

From: Simon Jones, Corporate Director, Growth, Environment and Transport

To: David Brazier, Cabinet Member for Highways and Transport

Subject: Additional Pothole Funding

Key Decision 23/00033

Classification: **Unrestricted**

Electoral Division: All

Summary: Highways and Transportation has a statutory duty to ensure the safe passage of all road users. Potholes can cause serious injury to road users and vehicles. In March 2023, Government announced an additional funding package of £200m across England specifically to fix potholes. Kent's allocation is just over £6m. This report seeks the Cabinet Member's approval to accept and deploy the grant funding allocation according to the authority's agreed Asset Management Approach

Recommendation(s):

The Cabinet Member for Highways and Transport is asked to agree:

- (i) To accept additional Government Pothole Funding award of £6,054,800 for a pothole and patching programme;
- (ii) To delegate authority to the Corporate Director of Growth, Environment and Transport to award and enter appropriate contractual arrangements, including any necessary extensions, subject to performance and contract terms as necessary to deliver the programme;
- (iii) To confirm that the funding will be used for pothole and patching in accordance with the authority's proposed approach to Asset Management (key decision 21/00028) and is in addition to the capital programme budget agreed at County Council in February 2023;
- (iv) To delegate authority to the Corporate Director of Growth, Environment and Transport, after consultation with the S151 officer and the Cabinet Member for Highways and Transport to accept further Pothole Grant Funding, subject to the grant conditions being acceptable,

as shown at Appendix A.

1. Introduction

1.1 KCC has delivered several successful pothole blitz programmes which have contributed to making Kent's roads safer for all users.

1.2 Recent prolonged spells of alternative very wet and very cold weather following a very hot summer has led to an increase in the number of potholes forming on Kent's highways.

- 1.3 Previous pothole blitz programmes have been financed from a combination of capital grant funding from Department for Transport (DfT) and KCC capital borrowing. However, DfT has substantially reduced its capital grant funding to KCC and, due to current financial constraints, it is not sustainable for KCC to continue to fund programmes using borrowing. This is reflected in KCC's 2023/24 approved budget.
- 1.4 However, following effective lobbying by Local Government, including KCC, and as announced in the Chancellor's Spring Budget of 2023, additional funding from DfT has been secured for pothole repair activity. Kent's allocation is £6,054,800.

2. Acceptance and deployment of grant funding

- 2.1 KCC could choose not to accept the grant funding but this option has been discarded as highways budgets are under pressure. DfT has, in previous years, reduced grant funding by £9m net and current grant funding does not include any inflationary uplift, which has a significant impact on the maintenance backlog; currently £480m for roads and is increasing year on year as less work is able to be commissioned each year with a static grant.
- 2.2 No match funding is needed from KCC but the funding is intended to be wholly additional to current funding and specifically for pothole repairs. It cannot be used for other purposes.
- 2.3 KCC had ten existing pothole contracts to service the county but these have expired as there were no further allowable extensions.
- 2.4 The route to market will be through the Highways Term Maintenance Contract (key decision 20/00092). This is an existing contract which has a retained provider in place to undertake the works through engagement with local SME's..
- 2.5 An in-house option was discounted KCC does not have an in-house team to undertake the work. Furthermore, the technical resource, equipment and material agreements required to deliver these works needs an extensive mobilisation period prior to programme commencement.
- 2.6 The work to commission this programme has started and is being led by Highways & Transportation with support from KCC Commissioning Team. It is anticipated that the contracts will be awarded for works to commence early May.

3. Financial Implications

- 3.1 The £6,054,800 is additional to current Highways Maintenance grant (from DfT) funding specially for pothole repair work to address a national issue regarding potholes.
- 3.2 The funding is an enhancement to existing Highways maintenance budgets and will increase the number and speed up the repair work for tackling potholes.

3.3 The funding is for one-year only but should future Pothole Fund grant funding become available the proposed decision includes an option to accept additional grants in consultation with the Cabinet Member and S151 Officer subject to any grant conditions being acceptable.

4. Legal implications

4.1 The Council has a legal duty to maintain the highway network for which it is responsible. The grant funding from DfT mitigates the cost of that duty.

4.2 The commissioning and award of contracts will be carried out in accordance with the Public Control Regulations 2015 and KCC's financial regulations.

5. Equalities implications

5.1 There are no negative equalities implications arising from this decision. An Equalities Impact Assessment is attached to this report as Appendix B.

6. Other corporate implications

6.1 There are no other corporate implications.

7. Governance

7.1 The Corporate Director, Growth, Environment and Transport will inherit the main delegations to implement the decision via the Officer Scheme of Delegation.

8. Conclusions

8.1 As part of the Chancellor's March budget Statement, Government has made available an additional £200m funding for pothole repairs to address the increased number of potholes forming on highways as a result of prolonged extreme weather conditions.

8.2 Kent has been allocated an additional £6,054,800 which will be utilised in the repair of potholes and surface defects.

9. Recommendations:

The Cabinet Member for Highways and Transport is asked to agree:

(i) To accept additional Government Pothole Funding award of £6,054,800 for a pothole and patching programme;

(ii) To delegate authority to the Corporate Director of Growth, Environment and Transport to award and enter appropriate contractual arrangements, including any necessary extensions, subject to performance and contract terms as necessary to deliver the programme;

(iii) To confirm that the funding will be used for pothole and patching in accordance with the authority's proposed approach to Asset Management (key decision

21/00028) and is in addition to the capital programme budget agreed at County Council in February 2023;

(iv) To delegate authority to the Corporate Director of Growth, Environment and Transport, after consultation with the S151 officer and the Cabinet Member for Highways & Transport to accept further Pothole Grant Funding, subject to the grant conditions being acceptable,

as shown at Appendix A.

10. Background Documents

- Appendix A – Record of Decision
- Appendix B – Equality Impact Assessment

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