

## **Highways and Transport Committee**

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<b>Date of Meeting:</b>	2 March 2020
<b>Report Title:</b>	Highway Winter Service Mid-Season Review
<b>Report of:</b>	John David, Interim Director of Highways & Infrastructure
<b>Report Reference No:</b>	HT/34/21-22
<b>Ward(s) Affected:</b>	All

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### **1. Purpose of Report**

- 1.1. This report updates members on the implementation of the revised policy for the Winter gritting route network in the borough.

### **2. Executive Summary**

- 2.1. To accord with the Code of Practice on “Well Managed Highway Infrastructure” and to comply with its duty as Highway Authority, it is important that the council has an up to date Winter and Adverse Weather Policy, including a prioritised gritting network based on clear, evidence based criteria.
- 2.2. The Council recently adopted its new Winter and Adverse Weather policy and in October 2021 implemented new winter gritting routes, following a lengthy process of development and consultation. The application of new criteria across the whole network was necessary to ensure the service provided was consistent with the risk-based approach set out in the national guidelines. It was clear that the previous policy had, over time, resulted some inconsistencies across the network and that the reasoning behind which roads were gritted needed to be tested against the approach advocated in the national guidelines.

- 2.3. The new policy was developed adopting the national guidelines and involved an extensive review of the borough's road network and a comprehensive consultation exercise.
- 2.4. The policy was approved by the then Council Cabinet on 4 February 2020 and the new service began for this winter season, starting in October 2021.
- 2.5. This report details the conditions that have been experienced since the beginning of this winter season up to 07/01/22 along with any issues experienced with the implementation of the new network.
- 2.6. This report recommends that the implementation of the winter gritting network continues to be monitored and that a final report and recommendations will be presented to the Highways and Transport Committee in the summer following the service having operated for the complete winter season.
- 2.7. This report aligns with the Corporate Plan priority of being an Open Council.

### **3. Recommendations**

That the Highways and Transport Committee resolves that:

- 3.1. The implementation of the new winter gritting routes continues to be carefully monitored over the remainder of the winter season.
- 3.2. A report is presented to a future Highways and Transport Committee which; responds to points raised by the Committee, provides detailed analysis of the impacts of the new routes and considers if any changes are required to the new policy.

### **4. Reasons for Recommendations**

- 4.1. Gathering information over a whole season will allow an informed report to be presented to the Highways and Transport Committee during the summer of 2022.
- 4.2. No changes can be made mid-season due to the practicalities and costs of the work required to re-organise and re-optimize the routes, with existing pressures on the revenue budget.

### **5. Other Options Considered**

- 5.1. None - as a full analysis of the whole winter season is required before amendments could potentially be made to the winter service routes. Any such changes will need to be driven by a robust evidence base.

### **6. Background**

- 6.1. Cheshire County Council (CCC) was previously responsible for delivering winter maintenance services across the whole of the county until its abolition in 2009. The gritting routes were aligned to its policy. During this

time, CCC operated from area offices based broadly on the then borough boundaries. Although each office operated to the same policy, they were managed independently and governed through area highway committees. Over the years many roads were added to the gritting routes. The main mechanism for adding roads was through requests made to senior officers by stakeholders, including elected members. There was no formal process or risk assessment. The total length of treated network increased substantially during this time.

- 6.2.** Cheshire East Council continued to operate this inherited policy and its associated gritting routes. During a review carried out in 2016 it was found that approximately 203 km of roads on the gritting routes did not meet the (then existing) CCC policy. Some of these roads were treated as a result of bus routes changing with no subsequent amendments being made to the gritting routes.
- 6.3.** In 2016 the previous industry code of practice “Well Maintained Highways” was replaced by “Well Managed Highway Infrastructure” (WMHI). WMHI was developed by UK Roads Liaison Group (UKRLG) to provide guidance and recommendations on best practice for highway authorities. WMHI recommended a shift from defined, prescriptive guidance to a risk-based approach. WMHI covers all aspects of highway maintenance, including winter service.
- 6.4.** WMHI recommends that a network hierarchy is developed, categorising roads in order of their importance, meaning that the more important roads in the Borough are prioritised. This approach has been used in the development of the new winter service routes. It is important when defending any possible future claims from road users that the Council can demonstrate it is carrying out its duty as a highway authority reasonably by adopting and following a clear service policies which comply with the WMHI Code of Practice
- 6.5.** In February 2020, the Council’s Cabinet considered a paper containing proposals relating to the Highway Safety Inspection Policy, Code of Practice for Highway Safety Inspections, Winter and Adverse Weather Policy, Adverse Weather Plan and the Cheshire East Highway Resilient Network Strategy.
- 6.6.** In respect of the winter gritting routes, every road in the borough was scored using criteria in an evaluation matrix, with the highest scoring roads being included in the network of routes.
- 6.7.** That Cabinet decision was called in and following a further round of consultation and subsequent amendment of the winter service routes, the proposals were implemented.
- 6.8.** Following final approval of the winter treatment network, a route optimisation process was carried out to define the most efficient and cost effective vehicle routes for the gritting treatment. The main criteria used in

this process were the location of the depots, the capacity of vehicles and length of time to undertake standard treatments on the particular types of road in the approved network, using recommended spread rates. This process then defined the requirement for the number and size of vehicles. A total of 16 routes were defined, with 7 to be operated from Wardle and 9 from Macclesfield. The final part of this process was to ensure the availability of sufficient suitably trained drivers, create individual routes for each vehicle and load these routes into the GPS satellite tracking and automated gritting systems for each vehicle and to carry out a series of familiarisation runs prior to the start of the season.

- 6.9.** The current fleet consists of 16 front line gritters, 1 owned spare and 1 hired spare. This fleet has now been procured and is funded from the highways revenue budget.

### **Treatments**

- 6.10.** The new routes have been in operation since the beginning of the season. The first treatments were carried out on 13th October 2021. Table 1 below provides a summary of the precautionary treatments provided up to and including 7<sup>th</sup> January 2022.
- 6.11.** The Council undertake precautionary treatments after carrying out detailed weather forecasting that considers factors such as air temperature, dew point, humidity, precipitation, cloud cover and road surface temperature. These factors determine the time of gritting, the salt spread rates and if any second runs are required if conditions deteriorate, or if rain or snow occurs for example.
- 6.12.** The weather doesn't always behave as forecasted. Table 1 indicates in the last column the number of instances where the forecast temperature did not occur, even though all forecasting information pointed towards a gritting run being required. This situation is not desirable, due to the costs involved, but it can often be a very marginal call with the importance of road safety weighing heavily in the decision making process.

Domain	No of routes	No of treatments (gritting runs)	No of treatments days	Treatment days when frost/ice did not occur
High East (Macc)	2	47	31	0
East (Macc)	7	24	19	2
South (Wardle)	7	22	18	2

**Table 1: Summary of winter treatments**

- 6.13.** As can be seen in the above table, the forecasted weather conditions occurred on all but two occasions in the east of the borough and all but two occasions in the south of the borough.

### **Service Requests and Correspondence**

- 6.14.** A total of 274 service requests relating to winter service have been received from members of the public, town and parish councils, ward members and the police between 1<sup>st</sup> October 2021 and 7<sup>th</sup> January 2022. This correspondence has been received via email and phone calls to the contact centre.
- 6.15.** A broad analysis has been undertaken of the 274 service requests that have been received, 115 relate to grit bins ( largely the replenishment of salt), 13 were from the police, of which 4 related to issues on roads removed from the treatment network and 79 were from the general public related to a few roads removed from the treated network.
- 6.16.** There are a small number of locations which have generated multiple enquiries. Comments regarding these roads are generally that as they are no longer gritted, they have become icy and dangerous, with some reports of road traffic collisions and vehicles leaving the road.
- 6.17.** Enquiries have also been received from parish councils requesting permission to grit parts of the highway network using private, third party contractors. These requests have been considered but not permitted as that approach would lead to gritting of the network which is outside the boundaries of the approved policy. These private arrangements could not comply with the operational requirements (eg forecasting / standby / equipment) to be able to deliver a service which complied with the Council's policy. The Council delivers a 24 hour a day, 7 day a week service that can deliver multiple treatments at controlled spread rates. Non-delivery to these standards could leave the Council open to liability issues as the highway authority has ultimate responsibility for the network.
- 6.18.** There have also been discussions around parish or town councils potentially paying Cheshire East Highways for additional lengths of network to be treated. This would have the obvious disadvantage of being at variance with the need to have a consistent, evidence based gritting network, which was the objective of the recent policy review due to the problems with the previous arrangements described in sections 6.1 and 6.2.

### **Incidents**

- 6.19.** As can be seen in the summary of winter treatments table above, there have been at least 16 days on which road surface temperatures were forecast to fall below freezing and actually did, and hence gritting operations took place. Only on a very small number of occasions were any reports received of any issues.

- 6.20.** At this point in the season, most of the data available is anecdotal, as official accident data from the police is only available up to 31/10/21.
- 6.21.** From the information available it isn't possible to identify any particular trends as most of the issues occurred during the inclement weather which occurred immediately after storm Arwen.

### **Review at End of Winter Season**

- 6.22.** It is proposed to complete an annual review of the winter season and present the findings to the Highway and Transport Committee after the end of the winter season. This review will commence in April 2022. The review will :
- Re-score any roads on which there have been significant representations and consider if they can be included in the gritting programme if they meet the criteria after re-scoring.
  - Consider evidence relating to accidents on the highway network during icy conditions to assess any implications of the recent change.
  - Consider whether there should be minor amendments to the scoring matrix in the light of the winter experience.
  - Present the details of a potential local "top up" scheme and recommend whether this should be taken forward. (see note below)

### **Notes on the review report**

- 6.22.1.** Any such top up scheme could take the form of parish or town councils paying for additional gritting by the Council's contractor on local roads that do not meet the criteria in the policy. Any councils who would wish to take advantage of this would need to express a commitment to participate during the current year. The prices for such additional gritting would very much depend on the level of interest expressed as this would determine the efficiency with which gritting above the core service could be delivered. Obviously, as budgets for 2022/23 have been already set, the scheme could start to operate in winter 2023/24. However, as noted in paragraph 6.18, such a scheme would have the obvious disadvantage of being at variance with the need to have a consistent, evidence based gritting network, which was the main objective of the recent policy review due to the problems with the previous arrangements described in sections 6.1 and 6.2.

## **7. Consultation and Engagement**

- 7.1. In order to align with the recommendations contained in The Code(WMHI), the Council developed a new Winter Service Policy and Adverse Weather Plan.
- 7.2. Consultation on both the process and the adoption of the principles of The Code was carried out between 2nd July and 27th August 2018.
- 7.3. Following the original decision to adopt the proposals at the then Cabinet meeting on 4th February 2020, a call-in request was subsequently received and considered by the Environment and Regeneration Overview and Scrutiny Committee on 16th March 2020. This resulted in a subsequent Cabinet decision on 5 May 2020, 'To undertake a further round of streamlined consultation on the winter service element only as part of the annual review of the Well Managed Highways Infrastructure annual review process.'
- 7.4. This consultation included all council members, the former Area Highway Group chairs, all schools, cycling groups, town and parish councils and emergency services between 11th September 2020 and 20th November 2020. 129 responses were received and considered in the production of the finalised winter treatment network of roads to be gritted.
- 7.5. The documented evidence was contained within the letters we sent out to the consultees.
- 7.6. A total of 129 responses were received. These were all considered and a number of amendments were made to the winter gritting routes.

## **8. Implications**

### **8.1. Legal**

- 8.2. The statutory basis for winter service in England and Wales is Section 41 (1A) of the Highways Act 1980, which was modified on 31st October 2003, by Section 111 of the Railways and Transport Act 2003. The first part of Section 41 now reads:
- 8.3. "a) The authority who are for the time being the highway authority for a highway maintainable at the public expense are under a duty to maintain the highway.
- 8.4. b) (1) In particular, a highway authority are under a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice."
- 8.5. This duty is not absolute given its qualification of reasonableness and practicability. In addition, the Traffic Management Act 2004 placed a network management duty on all local traffic authorities in England. It requires Authorities to do all that is reasonably practicable to manage the network effectively to keep traffic moving. In meeting the duty, Authorities should establish contingency plans for dealing promptly and effectively with

unplanned events, such as unforeseen weather conditions, as far as is reasonable and practicable.

**8.6.** Section 150 puts a responsibility on the highway authority to clear snow from the highway, but only if it is causing an obstruction.

**8.7. Finance**

**8.7.1.** Winter service levels for 21/22 have been delivered in line with the budgets available.

**8.7.2.** Without any growth to the overall highways revenue budgets, any changes to future winter service levels will need to be financed through reduction in other highway service areas.

**8.8. Policy**

**8.8.1.** There are no immediate policy implications of this report

**8.9. Equality**

**8.9.1.** There are no equality implications of this report

**8.10. Human Resources**

**8.10.1.** There are no human resource implications of this report

**8.11. Risk Management**

**8.11.1.** There are no risk management implications of this report

**8.12. Rural Communities**

**8.12.1.** There are no rural community implications of this report

**8.13. Children and Young People/Cared for Children**

**8.13.1.** There are no Children and Young People/Cared for Children implications of this report

**8.14. Public Health**

**8.14.1.** There are no Public Health implications of this report

**8.15. Climate Change**

**8.15.1.** There are no Climate Change implications of this report

<b>Access to Information</b>	
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Appendices:	
Background Papers:	<p data-bbox="395 271 1331 304">Well Managed Highway Infrastructure, Cabinet Paper of 04/02/20</p> <p data-bbox="395 342 1374 450"> <a href="https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s74342/Well-Managed%20Highway%20Infrastructure%20-%20report%20final.pdf">https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s74342/Well-Managed%20Highway%20Infrastructure%20-%20report%20final.pdf</a> </p> <p data-bbox="395 488 1299 557">Well Managed Highways – Call In Response, Cabinet Paper of 05/05/20</p> <p data-bbox="395 595 1374 665"> <a href="https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s76270/Well-Managed%20Highways%20-%20report%20final.pdf">https://moderngov.cheshireeast.gov.uk/ecminutes/documents/s76270/Well-Managed%20Highways%20-%20report%20final.pdf</a> </p>