

Decision maker:	Cabinet member transport and regulatory services
Decision date:	4 May 2018
Title of report:	Highways Maintenance Challenge Fund – Timescale and Methods for Completion of Phase 2
Report by:	Head of highways and community services

Classification

Open

Decision type

Key

This is a key decision because it is likely to be significant having regard to:

The strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

An executive function which results in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

County-wide

Purpose and summary

To decide upon the method and timescale for the works that are required to complete the Local Highways Maintenance Challenge Fund project.

In summary, following consultation with those who will be directly impacted by these works, and the consideration of all other views received, an accelerated method of working in two short windows, separated by approximately a year has been identified as preferred method of working.

This will reduce the duration of any disruption associated with the works required to deliver this project and enable recovery from any negative impact on businesses before returning to complete this scheme. As a consequence the resources available to complete the project will have to increase.

Recommendation(s)

That:

- (a) the works that are required to complete the Local Highway Maintenance Challenge Fund project be completed in two short windows separated by approximately a year. Each to be as short as period as practically possible using a combination of daytime and overnight road closures and/or 7 day working; and**
- (b) the budget for these works be increased by £0.5m to £8.5m, this increase to be accommodated by directing up to £0.5m of expenditure toward these works from the £4.6m that has been approved for highway maintenance in the 2018/19 capital programme.**

Alternative options

1. The alternative options are:

- To carry out the works in a single window made as shorter period as possible using a combination of 24 hour road closures and/or 7 day working. Whilst this option is supported by those who responded to consultation it is not recommended as it runs contrary to the views conveyed through petition.
- To carry out the works over a longer period of time involving a number of shorter closures, where the affected road will be open for some of the time. This option is not recommended as the overall scale of disruption will be greater and this option is not supported by the majority of those who responded to consultation. This option also runs contrary to the views conveyed though petition.
- To complete the works using materials that do not require substantial road closures. This option is not recommended as the product of the works will be less durable, tripling the whole life cost of maintaining these roads and therefore not demonstrating value for money. Whilst this option accords with the views conveyed though petition, this option was not supported by the majority of those who responded to consultation.
- Ceasing works on this project. This option is not recommended as failing to complete the scheme would mean the full scale of the benefits from the scheme will not be realised meaning the condition of the county's roads would deteriorate at a faster pace. In addition, the council would have to repay the £5m awarded by the DfT for these works. That £5m funding gap would have to be met from the council's own capital programme or existing maintenance grant allocations. This option accords with the views conveyed by petition but was not supported by the majority of those who responded to consultation.

Key considerations

2. The council bid to the Department for Transport's (DfT) Highway Maintenance Challenge Fund. Bids were submitted in March 2017. The results of the 2017/18 bidding round were announced on 1 August 2017.
3. The council's bid was to improve the major maintenance of routes that connect Herefordshire's Enterprise Zone. This successful bid secured £5m of funding from DfT alongside the council's own contribution of £3m included in the council's capital programme.
4. These works will enable the council to deliver significant benefits to the local and national economy through returning 38.9 miles of key routes to a good condition throughout.
5. It was a condition of the DfT's approval that the Department will provide a maximum funding contribution of £5m in 2017-18 towards an estimated total scheme cost of £8 million. The council is solely responsible for meeting any expenditure over and above this maximum amount and any spend in following years, as the Department's grant is only available in that one year.
6. The first phase of these works commenced during August 2017 and were completed during November 2017. The output achieved in this first phase has exceeded that planned. The value of those completed works is c£6.2m.
7. The output from phase one succeeded in exceeding the DfT's financial requirement to deliver a minimum of £5m of spend in the 2017/18 financial year. Further the DfT advised the council on 5 January 2018 that councils may carry the funding over into 2018/19 if necessary.
8. As a consequence of having met the DfT's spend requirements in phase one and the DfT's relaxation of those requirements in January 2018 the council can now take stock and consider the methodology and timeframe for the delivery of the works required to complete the major maintenance of the routes included in its bid. Those routes to be completed are the A4103 between Hereford and the junction with the A417 at Newtown Cross and the A438 between Swainshill and the junction with the A4111 at Willersley.
9. Having completed phase one of these works and as a consequence of having met DfT's financial requirements this has enabled the consideration of method and timescale for the remaining works. As such an officer decision was taken under delegated powers on 8 January 2018 to reduce the funding allocated to the 2017/18 Public Realm Annual Plan from the council's capital programme by £1.8 million (which is the sum remaining in the £8m budgeted for these works following the completion of phase one, which was completed for £6.2m). This pending its re-introduction into the Public Realm Annual Plan in accord with this key cabinet member decision.
10. There are four principal options (or combination thereof) that could be taken in regard to the second phase of these works, they are set out in the following paragraphs.
11. We can cease works and/or scale back the works. As a consequence the council would fail to complete the scheme and the full scale of the benefits from the scheme will not be realised. Further, in failing to complete the scheme as per the bid the council would have to repay the £5 million awarded by the DfT for these works. That £5 million funding gap would have to be met from the council's own capital programme or existing maintenance

grant allocations. This option has been referred to as option 4.

12. We can revise the choice of surfacing material to be used for the remaining works. It is impossible to safely deliver the resurfacing solution selected for many sites without the road being closed for the duration of the operation. The optimum resurfacing solution is hot rolled asphalt and pre coated chippings (HRA). HRA is a premium surfacing solution that can achieve a service life in excess of 20 years.
13. The process of laying HRA is, in summary, as follows: the existing road surface is planed off as required and any repairs to the layers beneath implemented; then a hot asphalt mat is laid by machine across the entire lane width; this operation is immediately followed by the application of coated chippings across the road surface, which are then rolled into the asphalt mat. The machinery that is used to lay the asphalt mat is necessarily the entire width of the lane and as the chippings have to be spread across entire lane of freshly laid asphalt, the machinery that spreads the chippings has to be wider than the lane (to straddle the freshly laid material), further the chipping spreader must be fed with chippings and there is no option but to feed this machines from the side of the operation. This as the asphalt is being laid at the head of the operation and the asphalt and chippings are being hot rolled at the tail of the operation. By necessity the chipping spreader is therefore wider than a lane's width and as such intrudes into the adjacent lane of the carriageway. A safe working zone must also be maintained around the operation to ensure that both the operatives performing the resurfacing work and the public who may be passing the works are not placed at undue risk of harm. The consequences of this are that for most two lane carriageways it is impossible to safely deliver this premium resurfacing solution without the road being closed for the duration of the operation.
14. As an alternative the works could be completed using a Stone Mastic Asphalt (SMA) or equivalent surfacing that can be laid, in most circumstances without the need for road closures. This is as this surfacing is pre-mixed and laid as an asphalt mat by machine across the entire lane width. There is no requirement for chippings, or the like to be applied to the freshly laid mat, and as such no need for machinery to occupy or be serviced from the adjacent lane. This option has been referred to as option 3.
15. However, the consequences of selecting an SMA for these evolved (roads that have not been built to a designed depth/type of construction at a specific point in time for a specific purpose/traffic load, but have seen their construction evolve into what it is today through a series of maintenance / improvement operations over a long period of time and in response to the change in purpose / traffic load applied to them over time) roads the service life anticipated will be halved. Further, the lifecycle of the road would require two resurfacings to achieve the same lifecycle as an HRA, which can be followed by a more cost effective surface dressing. The consequences of this is a circa three-fold increase in the whole life cost of maintaining these roads.
16. We can complete the works using the optimum materials, so under road closures and with, an effectively, single period of weekday road closures. That period is likely to extend to in excess of 4 weeks on each route. The period may be condensed by the use of 24 hour and/or 7 day road closures. Clearly, the impact of this approach will be at least that experienced by those who used / relied upon the A4103 from Newtown Crossroads (its junction with the A417 to the east of Hereford) to the County boundary with Worcestershire. Whilst the impact of this option in the short term may be less, the overall impact of the works on the travelling public may in fact be less than that that will be experienced by taking other options. This option has been referred to as option 1 and the 1a when condensed by the use of 24 hour and/or 7 day closures.

17. Finally we can complete the works using the optimum materials, so under road closures but with a series of weekday road closure periods, these periods being separated by at least equivalent periods when the road will be open to traffic. As for the third option, the periods may be condensed by the use of 24 hour and/or weekend road closures. The impact of this option in the short term will, most likely, be less than that for the third option above. However, the overall scale of disruption may in fact be more, particularly as highway users assume and/or become uncertain in regard to when the routes in question are in fact open. This option has been referred to as option 2.
18. This second phase would be at risk of disruption from weather and other unforeseen conditions, and would have to accommodate significant events in the County such as the Weeping Window poppy sculpture to Herefordshire. This event is attracted up to 2,000 visitors a day to Hereford Cathedral and the city and ran from 14 March 2018 until 29 April 2018. As with the period running up to Christmas, efforts are made to avoid major works on key routes during such periods. This due to the significance of these events to the County's economy, health or wellbeing.

Community impact

19. The successful delivery of the Challenge Fund works will benefit the county's economy, support economic growth in the region and improve road conditions for those who travel across the county via these routes. The works will enable £146m of benefit to the local economy as a whole.
20. An ongoing package of communication through signage, letters to frontagers, press, website and social media is in place and will continue throughout these Challenge Fund works. All with the aim of keeping the community informed of all work, the benefit of those works and enabling all to plan their travel arrangements and avoid disruptive periods and/or use alternative routes wherever possible. A key message in these communications is that businesses are open and accessible (though often via an alternative route) wherever this can be safely achieved.

Equality duty

21. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
22. In regard to our Equality duty we do not envisage or for see any negative impact as a result of this decision.

Resource implications

23. The scheme had been planned to deliver c£5m of works during 2017, the remainder in 2018. This could only be achieved by the rapid mobilization following bid approval, a sustained and productive programme of works and without substantial interruption due to weather or other unforeseen conditions. If £5m of spend had not been achieved in the first phase of these works, then phase two would have to be mobilized in February 2018 to secure the minimum spending requirement for the 2017/18 financial year.
24. The £3m match funding was approved in the 2017/18 capital programme and included in that programme as 'Highway asset management'. This funding was included in the capital programme subject to external funding confirmation. The 2017/18 capital programme was approved at full council on 16 December 2016. It is a requirement of the grant from DfT that the council is solely responsible for meeting any expenditure over and above their £5m and any spend in following years that are required to complete the scheme.
25. If the works that are required to complete the Local Highway Maintenance Challenge Fund project are to be completed in as short a period as possible, then a combination of 24 hour road closures and/or 7 day working will be required. The acceleration of construction works requires additional resources and overnight working requires additional measures to be in place, such as lighting and also requires surfacing materials to be manufactured and delivered to site outside of normal production hours.
26. For the conditions of the DfT grant to be met, the full scheme will need to be completed using the funds allocated in the council's capital programme, delivery of this element can extend into the coming financial years.
27. The recommended option will require the scheme budget to be increased by £0.5 to £8.5m to accommodate the acceleration of the works. The additional funding required to accelerate delivery can be met from the funds identified for investment in the condition of the strategic network, which is £4.6m, as has been included in the 2018/19 capital programme that was approved at full council on 26 January 2018.
28. The table below summarises the resource requirements:

Phase of Works	As originally envisaged	As now recommended
Phase 1	c£5m	£6.2m delivered
Phase 2	c£3m	£1.8m
Acceleration of completion	N/A	<£0.5m
TOTAL	£8m	£8.5m

Legal implications

29. The proposed works support the council in discharging its duties under the Highways Act 1980 and other related legislation in respect of the maintenance of the highway. The

council will be liable to repay funds to DfT if they are not spent on the planned highways works against the timescales set out in the DfT funding programme.

30. There are no other legal implications identified in this Report.

Risk management

31. Scheme risk has been managed through a scheme specific risk register and the corporate and contract risk management processes.

Consultees

32. To support the decision making upon the method and timescale for the works that are required to complete the Local Highways Maintenance Challenge Fund project we have undertaken to engage with the local members for the wards within which the works required to complete the second phase of the scheme will be performed and with those members on the remainder of these routes. This along with the equivalent parish councils and those businesses who have premises on the routes on which this second phase of works would take place.

33. The results of the engagement with the applicable local members, parish councils and businesses as described in summary below.

34. All were asked to select a preferred delivery option from the following list:

1 Undertaking works in as short as period as possible (for example of up to 4 weeks) of total closure.

2 Spreading out the works over a longer period of a number of shorter closures, where the road will be open for some of the time. Completing the works using materials that do not require substantial road closures, but will be less durable, tripling the whole life cost of maintaining these roads.

3 Completing the works using less durable materials that do not require full road closures.

4 Ceasing works on this project.

35. Views were invited from 61 individual organisations, business and elected representatives of the communities who front the A4103 and A438 and/or had expressed a concern that they would be directly impacted by these works. The overall response rate was 33%.

36. Of the 24 individual business identified as having a frontage to the A4103 and A438 and/or had expressed a concern that they would be directly impacted by these works. 50% of those businesses responded, some also attending engagement events.

37. 75% of respondents indicated a preference for option 1 (as paragraph 36 above), 42% expressed a preference for the works being condensed into as shorter period of time as possible through the use of 24 hour and/or seven day working. 8.3% indicated that they would be equally comfortable with option 2 (as paragraph 34 above). 8.3% expressed a firm preference for option 2 (as paragraph 34 above). 4.2% of respondents expressed a preference for option 3 (as paragraph 34 above) and 12.5% respondents indicated no firm preference for any particular option.

38. The conclusion is that the majority of those who will be directly impacted by these works in phase 2 have expressed a preference for us undertaking works in as short a period as possible of total closure (option 1). There is also a strong preference for the works, by whatever option, to be condensed into as shorter a period of time as possible through the use of 24 hour and/or seven day working.

39. A petition was also received in regard to these works. The petition is as follows:

Closure of A4103 for resurfacing

We the undersigned petition the council to act now to not allow the A4103 to be simultaneously closed on both carriageways, as it was in late 2017, for Challenge Fund resurfacing or any other reason.

Petition of local residents and businesses to avoid complete road closure of A4103 for resurfacing work by Balfour Beatty/Herefordshire Council. This will cause inconvenience and financial losses to the community and local businesses.

40. This petition ran from 25/01/2018 to 03/04/2018 and 267 people signed this petition.

41. In response to this petition the Cabinet Member for Transport and Regulatory Services wrote as follows:

The council, as a responsible highway authority and traffic authority is unable to commit to not allowing the A4103 to be simultaneously closed on both carriageways. This as such closures may be required to safely and efficiently undertake both highway works, works to our own and others apparatus that is located in the highway, for planned events and in response to incidents such as road traffic collisions.

The timescale and methods for the completion of the challenge fund works to the A4103 between Hereford and the junction with the A417 at Newtown Cross (and the A438 to the West of Hereford between Swainshill and the junction with the A4111 at Willersley) will be the subject of an forthcoming decision, which is to be taken by myself (the Cabinet Member for Highways and Regulatory Services).

That decision will consider whether we:

- *Do the work in as short a period as possible (for example of up to 4 weeks) which may include some periods of 24 hour road closure to reduce the overall duration.*
- *Use a series of shorter road closures over a longer period of time (this could include day time, night time closures or 24 hour closures), with the road being open for definite periods between each closure.*
- *Completing the works using less durable materials that do not require full road closures.*
- *Ceasing works on this project.*

The first phase of the challenge fund works on the A4103 was completed using weekday closures over a 6 week period. As can be seen, whilst there are inevitably similarities between the approach taken to the delivery of the first phase of the Challenge Fund Works in 2017, none of the approaches considered for the remainder of the works will lead to the closure of the A4103 in the same way as it was in late 2017.

I will consider the view as expressed through this petition when taking the decision on the timescale and methods for the completion of the challenge fund works. Further, in reaching

my decision I shall consider the duty that the council is under to secure the expeditious movement of traffic on the road network; and to maintain the fabric of the highway.

42. As stated, the view expressed through this petition has been taken account of in reaching the recommendation presented in this report. Whilst works using the optimal materials that will reduce the overall level of cost and disruption over the lifecycle of these roads cannot be safely delivered without road closure. The use of accelerated methods of working in two short windows, separated by approximately a year will reduce the duration of any disruption associated with these works and enable recovery from any negative impact on businesses before returning to complete this scheme. This method will cause least inconvenience and financial losses to the community and local businesses, whilst enabling the completion of the scheme in accord with all set parameters.

Appendices

43. None.

Background papers

44. None