



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)

Approval is sought to proceed with the revised second phase of public realm works, as detailed on the attached plan, in accordance with the Cabinet DN.71 16 December 2019.

The Council has been awarded £1m Local Growth Fund from the Humber LEP, to support the redevelopment of the Sea Road site in Cleethorpes, as part of the ongoing programme of regeneration. The scheme includes demolition of existing buildings, construction of a new building and associated highway/public realm improvements.

The demolition works (except for the toilet block) and the first phase of public realm works have been completed. These works have been funded from the £1m grant from the LEP which is profiled to be spent by the end of March 2021.

Following a review of the LEP approved redevelopment scheme, which included a £1.55m contribution from the Council (with an allocation of £293K for public realm works), officers worked with the PFHs for Regeneration & Skills and for Tourism, Culture and Heritage to look at an opportunity for a more impactful scheme including increased commercial space. New designs were subsequently worked up and the agreed proposal for an enhanced scheme went to Cabinet in December 2019. The

costs of the enhanced proposal, as detailed in the Cabinet report, were estimated at an additional £1.6m Council contribution versus that which was approved within the Capital Investment Programme. As a condition of Cabinet's decision, the additional Council funding is subject to approval of a revised business case to the Capital Investment Programme and market evidence to support commercial viability.

In line with Cabinet's condition, market testing commenced in September 2020 to secure an occupier/operator, however this has been severely impacted by the economic uncertainties created by the pandemic. As a result, it has not been possible to properly test the market and there hasn't been a firm proposal come forward during this period. It may be therefore be necessary to resume this exercise during 2021, once the sector has begun to recover.

This delay has also impacted the delivery of the second phase of public realm works. In response, an alternative scope of works has been prepared for delivery before the end of this financial year. Upon completion, this would achieve the appearance of a completed scheme making it more attractive as an opportunity site for investors and ready for future development. It would also leave a clearly defined area of public realm works to be delivered as part of the construction contract with the potential for some financial efficiencies to be achieved.

The revised cost of the second phase of works is £700k. This can be delivered utilising the remaining LEP allocation for public realm works of £497k and Council contribution of £203k, which would be brought forward from the 2021-2022 allocation of £1.55m.

Works will include the construction of granite footways on the Promenade outside the Pier, a nominal width footpath will be constructed along the proposed building location. All carriageway resurfacing and road marking works will be complete. All footpaths will be opened to the public prior to the high season.

The site boundary for the new build construction site will be established in anticipation for the building contractor to start as to not cause further disruption to the general public

PBS Construction Ltd will undertake the work as an extension to their existing contract for public realm works in Cleethorpes.

2. Is it a Key Decision as defined in the Constitution?

No. At the Cabinet meeting on 16 December 2019, delegated authority was given to the Interim Director of Economy & Growth and the Portfolio Holder for Regeneration, Skills and Housing to undertake the procurement of capital activities required to deliver the programme activity in accordance with Council's Corporate Procurement Regulations; award a tender(s) within the allocated budget; take all actions necessary to secure the continued implementation and ultimate completion of the scheme including detailed design changes, submission of a planning application and all ancillary issues arising.

3. Details of Decision

Approval is sought to award this work to PBS Construction as a variation to their existing contract for the wider Cleethorpes Regeneration Project.

The original PBS contract value was £2.9m. An additional 50% can be added by Compensation Event. The previous contract was awarded following a tender evaluation exercise based on price and quality. As the Sea Road works are an extension, value for money has previously been demonstrated.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

An urgent decision is required to enable completion of works by the end of March 2021 in line with external funding deadlines and also to ensure that it is achieved before the start of the new tourism season.

5. Anticipated outcome(s)

To proceed with the extension of the public realm works contract for the Sea Road project and enable the Council to remain on programme for the LEP funding deadlines. To also complete the works prior to the new tourism season.

Deliver a completed public realm scheme which will enhance the development site, making it a more attractive opportunity for potential investors/operators.

6. Details of any alternative options considered and rejected by the officer when making the decision

N/A

7. Background documents considered

Grimsby and Cleethorpes Town Centres Investment Plan

<https://www.nelincs.gov.uk/wp-content/uploads/2016/03/3881-Investment-Plan-Screen-Res-1.pdf>

North East Lincolnshire Local Plan

<https://www.nelincs.gov.uk/wp-content/uploads/2018/05/20180518-AdoptedLocalPlan2018-WEB.pdf>

Cabinet, 16 December 2019 (CB 12/19/07)

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

N/A

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No

10. Monitoring Officer Comments (Monitoring Officer or Deputy Monitoring Officer)

The decision sought is consistent with the delegations afforded by Cabinet on 16th December 2019 – “c. *take all actions necessary to secure the continued implementation and ultimate completion of the scheme including detailed design changes, submission of a planning application and all ancillary issues arising*”.

To proceed by way of a permitted extension to the procured contract is the most efficient way forward.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The spend can be funded through existing approved capital budgets.

As outlined in section 13, there remains a residual risk that the Humber LEP may decide to claw back part of the grant funding if the new building does not proceed.

12. Human Resource Comments (Strategic Workforce Lead or nominee)

There are no direct HR implications contained within this report

13. Risk Assessment (in accordance with the Report Writing Guide)

There is a financial and reputational risk to the Council if the project is not delivered on time and on budget. Failure to undertake this work will directly impact the regeneration of the Sea Road site and may result in the loss of external funding.

A detailed project plan is in place to ensure key milestones are met, and the project team have extensive knowledge of delivering capital projects supported by external funding. The works will be overseen by the highways teams working closely with the contractor. Project delivery is monitored by the Cleethorpes Programme Board, with monthly updates circulated to the LEP.

14. Decision Maker(s):

Name: Clive Tritton

Title: Interim Director Economy and Growth

Signed: Approved via email

Dated: 2nd December 2020

**15. Consultation carried out with
Portfolio Holder(s):**

Name: Councillor John Fenty

Title: Portfolio Holder for
Regeneration, Skills and Housing

Signed: Approved via email

Dated: 2nd December 2020

**16. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name: N/A

Title: N/A

Signed: N/A

Dated: N/A

Appendix – copy of email approval

From: Cllr John Fenty (NELC) <John.Fenty@nelincs.gov.uk>
Sent: 02 December 2020 14:14
To: Helen Thompson (NELC) <Helen.Thompson1@nelincs.gov.uk>
Cc: Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>; Damien Jaines-White (NELC) <Damien.Jaines-White@Nelincs.Gov.Uk>; Guy Lonsdale (NELC) <Guy.Lonsdale@nelincs.gov.uk>; Bethany Salkeld (NELC) <Bethany.Salkeld@Nelincs.gov.uk>
Subject: Re: Officer Decision Notice Accessible - Sea Road Phase Two Public Realm 30 11 20

Hi Helen.

Thank you for the ODR of which I approve.

Also Sandie can electronically sign off if required.

Kind Regards Cllr John Fenty
07712398656

From: Helen Thompson (NELC)
Sent: 02 December 2020 09:56
To: Cllr John Fenty (NELC) <John.Fenty@nelincs.gov.uk>
Cc: Bethany Salkeld (NELC) <Bethany.Salkeld@Nelincs.gov.uk>; Guy Lonsdale (NELC) <Guy.Lonsdale@nelincs.gov.uk>; Damien Jaines-White (NELC) <Damien.Jaines-White@Nelincs.Gov.Uk>; Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>
Subject: RE: Officer Decision Notice Accessible - Sea Road Phase Two Public Realm 30 11 20

Dear Cllr Fenty

Please find attached the ODR for the Sea Road Phase Two Public Realm works which we discussed in the briefing yesterday.

Can you confirm that you approve this, by return email please?

Kind regards – Helen
Helen Thompson, Investment Manager Partnership & Engagement
Economy & Growth Team | North East Lincolnshire Council, Municipal Offices,
Town Hall Square, Grimsby, DN31 1HU | (01472) 325722 | 07584 150297 |

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<https://www.youtube.com/user/northeastlincs> [instagram]
<https://instagram.com/nelcouncil/>
Stay alert. Control the virus. Save lives.
[cid:image009.jpg@01D6C8B3.5FD6C460]

From: Clive Tritton (NELC)
<Clive.Tritton@nelincs.gov.uk<mailto:Clive.Tritton@nelincs.gov.uk>>
Sent: 02 December 2020 09:49
To: Damien Jaines-White (NELC) <Damien.Jaines-White@Nelincs.Gov.Uk<mailto:Damien.Jaines-White@Nelincs.Gov.Uk>>
Cc: Bethany Salkeld (NELC)
<Bethany.Salkeld@Nelincs.gov.uk<mailto:Bethany.Salkeld@Nelincs.gov.uk>>; Guy
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Subject: RE: Officer Decision Notice Accessible - Sea Road Phase Two Public
Realm 30 11 20

Approved

Clive Tritton, Interim Director; Economy, Growth and Environment; North East
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Stay alert. Control the virus. Save lives.
[cid:image033.jpg@01D6C890.ACF12920]

From: Damien Jaines-White (NELC) <Damien.Jaines-White@Nelincs.Gov.Uk<mailto:Damien.Jaines-White@Nelincs.Gov.Uk>>

Sent: 02 December 2020 09:28

To: Clive Tritton (NELC)

<Clive.Tritton@nelincs.gov.uk<mailto:Clive.Tritton@nelincs.gov.uk>>

Cc: Bethany Salkeld (NELC)

<Bethany.Salkeld@Nelincs.gov.uk<mailto:Bethany.Salkeld@Nelincs.gov.uk>>; Guy
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Subject: FW: Officer Decision Notice Accessible - Sea Road Phase Two Public
Realm 30 11 20

Importance: High

Clive

Further to my email yesterday, please find version since updated. I've spoken to Guy this morning and he agrees with the approach to risk and mitigating factors, ie. that we proceed.

Happy to talk if required but if you can approve it would be helpful if you could copy Helen Thompson in so she can get John's approval.

Beth – pls ensure Clive works off this one and not the one I sent yesterday.

Thanks
Damien