

Report of the Strategic Director of Place to the meeting of Executive to be held on 11 September 2018

N

Subject:

Winter Service Plan 2018-19

Summary statement:

The Council has a duty to develop and implement a Highway Services Winter Service operational plan to ensure that as far as reasonably practicable traffic keeps moving even in unforeseen weather conditions and that safe passage is not endangered by the presence of snow or ice.

This report details the arrangements which have been incorporated in the years' Highways Services Winter Service Plan to discharge this duty. It outlines the changes to the plan which have been made as a result of the reviews of winter 2017-18 operations and details how the plan complies with the new Code of Practice for Well Managed Highways Infrastructure.

Steve Hartley
Strategic Director of Place

Report Contact: Richard Gelder
Highways Services Manager
Phone: (01274) 437603
E-mail: Richard.Gelder@bradford.gov.uk

Portfolio:

Regeneration, Planning & Transport

Overview & Scrutiny Area:

Regeneration & Environment

1. SUMMARY

- 1.1 The Council has a duty to develop and implement a winter service operational plan to ensure that as far as reasonably practicable traffic keeps moving even in unforeseen weather conditions and that safe passage is not endangered by the presence of snow or ice.
- 1.2 This report details the arrangements which have been incorporated in the years' Winter Service Plan to discharge this duty. It outlines the changes to the plan which have been made as a result of the reviews of winter 2017-18 operations and details how the 2018/19 plan complies with the new Code of Practice for Well Managed Highways Infrastructure.
- 1.3 Executive's approval to this years' plan is sought including the adoption of a process for dealing with increases to the identified treatment networks in response to requests received during the winter season.

2. BACKGROUND

- 2.1 The Council as Highway Authority has a statutory obligation under Section 41 of the Highways Act 1980 to maintain the highway. The introduction of new legislation (Railways and Transport Safety Act 2003, Section 111) extended the requirements of Section 41 of the Highways Act 1980 to place a duty on the Highway Authority to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. Bradford Council undertakes a Winter Service on nearly 704 miles of roads within our network equating to 62% of the entire network.
- 2.2 To assist in meeting the legal requirements above the Department for Place produces an annual Winter Service Plan which describes what steps will be taken to maintain the local road network free from ice and snow as far as it is reasonably possible. The plan is primarily based on a route treatment hierarchy where priority routes have been determined depending on such factors as traffic volumes, bus routes, access to schools, shops and medical centres etcetera.
- 2.3 In October 2016 a new national Code of Practice, Well Managed Highway Infrastructure, was launched making 36 recommendations on the operation of asset management and associated activities, including winter service operations, which must be adopted by authorities by the October 2018 deadline. The code requires that:

"Authorities should formally approve and adopt policies and priorities for Winter Service, which are coherent with wider objectives for transport, integration, accessibility and network management, including strategies for public transport, walking and cycling. They should also take into account the wider strategic objectives of the authority."
- 2.4 The Civil Contingency Act 2004 requires a Local Authority as Category 1 responder to plan for a range of emergencies, including prolonged extreme or adverse

weather. This Plan sets out how Bradford Council will respond to such situations; and its particular arrangements for maintaining, as far as is reasonably practicable, a free flowing highway network which is part of its Winter Service Policy.

- 2.5 During last year's winter season the service carried out 92 treatments of the Priority 1 network using 19,000 tonnes of salt with the majority of this (13,215 tonnes) consumed between January and March. In terms of these metrics last year was the third worst winter in the last 10 years and placed extreme stress on the service in terms of delivering the service in the light of reduced resources.

3. OTHER CONSIDERATIONS

- 3.1 Winter Service deals with regular, frequent and reasonably predictable occurrences like low temperatures, ice and snow, as well as with exceptional events. Whilst the effects of climate change are likely to result in an increased frequency and intensity of severe weather events, these can be taken into account in Winter Service planning. Therefore any Winter Service Plan should be subject to an on-going regime of plan, deliver, review and improve.
- 3.2 The purpose of the Winter Service Operational plan is to clarify both the standard and extent of the Winter Service the Council will provide by:
- ☐ Maintaining key elements of the highway network and facilitating public transport's accessibility;
 - ☐ Assisting business continuity and resilience to other public sector and private sector service providers;
 - ☐ Confirming which areas will receive winter service provision;
 - ☐ Providing residents, community groups and businesses with information to ensure they can adequately prepare themselves.

Review of the Winter Service Plan 2017-18

- 3.3 At the start of the winter 2017/18 season the Priority 1 network comprised 62% of the highway network which was the highest level of precautionary treatment in West Yorkshire. The ability of the Council to undertake this level of treatment was achieved through effective design of treatment routes which demonstrated that in average operating circumstances the service could be provided within the budget envelope for winter service. However as was noted previously the 2017/18 season was the third worst winter in the last 10 years and was not average in terms of the demands it placed on the service. Conditions were particularly extreme at the end of February and beginning of March with two weeks of constant snowfall.
- 3.4 Whilst weather conditions throughout the district in the last three months of the winter season placed a number of stresses on the Council's provision the service was able to respond to these effectively and ensured that the majority of the priority treatment network was available for residents and businesses to use.

- 3.5 A requirement of the new Code of Practice is that there is an effective review of the winter season undertaken and any key learning points from operations are effectively captured and improvements to the service provision made. This years' Winter Service Operational Plan has been fully refreshed following a series of review workshops which captured areas for improvement. These workshops comprised:

- ☐ Emergency Planning Severe Weather March 2018 multi-agency debrief;
- ☐ Fleet and Transport Services review of winter operations audit; and
- ☐ Winter Service review workshop held in May 2018 involving representatives from Fleet Services, Emergency Planning, Finance, Parks & Landscape, Area Co-ordinators offices, Customer Contact Centre and Media and Communications together with operational team members and highways services management

A range of issues and improvement ideas were captured during these sessions for consideration for inclusion in this years' plan.

- 3.6 Key areas of issues or areas for improvement broadly fell into the following categories:

- ☐ Co-ordination of response to winter weather across multiple agencies;
- ☐ Staff resource availability (operational and management support);
- ☐ Communications both internally and externally;
- ☐ Process for dealing with variations to Winter Service Operational Plan;
- ☐ Weather Forecasting; and
- ☐ Managing public expectations.

- 3.7 The Council also had a significant number of new users of the severe weather e-bulletin service on the Bradford App during the winter and have subsequently received positive feedback about the content. This is an area of improvement which will be strengthened further as part of the 2018/19 plan.

New Code of Practice

- 3.8 As described previously a new Code of Practice (Well Managed Highway Infrastructure) was launched by the Department for Transport in October 2016. This code contains 36 recommendations relating to the approach to be adopted by highway authorities in managing their highway assets. A section of this code specifically relates to the Winter Service operations and makes recommendations in relation to the development of a Winter Service plan. The 2018-19 plan has now fully adopted these recommendations including those which were not covered previously in the 2017-18 plan, namely:

- a) Extended communication of the Winter Service Plan;
- b) Use of risk assessments to establish which routes should be included in the

- Priority treatment programmes. In particular the treatment of footways and cycle routes must be considered taking into account the risk to all highway users and consideration of the available resources;
- c) Inclusion of training plan proposals for staff involved in the provision of the winter service including both formal qualifications and practical experience training;
 - d) Salt management and arrangements for salt storage; and
 - e) Arrangements for the post-season review of winter service operation and demonstration of improvements in the plan as a consequence of the review.

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1 The cost of the Winter Service 2017-18 was £1,360,858 against a budget allocation of £840,700. The significant overspend (£520,158) in provision of this service has been examined to fully understand whether the existing financial and operational controls were sufficiently robust to manage delivery of the service within the budget envelope. The duration and intensity of snow / icy conditions contributed to the overspend.
- 4.2 Previously the main staffing resources from the delivery of the Winter Service were provided from within the Highways Delivery Unit of the Planning, Transportation & Highways Service. This year in addition to these resources the service will be utilising a “pool” of appropriately trained drivers from within other areas of the service and wider Department of Place to provide resilience to the delivery of the function. Details of the resources which are available to provide the winter service function are contained within the Winter Service Operational plan.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 Planning for the delivery of the Winter Service is inherently difficult as it is impossible to forecast with any accuracy at the start of a season the likely level of service which is required. Historically the district has benefited from a number of years where weather conditions did not require significant levels of action and budgets were not exceeded. However, in 2017-18 the prolonged period of snow and ice experienced in West Yorkshire together with a number of intensive accumulation events resulted in the net overspend of the budget by some 61.8%.
- 5.2 This years’ plan contains a number of enhancements to the governance of the winter service operation including arrangements for dealing with prolonged periods of inclement weather (4 or more continuous days) in addition to introducing the role of Winter Resilience Champion for the Council. This role will be performed by the Strategic Director of Place who will have responsibility for ensuring effective co-ordination of service responses across the Council.

6. LEGAL APPRAISAL

- 6.1 Section 41 of the Highways Act 1980 states that the Highway Authority has a statutory duty to maintain the highway and must at all times take reasonable care to ensure that the highway is not dangerous. Section 150 of the Highways Act 1980 imposes a duty upon authorities to remove any obstruction on 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”.
- 6.2 The Railways and Transport Safety Act 2003 (section 111) has inserted an additional section (41(1)) to the Highways Act 1980 which places a duty on Highway Authorities in respect of winter conditions. In particular, it states ‘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’.
- 6.3 All the actions proposed are within the Council’s powers and/or duties as Highway Authority. There are no direct legal implications.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

The provision of the winter maintenance service considers the needs of vulnerable groups and isolated communities.

7.2 SUSTAINABILITY IMPLICATIONS

The winter maintenance service contributes to the sustainability of the District by ensuring that vital road links remain viable during winter conditions.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

There are no greenhouse gas emissions impacts arising from this report.

7.4 COMMUNITY SAFETY IMPLICATIONS

A robust and deliverable winter maintenance policy contributes towards ensuring community safety in periods of adverse weather. The winter maintenance service makes a huge contribution to the safety of the travelling public. As far as practicable, measures should contribute to protect as many as possible with particular consideration being given to the most vulnerable.

Failure to maintain a robust and deliverable winter policy/plan could jeopardise the Council’s ability to comply with its legal duty to maintain its highway in periods of adverse weather.

Arrangements for the self-help community Snow Warden scheme have been revised and clarified within this year’s plan. As in previous years a proportion of the Winter Maintenance budget has been assigned to providing replacement PPE and equipment to existing teams, together with equipping new teams to enable them to carry on providing this service. Currently there are 70 groups across the district

who have been allocated resources.

7.5 HUMAN RIGHTS ACT

There are no direct Human Rights Act implications arising from this report.

7.6 TRADE UNION

Trade unions are and will be continue to be consulted as part of the actions being taken to regularise the contracts of employment and terms and conditions for all staff engaged on winter service operations.

7.7 WARD IMPLICATIONS

There are no ward implications arising from this report.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS

Not applicable.

7.9 IMPLICATIONS FOR CORPORATE PARENTING

There are no implications for corporate parenting arising from this report.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

There are no issues arising from the privacy impact assessment arising from this report.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

- 9.1 Executive may decide to adopt the proposed Winter Service Plan 2018-19 as appended to this report; or
- 9.2 Alternatively, Executive may decide to modify the contents of the Winter Service Plan 2018-19 prior to its adoption.

10. RECOMMENDATIONS

- 10.1 That Executive approves the adoption of the Winter Services Plan 2018-19 and that a copy of the approved plan be placed on the Council's website in accordance with the requirements of the Code of Practice for Well Managed Highways Assets.
- 10.2 That in addition to placing the Winter Service Plan 2018-19 on the website electronic copies of the plan shall be circulated to all senior managers, elected

members, parish and town councillors prior to the commencement of the winter season.

- 10.3 That the Strategic Director of Place in consultation with the Portfolio Holder be delegated responsibility for consideration and approval of all requests relating to changes of the length and scope of treatment routes described and shall exercise due diligence in relation to such decisions in relation to the budget implications of such.
- 10.4 That the Strategic Director of Place in consultation with the Portfolio holder be delegated responsibility to make any necessary amendments to the Winter Services Plan and its policies.

11. APPENDICES

Appendix A – Equalities Impact Assessment

Appendix B – Winter Service Plan 2018-19

Appendix C – Winter Service Plan – Non-Technical Summary

12. BACKGROUND DOCUMENTS

- 12.1 Winter Service Plan 2017-18 – Report of the Strategic Director of Place to the meeting of Executive dated 5 December 2017.
- 12.2 Winter Preparedness - Report of the Assistant Director, Transportation and Highways to the Regeneration and Economy Overview & Scrutiny Committee dated 16 September 2010.
- 12.3 Winter Maintenance Preparedness – Report of the Strategic Director of Regeneration to the meeting of Executive dated 3 December 2010.
- 12.4 Review of Winter Service – Report of the Assistant Director Planning, Transportation & Highways to the Regeneration and Economy Overview & Scrutiny Committee dated 7 July 2011.
- 12.5 Update on Winter Service Review - Report of the Strategic Director of Regeneration and Culture to the meeting of Regeneration and Economy Overview & Scrutiny Committee dated 27 September 2012.
- 12.6 Highways Act 1980, Section 41.
- 12.7 The Railways and Transport Safety Act 2003, Section 111
- 12.8 Code of Practice for Highway Maintenance Management – ‘Well Managed Highway Infrastructure’
- 12.9 Winter Service Guidance for Local Authority Practitioners, October 2010

12.10 National Winter Service Research Group (nwsrg.org)

12.11 Initial Equalities Impact Assessment

APPENDIX A – Equalities Impact Assessment

Equality Impact Assessment Form

Department	Place	Version no	1.0
Assessed by	Richard Gelder	Date created	08/11/2017
Approved by	Julian Jackson	Date approved	23/11/2017
Updated by	Richard Gelder	Date updated	08/08/2018
Final approval	Julian Jackson	Date signed off	

The Equality Act 2010 requires the Council to have due regard to the need to

- ☐ eliminate unlawful discrimination, harassment and victimisation;
- ☐ advance equality of opportunity between different groups; and
- ☐ foster good relations between different groups

Section 1: What is being assessed?

1.1 Name of proposal to be assessed.

Winter Service Plan 2018-19.

1.2 Describe the proposal under assessment and what change it would result in if implemented.

The aim of the Winter Service Plan is to ensure that City of Bradford Metropolitan District Council as Highway Authority fulfils its legal obligations contained in the Highways Act 1980.

The Winter Service Plan states how the Council will maintain the highway network of carriageways, footways and cycle routes during periods of cold weather, when ice and/or snow may be expected to disrupt movement on the highway network throughout the district.

The Winter Service Plan for 2018-19 has been fully updated to include changes to the following aspects of the previous arrangements, namely:

- ☐ Definition of the Priority treatment network.
- ☐ Review of salt stocks and resilience.
- ☐ Arrangements for weather forecasting and bureau services.
- ☐ Arrangements for increased service resilience for prolonged (4+ days consecutive duration) of inclement weather.

APPENDIX A – Equalities Impact Assessment

- Full incorporation of recommendations arising from the new Code of Practice: Well Managed Highway Assets published in October 2016.

The Winter Service aims to ensure that during periods of cold weather carriageways, footways and cycle routes are maintained free from ice and snow, where practicable, and within financial constraints. The Service is the council's response to the Highways Act 1980 and other legislation obliging the council to deal with snow, ice and other obstructions on the highway.

The desired outcome of the Service is that delays and accidents are prevented on the highway network. This will then minimise the number of claims made against the authority for failure to carry out its legal obligations, thereby saving the council tax payers money. The Service will also minimise personal injuries with consequential benefits for individuals who could have been injured in hazardous conditions. The Service is planned to maintain access to all parts of the City as far as possible during the periods of inclement weather so that normal life can continue for all citizens.

The Service improvements outlined in the new plan are aimed at improved coverage of the network and better ability to respond to changes in weather and marginal forecasts.

Section 2: What the impact of the proposal is likely to be

- 2.1 Will this proposal advance equality of opportunity for people who share a protected characteristic and/or foster good relations between people who share a protected characteristic and those that do not? If yes, please explain further.**

The Winter Service is planned to treat all communities equally and provide good access into each local area irrespective of weather conditions. By treating bus routes as a priority which cover the city fairly uniformly the Service provides an equal service for everyone. There is no specific data on how the policy affects various sectors of the community. The Council's website and use of social media provide avenues for anyone to communicate with the Council in relation to winter operations.

- 2.2 Will this proposal have a positive impact and help to eliminate discrimination and harassment against, or the victimisation of people who share a protected characteristic? If yes, please explain further.**

No

- 2.3 Will this proposal potentially have a negative or disproportionate impact on people who share a protected characteristic? If yes, please explain further.**

There is no information available. However, with finite resources to carry out the

APPENDIX A – Equalities Impact Assessment

service, only those parts of the network meeting the criteria are included. This may mean that certain groups of citizens or isolated communities who encounter problems where the network is not routinely treated. In this situation grit / salt bins may be provided to allow 'self-help'.

2.4 Please indicate the level of negative impact on each of the protected characteristics?

(Please indicate high (H), medium (M), low (L), no effect (N) for each)

Protected Characteristics:	Impact (H, M, L, N)
Age	M
Disability	M
Gender reassignment	N
Race	N
Religion/Belief	N
Pregnancy and maternity	N
Sexual Orientation	N
Sex	N
Marriage and civil partnership	N
Additional Consideration:	
Low income/low wage	N

2.5 How could the disproportionate negative impacts be mitigated or eliminated? (Note: Legislation and best practice require mitigations to be considered, but need only be put in place if it is possible.)

Mitigation includes provision of a wide range of outward facing communications on salting provision, including the dates, times and routes covered.

Section 3: Dependencies from other proposals

3.1 Please consider which other services would need to know about your proposal and the impacts you have identified. Identify below which services you have consulted, and any consequent additional equality impacts that have been identified.

None.

Section 4: What evidence you have used?

4.1 What evidence do you hold to back up this assessment?

All complaints about the service are kept on a database and reviewed as the winter season progresses. It has been identified that there are specific risk groups and that these groups need to be considered by specific managers.

- ☐ Clients of Social Services Department
- ☐ Clients of the Health Authority
- ☐ Council buildings
- ☐ Schools and other educational buildings

4.2 Do you need further evidence?

No.

Section 5: Consultation Feedback

5.1 Results from any previous consultations prior to the proposal development.

The Service has undertaken briefings of Area Committees, Parish Councils and some local rotary clubs following the 2017-18 season. These briefings have provided information on the Council's Winter Service Plan arrangements and how various forms of treatment actually deal with the accumulation of snow and ice. They have provided a useful forum to help the Service address misconceptions about how the Council responds in winter to difficulties of residents and communities moving around Bradford.

5.2 The departmental feedback you provided on the previous consultation (as at 5.1).

The arrangements for Winter Service have been communicated to representatives of the local community to aid understanding and reduce potential complaints about lack of service provision.

5.3 Feedback from current consultation following the proposal development (e.g. following approval by Executive for budget consultation).

None.

5.4 Your departmental response to the feedback on the current consultation (as at 5.3) – include any changes made to the proposal as a result of the feedback.

APPENDIX A – Equalities Impact Assessment

None