

MAYOR & CABINET		
Report Title	Highways Winter Service 2014 - 2015	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Resources and Regeneration	
Class	Part 1	Date: 22 October 2014

1. Summary

- 1.1 The Council's Winter Maintenance Policy and Plan documents are annually updated by Officers based on documents originally prepared in 1997. A complete review of these documents was undertaken and a restricted view document (exclusive of personal contact details and salting routes) titled "Winter Service Operational Plan 2014-15" will be published and included on the Council's web page. An executive summary is included in Appendix A and a brief summary of its contents is set out in paragraph 6 of this report.
- 1.2 The "Winter Service Operational Plan 2014-15" amalgamates the previous separate Winter Maintenance Policy and Plan documents. The new combined document is to be considered by the Mayor and Cabinet for approval and adoption by the Council. An annual review of the document is proposed in line the code of practice for Highway Maintenance and to ensure that it is current and that new technologies and methods are considered.
- 1.3 The annual budget for the winter service for the carriageways is within existing highways' maintenance budgets. The carriageway gritting service is carried out by F M Conway the incumbent highways' maintenance contractor.
- 1.4 The winter gritting service is currently proposed to commence from mid November for 18 weeks.

2 Purpose of the Report

- 2.1 This report includes a background to Lewisham's winter service provision, the Council's statutory duties, Lewisham's policy and a summary of the proposed Winter Service Operational Plan 2014 -15. Formal approval is sought for the Winter Service Operational Plan 2014-15, which is based upon the principles of the current national Code of Practice.

3 Recommendation

- 3.1 The Mayor is recommended to approve the Winter Service Operational Plan 2014-15.

4 Policy Context

- 4.1 The Council's duty as highway authority is to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. The Council considers the best way of achieving this is by prioritisation of certain roads and footways based on risk assessment. The detailed operational procedures are covered by the Winter Service Operational Plan which is now revised and to be published each year.
- 4.2 The Council prioritises its Winter Service treatment to try and ensure that resources are directed at the most important areas first. Therefore priority routes are agreed for both carriageway and for any footway salting.

5 Background

- 5.1 The Winter Service is a significant aspect of network management both financially and in terms of its perceived importance to users. It can also have significant environmental effects and the organisation of this service has implications on the operational management of other highway maintenance services.
- 5.2 The Winter Service is delivered in accordance with policies, priorities and in conjunction with planning processes for other aspects of highway maintenance and network management. Policies and operational plans developed for the Winter Service also have relevance in emergency planning.
- 5.3 The winter gritting service is carried out by F M Conway Ltd who have purchased a new winter fleet of gritters that has such enhancements that include GPS tracking automated salting spreading technology. These enhancements will allow real time location of all fleet vehicles on the network. Four vehicles to be used for Lewisham will be stored at Wearside Service Centre from the end of October until the end of the Winter Service season in mid March.
- 5.4 Footways are not routinely pre-salted and do not form part of the primary salting network. However, if severe icy conditions are experienced then salting of footways should be undertaken with the following priorities:
- Major town centres,
 - Local shopping areas,
 - Footways close to schools and colleges, railway stations and transport interchanges, hospitals and medical centres, post offices, day centres, residential homes for the elderly, or other 'special needs' premises,
 - Footways designated as 'safe routes to schools',

- Other locations with specific access problems such as those with steep ramps.

The Council's Cleansing Service will assist in the salting / gritting of the boroughs footways. This operation is not carried out from highways budgets except for the provision of salt.

5.5 Council Officers in liaison with a specialist consultant have developed a Winter Service Operational Plan to ensure that:

- The Council has a developed policy and operational plans, in consultation with users and other stakeholders, based on principles of risk assessment, defining the extent of the service and these are widely known by users together with relevant advice on safe use of the network;
- There is continuous monitoring of performance during service delivery and that the contractor can respond effectively to changing conditions or network incidents.
- The Council meets its legal obligations and has a robust Plan in place to assist the Council in defence or mitigation of claims that may result from the Winter Service Operation.

5.6 Given the scale of financial and other resources involved in delivering the Winter Service and the obvious difficulties in maintaining high levels of plant utilisation of specialist equipment, it is not practical to :

- provide the service on all parts of the network;
- ensure running surfaces are kept free of ice or snow at all times, even on the treated parts of the network.

5.7 In order to comply with legislation, it has been necessary for the Council to establish routes that are included in a programme of treatment during the inclement weather. The treatment of footways needs to address the risk to all highway users and consideration of the available resources.

5.8 The Winter Salting operation is controlled from Wearside Service Centre, to clear snow, ice or frost from (in priority order):-

- Primary Routes,
- Secondary Routes,
- the next day's refuse collection route (if necessary to enable the refuse collection service to operate) and
- other Borough highways if impassable due to ice or snow that are part of a major shopping centre or have a hospital, doctor's surgery, schools, old aged person's home, or any other such sensitive location as described in section 5.4 above.

This service operates 24 hours a day until this task has been completed.

6 Summary of Winter Service Operational Plan 2014-15

- 6.1 The Council subscribes to the Metrological Office forecasting service for its road weather information service.
- 6.2 In order to comply with legislation, the Council has established which highways are included in a programme of treatment during inclement weather.
- 6.3 Transport for London is responsible for the winter maintenance of their road network (Red Routes). Lewisham prioritises the public highways for winter gritting. There are four categories of public highway salting routes as defined below.
- 6.3.1 **Primary Salting Routes** have been defined from a hierarchy of carriageways and take account of both strategic and local needs as follows:-
- (i) Principal Roads;
 - (ii) Local Distributor Roads and other busy roads;
 - (iii) All bus routes and Emergency Service priority routes;
 - (iv) Other locations with access problems, such as those with steep gradients; Roads serving large schools, industrial estates and shopping areas.
- 6.3.2 **Secondary Salting Routes.** When snow is forecast or has settled, these roads will be salted before operations are commenced on the remainder of the road network. These routes take account of:-
- (i) Other roads with gradients;
 - (ii) Other schools and colleges;
 - (iii) Clinics, Day-care Centres, premises used by 'Special Needs' groups and other premises accessed by the Council's Door2Door service.

6.3.3 Exceptional Salting Route. This route can be specified if the weather forecast is marginal. This concentrates on exposed areas and areas where there are the steepest hills. The areas included are:-

- (i) Blackheath,
- (ii) Blythe Hill,
- (iii) Forest Hill and Sydenham, west of railway line,
- (iv) Hilly Fields,
- (v) Telegraph Hill.

6.3.4 Resilience Salting Routes have been devised under advice from the London Local Authority Co-ordination Centre. The network defined is less than that for Primary Routes, as follows:

- (i) Principal Roads;
- (ii) Local Distributor Roads and other busy roads;
- (iii) All Emergency Service priority routes.

These routes would be used only when salt stocks become critically low, to ensure that the strategic road network is kept clear. The Emergency Planning Officer will liaise with LLACC to ensure that they are aware of the Council's salt stocks and any other issues that could prevent the Council from fulfilling its obligations. During snow emergencies, LLACC will monitor salt stock levels throughout London.

6.4 Treatment for off- highway areas is only carried out where it is considered a higher priority over the remaining highway work. Such work to be carried out by the Contractor will require additional funding and a variation to the highways contract. All other Council winter treatment work in housing estates, parks and educational establishments will need to be through the use of non-highways resources. During the winter, there is often a demand for salt to be provided at schools, day centres, libraries, aged persons homes, and neighbourhood offices. The Winter Service Manager (who is also the Asset Manager) can be contacted by these establishments for the provision of a salt bin or bagged salt prior to the winter period and recharge the contract costs.

6.5 The winter gritting service is operationally carried out by the Contractor (F M Conway Ltd) under the Highways Maintenance and Planned Works Contract. The Contractor takes responsibility for all salting throughout the winter service season. Their operatives are required to have City and Guilds 6159 qualifications.

- 6.6 The start of the winter service will be agreed by 31st October and currently it is proposed to run annually from mid November for a period of 18 weeks. Additional weeks can be ordered through the highways contract.
- 6.7 The Council has a salt store at its Wearside Service Centre, Ladywell , London SE13 7EZ. It's capacity is 1300 Tonnes and will be fully stocked prior to the winter season. The salt is owned by the Council and is currently replenished through an arrangement with our supplier. Following the national shortage of salt stock during the winter of 2009/10, the Department for Transport proposed that regional stockpiles are set up to supply Highway Authorities. Transport for London set up a strategic stock pile in 2012, whereupon London Authorities are able to purchase salt from this stock. The cost from this supplier exceeds that from the salt provider that the Council currently uses. It is only to be used as an additional level of resilience to authorities when their own stockpiles are strained during periods of prolonged severe weather.
- 6.8 The Contractor can use Lewisham's telephone service contract with the Metrological Office to support the decision as to undertake salting as required by the Winter Service Operation Plan. The decision will be made by the Contractor to undertake salting but this will be ratified by liaison with Lewisham's Winter Service Duty Officer (WSDO)/Winter Service Manager. Where this decision differs the more cautious option will be taken and this process will be kept under review to ensure the outcomes meet Lewisham's requirements.
- 6.9 The Contractor provides salting and spot gritting as required through liaison with Lewisham's officers. This is limited to 7 days through the winter service season.
- 6.10 The Contractor and the Council Officers will monitor salt usage and the Council will re-order when the stockpile falls below a 625T. This trigger level may vary depending upon the delivery period and the severity of weather.
- 6.11 A pre- mobilisation workshop is planned for October between the Contractor and Lewisham Officers and will be undertaken to also review the contractual requirements. In addition further meetings are planned to ensure a state of readiness by the 31st October 2014. The Contractor is requested to provide a method statement and staff rota for the operation of various treatments as defined in the Winter Service Operational Plan.
- 6.12 Future revisions of the service proposed by the Contractor include that of combining routes with neighbouring Southwark and thus necessary revisions to the routes in Lewisham, the contractor to procure the salt, different treatment solutions and changes to Lewisham's existing established routes by amalgamating the primary and secondary salting routes. To date these proposals have not been developed nor have they been shown to demonstrate a cost saving to the Council. Other future amendments may be considered and included, subject funding; the use of mechanical footway spreaders, the

treatment of cycleways off the carriageway treatment routes, salt bins, inclusion of a comprehensive footway treatment programme.

7 Legal Implications

- 7.1 Section 41 of the Highways Act 1980 imposes a duty to maintain the highway on the relevant highway authority. Section 41(1A) imposes a specific duty to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice. The duty is not an absolute duty but the Council needs to demonstrate that it has acted within the bounds of reasonable practicality, having regard to the scale of financial and other resources available, in devising and implementing the Winter Service and responding to particular weather conditions and circumstances.
- 7.2 Section 150 of the Act imposes a duty upon authorities to remove any obstruction of the highway resulting from accumulation of snow or from the falling down of banks on the side of the highway, or from any other cause.
- 7.3 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.4 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 7.5 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 7.6 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory

code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

7.7 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

7.8 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8 Financial Implications

8.1 The 2014/15 revenue budget for the Winter Service is £174,000. This budget covers the purchasing of salt, the Metrological Office forecasting service and the gritting of the roads for 7 days during the winter season. Extra resources may be needed if there is an exceptional severe winter period like the one in 2010/11.

9 Environmental Implications

9.1 Low temperatures and the formation of ice can cause serious damage to the fabric of running services and accelerate damage of the network. Effective Winter Service can contribute to a reduction in whole life cycle costs and minimise damage to the environment whilst ensuring the reasonable operation of the highway network on a 24/7 basis.

9.2 As with depot facilities the Environment Agency (E.A.) is concerned about the environmental impact of salt storage, and the E.A.s "Pollution Prevention Guidelines Highway Depots: PPG10" says there is a risk of pollution of rivers and groundwater, due to the run-off from rock salt stockpiles. Uncovered roadside salt stores may cause localised problems and the Agency should be consulted about their location and the means of storage.

9.3 To be effective, salt shall be spread evenly and at rates to suit prevailing conditions. Spreading shall be undertaken by automatic machines. The controls of spreading machines shall be calibrated and clearly marked for

distinct rates of spread up to a maximum of 40 gms/m². Higher rates are unnecessary, wasteful and can be environmentally harmful. Care shall be taken to ensure that spread widths are neither too wide nor too narrow.

- 9.4 The existing salt store is roofed to accord with the Environment Agency's "Pollution Prevention Guidelines Highway Depots: PPG10"

10 Equalities Implications

- 10.1 Lewisham's Comprehensive Equalities Scheme (CES) 2012-16 describes the Council's commitment to equality for citizens, service users and employees. The CES is underpinned by a set of high level strategic objectives which incorporate the requirements of the Equality Act 2010 and the Public Sector Equality Duty. In relation to Lewisham's responsibilities as a Highways Authority, the following objective is relevant:-

- **To improve access to services**
Take reasonable steps to ensure that services are inclusive; responsive to risk; physically accessible and provided through the most efficient and effective channels available.

- 10.2 The Council's duty as highway authority is to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. The Council considers the best way of achieving this is by prioritisation of certain roads and footways based on risk assessment underpinned by the principles of the current national Code of Practice. The 'Well Maintained Highways Code of Practice for Highway Maintenance Management' was amended in November 2011.

- 10.3 London Footways Resilience Areas are the minimum footway areas within Greater London to be treated when the resilience state has been triggered, so that core essential services can operate. The resilience areas should include locations which have either exceptionally high usage or are primary pedestrian routes, providing access to key services, including:

- Hospitals;
- Medical centres;
- Key employment sites;
- Primary and Secondary schools; and
- Town centres.

In addition, the footway resilience areas should include:

- Footways within key public transport interchanges and links between rail/underground/DLR stations and the closest bus stop on the road resilience areas; and
- Steep hills or other locations known to be unsafe for pedestrians in severe winter weather.

- 10.4 The 'Winter Service Operational Plan 2014-15' amalgamates the previous separate Winter Maintenance Policy and Plan documents and is designed to ensure that:
- The Council has a developed policy and operational plans, in consultation with users and other stakeholders, based on principles of risk assessment, defining the extent of the service and these are widely known by users together with relevant advice on safe use of the network;
 - There is continuous monitoring of performance during service delivery and that the contractor can respond effectively to changing conditions or network incidents.
- 10.5 The Council's policy is to prioritise the work to try to ensure that resources are directed at the most important areas first. In terms of footways the Council's operational policy is targeted at schools, sheltered care centres, hospitals, large shopping areas, railway stations, & other such locations.

In Ice and Snow conditions treatment will first be allocated to footways in:

- major shopping streets
- railway and DLR station approaches.
- bus station/terminus approaches
- hospitals.
- subway, footbridges, pedestrian crossings.

This policy is reflected in the salting schedules for Primary, Secondary (schools, colleges, special needs centres and other roads with steep inclines) and Resilience routes.

- 10.6 The government issued guidance to members of the public on self-help at the end of October 2010 and this is still currently available and is referred to on the Council's web page.
- 10.7 Appendix B is The Winter Maintenance Plan EAA.

11 Crime and Disorder Implications

There are no crime and disorder implications resulting from the proposed Winter Service Operational Plan 2014-15

12 Background documents and originator

Short Title Document	Date	File Location	Contact Officer	Exempt
Winter Service Operational Plan 2014-15 Unrestricted Version	October 2014	http://www.lewisham.gov.uk/	Kishorechandra Vora/	

If you have any queries on this report, please contact Tom Henry or Kishorechandra Vora Tel No. 0208 314 2591, Transport, 4th Floor, Laurence House, Catford, SE6 4RU.

Appendix A Executive Summary Winter Service Operational Plan 2014-15

1) Introduction

Highway Authorities are under legal obligations to keep streets free from ice and snow, so far as reasonably practicable, and to keep networks open for traffic (including pedestrians). The Lewisham Winter Service Operational Plan is a document that sets out Lewisham Council's detailed arrangements to meet these obligations.

In July 2005 a revised code of practice for Highways Maintenance was published by the Roads Liaison Board (UKRLG) as "Well Maintained Highways". This document outlined national best practice including recommended actions to be taken for winter service, (contained within Section 13 of the "Well Maintained Highways.". Due to the severe winter in 2008/2009 this Section of the Code of Practice together with Appendix H of the same code were totally revised and published in December 2009. There was further guidance issued as a result of the even more severe winter weather in 2009/2010 and a further amendment of Section 13 and Appendix H issued on 29th November 2011. On 18th September 2013 a complete revision of Appendix H was published.

The guidance and recommendations contained within the revised Appendix H relate to national Best Practice and it is recognised that local circumstances, including financial and other resource constraints, as well as political influences etc. can vary widely across the country. The document states that "Authorities and operators will need to take all of these factors fully into account, when devising and revising their Winter Service policies and plans. Some of the recommendations and practices will, if adopted, also take a number of years to implement. For example, it is recognised that, in certain cases it could potentially take up to around 10 years or so for a major programme of change to be fully implemented."

It goes on to say "It is suggested that authorities and other winter service providers review their policies and practices against the content of this document with a view to identifying and explaining any significant variance and, where appropriate, develop time tabled implementation plans for the adoption of the detailed national best practice guidance and recommendations."

The idea behind the operational recommendations in the current Appendix H is to achieve savings, increase resilience and improve service levels. In light of the expectation, quoted above, that implementation of the

changes might take a number of years, the Appendix H recommendations have been tabulated and a suggested "review and implement" date listed. This programme should be reviewed on an annual basis as part of the ongoing review of this Operational Plan.

The government issued some guidance to members of the public on self help at the end of October 2010 and this is still currently available on the http://webarchive.nationalarchives.gov.uk/20121015000000/www.direct.gov.uk/en/NI1/Newsroom/DG_191868 and is also given in section B5. The headline states "Anyone can clear snow and ice from the pavement outside their home or public spaces to prevent slips and falls. Follow the snow code to clear snow and ice safely." This gives a clear message to the public and is helpful to ensure that anyone in the Council is aware of and can advise accordingly.

2) Synopsis

Lewisham's Winter Service Operational Plan has, as previously mentioned, been developed over a number of years taking into account previous codes of practice. This Operational Plan includes the latest recommendations the first being;

"Authorities should formally approve, adopt, and publish, in consultation with users and key stakeholders, a Winter Service Operational Plan, based on the principles of this Code."

Lewisham has already carried out consultation and is continuing consultation with affected stakeholders; this is an ongoing process and will be continued as necessary.

Another recommendation of the code is to review the Operational Plan annually, to ensure that it is current and that new technologies and methods are considered.

Commitment to and observance of this Operational Plan will assist the Council in defence or mitigation of third party claims arising from the Council's Winter Service operations, including those that may go to court.

3) Methodology

The Lewisham Winter Service plan is a detailed technical document which sets out how Lewisham Council provides its Winter Service. Under the terms of the Freedom of Information Act 2000 it is publically available.

The method in determining which parts of the Lewisham Street Network (LSN) which need treating is a prioritised risk based approach. The LSN is a complex mix of road network hierarchy and footway network hierarchy.

The road network and footway network have been broken down from the most heavily used roads and footways to the least used roads and footways. The method used is risk based, this is where all streets are assessed and scored on their risk if the street is not treated. It is not possible to treat every street in the borough, this is summarised in the policy statement below. (However in a period of prolonged settled snow all streets would be treated in a priority order once there was assurance that the Primary and Secondary priority routes were clear.) Lewisham receives its weather forecasting information from the Met Office; when the information indicates the appropriate low temperatures or a risk of snow, action will be taken to implement the Winter Service activity as set out in this Operational Plan.

4) Policy Statement

SUMMARY:

Lewisham Council's policy is to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. The Council considers the best way of achieving this is by prioritisation of certain roads and footways based on risk assessment. The detailed operational procedures are covered by the Winter Service Operational Plan which is revised and published each year.

Fuller statement:

Lewisham Council policy is to prioritise Winter Service treatment to try to ensure that resources are directed at the most important areas first. Therefore priority routes are agreed for both carriageway and footway salting.

Salt bins have been provided historically to enable the operatives to get at salt quickly and prevent bags of salt having to be provided by a vehicle. Lewisham policy is to pre-salt, wherever possible, the main routes before ice forms or snow falls, and when severe frost is forecast the footways will also be treated as soon as the workforce are available, in a pre-determined priority order. The gritting of the footways is carried out by the council's cleansing section.

In Lewisham certain main routes are under the control of Transport for London (TfL) as the Highway Authority. These roads form part of the Transport for London Road Network (TRLN). It is TfL's duty to treat carriageways and footways on the TLRN, even though Lewisham Council cleans the Lewisham TLRN. Therefore Lewisham Council's policy is for the cleansing operatives normally working on the TLRN to be sent to other areas to work on the priority routes on the Lewisham network. Certain locations are treated in isolation rather than as routes based on risk assessment so as to ensure these locations are treated as quickly as possible. In general these include pedestrian steps or ramps, and areas outside key rail and tube stations.

As a policy, cycleways will not be treated separately from the road or footway prioritisation, due to it being operationally very difficult to send a gritter down such routes. It could also mislead people into thinking that when part of a cycle route had been treated as part of the carriageway salting that the whole cycleway has been treated. The question on whether it is sensible to encourage the riding of a bicycle in such weather also is of concern. This policy will be reviewed if new methods of treating such routes become available at the discretion of the Asset Manager. The current practice is that cycleways will not be treated unless it is part of existing salting routes where gritters are able to gain access.

As a policy Lewisham will prioritise the Highways, using all the staff normally working on the Highways and will use the off-Highways related staff to carry out other Council winter treatment where appropriate. The exception to this will be where the only available plant is required off highway for treatment that is considered to be a higher priority than the remaining highways' work at the discretion of the Asset Manager. The reference to staff includes individuals directly employed by the Council and also individuals employed by contractors to the Council.