

Open Report on behalf of Richard Wills, Executive Director for Economy and Environment

Report to:	Leader of the Council and Executive Councillor for Governance, Communications, Commissioning, Finance and Property
Date:	14 November 2016
Subject:	A16\A17 Sutterton Roundabout - Surfacing and Improvement Works
Decision Reference:	I012321
Key decision?	Yes

Summary:

Approval is sought to award the contract for the main works to the contractor who submitted the lowest tender for works at the A16\A17 roundabout.

Recommendation(s):

It is recommended that The Leader and Executive Councillor for Governance, Communications, Commissioning, Finance and Property approves the award of the main contract for the A16\A17 Sutterton Roundabout scheme to the lowest tenderer.

Alternatives Considered:

1. Not to award the contract which will result in the improvement works not being completed and the consequence of the benefits of the scheme not being realised.

Reasons for Recommendation:

To allow the works to proceed.

1. Background

- 1.1 The A16\A17 roundabout at Sutterton is identified in the A15\A16\A17 Routes Action Plan as having potential for relatively low cost interventions to realise high level benefits in terms of improvements to the capacity of the roundabout and reducing queuing.

- 1.2 The proposal is to carry out improvements to all entries and exits to the roundabout including elements of widening and resurfacing the carriageway. In addition a separately funded element of resurfacing as part of the PRN programme has been included in the works.
- 1.3 The proposal is to carry out the works over a 13 week period starting on 3rd January 2017. The site will be subject to a temporary speed limit of 30mph with all approaches and exits reduced to single lanes for the duration of the construction period. Much of the resurfacing work to each of the 'A' route arms will be undertaken with the traffic management described above. Application of the finished surface course and road markings will be completed under night time road closures between 6pm and 7am.
- 1.4 The diversion routes vary for each of the routes and will be as follows:
- The diversion route for closure of the northern A16 will be via the A16, A52 and A17 towards the roundabout. This measures 29km in length;
 - The diversion route for closure of the southern A16 will be via the A16, A151 and A17 towards the roundabout. This measures 32km in length;
 - The diversion route for closure of the eastern A17 will be via the A16, A151 and A17 towards the roundabout. This measures 32km in length;
 - The diversion route for closure of the western A17 will be via the A17, A52, A152 and A16 towards the roundabout. This measures 29km in length.
- 1.5 The works have been tendered through the new Lincolnshire County Council Select Framework and the lowest submitted tender (including a tender assessed value) is £724,482.61.
- 1.6 The scheme costs are:

Costs incurred thus far:

- Design fees – £33,000

Proposed Construction costs

- Works Costs £724,482
- Site Supervision fees – £25,000
- Laboratory / testing costs – £21,700

In addition a provisional sum of £50,000 has been allowed for elements of future proofing for development in the area

Total scheme cost – £854,182

The scheme will be funded from the 2016/17 and 2017/18 Integrated Transport Block and Asset Protection PRN blocks in the following proportions

- £33,000 fees already expended covered by the Advance Design Block

- £137,400 from the Asset Protection PRN budget
- £683,782 from the Integrated Transport Block

Legal Considerations

Equality Act 2010

- 1.7 The Council's duty under the Equality Act 2010 needs to be taken into account by the Executive when coming to a decision.
- 1.8 The Council must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 section 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149(7).
- 1.9 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
 - Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.
 - Compliance with the duties in this section may involve treating some persons more favourably than others.

- 1.10 A reference to conduct that is prohibited by or under this Act includes a reference to:
- (a) A breach of an equality clause or rule
 - (b) A breach of a non-discrimination rule
- 1.11 It is important that the Executive Councillor is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Executive Councillor. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.
- 1.12 To discharge the statutory duty the Executive Councillor must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.
- 1.13 An impact analysis has not been undertaken. This work is considered neutral in its impact on persons with a protected characteristic. In particular, during the works safety measures will be taken to ensure the safety of all road users including those with a protected characteristic.

Child Poverty Strategy

- 1.14 The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.
- 1.15 In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.
- 1.16 The Strategy has been taken into account however in this instance we do not consider it has any direct impact.

Joint Strategic Needs Assessment (JSNA) and Joint Health and Wellbeing Strategy (JHWS)

- 1.17 The Council in exercising its functions must have regard to both the JSNA and the JHWS.
- 1.18 Consideration has been given to the JSNA and the JHWS and the scheme has benefits for both the health and wellbeing of people in Sutterton by reducing queuing and therefore emission levels in the vicinity of the roundabout.

2. Conclusion

- 2.1 The scheme is well supported and there are no legal impediments to starting.
- 2.2 It is recommended that the Leader and Executive Councillor for Governance, Communications, Finance and Property approves the award of the main contract to the contractor with the lowest submitted tender.

3. Legal Comments:

The Council has the power to enter into the contract in question. The matters to be taken into account by the decision-maker are set out and addressed in the Report.

The decision is consistent with the Policy Framework and within the remit of the Leader of the Council if it is within the budget.

4. Resource Comments:

Budget is currently available in the approved capital programme for the completion of this road scheme as set out in the body of this report and the recommendation.

5. Consultation

a) Has Local Member Been Consulted?

Yes

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

This has not been considered by a scrutiny committee.

d) Policy Proofing Actions Required

n/a

6. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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