

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

Report to:	<b>Councillor M J Hill, OBE, Leader of the Council (Executive Councillor: Resources and Communications)</b>
Date:	<b>02 – 09 September 2019</b>
Subject:	<b>A46 Usselby and Faldingworth Primary Route Network</b>
Decision Reference:	<b>I018472</b>
Key decision?	<b>Yes</b>

**Summary:**

Approval is sought to award a contract for the main works for resurfacing works on the A46 at Usselby and Faldingworth.

**Recommendation(s):**

That the Leader of the Council approves the award of a main contract for the A46 Usselby and Faldingworth Primary Route Network (PRN) resurfacing scheme.

**Alternatives Considered:**

- |    |   |
|----|---|
| 1. | Not to award a 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:**

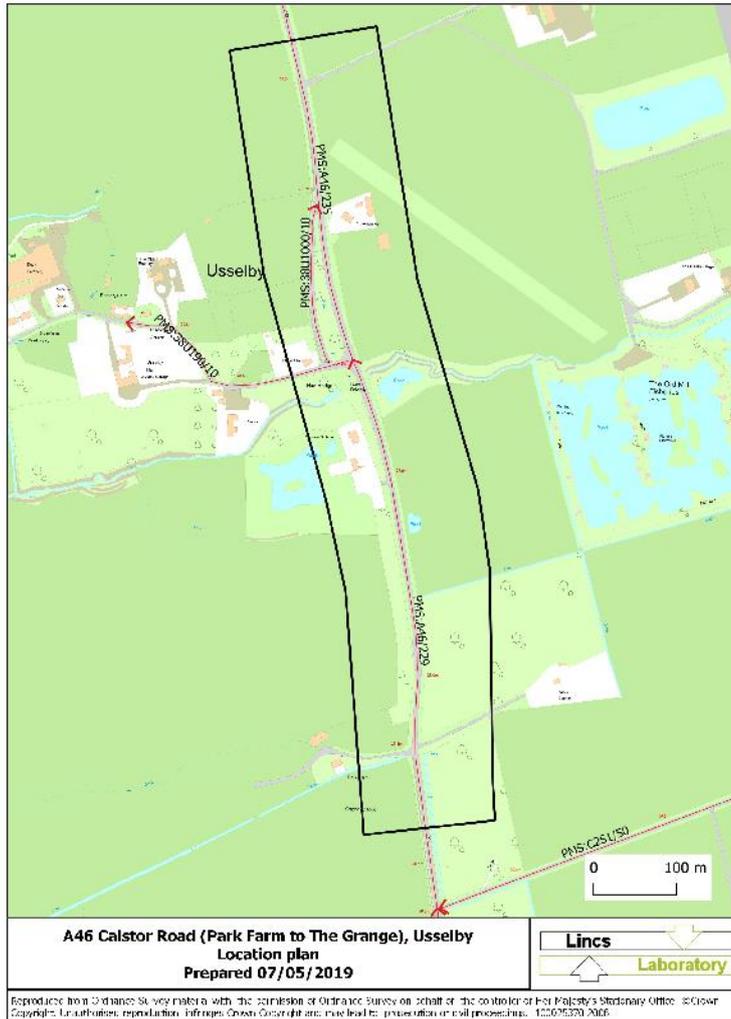
To allow the works to proceed and provide a serviceable, and safe, running surface for the travelling public.

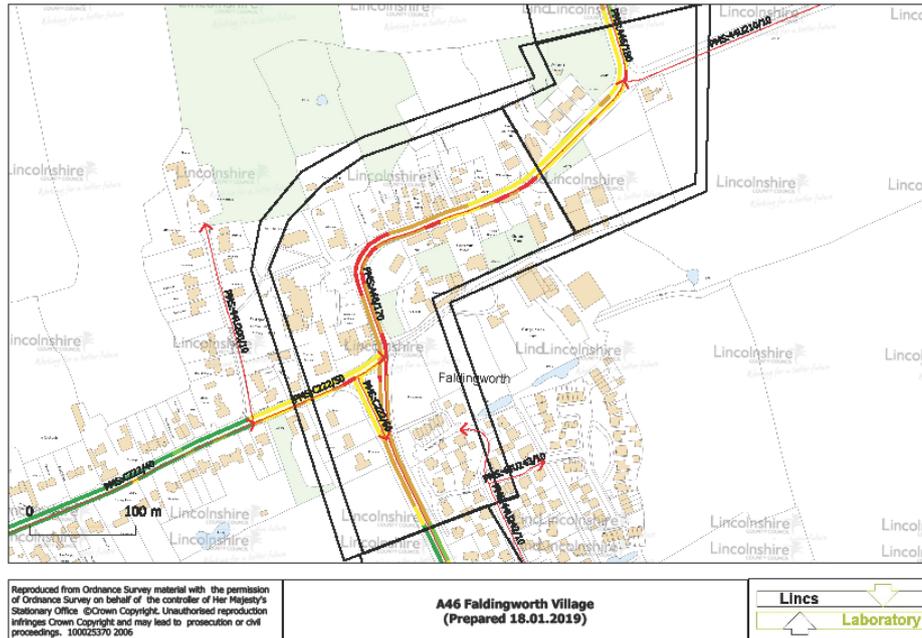
**1. Background**

- 1.1 The A46 at Usselby and Faldingworth have 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. The treatments derived from these defects will be from 40mm to 220mm of new surfacing with potential for additional foundation layers if on site testing identifies the need.
- 1.3 The proposals are to resurface a total of 1.75km of the A46, comprised thus:
- Usselby – 0.96km
  - Faldingworth – 0.79km
- 1.4 The treatment will involve planing out the existing surface and replacing it with Hot Rolled Asphalt, supported by deeper construction. In some areas at Usselby, it will be possible to overlay the existing, negating the need for removal of the existing surface, which, in turn offers efficiency savings in terms of cost and programme.
- 1.5 Traffic management will differ between the two sites. The road will be closed to allow safe working space, however,
- at Usselby work will take place over night between the hours of 7pm and 6am, the road will be open during the day
  - at Faldingworth, the work will take place during the day, but the road will remain closed overnight for the duration of the contract.
- 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 Council's Select List Framework. The estimated cost of the works is £660,000.
- 1.8 The whole scheme costs are:
- Costs incurred thus far
- Design fees - £12000
- Projected additional costs
- Resurfacing contract - £660,000
  - Supervision fees - £15,000
  - Laboratory / final product testing costs - £6,600
- TOTAL SCHEME COST - £693,600**
- 1.9 The scheme will be funded from the 2019/20 Highways Asset Protection PRN Budgets.

## 1.10 Location Plans





## 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 there are not considered to be any significant impacts on the health and wellbeing of the people of Lincolnshire.

#### 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 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 contracts proposed.

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

#### **5. Resource Comments:**

The grant received from the Department for Transport in 2019/20 for Highways Asset Protection is £30m which forms part of the capital programme approved by Council in February 2019. This scheme is part of a programme of works, the cost of which will be met from this approved budget.

#### **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.

This report was written by Steve Brooks, who can be contacted on 01522 552940 or [steve.brooks@lincolnshire.gov.uk](mailto:steve.brooks@lincolnshire.gov.uk) .