

**SPECIAL OVERVIEW AND SCRUTINY COMMITTEE FOR SERVICES
9 FEBRUARY 2010**

Present: Councillors Fawthrop, Forward, Palmer, Soan, Webb (in the Chair) and Wilson (as the duly appointed substitute for Councillor Bird)

Apologies for absence were received from Councillors Bird and Corello.

15. DECLARATIONS OF INTEREST

The following councillors declared an interest in the minutes as indicated:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Fawthrop	16 Response to Severe Weather	As a duly elected member of East Sussex County Council
Scott	16 Response to Severe Weather	As a duly elected member of East Sussex County Council
Webb	16 Response to Severe Weather	As a duly elected member of East Sussex County Council

16. RESPONSE TO SEVERE WEATHER

Richard Homewood, Corporate Director Environmental Services presented the report which set out the weather events during December and January which caused severe travel disruption in south-east England. Local authorities and emergency services were stretched to the limit and councils were unable to respond effectively and salt shortages resulted in Government intervention in its distribution and use.

Locally the main snowfall occurred between 17 and 20 December and 6 and 10 January causing extreme difficulties for motorists and pedestrians. All but primary routes were closed on 9 January when the snowfall was particularly heavy. Gritters and snow ploughs were deployed and stocks of salt were rapidly depleted. Treatments did not extend beyond priority routes.

The Borough Council does not retain any stocks of salt or grit and goodwill arrangements with ESCC and its contractor enabled the Council to respond to less severe weather episodes in the past.

Attempts were made to obtain alternative supplies of salt but were unsuccessful, then with the agreement of ESCC a quantity of grit was

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obtained from Eire. The street cleansing contract staff were redeployed to apply the grit throughout the Town Centre and secondary shopping areas.

Refuse and recycling collections were severely disrupted and collection schedules were rearranged with the contractor working over the weekend of 9 and 10 January to try to catch up. Borough Council staff assisted the Primary Care Trust and the Conquest Hospital.

Apart from disruption to refuse and recycling services most other services operated as normal. Parking restrictions were relaxed.

Richard thanked the contractors for working over the weekend of 9 and 10 January and for re-arranging collection schedules.

Councillor Roy Tucker, Lead Member for the Environment

Cllr Tucker contacted ESCC to try to obtain salt. He said he thought the Borough Council should hold a reasonable stock of salt. The Legal Department should clarify the situation on clearing snow and ice from frontages.

In response, the legal Advisor (Muhammad Saleem – MS) advised the Committee that the law requires all (including residents) to take reasonable care to avoid acts or omissions, which they can reasonably foresee may cause harm to others.

MS further stated that residents should be aware of their responsibilities under the Occupiers Liability Act 1957.

In addition, residents should check the position with their insurers in relation to whether their policy has any exceptions or clauses dealing with the clearing of snow and/or ice.

Rupert Clubb, Director of Transport & Environment, ESCC

Mr Clubb told the meeting that the County Council had met the aims of their winter maintenance policy and that this winter's weather was a 'once in 30 year occurrence'. 6 days' supply of salt is kept but between 1 December and 12 January 7000 tons of salt were used which is as much as would normally be used in a whole year. 25 gritters were deployed and farmers were also asked to help clear snow. Sharp sand was bought to help stretch capacity. Grit bins were refilled but the use of grit bins was abused and sometimes the grit bin was stolen. He thought it was timely to look at the winter maintenance policy and that 'fact based, evidence driven' policy is the way to go.

Cllr Matthew Lock, ESCC, Lead Member for Transport & Environment

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Cllr Lock remarked that the winter maintenance policy had worked from 2004 until now. He thought residents should be better prepared when travelling in bad weather conditions and that there should be more clarity about what the County Council will do and what the Borough Council will do. He also thought that there is a role for the Local Strategic Partnership and the East Sussex Strategic Partnership.

Cllr Phil Scott

Cllr Scott said that there was cross party concern about the lack of gritting in the town centre and residential areas but that a good job had been done in keeping the main roads open. He thought that local residents did not distinguish between what the County Council does and what the Borough Council does. He supported the notion of the Borough Council keeping a supply of salt. He made reference to a review that is taking place in Durham.

Cllr Richard Stevens

Cllr Stevens reported that the problems leading up to New Year were with regard to ice rather than snow and that he was unable to contact anyone at the County Council on New Year's Eve. He was later told that it is 'not the policy to clear pavements' and asked if this was good enough. There is a need to prioritise which areas need to be cleared. He thanked the Committee for the opportunity to attend and speak at the meeting.

Cllr Stephen Springthorpe

Cllr Springthorpe thanked the chair for calling the meeting. He reported that the problems in the town centre on 20 December were caused by ice and that the cold conditions had been forecast. He wanted to know who was responsible for the town centre.

Members then discussed the report from Richard Homewood and the contributions from the invited guests.

Members noted that not all shops took reasonable care to clear their paths and entrances and agreed that it was important that there is a proper balance between residents' rights and responsibilities and the responsibilities and resources of the Council. Members also noted that there was a lack of public clarity over which council, Hastings or East Sussex County Council, had responsibility for these matters.

Members were pleased to note that parking restrictions were relaxed which was of great assistance to residents.

Members then discussed in some detail the need for an emergency plan with East Sussex County Council and Rother District Council and, if required, a

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separate plan for dealing with footways, pedestrian areas and minor roads and agreed that Cabinet be asked to identify a budget provision for this.

Members wished to thank all Hastings Borough Council staff for the effort put in over this period.

RESOLVED that

- (a) the matter be referred to Cabinet**
- (b) a protocol of working with East Sussex County Council be drawn up**
- (c) were the Borough Council minded to put in place future contingency arrangements to treat footways, pedestrian areas and minor roads then:
 - (i) the express permission of the County Council as the Highway Authority would have to be obtained;**
 - (ii) a fully costed contingency plan would need to be developed and approved; and**
 - (iii) budget provision would need to be identified to fund this plan.****

(The Chair declared the meeting closed at 8.30pm)