

**Open Report on behalf of Andy Gutherson, County Commissioner
(Economy and Place)**

Report to:	Councillor M J Hill, OBE, Leader of the Council
Date:	Between 12 - 21 December 2018
Subject:	A46 Nettleham PRN
Decision Reference:	I016870
Key decision?	Yes

Summary:

Approval is sought to award the contract for the main works for resurfacing works on the A46 at Nettleham.

Recommendation(s):

It is recommended that the Leader of the Council approves the award of the main contract for the A46 Nettleham PRN resurfacing scheme.

Alternatives Considered:

- | | |
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| 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 |
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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 A46 at Nettleham 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 year's list of resurfacing priorities.
- 1.2 The defects identified at this location are extensive material failures in the surfacing ranging from 40mm deep to 210mm deep. Drainage defects also exist along some sections of this road and will be dealt with at the same time.

- 1.3 The proposals are to resurface 2.5km of this road by planing out the existing surface and replacing it with Hot Rolled Asphalt, supported by deeper construction incorporating some small areas of geogrid. The drainage will be repaired where necessary.
- 1.4 The works will take place during night time hours, restricted from 1900 hours to 0600 hours Monday to Friday with the option to work weekends where necessary.
- 1.5 The traffic will be controlled by the use of two way temporary traffic lights but full road closures will be needed where the road is at its narrowest, and also for the final surfacing. The road will be open to traffic whilst work is not being undertaken on site.
- 1.6 For the road closures, signed suitable alternative routes will be provided and maintained in serviceable condition.
- 1.7 The works are currently being tendered via Lincolnshire County Councils Select List Framework. The estimated cost of the works is £857,000.
- 1.8 The whole scheme costs are:

Costs incurred thus far

- Design fees - £13500

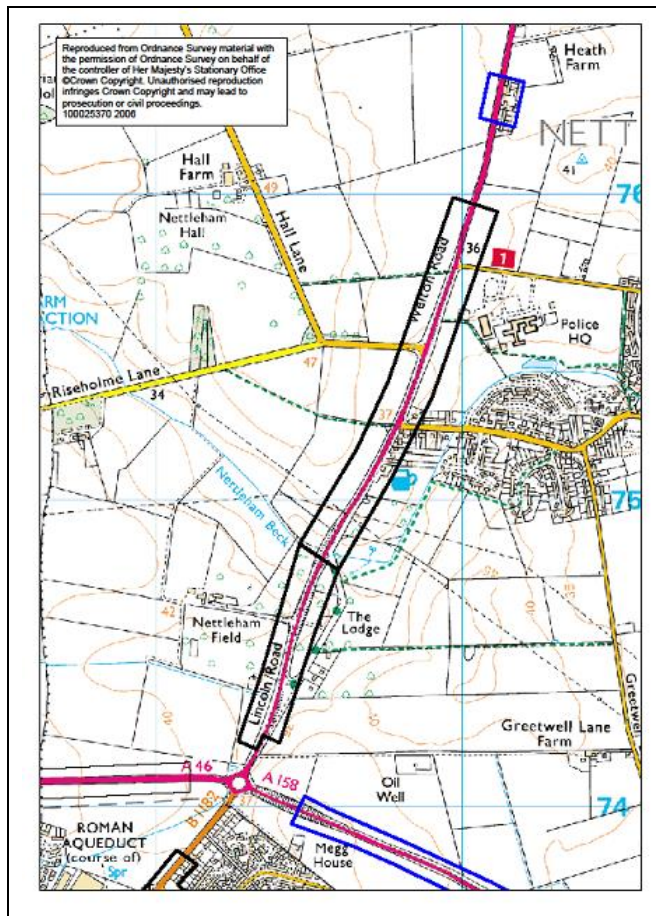
Projected additional costs

- Resurfacing contract - £857,000
- Supervision fees - £16500
- Laboratory / final product testing costs - £12000

TOTAL SCHEME COST - £899,000

- 1.9 The scheme will be funded, over two financial years, from the 2018/19 and 2019/20 Highways Asset Protection PRN Budgets.

1.10 Location Plan



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 Assessment 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 Nettleham.

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

The results of Lincs Laboratory testing has placed the A46 at Nettleham on this year's list of resurfacing priorities. This Report seeks approval for the award of a contract for the carrying out of the necessary works.

4. Legal Comments:

The Council has the power to enter into the contract proposed.

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

5. Resource Comments:

The costs of awarding the contract to undertake works as set out in this report, can be met from the Council's approved capital programme for this service.

6. Consultation

a) Has Local Member Been Consulted?

Yes

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The decision has not been considered by a Scrutiny Committee.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

See the body of the report

7. Background Papers

No Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report.

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