

Title of report: 2022/23 Winter Resilience

Decision maker: Cabinet Member Infrastructure and Transport

Decision date:

Report by: Engineering manager

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose

To authorise the spend / investment in the council / public realm assets to provide winter resilience following the council's resolution at the councils meeting on 11 February 2022, to approve the proposed capital investment from 2022/23 to:

- Implement the winter fleet strategy which will allow for the replacement of 8 fleet vehicles over the next 5 years,
- Renew outdated weather stations.
- Install flood warning system.

Recommendation(s)

That:

- a) **£1,402k be invested in the asset to support county winter resilience as set out below over the next 4 years:**
 - a) **£1,160k in 8 no Winter Gritters 2022/23 through to 2026/27;**
 - b) **£180k investment in Weather Monitoring and Forecasting Stations;**
 - c) **£40k in Flood Warning Sensors + bases; and**
 - d) **£22k in installation and project management costs.**
- b) **Delegated authority is given to the Director of Economy and Environment, in consultation with the S151 Officer to take all operational decisions to deliver the projects set out in recommendation (a).**

Alternative options

- 1. Not to invest £1,402k in infrastructure assets, this is not recommended as this would be contrary to the council's resolution on 11 February 2022.
- 2. Not to invest in winter resilience, this is not recommended. The investment continues the fleet renewal that ensures the council and its service providers can respond as needed to the challenges of severe weather.

Key considerations

- 3. The proposed investment, as set out in the report, will invest in the Public Realm and provides sustained investment in:
 - a. Continuing the replacement of the gritting fleet;
 - b. Investing in the replacement of the existing weather stations; and
 - c. The provision of flood warning devices on the strategic road network.
- 4. The investment supports the county plan and ambition for Herefordshire, the aims are reflected priorities in the County Plan, Highways Maintenance Plan and in the delivery of the Local Transport Plan:
 - a. CO1, CO4 the Winter Service provides a managed response to the hazards and risks associated with winter from below freezing nights through to severe weather, the asset improvements will ensure the service is fit for purpose.
 - b. EN2, EN5, A safe network enables travel choices, the data collected enables appropriate decisions, this is required with the changing climate and severe weather patterns.
 - c. EC1, Keeping Herefordshire moving supports and enables businesses to operate effectively and efficiently which in turn attracts other businesses to the locality...
- 5. The council meeting held on the 11 February 2022. Agenda item 37 2022/23 Capital Investment budget and capital strategy update resolved that the council approve the proposed capital programme for 2022/23.

6. The proposal is to:
- a. Implement the winter service fleet strategy, which will replace 8 of the fleet from the 2022/23 period. This will ensure the fleet is capable of delivering the Winter Service plan and will not become a burden in high maintenance or unfit for meeting the environmental challenges such as emissions and air quality.
 - b. Renew the outdated weather stations which will ensure accurate data provided for decision making in gritting the road network.
 - c. Install Flood Warning Systems in areas where flooding occurs regularly which will enable a proactive response in protecting the public and opening the road network once the flood has receded.

Community impact

7. The investment contributes to the County Plan ambitions, providing additional resilience to the network and response to the weather challenges, freezing weather, snow and flooding.
8. In preparing the capital bid for 2022/23, the service identified key areas of investment required to provide resilience in the service provided by Herefordshire Council.
9. The recommendation will not have a direct impact on children in care but overall, the package of measures will support the communities in Herefordshire in maintaining the network, removing risk and improving safety.

Environmental Impact

10. The decision seeks to deliver the council's [environmental policy commitments](#) and aligns to the following success measures in the County Plan.
 - Increase flood resilience and response by Herefordshire Council and the service providers in support of communities.
 - Reduce the council's carbon emissions with the introduction of a modern fleet.
11. The environmental impact of this proposal has been considered through the service specification and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the ongoing contract management.

Equality duty

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
12. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes. This decision will not have a negative impact on the council's equality duty and responsibility.

Resource implications

13. The investment of £1,402k will be subject to a procurement strategy where the individual elements will be subject to open tender and comply with the council's contract procedure rules (CPR) and procurement regulations.
14. The budget of £1,402k is to be in the asset to support county winter resilience as set out below:
- £1,160k in 8 no Winter Gritters
 - £180k investment in Weather Monitoring and Forecasting Stations
 - £30k in Flood Warning Sensors.
 - £32k in installation and project management costs.
15. There is a risk that in future years, with current inflation rates, costs are likely to rise significantly and therefore fewer gritters may be purchased by this approved budget. Any future requirements will be subject to further capital funding requests in future years.
16. Unique project codes will be allocated to each element so that the corporate project manager assigned can monitor and review progress to enable reporting to the capital project board along with other relevant programme boards on each of the projects. The projects were approved at council in February 2022 to be funded from corporate borrowing.
17. There are no implications to revenue funding as any future maintenance is managed within the existing programme and budget, however, capital investment should ease the revenue budget reducing the need to undertake additional repairs over the whole life of the asset. This is a replacement programme of the gritter fleet and no increase to the number held in stock.

18.

Capital cost of project	2022/23	2023/24	2024/25	Future Years	Total
	£000	£000	£000	£000	£000
8 No. Gritters with E Plough and Monitoring Equipment	290	145	290	435	1,402
6 no Vaisala Weather Monitoring and Forecasting Stations	180				180
Flood Warning Sensors	30				30
Base Installation	10				10
Project management Fees	22				22
TOTAL	532	145	290	435	1,402

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2022/23	2023/24	2024/25	Future Years	Total
	£000	£000	£000	£000	£000
Prudential Borrowing	532	145	290	435	1,402
TOTAL	532	145	290	435	1,402

Legal implications

19. The Council is the Local Highway Authority, Under section 41(1A) into the Highways Act 1980, to the effect that “a highway authority is under a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice”
20. There are other powers in the 1980 Act
 - Section 130 – gives the highway authority a general duty to protect the right of the public to use and enjoy the highway; and
 - Section 150 puts a responsibility on the highway authority to clear snow from the highway, but only if it is causing an obstruction.
21. Under the Traffic Management Act 2004 (England), the Council also has a statutory duty to do all that is reasonably practicable to manage the network effectively to keep traffic moving.

Risk management

22. The sustained investment will minimise the risk and provide resilience in how the council manages the network in response to the changing climate and the extremes in weather conditions.

23. Delivery in the project is proposed to be in year but the economic climate will dictate in so far as fleet availability, this will be reported in the appropriate board which will include the finance team. The risks will be managed at the service level and entered in the Highways and Traffic Risk Register.

Consultees

24. As part of the revised consultation process for key decisions, the Political Group Consultation was undertaken on the 8 December, 2022. No concerns were raised, there were questions about the climate change and the use of evolving technology such as drones to improve the service.

Appendices

None

Background paper

None

Report Reviewers Used for appraising this report:

Please note this section must be completed before the report can be published

Governance	Sarah Buffrey, Democratic Services Officer	Date 05/10/2022
Finance	Karen Morris	Date 04/10/2022
Legal	Sharon Bennett-Matthews	Date 29/11/2022
Communications	Luenne Featherstone	Date 05/10/2022
Equality Duty	Carol Trachonitis	Date 29/09/2022
Procurement	Mark Cage	Date 07/10/2022
Risk	Kevin Lloyd	Date 03/10/2022

Approved by Ross Cook Date 21/12/2022

[Note: Please remember to overtype or delete the guidance highlighted in grey]

Please include a glossary of terms, abbreviations and acronyms used in this report.