



County Offices
Newland
Lincoln
LN1 1YL

15 October 2021

Highways and Transport Scrutiny Committee

A meeting of the Highways and Transport Scrutiny Committee will be held on **Monday, 25 October 2021 at 10.00 am in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached agenda.

Yours sincerely

A handwritten signature in black ink that reads 'DBarnes'.

Debbie Barnes OBE
Chief Executive

Membership of the Highways and Transport Scrutiny Committee
(11 Members of the Council)

Councillors B Adams (Chairman), A M Hall (Vice-Chairman), Mrs A M Austin, M Brookes, K J Clarke, T J G Dyer, R A Gibson, Mrs S Rawlins, S P Roe, E W Strengeiel and R A Wright

**HIGHWAYS AND TRANSPORT SCRUTINY COMMITTEE AGENDA
MONDAY, 25 OCTOBER 2021**

Item	Title	Pages
5	<p>Red Lion Square, Stamford</p> <p><i>(To receive a report from Sam Edwards, Head of Highways Infrastructure, which invites the Committee to consider a paper seeking approval to enter into a contract for the purpose of delivering the Red Lion Square, Stamford paving project, which is the subject of a decision by the Executive Councillor for Resources, Communications and Commissioning and the Executive Councillor for Highways, Transport and IT being taken between 2 to 11 November 2021)</i></p>	5 - 14

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Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

Please note: This meeting will be broadcast live on the internet and access can be sought by accessing [Agenda for Highways and Transport Scrutiny Committee on Monday, 25th October, 2021, 10.00 am \(moderngov.co.uk\)](https://www.lincolnshire.gov.uk/council-business/search-committee-records)

All papers for council meetings are available on:
<https://www.lincolnshire.gov.uk/council-business/search-committee-records>

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Open Report on behalf of Andy Gutherson - Executive Director for Place

Report to:	Highways and Transport Scrutiny Committee
Date:	19 October 2021
Subject:	Red Lion Square, Stamford

Summary:

This item invites the Highways and Transport Scrutiny Committee to consider a report regarding the works at Red Lion Square, Stamford.

This decision is due to be considered by the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) and the Executive Councillor for Highways, Transport, and IT between the 2 November 2021 to 11 November 2021. The views of the Scrutiny Committee will be reported to the Leader of the Council and Executive Councillor as part of their consideration of this item.

Actions Required:

That the Highways and Transport Scrutiny Committee:

- 1) considers the attached report and determines whether the Committee supports the recommendations to the Leader of the Council and the Executive Councillor as set out in the report.
- 2) agrees any additional comments to be passed on to the Leader of the Council and the Executive Councillor in relation to this item.

1. Background

The Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) and the Executive Councillor for Highways, Transport, and IT are due to consider the Red Lion Square, Stamford between the 2 November 2021 to 11 November 2021. The full report to the Leader of the Council and the Executive Councillor is attached at Appendix A to this report.

2. Conclusion

Following consideration of the attached report, the Committee is requested to consider whether it supports the recommendations in the report and whether it wishes to make any additional comments to the Leader of the Council and the Executive Councillor. Comments from the Committee will be reported to the Leader of the Council and the Executive Councillor.

3. Consultation

The Committee is being consulted on the proposed decision of the Leader of the Council and the Executive Councillor between the 2 November 2021 to 11 November 2021.

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	Report to the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) and the Executive Councillor for Highways, Transport, and IT on Red Lion Square, Stamford

5. 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.

This report was written by Sam Edwards, Head of Highways Infrastructure, who can be contacted at 07900 136143 or sam.edwards@lincolnshire.gov.uk.

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Councillor M J Hill OBE, Leader of the Council (Executive Councillor: Resources, Communications and Commissioning) Councillor R G Davies, Executive Councillor: Highways, Transport and IT
Date:	2 November 2021 to 11 November 2021
Subject:	Red Lion Square, Stamford
Decision Reference:	I022916
Key decision?	Yes

Summary:

This report provides an overview of the Red Lion Square, Stamford paving project and the proposed procurement route.

The paper seeks approval to enter into a contract for the purpose of delivering the proposed works at this location by the Executive Councillor for Highways, Transport and IT and approval of the capital scheme appraisal by the Leader of the County Council.

Recommendation(s):

1. That the Executive Councillor for Highways, Transport and IT:
 - a) Approves the Council progressing with the Red Lion Square, Stamford project in accordance with the recommended option 5 described in paragraph 1.2.1 of this report;
 - b) Approves in principle the award and entering into of a contract for the construction of the scheme; and
 - c) Delegates to the Executive Director – Place, in consultation with the Executive Councillor for Highways, Transport and IT, authority to take all decisions necessary to progress the scheme to include the detailed terms, award and entering into of any contract or other documentation necessary to ensure the construction of the scheme.

2. That the Leader of the Council (Executive Councillor Resources, Communications and Commissioning) approves the Scheme appraisal for the scheme.

Alternatives Considered:

1. As identified in section 1.2.1 of this report.

Reasons for Recommendation:

The reason for recommendation is as follows:

1. In relation to the paving at Red Lion Square the sand joints have failed, causing damage to the setts and resulted in 'rocking' movements as vehicles and the public pass over the paving. This presents a safety concern to the public.
2. Overall, the new paving will be aesthetically sympathetic to Stamford and enhance the sense of place within Red Lion Square for surrounding businesses and residents; will have a design life of up to 20 years; and will have deeper stone setts and new mortar joints and a mortar bed which will reduce long-term maintenance costs.
3. The budget construction cost estimate of £750,000 has been developed in conjunction with Eurovia who have been working with the Council by way of Early Contractor Involvement under the Midlands Highways Alliance Framework.

1.1 Background

1.1.1 Red Lion Square lies at the centre of historic Stamford. The street has important heritage significance as reflected by the characteristic buildings and street scene. Over 14 years ago a public realm scheme was carried out to reflect the historic nature by using specialist paving materials and street furniture. At the time due to funding challenges a thinner depth of sett and sand joints were used, which didn't necessarily align with the likely future traffic loads. The existing setts have now failed and present a safety concern to the public.

1.1.2 The aim of the project at Red Lion Square is to address the issues where the sand joints have failed, causing damage to the setts and resulted in 'rocking' movements as vehicles and the public pass over the paving.

1.1.3 The project will provide a new paved surface that has the following benefits:

- The new paving will be aesthetically sympathetic and very similar to the existing paving.

- The new paving will have a design life of up to 20 years.
- The new paving will have deeper stone setts, a new mortar bed and new mortar joints which will reduce long-term maintenance costs.

1.2 Scheme Proposals

1.2.1 An options appraisal was carried out that explored the following:

- Option 1 - Relay the existing 100mm thick York stone setts with a new sand bed, new sand joints and new foundation.
- Option 2 - As per option 1 but with mortar bed and joints.
- Option 3 - Replace existing 100mm thick York stone setts with bituminous material (tarmac).
- Option 4 - As per option 3 but reuse 100mm thick York stone setts at pedestrian crossings to delineate them.
- Option 5 - Replace existing 100mm thick York stone setts with 150mm thick York stone setts with a new concrete foundation, new mortar bed and new mortar joints.

These options were assessed using a Risk Matrix against the following risks: Product Life Span, Cost, Future Maintenance Costs and Aesthetics.

Option	Product Life Span	Construction Cost	Future Maintenance Cost	Aesthetics
1	Low	Medium	High	Neutral
2	Medium	Medium	Medium	Neutral
3	High	Low	Low	Very Poor
4	High	Medium	Medium	Poor
5	High	High	Low	Positive

As a result of the options appraisal, the options that scored well were options 3 and 5 with aesthetics and cost being at opposite ends of the spectrum. It was concluded however that option 5 represented the most fitting solution as it provides a like for like product while significantly improving the durability. Option 5 entails replacing the existing 100mm thick York stone setts with 150mm thick York stone setts with a new concrete foundation, new mortar bed and new mortar joints.

1.2.2 This option is now in the detailed design phase of the project.

1.2.3 The intention is to construct the works in Red Lion Square, Stamford during the summer of 2022. Exact dates will be confirmed nearer the time of construction once the detailed design is complete.

1.3 Procurement

- 1.3.1 Lincolnshire County Council is affiliated to the Midlands Highways Alliance (MHA). Within the MHA lies the third iteration of the Medium Schemes Framework (MSF3). This provides access to an alternative procurement route which is compliant with the Council's procurement obligations but with the benefits of Early Contractor Involvement (ECI).
- 1.3.2 LCC has been working on Red Lion Square, Stamford with Eurovia since July 2021 by way of ECI under MSF3 using a Short Form Contract. This has several benefits including support on phasing proposals of works; input to traffic management plans; risk management and cost estimating.
- 1.3.3 At present, procurement for the new Medium Schemes Framework 4 (MSF4) is underway and MSF4 will be in place from January 2022.
- 1.3.4 Should LCC wish to secure the construction services of Eurovia and gain all the benefits of their early input there is a requirement for LCC to enter into contract prior to December 2021 which is when MSF3 will terminate and MSF4 be adopted. If LCC does not do this then Eurovia may not be selected for MSF4, which will result in the time and money spent on ECI using MSF3 being wasted.

1.4 Cost Estimates

- 1.4.1 The Red Lion Square, Stamford preliminary cost estimate is as follows:

Fees	£260,000
ECI costs	£40,000
Product testing costs	£5,000
Construction Cost Estimate	£750,000
Risk (predominantly construction risk)	£435,000
Estimated total cost for Red Lion Square	£1,490,000

- 1.4.2 The budget construction cost estimate of £750,000 has been developed in conjunction with Eurovia who have been working with the Council by way of ECI.
- 1.4.3 At the current early design stage, less certainty exists about issues that will be encountered, as a result a healthy risk value has been included.
- 1.4.4 As the project develops the risks/uncertainty will reduce. This reduction will be represented in the construction costs rising by a similar value to the risk dropping (risk has come to fruition), or the construction costs won't rise (the risk hasn't happened).

1.4.5 This report seeks approval to enter into contract with Eurovia by December 2021 via MSF3, prior to the adoption of MSF4.

1.5 Funding

1.5.1 The project is being wholly funded by the Lincolnshire County Council's Integrated Transport Block budget.

1.6 Location Plan

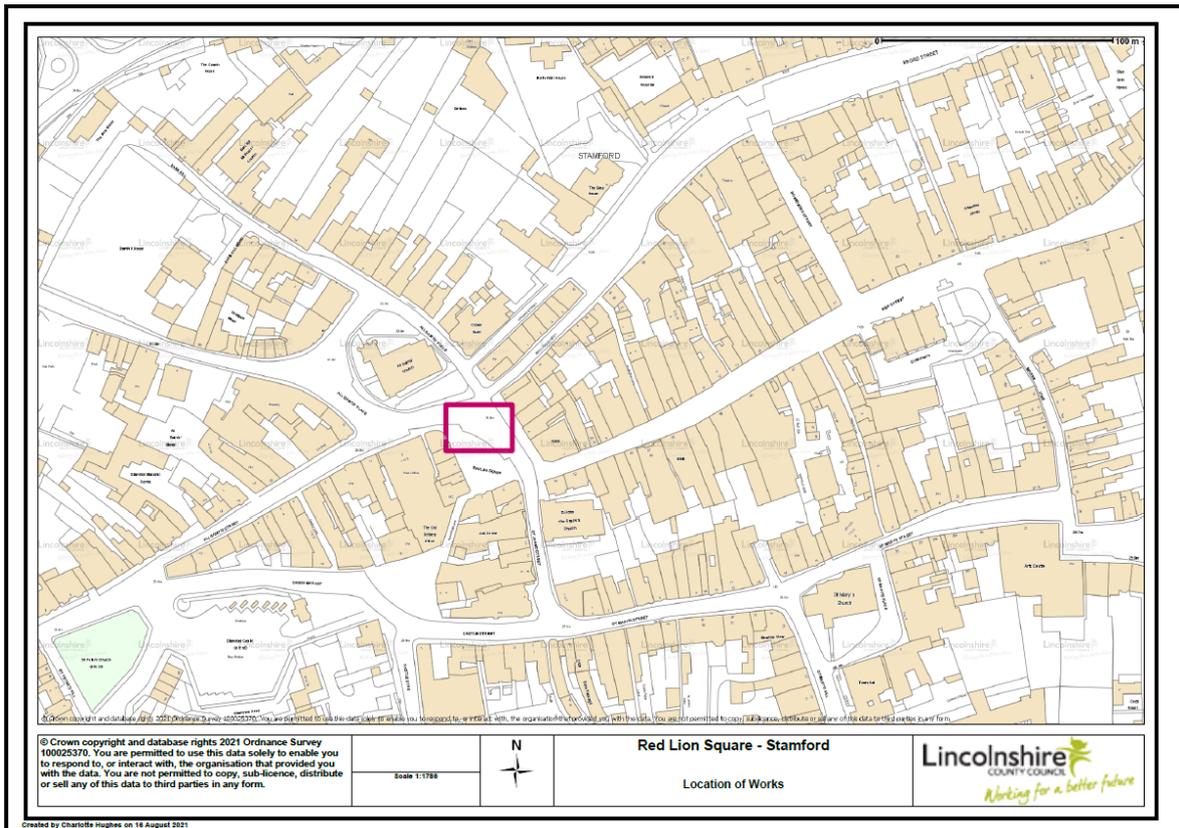


Figure 1: Location Plan

1.7 Approvals Required

1.7.1 The purpose of this paper is to seek approval from the Leader of the County Council for the scheme appraisal, and the Executive Councillor for Highways, Transport and IT for proceeding with the proposed option and to award a contract for the construction of the scheme.

1.7.2 In addition, the purpose of this paper is to seek approval to delegate to the Executive Director of Place (in consultation with the Executive Councillor for Highways, Transport and IT) to take all decisions necessary to progress the scheme to include the detailed terms, award and entering into of any contract or other documentation necessary to ensure the construction of the scheme.

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 characteristic 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 & Wellbeing Strategy (JHWS) in coming to a decision.

Consideration has been given to the JSNA and the JHWS and can be seen from the scheme descriptions that they will have positive benefits for both the health and wellbeing of local residents.

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 are considered to have a neutral impact on the Crime and Disorder Act 1998.

3. Conclusion

- 3.1 The purpose of this paper is to seek approval from the Leader of the County Council for the scheme appraisal, and the Executive Councillor for Highways, Transport and IT to award a contract for the construction of the scheme.
- 3.2 In addition, the purpose of this paper is to seek approval to delegate to the Executive Director of Place (in consultation with the Executive Councillor for Highways, Transport and IT) to take all decisions necessary to progress the scheme to include the detailed terms, award and entering into of any contract or other documentation necessary to ensure the construction of the scheme.

4. Legal Comments:

The Council has the power to carry out the works and enter into the contract proposed.

The decisions are consistent with the Policy Framework and within the remit of the Executive Councillors.

5. Resource Comments:

The proposed works are planned to be funded by the Integrated Transport Block (ITB) grant received from the Department for Transport (DfT) and which is included in the Council's Capital Programme.

Due to the contractual issues and the likely timing of the works, this requires the commitment of ITB resources for 2022/23, for which the level of DfT grant is not yet confirmed. Given the level of DfT funding received in previous years it is reasonable to assume that the grant will be sufficient to fund the scheme, however, should this not be the case it may be necessary to re-prioritise other ITB schemes in order to release sufficient funding or seek alternative funding such as New Developments Capital Contingency which is included in the approved Capital Programme.

As detailed in the report, the recommendation to enter into contract before 31 December 2021 will enable the investment already made in Early Contractor Involvement to be safeguarded.

6. Consultation

a) Has Local Member Been Consulted?

Yes – Cllr Kelham Cooke was consulted on the 15 September 2021.

b) Has Executive Councillor Been Consulted?

Yes – Cllr Richard Davies has been consulted on numerous occasions.

c) Scrutiny Comments

The decision will be considered by the Highways and Transport Scrutiny Committee at its meeting on 25 October 2021 and the comments of the Committee will be reported to the Executive Councillors.

d) Risks and Impact Analysis

Risk and Impact Analysis are being undertaken as part of the ongoing design process.

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 Sam Edwards, Head of Highways Infrastructure, who can be contacted at 07900 136143 or sam.edwards@lincolnshire.gov.uk.