



AGENDA ITEM: 10

SUMMARY

Report for:	Strategic Planning and Environment Overview and Scrutiny Committee
Date of meeting:	12 November 2013
PART:	1
If Part II, reason:	

Title of report:	Gritting of Car Parks – Response to Member request
Contact:	Cllr Julie Laws, Portfolio Holder for Environmental Services Steve Barnes, Parking Policy Lead Officer Craig Thorpe, Group Manager (Environmental Services)
Purpose of report:	To respond to request for information regarding gritting of car parks
Recommendations	That the report be noted
Corporate objectives:	Safe and clean environment
Implications:	<u>Financial</u> None
'Value For Money Implications'	<u>Value for Money</u> None arising directly from this report.
Risk Implications	None arising directly from this report.
Equalities Implications	None arising directly from this report.
Health And Safety Implications	None arising directly from this report.
Consultees:	Simon Coultas, Operations Manager (Clean, Safe and Green) Caroline Souto, Accountant Steve Baker, Assistant Director (Chief Executive's Unit)

	Chas Cannon, British Parking Association
Background papers:	None
Historical background	There are 26 council enforced car parks in the Borough of Dacorum. At this current time 10 of these car parks receive attention in times of adverse weather. Members have requested officers to provide some clarity as to on the level of gritting service.
Glossary of acronyms and any other abbreviations used in this report:	CSG – Clean Safe and Green DBC – Dacorum Borough Council HCC – Hertfordshire County Council

Introduction

1. This report has been written in response to a number of questions posed by the Chair of the Committee, Cllr Alan Anderson, about the Council's approach to gritting car parks throughout the winter. The responses to Cllr Anderson's questions are as follows:

Why is not possible to grit car parks in these [adverse weather] conditions, when the CSG are gritting high street pathways, etc. in the vicinity already anyway?

2. In total, DBC owns 25 car parks, of which the 10 most heavily used are maintained on a daily basis, throughout the year, by Clean, Safe and Green (CSG). (See paragraph 10 for a list of the 10 car parks.) In normal weather conditions, daily maintenance consists of sweeping and litter-picking. However, in adverse weather conditions, the focus of daily maintenance is shifted to focus on the gritting of the carriageways, pathways and stairs.
3. On this basis, the Council is able to grit its 10 most heavily used car parks through the effective redeployment of existing staff rather than the utilisation of additional resources. Given that in extreme conditions all CSG staff are redeployed to assist with the clearance of ice and snow in areas of high footfall, e.g. town centres, shopping precincts, elderly persons' dwellings etc., additional resource would be required if the same daily treatment were to be extended to the remaining 15 car parks. It is difficult to estimate the cost of this due to uncertainty over weather conditions.
4. In addition to this, CSG assists Hertfordshire County Council (HCC) in undertaking its statutory function of gritting a number of pre-determined roads within the Borough. HCC provide the salt free of charge for this purpose, but have stipulated that it can only be used to treat HCC highways. This restriction prevents CSG from incorporating the gritting of DBC car parks within the wider gritting programme.

What legal duty of care does DBC have in carrying out the management of these assets in these conditions?

5. The Council's Legal team has advised that; *'The Council, like any other owner or occupier of land, owes a duty under the Occupiers Liability Acts 1957 and 1984 to see that visitors are reasonably safe in using the premises for which they were invited or permitted by the Council to be there. This duty is not absolute and the courts will take a common sense approach. It's a case of doing what is reasonable in all the circumstances. So, for example, the courts do not expect a local authority to ensure that all the public areas under its control should be kept entirely free of snow and ice. The courts accept that the limited availability of resources means that local authorities must decide which areas are to be treated as a priority. However, the approach taken by a local authority in deciding which areas should be cleared and what areas should be left must be a reasonable one.'*

Why should external organisations grit DBC's car parks for them without any funding, particularly when they've had their funding reduced?

6. DBC car parks are not gritted by any external organisations. If the Council wished to grit all its car parks, it must either employ more resource or divert existing resource away from other duties.

In prioritising which car parks are gritted or not, what assessment has been made of the likely uses of the car park and the corresponding risk to public safety? (For example, after the obvious assessment of the relative size of the Borough's car parks, has anybody considered whether a car park is being used by elderly/frail/ill people, as opposed to those just out shopping).

7. As explained in paragraph 2, the car parks that are gritted on a daily basis are those that are swept on a daily basis in normal weather conditions. These car parks were selected for daily maintenance on a year-round basis due to their proximity to major shopping streets and the consequent high volume usage. It is likely that customers use these car parks to access many other facilities commonly found in these central areas as well as for shopping.
8. Members should also note that the redeployment of CSG staff to clear snow and ice is targeted at those areas across the Borough that are deemed to pose the highest risk to public safety, including around elderly persons' dwellings (see paragraph 3).

Does the Park Mark scheme involve any assessment of DBC's ability to manage its car parks in these conditions?

9. There is nothing specific in the Park Mark Assessment Guidelines concerning the ability to grit car parks in snowy/icy conditions. This is not something that is asked of the management at the time of assessment.

Annex A – the 10 treated car parks

10. The car parks gritted daily throughout periods of adverse weather conditions are as follows:
 - Frogmore Street (East)
 - High Street
 - Lower Kings Road
 - Moor End Road

- Queensway
- St Johns Well Lane
- The Forge
- Water Gardens (South)
- Water Gardens (North).
- Water Lane