



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Cabinet Decision Notice dated 13th January 2021

RESOLVED –

1. That authority be delegated to the Director of Economy and Growth and Director of Resources and Governance, in consultation with the Leader of the Council to accept £2.243m of grant funding from the Greater Lincolnshire LEP on behalf of the Council, if the application is successful.
2. That authority be delegated to the Director of Economy and Growth in consultation with the Portfolio Holder for Environment and Transport to:
 - a) finalise the terms of the funding arrangement with the Greater Lincolnshire LEP and receive the funds.
 - b) commence related procurement exercises to deliver projects within the programme in accordance with the Public Contract Regulations 2015 and to make appropriate contract awards.
3. That the Chief Legal and Monitoring Officer be authorised to settle, complete and execute all documentation arising from the above.

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

EQUANS is seeking approval to award the Contract for the provision of Grimsby-Immingham cycle highway project (A1173).

The decision is to approve the award of construction contract, funded by taking receipt of the 'Getting Building Fund' from the Greater Lincolnshire LEP (GLLEP) to fund the complete works.

In spring 2020 the GLLEP contacted local authorities requesting potential schemes for a new Government fund. The 'Getting Building Fund' is part of the Government's post COVID-19 response and is aimed at delivering "shovel ready" schemes. In response the North East Lincolnshire Council submitted an Expression of Interest for £2.243m of LEP funding to deliver three new sections of cycle infrastructure in the area between Grimsby and Immingham ports along the South Humber Bank.

The three elements of the project are:

- **Immingham town centre to Stallingborough Industrial Site, via the Kings Road and the A1173.**
- A180 Westgate between Lockhill roundabout and Westgate roundabout.
- Hobson Way between the South Humber Bank link road and the junction with South Marsh Lane.

The scheme will support sustainable access to employment and training opportunities along the South Humber Bank, including helping to deliver the SHIIP site near Stallingborough and the Humber Gate & Great Coates Industrial Park site. Between them, these sites have the potential to support over 4,000 new jobs and thousands of new training opportunities in the near future. Providing a high-quality cycle link between these sites and the towns of Immingham and Grimsby will help residents access these opportunities, many of whom may live in the more deprived areas of the Borough and who may not have access to their own private car. The new infrastructure will help these people access opportunities that may not have been available to them previously. As well as supporting accessibility to new development sites the new cycle links will also support the businesses that are already located along the South Humber Bank.

The scheme also has significant road safety benefits, the industrial roads are already dominated by HGV traffic and the opening of the South Humber Bank Link Road later this year will add further traffic. Providing cyclists with their own space away from other traffic will make it safer and more attractive for people to cycle to work. This in turn helps reduce both the environmental impact of journeys to work but also means that there are less cars on the roads and less congestion that can often cause a direct cost to business traffic.

EQUANS have completed a framework tender exercise and are positioned to appoint a contractor as part of that process. The tender exercise produced two submissions and lowest submission was made by C R Reynolds Ltd.

The works schedule commences on 10th January 2022 and completes on 31st March 2022. This positions the works schedule conveniently against other planned major schemes on North East Lincolnshire Council's highway network.

A dedicated Project manager is assigned to this project, whose responsibilities are as follows: -

- Plan and monitor overall progress, the critical path, resolving issues and initiating corrective actions as appropriate
- Management of day-to-day communication and public liaison
- Management of risks and opportunities
- Management of works packages and supply chain.

The Highway Design Team will be responsible for the day-to-day delivery of the project.

The appointed Contractor will be responsible for the implementation of the proposed works, the extent of which are shown on the attached plan.

3. Decision being taken

Approval to carry out the award process in accordance with the Councils Contract Procedure Rules

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.

Yes.

To achieve the programmed start date a decision is required by 24 December 2021

5. Anticipated outcome(s)/benefits

1. To proceed with the award of a Cycleway scheme.
2. That authority is given to the Monitoring Officer to complete all requisite legal documentation in relation to the matters outlined above.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

When developing this programme, the Project Team considered a wide range of potential projects, taking into account their likely impact on sustainable travel in the Humber Bank area, the Local Transport Challenges and the Council's priority outcomes.

It is felt that the option presented to the GLLEP presented the best option available, other options such as "do nothing" would have failed to address the lack of sustainable transport alternatives in the area and a "do more" approach would have added significantly more cost to the project without adding additional benefits. The real need with the project is to address the lack of cycle infrastructure alongside roads that are / have the potential to be dominated by HGV traffic associated with existing and new industrial activity along the Humber Bank. The three links identified will achieve this aim, additional sections of new infrastructure on quieter, less trafficked roads are less of priority.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

Cabinet Decision Notice dated 13th January 2021

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

No

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)

N/A

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision to approve the award is consistent with the Cabinet decision and delegations of 13th January 2021 and is in line with the overall scheme and has, and will, follow the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Legal Services will support the completion of the contractual documentation on award.

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

The procurement process aims to achieve best value for money in contracting works and services.

The grant funding has been factored into the approved scheme and has been incorporated into the Council's Capital Investment Programme.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications

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

There is a risk that if the contract is not awarded before the end of the current financial year, that :-

a) The preferred supplier may be unavailable to provide this service due to the length of delay incurred from tender evaluation to award.

14. Has the Cabinet Tracker been updated with details of this decision?

Yes

15. Decision Maker(s):

Name: Sharon Wroot

Title: Executive Director Environment,
Economy and Resources

Signed: REDACTED

Dated: **22/12/2021**

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

Name: Councillor Philip Jackson

Title: Leader of the Council

Signed: REDACTED

Dated: 23rd December 2021

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

Name: Councillor Tom Furneaux

Title: Chair of the Economy Scrutiny
Panel

Signed: AGREED VIA EMAIL

Dated: 23rd December 2021

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;

- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.

APPENDIX 1

EMAIL APPROVAL

From: Cllr Tom Furneaux (NELC) <Tom.Furneaux@nelincs.gov.uk>
Sent: 23 December 2021 10:08
To: Nadeem Hussain (EQUANS) <Nadeem.Hussain@nelincs.gov.uk>
Cc: Democracy <Democracy@nelincs.gov.uk>; Emma Clark (EQUANS) <Emma.Clark@nelincs.gov.uk>; Lani Lamming (EQUANS) <Lani.Lamming@Nelincs.gov.uk>
Subject: Re: Cycle super highway project A1173 ODR

Morning Nadeem

No issue with this at all.

Kind regards

Cllr Furneaux

From: Nadeem Hussain (EQUANS) <Nadeem.Hussain@nelincs.gov.uk>
Sent: Thursday, December 23, 2021 8:55 am
To: Cllr Tom Furneaux (NELC)
Cc: Democracy; Emma Clark (EQUANS); Lani Lamming (EQUANS)
Subject: FW: Cycle super highway project A1173 ODR

Hi Cllr Furneaux,

Please find attached signed ODR (by Cllr Jackson and Sharon Wroot) for your approval.

I trust the above is to your satisfaction and I look forward to your response.

Kind regards,

Nadeem Hussain
Project Manager
Highways & Transport
Places & Communities – NEL
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