

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

Report to:	Councillor M J Hill OBE, Leader of the Council and Executive Councillor for Resources and Communications
Date:	01 March 2018
Subject:	A16 Louth Bypass
Decision Reference:	I015178
Key decision?	Yes

Summary:

Approval is sought to award the contract for the main works to the contractor who submitted the lowest tender for resurfacing works on the A16 Louth Bypass.

Recommendation(s):

It is recommended that The Leader and Executive Councillor for Resources and Communications approves the award of the main contract for the A16 Louth Bypass resurfacing scheme to the lowest tenderer.

Alternatives Considered:

1. Not to award the contract which will result in the remedial works not being completed and the inevitable consequence that the road condition will continue to deteriorate, with deeper structural failures and ultimately result in a larger future cost of repair.

Reasons for Recommendation:

To allow the works to proceed and provide a serviceable, and safe, running surface for the travelling public.

1. Background

- 1.1 The A16 Louth Bypass has been assessed by Lincs Laboratory using a number of different techniques, including Dynamic Cone Penetration tests for bearing capacity, surface coring and deflectograph to inform the treatment schedule that has been tendered. The results of the testing placed this particular site on this years list of resurfacing priorities.

- 1.2 The defects identified at this location are extensive material failures in the surfacing ranging from 40mm deep to 260mm deep.
- 1.3 The proposal is to resurface 1.9km of this highway by planing out the existing surface and replace it using Hot Rolled Asphalt surfacing, supported by deeper construction incorporating geogrid.
- 1.4 Work will take place over night to mitigate disruption to the travelling public, with operational hours from 7pm to 6am.
- 1.5 Throughout the works traffic will be controlled by temporary traffic lights with convoy vehicles escorting motorists through the works for safety reasons.
- 1.6 The works are currently being tendered through Lincolnshire County Councils Select List Framework. The estimated cost of the work is £910,000.
- 1.7 The whole scheme costs are:

Costs incurred thus far

- Design Fees - £12,000

Projected additional costs

- Resurfacing contract - £910,000
- Supervision fees – £10,000
- Laboratory / final product testing costs – £9,000

TOTAL SCHEME COST - £941,000

- 1.8 The scheme will be funded from the National Productivity Investment Fund, with a contribution of £441,000 from the 2018/19 Highways Asset Protection PRN Budget.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, 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 Act
- * 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.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

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 section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker 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

An Equality Impact Analysis has not been undertaken. This work is considered neutral in its impact on protected characteristics groups.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

Consideration has been given to the JSNA and the JHWS and as can be seen from the objectives of the scheme set out above, the scheme has significant benefits for both the health and wellbeing of the people of Louth.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The works outlined above are not considered to have an impact on Section 17 of the Crime and Disorder Act 1998 matters.

3. Conclusion

- 3.1 The scheme is well supported and there are no legal impediments to starting.
- 3.2 It is recommended that the Leader and Executive Councillor for Resources and Communications approves the award of the main contract to the contractor with the lowest submitted tender.

4. Legal Comments:

The Council has the power to adopt the recommendation in the Report.

The decision is within the remit of the Executive.

5. Resource Comments:

The award of a contract to undertake the A16 Louth Bypass resurfacing scheme, as set out in this report, will be met from currently approved budgets. This will include the National Productivity Investment Fund and Highways Asset Protection Budget, which are Department for Transport Grants which form part of the Council's approved Capital Programme.

6. 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) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

Risk and Impact analysis is considered to have a neutral effect

7. Background Papers

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

This report was written by Steve Brooks, who can be contacted on 01522 552940 or steve.brooks@lincolnshire.gov.uk .