

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 10 August 2010.

PRESENT: Councillors Brunton (Chair), Councillors C Hobson, J Hobson, Kerr, Khan, McPartland (as substitute for Councillor Dryden), Purvis and Sanderson.

OFFICERS: J Bennington, I Busby, P Clark, B J Glover and M Robinson.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Cole, Dryden, Mawston, J A Walker and Williams.

**** DECLARATIONS OF INTEREST**

No declarations of interest were made at this point of the meeting.

WINTER MAINTENANCE – SCRUTINY REVIEW – INTRODUCTION

A report of the Senior Scrutiny Officer was submitted the purpose of which was to introduce the scrutiny topic of winter maintenance.

Although improvements continued to be made with regard to the prediction of weather it was acknowledged, that the prolonged exposure to the unprecedented severe weather during the last winter had caused disruption to services and raised concerns with particular regard to health and safety issues.

Local Councillors had raised concerns regarding the mobility of people in Middlesbrough and their safety as they travelled both in vehicles and by foot. The Board had subsequently agreed to undertake a scrutiny investigation to examine how the Council prepared for such occurrences and how it undertook its response.

The Board considered the following draft terms of reference: -

- a) To examine the Council's planning/policies in respect of vulnerable people.
- b) To assess the Council's policies for the maintenance of side roads/pavements.
- c) To look at other agencies, which work across other local authority boundaries and is the Council satisfied with the standard provided.
- d) To assess the placement of Grit Bins in neighbourhoods.

It was suggested that representatives of the following be invited to subsequent meetings on the review: -

- The Highways Agency
- Other local authorities
- Town Centre Management
- Age Concern
- Probation Service.

AGREED as follows: -

1. That the information provided be noted.
2. That the terms of reference for the Board's scrutiny investigation of winter maintenance as outlined be approved subject to the addition of 'highways' in respect of (b).
3. That representatives from the organisations as outlined plus Housing Associations and the Primary Care Trust be invited to attend subsequent meetings of the Board when considering winter maintenance.

WINTER MAINTENANCE

The Head of Transport and Design Services presented a report, which provided an outline of the current management and operation of the Winter Maintenance service and circulated information at the meeting on the gritting routes across the Town; examples of leaflets from other local authorities preparing residents on what to expect in terms of winter services; and a copy of an initial response from the Government following an independent review of the salt supply and use during the last winter season.

In terms of the legislative requirements Middlesbrough Council as Highway Authority had a duty to repair and maintain the highway in accordance with Section 41 of the Highways Act 1980. The Council also had additional duties under the Highways Act 1980 (Section 41 (a)) as amended by the Railways and Transport Safety Act 2003 in respect of snow and ice.

The duty was to ensure that so far as was reasonably practicable, that safe passage along the highway was not endangered by snow and ice. Members were advised that "reasonably practicable" and "endangered" were open to interpretation on the facts of each case, so in essence, the Council must show that reasonable steps had been taken to discharge the duty.

In addition, the Traffic Management Act of 2004 imposed a duty on local authorities to manage its Highway Network in order to minimise disruption to all road users including pedestrians and cyclists.

In practical terms, where a Highway Authority had a Winter Maintenance Plan in place and it was followed, this would generally be considered to have discharged the winter maintenance duty.

For a number of years, the Council had produced a Winter Maintenance Plan, which was made available to the public and published on the Council's website which was reviewed annually to take into account changes in the highway network, operational management, materials and plant, and emerging best practice.

It was acknowledged that the severe weather conditions had been unprecedented as most periods of snow would normally remain for about a week or so and not for 30 days as experienced during the last winter period resulting in a number of problem areas. As the snow had remained for a lengthy period of time it became more compact and hindered the clearance work and necessitated the use of additional equipment to break up the snow. During the severe weather conditions Ward Councillors had expressed concerns for residents with particular regard to the vulnerable and specific problems around transporting people attending hospital appointments and of support staff such as home helps gaining access.

Members asked the extent to which other departments were consulted upon in respect of the Winter Maintenance Plan. The Head of Transport and Design Services confirmed that consultation took place with Departments such as Social Care and Children, Families and Learning in respect of the Emergency Plan but not specifically the Winter Maintenance Plan which was broadly based along the following principles:

- The highway network was categorised into a hierarchy of relative importance and priority, which linked with other general highway maintenance principles, and Codes of Practice.
- Weather information from the Meteorological Office was the primary source of evidence informing the decision making process of when and where to invoke gritting/salting operations.
- Priority was given towards ensuring that the identified carriageway network was maintained safe and passable.
- Main/priority pedestrian routes were identified and scheduled in the plan for treatment when resources permitted.

- The Council's scheduled road and footway salting/clearance was supplemented by the provision of salt bins for public use on roads and footways, which were not included on scheduled gritting runs.

Members asked about the level of co-ordination in terms of the Winter Maintenance Plan with other departments and voluntary organisations. The Head of Transport and Design Services gave an indication of the mutual arrangements with other local authorities in particular Redcar and Cleveland in terms of the gritting arrangements and supplies of salt. It was considered, however, that there was scope for the communication arrangements between Officers across the Tees Valley to be on a more formal basis.

It was confirmed that decisions to commence salting operations were made by the Duty Manager (Infrastructure Services – Cargo Fleet Depot) in response to weather bulletins from the Met Office and predictions from the Ice Prediction System.

The following statistical information was provided: -

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|--|------------------------------------|
| Boulby Mine daily production: | 9000 Tonnes |
| Cargo Fleet Salt Barn Capacity: | 3000 Tonnes |
| Salt Deliveries to the Council: | 100 to 180 Tonnes/day as requested |
| Gritting Wagons (Capacity 8 Tonnes) | 5 + 1 held in reserve |
| Labour: | 3 shifts of 5 men on call out. |
| Priority 1 Gritting Routes | 5 No. (total 278 Km) |
| Priority 2 Gritting Routes | 3 No. |
| Average tonnage of Salt used per route | 40 Tonnes |
| Salt Bins: (Highway related) | 129 bins (start of winter 2009/10) |
| Average tonnage of Salt per refill of all bins | 70 Tonnes (2 days to complete) |
| Winter Maintenance Budget | £306,000 |

Highway Statistics

| | Kms | Miles |
|------------------|------------|--------------|
| Roads: | 503 | 311 |
| Footways: | 945 | 585 |
| Cycleways: | 31 | 19 |
| Alleys: | 35 | 22 |
| Gritting Routes: | 278 | 172 |

It was confirmed that the agreed price for the purchase of salt from the Boulby Mine was by means of the NEPO Contract.

Details were provided of the winter maintenance activities in respect of 2009/2010. The standby/call out arrangements for winter maintenance had commenced at the beginning of October 2009 and the duty officer rota had been initiated.

It was reported that 16 December 2009 was regarded as the start of what was considered to be the worst of the winter weather, lasting until 18 January 2010. During this period, 2 full gritting runs were carried out involving gritters being utilised for around 6 hours each and on the worst day, for around 14 hours each. The operations continued well into February before the frequency had reduced. It was confirmed that during this period, salt stocks had been put under severe strain and ran low on a number of occasions due to small but frequent deliveries as a result of national priorities being established.

It was noted that the effect of the severe weather in Middlesbrough had been very similar to that in other parts of the Country, as indicated in the local and national press and media, and consequently salt stocks were being expended. In recognition of this, the Government had introduced meetings of the 'Salt Cell' which had concluded that due to the prolonged nature of the severe conditions, the country's salt supply had been unable to meet demands during such events. In one 24-hour period, some 194,000 tonnes of salt had been spread nationwide whereas the maximum daily production of salt within the UK was 12,000 tonnes. There had subsequently been a Government direction for Councils to reduce usage by 40 to 50%. The need for prudence

regarding salt stocks had resulted in a temporary suspension of refilling of the salt bins during the worst of the winter weather. Reference was made to other steps which could be taken such as reducing the application spread rate; reducing the network covered; and negotiating with other authorities regarding salt supplies should the need arise in exceptional circumstances.

As a consequence of the national supplies being under severe pressure, the Salt Cell advised authorities that they should place orders during the summer season in order to build up supplies of salt that could be better controlled during the winter season. It was confirmed that orders for salt had already been placed with the Boulby Mine.

Reference was made to a review panel, which had been established by the DfT and the subsequent compilation of a draft report on the resilience of the UK's transport systems in the winter. The Secretary of State for Transport had now responded to the draft Review Panel Report and a final report was expected in the autumn. A copy of the initial response and recommendations was circulated at the meeting.

During the period of unprecedented weather conditions, the Council's Call Centre had received a high volume of calls, for snow clearance/gritting (over 350) and requests for additional salt bins (around 400). In terms of snow clearance, the snow at times had been so deep and ice so compacted away from the Priority routes, that ploughs had been ineffective and JCBs had had to be deployed.

A Member requested that the provision of additional salt bins be examined in certain areas especially where there was a predominance of elderly residents and suggested the use of grants given to Community Councils to assist in this regard where appropriate. The Officers confirmed that regrettably a number of salt bins had been misused and contents taken for private use. It was also explained that when salt stocks were low a salt/sand mix was used for salt bins, which because of its heavier nature could result in other problems with particular regard to its impact on drains.

It was confirmed that requests for additional salt bins had been judged in accordance with the assessment criteria given in the Winter Maintenance Plan. Members were advised that salt bins could only ever be used for treatment of small, discrete areas such as inclines or difficult road turns and were unsustainable in extreme circumstances as salt needed vehicles to work it in to be effective. It was noted, however, that the criteria for allocating sites for salt bins was being revised as part of the review of the Winter Maintenance Plan.

Manual snow clearing of footpaths had been undertaken when operatives had been prevented from carrying out normal duties as a result of bad weather. As previously indicated, in normal circumstances snow or ice remained only for a few days, and therefore very little manual snow clearance took place. The conditions had been so severe that manual labour had been deployed on a number of times and at its peak, over 60 employees had been employed in clearing footpaths and other priority pedestrian areas, and side roads which were not usually part of gritting runs.

Members sought clarification on the extent of the Council's vehicles and appropriate equipment to cope with the demands of such severe weather conditions. Details were given of the vehicles, which had been utilised and specific reference made to improvements made to mechanically modify certain vehicles with the provision of new blades, which speeded up the process of clearing the snow. It was acknowledged that the overall budget (£500,000) was an issue with the bulk of costs relating to labour and £35,000 for the purchase of new blades for the snow ploughs.

Priority 1 routes and Bus routes had generally been kept open, which amounted to over half the road mileage within the Town.

Emphasis had been given to priority routes in accordance with the plan, and footpaths too had been cleared in accordance with those scheduled, but there had been some concerns expressed that social issues may need more thought to ensure that priorities and schedules were not wholly driven by highway network priority. It was considered that this must also introduce the concept of self-help and "good neighbour" schemes and how to better engage a greater community spirit to assist in clearing estate roads, footpaths and access to people's front doors. Members supported such a scheme especially in areas known to have particular access problems for gritting purposes. Reference was made to concerns which had been expressed by members of the public of potential

liabilities should someone be injured following a slip on a path which they had cleared of snow. It was noted that further Government guidance was to be issued around such responsibilities in relation to appropriate clearing of paths.

It was noted that the weather conditions between mid December 2009 and Mid January 2010 had been recognised as being the worst for some 30 years, and the severity and prolonged conditions had placed a strain on the Council's ability to deliver its commitments detailed in the Winter Maintenance Plan.

Given such extreme weather conditions Members indicated that Officers had handled and responded well to the difficult situation but agreed that lessons could be learned from the Winter Maintenance operations of 2009/10 as a result of comments from operational staff, requests from members of the public, and comments from stakeholders. Some of these issues related to the escalation of response and clearer information for the public as to what the Council could and would provide. Members supported the extent to which Councillors had been kept informed of the situation and agreed that such action should be undertaken as a matter of course in such circumstances. It was acknowledged that the weather dictated what action should be taken and it was not always clearly noticeable, for instance, when gritters had been utilised. It was suggested that issues such as the type and level of information provided to Members, the public, use of press statements, details provided on the Council's website, production of information leaflets on winter precautions could be an area for the Board's scrutiny examination.

In terms of the future response to similar weather conditions it was suggested that there was scope to consider further the sharing of problems not just with Council departments but also the Primary Care Trust in terms of the adult care and the feasibility of schools being in a position to assist themselves to a greater extent. A Member also suggested that the feasibility of schools taking additional pupils in exceptional circumstances when pupils couldn't gain access to their normal school should be examined.

Mechanisms for Escalation of response and comments received from the Town Centre Partnerships, members of the public, the Falls Group and other stakeholders were being examined as part of the annual redraft of the Winter Maintenance Plan expected late September and early October. Members asked if a copy of the draft could be made available to the Board.

It was considered important that strategies were in place to increase the ability to reduce the impact of severe weather conditions on particularly vulnerable residents. It was felt that the relevant policy documents should clearly set out the joint working arrangements in this regard with key partners such as the Council's Social Care department and the South Tees Hospitals NHS Foundation Trust in respect of James Cook University Hospital.

AGREED as follows: -

1. That the Officers be thanked for the information provided which would be incorporated into the overall review.
2. That representatives of Town Centre Management be invited to the next meeting of the Board when considering winter maintenance.