












## Cabinet

Tuesday 10 March 2020

### Agenda Pack Three for the following Cabinet reports:

 Denotes a key decision

Item No.	Subject	Page No	Responsible Cabinet Member	Contact name & Tel. no. (01604)
11.* 	New school places for Corby: Provision of mainstream, temporary 'bulge' secondary school capacity and permanent additional SEND capacity	3 - 10	Councillor Baker	Chris Wickens 07738638249
12.* 	Transport Studies and Highway Scheme Preparation	11 - 20	Councillor Smithers	Chris Wragg 364411
13.* 	Bikeability Cycle Training	21 - 26	Councillor Smithers	Chris Wragg 364411
14.* 	Purchase of machinery to repair potholes.	27 - 36	Councillor Smithers	Nick Henstock 07824866088
15.* 	Residential Short Breaks for Carers of Disabled Children (Children with Special Education Needs and Disability - SEND)	37 - 46	Councillor Baker	Sharon Blount 362289
16.* 	Street Lighting PFI –Conversion to LED lighting and full CMS	47 - 52	Councillor Smithers	Steve Lilley 364473
17.> 	Disaster Recovery	To Follow	Councillor Bowen	Kerry Purnell 362874
18.* 	Highway and Transport Block Funding (General Exception Rule applied)	53 - 58	Councillor Smithers	Chris Wragg 364411





**CABINET**

**10 MARCH 2020**

**DIRECTOR OF CHILDREN FIRST NORTHAMPTONSHIRE: CATHI HADLEY/DEPUTY DIRECTOR – EDUCATION: SHARON MULDOON**

**CABINET MEMBER WITH RESPONSIBILITY FOR CHILDREN, FAMILIES AND EDUCATION: COUNCILLOR FIONA BAKER**

Subject:	New school places for Corby: Provision of mainstream, temporary 'bulge' secondary school capacity and permanent additional SEND capacity
Recommendations:	<p>Cabinet is asked to;</p> <ol style="list-style-type: none"> <li>1) Note that Red Kite SEND Academy is increasing its Published Admission Number (PAN) from 100 to 120, to accommodate an additional students;</li> <li>2) Agree the capital scheme for the new sixth form modular block at Red Kite Academy and authorise the scheme to proceed to the construction phase within available and agreed financial resources;</li> <li>3) Approve the financial and governance arrangements associated with the capital scheme;</li> <li>4) Delegate authority to the Director of Children First Northamptonshire, in consultation with the Cabinet Member for Children, Families and Education, to approve, accept, award and appoint the preferred bidders and to execute or authorise the execution of all the necessary documentation to facilitate the scheme;</li> <li>5) Note that Corby Technical School and Brooke Weston Academy will temporarily increase their PANs from 150 to 234 and 180 to 186, to provide an additional three forms of entry of temporary 'bulge' capacity in Corby for the 20/21 and 21/22 academic years;</li> <li>6) Approve the capital funding required to provide the additional capacity required to accommodate the increased number of students that will attend each of the schools named above;</li> <li>7) Note the findings of the Equalities Impact Assessment form completed in relation to this report.</li> </ol>

**1. Purpose of report**

1.1. The Local Authority has a statutory duty to ensure there is a sufficiency of school places across the county, ensure fair access to educational opportunity and promote diversity and parental choice;

- 1.2. This report focuses on additional provision in the secondary and SEND sectors in Corby and serves to provide Cabinet members with the necessary information to make a fully informed decision on the proposals to detailed above.

## **2. How this decision contributes to the Council plan**

The Council's vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan:

- Enabling individuals and communities to achieve better outcomes.
- Engaging with partners and communities to co-design and co-deliver services.
- Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.
- Focusing resources on prevention and early intervention.
- Commissioning and procuring services and goods with partners.
- Utilising the Council's assets effectively.
- Reducing inequalities and disparity of opportunities.

## **3. Background**

### Red Kite SEND Academy

3.1 Between January 2014 and January 2019, the number of children and young people attending a Special Educational Needs & Disability (SEND) school increased by 25% nationally. Northamptonshire has seen a far more significant increase, with the number of pupils accessing specialist provision in the county increasing by 46% in the same period.

3.2 This increase has resulted in a shortage of SEND places in almost all areas of the county and led to NCC having to commission and utilise an increased number of places in out of county and independent specialist provisions. Whilst the actual cost of each place is dependent on the individual needs of each pupil, places in provisions such as these cost an average of £20,000 per pupil, per academic year more than places in a non-independent county setting.

3.3 Red Kite SEND Academy is a purpose built all through SEND Free School funded by and delivered in collaboration with the Education and Skills Funding Agency (ESFA). It was built to meet the demand for SEND places in the north of the county. The free school opened in Corby in 2018 with a capacity to accommodate 100 pupils in total, including sixth form provision.

3.4 Following a further increase in demand, Red Kite SEND Academy agreed to accept an additional 10 pupils in years R/Y1 to help meet demand within the

Corby area in the 19/20 academic year and a further 10 pupils in the same year groups in the 2020/21 academic year (20 pupil increase in total), at the request of the Local Authority. These pupils were/will be accommodated in the spaces designated as sixth form classrooms within the original build.

3.5 The Academy now require new accommodation to re-provide sixth form provision at the school and the following scheme has been devised in conjunction with the school and Red Kite Academy Trust;

- To construct a stand-alone purpose built modular 6<sup>th</sup> form block, comprised of; three classrooms, two hygiene rooms, and separate group room;
- As per the main school building, this new block will be built in full accordance to the Department for Education area guidelines for SEND schools as specified in 'Building Bulletin 104' (BB104).

3.6 The anticipated cost of the new build, following completion of the concept design stage for the new build is £700,000. However, it should be noted that this capital expenditure will mitigate against an increased revenue pressure of £200,000 per academic year in 2019/20 and £400,000 per academic year thereafter against the High Needs Block of the Dedicated Schools Grant (DSG). This increased revenue pressure would have lasted until each of the increased cohorts of Reception and Year 1 students had finished the primary phase of education and could have amounted to a figure in excess of £2,800,000 over a 7 year period. (Based on the assumption that each of the additional 20 pupils that will attend Red Kite Academy would have attended an out of county or independent provision for their primary phase of education).

3.7 Current forecasts indicate that the increased number of places that will be provided at Red Kite SEND Academy will ensure there is a sufficiency of SEND places available in the Corby area in forthcoming academic years.

#### Provision of mainstream, temporary secondary school capacity

3.8 The long term plan for meeting the demand for secondary school places in Corby is through the provision of a new secondary, free school within the town. A free school bid was approved in 2016 by the Department for Education (DfE). The new school will be funded and delivered by the DfE. Significant delays have been experienced in the procurement of a site for the new school and it is not anticipated that the new school will open prior to September 2022.

3.9 As a result of the above, NCC are now required to provide temporary 'bulge' capacity within the town to ensure that it continues to fulfil its statutory obligation of providing a sufficiency of school places within the town in the 2020/21 and 2021/22 academic years.

3.10 Officers within the School Place Planning team, in collaboration with the Brooke Weston Academy Trust have identified a solution that will provide 90 additional Year 7 places across Corby Technical School and Brooke Weston Academy in each of these academic years. It is anticipated that this level of temporary 'bulge' capacity will be sufficient to meet demand.

3.11 Capital works at Corby Technical School are required to accommodate the large number of additional students that will be attending the school in the forthcoming academic years and to ensure that the school can continue to deliver individual aspects of the curriculum to students effectively. These works include:

- Provision of additional Science labs;
- Provision of additional ICT suites;
- Provision of enlarged changing facilities and a new Multi-use games area (MUGA);
- Increased dining facilities and circulation spaces;
- Improved pedestrian access to the school site.

3.12 It is intended that the capital works will be funded by NCC and delivered on the organisation's behalf by the Brooke Weston Academy Trust. An initial feasibility study has indicated that the required works will cost £1,200,000. Any funding agreed would be subject to a funding agreement drafted by LGSS Law that would limit NCC's financial commitment to the scheme to £1.2m.

3.13 The proposed capital expenditure for this scheme would mitigate against a likely revenue pressure against the Home to School transport budget in the region of £750,000 – 900,000 over a six year period, should NCC be required to transport the 180 students that will be accommodated by the proposal into neighbouring areas to ensure they can access education.

## 4 Consultation and Scrutiny

### Red Kite SEND Academy

4.1 It is the responsibility of Red Kite SEND Academy (rather than NCC) to formally consult and submit a business case to the DfE to permanently increase its PAN and the physical capacity within the school. This requirement is specified within the DfE guidance document, 'Making significant changes to an open academy':

*Special academies that are proposing to increase the physical capacity (number of pupils for which the schools is organised to make provision) of the school (including where PAN only is increased), and when taking into account all previous increases), by 10% or 20 pupils (whichever is the lesser) will need to seek approval based on a full business case regardless of their Ofsted rating.*

4.2 Red Kite SEND Academy completed the required consultation and the proposal to increase its physical capacity was approved by the Regional Schools Commissioner (on behalf of the DfE) in November 2019.

4.3 Proposals for a new sixth form block at Red Kite Academy have involved the collaboration of the Head Teacher, and Kingsley Special Trust Board of Trustees' approval. All parties have worked together to identify and approve solutions for the current SEND pupil pressures. A mini project board has been established all key stakeholders are represented on the board.

4.4 Cabinet is asked to note that the proposed modular build will be subject to a separate statutory consultation and planning approval process.

#### Provision of mainstream, temporary secondary school capacity

4.5 Academies and Free Schools have the freedom to temporarily increase their PAN without any requirement to consult with either the Local Authority, DfE or any other stakeholder. There is no legal requirement for the Brooke Weston Trust to consult on this proposal.

4.6 The proposal to provide the additional accommodation required for the increased number of students that will be attending Corby Technical School have been developed in full collaboration with the school and the Brooke Weston Academy Trust.

### **5 Equality Screening**

5.1 The proposals to provide an increased number of SEND and mainstream secondary school places in Corby to ensure that students residing in this area of the county can access education can be considered to represent a positive impact upon the protected 'age' and 'disability' characteristics. The proposals can be considered to have a neutral impact on all other protected characteristics.

5.2 The full Equalities Impact Assessment form can be found using the link below:

- [Children, Families & Education](#)

### **6 Alternative Options Considered**

6.1 Do Nothing: NCC has a statutory obligation to provide a sufficiency of both mainstream and SEND school places within the county. Without the additional places that have and will be provided by the proposals detailed above there will be an immediate and severe risk to NCC's ability to fulfil its statutory obligations in this regard.

6.2 Transport students to alternative settings: This option was discounted as a result of the likely revenue pressures identified in sections 3.6 and 3.13 that would arise should places in alternative settings be sought.

### **7 Financial Implications**

7.1 The schemes proposed above, and the associated capital expenditure, were reviewed at NCC's Capital Approvals Board and Place Shaping Board on the 6th and 10th February respectively and recommended for inclusion in the Monthly Capital Report elsewhere on this Cabinet agenda in order to secure approval for promotion from the Development Pool into the committed Capital Programme.

	Current year	Forecast		
	2019/20	2020/21	2021/22	2022/23 & beyond
	£000	£000	£000	£000
<b>Capital Investment</b>				
Red Kite SEND Academy		700		
Corby Technical School		1,200		
Funded by	Banked 2019/20 DfE Basic Need Grant funding			
<b>On-going costs (revenue)</b>				
Costs – Staffing (CTS only)		127	218	91
Other		0	0	0
Total on-going costs (revenue)		127	218	91
Funding by	Pupil Growth Fund element of DSG. Revenue costs have been budgeted for and are affordable within budget limits. No impact on NCC general fund. Revenue funding will cease from end of 2021-22 academic year.			

What benefits will the proposal deliver?	<ul style="list-style-type: none"> <li>• Enabling individuals and communities to achieve better outcomes.</li> <li>• Engaging with partners and communities to co-design and co-deliver services.</li> <li>• Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.</li> <li>• Utilising the Council's assets effectively.</li> <li>• Reducing inequalities and disparity of opportunities.</li> </ul>
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## 8 Risk and Business Continuity Management

### a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
School extension not supported by educational providers	Feasibilities signed off. Mini project board for trust's board of directors established.	Green
Insufficient capital resource	CAB and PSB approvals received and included within Capital Strategy and available budgets	Green
Planning permission not granted	Pre-planning engagement with statutory consultees and local communities.	Amber



b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Insufficient school places. Displaced SEND pupils and failure to fulfil statutory obligations.	Red
Ongoing and increased revenue pressure against Home to School transport budget.	Red
Ongoing and increased financial liability for commissioning of out of county and independent provision for SEND students.	Red

## 9 List of Appendices

None.

Author:	Name: Chris Wickens Team: School Place Planning
Contact details:	Tel: 07738638249 Email: cwickens@northamptonshire.gov.uk
Background Papers:	
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	NO
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)?	YES Name of SFM: Rosemary Pallot
Have any capital spend implications passed through Capital Programme governance procedures?	YES
Has the report been cleared by the relevant Director?	YES Name of Director: Cathi Hadley
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Cllr Fiona Baker
Has the relevant scrutiny committee been consulted?	N/A Scrutiny Committee:
Has the report been cleared by Legal Services?	YES Name of solicitor: Duncan Bisatt
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Liam Beasley

Have any property Issues been cleared by Property and Asset Management?	YES Name of officer: James Wheeler
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</li> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	YES Name of officer: Gus De Silva
Are there any community safety implications?	NO
Are there any environmental implications:	NO
Are there any Health and Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Corby West - Councillor Julie Brookfield



**CABINET**

**10 MARCH 2020**

**DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF ADULTS, COMMUNITIES AND WELLBEING: ANNA EARNSHAW**

**CABINET MEMBER WITH RESPONSIBILITY FOR HIGHWAYS AND PLACE:  
COUNCILLOR JASON SMITHERS**

Subject:	Transport Studies and Highway Scheme Preparation
Recommendations:	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1. agrees the programme of Transport Studies and Highway Scheme Preparation set out in Section 5 of this report, and</li> <li>2. agrees that delegated authority be given to the Deputy Chief Executive and Director of Adults, Communities and Wellbeing, in consultation with the Cabinet Member with responsibility for Highways and Place, to agree terms and the award of contracts for the programme following appropriate procurement as set out in section 6 of this report.</li> </ol>

**1. Purpose of report**

1.1 To progress a programme of transport studies and highway scheme preparation to ensure that Northamptonshire increases its opportunities for successfully bidding for Government and developer funding, and is able to implement appropriate highway and transport schemes in the coming years.

**2. How this decision contributes to the Council plan**

The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

<p>This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan:</p>
<ul style="list-style-type: none"> <li>• Working in partnership with other public sector organisations (such as the seven district and borough councils, the local NHS bodies, and Northamptonshire Police).</li> <li>• Engaging with partners and communities to co-design and co-deliver services.</li> <li>• Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.</li> <li>• Using technology and digital solutions to meet the needs of residents.</li> <li>• Commissioning and procuring services and goods with partners.</li> <li>• Utilising the Council’s assets effectively.</li> </ul>

### **3. Background**

- 3.1 The costs of undertaking preparatory work for large highway schemes can be considerable, involving not only engineering design, option appraisal and public consultation, but also, for the largest schemes, the preparation of a planning application, associated environmental statement and a series of business cases to secure Government funding. For a major scheme such as a bypass or new road, the preparatory costs can come to £2-3m. While Government funding can be sought for the larger schemes, it has traditionally not covered any of the preparatory work, only land and construction costs. While this has been relaxed slightly for some recent funding rounds, it still only covers the latter stages of business case work.
- 3.2 The County Council has not had a revenue budget for the preparation of large highway schemes for many years. Such work has typically been funded from the annual Local Transport Plan Integrated Transport Block grant from the Department for Transport, intended for the delivery of small schemes. This has inevitably limited the number of smaller schemes that have been delivered.
- 3.3 In recent years, the County Council has been quite successful in securing Government funding to deliver major road schemes. The A43 Corby Link Road, A45 Daventry Development Link and A43 Northampton – Kettering Phase 2 have all been successfully delivered. The A43 Northampton – Kettering Phase 1b is currently in an advanced stage of construction, with traffic using the Moulton Bypass under traffic management, and is expected to fully open in May 2020. Funding has also been allocated for the Northampton North West Relief Road, and a specific report on that scheme is also on the agenda for this Cabinet meeting.
- 3.4 Funding the preparatory costs of these schemes has formed a heavy burden on the Integrated Transport Block. In addition, since the issue of the first Section 114 notice in February 2018, Integrated Transport Block funding has been used to reduce the borrowing which would otherwise have been required for the A45 Daventry Development Link and A43 Northampton – Kettering Phase 1b schemes. This has significantly reduced the funding that has been available for preparation of the future major schemes and work on the Northampton North West Relief Road has only been able to continue thanks to a combination of funding from Northampton Borough Council and Section 106 developer contributions.
- 3.5 In 2019 the Government invited local authorities to put forward projects for Major Road Network funding. Via England's Economic Heartland, the County Council was successful in being asked to submit a Strategic Outline Business Case for the A509 Isham Bypass, while a decision on the bid for the A43 Northampton – Kettering Phase 3 is still awaited. In January 2020, the Government invited expressions of interest for Local Pinch Point Funding, with selected schemes to later be asked to submit funding bids. The County Council submitted expressions of interest for five schemes:

- A45 Smart and Connected Growth Project
- A422 Farthinghoe Bypass
- Rothwell Road and Northfield Avenue, Kettering
- Northampton East-West Walking and Cycling Corridors
- Greyfriars Bus Punctuality and Traffic Scheme, Northampton

3.6 The Government has also announced that significant additional funding is to be allocated to public transport and cycling, with details to be revealed as part of the Comprehensive Spending Review. Therefore, even if these schemes are not successful in obtaining Local Pinch Point Funding, there are likely to be further opportunities to bid in future.

3.7 Funding is required to progress all these schemes, if they are to be able to progress to construction, and the opportunity for Government funding is not to be lost. None of the schemes will reach construction before the County Council has been replaced by the new North Northamptonshire and West Northamptonshire Councils, and assisting the progress of these schemes will provide a good legacy for the County Council and a positive start for the new unitary authorities.

#### **4. Section 278 funding**

4.1 When developers undertake works on the County Council's roads, such as constructing a new junction to serve their development, they need permission to do so. Such permission is granted through an agreement under Section 278 of the Highways Act, 1980. As part of that agreement, they are required to pay a fee to the County Council for the audit and inspection of their works, and also deposit a bond as surety should they not complete the works to a satisfactory standard.

4.2 While the bonds are repayable should they not be called upon, the fee income remains with the County Council, and is used to pay for the relevant part of the highways development management team. As the level of development can vary from year to year, there have been some years when the costs of the team have exceeded the income received. However, in most years the fee income has more than covered the cost of the team. To cover the highs and lows, the income is transferred as a specific reserve to the County Council's balance sheet, and costs drawn down as required. Over time, this has accumulated a considerable balance, i.e. £5.385m as at 1<sup>st</sup> April 2019.

4.3 This level of balance would potentially be sufficient to pay the costs of the Section 278 team for fourteen years. While it would not be prudent to allow the balance to fall to zero, it is clearly unnecessary to retain the full amount as a specific reserve. The one-off use of this funding would provide an opportunity to progress highway scheme preparation and transport study work without the requirement for funding from the County Council's base revenue budget.

4.4 In addition to the Section 278 funds there are contributions from the Borough Council of Wellingborough of £1m to cover the cost of bringing the Isham Bypass forward, a contribution of £250k from South Northamptonshire Council to bring forward the Farthinghoe Bypass and a contribution of £100k from Northampton

Borough Council to support the Northampton Transport Strategy. In addition to that there is a £95k contribution to the transport model work from fee income.

## **5. Proposed Transport Study and Highway Scheme Preparation Programme**

5.1 It is proposed to use £4.01m of the Section 278 balance plus contributions of £1.445m to progress three streams of work. Two are the Major Road Network and Local Pinch Point schemes referred to in Section 3 above. The third consists of other high priority transport study and major scheme preparation work.

5.2 The larger proportion of the funding will be directed towards the two Major Road Network schemes:

5.2.1 **A509 Isham Bypass (£1m BCW funding pending BCW approval):** This funding will allow a review of the design, preparation and submission of a revised planning application, and preparation and submission of a Strategic Outline Business Case to the Department for Transport. If successful, this Business Case will unlock the Major Road Network funding which can be used for preparation of the Outline Business Case and further progress of the scheme.

5.2.2 **A43 Northampton – Kettering Improvements Phase 3 (£500k):** Phase 3 of the A43 scheme will extend the dualling northwards from the end of Phase at the Overstone Grange roundabout through to the Holcot/Sywell roundabout, which is increasingly becoming a bottle-neck as constraints further south are removed. This funding will pay for the Strategic Outline Business Case and will also include the examination of options to increase the capacity of the Holcot/Sywell roundabout in advance of full dualling. If successful, the Strategic Outline Business Case will unlock the Major Road Network funding which can be used for preparation of the Outline Business Case and further progress of the scheme

5.3 Funding has also been allocated to the five schemes for which Local Pinch Point Fund expressions of interest have been submitted so that bids can be prepared if the Department for Transport selects the schemes to be taken forward. Alternatively, these schemes will be well advanced ready for future funding opportunities in future:

5.3.1 **A45 Smart and Connected Growth Project (£50k):** This project encompasses an improved walking and cycling link between Rushden and Wellingborough, as well as smart technology interventions in the A45 corridor. As work is more advanced on this scheme than others, with detailed cost estimate available, only a small allocation has been made to fund the costs of bid submission.

5.3.2 **A422 Farthinghoe Bypass (£1.4m):** South Northamptonshire Council have allocated £250k in their 2020/21 budget to progress this scheme to the stage where a preferred route can be agreed. This additional funding would allow for the preparation of a full design for the scheme.

5.3.3 **Rothwell Road and Northfield Avenue, Kettering (£100k):** This scheme encompasses improved walking and cycling facilities on the two named corridors, together with an improved junction at Warren Hill/Gipsy Lane, partially funded by S106 developer contributions. The funding would allow for

scheme design to be progressed so more detailed cost estimates are available, and a bid to be submitted.

- 5.3.4 **Northampton East – West Walking & Cycling Corridors (£260k):** This scheme encompasses improved walking and cycling facilities along the A428 Harlestone Road and on the A4500 between Wellingborough and Northampton. The funding would allow for scheme design to be progressed so more detailed cost estimates are available, and a bid to be submitted.
- 5.3.5 **Greyfriars Bus Punctuality and Traffic Scheme, Northampton (£200k):** This scheme encompasses measures in the Greyfriars/Lady's Lane area to improve the flow of traffic, particularly buses, around Northampton Bus Interchange, and also highway alterations to facilitate redevelopment of the former Grosvenor Bus Station site. The funding would allow for scheme design to be progressed so more detailed cost estimates are available, and a bid to be submitted.

5.4 In addition to these schemes for which Government funding bids have already been submitted, it is also proposed to direct funding towards five other high priority transport study or highway scheme preparation projects:

- 5.4.1 **Northamptonshire Strategic Transport Model (£495k):** This is Northamptonshire's traffic model, which can be used for testing development proposals, local plans and major highway schemes. In order to ensure that they are representative, such models only have a limited life before new survey information and planning data is needed, and the model is revalidated. The Northamptonshire model is now due such a refresh, and the funding, together with £95k accumulated from fees charged to developers using the model, will be used for this work. This includes an allowance for extending the models capabilities to better encompass emerging technologies such as autonomous vehicles and better modelling of air quality.
- 5.4.2 **Corby Northern Orbital Road (£300k):** The Corby Northern Orbital Road is intended to open up residential and commercial development opportunities to the north-east of Corby. The road has been left incomplete due to the bankruptcy of the developer who was constructing it. The funding will be used to assess the work and costs that would be required to complete the road, in order to inform future funding bids.
- 5.4.3 **Kettering Local Cycling and Walking Improvement Plans (£50k):** Local Cycling and Walking Improvement Plans are a Department for Transport initiative which is expected to form the basis of future funding opportunities for walking and cycling. Northamptonshire has already participated in pilot plans for Northampton, Northampton – Wellingborough and Rushden/Higham Ferrers, with consultancy assistance funded by the Department for Transport. Once the plans have been finalised, it is anticipated that they will be brought to Cabinet for adoption. Kettering Borough Council have identified walking and cycling as a high priority and have expressed an interest in being the next town to have a plan.
- 5.4.4 **Northampton Transport Strategy (£750k including £100k NBC funding):** Northampton Borough Council have ambitious plans for their town centre, which could have major implications for the highway and transport networks. It is therefore proposed that a major transport study is undertaken which considers the town's transport needs in the context of current developments in

transport technology, having particular regard to the England's Economic Heartland First/Last Mile workstream. While proposing a transport policy context and future projects for the town as a whole, the study would have a particular focus on suggesting detailed interventions for the town centre.

5.4.5 **Disused Brackmills Rail Corridor, Northampton (£100k):** The former rail corridor between Northampton and Bedford is owned by the County Council from London Road in Northampton to the county boundary near Yardley Chase. The section in Northampton, which passes by the new University campus and the Brackmills industrial estate, has obvious scope as a walking/cycling corridor or for alternative transport use. While it is expected that the Northampton Transport Strategy referred to above would make recommendations as to such use, this funding would allow specific investigation of the ground conditions of the route (e.g. contamination and drainage) which may be a constraint on any future use.

5.4.6 Government has recently announced further funding initiatives relating to both cycling and public transport, and it may be appropriate to seek approval for further funding to develop additional proposals around these or other areas of work at a future date.

## **6. Procurement**

6.1 All the projects listed in Section 5 will require work being commissioned from a third-party provider, either the County Council's highway services provider, KierWSP, or an alternative consulting firm. If the latter route is chosen, procurement will be in accordance with the County Council's contract procedure rules, probably via use of an appropriate framework contract such as Midlands Highways Alliance.

## **7. Consultation and Scrutiny**

7.1 Consultation has already been undertaken on the A509 Isham Bypass and the A422 Farthinghoe Bypass, and further consultation on both schemes will be undertaken as part of the work outlined above. The other schemes identified in sections 5.2 and 5.3 will also have consultation undertaken as scheme development progresses. The extent and timing of this consultation will reflect the differing nature of the schemes.

7.2 As a piece of technical work, consultation is not appropriate for the Northamptonshire Strategic Transport Model, although the outputs of the model often form part of the information presented for consultation as part of planning applications or on Local Plans.

7.3 Consultation was undertaken by Corby Borough Council as part of a past planning application for the Corby Northern Orbital Road. While some limited stakeholder consultation (particularly with adjacent landowners) may form part of the work now proposed, the requirement for further public consultation will be dependent on the options chosen.



7.4 Public consultation will form an integral part of the Kettering Local Cycling and Walking Improvement Plan and the Northampton Transport Strategy, not least before the recommendations are brought to County Council or future unitary authority Cabinet for adoption.

7.5 Consultation is not proposed as this fund is for technical investigation into ground conditions on the disused Brackmills rail corridor, although it is likely to form part of any future development of the route.

## 8. Equality Screening

8.1 There are no equalities implications of the decision to undertake the work set out in this report. However, a number of the projects may themselves have equalities implications, and this will be taken into account if and when the schemes are progressed to an appropriate stage.

## 9. Alternative Options Considered

9.1 It would not be possible to find this level of additional funding from within the County Council's base revenue budget. Not all the projects could be considered legitimate capital expenditure, but even for those which could be classed as capital, to fund the preparation costs in that way would either (a) limit the amount of expenditure which could be spent on scheme delivery rather than preparation, or, (b) incur borrowing costs which would place an additional burden on revenue.

9.2 Not funding the schemes would mean that advantage could not be taken of Government grants on offer, now and in future, and the various improvements will not be delivered.

9.3 There are other projects which could have been selected, but these are considered to be the highest priorities. Owing to the significant amount of funding which would be required to progress their further development, additional major schemes such as the A509 Isham to Wellingborough Improvement and Northampton Northern Orbital Route are not being progressed at this time, and it will be for the new unitary authorities to decide whether to prioritise and fund their further development.

## 10. Financial Implications

10.1 As described in Section 4 above, the majority of the costs will be met from the accumulated Section 278 balances. However, a proportion of the cost of the Northamptonshire Strategic Transport Model will be met from the Model fee charged for the purpose.

	Current year	Forecast		
	2019/20	2020/21	2021/22	2022/23 & beyond
	£000	£000	£000	£000
<b>Revenue Costs:</b>				
A509 Isham Bypass		900	100	
A43 Phase 3		350	150	

	Current year	Forecast		
	2019/20	2020/21	2021/22	2022/23 & beyond
	£000	£000	£000	£000
A45 Smart & Connected		50	0	
A422 Farthinghoe Bypass		550	1,100	
Rothwell Rd/Northfield Av		100	0	
Northampton East - West		260	0	
Greyfriars		200	0	
Transport Model		345	150	
Corby Northern Orbital		250	50	
Kettering LCWIP		50	0	
Northampton Transport Strategy		600	150	
Brackmills Rail Corridor		100	0	
<b>Total Costs</b>		<b>3,755</b>	<b>1,700</b>	
<b>Funded by:</b>				
Section 278 balance		2,410	1,600	
Traffic Model fee income		95	0	
Isham Funding from BCW(tbc)		900	100	
Transport Strategy from NBC		100	0	
Farthinghoe funding from SNC		250		
<b>Total Funding</b>		<b>3,755</b>	<b>1,700</b>	

What benefits will the proposal deliver?	Bidding for Government funding Traffic relief for villages Increased walking and cycling Improved bus punctuality Enabling development
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## 10.2 Risk and Business Continuity Management

### a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Remaining Section 278 funding will be insufficient to fund ongoing audit and inspection work.	Not all the funding is being used.	Amber
Bidding for Government grants may not be successful	Scheme design will still be available for future funding bids.	Amber

### b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
It will not be possible to progress the Government funding bids and/or expressions of interest which have been submitted	Red

## 11. List of Appendices

None

Author:	Name: Chris Wragg Team: Transport Planning & Development
Contact details:	Tel: 01604 364411 Email: cwragg@northamptonshire.gov.uk
Background Papers:	Cabinet 9 November 2016 – Item 10: A422 Farthinghoe Bypass Cabinet 9 October 2018 – Item 10: A509 Wellingborough Development Link Phase 1 (Isham Bypass)
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	Some schemes will require further decisions if they progress. Timetable to be determined.
Does the report include delegated decisions? If so, please outline the timetable here	YES To award contracts for the programme of work – to be determined as procurement progresses.
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	YES Name of SFM: Rosemary Pallot  N/A
Has the report been cleared by the relevant Director?	YES Name of Director: Anna Earnshaw
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Councillor Jason Smithers
Has the relevant scrutiny committee been consulted?	NO
Has the report been cleared by Legal Services?	YES Name of solicitor: Debbie Carter-Hughes
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Liam Beasley

Have any property Issues been cleared by Property and Asset Management?	YES Name of officer: James Wheeler
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</li> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	YES Name of officer: Gus de Silva
Are there any community safety implications?	None apparent
Are there any environmental implications:	YES These will be assessed as part of the work to be undertaken. Some schemes will require submission of a planning application and associated Environmental Statement.
Are there any Health and Safety Implications:	YES Health and Safety is always an important consideration in the design and construction of highway schemes.
Are there any Human Resources Implications:	NO
Are there any human rights implications:	YES Some of the schemes may require compulsory acquisition of land. If necessary, a future report to authorise such compulsory acquisition will be brought to a future meeting.
Constituency Interest:	Countywide



**CABINET**

**10 MARCH 2020**

**DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF ADULTS, COMMUNITIES AND WELLBEING: ANNA EARNSHAW**

**CABINET MEMBER WITH RESPONSIBILITY FOR HIGHWAYS AND PLACE:  
COUNCILLOR JASON SMITHERS**

Subject:	Bikeability Cycle Training
Recommendations:	That Cabinet agrees that delegated authority be given to the Deputy Chief Executive and Director of Adults, Communities and Wellbeing, in consultation with the Cabinet Member for Highways and Place, to agree the terms and award of a contract for Bikeability cycle training.

**1. Purpose of report**

1.1 The County Council provides cycle training under a scheme called Bikeability, funded by the Department for Transport. The existing contract for training is about to expire, and it is necessary to procure a new contract. As total spend over the 4-year period could exceed £500,000, this is a key decision which needs to be made by Cabinet.

**2. How this decision contributes to the Council plan**

The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan:

- Working in partnership with other public sector organisations (such as the seven district and borough councils, the local NHS bodies, and Northamptonshire Police).
- Enabling individuals and communities to achieve better outcomes.
- Focusing resources on prevention and early intervention.
- Commissioning and procuring services and goods with partners.

**3. Background**

3.1 Bikeability is a government-recognised scheme to give children and adults the skills they need to safely cycle on the road. The core of the scheme is three levels of training:

- Level 1 – aims to develop mastery in cycle handling in an off-road environment and prepare riders for cycling on the road. Riders must be able to cycle (i.e. pedal and glide) before participating in Level 1.
- Level 2 – aims to develop rider’s skills and confidence for cycling on single-lane roads and simple junctions with mostly moderate traffic flows (where riders encounter vehicles with progressively greater frequency in each module), and prepares riders for cycling on more complex, often busier or faster roads or junctions.
- Level 3 – aims to develop rider’s skills so they can ride in diverse road environments, including complex, often busy roads and junctions, sometimes with speeds over 30mph.

3.2 In addition, Bikeability Plus consists of ten, free-standing modules designed to ensure that children and families are given the opportunities, skills, support and guidance that they need to make cycling part of their everyday life. Two of these ten modules – ‘Balance’ and ‘Learn to Ride’ – are currently offered in Northamptonshire.

The training is funded by the Department for Transport and is primarily delivered through schools. The table below shows the number of people trained at each level in recent years:

	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20 (estimate)</b>	<b>Total</b>
Level 1	746	932	1,118	1,440	<b>4,236</b>
Level 2	2,236	2,896	3,599	3,945	<b>12,676</b>
Level 3	23	56	99	120	<b>298</b>
Balance		205	390	328	<b>923</b>
Fix			28		<b>28</b>
Promotion			409		<b>409</b>
Learn to Ride		70	137	50	<b>257</b>
<b>Total</b>	<b>3,005</b>	<b>4,159</b>	<b>5,780</b>	<b>5,883</b>	<b>18,827</b>

#### **4. Procurement**

4.1 The County Council delivers the training through a third-party provider, and the current contract expires on 31<sup>st</sup> March 2020.

4.2 The Department for Transport have confirmed funding for the 2020/21 financial year, which is the last year of the current Government spending review period. They have also announced that funding for the scheme is to be significantly expanded.

4.3 It is understood that subsequent funding is likely to be confirmed for up to three years. To fit with these timescales, and allow flexibility, the proposal is for the new contract to be awarded for one year, with three one-year extensions possible (1+1+1+1). The contract terms will allow for the new North Northamptonshire and West Northamptonshire Councils to decide, individually whether they wish to

exercise these options. Consequently, it will not be binding on either of the new unitary authorities.

4.4 The contract will be procured by open, competitive tender.

## 5. Consultation and Scrutiny

As this is a purely procurement decision, consultation has not been considered appropriate.

## 6. Equality Screening

As this is a purely procurement decision, and will not impact on the level of training provided, an Equalities Impact Assessment is not considered necessary.

Reason that no EqlA is required	✓ as appropriate
The paper is for information only	
The proposal/activity/decision has no impact on customers or the service they receive	✓
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	
Other (Please explain further)	

\*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation

## 7. Alternative Options Considered

7.1 An alternative to procuring a new contract would be to take delivery of the service in-house, either directly by the County Council or through the Highway Services Contract. There are not considered to be any advantages to this, either financially or in terms of service delivery.

7.2 Another alternative would be to cease providing the training. This would have a detrimental impact both in terms of road safety and the health benefits of encouraging children (and later adults) to cycle. As the training is delivered at no cost to the County Council, there would also be no financial benefit from cessation.

## 8. Financial Implications

8.1 The Bikeability training is funded by the Department for Transport and there is no cost to the training to the County Council.

8.2 The Department for Transport provides a specific amount of funding for those trained at each level of the scheme:

Level 1	£5.00
Level 2	£31.50
Level 3	£40.00
Bikeability Balance	£25.00
Bikeability Learn to Ride	£20.00

8.3 In order for more people to be trained within the current Grant Funding levels schools are required to contribute towards Level 1 and Level 2 training as follows:

- Contribute £120 (ex VAT) per group of up to 24 pupils (£5 + VAT per pupil) for Level 1 training - the charge is administered and retained by the Training Provider who reinvests £60 of this total (£2.50 per pupil) back into additional Level 1 places with the balance being used to cover additional administration costs
- Contribute £132 (ex VAT) per training group of up to 12 pupils for Level 2 training – the charge is administered and retained by the Training Provider who invoices Northamptonshire County Council for the residual cost of the training at the agreed fee of £31.50 per Level 2 pupil trained

8.4 The Department for Transport grant for 2020/21 is £143,565. The Government has announced that the scheme is to be significantly expanded, but even at the level of £143,565 per annum, over a 4-year contract it would exceed the £500,000 key decision threshold.

8.5 It is expected that beyond 2020/21, funding for the scheme will be greater than £143,565, and the number of people trained will be varied as appropriate, so that expenditure matches the available funding.

	Forecast			
	2020/21	2021/22	2022/23	2023/24
	£000	£000	£000	£000
<b>On-going costs (revenue)</b>				
Bikeability training through third-party provider	144	144 (minimum)	144 (minimum)	144 (minimum)
Funding by	Department for Transport grant			

What benefits will the proposal deliver?	<ul style="list-style-type: none"> <li>• Children trained to cycle</li> <li>• Road safety benefits</li> <li>• Health benefits of cycling</li> </ul>
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## 9. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
No funding beyond 2020/21	Proposed contract has optional extensions	Green
Unitaries do not wish to use contract	Extensions allow unitaries to use contract or not	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Children could not be trained to cycle	Red



## 10. List of Appendices

None

Author:	Name: Chris Wragg Team: Transport Planning & Development
Contact details:	Tel: 01604 364411 Email: cwragg@northamptonshire.gov.uk
Background Papers:	
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	YES The Deputy Chief Executive and Director of Adults, Communities and Wellbeing, in consultation with the Cabinet Member for Highways and Place, to award a contract for Bikeability cycle training – once procurement complete
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	YES Name of SFM: Rosemary Pallot  N/A
Has the report been cleared by the relevant Director?	YES Name of Director: Anna Earnshaw
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Councillor Jason Smithers
Has the relevant scrutiny committee been consulted?	NO
Has the report been cleared by Legal Services?	YES Name of solicitor: Debbie Carter-Hughes
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Louise Spolton
Have any property Issues been cleared by Property and Asset Management?	N/A Name of officer: James Wheeler

<p>Have the Procurement Implications below been referenced in the Paper:</p> <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</li> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	<p>YES Name of officer: Gus de Silva</p>
<p>Are there any community safety implications?</p>	<p>None apparent</p>
<p>Are there any environmental implications:</p>	<p>None apparent, although encouraging cycling is clearly a positive environmentally.</p>
<p>Are there any Health and Safety Implications:</p>	<p>YES Providers being able to demonstrate that that the training is delivered safely and that those trained can cycle safely once trained is a key consideration of procurement.</p>
<p>Are there any Human Resources Implications:</p>	<p>NO Not to the County Council, although there is potential for TUPE between the current and future training providers.</p>
<p>Are there any human rights implications:</p>	<p>NO</p>
<p>Constituency Interest:</p>	<p>Countywide</p>



**CABINET**

**10 MARCH 2020**

**EXECUTIVE DIRECTOR FOR STRATEGIC DELIVERY AND TRANSFORMATION:  
GRAEME KANE**

**CABINET MEMBER WITH RESPONSIBILITY FOR HIGHWAYS AND PLACE:  
COUNCILLOR JASON SMITHERS**

Subject:	Purchase of machinery to repair potholes.
Recommendations:	<p>That Cabinet:</p> <ol style="list-style-type: none"> <li>1. Endorses the proposal to purchase machinery to repair potholes;</li> <li>2. Supports capital investment for the proposal;</li> <li>3. Delegate authority to the Executive Director for Strategic Delivery and Transformation, in consultation with the Cabinet Member for Highways and Place, to progress the procurement, subject to appropriate finance being agreed.</li> </ol>

**1. Purpose of report**

1.1 This report seeks to secure endorsement of the proposal to purchase machinery to repair potholes.

**2. How this decision contributes to the Council plan**

2.1 The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan
--

- Utilising the Council’s assets effectively.

**3. Background**

3.1 The County Council’s highways contract provider (KierWSP) has carried out trials utilising Thermal Road Repair machinery over the period December 2019-February 2020. These trials have proved to be very successful and resulted in a business case coming forward to support the purchase of 2 machines. It is intended that the machines will be utilised by KierWSP for the duration of their association with the County Council and subsequent unitary councils and then be transferred to the unitary authorities (1 each) to be used by future suppliers of highway maintenance.

- 3.2 The Thermal Road Repair machines have environmental benefits over the traditional method of filling potholes and carrying out road repairs in that:
- the machinery uses less material to repair defects as it reuses existing material that would normally be excavated and disposed of.
  - the van that houses the machinery and the machine itself have solar panels that recharge the machine reducing its carbon footprint.

The thermal road repair machines also create a patch without joints which increases the longevity of the repair.

- 3.3 The County Council's highways contract provider (KierWSP) has for a number of years made use of pothole filling machinery (such as the Roadmaster) which is brought into the county for a short duration as budgets allow to aid in the rapid repair of potholes.
- 3.4 The Roadmaster is operated by a single employee and is capable of repairing 120sqm of defects per day
- 3.5 The business case shows that the use of Thermal Road Repair will increase the productivity in relation to filling of potholes and repairs of other similar defects 3-fold when compared to gangs employing traditional techniques and utilising a similar number of operatives. This is equivalent to repairing an additional 27,000 defects per year. However, in order to achieve this £177k will be required for the plant to operate throughout the year.
- 3.6 An additional revenue expenditure of £78k will be required for capital financing costs, this will be funded from the treasury budget.
- 3.7 The machinery will be purchased in accordance within the Council's procurement rules.
- 3.8 The business case is attached at Appendix 1.

#### **4. Consultation and Scrutiny**

- 4.1 No consultation has been undertaken in relation to this proposal. It was included as a Development Pool scheme within the Capital Strategy 2020-21 approved at February Cabinet and Full Council. The Scrutiny Committee Working group that reviewed the effectiveness of the Highways contract recommended in its report that innovations such as this machinery should be utilised by the Highways service.

#### **5. Equality Screening**

- 5.1 The purchase of this equipment will not have a detrimental impact on customer or the service they receive, it will be deployed using a needs basis across the county.

<b>Reason that no EqlA is required</b>	<b>✓ as appropriate</b>
The paper is for information only	
The proposal/activity/decision has no impact on customers or the service they receive	✓
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	
Other (Please explain further)	

\*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation

## 6. Alternative Options Considered

6.1 Do nothing – the county would continue to fill potholes in a traditional method which is costly and labour intensive and does not have any of the environmental benefits discussed used.

## 7. Financial Implications

7.1 The scheme has been reviewed by the members of the Capital Approvals Board and recommended for inclusion in the Monthly Capital Report elsewhere on this Cabinet agenda in order to secure approval for promotion from the Development Pool into the committed Capital Programme.

7.2 The additional funding necessary to operate the plant during 2020-21 to ensure that it is fully utilised will be found from Department for Transport funding allocations.

What benefits will the proposal deliver?	<ul style="list-style-type: none"> <li>• Value for money</li> <li>• Impact on performance indicators</li> <li>• Cost effectiveness</li> <li>• Increase output.</li> </ul>
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## 8. Risk and Business Continuity Management

a) Risk(s) associated with the proposals

Risk	Mitigation	Residual Risk
Additional funding required to operate the machinery throughout the year.	Capital maintenance block funding will be used to support this activity	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Defects continue to be repaired traditionally resulting in a poorer repair and a higher likelihood of the repair failing which would result in the need to carry out further repairs.	Red
As the network continue to deteriorate the budget available for maintenance is insufficient to repair defects in a timely fashion leading to an increase in vehicular damage insurance claims, a further reduction in public satisfaction with the highway service.	Red

## 9. List of Appendices

Appendix 1 – Business Case – pothole repair capital investment.

Author:	Name: Nick Henstock Team: Highways and Transport
Contact details:	Tel: 07824866088 Email: nhenstock@northamptonshire.gov.uk
Background Papers:	None
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	NO
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	YES Name of SFM: Rosemary Pallot  N/A
Has the report been cleared by the relevant Director?	YES Name of Director: Graeme Kane
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Jason Smithers
Has the relevant scrutiny committee been consulted?	NO
Has the report been cleared by Legal Services?	YES Name of solicitor: Nicola Molloy
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Annalee Bougourd
Have any property Issues been cleared by Property and Asset Management?	N/A Name of officer:
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an</li> </ul>	YES Name of office: Gus De Silva

<p>exemption from the Contract Procedure Rules and detailed the risks and mitigations?</p> <ul style="list-style-type: none"> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	
Are there any community safety implications?	NO
Are there any environmental implications:	NO
Are there any Health and Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Countywide





## Business Case – pothole repair capital investment

The purpose of this business case is to understand the case for investment in new road repair equipment and the effect that might have on the productivity of repairs to potholes in the road and the unit cost of those repairs. Specifically the proposal is to purchase the following equipment:

2x Thermal patching machines at £198,850.00 each	£397,700.00
1x Roadmaster jet patching machine at £257,000.00	£257,000.00
<b>Total investment</b>	<b>£654,700.00</b>

### Background

At present the contractor responsible for pothole repairs, Kier/WSP, uses two different methods to fill potholes. The primary method is by hand which sees the area around the pothole broken out and disposed of followed by filling the hole with new material and tamping down. In the secondary method, the contractor hires a Roadmaster jet patching machine for 2 months a year during the summer to carry out jet patching repairs mostly in rural areas.

The existing primary method is slow and wastes the material that is disposed of. It incurs disposal cost in addition to the labour and material costs.

The secondary method is very effective and economical with the exception of the machine hire which is costly.

The current costs are as follows:

Conventional pothole repair					
<b>Labour</b>					
2 operatives	£ 393.30	per day			
<b>Plant</b>					
Vehicle etc.	£ 109.63	per day			
Fuel	£ 37.10	per day			
<b>Material</b>					
2t 6mm	£ 190.80	per day			
Disposal of waste	£ 53.00	per day			
TM	£ 233.20	per day			
<b>Total</b>	<b>£ 1,017.03</b>	<b>per day per gang</b>			
<b>Average output 16sqm</b>					

**New Methods**

Thermal Patching

The proposal is to change the primary method of repair from a hand dig to a thermal patching machine repair. The machine heats the area around the pothole sufficient to melt the existing tarmac, then a small amount of new material is added to complete the repair. The method is quicker than conventional repairs, lasts longer because it is fused to the existing material and wastes none of the existing material. The costs and outputs are as follows:

<b>Thermal Road Repair</b>			
<b>Labour</b>			
3 operatives	£ 502.18	per day	
<b>Plant</b>			
Roller & Trailer	£ 71.35	per day	
Fuel & gas	£ 53.00	per day	
TRR plant insurance	£ 10.67	per day	
TRR Maintenance	£ 22.72	per day	
<b>Material</b>			
2t 6mm	£ 190.80	per day	
TM	£ 233.20	per day	
	<b>£ 1,083.92</b>		
<b>Average output 50sqm</b>			

Roadmaster jet patch

The proposal is to extend the use of Roadmaster patching, particularly in rural areas, by purchasing a machine rather than hiring. The use of capital in this way will extend the activity period to almost year round and reduce revenue cost on the vehicle hire. The advantage is speed but the disadvantage is that the repairs are not as long-lasting as the thermal patches. The costs for running a Roadmaster are as follows:

<b>Roadmaster</b>			
<b>Labour</b>			
1 operative	£ 192.15	per day	
<b>Plant</b>			
Roller & Trailer	£ 71.35	per day	

<b>Roadmaster</b>			
Fuel & gas	£	53.00	per day
Roadmaster insurance	£	13.48	per day
Roadmaster Maintenance	£	54.54	per day
<b>Material</b>			
5t 6mm	£	409.58	per day
Bitumen	£	879.03	
TM	£	466.40	per day
		<b>£ 2,139.53</b>	
<b>Average output 120sqm</b>			

**Average costs per M2**

The average cost per M2 of repair is as follows:

Conventional hand dug repairs	£1,017.03 / 16m2	£63.56 per m2
Thermal patching	£1,083.92 / 50m2	£21.68 per m2
Roadmaster	£2,139.53 / 120m2	£17.83 per m2

The clear evidence is that the plant based methods of Thermal Patch and Roadmaster are significantly more economical than conventional methods. It is also important to play to the strengths of each repair type therefore a blend of machines is the most appropriate solution.

**Output improvements**

The current pothole repair output is 14,960 m2 per year. This output figure is insufficient to keep pace with the occurrence of potholes in the road and there is a desire to increase the output by carrying out the work in a more economical way rather than output remaining static for a reduced cost. As both machine types deliver a different outcome on the road we have identified the right blend as 2 Thermal Patchers and 1 Roadmaster.

**Budget and costs**

The existing annual cost and output is as follows:

Assume 220 working days per year	
<b>As is:</b>	
Cost of 3 conventional gangs	£671,240
Output	10560sqm
Roadmaster cost 2 months hire etc.	£100,000
Output	4400sqm
<b>Total cost</b>	<b>£771,240</b>
<b>Total output</b>	<b>14960sqm</b>

The proposed annual cost using 2 Thermal and 1 Roadmaster would be:

Cost of 2 TRR gangs	£476,925
Output	22000sqm
Cost of 1 Roadmaster	£470,697
Output	26400sqm
<b>Total alternative Cost</b>	<b>£947,621</b>
<b>Total output</b>	<b>48400sqm</b>

The proposal requires addition revenue input of approx. £177,000 that will be provided from DfT grant funding for road repairs.

In addition to the revenue repair costs there will be a further £78,000 per annum in financing cost that will be funded from the treasury budget.

**Conclusion**

The conclusion of the exercise is the investing £655k in capital will deliver the following outcomes:

**The reduction of the per m2 cost of pothole repairs to 1/3<sup>rd</sup> of their current cost.**

**We can increase output by 225% for a 22% increase in direct repair costs.**



**CABINET**

**10 MARCH 2020**

**DIRECTOR OF CHILDREN’S SERVICES: CATHI HADLEY**

**CABINET MEMBER WITH RESPONSIBILITY FOR CHILDREN’S SERVICES:  
COUNCILLOR FIONA BAKER**

Subject:	Residential Short Breaks for Carers of Disabled Children (Children with Special Education Needs and Disability - SEND)
Recommendations:	<p>Cabinet are asked:</p> <ol style="list-style-type: none"> <li>1. To agree the proposed exemption and extension of the contract for Northampton Healthcare Foundation Trust (NHFT) to continue to deliver the residential short breaks service until 31 March 2021</li> <li>2. To agree with the principle that the model for residential short breaks will be reviewed and market tested over the next 4 months</li> <li>3. To agree that the most successful model following the pilot will be used as the basis to recommission the service for delivery from 1 April 2021.</li> <li>4. To agree the proposals to consult with families and the public regarding the future model of residential short breaks provision.</li> </ol> <p>In keeping with this, it is requested that Cabinet:</p> <ol style="list-style-type: none"> <li>1. Agree that delegated authority is given to the Director of Children’s Services, in consultation with the Cabinet Member with responsibility for Children’s Services, to exempt and extend the current contract and re-procure the residential short breaks offer.</li> <li>2. To award the contract/s based on a transparent and fair competitive process.</li> </ol>

**1. Purpose of report**

This report sets out proposals for the continuation of residential short breaks for carers of disabled children.

1.1 Due to the cessation of available extensions for residential short breaks under the existing contractual arrangements, this paper seeks approval to:

- Exempt the current service from the Contract Procedure Rules and
- Extend the current contract up to 31 March 2021 to align with the extended CCG contract with NHFT.
- Review the current residential short breaks services and test the market
- Commence consultation with families and the public regarding the future model of provision in May 2020.
- Go back to the market to re-procure in July 2020.

## 2. How this decision contributes to the Council plan

The Council's vision is to make Northamptonshire a great place to live and work. This is achieved through increasing the wellbeing of your county's communities and/or safeguarding the county's communities.

This initiative specifically delivers increased wellbeing and/or safeguarding by ensuring that:
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- |  |
|--|
| <ul style="list-style-type: none"><li>• People of all ages are safe, protected from harm and able to live happy, healthy and independent lives in our communities.</li><li>• People have the information and support they need to make healthy choices and achieve wellbeing.</li><li>• Resources are utilised effectively and efficiently, in coordination with partners and providers.</li></ul> |
|--|

## 3. Legislative Duties

### 3.1 Short breaks duty

3.1.1 Legal duties in relation to short breaks include both duties owed to individual children and families in relation to assessment and care planning and wider commissioning obligations on Local Authorities.

3.1.2 Key statutory duties can be found within the following legislation:

- Children Act 1989 and the Breaks for Carers of Disabled Children Regulations 2011
- Chronically Sick and Disabled Persons Act 1970
- Children Act 2004
- Children and Families Act 2014
- Equality Act 2010
- NHS Act 2006 (as amended by the Health and Social Care Act 2012)
- Care Act 2014 (in relation to transition to adult social care)

3.1.3 In essence, these duties require Local Authorities to:

- Take into account a range of important considerations in making strategic decisions about the commissioning and funding of short breaks;
- Assess the needs of any disabled child whose family may want or need services above the level available locally without an assessment; and
- Provide short breaks to children where an assessment shows that they are necessary to meet their needs, taking account of the family context.

3.1.4 The legal framework relating to short breaks is the general duty to provide services for children in need under section 17(1) of the Children Act 1989. The duty is to "safeguard and promote the welfare of children within their area who are in need; and so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs."

- 3.1.5 Importantly, all ‘disabled’ children are children ‘in need’. There is no requirement for a child to have a particular level of disability or to need any support from the local authority to qualify as a child ‘in need’. All that matters is that the child falls within the definition of ‘disabled’ in section 17(11), which reads as follows; “a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity.”
- 3.1.6 Local Authorities should note in particular that a child with a ‘mental disorder of any kind’ is ‘disabled’ and therefore a child ‘in need’. This will include conditions such as autism and ADHD which are found within the relevant diagnostic manuals for mental disorders.
- 3.1.7 The general duty in section 17(1) is supplemented by further duties relating to particular groups of children in need. These are found in schedule 2 to the Children Act 1989. In relation to disabled children, paragraph 6 of schedule 2 states that:
- (1) Every local authority shall provide services designed:
- (a) To minimise the effect on disabled children within their area of their disabilities;
  - (b) To give such children the opportunity to lead lives which are as normal as possible; and
  - (c) To assist individuals who provide care for such children to continue to do so, or to do so more effectively, by giving them breaks from caring.’
- 3.1.8 The duty in paragraph 6(1)(c) of schedule 2, often described as the ‘short breaks duty’, was inserted by the Children and Young Persons Act 2008. It was intended to ensure that the improvement made by investment in short breaks through the Aiming High for Disabled Children programme was not lost.
- 3.1.9 The effect of the short breaks duty is that the services provided by every Local Authority to children in need must include both ‘crisis’ breaks and breaks designed to ensure that family life can be sustained effectively.
- 3.1.10 It is imperative to note that there are important duties on the NHS as well to provide short breaks to disabled children with complex health needs and to co-operate with local authorities in the provision of short breaks generally.

## **3.2 Equality duty**

- 3.2.1 In a similar way, the ‘public sector equality duty’ or ‘PSED’ under section 149 of the Equality Act 2010 applies to everything done by Local Authorities. The PSED mandates ‘due regard’ to a series of needs, being the need to:
- Eliminate discrimination;
  - Advance equality of opportunity; and
  - Foster good relations between different groups.
- 3.2.2 The provision of short breaks to disabled children is obviously relevant to addressing all of these needs, as short breaks:

- Help address the discrimination disabled children face in being able to access mainstream leisure activities;
- Promote equality of opportunity for disabled children compared with their non-disabled peers; and
- Increase disabled children's visibility in the community and their contact with non-disabled people (including short break workers), thus reducing stigma and improving community relations. In this regard specialist and targeted short breaks must supplement wider efforts to promote community inclusion for disabled children, particularly through making universal services more inclusive.

3.2.3 The extensive case law which has developed under the PSED also demonstrates that compliance with this duty requires Local Authorities to understand the likely impact of their decisions and take steps to mitigate any negative impact on protected groups. This will be particularly relevant where decisions are taken which are likely to be adverse to disabled children and families, for example decisions to reduce budgets for short breaks.

### 3.3 Duty to consult

3.3.1 One of the main changes from the SEN Code of Practice (2001) reflected by the changes introduced by the Children and Families Act 2014 was a clearer focus on the participation of children and young people and parents in decision making at individual and strategic levels.

3.3.2 Section 19 of the Children and Families Act 2014 makes clear that Local Authorities, in carrying out their functions under the Act in relation to disabled children and young people and those with special educational needs (SEN), must have regard to:

- The views, wishes and feelings of the child or young person, and the
- child's parents; and
- The importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions.

3.3.3 These principles are designed to support:

- The participation of children, their parents and young people in decision making;
- The early identification of children and young people's needs and early intervention to support them;
- Greater choice and control for young people and parents over support; and
- High quality provision to meet the needs of children and young people with SEN.

3.3.4 Local Authorities must ensure that children, their parents and young people are involved in discussions and decisions about their individual support and about local provision.



## 4. Background

4.1 In October 2017, a paper came to Cabinet requesting agreement to consult with families and the public regarding the future model of short breaks provision for children with disabilities.

4.2 Following a 6-week consultation, we returned to Cabinet in January 2018 with a series of proposals to re-shape and re-commission short breaks services.

The recommendation to re-commission was approved and in March 2018 and it went to market along with 3 other tenders for SEND services.

4.3 With regards to the Residential Short Breaks tender, no bids were received unfortunately and so a new contract could not be awarded.

4.3.1 To ensure continued delivery, the original contract with NHFT was extended to the end of the financial year in line with Legal advice and in line with original Cabinet decision, whilst further planning took place. The service is commissioned to provide residential short breaks for carers of children with a disability. It should offer a break to parents by providing overnight breaks to children who need a specialist environment operated by skilled staff. In addition to a break for the family or the child or young person should experience the following;

- The opportunity to socialise with peers;
- Confidence, resilience and self-esteem building;
- Nurturing independence;
- The chance to learn, try new activities and face new challenges;
- Relax and have fun.

4.4 A great deal of work has taken place with NHFT as the provider and with the CCGs as partner commissioners; and accordingly we have worked to find a solution to meet the financial challenges faced.

4.5 Significant collaboration and development work has taken place between NCC, the CCGs and NHFT to find a viable and temporary model of delivery that could be provided within the financial constraints.

4.6 However this redevelopment activity needs to be followed by further transformation work as we look to the future and design a model that is sustainable, fit for purpose and more innovatively and flexibly meets the needs of families in Northamptonshire.

4.7 CCG extended their contract until March 2021, therefore we are seeking agreement to apply for an 8-month exemption so we can extend in line with our partners. We have a pooled budget for a service that provides both health and social care services and therefore need to continue joint commissioning of this service.

4.8 The requested additional time would allow for a full redevelopment of the service and the new model then being able to be tendered in the market.

4.9 The current extension has been approved by the Strategic Approvals Panel (SAP), and SAP approved the proposal to be submitted to Cabinet to seek further exemption to allow for extension of the contract until the end of March 2021.

4.10 The diagram below graphically sets out the proposed exemption and extension being requested. This will bring us in line with the CCG contract allowing us to continue joint commissioning. We request that the Cabinet delegate authority to the Director of Children’s Services to approve re-commissioning of these services.

Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug 20	Sep 20	Oct 20	Nov 20	Dec 20	Jan 21	Feb 21	Mar 21	Apr 21
Review Service, Market Test & Consult					Exemption & Extension Period Requested to bring in line with CCG								
					Re-procurement of Services				Mobilisation Period			New contract to start	

4.11 The benefits of exemption and extension to March 2021 are as follows:

4.11.1 The current collaborative agreement is being finalised which will outline our work in partnership with the CCGs and NHFT, the exemption will enable all organisations to work together to the same timetable;

4.11.2 Plans for the new model can be developed until July 2020 (which we were unable to do before the last procurement process). This will allow us to ensure that the services meet the current needs of disabled children.

4.11.3 The exemption then allows enough time to re-commission on the basis of this development (bearing in mind that our previous procurement activity was unsuccessful in garnering bids). We will run provider events prior to the tendering process to engage potential providers and ensure the specification encourages bids from the market.

4.11.4 The exemption would allow partnership commitment offering stability to joint working arrangements;

4.11.5 Stability for the service could be reinforced, which has previously been detrimentally affected by staff turnover due to uncertainty around sustainability;

## 5. Consultation and Scrutiny

- 5.1 Previous consultation took place in November and December 2017; and subsequent development will build upon the outcomes of this consultation.
- 5.2 Engagement with parents has continued and with greater emphasis on co-production of services. The new SEND Board set up in February 2020 will include parents in the review of services., The SEND Board is a combination of the Parent's Shadow Board, the Short Breaks Board and the addition of other contracts for children with SEND being; the sleep service, services for the blind and services for deaf children and young people. Parents are also now involved in the procurement process of the Personal Care and Support Framework and would also be involved in the procurement of the short breaks service.
- 5.3 In addition a Facebook group has been set up by parents for parents to allow a direct conduit for communication between parents and to share information on development more directly.
- 5.4 Ongoing parental involvement is planned on the SEND Board where Parent Representatives are more directly a part of the group that is taking this work forward.

## 6. Equality Screening

Reason that no EqlA is required	✓ as appropriate
The paper is for information only	
The proposal/activity/decision has no impact on customers or the service they receive	✓ The proposal will deliver a continuity of an existing service to children with disabilities
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	
Other (Please explain further)	

\*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqlA process and will be compliant with HR legislation

## 7. Alternative Options Considered

- 7.1 There are no alternative options other than those described above.

## 8. Financial Implications

8.1 There is no proposed change to the current funding levels. There would however be increased value for money by ensuring that the service is reviewed.

	Current year	Forecast		
	2019/20	2020/21	2021/22	2022/23 & beyond
	£000	£000	£000	£000
Contract Costs	2,000	2,000	2,000	2,000
Funded by	£1.333 - NCC and £666 - CCG Per Annum			

What benefits will the proposal deliver?	<ul style="list-style-type: none"> <li>The population of children and young people with SEND increases each year as the number of EHCPs increase and this proposal would ensure the review of services to look at other models which could improve quality whilst ensuring fairness of access to services all within the current financial envelope.</li> <li>Improved value for money</li> <li>Improved cost effectiveness</li> </ul>
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## 9. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
No bidders	Market Testing and Review of Service	Green
Service Continuity	Ongoing engagement with provider	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
CCG Contract and NCC Contract will be out of line making future procurement more difficult	Amber
Re-procurement taking place immediately without adequate review of services and potential of no bidders again	Red
Current provider gives notice on current contract	Amber

## 10. List of Appendices

None.

Author:	Name: Sharon Blount Team: Commissioning & Strategy
Contact details:	Tel: 01604 362289 Email: SBlount@childrenfirstnorthamptonshire.co.uk
Background Papers:	Short Breaks Guidance
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	YES – Delegated authority requested for the Director of Children’s Services to authorise exemption and extension of the current contract and re-procurement of the Residential Short Breaks Contract in July 2020.
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Capital Investment Board (CIB)	YES Name of SFM: Emily Taylor  N/A
Has the report been cleared by the relevant Director?	YES Name of Director: Cathi Hadley
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Fiona Baker
Has the relevant scrutiny committee been consulted?	NO Scrutiny Committee:
Has the report been cleared by Legal Services?	YES Name of solicitor: Nicola Molloy
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Annalee Bougourd
Have any property Issues been cleared by Property and Asset Management?	YES – : Name of officer – James Ellis
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council’s Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an</li> </ul>	YES Name of officer – Gus de Silva

<p>exemption from the Contract Procedure Rules and detailed the risks and mitigations?</p> <ul style="list-style-type: none"> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	
Are there any community safety implications?	NO
Are there any environmental implications:	NO
Are there any Health and Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	All



**CABINET**

**10 MARCH 2020**

**EXECUTIVE DIRECTOR FOR STRATEGIC DELIVERY AND TRANSFORMATION:  
GRAEME KANE**

**CABINET MEMBER WITH RESPONSIBILITY FOR HIGHWAYS AND PLACE:  
COUNCILLOR JASON SMITHERS**

**CABINET MEMBER WITH RESPONSIBILITY FOR FINANCE: COUNCILLOR  
MALCOLM LONGLEY**

Subject:	Street Lighting PFI –Conversion to LED lighting and full CMS
Recommendations:	<p>That subject to there being no requirement for prudential borrowing, Cabinet:</p> <ol style="list-style-type: none"> <li>1. Agree that delegated authority be given to the Executive Director of Finance in consultation with the Cabinet Member for Highways and Place and the Commissioners to agree the financial business case for the investment.</li> <li>2. Agree that delegated authority be given to the Executive Director Strategic Delivery and transformation, in consultation with the Cabinet Member for Highways and Place, to take all steps necessary to agree and sign a Framework Agreement with Balfour Beatty</li> <li>3. Agree that delegated authority be given to the Executive Director for Strategic Delivery and Transformation, in consultation with the Cabinet Member for Finance, to take all steps necessary to agree and sign and enter into agreements with Salix Finance Ltd</li> </ol> <p>to allow this project to be delivered.</p>

**1. Purpose of report**

1.1 The purpose of the report is to seek Cabinet approval for the conversion of the current street lighting lanterns to LED with all units fully centrally managed subject to a fully costed business case, using interest free government Salix loans combined with energy and maintenance savings, which will deliver the project without the need for prudential borrowing by neither the council nor the subsequent unitary authorities.

**2. How this decision contributes to the Council plan**

2.1 The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are

protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan

- Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.
- Using technology and digital solutions to meet the needs of residents.
- Commissioning and procuring services and goods with partners.
- Utilising the Council's assets effectively.

### **3. Background**

- 3.1 Since the start of the street lighting contract in 2011, the unit cost of the energy for street lights has doubled. In the same period we have reduced our energy usage by two thirds. During this time improvements in technology and the increasing use of LED lights means that not only are the units much cheaper but they also now 'project' light far enough to fit our installed column spacing whilst maintaining our chosen lighting standard.
- 3.2 A business case is being developed that sets out the investment required to convert all existing lanterns to LED together with a centrally managed system cell that will allow full control and monitoring of each street light (currently only 43% of lights are managed remotely). The case considers the use of a number of interest free Government backed Salix loans to convert the asset over a two year period. Taking into account maintenance and energy savings that will be realised together with the loan(s) repayment schedule, there is potential to fund the replacement without the use of prudential borrowing, but this will be subject to agreeing favourable terms with Salix and costs with Connect Roads (Balfour Beatty).
- 3.3 The proposal would cost around £11.8m and over the remaining 16 year period of the street lighting contract would generate projected energy savings alone of £24m (based on 6.7% ongoing energy inflation).
- 3.4 Should the proposal be viable without the use of prudential borrowing, the council (including successor unitary authorities) would complete the project over a two year period and would take out Salix loans in five phases (loans between £1.6m and £3.5m). A Framework Agreement would be completed with Connect Roads. New LED lanterns would be warrantied through the Framework Agreement for 20 years from installation, which will extend the current 2036 position significantly.
- 3.5 It is now proposed to delegate authority, subject to there being no requirement for prudential borrowing, to the Executive Director for Strategic Delivery and Transformation, in consultation with the Cabinet Member for Highways and Place to take all steps necessary to agree and sign a Framework Agreement with



Balfour Beatty and to the Executive Director for Strategic Delivery and Transformation, in consultation with the Cabinet Member for Finance to sign and enter into agreements with Salix Finance Ltd to allow this project to be delivered.

#### 4. Consultation and Scrutiny

4.1 As the proposal is a continuation of maintenance arrangements for street lighting without impacting on lighting standards or policy, external consultation has not been required.

4.2 Information will be available to the public as lighting changes are made through the Lighting Northamptonshire website although the only change that the public will notice in most cases will be a change of lantern as the colour of the light will not change. This will set out the reason for change in terms of saving money whilst maintaining standards within current policy.

#### 5. Equality Screening

There are no equalities implications arising from this report.

Reason that no EqIA is required	✓ as appropriate
The paper is for information only	
The proposal/activity/decision has no impact on customers or the service they receive	✓
The proposal impacts upon staff but the proposed staffing changes will not affect the service that customers receive*	
Other (Please explain further)	

\*Where a proposal affects staff, the appropriate HR processes will be followed, which have already been subject to the EqIA process and will be compliant with HR legislation

#### 6. Alternative Options Considered

6.1 The alternative option to this proposal should Salix funding not be available over the required period would be to use prudential borrowing for a third of the project value over a 6 year period repaid through energy savings, but such a proposal would be brought back to a later Cabinet meeting. Doing nothing would not protect successor authorities against future rises in energy costs.

#### 7. Financial Implications

7.1 This proposal will not require any financial input from the authority other than repaying interest free Salix loans through energy and maintenance savings.

What benefits will the proposal deliver?	<ul style="list-style-type: none"> <li>• Value for money</li> <li>• Cost effectiveness</li> <li>• Efficiency savings (cashable and non-cashable)</li> <li>• Impact on service risk register</li> <li>• Asset Condition Improvement</li> </ul> <p>Other factors are considered below:</p> <ul style="list-style-type: none"> <li>• Impact on performance indicators</li> </ul>
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	By implementing the proposal there is no adverse impact on performance indicators
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## 11. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Impact on Customers	None	Green
Financial Impacts	None	Green
Service operational impacts	None	Green
Data Protection	None	Green
Regulatory	None	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Financial Impacts – the cost of energy inflation is likely to become more significant over time.	Amber

## 12. List of Appendices

None

Author:	Name: Steve Lilley Team: Highways and Transport
Contact details:	Tel: 01604 364473 Email: slilley@northamptonshire.gov.uk
Background Papers:	
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	YES Anticipated completion of the Business Case by April 2020, Initial Salix loan application June 2020 and completion of Framework Agreement October 2020.
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	YES Name of SFM: Rosemary Pallot  N/A

Has the report been cleared by the relevant Director?	YES Name of Director: Graeme Kane
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Councillor Jason Smithers
Has the relevant scrutiny committee been consulted?	NO
Has the report been cleared by Legal Services?	YES Name of solicitor: Nicola Molloy
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Annalee Bougourd
Have any property Issues been cleared by Property and Asset Management?	N/A Name of officer:
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</li> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	YES Name of officer: Gus De Silva
Are there any community safety implications?	The delivery modern lighting controlled by CMS will have a positive impact on highways safety for affected local communities.
Are there any environmental implications:	Yes – positive. The proposal will reduce our electricity consumption resulting in reduced CO2 emissions. The full CMS control will reduce travel emissions through lower levels of night scouting and maintenance visits. The current lanterns will be recycled or offered free of charge to parish councils to improve their lighting stock.

Are there any Health and Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Countywide



**CABINET**

**10 MARCH 2020**

**DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF ADULTS, COMMUNITIES AND WELLBEING: ANNA EARNSHAW  
AND  
EXECUTIVE DIRECTOR OF STRATEGIC DELIVERY AND TRANSFORMATION:  
GRAEME KANE**

**CABINET MEMBER WITH RESPONSIBILITY FOR HIGHWAYS & PLACE:  
COUNCILLOR JASON SMITHERS**

<b>Subject:</b>	Highway and Transport Block Funding
<b>Recommendations:</b>	That Cabinet agrees delegated authority be given to the Executive Director of Finance, in consultation with Deputy Chief Executive and Director of Adults, Communities and Wellbeing, Executive Director of Strategic Delivery and Transformation, the Cabinet Members for Finance and Highways and Place, and the Commissioners to promote from the Development Pool to the committed Capital Programme any schemes funded from the main annual capital grant funding received from the Department for Transport as set out in section 5 of this report, up to the value of the grant allocations.

**1. Purpose of report**

- 1.1 To agree to spend block funding received from the Department for Transport for maintenance and improvement works on the Northamptonshire’s highways and transport networks.
- 1.2 This is a key decision because it involves expenditure in excess of £500k. The decision was not in the Forward Plan as it had been expected that the announcement of funding would have been made in time for the funding to pass through normal capital governance processes before the start of the new financial year. The General Exception rule has applied to prevent the decision being delayed until the next Cabinet meeting.

**2. How this decision contributes to the Council plan**

The Council’s vision is for Northamptonshire to be a county where everyone looks after each other and takes responsibility, where the vulnerable are protected and supported and where the people who can help themselves receive the assistance they need to stay independent and healthy.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan:

- Working in partnership with other public sector organisations (such as the seven district and borough councils, the local NHS bodies, and Northamptonshire Police).
- Engaging with partners and communities to co-design and co-deliver services.
- Using innovation to find better and more sustainable ways of delivering services ensuring they are efficient and affordable in the long term.
- Using technology and digital solutions to meet the needs of residents.
- Commissioning and procuring services and goods with partners.
- Utilising the Council's assets effectively.

### **3. Background**

3.1 The Department for Transport provides significant capital funding to the County Council for maintenance and improvement works on Northamptonshire's roads and other transport networks. To support implementation of our Local Transport Plan, the Department has for many years provided annual allocations of funding known as the Integrated Transport Block and the Maintenance Block. The latter funding is, as the name implies, intended for maintenance of our highways, the former for smaller scale improvement works.

3.2 In more recent years, the Department has provided supplementary annual streams of funding in the Highway Maintenance Challenge Fund, Highway Maintenance Incentive Fund and Pothole Fund.

3.3 The allocations of such funding are normally announced in the December before the start of the new financial year. This gives time for the funding to pass through the Council's capital governance procedures before the start of the new financial year.

### **4. 2020/21 capital funding allocations**

4.1 The Department for Transport has not announced the funding allocations for 2020/21 as early as is often the case. This is, no doubt, a consequence of the General Election held on 12 December 2019.

4.2 Because of the elections for the new Northamptonshire Unitary Authorities to be held on 7 May 2020, it is possible that the County Council Cabinet meeting on 10<sup>th</sup> March could be the last for several months.

4.3 For a number of reasons, it is desirable that the decision on approving the block funding allocations should not be delayed.

- Firstly, the spring and summer months are the optimum period for undertaking many highway works, as daylight hours are longer and road temperatures are higher (which is advantageous for operations like surface dressing).

- Secondly, the County Council obtains better value for money from its highway services contract with KierWSP the higher the volume of work committed through the contract at the start of each financial year.
- Thirdly, because of the complexities of splitting any remaining funding from a countywide block budget between the two unitary authorities, it is advantageous for the money to be spent in full before the end of March 2021.

## **5. Block Grants Anticipated**

5.1 As stated in section 3 above, the annual capital grants for highways and transport that the County Council has received in recent years have been:

- LTP Integrated Transport Block
- LTP Maintenance Block
- Highway Maintenance Challenge Fund
- Highway Maintenance Incentive Fund
- Pothole Fund

5.2 However, the Government has recently made a number of announcements which mean that it is possible that funding could be allocated under differing names in future.

5.3 In order ensure that spending of grant funding can begin promptly, while giving flexibility to accommodate new funding streams that may be announced, it is proposed that delegated authority should be given to the Executive Director of Finance, in consultation with the Executive Directors of Strategic Delivery & Transformation and Economic Growth and the Cabinet Members for Finance and Highways and Place, to approve schemes funded from the main annual capital grant funding received from the Department for Transport.

5.4 Any delegated decisions made will be reported to Cabinet in the next Capital Report.

## **6. Consultation and Scrutiny**

6.1 Consultation may have been or will be undertaken on many of the improvements schemes that may be funded. Consultation is not normally undertaken on maintenance schemes, although information is provided in advance to allow people to plan where the works may cause disruption to their journeys.

## **7. Alternative Options Considered**

7.1 The alternative to allowing delegated approval of the funding would be to wait until the next Cabinet meeting. However, as explained in Section 4 above this would lead to an undesirable delay in spending the funding.

## **8. Procurement**

8.1 It is anticipated that the majority of the funding detailed above will be delivered through the County Council's Highway Services Provider, KierWSP. However, should it be desirable to procure any of the works or services from alternative

providers, appropriate procurement routes would be followed, probably via a suitable framework contract?

## 9. Financial implications

9.1 As outlined in previous sections, the purpose of this report is to allow delegated scheme approval because the amount of Department for Transport funding to be allocated to the County Council is not yet known.

9.2 However, such delegated approval will only be sought where the related capital expenditure is fully met by funding received from the Department for Transport.

## 10. Equality Screening

10.1 There are no equalities implications of the decision to delegate funding approval set out in this report. Should there be any equalities implications from the individual schemes, these will be taken into account when the schemes are progressed to an appropriate stage.

## 11. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Delegated funding approval exceeds grant received	Delegation specifically limited to the grant amount	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Expenditure delayed meaning it is not spent in the most effective way	Amber

## 12. List of Appendices

None

Author:	Name: Chris Wragg Team: Transport Planning & Development
Contact details:	Tel: 01604 364411 Email: cwragg@northamptonshire.gov.uk
Background Papers:	
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	NO
Will further decisions be required? If so please outline the timetable here	None apparent.



Does the report include delegated decisions? If so, please outline the timetable here	Delegated funding approval – dependent on date of funding announcement(s)
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications passed through Capital Programme governance procedures?	YES Name of SFM: Rosemary Pallot  NO – to be undertaken
Has the report been cleared by the relevant Director?	YES Name of Director: Anna Earnshaw/Graeme Kane
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Cllr Jason Smithers
Has the relevant scrutiny committee been consulted?	NO
Has the report been cleared by Legal Services?	YES Name of solicitor: Debbie Carter-Hughes
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Annalee Bougourd
Have any property Issues been cleared by Property and Asset Management?	N/A Name of officer: James Wheeler
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> <li>• Have you evidenced compliance with the Council's Contract Procedures Rules?</li> <li>• Have you made clear in this paper where you are seeking Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</li> <li>• Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition?</li> <li>• Have you identified the procurement risks associated with a contract?</li> </ul>	YES Name of officer: Gus De Silva
Are there any community safety implications?	None apparent
Are there any environmental implications:	NO

Are there any Health and Safety Implications:	YES. There are health and safety implications to any highway works. These are managed through the health and safety processes for the different schemes.
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Countywide