

From: Neil Baker, Cabinet Member for Highways and Transport
Simon Jones, Corporate Director - Growth, Environment and Transport

To: Environment and Transport Cabinet Committee – 14
September 2023

Decision No: N/A – For information only

Subject: **Decisions taken between Cabinet Committee Meetings**

Classification: Unrestricted

Past Pathway of Paper: Cabinet Member Decision

Future Pathway of Paper: N/A

Electoral Division: County-wide

Summary: The attached decision was taken between meetings of the Environment and Transport Cabinet Committee as it could not be reasonably deferred to the next programmed meeting of the Cabinet Committee for the reasons set out in paragraphs 2.2 and 2.3 below.

Recommendation:

The Environment and Transport Cabinet Committee is asked to note that decision 23/00058 Highways Term Maintenance Contract was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

1. Introduction

- 1.1 Decision 23/0058: Highways Term Maintenance Contract was taken between meetings of the Environment and Transport Cabinet Committee, as it could not reasonably be deferred.

2. Background and Reason for Urgency

- 2.1 KCC has a legal duty to maintain its respective sections of the highway network under section 41 of the Highways Act 1980 and this demands continuity of operational service. Many of these services are delivered through a Highway Term Maintenance Contract (HTMC) with Enterprise AOL Limited (known as Amey). The current contract expired on 31 August 2023.
- 2.2 Whilst the intention was to undertake a full procurement for the services under the contract, as previously reported to the 23rd May Environment & Transport Cabinet Committee meeting market intelligence is that there is little confidence that a new contract at this time would represent best value for Kent County

Council as the industry continues to experience significant volatility due to the impact and aftermath of COVID-19 and the war in Ukraine; in turn leading to widescale challenges in the supply of materials, skilled and unskilled labour, and increasing fuel and financing costs.

- 2.3 Extending the contract for a period of 32-months will allow time for the market to re-stabilise and enable a full re-procurement of the contract. A Steering Group comprising KCC Senior Managers will be established to provide oversight and governance.
- 2.4 The proposed approach was discussed and debated by Members of Environment and Transport Cabinet Committee at a briefing meeting on 18th August.

3. Recommendation(s)

- 3.1 The Environment and Transport Cabinet Committee is asked to note that decision 23/00058 Highways Term Maintenance Contract was taken between meetings of the Cabinet Committee in accordance with the process set out in the Council's constitution.

4. Background Documents

Decision 23/00058 – Highways Term Maintenance Contract: [Record of Decision \(kent.gov.uk\)](#)

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