



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

These works are part of the overall LTP programme of works managed by Equans. On the 26 March 2024 the proposed LTP Programme was approved at Cabinet with delegated powers passed to Executive Director, Economy, Environment and Infrastructure in consultation with the Portfolio Holder for Environment and Transport.

DN.111 LOCAL TRANSPORT PLAN DELIVERY PLAN (2024-27

RESOLVED –

1. That the proposed LTP Delivery Plan (Appendix 1 of the report now submitted) including the LTP capital programme for 2024/25 – 2026/27 be approved.
2. That the Director for Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Environment and Transport, be authorised to:
 - finalise the terms of the funding arrangement with the Department for Transport (DfT) and receive funds.
 - establish programme governance arrangements including the approval of any project variations, commence any related procurement exercises to deliver projects within the programme in accordance with the Public Contract Regulations 2015 and to make appropriate contract awards.

- implement appropriate monitoring arrangements including receipt of a monthly update on programme progress.

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

The project forms part of the LTP 2024/25 delivery plan. The main project is Kiln Lane in Immingham.

A tender was let through NELC's highways framework. The award criteria used to evaluate the submissions was cost only, with the award going to the lowest tender value. However, the successful contractor is known to NELC/Equans and they have a sound reputation.

3. Decision being taken

That the Director for Economy, Environment and Infrastructure, in consultation with the Portfolio Holder for Housing, Infrastructure and Transport, awards the contract for implementation of Kiln Lane in Immingham, following the conclusion of the evaluation process and thereafter deal with all ancillary matters reasonably arising.

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. The programmed construction start date is 09 September 2024. The ODR needs to be signed before the winning contractor can be notified, leaving only a small amount of time for the successful contractor to be in a position to mobilise ready for the construction to start on site.

5. Anticipated outcome(s)/benefits

The successful tenderer is Specialist Surfacing Ltd, tender return value £641,797.51.

The contractor mobilisation period will start upon award of the contract and receipt of a signed contract. Duration of the works will be approximately 8 weeks.

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

N/A

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

North East Lincolnshire Local Transport Delivery Plan 2024-2027.

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)

None

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will and expectation of Cabinet, noting the recent change in title for the Portfolio Holder, formalised within the Constitution.

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

The cost of the contract is to be funded from the 2024-25 LTP capital scheme, which is part of the Council's approved Capital Investment Programme.

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

There are no direct HR implications arising from the contents of this report.

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

There is a significant risk to the Authority that if the contract is not awarded on time as the programme of works start date will be delayed and the project may not be delivered on time.

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

There is no requirement to update Cabinet tracker at this stage. This scheme is one of a number of schemes which are included in the LTP programme of works. Highlight reports are taken each month to the PfH for approval and updates are provided to Scrutiny and Cabinet on a regular basis

15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director for Economy,
Environment and Infrastructure

Signed: REDACTED

Dated: 12/08/2024

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

Name: Cllr Stewart Swinburn

Title: Portfolio Holder for Housing,
Infrastructure and Transport

Signed: REDACTED

Dated: 13th August 2024

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

Name: Cllr Sheldon Mill

Title: Scrutiny Chair

Signed: REDACTED

Dated: 13th August 2024

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.