

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – JOBS, ECONOMY AND
TRANSPORT**

25 March 2014

Report of the Strategic Director – Economy, Transport and Environment

URGENT REPAIRS TO ROADS AND FOOTWAYS

(1) **Purpose of the Report** To seek approval to expend monies in excess of the approved budget to accelerate repairs to the highway, including the use of external contractors to carry out repairs to highways, and to waive Standing Orders in relation to contracts to enable an order to be placed for the use of the JetPatcher machine.

(2) **Information and Analysis** As the Cabinet Member will be aware, the highway network has suffered considerable damage as a result of adverse weather, both winter and flooding. Even where no direct flooding has taken place, ground water conditions have been such that the water table has approached the ground surface. In these conditions, the foundations of roads become water-logged and the road construction can no longer support the traffic loadings imposed, leading to failure and the significant number of potholes now evident.

Action has already been taken to address this issue and additional resources have been employed to reduce the backlog of necessary repairs. However, the number of potholes reported by the public and noted on routine inspections continues to rise and the backlog increases. In addition, the excessive numbers of defects are such that the standard of repair suffers and the recommendations of the national “Pothole Report” to undertake first time permanent repair cannot be met in full. The only satisfactory solution is to increase the resources allocated to highway repairs.

To maximise the benefit of increased resources, it may be necessary to utilise external contractors. It will then be possible to undertake first time permanent repairs to meet the Council’s best practice. The County Council undertook a procurement exercise in October 2013 and invited tenders for ‘patching works’ to highways. As a result of the procurement exercise, eight contractors have been accepted to undertake the works. Individual contractors will be appointed to undertake works if required, based on lowest available cost, subject to finance being available. In addition, a machine called the JetPatcher is available to carry out repairs to potholes. This is a specialist machine which

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uses a high velocity air stream to both clear any existing holes of debris and water if present and to both lay and compact material. The JetPatcher can work in all environments. If used in this way, it could release resources for more traditional patching. The JetPatcher machine has previously been used to good effect to deal with similar situations back in Spring 2013.

The number of known defects is now such that importing additional resources by way of the use of external contractors and the use of the JetPatcher is considered to be of the utmost importance to protect the reputation of the County Council and to maintain a safe highway network. The Cabinet Member is therefore requested to approve the allocation of additional finance from the general reserves to allow an immediate start to be made on reducing the backlog. In this respect, the Cabinet Member will be aware that the Government has recently allocated some £103 million additional finance for highway repairs in recognition of the deterioration of the highway network nationally. This funding will not however be available until the next financial year. Although the final figure is not yet known, based on previous allocation, it is anticipated that the Derbyshire allocation will be in the region of £2 million.

Officers have estimated that the additional resources will be needed for some three months to address the backlog and bring the network into an acceptable condition. The total cost of this urgent work is estimated at approximately £1 million.

It is anticipated that approximately up to £100,000 could be spent on repairs before the end of March 2014 with the hire of a JetPatcher. It is anticipated that subject to approval of this report, work could start straight away.

Following the successful trial of the JetPatcher last year, only two companies have been found to be able to offer the service. It is proposed to hire a machine from each to deal with potholes in the north and south of the County at the same time. Members are therefore requested to waive Standing Orders in relation to contracts to permit the placing of an order for hire of the JetPatcher.

(3) Financial Considerations During the period to the end of March, it is anticipated that up to but not exceeding £100,000 will be required to deal with urgent additional repairs. Additional funding necessary next financial year, estimated at £1 million will be assessed against the criteria associated with the additional Government funding and funded from that source if possible. Total costs associated with the use of additional resources are estimated at £1 million over a three month period.

In the interim, costs for 2013/14 will be funded from departmental reserves which will be repaid when the additional Government funding is received.

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(4) **Legal Considerations** The Council's Standing Orders permit the Cabinet Member to waive the requirement to seek competitive tenders in respect of a proposed contract where there are special circumstances justifying exemption.

The Director of Legal Services has advised that the circumstances set out in this report justify the waiving of Standing Orders to enable an order to be placed for the hire of the JetPatcher machine.

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(5) **Key Decision** No.

(6) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? Yes.

As stated in the report it is considered that the use of external contractors and the use of the JetPatcher machine is essential and should be effected as soon as possible. In order to achieve this it has been necessary to request Councillor Kath Lauro, Chairman of the Improvement and Scrutiny Committee, Places, to consider waiving the call-in period in respect of this report. Councillor Lauro has agreed that it is reasonable to agree to the request and to be treated as a matter of urgency in order to ensure that additional repair works to highways can commence as soon as possible.

(7) **Background Papers** Officer contact details – Glyn Dutton, extension 38636.

(8) **OFFICER'S RECOMMENDATIONS** That the Cabinet Member:

- 8.1 Approves the expenditure to accelerate highway repairs, including the use of external contractors, as described in the report.
- 8.2 Allocates up to £100,000 to such repairs during the period up to the end of March 2014.
- 8.3 Approves the waiving of Standing Orders in relation to contracts to enable an order to be placed for the hire of a JetPatcher machine.
- 8.4 Notes that a further report be submitted to Cabinet detailing a more extensive programme of works to address further problems on the network using Government funding.

Mike Ashworth
Strategic Director – Economy, Transport and Environment