



Department
for Transport

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To: Leaders of Local Highway Authorities in England

10 November 2021

Local Roads Winter Resilience 2021/22

I would like to take this opportunity to thank you and your highway maintenance teams for the efforts in ensuring important works continued during the Covid-19 pandemic. As the country returns to more normal working conditions, we must concentrate on the continuing preparations for winter.

Whilst it may appear that the worst of the pandemic is over, I would urge caution and ask, as you did previously, that your authority has sufficient contingencies in place to enable essential services to be delivered in the event you find yourself operating with a reduced workforce. This is especially significant with the increased risk of reduced HGV driver numbers this year, and I would encourage authorities offering mutual assistance where possible.

It is also noted that HMT's [red diesel exemption](#) for non-agricultural gritters ends in April 2022, and I anticipate that you will be putting pragmatic plans in place to ensure a smooth transition to white diesel can occur. Further HMRC guidance on the transition process is included in Annex A.

It is important to ensure that your road network can keep open and running in the event of any severe weather that may be encountered. Close working with your Local Resilience Forum, along with other key organisations and responders within your area is also vital, as well as ensuring effective communications plans are in place for you to inform local residents, businesses, and other key organisations as part of your winter service.

As with previous winters, the DfT through National Highways will continue to maintain a substantial national emergency salt reserve if for any reason, this salt of last resort is required. We will also be undertaking monitoring of salt stocks being held by highway authorities, starting in October; your winter service managers will have already been contacted in this regard. Your authority's response to the winter planning questionnaire last winter underlined the hard work and preparation that you and your officers undertake throughout the year, and I look forward to your council's continuing

cooperation for this request. If you have any further questions on the survey, please contact our local highways inbox at Road.Salt@dft.gov.uk.

The UK's salt producers, through the Salt Association, has provided reassurance that salt production nationally is where it needs to be as we move towards the 2021/22 winter season. However, as the Department retains a national emergency salt reserve, we are updating our [Salt Protocol Note](#) on the DfT section of GOV.UK website. Further information can be found on the Salt Association's website. The DfT is also working with the Met Office and other Government Departments in respect of the annual '[WeatherReady](#)' campaign.

HGV drivers, through the delivery of salt and driving gritters to treat the roads, play an important role in keeping the highway network open. Working with the haulage industry, the Government has already introduced a package of 30 measures to increase driving capacity, including writing to HGV licence holders who had left the industry to consider returning, increasing testing capacity at the DVSA, and making 5,000 temporary visas available to fuel haulage drivers to enable work up until the end of March 2022.

During recent winters, various parts of the country have also encountered severe flooding which has led to damage to local highway infrastructure assets. It is important that your authority continues, and does not reduce, the routine cleansing of the drains and gullies for which the authority have responsibility for. The Department, working with the Local Government Technical Advisers Group (LG-TAG), will be publishing '*Identifying lessons learned by UK highway sector from extreme-weather emergencies (2015-2020)*' on GOV.UK, an independent report which can be read alongside existing guidance such as the [Transport Resilience Review](#), and may provide you with useful insights and observations into previous responses to extreme weather conditions throughout the country.

Whilst, of course, it is for your authority to determine the priority that is given to winter services and ensuring that plans are in place to deal with any extreme weather events that maybe encountered, including snow/ice and other storms, I hope you continue to prioritise this important activity to ensure that transport disruption is minimised for the users of your networks. I would like to thank you all again, for ensuring our local highway networks are kept up and running no matter what severe weather is encountered.

Yours,
Charlotte

BARONESS VERE OF NORBITON

Annex A: HMRC Guidance to local highway authorities on the use of red diesel in non-agricultural gritting lorries

- From 1 April 2022, rebated fuel should not be put into the engine of a machine such as a gritter or snowplough as they will cease to be able to use rebated fuels from that date.
- Local authorities will be able to use any rebated fuel put into gritters and snowploughs before 1 April 2022, but they should run down stocks before 1 April to as close to nil as possible in anticipation of that change.
- Local authorities can top up the fuel in gritters/snowploughs' engines with unrebated (white) diesel before 1 April 2022 if they need it and can only use white diesel from that date.
- There will be no need to flush out the engines of snowploughs/gritters so that they do not have any traces of rebated fuels in them.
- HMRC will not seize vehicles simply because there are traces of rebated fuels in them after 1 April 2022. HMRC officers will have the ability to disapply the liability to seizure where the user can provide evidence to satisfy officers that they have not built up their stocks or taken red diesel into the fuel system after the rules changed.
- HMRC suggest that local authorities do not fill tanks to the maximum with red diesel in advance of the change to avoid the risk of officers considering seizure. HMRC officers will take a proportionate approach to its enforcement as it is recognised that chemical residues and markers could remain in tanks for years, particularly as there is no insisting on end users of red diesel flushing their tanks.
- HMRC would expect end users to keep their receipts as evidence of any red diesel purchased before 1 April 2022, as well as white diesel purchased after this date. HMRC officers will then be able to disapply the current seizure powers where they are satisfied that the user has not taken red diesel into their machine's fuel system after the rules changed.
- DfT has been made aware that HMRC officers will act if they consider that red diesel is being used illegally and an offence has been committed, in the same way we do now. Fuel put into a vehicle or machinery that is no longer entitled to use it after April 2022 will be liable for forfeiture and penalties as it will be unlawful fuel use.