

## Record of Officer Decision

<b>Decision title:</b>	<b>Weather forecasting service contract</b>
<b>Date of decision:</b>	<b>19 June 2018</b>
<b>Decision maker:</b>	Head of Highways and Community Services
<b>Authority for delegated decision:</b>	Directorate scheme of delegation: updated 11/05/18 Directorate: Economy, communities and corporate, section 77. This is an exercise of the delivery of a duty under the highways act. The authorization limit is within the financial procedure rules and is sufficient for the decision.
<b>Ward:</b>	Countywide
<b>Consultation:</b>	The forecasting service enables the council to undertake its statutory duty to maintain the highway network and also to manage the authority's estate. The decision is to tender for the service and as such this has not been subject to consultation.
<b>Decision made:</b>	To procure a weather forecasting service for a period of four years at a cost of no more than £160k, to support the winter service as described in the council's winter service plan.
<b>Reasons for decision:</b>	<p>The council's winter service plan sets out the arrangements and service the council implements to manage the highway network and the council's estate during the winter period.</p> <p>Under section 41 of the Highways Act, the council has a duty to maintain the highway. The Railways and Transport Safety Act amended the Highways Act by adding a statutory duty clause 41.1A concerning dealing with snow and ice. This states: 'in particular a highway authority are under a duty to ensure, as far as reasonably practicable, that safe passage along the highway is not endangered by snow or ice'.</p> <p>The council also has a duty to its employees and in times of need, ensuring key workers are in post for resilience and to respond to incidents such as severe weather.</p> <p>The overall winter period is from October to the end of April, throughout this time forecasting information is reviewed and monitored on a daily basis to enable treatment decisions to be taken in accord with the winter service plan. The forecasts are based on global and national information supplemented by 7 roadside weather stations. The service provides:</p> <p>24 hour forecasts</p> <p>5 day forecasts</p> <p>Ice prediction</p> <p>Road surface condition information</p> <p>24 hour consultancy service</p> <p>The previous contract has expired and the council is seeking a new service provider for a 4 year period commencing on September 2018 and expiring on May 2022. An open tender process will be undertaken in accordance with the council's contract procedure rules.</p>

<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>Equality</p> <p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> <li>eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>The weather forecasting service enables the council to fulfil the winter service plan in keeping the network safe for all to use including access to key services such as health, education and for services to access vulnerable people in periods of severe weather.</p> <p>Financial</p> <p>The funding for the service is approved and part of the Medium term Financial Strategy.</p> <p>The tender process will provide competitive costs for the service.</p> <p>Legal</p> <p>Under section 41 of the Highways Act, the council has a duty to maintain the highway. The Railways and Transport Safety Act amended the Highways Act by adding a statutory duty clause 41.1A concerning dealing with snow and ice. This states: ‘in particular a highway authority are under a duty to ensure, as far as reasonably practicable, that safe passage along the highway is not endangered by snow or ice’.</p> <p>The council also has a duty to its employees and in times of need, ensuring key workers are in post for resilience and to respond to incidents such as severe weather.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>A roads focused weather forecasting service is essential in enabling the council’s response to winter. Not having a forecast provider is not an option if the council is to meet its duty to maintain the highway</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

Signed  
Head of Highways and Community Services

Date: 19 June 2018

