

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 29

Brighton & Hove City Council

<b>Subject:</b>	<b>Response to the report of the Environment &amp; Community Safety Overview &amp; Scrutiny Committee on 'The Winter Service Plan Review'</b>		
<b>Date of Meeting:</b>	<b>26 July 2010</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Christina Liassides</b>	<b>Tel:</b> <b>29-2036</b>
	<b>E-mail:</b>	<b>Christina.liassides@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: ENV17082</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The winter of 2009/10 was the coldest in 30 years with two major snow events during December and January. The council's Highways' team activated their winter service plan throughout the cold season as did other council services and partner agencies. However, the extreme events, particularly in the difficult December conditions, gave rise to a high level of complaints. As part of their response during the severe weather, council services and partner agencies introduced new ways of working which provided a good basis for future planning. There was recognition within the council that there would be benefits from reviewing how the council and its partners responded, lessons learnt and whether good practice from other authorities could be replicated. It was therefore agreed at the Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) to undertake a short scrutiny review of the Winter Service Plan.
- 1.2 The full report (Appendix 2) which describes the scrutiny process and summarises evidence, findings and recommendations has been considered by officers with lead roles in the council's winter service provision. The Scrutiny report has been welcomed and this report sums up the executive response to the Scrutiny Panel's recommendations.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member notes the evidence, findings and recommendations of the Environment & Community Safety Overview & Scrutiny Committee and its scrutiny panel in relation to the Winter Service Plan Review.
- 2.2 That the Cabinet Member agrees the actions detailed in the officer response to Scrutiny's recommendations with particular regard to timescales and any constraints identified.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Each year, in accordance with the Highway Maintenance Code of Practice, the council produces a highway Winter Service Plan which lays out how the winter service will operate between 1 November and mid March. The Winter Service Plan for 2009-10 was consulted upon with relevant council sections, agencies and lead councillors and approved at Environment Cabinet Member meeting on 5 November 2009.
- 3.2 The Plan was put into operation on 1 November 2009 at the start of the winter season and provided a good service during the cold months which brought frost, ice and heavy rainfall. However, as a result of officer and public experiences during the worst snowfalls in Brighton & Hove for many years, a Scrutiny Panel was convened to examine the existing Plan alongside comparative data from other authorities and suggestions and representations from residents, council staff and partner agencies.
- 3.3 This gave an ideal opportunity to see if Brighton & Hove was broadly comparable in its actions to other councils and with a Winter Service Plan fit for purpose whilst also building on the experiences of delivering the service under extreme conditions.
- 3.4 It is important to note that the Winter Service Plan relates to highway responsibilities only, although Environment staff worked very closely during the snow event with other sections such as Adult Social Care, the Communications team and the Civil Contingencies Officer, and with external partner agencies such as the NHS and bus company. The Plan will be revised in the light of officer experience and recommendations to provide a more flexible and enhanced response, including services such as Communications were appropriate. However, as the recommendations identify, other council services will also need to review their resilience plans.
- 3.5 The Highways Winter Service is an additional responsibility for staff drawn from existing Sustainable Transport Network Management teams, all with their own operational "day job." Staff capacity to include additional project work is limited. During difficult winter conditions (including ice or freezing rain, not just snow), the officers involved prioritise winter service over their usual work and the impact on other operational work needs to be mitigated as best as possible. Therefore in order to progress the majority of practical issues, and in line with the report's acknowledgement that adequate staff time must be given to researching the best ways forward, a winter project officer will be appointed on a temporary six month basis with the project work overseen by lead officers.
- 3.6 The recommendations are welcome and officers are in agreement that they are useful additions to the current winter service. However, it must be accepted that not all the recommendations can be achieved by the start of the winter service in November 2010. This is particularly the case with salt storage which relies on long-term redevelopment and capital investment or vehicle replacement where market testing is a vital initial step and where EU procurement timescales can be quite lengthy. This may also be the case if partners request a major change in routes which would require considerable investment in time, planning, IT and other resources as well as further agreement at member level.

#### **4. CONSULTATION**

- 4.1 It was decided to hold a single day session in order to ensure recommendations were made in good time for any necessary changes before next winter. The Scrutiny Panel meeting on 17 March 2010 was advertised and held as a public meeting. Prior to the meeting a range of organisations and individuals were invited to submit written evidence which was included within the meeting's report. During the session, individuals and representatives of various organisations were invited to give evidence and to respond to questions from panel members.
- 4.2 Internal council sections and partner agencies were consulted on the 2009-10 Winter Service Plan prior to presentation at Environment Cabinet Member meeting in November 2009.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The costs of providing the winter maintenance service are covered by a revenue budget of £331,710.
- 5.2 Any underspend in the revenue budget is carried over into the Winter Maintenance Reserve, as contingency for periods of extreme weather. This fund is then used to provide operatives, gritter fuel, gritter maintenance, and other costs associated with an ongoing major operation. In 2009-10 £242,780 of the reserve was used owing to the extreme bad weather.
- 5.3 There is a capital budget of £2,500,000 in 2010-11 to purchase new vehicles. This includes 7 replacement gritters, as well as replacement refuse collection vehicles, and waste and parks vehicles.

*Finance Officer Consulted: Karen Brookshaw*

*Date: 03/06/10*

##### Legal Implications:

- 5.4 The Council as highway authority has a statutory duty to maintain publicly adopted highways. Since October 2003 this statutory duty has included a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice (s41.(1A) Highways Act 1980 as amended by the Railways and Transport Safety Act 2003). Reference to "highway" includes both carriageway and pavements. The actions detailed in the Officer Response in Appendix 1 to this Report will assist in demonstrating that the Council will be in a position to comply with its statutory duty.

*Lawyer Consulted: Hilary Woodward*

*Date: 04/06/10*

##### Equalities Implications:

- 5.5 Whilst there are no direct equalities implications, the issues raised in the report do highlight that some residents may suffer disproportionately when severe cold weather events occur and some of the recommendations seek to address this

e.g. good public communication about how people can prepare in advance for snow events.

Sustainability Implications:

- 5.6 The Scrutiny Panel on Climate Change Adaptation will look further into severe weather events and may inform in the future how to evaluate and prepare for these.
- 5.7 Salt and grit can have a negative environmental impact in terms of entering the drainage and water system. Therefore resources are carefully deployed to provide a balance between network usability and detriment to the local environment. e.g. by only carrying out treatment when the weather forecast indicates this is required.

Crime & Disorder Implications:

- 5.8 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.9 There are a number of risks associated with this type of severe weather. The overall purpose of the scrutiny report is to identify how the council can best manage risk, expectation and opportunity in providing a winter service during extreme weather events.

Corporate / Citywide Implications:

- 5.10 The council needs to consider the recommendations at corporate level as all council services are affected. Although the scrutiny focused on the council's highway Winter Service Plan the recommendations include the need for all council services to review their resilience plans as part of the council's desired response to extreme cold weather situations.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The full submission of analysis reports and evidence by the scrutiny panel facilitated consideration of options in how to address the issues raised. The recommendations proposed by the panel are the final outcome of the options considered.
- 6.2 Officers have considered all the recommendations and subject to timescale/capacity issues feel the options provide a useful way forward in winter planning. The alternative is to not introduce any changes or improvements.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The recommendations for which consideration and approval are sought are as a result of scrutiny. Considerable supporting evidence was provided to inform the process from the start.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Recommendations
2. ECSOSC Winter Service Plan Review 17 March 2010

### **Documents In Members' Rooms**

None

### **Background Documents**

1. ECSOSC 8 February 2010
2. ECSOSC 21 June 2010
3. Volume 2 of ECSOSC Scrutiny Panel into Winter Service Plan

