



**FOR PUBLICATION**

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**19 October 2023**

**Report of the Executive Director - Place**

**Permission to Procure the 2024-25 Micro Asphalt Programme**  
(Cabinet Member for Highways, Assets and Transport)

**1. Divisions Affected**

1.1 County-wide.

**2. Key Decision**

2.1 This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned (this is currently defined as £500,000) and it is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

**3. Purpose**

3.1 Approves for officers to work with procurement colleagues to advertise an open tender to select a contractor to undertake the 2024-25 Micro Asphalt programme with the authority to approve contract award delegated to the Executive Director - Place.

**4. Information and Analysis**

4.1 Micro Asphalt surface treatment is a preventative maintenance treatment used predominantly on residential roads or other streets with slower moving traffic. It is used to seal the road surface and prevent

ingress of moisture, which can lead to potholes. The provision of Micro Asphalt is a cost effective treatment and a key element of the Council's Highway Maintenance Programme, as it can extend the life of a road by up to 10 years.

- 4.2 A successful Micro Asphalt programme has been delivered by the Council as part of the Highways Capital programme in both 2022-23 and 2023-24.
- 4.3 The application of Micro Asphalt requires specialist equipment and skills. It also needs to be delivered within a limited timeframe, typically between spring and early autumn, with the typical programme in Derbyshire being two months duration. Because of the seasonal nature of the works and short duration, it would not be economical for Derbyshire to procure the specialist equipment (and training) required to apply Micro Asphalt – the equipment would lie idle for 10 months of the year. Hence the Micro Asphalt programme is delivered by an external delivery partner.
- 4.4 The overall value of the contract will ultimately depend upon the number of roads which require treatment and market rates at the time of the tender. However, it is expected the overall value of the contract to lie in the region of £1.117m and this amount has been earmarked from the 2024-25 LTP grant to fund these works. The proposed procurement route would be via an Open Tender process. This would be overseen by colleagues in County Procurement to ensure compliance with procurement regulations.

## **5. Consultation**

- 5.1 Streets included within the 2024-25 Micro Asphalt programme will be part of the 2024-25 Highway Capital Programme and subject to Cabinet approval on 19 October 2023.
- 5.2 Residents of roads included in the programme will be advised by letter in advance of works commencing.

## **6. Alternative Options Considered**

- 6.1 Do Nothing – In the absence of suitable preventative maintenance treatments, such as Micro Asphalt, carriageway surfaces will deteriorate at a significantly higher rate, leading to potholes and ultimately to complete failure of the carriageway surface. As Highway Authority, the Council has a statutory duty to ensure that roads are safe and passable,

so failure to adequately maintain roads would breach our statutory duties.

- 6.2 Additionally, the use of treatments, such as Micro Asphalt, can significantly increase the life of a road, delaying the requirement for more expensive works, such as full carriageway resurfacing. Given that carriageway resurfacing costs approximately seven times the cost of Micro Asphalt, it is clear that targeted use of Micro Asphalt will lead to significant cost savings in the medium to long term.
- 6.3 Provide Service In-House – as discussed previously, Micro Asphalt requires specialist skills and equipment. We do not have these skills in-house, and as we only apply Micro Asphalt for two months of the year, equipment required for Micro Asphalt would lie idle for much of the year.

## **7. Implications**

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

## **8. Background Papers**

- 8.1 Cabinet Report, Allocation of 2024-25 Local Transport Plan Highways Capital Assessment, dated 19 October 2023.

## **9. Appendices**

- 9.1 Appendix 1 – Implications.

## **10. Recommendation**

That Cabinet:

- a) Approves for officers to work with procurement colleagues to advertise an open tender to select a contractor to undertake the 2024-25 Micro Asphalt programme with the authority to approve contract award delegated to the Executive Director - Place.

## **11. Reason for Recommendation**

- 11.1 Procurement of a contractor to undertake the 2024-25 Micro Asphalt programme will ensure that the Council complies with our statutory duties as Highway Authority.

## 12. Is it necessary to waive the call in period?

12.1 No.

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## **Implications**

### **Financial**

- 1.1 The DfT has allocated Derbyshire County Council £27.3m grant funding for the 2024-25 LTP Capital Programme.
- 1.2 The capital programme includes an allocation of £1.117m from the LTP grant for these works to be undertaken. Any changes to this will be approved by the Highways Capital Board as per the Place Scheme of Delegation.

### **Legal**

- 2.1 The Traffic Management Act 2004 requires the Council to publish advance notice of highway schemes or apply for permits to work. The Local Transport Act 2008 requires the Council to prepare an LTP, containing its highways and transport policies and its proposals for the implementation of those policies, with the Service Plan forming a part of this implementation plan. The provision of micro asphalt forms part of the Service Plan.
- 2.2 The Procurement of a contractor and the award of contract to undertake the micro asphalt programme will be undertaken in accordance with the Public Contract Regulations 2015 and the County Council's Financial Regulations

### **Human Resources**

- 3.1 It is proposed to use an external contractor to undertake these works, as the Council's in-house service has neither the skills nor resources to undertake this work. However, Council staff will have a role both in managing the contract and in ensuring that the quality of the works is up to the Council's required standard.

### **Information Technology**

- 4.1 Where appropriate, the Data Privacy Impact Assessment (DPIA) and Supplier Information Security Policy (SISP) process will be followed.

### **Equalities Impact**

- 5.1 Not required.

## **Corporate objectives and priorities for change**

6.1 The delivery of the Highways Capital Programme is a Council Headline Initiative within the Council Plan 2021-2025.

## **Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)**

7.1 None.