

**BRIEFING REPORT OF STRATEGIC DIRECTOR PLACE**

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**TO  
PROPERTY & REGENERATION  
ON 23<sup>RD</sup> JANUARY 2023**

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**TITLE: POTHOLE ACTION FUND SCHEMES 2022/23 AND 2023/24**

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**RECOMMENDATIONS:**

That the Lead Member for Planning and Sustainable Development notes the proposed programmes of work for the Pothole Action Fund for 2022/23 as outlined in the report.

The report is then submitted through Property and Regeneration to City Mayor for briefing and approval.

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**EXECUTIVE SUMMARY:**

Following the provision of the CRSTS funds, the remaining financial provision for the Pothole Action Fund for 2022/23 is £698,000. The 2022/23 scheme proposals and proposed treatments are detailed in the background documents.

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**BACKGROUND DOCUMENTS:**

Appendix A -Pothole Action Fund Proposed Schemes  
Appendix B- Proposed Treatments

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**KEY DECISION:** Yes-this report will be presented to the City Mayor for briefing and approval

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## DETAILS:

### 1.0 The Pothole Action Fund

- 1.1 In February 2021, the Department for Transport allocated, through the GMCA funds from the Pothole Action Fund. The total amount for Greater Manchester has been established at £15,526,000. This has been distributed across the ten districts in accordance with the existing needs based formula. The pothole action fund is specifically for use on the carriageways.
- 1.2 The carriageways listed in Appendix One have been identified for treatment from a number of sources. These are:
- by highway inspectors who have identified defects in the carriageways during their scheduled safety inspection.
  - where the defects in the carriageways have been subject to requests for service by members of the public, neighbourhood managers and elected members.
  - actionable defects defined by risk assessment, that have been made safe, however there are adjacent areas of carriageway that require repair to prevent further deterioration.
  - areas that have been identified on other works programmes but are unlikely to be carried out due to higher priorities.
- 1.3 The cost to undertake the type of work required on the streets identified would be prohibitive from the revenue budget. This is because the areas requiring replacement are greater than localised repairs that would be usually authorised by the Highway Inspector, in accordance with the Highway Inspection and Repair Code of Practice. Nevertheless, work is required to repair the areas identified on the streets, in order to ensure that the highway is safe and serviceable.
- 1.4 The schemes listed in Appendix One exceed the allocated amount and schemes from 2021/22 have been included along with additional streets identified. Those schemes that are not completed and any new proposals shall be included in future works programmes should further pothole action fund allocations be forthcoming.
- 1.5 Salford City Council is already following the HMEP (Highway Maintenance Efficiency Programme) principles by undertaking planned preventative and cost-effective repairs in its works programmes. Those principles shall continue with this programme of works.
- 1.6 Continuing with the HMEP principles, along with conventional repair processes, where appropriate, innovative and sustainable repair processes and materials shall also be used. These processes are identified in Appendix Two.

- 1.7 Where any actionable defects are noted within any cycle ways situated within the carriageways along the routes listed in Appendix One, these shall be repaired in accordance with the specified treatment identified in Appendix Two determined for that road.
- 1.8 Where appropriate and subject to future available funds, the carriageways that have been repaired shall be included in a future surface treatment programme. This will seek to seal and protect the surface from deterioration thus further prolonging the in- service life and improve overall network condition.
- 1.9 Construction Services is seeking to carry out some of the patching works in house. This will commence with hand-lay works identified within the pothole action fund. Going forward, it is anticipated that there shall be less reliance on such works to be carried out by contractors and therefore internal delivery shall increase.
- 1.20 The future internal delivery shall rely on an expanding workforce and it is the intention of the Operational Manager to employ local people, train them and provide them with the skills to undertake works in the future.
- 1.21 As stated, the starting point will be hand-lay works undertaken by internal construction services staff which will then be developed.
- 1.22 A breakdown of the cost of the proposed pothole action fund works is as shown in Table 1 and 2 below.

<b>Work Element</b>	<b>(£)</b>	<b>Total (£)</b>
<b>Pothole Action Fund 2022/23</b>		
Direct Works Cost		£585,276
Depot Overheads (19.26%)	£112,724	
Scheme Delivery Cost		£698,000
<b>Total Budget for programme</b>		<b>£698,000</b>

Table 1 Breakdown of costs carriageway patching and repairs

## KEY COUNCIL POLICIES:

Enhancing Life in Salford, Think Efficiency, Improving the Environment, Tackling Poverty and Inequality, Skills and Education, Creating an Economy for all

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## EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS:

The scheme proposals as outlined have been made in an attempt to ensure the continued safe movement of the travelling public. The budget proposals and apportionments are not intended to be discriminatory. The works being undertaken will have a positive impact on all equality groups. By planning and programming work around religious holidays we can enhance good relations with the affected communities in a positive way.

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## ASSESSMENT OF RISK:

Low – The targeted spend of available funding will ensure that the City Council's statutory obligations are met while at the same time facilitating continuous improvement of the highway infrastructure.

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**LEGAL IMPLICATIONS** Supplied by: Tony Hatton, Principal Solicitor, tel. 219 6323 and Azra Furheen

Date: 18<sup>th</sup> November 2022

Section 41 of the Highways Act 1980 places the Highway Authority under a duty to maintain a highway, and maintenance is therefore a statutory requirement.

The proposals in the report for highway maintenance, once finalised scheme details within each of the specified categories of work have been submitted, will strengthen the Council's position in defending 3<sup>rd</sup> party highway/tripping claims. Whilst it is legally accepted that it is not possible to maintain the highway completely free of all defects, section 58 of the Highways Act 1980 provides a possible defence to a claim if it can adequately show that there was a sufficiently robust regime in place to inspect and maintain the highway provided it is adequately carried out and the Council had no prior knowledge of the defect before an alleged incident.

Once works have been carried out in accordance with the schemes referred to the Council will be better placed to either repudiate more third party claims entirely or reduce the level of damages payable should settlement be deemed appropriate.

When commissioning contracts for the procurement of goods, services or works the City Council must comply with the requirements of the Public Contracts Regulations 2015 (PCR) and its own Contractual Standing Orders and Financial Regulations. Third

party contractors may be instructed to carry out such works directly, or via the Council's framework agreement for Civil and Highways Engineering, and depending on the value of those commissions, will be subject to approvals from Strategic director or Procurement Board.

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## FINANCIAL IMPLICATIONS

**Supplied by:** Alison Woods, Interim Commercial Finance Manager

Date: 17<sup>th</sup> November 2022

The aforementioned expenditure of £0.698m, will be met from the CRSTS Highways Core Maintenance capital grant funding allocation, which has been received for the 2022/23 financial year.

Implications of the proposed expenditure in respect of the Innovate Programme have been fully considered.

All expenditure should be closely monitored to ensure that these works are delivered within the allocated resources.

Expenditure code: D07091

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**PROCUREMENT IMPLICATIONS** Supplied by: Heather Stanton, Category Manager Tel: 6241

Date 16<sup>th</sup> November 2022

This is a statutory requirement. We now have in place the SCC Technical and Highways Works Framework which could be utilised to tender for these works as a further competition. The Technical and Highways Works Framework is compliant with PCR's 2015 and SCC standing orders.

As part of the Council's Innovate program and budget challenges over the next three years, the service group should consider efficiencies and enhanced contract management KPI's as part of this procurement activity.

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**HR IMPLICATIONS** Supplied by:

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**CLIMATE CHANGE IMPLICATIONS Supplied by: Michael Hemingway**

Improved highways will contribute to the reduction of congestion and reduce carbon emissions from standing traffic. The use of recycled and sustainable materials along with carbon friendly manufacturing processes in road maintenance products will also contribute to carbon saving measures.

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**OTHER DIRECTORATES CONSULTED:**

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**CONTACT OFFICER:** Steve Mangan      **TEL NO:** 603 4034

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**WARDS TO WHICH REPORT RELATES: ALL**