

Decision maker: Traffic, Environment and Community Safety Scrutiny Panel

Subject: Response to Notice of Motion on Icy Pavements

Date of decision: 5th November 2010

Report by: Head of Transport and Street Management

Wards affected: All

Key decision (over £250k): No

1. Purpose of report

To provide a response from Transport and Street Management (TSM) on the Notice of Motion in respect of Icy Pavements, initially debated at the Traffic, Environment and Community Safety Scrutiny Panel (TECS) held on 26th March 2010, which has been superseded by developments which are outlined in this report. This report provides an update to the panel following a thorough review of PCC's response to dealing with winter maintenance issues.

2. Recommendations

That the Traffic, Environment and Community Safety Scrutiny Panel note the response below from Transport and Street Management, and that this response forms the basis of their response to the Notice of Motion back to Full Council.

3. Background

As Highway Authority, the City Council has a duty under the Railway and Transport Safety Act 2003 to ensure, so far as reasonably practicable, that safe passage along a highway is not endangered by snow or ice. This legal requirement has been included in the PFI contract as an Authorised Highway Function and transferred to Ensign/Colas, the PFI Service Provider, since 2004.

January 2010 saw the worst snowfall and associated winter conditions within Portsmouth for over 30 years. The Winter Maintenance Operational Plan, which was approved by the cabinet member for Traffic and Transportation on the 23rd September 2010, has been written following the snow event, taking into account the lessons learnt.

3. Transport and Street Management Response

The bullet points below provide clarity on discussions from the TECS Scrutiny Panel of March 2010:

- The need for clear and effective guidance to be released from TSM on residents and business owners clearing their local pavements is recognised, and every effort has been made this year to provide this information to local residents and businesses.
- Guidance on “Clearing Snow and Ice Yourself” was released by the Department for Transport in October of this year and this will be available on the Portsmouth City Council website homepage from week commencing 8th November.
- The messages regarding clearing snow and ice will be reinforced by an article in the December 2010 edition of Flagship Magazine. Leaflets will also be distributed to key community buildings including schools, libraries and community centres.
- During a snow event, the City Council will update the website with information on school closures, affected bus routes and road closures, to ensure that residents are kept informed of the current situation.
- Regarding the statement that other Councils were better prepared, we have no evidence to suggest other Councils were better prepared than Portsmouth City Council.
- Colas and key Officers within PCC receive a five day weather forecast and a mid day and evening update from the Met Office each day, categorising the weather conditions by severity. PCC also receives copies of the decisions made by Hampshire County Council (HCC) and Area 3 (the Highways Agency road network in the vicinity of Portsmouth). On receipt of a severe weather warning, Colas and PCC then decide the appropriate action and treatment.
- The Winter Maintenance Operational Plan identifies priority roads and footways to be treated when appropriate conditions arise. The priority road network is defined within the Winter Maintenance Operational Plan.
- The Winter Maintenance Operational Plan was approved by the Cabinet Member for Traffic and Transportation on the 23rd September 2010, and incorporates the lessons learnt from the snow event in January 2010.
- In preparing for the Winter Maintenance Operational Plan, Colas met with a number of stakeholders within the City, including the Emergency Services, QA hospital to ensure that the Plan takes account of their needs.
- There are now 69 salt bins containing salt on the highway network within Portsmouth. Both PCC and Colas attended each site to review and agree on

the specific location. The locations were also agreed at Traffic and Transportation Committee. Colas have also built a snow barn in their depot which is currently holding 850 tonnes of salt: 40% more than the recommended guidelines.

4. Reasons for recommendations

The information detailed above provides an update on the information outlined at the meeting of the Traffic, Environment and Community Safety Scrutiny Panel in March 2010.

The lessons learnt from the snow event in January 2010 have been incorporated in the revised Winter Maintenance Operational Plan, and it also reflects the recommendation contained in the independent review document published by the Department for Transport (DfT) in July 2010, and the Code of Practice for Well Maintained Highways.

The Winter Maintenance Operational Plan will ensure, as far as possible, safe passage along a prioritised network of roads and footways and that in periods of prolonged or severe weather conditions a programme of treatment will be extended across the highway network so far as reasonably practicable.

5. Equality impact assessment (EIA)

A preliminary EIA has been undertaken on the Highways Management Service, which includes the Highways PFI contract, and no issues were identified.

6. Head of legal services' comments

In accordance with the PFI contract, Colas Limited are liable for all winter maintenance on adopted highways. They are also responsible for the salt bins while they are on the Highway Network.

7. Head of finance's comments

There are limited financial implications to the City Council; the cost of the Winter Maintenance Service is included in the PFI contract and any claims resulting from a failure of this service will be made against the Service Provider. However, in 2010/11 PCC has set aside £75k to provide new salt bins in addition to the payments made to COLAS to provide Winter maintenance arrangements as prescribed in the Highways Management PFI and legislation. There have also been monies set aside in future years to provide for the maintenance and refilling of these bins. This annual ongoing amount is £25k.

It must be recognised that PCC has chosen to accept this increased liability over and above the service already being paid for as part of the monthly unitary charge made to COLAS. This ongoing revenue commitment must be maintained in order to ensure that these salt bins continue to contribute to the winter maintenance Service. It cannot be expected that COLAS will absorb the maintenance costs in future years if PCC were to withdraw this funding.

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Signed by:

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Railway & transport Safety Act 2003	
Winter Maintenance Operational Plan	

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....Signed by: