

## Record of operational decision

<b>Decision title:</b>	Delivery of the 2023 highways maintenance and pothole repair funding programme of works.
<b>Date of decision:</b>	5 October 2023
<b>Decision maker:</b>	Corporate Director, Economy and Environment
<b>Authority for delegated decision:</b>	<p>Cabinet Member Report 2023 highways maintenance and pothole repair funding, 2023 to 2024: Recommendation(s) That:</p> <p>a) The £2.558m Department for Transport 2023 grant for Herefordshire is invested in maintenance works on the highway network and is programmed for delivery following scheme identification and prioritisation in line with the council's lifecycle and asset management approach, but with a focus on delivering for C and U class rural roads across the County. The programme of work will be used to prepare roads for a wider programme of surface treatments in 2024/25 worth around £6m; and</p> <p>b) Delegated authority is given to the Director of Economy and Environment, in consultation with the S151 Officer, to take all operational decisions to deliver the infrastructure investment set out in recommendation (a).</p> <p><a href="#">Decision - 2023 highways maintenance and pothole repair funding, 2023 to 2024 - Herefordshire Council</a></p>
<b>Ward:</b>	'Countywide'
<b>Consultation:</b>	<p>As part of the revised consultation process for key decisions, the Political Group Consultation was undertaken on the 31st July 2023, the key issues were: a. Urban roads are also a concern, the council needs to plan to invest in rural paths and roads. b. Should the council invest in plant, new technology, Pothole Pro, etc.? c. Confirmation of the planned treatment process requested and provided. d. Request for specific areas to be included, request for members to have sight of the programme and opportunity to feed into the process. e. Utility reinstatements are the biggest issue for the county roads, how do we protect the network. Recouping costs for damage and ensuring better reinstatement is essential to ensure the network is as good as it can be. f. How the council and service providers manage the pothole repairs is a concern, specific areas will be reviewed, councillors will provide examples. Discussion on how the priority list is provided and request locality stewards feed into the process.</p>
<b>Decision made:</b>	To deliver the programme of pre-surface dressing preparation works through the BBLP Public Realm Contract utilising Supplier F as a subcontractor to BBLP, identified through a competitive tender process.
<b>Reasons for decision:</b>	The proposed Programme of sites for delivery has been developed from an assessment of the available asset data utilising the parameters defined by the cabinet member decision for the Programme to focus on delivering for C and U class rural roads across the county. The works will comprise patch pave works on these roads in advance of a Programme of surface dressing works in 2023/25. The investment in C and U roads under this decision will be complemented by additional council investment in 2024/25.

The Programme will be delivered through the BBLP Public Realm Contract utilising a specialist surfacing subcontractor. BBLP have conducted a competitive tender to identify the surfacing subcontractor, with the council Commissioners and Procurement teams inputting into the procurement strategy, tender documentation and being a part of the evaluation panel.

Tender documentation was prepared by BBLP with the Programme of sites split into four lots for works in the north east, south east, south west and north west. This was to enable the Programme to be awarded to multiple bidders if required to meet the funding timeline requirement. The tender had a 60:40 commercial / technical weighting. The commercial envelope comprised a schedule of rates, and the technical envelope three technical questions relating to Programme, risk and delivery methodology. The works information and tender documents were reviewed by HC prior to issue of the tender.

Eleven surfacing subcontractors who met the required standards to deliver the works through BBLP were approached at the expression of interest stage. Of these seven expressed a desire to participate and were taken forward to the tender stage. The tender was published on the BBLP Jagger e-Procurement system on the 30<sup>th</sup> August 2023 with a tender closing date of 13<sup>th</sup> September 2023.

During the tender process two requests for an extension of time were received and following a review of the overall Programme by BBLP and HC these were granted. The tender closed on Friday 22<sup>nd</sup> September 2023 at 5pm. Six compliant tenders were received by the tender closing date.

The technical envelope of the tender was independently evaluated by two members of the BBLP project team and two officers from Herefordshire Council. A numerical assessment of the commercial envelope was undertaken by BBLP. This was undertaken by pricing five sample schemes developed pre tender, utilising the rates from the submitted schedule of rates. The lowest total price for the five sample schemes scored the full technical score, with other scores derived based on the ratio of their price relative to the lowest price. A joint tender moderation was undertaken bringing together BBLP, HC evaluators and the BBLP and HC procurement teams. BBLP presented the commercial evaluation for review and the technical evaluation was moderated so as to determine a moderated final score.

The outcome of the tender moderation was as follows:

Supplier	Commercial Score	Weighted Commercial Score	Technical Score	Weighted Technical Score	Overall Weighted Score
A	88.36	53.02	60	24.0	77.02
B	66.09	39.66	31	12.4	52.06
C	71.67	43.00	19	7.6	50.60
D	69.79	41.87	60	24.0	65.87
E	71.16	42.70	45	18	60.70
F	100	60.00	83	33.2	93.20

	<p>Based on the moderated tender evaluation, supplier F was the highest scoring bidder. Their proposed delivery Programme was such that an element of float would be provided between their works completion and the funding deadline of the end of March 2024. On this basis it is proposed to proceed to award all four lots to Supplier F.</p> <p>A communications plan has been developed and is being implemented as part of the programme of works. A dedicated web page has been developed to inform the public and key stakeholders of the progress with the delivery of the programme.</p> <p>The list of schemes is set out in Appendix A.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Environmental Impact.</b></p> <p>The Programme will provide an improved condition for the network which will minimise the risks to vulnerable users such as pedestrians and cyclists and the risk of damage to vehicles. It will make the roads a better environment for active travel, especially for cyclists.</p> <p>The selection of the surface dressing treatment for rural C &amp; U roads delivers an extended life of the existing carriageways with a lower material intervention than resurfacing, and reduces the need for reactive pothole works. This will reduce the need for materials and vehicle mileage, with a positive impact on carbon emissions in maintenance operations.</p> <p><b>Equality duty</b></p> <p>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.</p> <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> <p>The decision making process in identifying treatments and locations has been subject to an Equality Impact Assessment which is provided in Appendix B. This assessment identifies that the Programme has a neutral or positive impact on people with protected characteristics. In general improvements to the road network are of a positive benefit to all people, and the selection of rural C and U class roads targets that benefit to those who by virtue of their rural geography are more reliant on the road network.</p> <p><b>Resource implications</b></p> <p>An assessment of procurement options for the investment was undertaken with the Council’s commissioners and procurement team as part of the Cabinet Member decision. This assessment concluded that the delivery of the work through the Public Realm Contract (PRC) is the preferred option.</p>

	<p>In commissioning the work through the PRC, a robust process for commissioning and managing the project will ensure that value for money is achieved and works are delivered in year. The project will be managed by the Council’s Programme Management Office with the Service Director for Environment and Highways being responsible for delivery.</p> <p>The £2.558m Department for Transport grant allocation for Herefordshire is to be invested in the highway network and will be programmed for delivery following the asset assessment in line with the Council’s lifecycle and asset management approach. This grant was awarded on top of the Local Transport Plan grant allocation in the capital programme and has to be spent within the 23/24 financial year. This is subject to an internal audit inspection to confirm the grant has been spent within the grant conditions.</p> <p><b>Legal implications</b> The deployment of the grant from the DfT will contribute to the Council’s duty under section 41 of the Highway Act 1980 to maintain the highway at public expense.</p> <p><b>Risk management</b> The investment will reduce the overall risk in highway safety by reducing the number and severity of defects on the network and increasing the life of the asset.</p> <p>The funding is in place and available to the Council to invest in line with the asset needs and demand on the network. 35. Delivery of the programme will be in year, managed through the highways commissioning team.</p> <p>Consideration has been given to the risks to the Council, which will be managed at service level through reporting on the service risk register and escalating where appropriate in accordance with the Risk Management Plan.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>Not to proceed to deliver the Programme through the BBLP Public Realm Contract. This is not recommended as it would not be feasible at this stage to undertake a further direct procurement exercise to deliver the Programme through other routes to market and as a result the funding and opportunity to address network condition and improve the network for all users would be lost.</p>
<p><b>Details of any declarations of interest made:</b></p>	

Signed..... Date:

Top two priority scheme for each lot

## Additional Pothole & Highway Maintenance Funding: Patch Pave Site List and Indicative Areas

Site	Area	USRN	Hierarchy
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Lot 1 - North East			
C1060 - From A44 to C1059, Near Hatfield	NE	23214895	Secondary Distributor
C1125 - A417 To The Vault, Bodenham Village	NE	23219838	Secondary Distributor
C1110 - Little Maidenhyde to C1116 Via Pencombe	NE	23219743	Secondary Distributor
U94010 - Enfield Lane, Risbury	NE	23203926	Local Access Road
U72618 - Holbatch Lane, Sutton St Nicholas	NE	23205491	Local Access Road
C1113 Ketch Lane, Bodenham	NE	23219745	Link Road
C1130 - Lock Lane, Withington	NE	23219858	Link Road
C1055 - Hamnish Bank to C1110	NE	23214829	Secondary Distributor
<b>Total</b>			

<b>Lot 2 - South East</b>			
<b>C1294 - C1293 to Court Farm, Kynaston</b>	<b>SE</b>	23218357	Secondary Distributor
<b>C1154 - A417 To Millend Farm, Canon Frome</b>	<b>SE</b>	23219927	Link Road
<b>C1289 - The Old Lodge, Much Marcle</b>	<b>SE</b>	23219698	Link Road
<b>C1155 - Heywood Lane to Cold Green, Near Ashperton</b>	<b>SE</b>	23214929	Link Road
<b>C1283 - C1280 To Kingstone, Near Rudhall</b>	<b>SE</b>	23214888	Link Road
<b>C1272 - Carey Wood to Burnt House Road, Fawley</b>	<b>SE</b>	23220006	Link Road
<b>Total</b>			

<b>Lot 3 - South West</b>			
<b>C1205 Green Lane to Rhydunnog Lane, Michealchurch Escley</b>	<b>SW</b>	23214841	Secondary Distributor
<b>C1234 - Bagwyllydiart to Pontrilas Court</b>	<b>SW</b>	23214867	Main Distributor
<b>C1098 - Between Lulham Cottage and Madley, Near Madley</b>	<b>SW</b>	23219702	Main Distributor
<b>C1234 - Bagwyllydiart Farm to Little Hill Road, Orcop</b>	<b>SW</b>	23214865	Main Distributor
<b>C1230 - The Gwern to Cross Lyde Near Wormbridge</b>	<b>SW</b>	23218423	Link Road
<b>C1190 - A438 to Brook at the Boat House, Breinton</b>	<b>SW</b>	23214950	Link Road

<b>Total</b>			

<b>Lot 4 - North West</b>			
<b>C1105 - Ivington Road, Newtown</b>	<b>NW</b>	23219738	Secondary Distributor
<b>C1082 - Gorsty Corner to Bearwood Cross Road, Bearwood</b>	<b>NW</b>	23204541	Secondary Distributor
<b>C1109 - Auberrow Road to Parks Lane, Near Wellington</b>	<b>NW</b>	23219528	Link Road
<b>C1080 - Track South of Pennsylvania to Bad Patch Wood, Holme Marsh</b>	<b>NW</b>	23219590	Secondary Distributor
<b>U93018 - Hereford Lane Near Kingsland Village</b>	<b>NW</b>	23214081	Local Access Road
<b>U91607 - Stansbatch</b>	<b>NW</b>	23209881	Local Access Road
<b>C1099 - A480 to Upper Barn Lane</b>	<b>NW</b>	23219704	Link Road
<b>U73006 - Parks Lane, Canon Pyon</b>	<b>NW</b>	23208171	Local Access Road
<b>U91607 Stockley Cross to Milton Cross</b>	<b>NW</b>	23210136	Local Access Road
<b>Total</b>			

# DfT Investment Programme - Equality Impact Assessment

## Purpose

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The aims of the DfT Investment programme is to provide a details for the investment in the highway network which is being directed by Herefordshire Council. The requirements provided to BBLP appear to be related to providing pre surface dressing patching to the C and Unclassified Road Network.

## Background and Context

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The programme investment direction has been provided by Herefordshire Council and the identification of the parameters has been developed by HC. The investment is centred on interconnecting routes which connect rural communities to the higher tiers of the network hierarchy and to each other localities with a focus on delivering interventions to the most damaged areas. This approach develops rural connectivity and positively enhances the experience of all users of the highway network in these areas. The scope is aimed at improving connectivity, strengthening communities and supporting the economy.

## Data and Information

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*What data, information, evidence and research was used in this EqIA and how has it been used to inform the decision-making process?*

We have used data from the recorded defects on the network, road condition data and the network hierarchy to develop the scheme list found on the tabs in this spreadsheet. This assessment does not have visibility of the data used by Herefordshire in the setting of the parameters for the investment.

*What data do you already have about your service users, or the people your proposal will have an impact on?*

The data we hold through the NHT Public Satisfaction surveys represents all of our service users. Information about the population of Herefordshire is maintained by Herefordshire Council and requested as required.

*What engagement or consultation has taken place as part of this EqIA?*

We are developing the programme to meet the parameters for the investment provided by Herefordshire Council.

*Is further information needed to help inform this proposal?*

No.

*How will the outcome of consultation be fed back to those who you consulted with?*

We have continued liaison with HC officers and also have a performance framework and reporting process in place for communicating outcomes.

## Assessment

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<b>Positive Impact</b>	Positive impact on a large proportion of protected characteristic groups
	Significant positive impact on a small proportion of protect characteristics group
<b>Negative Impact</b>	Disproportionate impact on a large proportion of protected characteristic groups

	Significant disproportionate impact on a small proportion of protected characteristic groups.
<b>Neutral Impact</b>	No change/ no assessed significant impact of protected characteristic groups
<b>Unclear</b>	Not enough data/evidence has been collected to make an informed decision.

<b>Age</b>	
Are Specific Age Brackets Impacted?	All age brackets are affected
Details	This proposal will impact on all age groups as our highway network is used by everyone for a range of day to day activities. A higher quality experience of using the network will be of benefit to all age groups as the attractiveness of travel options to services, amenities, points of interest and the workplace are enhanced.

<b>Disability</b>	
Are Specific Disabilities impacted?	No specific disability types are impacted.
Details	This proposal affects all groups, not specifically disability groups. The maintenance and improvement of the highway network will impact positively on all groups.

<b>Gender Reassignment and Gender Identity</b>	
Impact	Neutral Impact
Details	The activities in the DfT Investment Programme will impact neutrally on groups associated with gender.

<b>Pregnancy and Maternity</b>	
Impact	Positive Impact
Details	The maintenance and improvement of the highway network will impact positively on all groups.

<b>Race and Ethnicity</b>	
Impact	Neutral Impact
Details	The activities in the DfT Investment Programme will have a neutral impact on race / ethnicity.

<b>Religion or Belief</b>	
Impact	Neutral Impact
Details	Will have a neutral impact on religious groups. Potential benefits do exist within the delivery of this DfT Investment Programme in terms of access to places of worship in communities.

<b>Sexual Orientation</b>	
Impact	Neutral Impact
Details	The activities within the DfT Investment Programme will have a neutral impact on sexual orientation.

<b>Sex</b>
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Impact	Positive Impact
Details	The activities described in the DfT Investment Programme will impact positively on everyone, regardless of sex as the highway network is used by all for a range of reasons.

<b>Marriage or Civil Partnership</b>	
Impact	Positive Impact
Details	The DfT Investment Programme will impact positively on everyone regardless of marital status. However, there may be potential benefits in terms of access to venues for wedding and civil partnerships.

<b>Carers</b>	
Impact	Positive Impact
Details	The DfT Investment Programme will impact positively on carers as this will improve accessibility around the network.

<b>Rural Isolation</b>	
Impact	Positive Impact
Details	The DfT Investment Programme will impact positively on rural communities through improvement of accessibility, in that roads will be maintained and resilient in weather events.

<b>Single Parent Families</b>	
Impact	Neutral Impact
Details	The delivery of the DfT Investment Programme is considered to have a neutral impact on single parent families as the network is used by everyone.

<b>Poverty (Social and Economic Deprivation)</b>	
Impact	Positive Impact
Details	The DfT Investment Programme programme will impact positively on areas of social and economic deprivation. Nationally, there have been examples where enhanced highway network condition can support these groups.

<b>Military Families and Veterans.</b>	
Impact	Neutral Impact
Details	The DfT Investment Programme will have a neutral impact on military families.

### Action Plan

Area	Action