

Report to Cabinet
22nd March 2021

Wards
All

Report to obtain approval for amendments to the proposed schemes within the Highways Capital programme 2021/22 and 2022/23

Report of the Assistant Director, Major Projects and Infrastructure on behalf of Corporate Director of Regeneration

This report item is not exempt.

This is a Key Decision

Forward Plan reference 0009/21

1. Purpose of the Report and Summary

- 1.1 To report on and seek approval for amendments to the Highways Capital Programme 2021/22 and seek approval for the new programme for 2022/23, supported by both Council and Department for Transport (DfT) capital funding allocations for Highways.

2. Recommendations

- 2.1 That the proposed programme of Highway capital works for 2021/22 and 2022/23 as set out in Appendix A is approved.
- 2.2 That the prioritisation of individual schemes within the programme is delegated to the Assistant Director Major Projects & Infrastructure in consultation with the Portfolio Holder for Economic Investment, Regeneration and Planning and in consultation with the relevant Area Committees.
- 2.3 That the Assistant Director Major Projects & Infrastructure is authorised to undertake a competitive process through open tender or the YorCivil2 and YorConsult2 frameworks to obtain tenders and subsequently award contracts expeditiously for each scheme following completion of design, in consultation with the Director of Legal Services & Partnerships and Portfolio Holder for Economic Investment, Regeneration and Planning, Land and Property, subject to such tenders being within the overall budget.

- 2.4 That the evaluation criteria used for the assessment of tenders will be 100% price on straightforward maintenance schemes less than £50k using standard methods and materials and on more complex schemes via open tender or YORCivil2 or YORConsult2 will be 70% price : 30% quality.
- 2.5 That the Assistant Director Major Projects and Infrastructure and Director of Finance and Change Management are authorised to make applications for and accept grant funds to facilitate the development and delivery of the Highways Capital Programme set out in Appendix A, in consultation with the Portfolio Holder for Economic Investment, Regeneration and Planning, Land and Property and the Portfolio Holder for Operations.
- 2.6 To authorise the Assistant Director Major Projects & Infrastructure to seek tenders for a six year Micro Surfacing contract (3 years plus 3) beginning in 2022/23 with an overall value not exceeding £2m, to undertake treatments on the unclassified residential road network which otherwise may not be prioritised in the approved Capital Programme.
- 2.7 To authorise the Assistant Director Major Projects & Infrastructure to commission the annual Surface Dressing Programme through East Riding of Yorkshire Council for three years beginning 2021/22 not exceeding £900k over the 3 year period.
- 2.8 To authorise the Assistant Director Major Projects & Infrastructure to commission temporary site supervisors, project managers and quantity surveyors through the Council's temporary staffing contract or the Council's Professional Services Framework contract when let.

3. Reasons for Recommendations

- 3.1 To implement the Council's transport strategy identified in the Council's Local Transport Plan and ensure that the Council meets its statutory duty to maintain the public highway and, where necessary, exercises its power to improve the public highway to allow or improve safe access and passage and improve delivery of its traffic management duty.
- 3.2 The delegation of approvals with regard to tender and award of schemes will facilitate the delivery process and allow flexibility to ensure best value is achieved.
- 3.3 Commissioning of external support is required to meet the complex requirements and scale of the major projects programme the Council is seeking to deliver and provide the ability to deliver additional projects from new funding sources.

4. Impact on Other Executive Committees (including Area Committees)

- 4.1 Area Committee Members will be informed of individual scheme proposals, timetable for delivery, any required road closure and diversions once the programme is established. The investment in this infrastructure will have positive economic and environmental impacts on their areas.

5. Background

Highways Capital Programme

- 5.1 The Council aims to provide a transport network where it is easy and convenient to walk, cycle or use public transport; that enables people to travel in safety and security whatever form of transport they choose; that ensures our key strategic corridors provide reliable and sustainable links within the city and to surrounding areas and cities; where there is equal access to opportunities and resources to support education, training, employment and cultural events; and a transport network that helps us deliver our ambitions to be carbon neutral by 2030 and ensure our residents can lead healthier, longer and happier lives.
- 5.2 The key transport strategies that are relevant to the delivery of the Highways Capital programme are:
- Local Transport Plan (LTP): Sets the overall transport strategy and key aims and objectives to be achieved. The pre-consultation draft of the LTP was approved by Cabinet in February 2020 (minute 96). Consultation has been delayed due to Covid-19 but is planned for 2021/22
 - Local Cycling and Walking Infrastructure Plan (LCWIP): Sets out the rationale and data for the development of the cycle network across the whole city and identifies at a high level the infrastructure required and costs. The pre-consultation draft of the LCWIP was approved by Cabinet in February 2020 (minute 99). Consultation has been delayed due to Covid-19 but is planned for 2021/22.
 - Highway Maintenance Policy (HMP): The HMP was updated in September 2018 (Cabinet minute 50) to reflect a new Code of Practice issued by UK Roads Liaison Group incorporating the Risk Based Approach to Asset Management.
- 5.3 Cabinet approved a report in February 2019 (minute 104) that set out a three year Highways capital programme, confirmed programme for 2019/20 and provisional programmes for 2020/21 and 2021/22. That report advised that it was likely that the third year of the programme would be subject to change. Cabinet approved a separate report in February 2020 (minute 94) making minor amendments to the 2021/22 programme. This report consolidates those changes and sets out the schemes to be included within the overall capital programme for 2021/22 and a new programme for 2022/23.
- 5.4 Council capital contributions to support the highway capital programme were considered by Cabinet at its meeting in February and agreed by full Council at its meeting in February 2020.

- 5.5 Delegation of authority for procurement and award of contracts will ensure that delivery against the programme is more efficient, flexible and streamlined. It will also assist in programming the large number of schemes within the programme as time required for input from other service areas is minimised.
- 5.6 The allocation for bridges does not take account of large scale refurbishment and repair requirements. Major works will require additional funding bids to be made. Funding requirements for major refurbishments are currently unknown and are subject to ongoing assessment and design work. The schemes set out in Appendix A for year 2022/23 will require further funding to complete the full programme. Those highlighted in bold in 2022/23 are prioritised for delivery should no additional funding become available.
- 5.7 Schemes prioritised by Area Committees have not progressed quickly during 2020/21 due to resources being diverted to the COVID response. All schemes that are currently with the Major Projects team for development are shown in Appendix A. These schemes will be rolled forward into 2021/22. Capital funding committed by the Area team and paid to Major Projects for the delivery of schemes will also be carried forward.
- 5.8 There is anticipated to be opportunity to bid into the Government's Levelling Up fund for infrastructure in 2021/22. Funding that may become available through this opportunity is not included in the figures in Appendix A but the schemes which are anticipated could be submitted are shown and include; Calvert Lane, pinch-point schemes as agreed by Cabinet at its meeting on 26 March 2018 (minute 123), any of the cycle schemes named in the LCWIP.
- 5.9 There are a number of large schemes within the programme that are over the £250,000 key decision threshold and the estimated costs for these are set out in Appendix A. These schemes are:
- Stoneferry corridor (already contracted)
 - Priors Way (already contracted)
 - Humber Street/Queen Street
 - Kingswood AAP
 - LEP funded cycle schemes
 - Lowgate and Bowlalley Lane public realm works
 - Holderness Road and Hessle Road Challenge Fund footway scheme (already contracted)
 - Holderness Road cycle scheme
 - Micro surfacing and surface dressing programmes
 - Walton Street
 - Danepark Road
 - City centre public realm
 - Kingswood to City centre cycle route
- 5.10 The construction work for the proposed highways capital maintenance programme will be tendered in accordance with the Council's procurement policy and will be determined on 100% price where value is less than £50k.

Quality is inherently included in the brief through the job specification, and supervision on the work on site ensures delivery of the end product is in line with the specification.

- 5.11 More complex schemes will be tendered using the YORConsult2 or YORCivil2 framework, other frameworks available to the Council or via open tender as appropriate, and in agreement with Legal and Procurement teams using evaluation criteria 70% price : 30% Quality.

Stoneferry Corridor

- 5.12 Stoneferry corridor scheme has experienced an increase in the scope of works to be undertaken. The cycle elements have been redesigned to meet the requirements set out in Cycle Infrastructure Design LTN 1/20 and some parts of the highway have been found to be in much worse condition than previously anticipated.

Priory Way

- 5.13 Priory Way has also experienced an increase in scope. Cycle facilities have been included to provide access to the development parks. Further survey work has also identified that the ground conditions are worse than originally assumed and an alternative soil stabilisation method will be required.

Humber Street/Queen Street

- 5.14 Work to improve the public realm and carriageway. The scheme will introduce improved pedestrian crossing facilities, widened and resurfaced footways and traffic calming to facilitate the increase in sustainable travel movements in the area. Arco will be relocating to new headquarters on Blackfriargate in Spring 2021 and this work will tie-in with the existing public realm improvements delivered in 2016 and the improvement works arising from the A63 Castle Street scheme.

Kingswood Area Action Plan

- 5.15 The Kingswood Area Action Plan (AAP) sets out the development proposals for the Kingswood area over the next 15 years. As part of the development of the AAP a detailed highway assessment was undertaken to inform the development of the plan. The results of the detailed assessment identified that to cater for the remaining level of development being proposed over the next 15 years, capacity improvements would need to be made. The funding allocation will enable these capacity improvements to be brought forward and delivered at an earlier stage

LEP funded cycle schemes

- 5.16 In 2020 the Council secured £2.2m of Getting Building fund from the Local Enterprise Partnership (LEP) to deliver cycle routes along the full length of Beverley Road and to develop a cycle route link between the city centre and

Cottingham. £600k was designated for delivery in 2020/21 and the remaining £1.6m is for delivery in 2021/22. There will be a £980k match funding contribution from Highways capital in 2021/22. The routes identified are Beverley Road corridor and a link between the city centre and Cottingham, exact alignment to be determined. The LEP funding has not yet been included in the baseline budget for Highways.

Lowgate and Bowlalley Lane

- 5.17 An additional phase of public realm works to replace the existing footway with Yorkstone paving and uplift the area in line with other works completed in the city centre.

Holderness Road and Hessele Road Challenge Fund Footway schemes

- 5.18 The carriageway elements of the Challenge Fund schemes are being delivered in 2020/21 in line with the requirements of the funding. A small section of Holderness Road carriageway at Mount Pleasant has been slipped to summer 2021. The footway improvements are being delivered using the Council capital match funding which enables the schemes to be rolled over year end and delivered in 2021/22.

Holderness Road cycle scheme

- 5.19 Delivery of the Active Travel Fund scheme to improve cycle facilities along Holderness Road to Diadem roundabout, predominantly through branding, signing, lining and physical protection works. The corridor includes Carr Lane, Alfred Gelder Street, Witham and Clarence Street.

Microsurfacing and surface dressing Programmes

- 5.20 The micro surfacing works will undertake treatments on the unclassified residential road network which otherwise may not be prioritised in the capital programme. Without this commitment there would undoubtedly be an increase in customer complaints and dissatisfaction. By undertaking up to 50,000m² of micro surfacing annually the Council is able to undertake its statutory duties as the Highway Authority in the most efficient and cost effective manner, reducing the number of claims and enhance the ability to repudiate them. The programme of surface dressing will undertake, for the most part, treatments to the classified road network and main link roads that remain unclassified. East Riding of Yorkshire Council have proven over a number of years to be capable of delivering high quality surface dressing at competitive rates, ensuring that the life of the carriageways is extended by sealing the surface and enhancing surface texture, preventing degradation and proactively reducing the likelihood of potholes forming over the medium term.

Walton St and Danepark Road

- 5.21 Both these schemes are large maintenance schemes; Danepark Road is the main access to housing development land and as such has suffered significant

deterioration due to construction traffic. The area of the Walton Street scheme is much larger than most other maintenance schemes, hence the cost is predicted to be above the threshold.

City Centre public realm

- 5.22 Ongoing maintenance to rectify any defects that are outside of the project defect period.

Kingswood to city centre cycle route

- 5.23 Prior to COVID-19 and resources being directed at emergency active travel schemes the focus will return to priorities identified in the Local Cycling and Walking Plan. The plan remains at consultation draft with a communications plan being developed to enable consultation in Summer 2021. The highest priority scheme identified is the predominantly off road route from Kingswood to the City centre which will provide an attractive and accessible commuter facility.

6. Issues for Consideration

- 6.1 The focus of the amendments to the Highways capital programme is to ensure key priorities are delivered and highways identified as most in need of maintenance intervention are addressed. This ensures that the network is maintained to a good standard, reducing congestion on our key strategic routes and supporting the low carbon agenda.
- 6.2 The programme must remain flexible to allow for emergencies and coordination between schemes, issues identified in design and the requirements of the Permit process to programme all works on the highway, including Council works etc., therefore the schemes identified for delivery in each year are not guaranteed to be delivered. Those not delivered within year will roll-over into the following year.
- 6.3 There is some financial over programming against the capital programme budget. This reflects the fact that some schemes are in development and capital works on site are still dependent on a number of off and on site parameters such as procurement, costs and works methodology as well as site conditions. The over programming allows for the management of these factors to help ensure a smooth delivery of the programme as a whole. If scheme costs increase above the budget allocation, either the scheme will be amended within the budget envelope or the cost overruns will be managed against the future three-year programme.
- 6.4 Appendix A sets out the proposed programme for delivery. There is over-programming of 24 percent and this will be managed across future years of the programme. Schemes locations are shown on the plan accompanying the report.

- 6.5 Ensuring delivery of the identified capital programme must take precedence in the allocation of staff time and resources to ensure the priority transport schemes are completed on time and within budget. Additional requests for work over and above those identified will be considered, prioritised and responded to as and when staff resources become available, unless otherwise directed by the Portfolio Holder for Economic Investment, Regeneration and Planning or the Leader.
- 6.6 The responses received to the request for Ward or Area input into the maintenance programme have been included in the programme where survey and/or inspections have identified it as an appropriate priority location for intervention. Mostly these will be undertaken as part of the wider surface dressing and micro-surfacing programmes, however some require different treatment are therefore included as a footway scheme in Appendix A
- 6.7 The carriageway and footway schemes have been identified by the Highway Assets Management Team from the updated survey data and visual inspection information. Changes to the previous 2021/22 programme are predominantly carriageway schemes where the condition has deteriorated significantly and have therefore been brought forward. Some carriageways have not deteriorated as much as originally predicted and can be addressed in future years.
- 6.8 Any schemes that are programmed for delivery in 2020/21 but which are carried forward into 2021/22 are not included in the Appendix. Any remaining budget for schemes that are not delivered within 2020/21 will also need to be carried forward into 2021/22.
- 6.9 Reprioritisation of the funding allocations against the different areas of the programme may result in some schemes identified in Appendix A slipping to future years or out of the programme

7. Options and Risk Assessment

Option 1 – Do Nothing

- 7.1 Do not agree the proposed inclusion of other schemes within the Highways capital programme and request further consideration be given to inclusion and the programme development. If the proposed amendments are not approved the Major Projects and Infrastructure team will review the programme but it will not be possible to programme the proposals or commence any work on the brief. This could cause a later than planned start to delivery of schemes and may result in schemes being delayed into the following year and/or underspend in the coming financial year.
- 7.2 Reprioritisation of the funding allocations against the different areas of the programme may result in some schemes identified in Appendix A slipping to future years or out of the programme.

This option is not recommended for approval.

Option 2 – Approve the proposed three-year Highways Capital Programme and proceed with the relevant design and tender exercises

- 7.3 Approve the proposed inclusion of the schemes within the programme subject to budget allocations being approved will provide flexibility and efficiency in the management and delivery of the capital programme by ensuring that schemes can be programmed and start design stage earlier in the year.
- 7.4 Approval of the programme ahead of the start of the financial year will enable design works to start at an early stage in the year and provide greater certainty on programming and delivery.
- 7.5 Undertaking the relevant tender exercises for the proposed projects will enable the Authority to achieve value for money and ensure that the Highways asset continues to be improved and maintained.
- 7.6 Delegating the approval of seeking tenders and contract award to the Assistant Director Major Projects & Infrastructure, Town Clerk and Portfolio holder for Economic Investment, Regeneration and Planning will speed up the process of issuing work and ensure a more efficient system is in place.

This is the preferred option.

8. Capital Programme Approvals

- 8.1 Funding for the capital programme 2020/21 was considered by Cabinet in February 2020. Future year funding will be agreed by Council at the appropriate meeting. Ward Members relevant to the individual schemes will be informed of details as set out in paragraph 4.1.

9. Comments of the Director of Legal Services and Partnerships (Monitoring Officer)

- 9.1 The Council has a duty to maintain the adopted public highway under S. 41 Highways Act 1980 and a power to improve it under S. 62 of that Act. It also has a duty under S. 16 Traffic Management Act 2004 to secure the expeditious movement of traffic on the local network. The recommended programme will assist in fulfilling these duties and also bring about network improvements. The proposed procurement methodology is consistent with Contract Procedure Rules and the evaluation criteria should allow the Council to realise best value for each tendered scheme, as required by S. 3 Local Government Act 1999. For the purposes of the surface dressing contract, the Public Contracts Regulations 2015 permits the award of contracts between public sector entities without competition.

10. Comments of the Section 151 Officer

- 10.1 The S151 officer notes the report and supports the recommendations made in terms of the prioritisation and delivery of proposed Highways schemes. A

revised Capital Programme for 2021/22 to 2023/24 is to be considered by Full Council on 25th February as part of the Capital Strategy Report. The delivery of the programme of schemes is required to be contained within the overall funding envelope as approved by Council. This allocated funding is subject to ongoing review as part of the Capital Monitoring process and any changes to the funding envelope, as further external funding is finalised, will be incorporated as necessary. (MA)

11. Comments of Assistant Director, HR and Compliance with Equality Duty

11.1 This report is noted by the Assistant Director of HR and OD. There are no staffing or wider human resources implications identified. (SH)

12. Comments of Overview and Scrutiny

12.1 This decision has not been subject to pre-decision scrutiny. Ref. Sc6062 (FH))

13. Comments of the Portfolio Holder

Portfolio Holder for Economic Investment, Regeneration and Planning, Land and Property

13.1 I fully support the procurement process for the Highways Capital Programme.

14. Conclusions

14.1 It is considered that supporting Option 2 to approve the amendments to the Highways Capital programme ahead of the new financial year start will bring benefits of efficiency of resources and management of the programme. Undertaking the relevant tender process for the proposed schemes ensures the procurement requirements will be complied with and will enable the Authority to ensure it achieves value for money.

14.2 The carriageway and footway schemes have been identified and prioritised on the basis of risk in line with Council policy. Major Projects and sustainable travel schemes have been identified as addressing the Council's key transport priorities.

Garry Taylor, Assistant Director, Major Projects & Infrastructure

Contact Officer: Ruth Stephenson, Group Manager Highways Design & Development
Telephone No: 612561

Officer Interests: None

Background Documents:

February 2019 Cabinet Report - Report to obtain approval for the proposed Highways Capital Maintenance Programme 2019/20 to 2021/22

February 2020 Cabinet Report – Highways Capital Programme 2020/21 and 2021/22

Appendices

Appendix A – Highways Capital Programme 2021/22 and 2022/23

Implications Matrix

This matrix provides a simple check list for the things you need to have considered within your report

If there are no implications please state

I have informed and sought advice from HR, Legal, Finance, Overview and Scrutiny and the Climate Change Advisor and any other key stakeholders i.e. Portfolio Holder, Area Committee etc prior to submitting this report for official comments	Comments to be obtained as part of the approval process.
Is this report proposing an amendment to the budget or policy framework?	No.
Value for money considerations have been accounted for within the report	Yes.
The report is approved by the relevant Corporate Director	Yes
I have included any procurement/commercial issues/implications within the report	Yes
I have liaised with Communications and Marketing on any communications issues	Yes
I have completed an Equalities Impact Assessment and the outcomes are included within the report	An Equalities Impact Assessment is not considered relevant for this issue but will be developed for the separate workstreams e.g. cycle infrastructure.
I have included any equalities and diversity implications within the report	There are no equalities and diversity implications associated with this matter. Any issues arising as a result of individual schemes will be dealt with as part of the scheme development
Any Health and Safety implications are included within the report	Yes.
Any human rights implications are included within the report	There are no human rights implications associated with this matter.
I have included any community safety implications and paid regard to Section 17 of the Crime and Disorder Act within the report	There are no community safety implications associated with this matter. Any issues arising as a result of individual schemes will be dealt with as part of the scheme development
I have liaised with the Climate Change Advisor and any environmental and climate change issues/sustainability implications are included within the report	Sustainable travel and carbon reduction schemes are included within the programme.

I have included information about how this report contributes to City/Council/ Area priorities within the report	Yes
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