

# Report to Cabinet

**16 November 2022**

<b>Subject:</b>	Highway Winter Service Operational Plan 2022-23
<b>Cabinet Member:</b>	Cllr Zahoor Ahmed – Cabinet Member for Environment
<b>Director:</b>	Alice Davey – Director of Borough Economy
<b>Key Decision:</b>	Yes Boroughwide implications
<b>Contact Officer:</b>	Robin Weare – Assistant Director, Highway Services Mathew Burling – Senior Engineer – Maintenance

## 1 Recommendations

1. That Cabinet approve the Highway Winter Service Operational Plan 2022-23.





## 2 Reasons for Recommendations

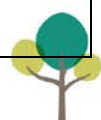
- 2.1 Road users and the wider community place a high value on keeping traffic moving safely in snow and freezing winter weather. Failure to do so can result in adverse economic and social impacts, public dissatisfaction and significant reputational damage.
- 2.2 The Council has a statutory duty 'to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice'. The duty is not absolute, but decisions must be taken on reasonable grounds with due care and regard to relevant considerations set out in best practice guidance.



- 2.3 To meet this duty, winter service operations are carried out to prevent ice forming (precautionary salting), melt ice already formed (post salting) and remove snow accumulations by using ground rock salt which is stored at Taylors Lane Depot in Oldbury.
- 2.4 Sandwell highways (both carriageways and pavements) are the arteries of our communities. They connect our residents to employment, education, local services and indeed the wider world. They enable economic growth, social mobility and are vital in ensuring good health outcomes.
- 2.5 They also play an important role in the life of a community, particularly the positive opportunities that they can bring from social inclusion and interaction.
- 2.6 The implication for our 2030 vision if we get our Highway Winter Operational Plan wrong will be reduced economic and physical activity resulting from residents being less likely to travel as well as higher costs for users of our highway from increased wear and tear and accident damage.

### 3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people Good, well maintained highway infrastructure will encourage more walking and cycling among our younger people increasing their wellbeing, improving road safety and promoting cleaner air quality.
	People live well and age well The Highway environment plays an important role in the life of the community, particularly the positive opportunities that they can bring from social inclusion and interaction.
	Good quality Highways infrastructure will make our communities feel safe, more protected and confident in their homes and neighbourhoods.
	The implication for our 2030 vision is if we fail to procure appropriate resources we will be unable to deliver our Highway Winter Operational Plan which will lead to reduced economic and physical activity resulting from residents being less likely to travel as well as higher costs for users of our highway from increased wear and tear and accident damage.





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## 4 Context and Key Issues

- 4.1 Given high service costs it is not 'reasonably practicable' to provide the service on all parts of the network nor ensure running surfaces are always kept free of ice or snow. Sandwell therefore apply a risk-based approach that reflects advice and recommendations contained in the relevant Codes of Practice.
- 4.2 Cabinet approval is sought for the application of the risk-based decision-making process outlined within the Highway Winter Service Operational Plan 2022-23 such that Cabinet can demonstrate support for the decisions made.
- 4.3 There are only minor changes to the plan approved last year.
- 4.4 Treatment of our road network is prioritised as follows:

Priority 1: classified A roads being strategic and main distributor roads carrying long distance traffic or routes linking urban centres;

Priority 2: classified B and C heavily trafficked roads, all bus routes and roads serving key locations and important buildings e.g. hospitals, commercial centres.

- 4.5 Priority 1 and 2 roads are 47% of the total carriageway lane length of 882 km.
- 4.6 Our key service standard is to complete precautionary treatment of Priority 1 and 2 roads within 4 hours from decision to treat at typical spread rates.



- 4.7 Resources and practicability mean that only pavements defined in our Category 1(a) Prestige Areas, being major shopping streets in town and district centres, are prioritised for treatment. No other pavements receive planned treatment. Prioritised pavements may receive precautionary treatment when the forecast indicates that hoarfrost or snow is likely.

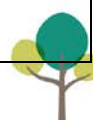
## 5 Alternative Options

- 5.1 There is no recommended affordable alternative to mitigate the safety risks addressed by the Winter Service Operational Plan 2022-23.

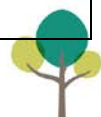


## 6 Implications

<b>Resources:</b>	<p>The Winter Service is funded from the Highways Maintenance target revenue with an allocation of £540,000 based on an 'average' winter.</p> <p>There are both fixed and variable elements to the service cost.</p> <p>Fixed costs incurred, irrespective of winter severity, are £371,000 and include plant (gritters), labour (stand-by), management and duty staff, weather forecasting, salt bins, annual service charges, training etc.</p> <p>The variable costs depend on winter severity. The budgeted cost for an 'average' winter season based on 55 precautionary treatments is £169,000 and includes labour (turn outs), salt consumed, fuel, plant repairs etc.</p> <p>Whilst the severity of the winter does impact on the actual level of expenditure incurred any costs associated with the winter maintenance service will be met from within Highways Services target budget.</p> <p>A key service risk relates to third party liability claims arising from accident and injury due to condition of the highway or non-compliance with statutory obligations. The duty is not absolute, but decisions must be taken on reasonable grounds with due care and regard to relevant considerations as set out in best practice guidance 'Well-managed Highway Infrastructure'. The Winter Service Plan 2022-23 sets out the council's arrangements for delivery of the winter service to meet its legal obligations to mitigate this risk which requires the use of ground rock salt.</p>
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<b>Legal and Governance:</b>	<p>The principal statutory duty imposed on highway authorities to maintain the highway maintainable at public expense is set out in Section 41 of the Highways Act 1980.</p> <p>Section 41 (1) of the Highways Act, as modified by the Section 111 of the Railways &amp; Transport Act 2003, imposes a duty on a highway authority ‘to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice’.</p> <p>The duty is qualified by ‘reasonable practicability’. So, therefore, it would not be reasonable to expect to:</p> <ul style="list-style-type: none"> <li>• provide the service on all parts of the network; or</li> <li>• ensure roads are kept free of ice or snow at all times.</li> </ul> <p>The Traffic Management Act 2004 imposes a network management duty on a council to manage day-to-day operational use of its highways to ‘keep traffic moving’. This duty extends to periods of severe winter weather.</p>
<b>Risk:</b>	<p>Highway maintainable at public expense. This will help deliver the aims and objectives as set out in the Corporate Asset Management Plan and The Highway Asset Management Plan aimed at ensuring the safety of the highway network.</p> <p>The council has a duty to meet its legal obligations to mitigate service risks related to third party liability claims arising from accident and injury due to condition of the highway, the cabinet approved Winter Maintenance Plan sets out the council’s proposed arrangements for delivery of the winter service for which rock salt is required for effective and efficient use on the public highway.</p>
<b>Equality:</b>	<p>An equality impact assessment has not been carried as maintaining the highway infrastructure maintainable at public expense is not believed to impact significantly against the protected characteristics.</p>





<b>Health and Wellbeing:</b>	The cabinet approval of the winter service plan for 2022-23 will support 2030 Ambitions 5 and 6 in keeping the roads operating safely and efficiently during freezing conditions.
<b>Social Value</b>	Not applicable in this instance.

## 7. Appendices

Appendix A      Sandwell MBC Winter Service Plan 2022-23.

## 8. Background Papers

- 8.1 Well-managed Highway Infrastructure – Code of Practice Last updated October 2016
- 8.2 Regeneration and Economy Business Plan 2015 – 2018
- 8.3 Sandwell MBC Highway Asset Management Plan 2014-2015 (approved 12 November 2014)

