

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

Report to:	<b>Councillor M J Hill OBE, Leader of the Council</b>
Date:	<b>Between 13 – 24 July 2020</b>
Subject:	<b>Boston Dock Road Highway Improvement</b>
Decision Reference:	<b>I020154</b>
Key decision?	<b>Yes</b>

**Summary:**

Approval is sought to award a contract for the main works for Highway Improvement works on the Dock Road at Boston.

**Recommendation(s):**

That the Leader of the Council approves the award of a main contract for the Boston Dock Road Highway Improvement 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:**

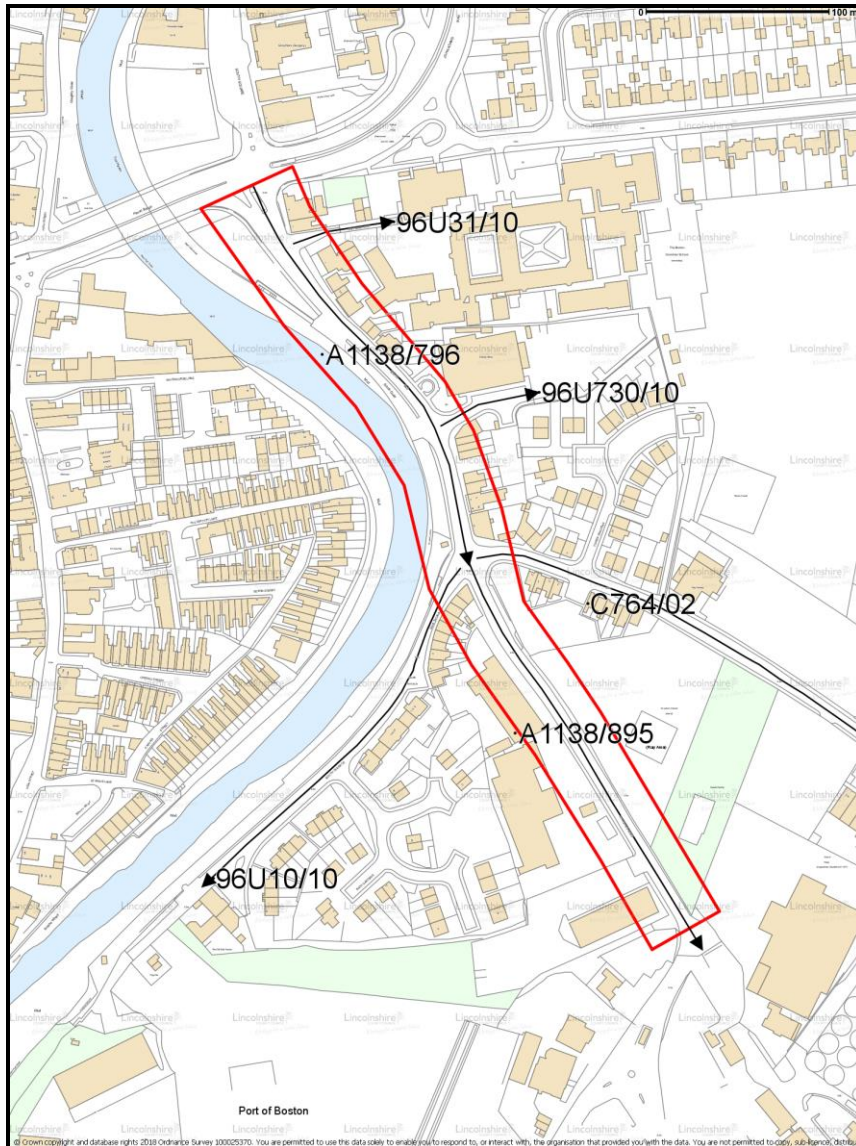
To allow the works to proceed and provide a serviceable, and safe, running surface for the travelling public

**1. Background**

- 1.1 The Dock Road at Boston 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. The treatments derived from these defects will be from 100mm to 220mm of new surfacing.

- 1.3 The proposals are to resurface a total of 475m of the Dock Road and 100m of the side road South Terrace by planing out the existing surface and replacing it with hot rolled asphalt, supported by deeper construction incorporating some small areas of geogrid where necessary. Drainage repairs will be undertaken whilst in attendance, and a significant amount of footway will be rebuilt with a view to regenerating the area.
- 1.4 Work will take place during night time hours from Monday to Friday between the hours of 1900hrs and 0600hrs. The option to work weekends will be reserved should it be deemed necessary. Access to residential properties will be maintained at all times.
- 1.5 Traffic will be managed by road closures with signed suitable alternative routes to be provided, where possible and maintained in serviceable condition. This road is the only access and egress for the dock. The dock has been consulted and is aware and accept that the road will be closed from 1900hrs each week night. Access for the dock only, will be available again from 0400hrs each morning.
- 1.6 The works are currently being tendered via Lincolnshire County Council's Select List Framework. The estimated cost of the works is £600,000.
- 1.7 The whole scheme costs are:
- Costs incurred thus far
- Design fees - £15000
- Projected additional costs
- Resurfacing contract - £600,000
  - Supervision fees - £15000
  - Laboratory / final product testing costs - £18000
- TOTAL SCHEME COST - £648,000**
- 1.8 The scheme will be funded from the 2020/21 Boston Development Schemes Budget.

## 1.9 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 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 have placed the Dock Road at Boston 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 works proposed in this report form part of the programme of works included in the Boston Development Schemes (Infrastructure & Economic) scheme, budgeted for in the Council's ten year Capital Programme approved as part of the 2020/21 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).