

Policy Name	Frequency of Review	Date adopted & Minute Ref
Winter weather	Annually	5.4.2017 Minute 16/193
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		6.5.2020 Minute 20/011
	Two yearly	07.09.2022 Minute 22/141(3)

## **BOURTON ON THE WATER PARISH COUNCIL**

### **LOCAL WINTER MANAGEMENT POLICY**

#### **INTRODUCTION**

The Parish Council ("the Council") has a statutory duty to prepare for and deal with snow and ice on property which it owns. However, although the Council does not have the resources to make a commitment to provide a full snow clearing service throughout the village, nor is it required to do so, it will endeavour to assist wherever practicable and affordable. This policy has been established to clarify what can be expected from the Council in terms of winter weather management on its own land and elsewhere in Bourton on the Water.

#### **THE LAW**

The Health and Safety at Work etc Act 1974 and the Occupiers' Liability Act 1984 place responsibility on an employer/land-owner to maintain access to its premises in a safe condition. Although an employer can be held liable for 'failing to act reasonably' to prevent accidents, pedestrians also have a responsibility to take care.

There is no law which prevents Parish Councils from clearing snow or ice on public places, **provided the area has been cleared carefully, and negligence cannot be proven**. The Council maintains adequate levels of Public Liability insurance and, in the event the Council has taken due care when clearing snow or ice but is deemed legally liable for an injury, its Public Liability insurance will provide cover. In order to ensure due care is taken this policy sets out the measures the Council will take; the extent of its responsibility is to do what is reasonable in the circumstances.

#### **GRITTING AND CLEARING SNOW/ICE ON PUBLIC FOOTPATHS/COUNCIL LAND**

Property or land which **WILL** be gritted by the Council:

- **The George Moore Community Centre, Moore Rd.** During periods of severe/persistent frost, ice or snow the Council will arrange to treat the car park area at the Community Centre within the extent of the area for which it has responsibility.

The Caretaker will lay grit prior to snow/ice arriving when there is an advance forecast of prolonged bad weather, or as soon as it is safe to do otherwise. Gritting will be carried out on a priority basis, and will be re-applied at regular intervals if the bad weather persists. Grit will not be applied when there is a forecast of isolated short-term bad weather (ie a one-day frost). Snow will be cleared only when it has stopped snowing, and when it is safe to do so. Posters will be displayed and information will be circulated to tenants to notify staff, visitors and tenants of gritting procedures at the start of the winter season. They will be requested to take adequate precautions during short spells of icy weather, as would be reasonable to expect of any individual. It should also be noted that in exceptionally low temperatures the effectiveness of grit/salt is significantly reduced.

Once the clearance programme has been implemented, it will be maintained for the whole period when there is snow or ice.

- **The pedestrian bridges across the River Windrush.** Subject to availability of stocks and manpower resources, the Council will arrange for the bridges to be gritted prior to snow/ice arriving when there is an advance forecast of prolonged bad weather. Gritting will be repeated at regular intervals, if the bad weather persists. Grit will not be applied when there is a forecast of isolated short-term bad weather (ie a one-day frost).

Property or land owned by the Council which will **NOT** be gritted by the Council

- Council Allotment sites, playing fields, Cemetery. It is reasonable to expect it unlikely that the playing fields and play areas will be much in use during bad weather conditions and it is also reasonable for the Council to therefore allocate resources to other areas of greater public use. The Allotment sites and Cemetery do not benefit from man-made paths and gritting is therefore not practical or achievable.
- Public footpaths or highways. The Council does not have the resources in terms of manpower or grit stocks to grit the public footpath network, nor is it required to do so. However, in order to facilitate the clearance of snow and ice in public areas and to assist residents in moving around the village centre to access amenities, the Council retains stocks of grit spreaders, snow shovels and hi-viz jackets that can be loaned out to local residents and businesses, and will provide limited stocks of grit FOC for use on public footpaths only. The Council will not make available grit or equipment for use on private land – this is the responsibility of each property/land-owner. Any residents or businesses borrowing Council equipment will be given a copy of the Council's Risk Assessment and will be required to sign to confirm they have read and agree to abide by this advice. The Council will notify local residents and traders of the availability of grit and equipment stocks via the parish magazine in autumn each year.

Staff or volunteers who undertake snow clearance and grit laying will be provided with appropriate clothing, footwear and equipment and will receive advice and training regarding the correct procedure for all works.

All equipment will be checked annually to ensure it is in good working condition and fit for purpose. Records of annual equipment checks will be retained in the Council office.

**GRITTING AND CLEARING SNOW FROM THE HIGHWAY NETWORK (ROLE OF THE PRINCIPAL AUTHORITY – GLOUCESTERSHIRE CITY COUNCIL "GCC")**

GCC aims to safeguard the travelling public from the hazardous effects of snow or ice or other adverse weather conditions on the county road network so far as it is practicably able to with the resources available. The core winter period is from October to April and when icy road conditions are forecast during this period precautionary salting will be carried out on the strategic road network which comprises Class A and B roads, roads leading to main hospitals, ambulance stations, police stations and fire stations, some strategic public transport routes, roads serving main shopping centres and the majority of Secondary schools. The strategic road network covers approximately 29% of Gloucestershire's total road network.

During prolonged severe winter weather conditions, when time allows and resources are available, salting may also be carried out on the secondary road network. The extent of the

secondary road network to be treated will be determined at the discretion of the local GCC Area Highways Manager and their highways maintenance contractor and may include: Major bus routes (operated every two hours or more frequently) not covered by the strategic road network, routes adjacent to major educational establishments (in term time) and other locations where high traffic volume or local conditions dictate as well as access in to rural communities.

During prolonged severe winter weather conditions all available GCC resources may be continuously employed in maintaining the strategic road network. In these prolonged severe winter weather conditions the highways maintenance contractor will work in partnership with local Parish Council Snow Wardens and local Snow Plough Operators to assess local weather conditions and, where resources are available, arrange for snow clearance work on local roads.

In this respect, a local Snow Plough Operator and Snow Warden for Bourton has been identified by the Council and GCC will liaise with the Plough Operator and the Snow Warden to deploy this resource to help clear key local roads when GCC resources are not able to do so. These key roads comprise the following:

- Meadow Way from entrance to Industrial Estate to junction with Station Rd
- Station Rd, from traffic lights at A429 to junction with High St
- Moore Rd
- Lansdowne
- High St
- Rissington Rd

Additional local roads will only be cleared in severely prolonged spells of bad weather, and subject to availability of, and agreement with, the Snow Plough Operator and GCC.

#### **PARISH COUNCIL SNOW BLOWER AND GRIT SPREADER**

The operation of the snowblower should be used by a trained person and a second person needs to spread grit behind the blower as it cleared the snow.

#### **GRIT BINS**

The Council has made available a number of grit bins at strategic areas around the village and GCC will fill all bins with grit prior to winter commencing. However, GCC will not replenish grit bins during the winter period, if stocks become low. The Council will arrange for a periodic check of all grit bins throughout the winter and will re-stock these, subject to availability of grit, as and when necessary once the initial stocks have been used. However, residents and traders are also responsible for alerting the Council of a bin which becomes empty in between checks. **Residents and traders are not permitted to take grit from grit bins for use on private land or property.**

#### **RISK ASSESSMENT**

The Council has completed a Risk Assessment for snow and ice clearance activities within the Parish. This is reviewed annually, is provided to all staff, and residents and local traders who wish to borrow Council equipment and use Council grit stocks. It is available from the Council offices and can be downloaded from its website.

#### **ADVICE TO INDIVIDUALS**

People have been hesitant to clear snow because of fears of litigation if someone should slip on the treated area. Pedestrians also have a responsibility to take care.

The Ministry of Justice has previously stated;

*“The prospects of a person who volunteers to clear snow from a pavement being successfully sued for damages by a person who subsequently slips on the cleared area and is injured are very small”.* A successful prosecution would depend on being able to prove that the cleared surface was less safe after clearing than before, which is obviously extremely difficult to do.

GCC and the Council’s insurer have issued guidance for individuals who wish to clear snow and ice which will be provided to residents, on request.