

NORTH SOMERSET COUNCIL DECISION

DECISION OF: COUNCILLOR JAMES TONKIN. THE EXECUTIVE MEMBER FOR PLANNING, BUILDING CONTROL, HIGHWAYS AND TRANSPORT



WITH ADVICE FROM: THE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT.

DECISION NO: 20/21 DE 65

SUBJECT: ALLOCATING ADDITIONAL DEPARTMENT FOR TRANSPORT FUNDING (POTHOLE AND CHALLENGE FUND) TO SCHEMES ALREADY IDENTIFIED AND APPROVED AS PART OF THE HIGHWAYS & TRANSPORT CAPITAL WORKS PROGRAMME 2020-23

KEY DECISION: NO

REASON:

Although the expenditure as a result of the additional Department for Transport (DfT) funding is above £500,000, this is not a key decision as the Highways & Transport Capital Works Programme 2020-23 ('the Programme') already has Full Council approval from February 2020 (see decision number 19/20 DE294). The Programme, already approved, identifies the schemes that are proposed to be funded by this additional capital. Further approval from a financial perspective is being included as part of the Month 12 financial report, which is being taken to the Executive on 25 June 2020 for approval and will delegate the approval of this spend to the Executive Member for Planning, Building Control, Highways & Transport.

Furthermore, despite the additionally-funded schemes being spread across the district (see Appendix 1 below for details), they are routine highway maintenance schemes that are not anticipated to have significant detrimental effect on communities living or working within the area.

BACKGROUND:

On 15 May 2020, the DfT released their Roads funding information pack, which confirmed the funding allocations for 2020/21 for local highway and transport authorities across England. This release confirmed the Highway Maintenance and Integrated Transport Block allocations (as expected and programmed for) but also included an **additional funding pot: the 'Pothole and Challenge Fund'**.

TABLE 1: Confirmation of NSC Pothole & Challenge Funding allocation, (with other confirmed DfT funding sources for the H&T Capital Works Programme 2020-23)

£ (millions)	Pothole & Challenge Fund	Highway Maintenance Block (HMB)	HMB incentive	Integrated Transport Block (ITB)	Total
North Somerset Council	£2.610	£3.229	£0.672	£0.972	£7.483

As shown in the DfT's Roads funding information pack, May 2020

<https://www.gov.uk/government/publications/roads-funding-information-pack/roads-funding-information-pack>

The notes in the information pack confirm that this fund is a combination of the £500 million Pothole Fund for 2020/21, the £100 million Challenge Fund for 2020/21, and the £50 million Pothole Action Fund allocation for 2020/21, totalling £650 million across England.

For context, North Somerset Council (NSC) has received the following amounts from either the Pothole Fund or Pothole Action Fund in the last three financial years:

- 2019/20: None (although a replacement £1.779m was made available to use across Highway Maintenance);
- 2018/19: £0.300m
- 2017/18: £0.478m

The 'Challenge Fund' element of the 'Pothole and Challenge Fund' refers to the Highway Maintenance Challenge Fund (HMCF), which was originally a competitive DfT fund designed to enable local highway authorities in England to bid for funding for major maintenance projects that were otherwise difficult to fund through the normal needs-based formula funding. However, most likely due to the COVID-19 outbreak and its intensive resource implications at both the DfT and on local highway and transport authorities, the 2020/21 £100 million challenge fund has been incorporated into the 2020/21 funding allocation and is to be distributed to local highway authorities by formula. NSC had submitted an expression of interest to the DfT bidding for HMCF funding for the Winterstoke Road Railway Bridge project, which included a £450,000 contribution from NSC, which was approved by Full Council in November 2019. This combined Pothole and Challenge Fund will be used to at least partially fund this project.

URGENT APPROVAL TO ALLOCATE FUNDING TO FIRST TRANCHE OF SCHEMES

As of 15 June 2020, NSC had not received clarification from the DfT on whether the Pothole and Challenge Fund would be broken down into two separate funds. This is not anticipated, so Highways & Transport propose to programme the first tranche of the additional £2.610m accordingly:

- £100,000 for Spray Injection Patcher (10-week booking);
- £105,000 for two Pre-Surface Dressing Patching schemes;
- £332,900 for five Surface Dressing Patching schemes;
- £45,000 for two footway & carriageway (combined) resurfacing schemes;
- £494,950 for five carriageway resurfacing schemes;
- £94,000 for two other surface treatment schemes.
- £100,000 for Thermal Footway Resurfacing schemes

TOTAL: £1,271,850

The Spray Injection Patcher fills potholes using a specialist method, and the 10-week booking of this equipment could enable the repair of approximately 13,500 potholes. The pre-surface dressing patching and full surface dressing schemes are high priority maintenance schemes that fit the funding objectives well but more importantly were

identified as schemes that should be brought forward urgently (into the 2020/21 Programme) should more funding become available. This is the same for the remaining carriageway, footway resurfacing and other surface treatment schemes. Now that additional funding has become available, the high priority schemes to be delivered are simply brought forward as part of the normal in-year programme monitoring process.

The Thermal Footway Resurfacing schemes are also a strong fit with both the funding objectives and local climate emergency priorities as we seek to improve our footway and cycleway networks to facilitate increased active travel. This method uses the heating of existing footway surface to pick up and re-lay in a method that recycles most of the materials already there.

The above maintenance schemes, particularly the spray injection patcher and surface dressing schemes, are time-sensitive and need to be booked in urgently for contractors to prepare for and deliver these schemes in the summer (& early autumn months when the weather is more likely to be fair). For this reason, **we are asking for expedited approval to spend £1,271,850 of the additional £2,610,000 Pothole and Challenge Fund allocation for these schemes urgently.** This is so that the window of opportunity to deliver these surface maintenance improvement schemes is not lost for another year.

Approval for allocating remaining Pothole and Challenge Fund

Due to the COVID-19 outbreak and its wide-ranging effects on local authority priorities and resources, a wider review into the Maintenance and Integrated Transport programmes is underway. Once complete, anticipated to be in July 2020, we will have a better understanding of local issues and priorities to seek approval to spend the remaining **£1,338,150** in what is a fast-moving and very much reactive government policy context. It must be stressed that this review of the programme, due to the impacts of COVID-19 in terms of its effects on the programme and costs, may affect what is available to allocate to new schemes.

As is normal practice with Highways & Transport non-ringfenced grants, a 'top-slice' of 10% from each of the funding pots that resource the programme is taken, used for a Corporate capital reserve fund. This would represent 10% of the additional £2,610,000, totalling £261,000. This leaves the Highways & Transport service with **£1,077,150** to allocate towards highway maintenance/improvement projects that are deemed a good fit with the objectives and criteria of the Pothole and Challenge Fund.

It should be noted that a contribution of £1,250,000 of NSC Capital funding was made to help support the Highway Maintenance programme for the 2020/21 financial year. This was to 'prop up' the amount spent to a funding amount nearer to the level required to be spent to maintain the overall condition of the highway network. Although this contribution is halved from £2,500,000 NSC Capital towards the 2019/20 Programme (and prior years), this £1,250,000 contribution far exceeds the 10% topslice funding of £261,000 that will be topsliced from this Pothole and Challenge Fund funding.

DECISION:

To approve the allocation of £1,271,850 capital funding from the Department for Transport's Pothole and Challenge Fund towards the time-critical pothole-filling and surface dressing highway maintenance schemes that are already approved in the Highway & Transport Capital Works Programme 2020-23 (and detailed in Appendix 1 below).

To delegate to the Director of D&E (in consultation with the Executive Member) the approval of the remaining £1,077,150 Pothole and Challenge Fund towards Highway Maintenance and transport improvement schemes as identified by the appropriate officers.

REASONS:

To enable NSC's Highway Maintenance teams to swiftly arrange contractors to implement surface dressing and spray injection patching (pothole-filling) before the window of opportunity that are the summer/early Autumn months is passed. This additional funding is welcomed by NSC, as the Highways & Transport service attempts to reduce the significant and increasing backlog of Maintenance schemes building up from the reduction in national and local resource commitments to Highways maintenance since 2010.

OPTIONS CONSIDERED:

Wait for plans to allocate the full funding amount to be finalised

One option would be to wait until we have conducted a full review and potential rewrite of the H&T Capital Works Programme 2020-23, both Maintenance and Integrated Transport Programmes, before approval is sought to allocate the funding to any schemes.. This delay would result in missing out on booking in the spray injection patcher and also scheduling contractors to implement the surface dressing schemes for the remaining summer months of 2020. This would risk having to wait a full year to implement these schemes, with further highway surface deterioration likely to mean that more significant and costly corrective works would be required.

Choosing to not accept the funding from DfT

The least logical of all the options, NSC could choose to not accept the additional funding from the DfT. This would be rejecting significant additional capital to help reduce the large and growing backlog of highway maintenance schemes. This option would also not be acceptable to the residents and businesses of North Somerset and could damage the good reputation that the Council currently has with the DfT with regards to funding bids and delivery capability.

FINANCIAL IMPLICATIONS:

The financial implications are positive for the Council, with an additional non-ringfenced £2,610,000 of capital income to be spent within the current 2020/21 financial year. £2,349,000 (90%) of which is to be allocated to highway maintenance improvement schemes within the Highways & Transport Capital Works Programme 2020-23 (the other 10% is to be 'top-sliced' for a Corporate capital reserve fund). This additional funding is from the DfT's Pothole and Challenge Fund, to be spent in 2020/21 on (as the DfT suggest) 'repairing potholes or stopping them from forming' (the Pothole elements of the Fund) and on 'major maintenance projects that were otherwise difficult to fund through the normal needs-based formula funding' (the [Highways Maintenance] Challenge Fund elements of the funding).

Costs

As detailed in the Background section above, Highways & Transport propose to expediate the approval of the following amounts from the £2,610,000 additional funding to the following highway maintenance areas:

- £100,000 for Spray Injection Patcher (10-week booking);
- £105,000 for two Pre-Surface Dressing Patching schemes;
- £332,900 for five Surface Dressing Patching schemes;

- £45,000 for two footway & carriageway (combined) resurfacing schemes;
- £494,950 for five carriageway resurfacing schemes;
- £94,000 for two other surface treatment schemes.
- £100,000 for Thermal Footway Resurfacing schemes

TOTAL: £1,271,850

Once a review and rewrite of the Programme is complete (due to the COVID-19 outbreak - anticipated to be July 2020), the Director of D&E (in consultation with the Executive Member) will be asked to approve the allocation of the remaining £1,077,150 to prioritised highway maintenance schemes.

Funding

On 15 May 2020, the DfT announced this additional Pothole and Challenge fund, as part of the Roads Funding Information Pack, which sets out the total allocations for Highway Maintenance and Integrated Transport spend for the 2020/21 year. The Pothole and Challenge Fund totals £2,610,000 for North Somerset Council.

LEGAL POWERS AND IMPLICATIONS

Development and implementation of initiatives and schemes identified by the West of England's Joint Local Transport Plan 4 (JLTP4) will be delivered under the Council's powers as Local Highway Authority (Highways Act 1980). This in the form of the Highways & Transport Capital Works Programme.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The 2020/21 approved Maintenance Programme includes a significantly increased amount of spend on Footways & Cycleways; up 408% from the 2019/20 programme, encouraging more journeys by walking and cycling via a better overall maintained network of footways and cycle paths. Additionally, the commitment to maintain the highway network benefits not just car users, but also cyclists, equestrians, pedestrians and those using public transport, all of which share the public highway.

Whilst the Integrated Transport Programme only contains schemes that meet JLTP4's sustainable objectives, the Maintenance Programme is compiled on a priority basis and using best asset management principles of identifying and treating highway surfaces before they contain defects (such as potholes) wherever possible. The Maintenance Programme 'maintains' our overall highway network and does not add new roads that would encourage increased usage of petrol or diesel fuelled motor vehicles.

NSC Highways Maintenance are fully committed to reducing carbon emissions through highway maintenance schemes and procedures wherever possible. Some of the initiatives to cut carbon emissions include:

- In 2019/20, seven highway maintenance projects used road/footway recycling using an ex situ recycling process, with a total area of 9540m² recycled. One of the seven projects using recycled materials saved more than 30 tonnes of carbon, with over 50% less carbon used compared to the carbon output from the same scheme if it was to be undertaken by traditional road construction methods;
- Spray Injection Patching – savings created from the lack of disposal of old/waste materials with this process;
- Recycling Road Planings;

- Thermal Footway Resurfacing – heating up the existing footway surface and relaying;
- Use of recycled material in verge repairs/structural haunching;
- Retexturing projects – as opposed to Surface Treatments.

Additionally, through NSC’s procurement process, contractors are obliged to demonstrate how their work with the Council contributes towards the Corporate priority of reducing carbon emissions and becoming carbon neutral by 2030. NSC’s highways maintenance teams use electric vehicles whenever possible when inspecting the highway and maintenance schemes, as part of the NSC fleet which is made up of approximately 50% Ultra Low Emission Vehicles (ULEV) (with plans to increase this percentage).

CONSULTATION

A full public consultation was undertaken on JLTP4, in February & March 2019. The consultation showed strong support for reducing carbon emissions. The 2020-23 Integrated Transport programme has been compiled according to the strong support for reducing carbon emissions and improving air quality, by including transport improvement schemes to enable the shift from the private car to more sustainable transport choices such as walking, cycling and public transport, wherever possible. The schemes contained within the Maintenance Programme are crucial to maintaining a useable transport network to allow users to shift transport choices to more sustainable modes wherever possible. The large increase in spend on the maintenance of Footways & Cycleways for the 2020/21 programme demonstrates NSC’s commitment to valuing the themes from the JLTP4 consultation.

Each year the Programme is compiled with frequent consultation from the different team managers within the Highways & Transport service. Additionally, after the Executive Member approves the Programme, it is published on the NSC website for 7 days to allow for public comments on its contents. This offers a chance for democratic scrutiny by the people of North Somerset.

RISK MANAGEMENT

The risk of not approving the allocation and implementation of this additional funding is allowing further deterioration of the North Somerset highway and transport network. The budgets confirmed for the 2020-23 programme are insufficient to maintain the network to a level that avoids overall decline, so the additional funding is required to narrow the gap.

Below is the risk assessment for the approved Programme:

Risk Threat/ Opportunity	Likelihood (1-4)	Impact (1-4)	Inherent Risk Score*	Risk Control Measures	likelihood reduction	Impact reduction	Residual Risk Score	Risk Owner Directorate
Availability of staff to implement schemes	3	4	12	Use term consultants and contract staff to manage peaks in workload	2	4	8	Highways and Transport D&E
Scheme cost inflation (Integrated Transport)	4	4	16	Allow for cost inflations within budgets	3	2	6	Highways and Transport D&E

Insufficient project management resources	3	3	9	Ensure officers have sufficient Continued Professional Development	2	3	6	Highways and Transport D&E
Insufficient funding for consultant support	3	3	9	Maximise in-house expertise and resource	2	2	4	Highways and Transport D&E
Scheme cost inflation (maintenance)	3	3	9	Develop joint procurement with JLTP partners	3	2	6	Highways and Transport D&E
Deterioration in condition of network due to severe weather	4	4	16	Maintenance programme based on road condition surveys	3	3	9	Highways and Transport D&E
Term maintenance contract ends	3	3	9	Investigate alternatives in sufficient time	1	1	1	Highways and Transport D&E
Deterioration in condition of network due to reduction in works budget	4	4	16	Maintenance programme based on road condition surveys	3	3	9	Highways and Transport D&E

* Likelihood of risk & impact

	High Risk
	Emergency Risk
	Medium Risk
	Low Risk

EQUALITY IMPLICATIONS

An Equalities Impact Assessment (EIA) was not undertaken specifically for the Programme, but the JLTP4 (with its objectives that drive and shape the Programme as its implementation plan) was evaluated against an EIA and also a Health Impact Assessment (HIA). Both concluded that there is likely to be an overall positive impact on the general public. Where adverse effects were predicted, mitigations were identified and added to the JLTP4 as required mitigations to be undertaken, allowing the JLTP4 to have an overall positive effect.

Although the Programme does not require an EIA or HIA, the Maintenance Programme includes essential maintenance and improvements to the highway and transport network condition, improving access to all users, public transport, cycle, pedestrian, equestrian and motor vehicles alike.

CORPORATE IMPLICATIONS

This implementation programme of the JLTP4 is critical in contributing to achieving the corporate priorities of the NSC Corporate Plan 2019-23;

A thriving and sustainable place:

- A great place for people to live, work and visit
- Welcoming safe and clean neighbourhoods
- To be a carbon neutral council and area by 2030
- A transport network which promotes active and low carbon travel
- An attractive and vibrant place for business investment and sustainable growth
- A broad range of new homes to meet our growing need, with an emphasis on quality and affordability

A Council which empowers and cares about people:

- A commitment to protect the most vulnerable people in our communities
- An approach which enables young people and adults to lead independent and fulfilling lives
- A focus on tackling inequalities, improving outcomes
- A collaborative way of working with partners and families to support children achieve their full potential
- A community which promotes learning and employment opportunities

An open and enabling organisation:

- Engage with and empower our communities
- Manage our resources and invest wisely
- Embrace new and emerging technology
- Empower our staff and encourage continuous improvement and innovation
- Make the best use of our data and information
- Provide professional, efficient and effective services
- Collaborate with partners to deliver the best outcomes

APPENDICES

Appendix 1: Proposed schemes to allocate £1,271,850 of the additional funding

Scheme / location	Ward	Parish	Treatment type / Works description	Scheme area (m ²)	Existing committed funding (funding source)	Additional funding requested (Pothole & Challenge Fund)	Comments
Spray Injection Patcher	District-wide	District-wide	Spray Injection Patcher – filling potholes across highway network	n/a	£138,000 (NSC Capital)	£100,000	Spray Injection Patching 10 week additional booking. Estimated to fill approximately 13,500 potholes.
B3128 Clevedon Rd. White house Lane to Tower House Lane	Long Ashton	Wraxall & Failand	Pre-surface dressing patching. High PSV surface dressing (SCRIM DEFICIENT SITE)	8040m ²	£0	£31,000	Pre Surface Dressing Patching Scheme that could be combined with existing scheme on the same road
B3128 Clevedon Road, Failand. Portbury Lane - Junction of Weston RD.	Long Ashton	Wraxall & Failand	Pre-surface dressing patching.	19000m ²	£0	£74,000	Pre Surface Dressing Patching Scheme that could be combined with existing scheme on the same road
C658 Wick Road and Wick Lane, Wick St Lawrence from A370 Hewish to Ebdon Road and along Ebdon Rd to Wheatfield Drive (Surface Dressing) (combine with the below scheme)	Wick St Lawrence and St George/Congresbury and Puxton	Wick St Lawrence/Puxton	Surface dressing. Pre patching completed in 2019, surface dressing now due.	22420m ²	£0	£118,000	To be combined with the C002 Ebdon Lane scheme below.
C002 Ebdon Lane from Wick Road to Ebdon Road (combine with the above and below scheme)	Wick St Lawrence and St George	Wick St Lawrence	Surface dressing. Pre patching completed in 2019, surface dressing now due.	9720m ²	£0	£51,500	To be combined with the C658 Wick Road scheme above.
C658) Ebdon Road, Weston super Mare Urban section Cornfields to Queensway Rbt (combine with the above and below scheme)	Wick St Lawrence and St George/W-S-M Kewstoke/W-S-M North Worle	Wick St Lawrence/Kewstoke/W-S-M	Surface dressing.	5365m ²	£0	£28,300	To be combined with the C002 Ebdon Lane scheme above and the C0024 Bourton Lane scheme below.

C0024 Bourton Lane Fm Rbt Saxon court to Ebdon lane (combine with the above scheme)	Wick St Lawrence and St George/Congresbury and Puxton	Wick St Lawrence/Puxton/St George	Surface dressing.	8200m ²	£0	£45,100	To be combined with the C658 Ebdon Road scheme above.
C421 (150) Caswell Lane (Naish Hill - High Street) and Caswell Hill (Naish Lane - Caswell Lane) , Clapton in Gordano/ Portbury	Gordano Valley	Portbury/Clapton in Gordano	Surface dressing. Pre patching completed in 2019, surface dressing now due.	16140m ²	£0	£90,000	None.
U0247 Milton Rise, Weston super Mare spur roads footway and carriageway works	W-s-M Milton	W-s-M	Resurfacing. Very narrow roads vehicle overrun on footways, allow to enable vehicles to overrun / or narrow footways	850m ²	£25,000 (NSC Capital)	£35,000	Additional Budget Required to complete in 20/21. £25k previously allocated, ideally we require a budget of £60k to complete what we'd like to do here. Therefore, a 'top -up' of £35k is required.
U0125 050 Brockley Close, Oldmixon, Weston-super-Mare	W-s-M Uphill	W-s-M	Micro asphalt.	460m ²	£11,000 (NSC Capital)	£59,000	Additional Budget Required to complete in 20/21. £11k previously allocated, ideally we require a budget of £70k to complete what we'd like to do here which would be the entire estate as opposed to one cul de sac within it. Therefore, a 'top -up' of £59k is required.
Thermal Footway Resurfacing	District wide	District wide	Thermal Footway Resurfacing	TBC	£0	£100,000	We had success using this process last year, could spend £100k on this and deliver 4 or 5 footway resurfacing projects (to be identified)
Fircliff Park, Portishead	Portishead North	Portishead	Carriageway and Footway Resurfacing	TBC	£0	£35,000	Minor works scheme previously planned but Area Officer struggling to keep it in a safe condition. Now costed up for full resurfacing. Preliminary design already complete so could be issued to contractor very quickly.
Belmont Rd until furthest junction of Brae RD (leave cul-de-sac area) , Brae Rise, Brae Rd, Brimridge Rd (link to	Banwell and Winscombe	Winscombe & Sandford	Carriageway Resurfacing	5000m ²	£0	£62,000	Reasonably straight forward carriageway resurfacing project. (link to footway scheme below)

footway scheme below)							
Brae Rise, Winscombe (Link to carriageway surfacing scheme above)	Banwell and Winscombe	Winscombe & Sandford	Footway Resurfacing	70m ²	£0	£10,000	As per the above, Footway resurfacing which could be incorporated to the project above
Whitecross Road, WSM	WsM Central	Weston-super-Mare	Carriageway Resurfacing	2800m ²	£0	£80,000	Already work progressed on this design, road is in a poor condition and could be a possible scheme we could use ex-situ recycling on
Spring Hill, Worle, Weston super Mare (From Church Road to wayside)	WSM	WSM	Carriageway Resurfacing	600m ²	£0	£75,750	Engineer has put some work into this one already. It's in a poor condition and is outside a school so potentially we could provide a blank canvas and work with design teams with regards to social distancing changes to the road layout.
Rayens Cross Road, Long Ashton	Long Ashton	Long Ashton	Carriageway Resurfacing	3000m ²	£0	£90,000	Reasonably straight forward carriageway resurfacing project. Could be a possible scheme we could use ex-situ recycling on.
Ham Green and Heywood Road, Pill	Pill	Pill & EiG	Carriageway Resurfacing	5200m ²	£0	£187,200	On a town centre route and key public transport corridor. Busy residential and employment area.
TOTAL	-	-	-	106,865m²	-	£1,271,850	-

BACKGROUND PAPERS

- Joint Local Transport Plan 4 (JLTP4) – 2020 to 2036

This is accessible on the West of England’s Travelwest website below:

<https://travelwest.info/projects/joint-local-transport-plan>

- Approved Highways & Transport Capital Works Programme 2020-23: Maintenance Programme only

Available on request – contact Lindsay Margerison (transport.policy@n-somerset.gov.uk)

SIGNATORIES:

DECISION MAKER(S):



Signed: Executive Member for Planning, Building Control, Highways and Transport

Date: 16 July 2020.....

WITH ADVICE FROM:



Signed: Director Development and Environment

Date: 16 July 2020