

Date: 10th February 2010
Your reference: BGW/SVT/WTC
Our reference: KM/378296/3276/1.93

AGENDA ITEM 6

Mr B.G. Whittaker
Clerk to Windermere Town Council
"Short Haul"
Old Hall Road
Windermere
Cumbria
LA23 1JA

Dear Mr Whittaker

RE: Windermere Town Council - Winter Maintenance.

I refer to your letter of 01 February 2010 regarding winter maintenance concerns raised by the Town Council.

I shall pass your suggestions (3), (4), (5), (8), and (9) to the County Council's Network Manager, John Robinson, who advises the County Council on winter maintenance policies and standards, so that the suggestions can be considered during the review of the winter operations.

I can confirm that the footways in Bowness are categorised at a lower priority than those in the centre of Windermere. The comparative lists of footway priorities may be viewed on the County Council's website at the link below which relates to the Cabinet report considered by Cabinet on 21 July 2009, at which the winter standards for 2009/10 were set.

<http://www.cumbria.gov.uk/CouncilMeetings/Content/Public/2941/40007162133.pdf>

I can confirm that gritting decisions are made in accordance with the weather forecast and conditions which exist in the different parts of the County at any given time. The over-arching policies, however, apply across the whole County.

The general view would be that shopkeepers and residents would not be liable if they cleared the highway in front of their premises, provided that they took reasonable care to protect the safety of road users and indeed themselves. For example, depositing a pile of snow in the running lane of the carriageway would no doubt be considered negligent and dangerous; or hosing the snow away so as to cause a risk of black ice could well be considered negligent. At the end of the day, liability in any particular case where legal proceedings resulted would be determined by the Courts and would depend upon the circumstances.

I would be happy to arrange for any Town Council suggestions for additional grit bins to be considered. However, I believe that it is likely that, following the review of the 2009/10

winter, we may well be approaching local councils to see in what ways we can support local self-help and that may include a full review of grit bins and heaps so that the local priorities can be considered.

We have undertaken some repairs on the A592 and are seeking approval to a section of resurfacing being included in next years pricipal road maintenance programme, so I hope that within a few months we will have delivered a noticeable improvement. However, at the end of the day, the availability of funding for road maintenance remains at a level which is insufficient to catch up the backlog of maintenance work which has built up over many years of underfunding nationally, and we will still be in a position of keeping the road in as safe a condition as is reasonably practicable through a regime of regular safety inspections and defect repairs. However, we are at the same time looking at ways in which we can greatly improve the quality of those defect repairs.

Yours sincerely



Keith Masser
Acting Area Engineer for South Lakeland

CC File
J Robinson – Cumbria County Council
T Beaty – Cumbria Highways
J Stephenson – Cumbria County Council, Windermere Division