

OVERVIEW AND SCRUTINY BOARD

A meeting of the Overview and Scrutiny Board was held on 8 September 2010.

PRESENT: Councillors Brunton (Chair), Councillors Cole, Dryden, C Hobson, J Hobson, Ismail, Khan, Purvis, Sanderson, J A Walker and Williams.

OFFICERS: J Bennington, P Clark, A Hollifield and I McConville.

**** PRESENT BY INVITATION:** L Stainsby, Centre Manager, Captain Cook Square.

**** APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Kerr and Mawston.

**** DECLARATIONS OF INTEREST**

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

****MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on 10 August 2010 were submitted and approved as a correct record.

MATTERS ARISING – WINTER MAINTENANCE BUDGET

Reference was made to discussions at the meeting of the Board held on 10 August when considering winter maintenance and in particular information about the budget and expenditure of around £500,000. It was noted that the Head of Transport and Design Services had indicated that this was a significant increase and pressure on the budget allocation of £275,000.

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WINTER MAINTENANCE – TOWN CENTRE PERSPECTIVE

Following introductions and welcome the Chair and the Senior Scrutiny Officer reminded Members of the terms of reference of the current scrutiny review of Winter Maintenance and the purpose of the meeting in seeking a Town Centre perspective on the matter.

A report of the Town Centre Manager had previously been circulated which outlined the views from the Town Centre business community on 2009/2010 Winter Maintenance operations and identified issues and concerns, which were felt, should be considered in the development of the 2010/2011 and future Winter Maintenance Plans.

It was considered important that the Council's Winter Maintenance Plan was sufficiently robust to minimise the economic and social impact and enable Middlesbrough Town Centre to continue to perform its key role as the sub-regional centre for shopping and education and act as a major hub for cultural, social, business and community life.

It was confirmed that the weather conditions between mid-December 2009 and mid-January 2010 had been severe and prolonged and the performance of the Town Centre economy had consequently suffered. In January 2010 the number of people in the Town Centre had reduced by 5.3% compared to January 2009 in comparison with a 2.6% decrease nationally.

Despite this it was pointed out that there were still a substantial number of people in the Town Centre during such a period for working, shopping or leisure purposes the majority of whom were able to continue their normal activities but with added inconvenience. The implementation of the Winter Maintenance Plan ensured that the Town Centre coped reasonably well with the adverse weather.

During the severe weather conditions a number of key issues had been observed and reported by the Town Centre Management Team and discussions held with Town Centre businesses and representatives of the Town Centre Partnership to identify other issues.

Such issues included: -

- a) Key highway routes into and out of the Town Centre including key bus routes had generally been kept clear and free running which had assisted with accessibility to the Centre.
- b) During the busy pre-and post Christmas trading periods, car parking capacity was always limited but this had been exacerbated by snow and icy conditions on the top floors of the multi-storey car parks and the access/exit ramps which had necessitated the top floor of Captain Cook Square car park being closed for periods on a number of occasions.
- c) Although also accessed and exited by ramps the Mall and Hill Street Shopping Centre car parks had remained open and accessible for the majority of the period. Snow had been cleared using snow ploughing and gritting equipment. As elsewhere concern had been expressed about the ability to access rock salt supplies.
- d) Specific reference was made to the Winter Maintenance Plan, which identified that within the road hierarchy the first priority for gritting included:

‘ Footways serving town centre shopping precincts, major routes to commercial areas and routes to and from transportation centres (These will only be pre-treated on receipt of adverse weather reports e.g. snow, freezing rain).’

- e) The Plan also identified when snow clearance was necessary as follows: -

‘ Removal of snow from footways shall only be undertaken by labour employed on the highway in their day to day activities, but only when conditions are such that they cannot undertake their normal duties.....Activities initially shall be confined to those areas defined in Appendix 7 and in extreme circumstances will be approved to extend to locations shown in Appendix 7a.’

Most key routes within the Town Centre were listed in the appendices of the Winter Maintenance Plan. Extracts detailing the priority pedestrian routes for gritting and snow clearing were detailed in Appendix 1 of the report submitted.

- f) The Board was advised that during the period of adverse weather there hadn't been an apparent hierarchy of routes amongst the identified footways. It was considered that this had led to some disparity in the treatment of pedestrian routes with some pathways with relatively low use cleared such as Centre Square Boulevard whilst some areas with high levels of footfall had been dealt with as a lesser priority and left untreated such as Gilkes Street with around 10,000 people passing through per day.
- g) It was also stated that initially there had seemingly been very little gritting on some of the key routes such as Corporation Road, Linthorpe Road and the repeated melting and re-freezing of the snow cleared resulted in difficult slippery conditions underfoot.
- h) Reference was made to the Captain Cook Square Shopping Centre, which was an outdoor shopping centre providing a key pedestrian link between the bus station/ Captain Cook Square car park and Linthorpe Road. The Centre was in private ownership (part of Aviva Investment portfolio) and therefore treatment of the pedestrian routes was the responsibility of the shopping centre's management. It was pointed out that the Centre had generally been kept clear through the period although onward routes to other areas such as Gilkes Street as previously mentioned had been difficult.
- i) The Manager of the Centre had also expressed concerns about the lack of availability of salt/grit to the private sector and the impact that had on ensuring such a key route was cleared. Fresh snow had been left uncleared as this provided an easier walking route than ice and compacted snow beneath.
- j) During discussions at that time the Centre Manager had suggested that if additional salt/grit had been available they could have assisted the Council by helping to clear the adjacent areas of the pedestrian highway adjacent to the Shopping Centre.

- k) No provision had been made of salt/grit bins within the Town Centre for use by businesses to help them clear ice within the vicinity of their premises. As this was likely to have a major impact on pre-and post Christmas trading, the Town Centre Management Team, on behalf of businesses, had purchased a salt bin, located near BHS at the junction of Corporation Road and Linthorpe Road.
- l) It was pointed out that some retail stores may have been reluctant to help clear pavements outside of their premises as a result of confusing press coverage suggesting that businesses could be held liable for any injuries claim that individuals may pursue resulting from snow clearance.
- m) It had been suggested that steps should be taken to raise further awareness of the Winter Maintenance Plan to ensure that Town Centre businesses understood the measures put in place during severe and prolonged adverse weather conditions.
- n) It had been suggested that improved communication would not only help to manage expectations and reduce the number of complaints/comments from the business community but would also ensure that town centre businesses had effective plans in place to help the Council to deal with the situation within a clear and transparent framework.

From a Town Centre business perspective the key issues to be encompassed within a Winter Maintenance Plan were considered to be: -

- need to ensure highway routes into the Town Centre were clear and accessible;
- need to ensure pedestrian routes between key arrival/gateway points and key destinations were cleared for workers/shoppers and visitors;
- need to ensure that the grit bins were provided to help businesses take action outside their own premises;
- need to ensure that businesses were clear what action they could take;
- need to ensure that the plan was implemented and the Town Centre could continue to function despite prolonged periods of adverse weather.

Lynn Stainsby, Centre Manager, Captain Cook Square indicated that given the unprecedented weather conditions the Council and other organisations had coped well in difficult circumstances. Specific reference was made to a number of issues which had been raised as outlined above in particular no grit being available for Captain Cook Square for one week; very little storage facilities within the Town Centre for such materials; and concern that Gilkes Street with a footfall of around 10,000 people per day was not considered to be a high priority in comparison with other areas such as Centre Square Boulevard with less footfall. It was suggested that if a salt bin had been provided in Gilkes Street the businesses in Captain Cook Square could have helped with providing additional manpower to clear the snow/ice in such exceptional weather conditions.

Members sought clarification regarding the provision of salt for Captain Cook Square. It was confirmed that the normal stock of 30-40 kg bags of salt was usually adequate for the winter period. Given the overall pressures on supplies of salt private businesses were unable to order any more. In such circumstances and owing to a lack of manpower during such a period it had been decided to leave the fresh snow as this had provided an easier walking route than compacted ice. A supply of salt/grit material had subsequently been provided by the Council but was considered to be not useable in a pedestrian environment. Salt material dissolved unlike grit and therefore problems were caused by a build up of such material in gullies. It was noted that the ground floor businesses in Captain Cook Square had a canopy, which provided a three-metre clearance, and therefore only strategic pathways needed to be cleared.

Given the exceptional circumstances Members referred to pressures which had occurred on the local and national supplies of salt hence further work being undertaken at all levels to cope with future demands. Specific reference was made to the Council's draft Winter Maintenance Plan 2010/2011 which was shortly to be considered by the Executive Member for Streetscene Services and Transport. It was confirmed that the Executive Member had been advised of the current scrutiny investigation.

Anne Hollifield, Town Centre Management Operations highlighted some of the problems which had been experienced including the impact of less car parking provision with the closure on some occasions of the top floor of the Captain Cook Square car park; difficult pedestrian routes in Corporation Road and Newport Road; and the lack of salt bins. As previously reported it was pointed out that regrettably there was evidence of salt bins being misused and the contents used for private use.

It was considered that there was scope to improve communication to ensure that the areas of responsibility were more easily understood and ways of working together identified to ensure the effectiveness of any Winter Maintenance Plan especially in periods of prolonged adverse weather conditions.

Reference was made as to how other countries such as Russia and Scandinavian countries coped with severe snow/ice conditions. It was acknowledged that given the expectation for such countries to experience extreme weather conditions they tackled it in different ways and did not use grit on roads but used other equipment such as snow blowing ploughs and chains on vehicle tyres. Members indicated that the extent to which Council vehicles in all departments could be adapted and/or used to assist with similar severe and prolonged periods of weather should be examined further.

The Board's attention was drawn to an Independent Review of Councils in the UK responses to severe weather in particular the Winter Resilience Review Interim Report issued in July 2010 with specific reference to recommendation 15 as follows: -

'The Department for Transport should develop, in collaboration with local government representatives and appropriate experts, a code setting out good practice for members of the public, including business owners, in clearing snow and ice from footways. This should:

- be produced by the end of October 2010 in time for the coming winter;
- be short, along the lines of Westminster's advice to its residents;
- set a standard which, if observed, should guard the public against negligence claims;
- be made available to households by local authorities.

The Board confirmed that the points raised throughout the scrutiny investigation would be taken into consideration and incorporated into the overall review. Members welcomed the offers of assistance and opportunities for working in partnership to cope more easily with any future periods of similar adverse weather conditions. It was acknowledged that there was a need to enhance partnership working not only with the Town Centre businesses but all relevant agencies.

ORDERED as follows: -

1. That all representatives be thanked for the information provided and subsequent deliberations which would be incorporated into the overall review.
2. That the link to the Winter Resilience Review Interim Report issued in July 2010 be made available to Members.
3. That representatives of the Council's Children, Families and Learning, and Social Care Departments be invited to attend the meeting of the Board to be held on 23 September 2010 to give their perspective on winter maintenance.
4. That a copy of the Council's draft Winter Maintenance Plan 2010/2011 be made available at the meeting of the Board to be held on 23 September 2010.
5. That arrangements be made for an additional meeting of the Board to be held on 13 October 2010 at 10.30 a.m. to which representatives of the Fire Authority and Highways Agency be invited to attend to give their perspective on winter maintenance.