

TONBRIDGE & MALLING BOROUGH COUNCIL

PLANNING and TRANSPORTATION ADVISORY BOARD

23 February 2010

Report of the Director of Planning Transport and Leisure

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 WEATHER CONDITIONS – CAR PARKS AND ADJOINING AREAS

A report to consider changes to our current winter maintenance arrangements in order to increase operational efficiency and to minimise the risks associated with severe snow and ice weather conditions.

1.1 Background

- 1.1.1 The two recent bouts of heavy snowfall, just prior Christmas and then in January, created severe disruption of many services at a national, regional and local level. In Kent there were difficulties with highway and footway clearance extended by the prolonged period of very low temperatures. The report considered by Cabinet recently presented an overview of general conditions, the response of the County Council as Highways Authority and the efforts that the Borough Council was able to make to keep local services operational. That report highlighted some problems that we faced in dealing with land in the Council's control and car parks in particular.
- 1.1.2 This report summaries our own current operational winter arrangements in respect of our preparedness to deal with severe weather conditions in the Council's car parks and adjoining areas and considers options as to how this may be improved.
- 1.1.3 The Borough Council owns and maintains a number of car parks throughout the Borough. The recent long run of relatively mild winters has not required more than a low-key response to winter maintenance. Prior to 2005 the Borough Council managed the local highway network on behalf of the County Council and in those times we had the benefit of the direct control of resources on the highway network which enabled us to divert clearance and gritting operations to the car parks where required. That situation no longer formally exists and it is appropriate that we reflect on what other measures we might now put in place.

1.2 Current Arrangements

- 1.2.1 Our current response has been built on reasonable relationships with Kent Highway Services (KHS) together with their contractor Ringways and a degree of

favourable treatment because of continued working relationships in carrying out Borough works. Whilst this has continued to a degree, there can be no doubt that the control of the operations by KHS and the resources that provide the service, have become more difficult to influence locally. Although we were able to make some of our contractors available to undertake weather duties the fact is that we did not have control over grit/salt supplies.

- 1.2.2 Small stocks of salt are maintained throughout the year at the Castle and Kings Hill offices. Most central Tonbridge car parks have at least one salt bin but many across the Borough have no bins at all. The Civil Enforcement Officers (CEO's) check the central Tonbridge car parks first thing in the morning as a matter of routine maintenance inspection. If there is any evidence of ice then the surfaces local to the ticket machines and the immediately adjacent paths are treated with salt from the salt bins. The salt bins are monitored by my staff who make arrangements to refill them when necessary. However, experience has shown that it is practically not possible to get them refilled during a period of sustained snow and ice simply due to the pressure on the availability of material. During the winter months each of the two parking office vehicles is equipped to transport small quantities of salt and manually dispense the salt with shovels.
- 1.2.3 In extreme weather conditions, including when snow is lying on the ground, it has been possible to utilise crews from Veolia (the Waste Services/Street Cleansing Contractor) when they have been unable to undertake their normal duties. These crews have been usually used to assist with salting and clearing of snow and ice from paths within some of the remote car parks in West Malling, Aylesford, Snodland, Borough Green, the commuter car park on Blue Bell Hill and around the Kings Hill Offices to enable public access to be maintained. In the recent particularly bad conditions Veolia additionally released up to four crews each day to directly assist KHS in salting the footways in Tonbridge which were seen as a priority. The Director of Health & Housing has confirmed that he is happy for both of these arrangements to continue, although the trigger for this is a lot more rigid than the KHS trigger point for activating its Winter Service Plan.
- 1.2.4 Additionally the Borough Council use KCC Landscape Services to undertake the grounds maintenance contract. This contract makes provision for the salting of paths around Tonbridge Castle and in the recent snow conditions they were also released to assist KHS in the wider snow clearance work on footways.
- 1.2.5 Snow and ice in the immediate vicinity of the Leisure Centres is treated with salt, from small bags, by the relevant centre staff.
- 1.2.6 There are two car parks in Tonbridge (Botany car park (Waitrose) and the Angel East car park (Sainsbury) where we have a contractual obligation to carry out 'winter maintenance'. This maintenance cost can be recovered from the agent holding the land as part of the car park management and maintenance agreements.

- 1.2.6 The caretakers at Kings Hill have a small hand-pushed salt spreader which is used to treat the hard surfaces around the Gibson Building.

1.3 How Can This Be Improved?

- 1.3.1 Whilst the combination of existing arrangements provides us with some fall back operations, the experience of the latest weather conditions demonstrates clearly that they are inadequate to deal with a severe and prolonged bout of snow and ice, particularly as far as the car parks are concerned. The Borough Council is therefore faced with a choice of approach in response. On the one hand we could equip ourselves very well at significant cost and accept the risk of uncertainty that our preparations may not be required for many winters to come. At the other extreme we could simply adopt the position that the recent weather conditions have been exceptional and that expenditure is not justified by the risk assessment. I am of the view that the latter approach is simply not a realistic stance and therefore we need to consider the levels of investment we could make and adopt a proportionate approach.
- 1.3.2 The 'gold standard' approach might be to make a formal arrangement with a specialist winter maintenance contractor. This would ensure that we had a comprehensive response whenever the temperature dropped below an agreed level and the operational response could be simply passed on. A budget price has been obtained from a national gritting company who specialise in this area of work. They are likely to charge in the order of £100 per car park for each visit (depending on the actual sizes and geographical spread). KHS grit the highway on average 55 times a year but much of this is precautionary work and realistically we may only have to treat our own car parks on average around 35 times per year. If we were to grit the key (some 23) car parks this would equate to approximately £80k per year. However, we should recognise that in extreme conditions any national contractor, with a multitude of clients seeking assistance, is likely to struggle to grit our car parks within a reasonable period and from a practical viewpoint I am concerned about reliability whatever the terms of a contract.
- 1.3.3 Another option would be to purchase a small and/or mid-size towable spreader which could be towed behind an appropriate vehicle. One of the parking vehicles is now 3 years old and although not yet quite due to be changed it could be traded in early for a robust 4x4 vehicle with weather adaptations and tow bar which could be utilised (with appropriate training) to tow a mid-sized salt spreader. Veolia, when released from other duties could use the spreader particularly in the car parks in the north of the Borough. If we pursued this option we would need to store appropriate quantities of salt to cover any prolonged spell of ice or snow. Probably a reasonable period would be to plan for 5 days and for that we would need approximately 50 tonnes of salt to provide good coverage of the car parks and other areas.

- 1.3.4 Salt is currently stored in a number of salt bins within car parks. This is used by the CEO's to treat the heavily used footways, particularly around the ticket machines and access ways. Currently we have some 25 salt bins spread across the car parks. If we were to increase this provision to a more appropriate supply across the car parks we would need to provide a further 55 salt bins at a cost of £5k. This would enable us to store approximately 25 tonnes of salt (300kg in each bin) evenly across the car parks. It is worth noting that this winter we experienced some minor theft of salt from these bins but this is in itself should not deter us from taking this option.
- 1.3.5 If we were to store enough salt to enable a reasonable response for 5 days then a further 25 tonnes would need to be stored somewhere. If kept in one location we could consider constructing a purpose made timber salt-barn. This would allow the salt to be stored in an environment where it would remain free flowing and usable for up to 2 to 3 years with minimum loss. An appropriate location would need to be agreed but this could be constructed for approximately £40k. It should be noted that salt has a limited useful life in storage and if not used would need to be replaced within 2-3 years to ensure its effectiveness so even if there was no severe weather there would be a cyclical revenue cost to bear.
- 1.3.6 An alternative storage method would be through the purchase of second-hand lockable steel shipping containers at a purchase price of approximately £2K each and store salt in small (20kg) bags. Each container could take around 8 tonnes and could be kept in a number of car park locations across the Borough. The containers would take the equivalent space of 3 parking bays and detailed locations could be finalised if this were to be progressed. This would have the benefit of having our salt supplies distributed around the Borough in good quantities.
- 1.3.7 Finally we have the ability to store up to 5 tonnes of salt in the garages at Kings Hill. This can be used for salting around the offices and at local car parks nearby.

All of these options are presented in the table below.

1.4 Kent Highway Services(KHS) – Local Winter Service Plan

- 1.4.1 KHS as the Highway Authority have a statutory duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice. KHS is in the process of developing a new Local Winter Service Plan with specific local action plans for district areas setting priority areas for treatment. KHS has shared a draft of this with my staff for comment and input. I am hoping that KHS will be able to present this to the Joint Transportation Board for consideration so that we are able to influence the content of the plan.

1.5 Future Arrangements

- 1.5.1 Operationally any severe winter weather event can bring different and unforeseen challenges. The challenge for the Borough Council is to make a proportionate

investment to ensure that our state of preparedness is satisfactory. In addressing this, the following general principles could be adopted to form the basis of the Council's operational response at times of severe weather conditions.

1.5.2 In severe winter weather the Council will endeavour to:

- Co-ordinate with the KHS when initiating any large scale treatment of snow or ice to ensure that the Council's contractors and other resources are engaged to optimum effect and that KHS are best informed of local circumstances.
- Maintain as far as reasonably possible safe access to key Council facilities including public car parks.
- Where reasonably practicable maintain safe passage for members of the public and employees into key Council service bases.
- Maintain a supply of salt/grit or other materials necessary to maintain access to priority areas for five consecutive days.

1.5.3 Options for future arrangements:

Option	Cost	Comments	Recommendation
Formal arrangement with specialist contractor to provide 'on demand' treatment of car parks	Approximately £80k per (average) year	This would shift the immediate responsibility to an external contractor.	Cost is not proportionate for our purposes and relies on performance of contractor at times of significant pressure.
Construct purpose built 'salt barn' to store sufficient quantities (25 tonne+) of salt.	£40k + salt (see below)	Would give ability to stockpile significant quantities of salt to see us through an extended period of ice & snow	Cost is high for our purposes. Materials would be stored in a single location and would need high degree of accessibility.
Purchase salt to store in salt barn	£30k	See above	See above.
Purchase small towable salt spreader which could be towed around the Tonbridge car parks and other areas by one of the Parking vehicles.	£5k (including tow bar)	Would enhance our ability to promptly treat the Tonbridge car parks – could use material from salt bins within car parks - see	The benefits of this option are practically limited. Not recommended.

		<p>below. Cost is low and would provide a prompt, local and visual response to light snow conditions. However this is probably too small to give allow an appropriate response in anything other than very light conditions.</p>	
<p>Purchase mid-size towable Gritter which could be towed by a replacement 4x4 parking vehicle (see below) and/or a small lorry from Veolia.</p> <p>Note. Gritter could either be kept in one of the buildings within the sports grounds or within one of the garages at Kings Hill.</p>	£15k	<p>Would provide the opportunity to undertake a more comprehensive treatment of car parks. Could utilise salt storage and material in salt bins within car parks - see below. Cost is relatively low and would provide a prompt, local and visual response to snow conditions. This option would need a 4x4 vehicle or a small lorry to tow this equipment.</p>	<p>Combined with adequate salt storage this option would appear to give us a high degree of flexibility and effectiveness. Proceed with this option.</p>
<p>Replace Parking vehicle with a 4x4 vehicle to provide options to tow a mid-sized spreader. Funded from the capital renewals budget</p>	£18k – net cost	<p>Required to tow mid-sized grit spreader.</p>	<p>See above. This option would also give us a versatile vehicle that could be used in other aspects of emergency response (for example in mobilising key staff). Proceed with this option.</p>

Salt Stocks - Provide additional (55) salt bins within Council car parks to enable reasonable quantities to be stored within the car parks thus making it easier for local distribution.	£5k	Would increase ability to grit within car parks without the need to store very large quantities in a centralised location	Provides a first response facility at the required locations. Proceed with this option.
Salt Stocks – allow for refilling 80 salt bins twice per year.	£15k	Would maintain salt stocks within car parks for local distribution	Proceed with this option.
Salt Stocks - Maintain 5 tonnes of salt/grit in suitable containers within garages at Kings Hill.	£2k per year	Would give some further resilience in maintaining ability to grit car parks	Proceed with this option.
Salt Stocks - Maintain 25 tonnes of bagged salt/grit in 3 large locked steel containers in car parks	£6k capital cost for containers. £8k revenue cost for salt replacement.	Would give some further and longer term resilience in maintaining ability to grit car parks	Proceed with this option.

1.5.4 The Council does not have access to equipment to clear heavy snowfalls and snow drifts. In these circumstances, the Council will ask Kent Highway Services (KHS) to assist in clearing heavy snowfall either using their own vehicles or through their local arrangements with farmers with snow ploughs. This will depend on KHS's own winter priorities. KCC Landscape Services, who undertake the grounds maintenance contract for TMBC, have access to a tractor which is usually kept in Tonbridge that might be utilised to assist in this way.

1.6 Summary

1.6.1 Any formal arrangements with specialist winter maintenance contractor are likely to cost in the order of £80k per year and whilst attractive in shifting responsibility is not preferred for the reasons highlighted.

1.6.2 The purchase of our own 4x4 vehicle plus a mid-size towable spreader would provide a good level of directly controlled operational ability. The capital cost would be in the order of £44k (mid-sized grit spreader - £15k, 4x4 vehicle - £18k, new salt bins - £5k, 3 containers - £6k) and the revenue costs would be in the order of £25k (for salt supplies) per year. In addition, financial provision needs to be made for the replacement of the asset after its useful life has ended (say 10

years). This equates to approximately £3,600 per annum which, the Director of Finance advises, needs to be provided through annual revenue contributions.

- 1.6.3 A detailed evaluation of this proposal is set out in the normal capital scheme format at **Annex 1** to this report. As Members are aware, the Capital Plan has very recently been updated and new schemes approved, but we are minded to have this arrangement in place in readiness for next winter.
- 1.6.4 To support the preferred way forward we would prepare a priority list of areas for treatment with a primary focus on the car parks and key public walkways for which the Council has direct responsibility. These will be subject to flexibility depending on the climate and conditions in various parts of the Borough.
- 1.6.5 In addition at times of severe weather the Chief Executive and/or Duty Director will review the deployment of staff resources. This might at times mean that certain services could be consciously temporarily suspended, for example at the leisure centres, in order to free some staff to assist in practical weather related duties.

1.7 Legal Implications

- 1.7.1 There is no absolute legal duty to remove snow or ice from paths or other areas in the Council's responsibility. The basic principles of negligence apply, that is the Council owes a duty of care to deal with hazards to persons and property which it can reasonably foresee may cause injury and/or damage.
- 1.7.2 The Council has a general duty to assess and manage risks to the public and staff from hazards occurring on land in their ownership and control. In certain circumstances, this could be seen to include arrangements to treat paths and other areas for snow and ice.

1.8 Financial and Value for Money Considerations

- 1.8.1 There is currently no budget provision for the proposals set out in the report. However it should be noted that on average we receive in the order of £5k to £6k income per day from the pay & display machines in our car parks so any opportunity to keep the car parks open will minimise the loss of income. During the recent bouts of snow I estimate that we lost around £35k in parking ticket income and of course there was no income from Penalty Charge Notices during this period either.
- 1.8.2 Snow and ice conditions are, of course, unpredictable and if we have a mild winter the salt supplies are likely to be largely still usable in the following winter, thereby reducing that year's revenue costs. Equally we could experience worse than average conditions which may need more attention.
- 1.8.3 As I mentioned above, if we wish to have arrangements in place in readiness for next winter, it will be necessary to accelerate this scheme under the Capital Plan process. This means that Members (at next Full Council) will need to approve this

List C evaluation, and promote it immediately to List A (i.e. the Capital Plan proper).

- 1.8.4 The Director of Finance advises that, if Members are minded to support this approach, the capital cost associated with the scheme will need to be taken from the maximum annual capital allowance, of £350,000, for 2011/12.
- 1.8.5 The annual revenue costs of £25k for salt replenishment are clearly not encompassed within our revenue budget or Medium Term Financial Strategy.
- 1.8.6 In addition, the Director of Finance will also need to make provision for the costs of future asset replacement within the Medium Term Financial Strategy.

1.9 Risk Assessment

- 1.9.1 Our Insurance Company, Zurich Municipal, consider that we should make some provision for the gritting of car parks, and in particular, the walkways within car parks. They consider that in the event of any formal liability claim being lodged the approach taken by the Council to reduce risk would be a key factor.
- 1.9.2 Zurich Municipal has stressed that car parks at Council buildings pose a particular risk in respect of injuries suffered by staff. In previous instances when claims have been settled in court it has been determined that such car parks form part of the claimant's workplace.
- 1.9.3 It is worth noting that whilst we are currently unaware of any claims in respect of injuries suffered as a result of icy conditions in our car parks, complaints regarding the Council's failure to grit car parks were received last winter and during the first bout of bad weather this winter.

1.10 Recommendations

- 1.10.1 That the recommended options list in the report and the associated costs be noted and agreed;
- 1.10.2 The List C evaluation set out in Annex 1 be approved and the scheme be "fast tracked" to the Capital Plan with immediate effect, with funding of £44K being reallocated from the 2011/12 annual capital allowance; and
- 1.10.3 The revenue budget and Medium Term Financial Strategy be updated to reflect the revenue costs of £25k for salt supplies and the costs of future asset replacement.

Background papers:

contact: Mike O'Brien

Nil

Steve Humphrey
Director of Planning Transport and Leisure