



Department for
Transport

From the Minister of State

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11 FEB 2010

Dear Tim,

Thank you for your letter of 13 January to Andrew Adonis regarding the legal position of homeowners who clear snow from the footway in front of their house. I am replying as Minister responsible for local roads.

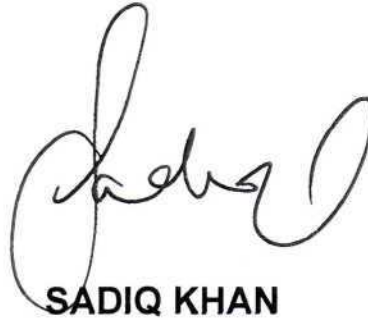
At present, there is no legal restriction preventing members of the public from clearing the snow and ice on the highway outside their properties from roads managed by a local highway authority. It remains open for a member of the public to do this.

Provided that they are reasonable and careful it is unlikely that a member of the public would face any legal liability, and those using the road or footway have a responsibility to be careful themselves.

Action by citizens to clear snow and ice outside their properties does not remove the duty placed on the local highway authority by section 41 of the Highways Act 1980 "to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice".

With regard to the clearing of snow and ice from private property the Department for Communities and Local Government (DCLG) have worked with the Health and Safety Executive to provide advice, which is published on the DCLG website.

I hope this is helpful.

A handwritten signature in black ink, appearing to read 'Sadiq Khan', is positioned above the printed name. The signature is fluid and cursive, with a large initial 'S' and a long, sweeping tail that loops back under the name.

SADIQ KHAN