



## **CABINET DECISION NOTICE**

Publication Date: 1<sup>st</sup> June 2020

At the special meeting of the Cabinet held on 28th May 2020 the following matters were discussed. The decisions of Cabinet are set out below each item along with reasons for the decision and other options considered.

### **Present:**

Councillor Jackson (in the Chair)  
Councillors Cracknell, Fenty, Lindley, Shepherd, Shreeve and S. Swinburn.

### **DN.117 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Procter.

### **DN.118 DECLARATIONS OF INTEREST**

There were no declarations of interest with regard to any items on the agenda for this meeting.

### **DN.119 MINUTES**

The minutes of the special Cabinet meeting on 1<sup>st</sup> May, 2020 were agreed as a correct record.

### **DN.120 FUTURE ARRANGEMENTS FOR THE SPONSORSHIP OF COUNCIL ASSETS**

Cabinet considered a report from the Portfolio Holder for Environment and Transport setting out proposed replacement arrangements for the sponsorship of Council assets

**RESOLVED –**

- 1. That the Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to commence a procurement exercise for the sponsorship of assets, as set out in the report now submitted.**
- 2. That the Interim Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to award such contract.**
- 3. That the Chief Legal and Monitoring Officer be authorised to execute all documentation in connection with the award.**

REASON FOR DECISION – The decision allows the Council to commence a procurement exercise for the sponsorship of its assets, and for the Council to award a contract before the 26<sup>th</sup> November 2020, allowing continuity of service.

**OTHER OPTIONS CONSIDERED –**

1. Do nothing. This option would leave the Council with no contract in place, and non-compliant with the Council's Contract Procedure Rules.
2. Bring the service back in-house. This option would be resource intensive because it would require the Council to establish a list of potential sponsors, manage relationships with sponsors, produce sponsorship and collect income.

**DN.121      ESTATE ROAD 2 GRIMSBY, CARRIAGEWAY AND FOOTWAY RECONSTRUCTION**

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval to deliver a scheme to reconstruct the carriageway and footway on Estate Road 2, between Estate Road 6 and the A180 Pyewipe roundabout, due to its failing condition.

**RESOLVED –**

- 1. That the proposal to complete the carriageway and footway reconstruction works to Estate Road 2 be approved, utilising £1.9 million of capital funding and £180k from the approved Local Transport Plan.**
- 2. That the Interim Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to commence an appropriate procurement exercise and to make an appropriate contract award for the works.**

3. **That the Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to ensure that all actions necessary and ancillary to the above resolutions be completed.**
4. **That the Chief Legal and Monitoring Officer be authorised to execute all documentation arising.**

REASON FOR DECISION – If extensive reconstruction is not completed to Estate Road 2 it may become unsafe with a risk of closure. Closure would result in businesses not having vehicular access to Estate Road 2 and the connecting Estate Road 8, potentially leading to claims against the Council for reimbursement of business rates.

#### OTHER OPTIONS CONSIDERED –

1. Do nothing. The Council could have chosen to do nothing as an alternative to securing funding to deliver the project. This would lead to a significant deterioration in the condition of Estate Road 2, resulting in a requirement to potentially close the road and placing the Council at risk of failing to exercise its duties under the Traffic Management Act 2004.
2. Surface Treatment. Surface treatment such as surface dressing or resurfacing of an area where structural failure has been identified is not suitable or cost effective as any surface treatment would severely limit the lifespan of the new surface. It would be very difficult to achieve a satisfactory finish without additional repairs being required to the structural layers which had already failed and would further increase the costs. In accordance with the Council's highway asset management strategy, strategic routes with heavy HGV use are prioritised for resurfacing rather than surface to extend the life of the carriageway and reduce disruption to motorists. This option was therefore, not recommended.
3. Carriageway and footway patching. The scheme would need to be split into smaller areas of work spread over 3 to 10 years, dependent on available funding, which would result in extensive disruption to road users, and would result in a higher overall repair cost. The completion of reconstruction works, on Estate Road 2 between Estate Road 6 and Estate Road 8 in recent months, has highlighted significant sub-standard ground conditions which requires additional strengthening to effect a permanent repair. The depth of construction required to mitigate the substandard ground conditions in this area is not considered suitable for patching works. Patching will not address the failure in the sublayers. This option was therefore not recommended.

## **DN.122 CORPORATION ROAD BRIDGE REFURBISHMENT**

Cabinet considered a report from the Portfolio Holder for Environment and Transport seeking approval to deliver a scheme to refurbish Corporation Road Bridge due to its failing condition.

## **RESOLVED –**

- 1. That the proposal for the Council to complete the refurbishment of Corporation Road Bridge be approved in principle.**
- 2. That the acceptance of the Department for Transport offer of £2.967 million grant funding for the Local Highway Maintenance Challenge Fund be approved, with the Council acting as the Accountable Body for the award.**
- 3. That the Interim Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to commence an appropriate procurement exercise and to make an appropriate contract award for the works.**
- 4. That the Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport to ensure that all actions necessary and ancillary works to the above resolutions are completed.**
- 5. That the Chief Legal and Monitoring Officer be authorized to execute all documentation arising.**

REASON FOR DECISION – The authority has identified Corporation Road Bridge as a priority for repair particularly in respect of its heritage and economic value to the town. The Council has set aside committed funds of £1.83million to enable a 40% contribution of the overall scheme costs, which total £4.967million. Funding has been secured from the Department for Transport to enable completion of the scheme.

## **OTHER OPTIONS CONSIDERED –**

1. Do nothing. The Council could have chosen to do nothing as an alternative to securing funding to deliver the project. This would result in the ongoing deterioration of the structure, eventually leading to the closure and potential collapse of the bridge. This would not be meeting the level of care expected of the owner of a listed structure, or the authority's duty to maintain the highway.
2. Safety Critical Works Only. The defects that are safety critical could be fixed, and the longer term problems deferred. While this would prevent immediate danger to the road users it would not solve the underlying problems, leading to more extensive works in the future. As this is not meeting the expected level of care, a S54 Notice could be issued.

## **DN.123 PUBLIC CONVENIENCES REVIEW**

Cabinet considered a report from the Portfolio Holder for Regeneration, Housing and Skills seeking a decision from Cabinet following the latest management review in respect to the financial pressures that the Public

Conveniences portfolio present the Council in order to demonstrate we have listened to the feedback from customers, against the necessity to achieve the level of savings required.

This item was considered under the Special Urgency requirements as set out in the Council's Constitution, and with the agreement of the Chair of the Economy Scrutiny Panel. It is therefore not subject to the call-in procedure.

**RESOLVED – That the Director of Resources and Governance be instructed (having full regard at this time to public health and other issues arising from the COVID response and at the Director's discretion as to timing) to implement the following:**

- a) the closure of Grant Street Public Conveniences;**
- b) the removal of Pay-To-Use entry charges to Public Conveniences throughout the Resort of Cleethorpes;**
- c) explore lease out of the Boating Lake Public Conveniences and provide contract payment to community interest;**
- d) reduction on contract costs at Sea Road – through management of new and reduced provision leased to Danfo;**
- e) explore the reopening of North Promenade Public Conveniences – leased in and sub-leased to Danfo;**

**and to deal with all issues arising from the above in consultation with the Portfolio Holders for Regeneration, Housing and Skills and Tourism, Heritage and Culture.**

REASON FOR DECISION – The Council wish to take the opportunity to use the savings from the closure of Grant Street to remove the 20p Pay-To-Use charge across all the Resort Public Conveniences. Officers will explore the potential lease out of the public conveniences at the Boating Lake. The potential savings associated with a reduced contract for the new facilities at Sea Road and the lease of the Boating Lake Public Conveniences could facilitate the re-opening of the former Public Conveniences at North Promenade, which would result in maintaining an equal provision of Resort facilities.

OTHER OPTIONS CONSIDERED – Do nothing. To do nothing is not considered a viable option as continuing to manage the portfolio across the current locations and split management as is currently would lead to the overall provision becoming ineffective, thus leading to rising expenditure. The Council risk unnecessary and negative publicity as well as potentially being wholly liable for one site in particular, together with all future associated expenditure including any missed opportunity of investment into or expansion of the potential use and activities.