

Chichester District Council

THE CABINET

5 September 2017

Highway Cleansing

1. Contacts

Report Author:

Bob Riley, Contracts Manager

Tel: 01243 534615 E-mail: briley@chichester.gov.uk

Cabinet Member:

Roger Barrow, Cabinet Member for Contract Services,

Tel: 01243 601100 E-mail: rbarrow@chichester.gov.uk

2. Recommendations

- 2.1. That the Cabinet agrees an additional allocation of £30,000 wef. 2018/19 and subject to the annual budget process, to support a new cleaning methodology for the A27 and other high risk A&B roads as set out in paragraphs 5.1 – 5.5 of this report.**
- 2.2. That the Cabinet approves a spend of £45,000, from savings in the vehicle replacement programme, to purchase a dedicated and compliant traffic management vehicle.**

3. Background

- 3.1. The Environmental Protection Act 1990 (EPA) prescribes district councils as Principal Litter Authorities; with a duty to ensure that all land in their direct control is kept clear of litter and refuse, as far as is practicable.
- 3.2. The specific responsibilities and requirements are detailed in the EPA Code of Practice on Litter and Refuse. With regard to highways, district councils are not responsible for cleaning motorways but are responsible for other, publicly maintained roads, including trunk roads such as the A27.
- 3.3. In recent years the cleaning and litter picking operation has been undertaken partly by the Council's Green Spaces and Street Scene team and partly via a contractor.
- 3.4. Working on, or alongside, a live carriageway has inherent dangers and across the country there have been cases of operatives being struck by vehicles. This prompted an industrywide review and subsequently the production of the Waste Industry Safety and Health (WISH) Forum Formal Guidance Document: Safe cleansing on the highway managing the risks associated with manual and mechanical cleaning. Councils must now produce road specific risk assessments that consider the need for traffic management (i.e. signs, cones,

traffic lights or road closures).

- 3.5. In the past a contractor was employed to litter pick the A27 verges six times a year. This was limited to accessible areas and completed without traffic management. It did not include the central reservation or any road sweeping activity. It aimed to address the highly visual litter hot spots only. Therefore it was not a thorough cleaning solution.
- 3.6. In response to the WISH guidance, CCS staff have been trained to deploy traffic management on A and B roads (this does not extend to the A27). Signs have been purchased and road/site specific risk assessments are being produced. In order to comply with traffic management legislation a dedicated vehicle with illuminated directional arrows is required. This will enable the newly formed CCS team to install its own traffic management solutions on most A and B roads. However in some cases the only way to clean safely will require road or lane closures, diversions and the involvement of specialist contractors.
- 3.7. In the case of the A27, CCS is not qualified or equipped to deploy traffic management. There are just a handful of companies in the country that are able to do so. Therefore a trial involving a deep clean of the A27 from Crockerhill to Emsworth was completed between January and March 2017. This was undertaken by a specialist contractor and entailed over-night working (20 night shifts), to clean the verges, channels and central reservations. The cost of this work was £3k per night shift (£60k overall).
- 3.8. The effectiveness of the clean was maximised by completing the task during the winter, when the vegetation had died back thereby exposing the otherwise hidden litter. Although fresh litter started to return within a few weeks the vegetation soon started to grow and hide the offending items. At the time of writing this report (August) the vegetation is so thick it is difficult to see any litter, which makes litter picking at this time of year an unproductive exercise. The trial showed that a deep clean between January and March is highly effective and that it should take place on an annual basis.
- 3.9. In respect of other A & B roads the requirement for traffic management controls has significantly reduced the area that can be covered within a set time. In many cases it takes longer to deploy the traffic management than it does to litter pick the area within it. There are also limits to the length of permissible traffic management so the whole set up has to be broken down and moved along in stages on longer roads.
- 3.10. Previously A&B roads were litter picked four times a year. Again trials show that a deep clean between January and March is most effective as a scheduled exercise. However there are occasions when incidents occur; a lorry sheds its load or verges are cut mid-summer exposing fresh litter. In these cases CCS needs to react quickly, which it can with its newly formed team. However in some cases (Bury Hill for example) specialist input is again required.
- 3.11. Officers are seeking to develop a collaborative partnership with Highways England, their contractor and the other Districts and Boroughs within West Sussex to deliver a cost effective solution. However attempts to work

collaboratively have proved challenging to date as parties work to different priorities.

4. Outcomes to be achieved

- 4.1. An approved highway cleansing methodology and funding to ensure the council is taking reasonably practicable steps to maintain a satisfactory standard of cleanliness on the A27 and other A & B roads in compliance with the EPA and published guidance.

5. Proposal

- 5.1. To work with other relevant organisations to develop a partnership approach and find a cost effective solution to highway cleansing where it is realistic to do so.
- 5.2. To appoint specialist contractors to complete a deep clean of the A27 between January and March on an annual basis.
- 5.3. If necessary to provide additional cleansing to specific areas of the A27 and other A & B roads throughout the year.
- 5.4. To purchase a dedicated traffic management vehicle and continue to train, develop and support the CCS team. This will enable them to safely clean high speed A & B roads between January and March then reactively as necessary throughout the year.
- 5.5. CCS and the PR team will develop a campaign to highlight the cost of litter clearance to both residents and visitors to the area.

6. Alternatives that have been considered

- 6.1. Officers within the West Sussex Waste Partnership are currently in discussion with Highways England and the WSCC Highways team in an attempt to provide an efficient cleansing operation. Any solutions are unlikely to be realised in 2017/18. Should an alternative more efficient and effective option present itself, officers will report back to Cabinet.

7. Resource and legal implications

- 7.1. The existing budget earmarked for cleaning the A27 is £60,000, which is enough to commission one deep clean a year including Jan – March 2018.
- 7.2. The CCS in house team is equipped to deal with the majority of the remaining A & B roads in the district. However a dedicated traffic management vehicle is required for this at a cost of £45,000. This can be funded from savings in the approved vehicle replacement programme.
- 7.3. An additional £30,000 is required to cover reactive cleans on the A27 or for specialist contractor input on a handful of particularly dangerous A & B roads.

- 7.4. Failure to comply with the legislation listed in this report could result in legal action being taken against the council.

8. Consultation

- 8.1. Discussions are ongoing with WISH, Highways England's contractor Aone+, and the West Sussex Waste Partnership with the aim of producing a joined up approach to highway cleansing that will provide efficiency and effectiveness.

9. Community impact and corporate risks

- 9.1. There are a limited number of contractors equipped to deploy traffic management on high speed dual carriageways and motorways. However demand from local authorities for such services continues to grow. Therefore there is a risk that costs may increase and availability may reduce. To mitigate this it may be prudent for the council to secure a contractor through a framework agreement or offer a long term contract. If this is the case it may at the present time require an OJEU compliant procurement exercise. It is recommended that a contractor be appointed for a deep clean in January 2018 to allow time for the above options to be explored further.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime & Disorder: Section 87 of the EPA states that it is a criminal offence for a person to drop, throw down, leave or deposit litter in a public place.	X	
Climate Change:		X
Human Rights and Equality Impact:		X
Safeguarding and Early Help:		X

11. Appendixes

11.1 None

12. Background Papers

- 12.1. Waste Industry Safety and Health (WISH) Forum Formal Guidance Document: Safe cleansing on the highway managing the risks associated with manual and mechanical cleaning. <http://www.hse.gov.uk/waste/wish-guidance>
- 12.2. Chapter 8 of the Traffic Signs Manual – Traffic Measures and Signs for Road Works and temporary Situations part 1 and 2, 2009 (revised 2010) <http://www.dft.gov.uk/publications/traffic-signs-manual>
- 12.3. Safety at Streets Works and Road Works: A Code of Practice <https://www.gov.uk/government/publications/safety-at-street-works-and-road-works>

- 12.4. Interim Advice Note 115/08 revision 1: Guidance for Works on the Hard Shoulder and Road Side Verges on High Speed Dual Carriageways
<http://www.dft.gov.uk/ha/standards/ians/pdfs/ian115.pdf>