

## Report to the Cabinet

Meeting to be held on Thursday, 3 March 2022

### Report of the Head of Service - Asset Management

#### Part I

Electoral Division affected:  
(All Divisions);

**Corporate Priorities:**  
Supporting economic growth;

#### Palette of Materials

(Appendix 'A' refers)

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#### Brief Summary

The Palette of Materials provides the requirements on the choice and use of materials for new developments including housing, industrial and other third party works such as public realm.

The proposed palette of acceptable materials seeks to address the issue of the increasing use of unsustainable and difficult to maintain materials in developer and third party works on the highway or proposed highway network. The proposed palette seeks to address this by the use of materials that focus on sustainability, ease of procurement, consistency of supply and reducing ongoing maintenance costs/liability.

#### Recommendation

Cabinet is asked to:

- (i) Approve the approach in development of the Palette of Materials - Code of Practice for Developer and Third-Party Works outlined in this report.
- (ii) Authorise the Director of Strategy and Performance to approve and publish the Palette of Materials Code of Practice in consultation with the Cabinet Member for Highways and Transport.
- (iii) Authorise the Head of Service - Asset Management to permit exemptions from Palette of Materials in appropriate circumstances.

## Detail

The need for an approved palette of materials is borne out of the increased use of 'exotic' materials on schemes including public realm works. The materials are chosen and specially imported on a scheme-by-scheme basis and are typically imported from long distance. This means that when any materials fail or third parties need to excavate the materials it is difficult to source replacements, in addition the matching of the colour palette can be problematic. The materials themselves are typically laid on high strength, thin set bedding which requires specialist lifting equipment, which third parties either do not have or choose not to use. The result is that the materials are broken up as part of the third party works and temporary asphalt reinstatement used until similar replacements are sourced, this can take a considerable time and is happening frequently throughout the county.

The Palette of Materials Code of Practice provides the requirements on the choice and use of materials for new developments including housing, industrial and other third party works on proposed or existing highways. The code of practice avoids detail regarding tolerance and other workmanship issues and concentrates on the specifics of the materials themselves with the focus being on sustainability, maintainability, and appearance.

The proposed standard palette of surfacing materials is made up of the following:

- Thin Surface Course
- Stone Mastic Asphalt
- High Stone Content Hot Rolled Asphalt
- Chipped Hot Rolled Asphalt
- Close Graded Asphalt Concrete
- Dense Asphalt Concrete
- Precast Concrete Flags
- Precast Concrete Blocks
- Precast Concrete Kerbs
- Trees

These materials are easily available within the local supply chain, have a history of successful use in Lancashire and are easily maintainable.

It is intended that each material data sheet is studied by each scheme promoter, with particular focus on any application restrictions. Any application of a material in a situation that is restricted will be classed as an enhanced material and as such will attract a commuted sum for the additional maintenance burden placed upon the authority.

The enhanced materials are included with the aim of ensuring sustainability in how they are sourced, a lower initial and life cycle embodied carbon footprint, a record of longevity in service and ease of ongoing maintenance.

The Department for Transport's Manual for Streets advocates that:

*"One way of enabling designers to achieve local distinctiveness without causing excessive maintenance costs will be for highway authorities to develop a limited*

*palette of special materials and street furniture. Such materials and components, and their typical application, could, for example, be set out in local design guidance and be adopted as a Supplementary Planning Document”*

In line with this guidance, the enhanced palette of materials has therefore been developed to better balance the desire for local distinctiveness with sustainability, performance and on-going maintenance.

The proposed enhanced palette of surfacing materials is made up of the following:

- Coloured Stone Mastic Asphalt
- Coloured Chipped Hot Rolled Asphalt
- Coloured Dense Asphalt Concrete
- Porous Flexible Rubber/Aggregate Surfacing
- Unbound Gravel (self-binding gravel)
- Natural Stone Slabs
- Natural Stone Setts
- Natural Stone Kerbs
- Stone Reproduction Kerbs
- Precast Concrete Flags and Blocks incorporating Exposed Aggregate Top Layer

Any additional costs for enhanced materials will normally be a matter for discussion and negotiation during the consultation process for each individual scheme, subject to agreement that higher levels of enhancement will not impose an unreasonable burden of future maintenance on the county council. Where costs for enhanced materials are more than the agreed costs, the scheme promoter may be required to pay a commuted sum contribution to cover future maintenance.

The calculation of commuted sums will calculate the additional maintenance interventions and reactive/revenue maintenance costs required compared to standard materials, with the anticipated additional costs, whether yearly (for reactive/revenue maintenance costs) and/or at set maintenance intervention years then discounted over the life of the development to give a per m<sup>2</sup> or linear metre rate to be paid to the authority by the scheme promoter. This is in line with County Surveyors Society Guidance Document 'Commuted Sums for Maintaining Infrastructure Assets'.

It is proposed that any deviation from the standard or enhanced palette must be submitted to the Highways Asset Management Team for review and would be subject to approval by the Head of Service - Asset Management, if appropriate.

## **Consultations**

Operational level management in each of Design and Construction, Developer Support, Highways Operations and Asset Management have been consulted throughout the development of the document. In addition, Head of Service - Asset Management, Head of Service - Design and Construction, Director of Highways and Transportation, Director of Strategy and Performance have also been consulted.

Comments received and integrated into the final code of practice will include inclusion of specific materials, commuted sums calculations and the inclusion of an exemption process.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

This code of practice should provide a good framework for managing and reducing the financial and reputation risks placed upon the county council arising from third party works where the subsequent maintenance and operational responsibilities lie with Lancashire County Council.

With respect to Highways Asset Management and Highways Operations, the implemented code of practice should reduce the maintenance burden placed upon the county council, making public spaces and other paved areas easier to maintain, at a reduced cost and reducing the time taken to undertake permanent repairs, this will also reduce the risk of potential personal injury or other claims to the county council resulting from defects in paved areas.

The proposed code of practice includes performance-based specifications for all products and does not include proprietary or branded products, therefore eliminating any potential issues or challenges relating to procurement or competition.

### **Legal**

When works are done on highways maintainable at public expense the standard ought to be such that the county council's duty to maintain to appropriate standard is fulfilled. The standards of materials can be required by the authority acting reasonably.

Commuted sums are already taken when development uses materials and street furniture which increase the highway authority's future maintenance.

### **List of Background Papers**

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate		
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