issues have taken into account in preparing the report.

FINANCIAL IMPLICATIONS-

There are no direct financial implications at this stage. However, issues 4, 5 and 6 may result in a resource redirection from the City Council. As detailed in the report, resources in these areas are finite and, as there are no proposals from County to provide any additional funding to Districts, would need to be carefully managed within existing budgets.

Any further financial implications arising from this report will be built into the subsequent Cabinet report for final approval.

SECTION 151 OFFICER'S COMMENTS-

Whilst this review may ultimately allow better value for money being gained in future winter maintenance arrangements, it is expected that priorities will need to be reconsidered in light of forthcoming reductions in public spending and this may result in changes to future levels of Council resources potentially affected by this review. Members are advised to consider their response in view of these uncertainties, although at this stage no final decisions are required and therefore there would be further opportunity to reconsider the Council's position if need be.

LEGAL IMPLICATIONS

Legal have been consulted and have no comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

[Click here and type list of background papers

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APPENDIX A

Recommendations from Overview and Scrutiny Committee 14th July 2010-

Recommendation 1

That it be recommended to Cabinet to request that the City Council has the opportunity to contribute at an early stage to the 2011/12 route optimisation process.

Recommendation 2

That it be recommended to Cabinet to request that County's area based officers be given discretion to divert resources to primary secondary routes if necessary.

Recommendation 3

That Cabinet be advised that the Overview and Scrutiny Committee agree in principle that space could be allocated at the White Lund depot for the rock salt/grit mixture supplied by county.

Recommendation 4

That Cabinet be advised that the Overview and Scrutiny broadly support this proposal but recognise that this is the responsibility of the county council and that the involvement of the city council needs to be clearly defined with the city council deciding when this involvement starts and concludes.

Recommendation 5

That Cabinet be advised that the Overview and scrutiny Committee broadly support this proposal

Recommendation 6

That Cabinet be advised that the Overview and Scrutiny Committee would support the city council's involvement in handling customer calls but would expect to be compensated if this involves additional work and resource requirements.