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## **Press release**

# **Westminster calls for return to common sense**

Friday, 15<sup>th</sup> January 2010



Westminster City Council has called for a return to common sense and urged people to pitch in and help make their local areas safer despite legal fears over being sued.

Westminster City Council leader, Colin Barrow, said: "We always aim to grit all our roads and pavements, but we do need the supplies of salt to enable this and currently our hands are tied by national salt rationing. Therefore we need a return to common sense and for people not to be afraid to pitch in and help themselves and anyone else who may be vulnerable in the cold weather.

"This includes checking in on that elderly or disabled neighbour and if necessary, picking up a shovel and clearing away any compacted ice and snow which may making an area dangerous. We've taken our own legal advice on this, and as long people do it properly, they have nothing to fear."

We have taken legal advice before putting this proposal forward,, Westminster City Council's director of legal services, Peter Large, says:

"There is plenty of case law about the responsibility of the highway authority with respect to snow, ice and gritting, but we can find none which deals with ordinary members of the public.

"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."

Clearing ice and snow

Tips for clearing ice and snow

1. DO NOT USE HOT WATER. This will melt the snow, but will replace it with black ice, increasing the risk of injury.
2. 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.
3. 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.
4. 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.

**ENDS**