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## Community Safety Overview & Scrutiny Committee

29 June 2010

### CYC Winter Maintenance Policy – Final Report

#### Background

1. The Council's winter gritting policy came under close scrutiny at the beginning of the year due to the severe weather conditions the city experienced. Many ward councillors received complaints particularly about the treating of footpaths in York, but also about some roads and cycle paths which the public perceived have not been gritted despite the long period of bad weather. Concern was also expressed about the positioning of salt bins in the city.
2. In considering this topic proposed by Cllr Bowgett in answer to those complaints, the Committee acknowledged the excellent work carried out by officers in dealing with the period of prolonged snowfall. However, they recognised that although the work on clearing roads had been largely successful there was still room for improvement in regard to other aspects.
3. Officers welcomed the proposed scrutiny review and clarified that it was common practice at the end of every winter, to carry out an officer review of the policy, in order to analyse events, understand any lessons learnt and identify any changes required to working practices.
4. Members agreed to proceed with the scrutiny review based on the following key objectives:
  - i) To review current policy in regard to cycle paths to:
    - understand the practicalities of gritting different types of cycleways and optimum timing for gritting and make available this information in order to control residents and visitor expectations
    - draw up a priority list of cycle routes to be gritted where funding and resources allow, for inclusion in the manual
    - Consult cycling groups to raise awareness of the issues
  - ii) To review current policy in regard to council funded salt bins:
    - to understand the costs involved to the council of supplying and maintaining 200+ salt bins across the city, and filling / re-filling those salt bins

- to compare the advantages and disadvantages of providing those salt bins i.e. does the provision of salt via salt bins only benefit a minority of residents, could the money be put to better use funding the gritting of secondary routes across the city e.g. rat runs / roads with gradients, and public areas such as outside schools, public car parks etc

iii) To identify:

- current working practices not presently included in the manual e.g. working relationship with call centre to identify residents' concerns etc
- reasons why the council is unable to grit certain road, cycle and pedestrian routes within the city e.g. . due to limitations in staff resources, suitable equipment and funding and make available this information in order to control residents' and visitor expectations
- a list of secondary roads / routes for gritting where funding and resources allow

iv) To review the Council's methods for raising awareness of the gritting policy and communicating with interested parties

## **Consultation**

5. At meetings of the Committee in April & May 2010, the Committee considered information provided by the Assistant Director of Maintenance Services and other CYC officers. The CYC Cycling Champion and other interested parties i.e. representatives from York Cycling Forum, Cyclist's Touring Club (CTC), York Cycle Campaign, Nestle, PCT, the Blind and Partially Sighted Society and Bike Rescue, were also invited to participate in the review.

## **Information Gathered & Analysis**

6. Many of the working practices put in place during periods of severe weather, are also required when responding to other emergency situations e.g. flooding, requiring a robust corporate approach involving all the relevant CYC Services e.g.:
  - Resources (staff, plant, salt, bins)
  - Operations (policy)
  - Customer Contact
  - Vulnerable Residents
  - Members
  - Communications & Media
  - Budgets
  - Community Resilience
7. City of York Council's current CYC policy is - 'as far as is reasonably possible, to allow the safe movement of traffic, pedestrians and cyclists, on York roads, footways and cycle ways in times of adverse weather conditions'.

### **Annual Officer Review - Information Gathered**

8. Representatives from all the relevant CYC service areas contribute to the annual officer review of CYC's winter maintenance policy. Many of the elements of the annual review this year, mirror the issues identified within the scrutiny topic registration form submitted by Cllr Bowgett.

### **Analysis**

9. The Committee agreed that it would be possible for the two reviews to run along side each other without duplicating work, leading to two sets of recommendations which if implemented together, would create a more corporate and robust response to emergency situations.

### **Objective (i) - Cycle Paths - Information Gathered**

10. At the beginning of the review, the Committee considered the council's current policy. The policy leaves the treatment of the off-road cycle paths to the discretion of the Winter Maintenance Duty Officer (WMDO) who may liaise with the CYC cycling officer if required.
11. The committee also received a list of cycle paths currently being treated, together with a number of maps as follows:
  - Location of on-road and off-road cycle ways across the city - see Annex A
  - Cycle paths currently being treated under the existing policy - see Annex B
12. Finally, the Committee considered feedback from the York Hospitals Foundation Trust which identified a range of issues faced by their staff who cycle to work – see Annex C. The Travel Co-ordinator from York Hospital expressed the staff's overall view that the council had carried out a good job during the prolonged spell of bad weather but that there was a need to publicise which routes would be gritted.
13. Practicalities of gritting different types of cycleways  
Under average winter conditions, precautionary gritting or salting of the cycle network is undertaken. This presents some significant access issues particularly for machine access to certain routes e.g. Hobb Moor. There are also problems around the gritting of on road cycle lanes, as the snow ploughs used to clear roads, automatically push the snow to the side of the road, covering the on road cycle ways and making them unusable. At the time of the review, winter maintenance officers had already held an initial meeting with the CYC cycling officer to review these issues and work is now ongoing to find a viable solution.
14. City of York Council has recently purchased a new machine for work on off-road cycle paths. Funded by Cycle City, this is a multi function machine which will be used all year round for the maintenance of off-road cycle routes. The machine will be utilised in the winter for the removal of snowfall up to 10 cm / 4 inches, however it is unlikely to have the capacity to clear all routes.

15. Treatment of the Millennium Bridge

The bridge deck is constructed of steel with a now 10 year old paint system on it. While this provides protection against normal wear and tear, there are likely to be weaknesses in it which will spread in future years, and at some point it will be necessary to re-paint the underside of the bridge, at a substantial cost to the Council. It is therefore crucial that this protective covering lasts as long as possible.

16. In order to make the best use of the limited maintenance resources and not compromise the effectiveness of the bridge's protective coating, the Council's Bridge Engineer would need to be completely convinced that any treatment would not be detrimental and would oppose any proposed treatment of the bridge involving the application of a corrosive de-icing material.

17. In addition, when the bridge was commissioned it was designated as an ancillary route footbridge and only designed for pedestrian and cycle loading, it would not therefore be possible to use vehicles on the bridge for the treatment or clearance of snow due to the risk of structural damage.

18. Cycle routes not owned by the Council

In addition to council-adopted off-road routes, there are several which are owned and maintained by Sustrans (the National Cycle Network charity). These include the Foss Islands Path (running from Crichton Avenue to Metcalf Lane), the York to Selby Path (running from Bishopthorpe Road to Escrick along the former railway line) and the York to Beningbrough Path (running from Clifton Bridge to Stripe Lane alongside the River Ouse).

19. Sustrans do not undertake any winter maintenance on any of their routes throughout the UK. The council have included some of the above routes on their cycle route gritting schedules in response to residents' complaints and in recognition that these routes are fairly heavily used by commuters. These sections are : Foss Islands Path (whole route), York to Selby Path (Sim Balk Lane to rear of Bustardthorpe Allotments), York to Beningbrough (Clifton Bridge to Outer Ring Road).

20. Cost of Treating Cycleways

The cost of treating the designated cycle network shown on the map at annex B, is around £2,100 per occasion and takes 2 days with current equipment. To remove snow from the entire off-road cycle network is a much more expensive and challenging prospect. The problem is if snow continues to fall, any work is immediately covered. Unlike the roads where traffic is almost constant, the cycle paths do not get the level of traffic to activate the salt, therefore relying almost entirely on manually or mechanically clearing the snow which is high on resource.

21. There is no specific budget for treating or clearing snow from off-road cycle paths. Currently any resources expended on cycle ways comes out of the overall winter maintenance budget. It would be difficult to price this as it would depend on the depth of snow. Additional funding can be made available at the discretion of the CYC cycling officer but would be subject to the level of spend on the Cycle Route Maintenance budget at the time of the request.

## Analysis

22. The CYC Cycling Champion expressed his view that the current policy gave insufficient priority to off-road cycle ways, and that as a cycling city, this issue should be addressed. In regard to Millennium Bridge, he agreed with the committee that whilst it may be inappropriate to use salt, other European countries had found alternative materials for use in similar circumstances, and therefore officers should continue to look for alternative treatment methods.
23. They also identified that:
- cycle ways are not subject to the same frequency of salting as the priority road network
  - improving the clearing of cycle ways would necessitate the diverting of resources away from other areas which may be more of a priority
  - if the cycle ways were cleared to use, cyclists could still find it difficult to travel safely to them
  - in some circumstances there may not be alternative modes of transport – for example bus services may not be available for people who started work early.
  - It was important to continue to persuade people to use alternatives to travelling by car.
24. The Committee therefore agreed that the priority for clearing cycle ways should continue to be the clearing of those which were used by commuters travelling to work, rather than those which were primarily used for leisure purposes. Also that people's expectations need to be managed and cyclists need to be given the same detail of information as motorists, in line with the fourth objective of the review.

## Objective (ii) – Salt Bins - Information Gathered

25. The Council currently provides salt bins as a self help option for residents. Prior to September 2007, the Council funded 436 salt bins, but a decision was taken to reduce this number leaving only those which had been frequently used during the previous three winters. At that time, ward members were consulted on which of the frequently used salt bins within their ward they wished to keep. This resulted in the number of bins being reduced to 102. Other parties were then given the option to order and fund additional salt bins.
26. There are currently 263 salt bins situated around the city. Of those, 134 are Council funded:

<u>CYC Funded</u>		<u>Other<sup>1</sup></u>	
Highways	102	York Pride	6
Housing	31	Ward Committees	115
Parking	<u>1</u>	Residents Associations	<u>8</u>
	<u>134</u>		<u>129</u>

27. A list of the current locations of the salt bins are shown at Annex D together with a map.

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<sup>1</sup> Ward Committees etc receive annual funding from the Council. The funding of additional salt bins is just one way in which they may choose to spend that funding.

28. Advantages & Disadvantages of Providing Salt Bins

With the exception of the recent prolonged spell of bad weather, a good majority of the bins currently provided are never used, and unless there is another sustained spell of bad weather this is likely to remain the case. There is also the question of how many residents actually benefit from the provision of salt via salt bins, and whether the money could be put to better use funding the gritting of secondary routes across the city e.g. rat runs / roads with gradients, and public areas such as outside schools, public car parks, additional public footpaths over and above those already identified within the Policy etc.

29. Understanding the Costs Involved

The cost of providing a new fibre glass salt bin, of the type currently in use around the city, is £315. Over time the fabric of these becomes brittle and can be easily damaged incurring maintenance costs. The total cost to the council per year of putting out, 3 refills, taking in, and carrying out any required maintenance on the fibreglass bins is £18,224 (£136 per bin). As an alternative to the current type in use, a new black recycled plastic bin at a cost of £200 per bin, would be cheaper and more sustainable/robust.

**Analysis**

30. In considering whether salt bins were the most efficient and cost-effective method for gritting footpaths etc and most optimum use of the salt available, Members recognised that any changes they proposed as a result of this review may have a beneficial/detrimental effect on the Councils winter maintenance strategy for footway treatment. This in turn might have knock-on effects i.e. level of customer satisfaction, and may lead to an increase/decrease in third party winter maintenance claims from people slipping on the footway.

31. The Committee considered a number of alternative ways of working e.g.:

- a) increasing the number of bins back to 2007 levels i.e. providing an additional 173 bins would cost £54,495 plus £23,528 per year for filling/re-filling etc - in recommending this option, Members may choose to consider the location of the current bins and identify suitable sites where these additional bins could be located.
- b) Maintaining the current levels of supply but adding the provision of self help salt bags (0.75t - 3 times more than a salt bin) if and when conditions require, at a cost of £30 per bag.
- c) putting out the salt bins only in times of severe weather (as recently experienced) - this could be all of the salt bins or only those that have previously been used. This option is likely to produce a smaller saving than option (e) below, based on limiting the cost of maintenance and amount of salt used
- d) reducing the number of salts bins (at a saving of £136 per bin) – Members could identify those salt bins which are currently not used in order to decide

how many could be removed without having a detrimental effect, and thereby identifying how much funding could be made available for alternative use

e) removing them all together (at a saving of £18,224)

32. In looking at these alternative approaches, Members considered the benefits and disadvantages of each approach. One obvious benefit of options (c) - (e) was the savings made, thereby providing funding for alternative use.
33. The committee recognised that the use of self-help bags in times of severe and prolonged bad weather, as in option (b), would enable the council to respond more rapidly when such weather conditions occurred and this arrangement would be more cost effective than increasing the number of salt bins. For this to be effective, a list of sites would need to be identified for locating the self help bags and that this list would need to be drawn up in consultation with Ward Committees and Parish Council.
34. Finally, Members raised the issue of the legal position of residents who clear snow and ice from footpaths near their property using salt from council salt bins, and the possibility of being liable should passers by slip and injure themselves. There is plenty of case law about the responsibility of the highway authority with respect to snow, ice and gritting, but none has been found that deals with ordinary members of the public. In a recent press release, Westminster City Council provided information and guidance from their Director of Legal Services, giving best practice advice for residents, i.e.:

"The position of an ordinary person who clears snow from outside their own or someone else's property is that they would only be liable for an accident if :

- (a) their efforts actually made the pavement less safe than it was with the snow and ice undisturbed
- (b) they should have foreseen the likelihood of someone being injured as a result
- (c) someone actually gets injured
- (d) the injury is the result of their efforts and
- (e) the person injured decides to sue them.

In most cases people will be improving the situation we would have thought, in which case no liability could arise. While there is a theoretical possibility of liability arising if a person cleared an area by moving a lot of snow somewhere else, which caused an accident, or if they cleared snow which wasn't slippery, and left a wet area which iced up and became slippery, I don't think that means we should be discouraging it."

35. Westminster City Council have subsequently posted this advice on their website, together with the following tips for clearing ice and snow:
- i. DO NOT USE HOT WATER. This will melt the snow, but will replace it with black ice, increasing the risk of injury.
  - ii. If shovelling snow: Use a shovel with the widest blade available. Make a line down the middle of your path first, so you have a safe surface to walk on. Then you can simply shovel the snow from the centre to the sides.

- iii. Spread some ordinary table salt on the area you have cleared to prevent any ice forming. Ordinary salt will work and can be purchased cheaply from any local shop, but avoid spreading on plants or grass.
- iv. Use the sun to your advantage. Simply removing the top layer of snow will allow the sun to melt any ice beneath, however you will need to cover any ice with salt to stop refreezing overnight.

### **Objective (iii) – Current Working Practices - Information Gathered**

36. During the severe weather period December 2009 - January 2010, additional procedures to those defined in the Winter Maintenance Manual were carried out on a reactive basis i.e. :
- Gritting of roads not on the defined network
  - Manual clearance of footpaths not on the defined network
  - Snow clearance within car parks
  - Additional salt bins placed
  - Daily updates included on the front page of the Council's website and sent to some Councillors by email / text (at their request)
  - Regular information releases to the media
  - The use of a 'Control Room' was replaced by the introduction of a strategic
  - Changes to the way the council mixed salt and grit - in order to preserve the council salt supply
37. In addition, a decision was taken not to set up a 'Control Room' as detailed in the policy. Instead a Strategic Winter Maintenance Group was introduced to oversee the implementation of the council's policy.
38. Secondary Roads  
In support of the review, Officers identified a list of secondary routes based on the proposed criteria below i.e. those secondary roads that satisfy **all** of the following:
- a. accessible by gritting vehicles - roads with minimum width 5m that are not regularly obstructed by parked cars
  - b. links between other roads i.e. no cul-de-sacs (the exclusion of cul-de-sacs is based on the use of single person gritters where reversing needs to be avoided wherever possible)
  - c. serve areas of dense population e.g. care homes, schools etc
39. In addition, officers suggested that the following locations which do not meet the proposed criteria, also receive snow clearance treatment at the same time as the secondary routes:
- Whitecross Road - providing access to rehab unit
  - Yearsley Bridge (Huntington Road) - providing access to ambulance station
40. Subject to the above criteria being approved, officers suggested that the treatment of these routes should consist of snow clearance only (rather than regular gritting as on the defined network), and that further reactive treatments should only be carried out in emergency situations.



41. Gritting Pedestrian Routes

The Council currently grits 22km of pedestrian routes (footpaths). This is mainly based on ensuring shoppers and commuters can get to the city centre in bad weather. For example, pedestrian routes from the main car parks to the city centre (like St Georges Field to Parliament Street) are gritted. Footpaths in some key built up areas like Haxby Main Street are also gritted. In extreme weather conditions, the Council also ensures footpaths outside schools, care homes, etc are gritted. As part of the 36km of off road cycle paths which are gritted under current Council policy, a high proportion of shared use cycle/footways are in fact covered.

42. The Committee did not feel it necessary to specifically look at the provision of gritting for footpaths as part of this review. Rather, it wished to understand clearly what the practice was and the reasons behind not all pedestrian, cycle or secondary routes being gritted.

### **Analysis**

42. In regard to secondary routes, the Committee acknowledged the reactive nature of the work in times of severe weather and therefore the need to sometimes deviate from the policy by implementing additional measures. Members also agreed with the criteria proposed by officers for identifying secondary routes, recognising that:

- it would be more cost effective approach than snow clearance and gritting on a reactive basis,
- it would assist the Council in communicating with residents and other stakeholders, and;
- it would help to achieve equality of treatment across the city

44. In regard to the current practices for gritting pedestrian routes, the Committee recognised both the resource constraints on repeated gritting in general, and acknowledged the need to prioritise keeping identified primary routes as clear as possible in bad weather. They also noted that within a report reviewing the wider maintenance policy being considered by the Executive on 20 July 2010, the Director of Neighbourhood Services would be proposing some increase in the gritting of footpaths and that this would include clearing the pedestrian route along Wigginton Road to the hospital for instance.

### **Objective (iv) - Raising Awareness – Information Gathered**

45. Information on the Council's winter maintenance policy is currently made available in a number of ways:

- Leaflets placed in council libraries, receptions and community centres
- Information placed on the website, including maps of gritting routes, the footpaths treated and salt bin locations
- Press releases to local radio during severe weather

46. This year in addition to the above, a 'Talkabout' survey specifically on the winter maintenance of roads and footpaths was issued in April 2010. This included questions concerning residents' satisfaction with the existing advance and ongoing information, and invited suggestions as to how this could be improved. Information

from the responses is expected by mid June 2010 and will be fed into the ongoing officer review.

47. However in support of this review, officers proposed a number of additional methods for raising awareness:
- An open day at the Eco Depot for Members and the public in September / October this year, to display the proposed routes and equipment used – a decision on whether to repeat this in future years will depend on the response and feedback from the open day this year
  - Daily updates on the website and by email to all councillors, to be instructed by the Winter Maintenance Group - some councillors received update emails during the severe weather earlier this year and the suggestion is that these be provided to all, unless they request otherwise
  - The provision of more detailed maps of the primary and secondary routes to be made available on the council's website so that individual roads can be identified

### **Analysis**

48. The Committee agreed more could be done to publicise the Council's Winter Maintenance Policy, including providing information on why the Council are unable to grit some road and cycle routes, and acknowledging it would be beneficial to include this information in the policy in order to control residents and visitor expectations.
49. In relation to cycleways specifically, Members recognised the need to provide up-to-date information on the gritting of 'main' cycle access routes on the council's website to enable residents to make an informed decision on whether or not to use their bicycle, and what route to take.
50. In regard to recent working practices not included in the manual, the Committee recognised that the policy needed amending to reflect all the (subject to the lessons learnt), together with any changes to working practices arising as a result of this review
51. Finally, the committee identified it would be beneficial to the public if the Council provided an information leaflet which included information on (or pointers to) all the services residents may need to be able to function in times of severe weather / emergency situations. This would require input from all the relevant service providers within the council (and any external service providers / voluntary organisations where appropriate), including:
- Adult Services
  - Neighbourhood Services
  - Emergency Planning
  - Network Management
  - Public Information Services
  - York Customer Centre
  - Commercial Services
  - Health Services

## Recommendations Arising From The Review

52. The Committee identified the following recommendations arising from this review

In relation to cycleways, that:

- i. up-to-date information on the gritting of 'main' cycle access routes into the city centre be provided via the council's website and in other ways, so that cyclists can make an informed choice on whether or not to use their bicycle and which route to take.

In relations to salt bins, that:

- ii. the current number of council funded salt bins be maintained
- iii. in times of severe and prolonged bad weather, the council provide self-help bags at various locations across the city.
- iv. a list of sites be identified for locating the self help bags through consultation with Ward Committees and Parish Councils
- v. the criteria for the provision of the self-help bags and the list of sites be included within the Winter Gritting Policy

In relation to secondary routes, that:

- vi. A list of secondary routes be identified based on the criteria detailed in paragraphs 36-38 above
- vii. the decision on when to treat those secondary routes be the responsibility of the Winter Maintenance Group
- viii. the list of secondary routes and the criteria be included in the council's Winter Maintenance Policy

In regard to the policy and raising awareness, that:

- ix. the policy be updated to reflect all current working practices and any approved recommendations arising from this review
- x. information on why the Council are unable to grit some roads and cycle routes be included in the policy
- xi. the proposed methods of raising public awareness of the policy detailed in paragraph 45 above, be adopted
- xii. the Council produce an information leaflet covering all the relevant services, with input where appropriate from the relevant providers as detailed in paragraph 51 above – this information also to be made available via the council website

## Options

53. Having considered the information contained within paragraphs 34-35 above, Members may decide to add an additional recommendation relating specifically to the legal position of residents who clear snow and ice from footpaths near their property, and the provision of this advice and tips on this council's website.

54. Members may also choose to:

- amend and/or agree the draft recommendations shown in paragraph 47 above
- amend and/or sign off this draft final report

### **Corporate Priorities**

55. A robust gritting policy will provide an environment which allows workers and visitors to travel freely and safely around the city in times of severe weather, therefore maintaining the city's economy. This supports the council's strategic aim to make the city safer and enabling it to thrive.

### **Implications**

56. There are some implications associated with the recommendations arising from this review:

**Finance** – There will be a cost to the council for producing the information leaflet as detailed in Recommendation xii. Exact figures are unknown at this stage, and any costs should be weighed against the benefits of keeping vulnerable residents informed in times of extreme weather conditions / emergency situations.

**Legal** – the legal implications associated with residents salting the footpath outside of their own property is detailed in paragraph 34 above. There are no other known legal implications.

57. There are no known HR, Equalities, Crime & Disorder, ITT, Property or other implications associated with the recommendations arising from this review.

### **Risk Management**

58. There are no known risks associated with the recommendations below.

### **Recommendations**

59. Having considered all of the information contained within this draft final report, Members are asked to:

- i) Approve the draft recommendations arising from the review, as shown in paragraph 47 above
- ii) Agree to the inclusion of an additional recommendation relating to providing advice to residents wanting to clear snow and ice from footpaths near their property
- ii) Sign off this draft final report, subject to the addition of the recommendation suggested above

Reason: To conclude the review in line with scrutiny procedures and protocols

## Contact Details

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**Final Report Approved****Date**

16 June 2010

**Wards Affected:****All**

**For further information please contact the author of the report**

**Background Papers:** Executive Report dated 10 September 2007

**Annexes:**

Annex A – Map of on-road and off-road cycle ways across the city  
Annex B – Map of cycle paths currently being treated  
Annex C – Feedback from staff at the York Hospitals Foundation Trust  
Annex D – List & Map of Salt Bin Locations

**Committee Members**

Councillor D Bowgett (Chair)  
Councillor I Gillies (Vice-Chair)  
Councillor S Galloway  
Councillor K King  
Councillor K Orrell  
Councillor C Vassie  
Councillor B Watson