

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

Report to:	<b>Councillor M J Hill OBE, Leader of Council and Executive Councillor: Resources and Communications and</b>
Date:	<b>Councillor R G Davies, Executive Councillor: Highways, Transport and IT</b>
Subject:	<b>Between 25 March 2020 and 10 April 2020</b>
Decision Reference:	<b>A46 Welton and Dunholme Junction Improvement Scheme (Roundabout)</b>
Key decision?	<b>I019386</b>
	<b>Yes</b>

**Summary:**

This report provides an overview of the A46 Dunholme and Welton Improvement Scheme (Roundabout).

The report seeks approval from the Executive Councillor for Highways, Transport and IT to proceed with the Scheme and to procure and award a contract for the Scheme and approval from the Leader of the Council for the Scheme appraisal.

**Recommendation(s):**

- 1) That the Executive Councillor for Highways, Transport and IT:-
  - a) approves the Council progressing with the A46 Welton and Dunholme Junction Improvement Scheme (Roundabout); and
  - 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 for 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 for Resources and Communications) approves the Scheme Appraisal for the Scheme.

<b>Alternatives Considered:</b>	
1.	To not construct the project.

**Reasons for Recommendation:**

The scheme will deliver the following significant benefits for local residents and road users:

- Improve safety and reduce the number of collisions at this junction
- Reduce congestion and increase visibility for all road users
- Accommodate future development in the area

Not to proceed with the scheme would mean that these benefits would not be realised at this location which continues to present safety and visibility issues.

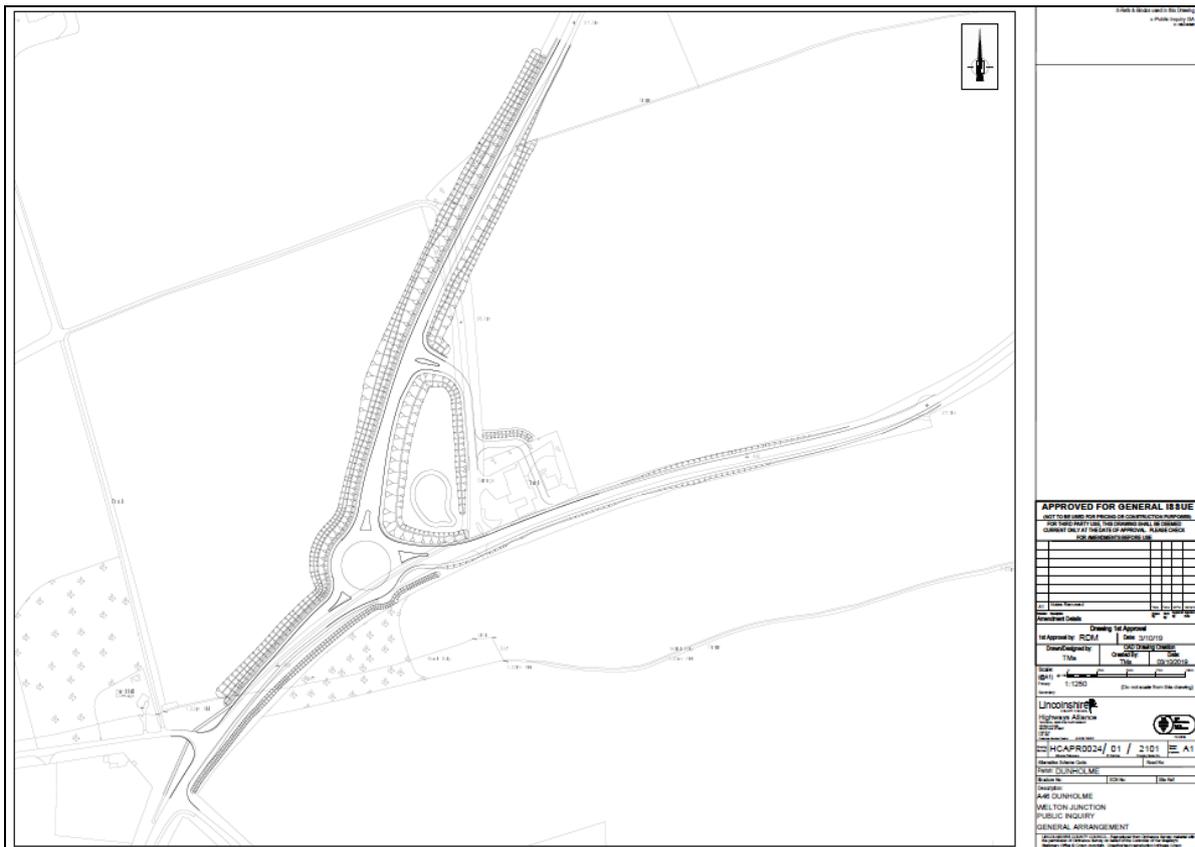
**1. Background**

On 5<sup>th</sup> March 2019 the Executive approved the making of Compulsory Purchase and Side Roads Orders for the proposed A46 Welton and Dunholme Junction Improvement Scheme (Roundabout) ("the Scheme"). The Report considered by Executive at that time set out a detailed description of the Scheme and the justification for it.

A copy of the covering Report from 5<sup>th</sup> March 2019 is attached at Appendix A. The full Report is referred to in the Background Papers section of this report. The Executive Councillors are referred to Appendix A for further detail of the Scheme and its justification.

It is proposed to construct a new 60m roundabout on the existing A46 Welton Road at Dunholme to replace the existing T-junction arrangement where Lincoln Road and Welton Road meet adjacent to the commercial premises at Centurion Garage. The roundabout will be offset to the west of the A46 and will require the diversion of the access roads from the A46 and the Lincoln Road from their current routes to connect with it.

Below is a scheme plan:



## Planning

Planning permission was sought and granted on 5 February 2018 for the construction of the 60m roundabout, the realignment and improvement works to the A46 junction and the diversion of the access roads. A minor secondary planning application was made for a northern access road to cater for the tenant to the east of the commercial site following the closure of their accesses from the A46. Finally a Non Material Amendment (NMA) was required to the original planning permission to permit certain minor alterations to the shape of the balancing pond, drainage ditches and swales.

## Scheme benefits

The following are the scheme benefits:

- Improve safety and reduce the number of collisions at this junction
- Reduce congestion and increase visibility for all road users
- Accommodate future development in the area

The Report at Appendix A contains further detail on the justification for the Scheme.

## Orders for the scheme

On 5<sup>th</sup> March 2019 the Executive confirmed that the legal orders process could be implemented for the scheme by LCC and confirmed the associated land purchase (Reference I0107098).

The Secretary of State confirmed the Compulsory Purchase Order and Side Roads Order for the A46 Dunholme and Welton Improvement Scheme. This decision was subject to a 6 week Judicial Review period which ended on 30<sup>th</sup> January 2020. In order for the scheme to progress as planned it is intended to implement the orders and compulsory acquire the land where necessary.

### **Land acquisition**

LCC is purchasing three parcels of land, two of which are arable farmland in two ownerships and the third lies on commercial premises where there are three leasehold ownerships.

LCC has agreed Heads of Terms with all landowners and the legal contracts to purchase the land are being reviewed.

LCC is proceeding with the Compulsory Purchase Order process as this ensures that should any issues arise with purchasing by agreement. The County Council will have the fall back position of utilising these powers should the need arise, which is the only way to guarantee the Scheme can be built.

The land for the project will be secured by mid-June 2020.

### **Programme**

The scheme is programmed to start on site by mid-July 2020. This is based on the assumption that land is purchased by mid-June 2020.

### **Funding of the Scheme**

The total projected scheme costs are just under £6m and are split down as follows:

Land Costs	£314,920.06
Lincs Lab	£110,000.00
Works costs	£4,194,238.00
Statutory Undertaker Costs	£222,044.03
Fees (LCC and WSP)	£660,246.62
Other Expenditure	£9,970.00
Public Inquiry	£71,319.00
LCC Risk & Contingency	£415,000.00
TOTAL	£5,997,738

The scheme is being funded from the following three sources: £2m of National Product Investment Funding (NPIF); £1.1m of S106 and £2.9m from the DfT Integrated Transport Block grant.

The NPIF Funding has been received and is secured.

Section 106 agreements in a signed and binding form for the full amount of £1.1m have been secured. However that funding will only be received as and when the conditions under the relevant Agreement have been met to trigger a payment. This will be on the completion of a specified number of units on the development and therefore requires forward funding by the Council.

The construction cost estimate of £4,194,238 has been developed in conjunction with Eurovia who have been working with the Council's officers by way of Early Contractor Involvement under the Midlands Highways Alliance Framework. This gives us a high degree of confidence that the estimate offers an accurate forecast, which also accommodates for reasonable levels of risk coming to fruition.

This Report seeks approval to now proceed to let a contract and for the construction phase. The intention is also to let the construction phase through the Midlands Highways Alliance Framework.

### **Items of note**

It is important that Highways and Transport Scrutiny Committee is aware of the following in relation to the scheme:

- Vegetation clearance is starting on site w/c 25<sup>th</sup> February 2020, ahead of the ecology season. This has been publicised with a press release and a briefing note to key stakeholders including County and District Councillors, Parish Councils and local key businesses;
- The project, subject to approval, is proposed to start on site in mid-July 2020, which follows on from current works progressing at Riseholme Roundabout. There is the potential that should the Riseholme Road scheme be delayed due to events like weather then the schemes would overlap.
- The scheme would have a full road closure during Summer 2020 school holidays. The closure is to the east of the Lincoln Road/A46 junction and is required to lower the road and work beneath Western Power overhead lines. Road diversions will be in place during this period

## **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

Consideration has been given to the Equality Act 2010 and an Equality Impact Assessment has been undertaken during scheme development to ensure all impacts are identified and mitigated where possible.

#### 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 the scheme has benefits for both the health and wellbeing of people in Welton and Dunholme:

- The scheme will improve safety and reduce the number of collisions at this junction for all road users;
- The scheme will reduce congestion and increase visibility for all road users.

#### 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

Consideration has been given to section 17 of the Crime and Disorder Act 1998 and the scheme is not considered to have any direct effect on crime and disorder.

### **3. Conclusion**

The scheme delivers significant benefits for local residents and road users and the orders for the scheme are now in place.

The Executive Councillors are invited to approve the procurement and award of a contract for the construction of the Scheme and to approve the Scheme appraisal.

### **4. Legal Comments:**

The Council has the power to proceed with the Scheme and to enter into a contract for its construction. The decision to do so is consistent with the Policy Framework and within the remit of the Executive Councillor for Highways, Transport and IT.

Under paragraph B9 of the Financial Regulations of a Scheme Appraisal is required where a scheme is over £500,000 in value and forms part of the already approved capital programme. Such Scheme Appraisals are the responsibility of the Leader of the Council (Executive Councillor for Resources and Communications) who may also refer significant schemes to the relevant Overview and Scrutiny Committee for pre-decision scrutiny.

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

The projected cost and funding of this scheme are detailed on page 4 of this report. Funding includes £1.1m of expected developer S106 contributions, receipt of which is dependent upon specific contractual conditions being triggered and therefore requires forward funding by the Council. This scheme is included in the Capital Programme approved by the Executive on 4 February 2020 and which is due to be considered by the Council on 21 February 2020.

### **6. Consultation**

#### **a) Has Local Member Been Consulted?**

Yes

#### **b) Has Executive Councillor Been Consulted?**

Yes

#### **c) Scrutiny Comments**

The Highways and Transport Scrutiny Committee met on 09 March 2020 to consider the A46 Welton and Dunholme Junction Improvement Scheme.

The Committee supported proceeding with the scheme, approving a scheme appraisal, and to procure and award a contract for the junction improvement scheme.

The Committee supported the benefits of the scheme for local residents and other road users, namely to improve safety and reduce the number of collisions at the junction and to aid in reducing congestion and increase visibility.

In addition, a member of the Committee highlighted concern with the flow of the junction and tightness of some of the turns, as well potential damage caused by HGVs, and requested additional consideration was given to the design of the scheme.

**d) Have Risks and Impact Analysis been carried out?**

Yes

**e) Risks and Impact Analysis**

A Risk Register is reviewed regularly for this project and has been discussed with the Project Sponsor, Sam Edwards.

**7. Background Papers**

Document title	Where the document can be viewed
I017098 - The Lincolnshire County Council A46 Dunholme and Welton Junction Improvement Land Acquisition and associated Orders	<a href="https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&amp;Mid=5280&amp;Ver=4">https://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=121&amp;Mid=5280&amp;Ver=4</a>

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