

DERBYSHIRE COUNTY COUNCIL

CABINET MEETING

5 March 2013

Report of the Strategic Director – Environmental Services

**URGENT REPAIRS TO ROADS AND FOOTWAYS (HIGHWAYS
AND TRANSPORT)**

(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 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 Members 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 will 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 2012 and invited tenders for ‘patching works’ to highways. As a result of the procurement exercise seven contractors have been accepted to undertake the works. Individual contractors will be appointed to undertake works as they are identified, based on lowest available cost, subject to finance being available. In addition, a machine called the JetPatcher can be available in the very near future to carry out repairs to potholes. This is a specialist machine which 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. Whilst there are other similar machines in the market the Council has used the JetPatcher previously and has found it to be particularly effective.

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. Cabinet 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 Members will be aware that the Government has recently allocated some £4 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. It is considered that some additional funding should be provided, hence the request for release of some corporate reserve.

Officers have estimated that the additional resources will be needed for some two months to address the backlog and bring the network into an acceptable condition. The total cost of this work is estimated at £824,000.

It is anticipated that approximately £300,000 could be spent on repairs before the end of the financial year. This would be made up of additional contractors at a cost of £250,000, and hire of JetPatcher at an estimated cost of £50,000. It is anticipated that subject to approval of this report, work could start next week.

As stated above potential contractors are already in place via an existing procurement to undertake patching works to highways. However, that is not the case with the JetPatcher. In order to move quickly, which is considered to be essential in the current circumstances, it will not be possible to seek competitive tenders for the supply of this equipment. Preliminary enquiries of the supplier of the JetPatcher machine suggest that the machine is available to hire on an output basis with immediate effect. 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 current financial year, it is anticipated that some £300,000 will be needed from corporate reserves. Additional funding necessary next financial year, estimated at £524,000 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 £824,000 over a two month period.

(4) **Legal Considerations** The Council's Standing Orders permit Cabinet 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.

(4) **Key Decision** Yes. In view of the urgent nature of this report, Councillor Judith Twigg, the Chairman of the Improvement and Scrutiny Committee, Places, has agreed to the urgent consideration of this report.

(5) **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 Judith Twigg, Chairman of the Improvement and Scrutiny Committee, Places, to consider waiving the call-in period in respect of this report. Councillor Twigg has agreed that it is reasonable to agree to the request and to be it treated as a matter of urgency in order to ensure that additional repair works to highways can commence as soon as possible.

(6) **Background Papers** Officer contact details – Neil Hickman, extension 38550.

(7) **OFFICER'S RECOMMENDATIONS** That Cabinet:

- 7.1 Approves the expenditure to accelerate highway repairs, including the use of external contractors, as described in the report.
- 7.2 Allocates £824,000 to such repairs during an eight week period of which some £300,000 is estimated to be needed during the current financial year.
- 7.3 Approves the waiving of standing orders in relation to contracts to enable an order to be placed for the hire of a JetPatcher machine.

Ian Stephenson
Strategic Director – Environmental Services