

Record of operational decision

Decision title:	Decision to award the Weather Forecasting Service
Date of decision:	13/09/2024
Decision maker:	Service Director
Authority for delegated decision:	<p>Economy and Environment Scheme of Delegation directorate schemes of delegation</p> <p>75 Service Director Environment and Highways: To act on behalf of the council in respect of the legislation specified in the Highways Act 1980</p> <p>The Service Director's authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
Ward:	'Countywide'
Consultation:	Legal Services were consulted as part of the procurement process.
Decision made:	To Award the Weather Forecasting Service Contract to MetDesk Ltd for a contract value of £33,697.87 per annum, £101,093.61 for a 3 year period and £129,977.49 should the further 6 months extension be utilised.
Reasons for decision:	<p>The Council procure a Weather Forecasting Service to support the Winter Service delivery. The service provider uses live data from the 7 weather stations in the county, the forecaster and weather models to accurately forecast the road temperatures and conditions across the county. This enables the council and service providers to respond to the challenging weather during the winter period between October and April, gritting when temperatures are at risk of ice and the long periods of cold, ice and/or snow.</p> <p>The contract procurement followed the council's process, an Invitation To Tender was issued via the council's portal with a closing date of the 2nd September 2024.</p>
Equality Considerations	<p>The Service provided by the contractor supports the councils Winter Service plan, the contractor provides condition forecasts for the road network which enables the council to treat the network as required.</p> <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>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"> 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>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>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>Legal 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’. 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.</p> <p>The contract will use the NEC Professional Services Short Contract to manage for the duration.</p> <p>Financial The funding for the service is approved and part of the Medium term Financial Strategy. The tender process will provide competitive costs for the service</p> <p>Risks Contracting a Weather Forecast provider mitigates risk on the network and risk to the council not being able to respond to the challenges to the network.</p>
<p>Details of any alternative options considered and rejected:</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>Details of any declarations of interest made:</p>	<p>None</p>

Signed.....