



## Severe Weather and Winter Management Policy

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### 1. INTRODUCTION

- 1.1 Biddulph Town Council does not have a statutory duty to prepare for and deal with snow and ice, but we are in a good position to inform the principal authorities about local needs and we want to do whatever else we can for our community.
- The Town Council does have a responsibility to demonstrate that it has taken reasonable steps to ensure the safety of visitors to Council-owned land. In this case, the main consideration will be the town burial grounds.
- This document aims to clarify what the community can expect from the Town Council.
- Consideration is also given to the management of events in severe weather.

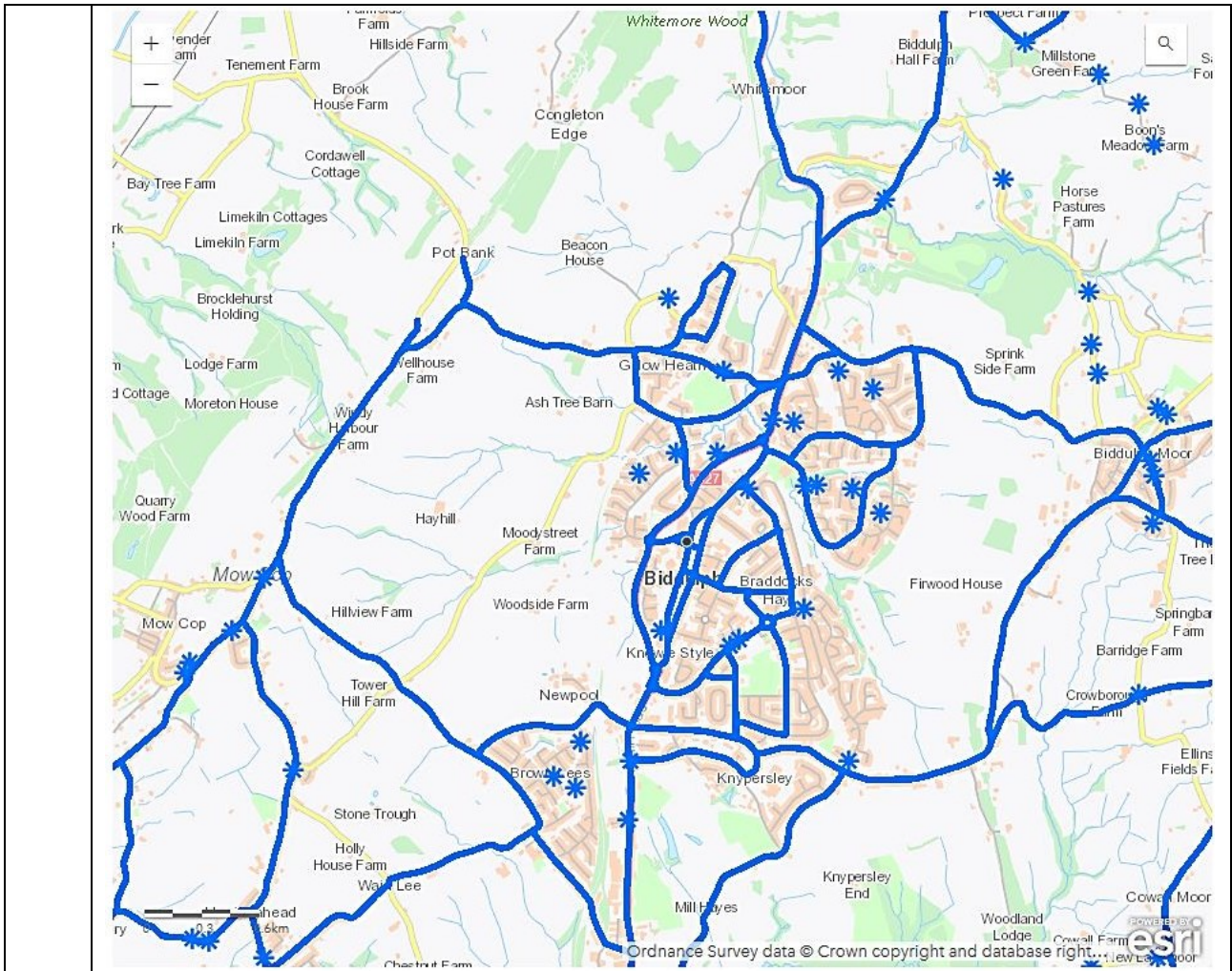
### 2. OBJECTIVES OF THE POLICY

- 2.1 This policy will provide staff and members of the public with a clear statement of the measures that will be taken by the Town Council in the event of snow and ice conditions occurring in the Biddulph area. The Town Council's objective is to use the resources available to assist in the continuance of safe access to areas of land that are owned and managed by the Town Council.

### 3. PROVISIONS

- 3.1 **The Clearing of Ice and Snow from Council Property**  
If the snow and ice are on Town Council land (which is not a highway) the Council has a duty to take reasonable care to ensure that employees and visitors coming onto its land are safe; this might well necessitate removing ice from a slippery path.  
Failure to do so could result in claims for negligence and nuisance.

3.2	<p><b>Directgov advice</b></p> <p>When you clear snow and ice:</p> <ul style="list-style-type: none"> <li>• do it early in the day - it's easier to move fresh, loose snow</li> <li>• don't use water - it might refreeze and turn to black ice</li> <li>• use salt if possible - it will melt the ice or snow and stop it from refreezing overnight (but don't use the salt from salting bins as this is used to keep roads clear)</li> <li>• you can use ash and sand if you don't have enough salt - it will provide grip underfoot</li> <li>• pay extra attention when clearing steps and steep pathways - using more salt may help</li> </ul>
3.3	<p><b>How Much Maintenance? When? Where?</b></p> <p>When clearing snow and ice from council land, the council is only required to do what is <b>reasonable</b> in the circumstances.</p> <p>If everywhere is covered by two feet of snow, then people know they must take care. But it is important to guard against those places where people may not expect an icy spot or where, if untreated, the ground will be particularly hazardous.</p> <p>In general, people do not expect (and probably do not want) the council to spend time and money clearing a footpath across a rural field, but they will almost certainly expect to be able to walk along a tarmacked footpath in a public place.</p>
3.4	<p><b>Town Council action</b></p> <p>Officers within the Town Council will monitor weather conditions from October to March each year. The Town Council owns several areas of green space and it is <b>not</b> feasible to clear snow or ice in these areas.</p> <p>The main areas of consideration are the town burial grounds.</p> <p>Each winter, the following action will be taken:</p> <ul style="list-style-type: none"> <li>• Appropriate signage will be installed at the burial grounds to warn about the possibility of snow and ice.</li> <li>• Grit bins will be filled and monitored.</li> <li>• The Lengthsman, Grounds Maintenance team and/ or Town Council staff will routinely apply grit to the main paths within the burial grounds during periods of bad weather.</li> <li>• The Chief Officer will continue to monitor provision.</li> </ul>
3.5	<p><b>Staffordshire County Council advice</b></p> <p>Winter "officially" starts for the County Council on the third Monday of October. The main focus is known as the primary network.</p> <p>On the map below, blue stars indicate the location of grit bins and blue lines are the primary gritting routes.</p>



Biddulph Town Council does not have a role in replenishing grit bins or completing gritting of primary networks.

<p>3.6</p>	<p><b>The role of the Lengthsman</b></p> <p>If a local council takes on the responsibility for clearing ice and snow from highways, it must exercise reasonable care in doing so. If it does the job negligently, the local council will be liable for claims arising from its negligent actions.</p> <p>Historically, the Lengthsman position within Biddulph has been funded by Staffordshire County Council. In doing so, the County permitted some gritting of footpaths to take place. In 2017/18 this role was funded by Biddulph Town Council. If gritting of footpaths along the highway is required, caution will be exercised and advice sought from the County Council and the Town Council's insurance provider.</p>
<p>3.7</p>	<p><b>Management of events in severe weather</b></p> <p>Outdoor events may be affected by severe weather; this may include the Artisan Market, Christmas Lights Switch-On, exhibitions, sporting events, etc.</p> <p>Severe weather conditions might have implications for:</p> <ul style="list-style-type: none"> <li>• The health and safety of visitors, participants, and members of staff involved in the event</li> <li>• The potential lasting impact on the site landscape and ecological habitats if the event were to proceed</li> <li>• Any relevant accessibility issues regarding visitors reaching and leaving the</li> </ul>

	<p>site</p> <ul style="list-style-type: none"> <li>• Potential reputational damage to the event provider and Biddulph Town Council.</li> </ul> <p>In the event of new information becoming available regarding adverse weather conditions during, before or directly after the event, the Chief Officer and event organiser must meet to discuss the event.</p> <p>The meeting must be held as soon as reasonably possible after information about adverse weather conditions becomes available and must be held on-site wherever possible.</p> <p>The Chief Officer should, at the conclusion of the meeting, make a decision regarding cancellation. Any decision shall be final.</p> <p>Biddulph Town Council will not accept liability for any costs or contingent liabilities associated with cancellations due to forecast or actual adverse weather conditions.</p>
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#### 4. RELEVANT LEGISLATION

4.1	<p><b>The Highway Maintenance Powers of Local Councils</b></p> <p>Parish and Town Councils have a power (not a duty) (in section 43 of the Highways Act 1980) to maintain:</p> <ul style="list-style-type: none"> <li>• footpaths (not the footways running alongside carriageways)</li> <li>• bridleways and</li> <li>• ‘restricted byways’. (A restricted byway is, broadly, a road which cannot be used by motor vehicles.)</li> </ul> <p>If a parish or town council chooses to use this power, then they also have the power to provide and supply grit bins, but only along those footpaths, bridleways and restricted byways. If they do carry out winter maintenance, they must exercise reasonable care in doing so.</p>
4.2	<p><b>The Clearing of Ice and Snow from Highways</b></p> <p>The current allocation of responsibilities for highway winter maintenance (the removal of ice and snow) rests with the central government (through their Highways Agency) and with County, Metropolitan and Unitary Councils. Some District Councils (in so-called two-tier areas) have maintenance responsibility for some minor highways under section 42 of the Highways Act 1980. The duty of a highway authority under section 41 of that Act is ‘to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice’.</p> <p>All highway authorities and District Councils have the power to delegate to Parish and Town Councils the Counties’ (etc.) and Districts’ power in section 185 of the Highways Act to provide and supply grit bins. This power to delegate is in section 101 of the Local Government Act 1972. Apart from that, the section 185 power to provide grit bins is not given to Parish and Town Councils; it applies only to Counties, Mets, Unitaries and Districts. Eligible local Councils may however be able to use the Power of Well Being in the 2000 Act (or the General Power of Competence which replaces it) to provide and fill grit bins, and other local councils may be able to use the power in s 137 LGA 1972.</p>