



## **CABINET DECISION NOTICE**

Publication Date: 21<sup>st</sup> October 2022

At a meeting of the Cabinet held on the 19<sup>th</sup> October 2022 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, Furneaux, Harness, Shepherd, Shreeve and S. Swinburn

### **DN.53      APOLOGIES FOR ABSENCE**

No apologies for absence were received for this meeting.

### **DN.54      DECLARATIONS OF INTEREST**

There were no declarations of interests made from Members with regard to items on the agenda for this meeting.

### **DN.55      A180 STRUCTURES**

The Cabinet considered a report from the Portfolio Holder for Environment and Transport on the delivery of a scheme to repair three major bridges and resurface the carriageway along the A180, between Pyewipe roundabout and Riby Square.

#### **RESOLVED –**

- 1. That the proposal to complete the bridge repairs and carriageway surfacing works to the A180 between Pyewipe roundabout and Riby Square, utilising allocated funding from the Department for Levelling Up, Housing and Communities (DLUHC) and Council capital funding approved via internal governance processes, be approved.**
- 2. That the Executive Director Environment Economy and**

**Resources be authorised, in consultation with the Portfolio Holder for Environment and Transport, to commence an appropriate procurement exercise for delivery of the required works and to make an award.**

- 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 recommendations be completed including Fall mobilisation and implementation formalities, which will include the following criteria from DLUHC;**
  - Make every reasonable effort to deliver the project according to the business case submitted to DLUHC by the Council.**
  - Provide quarterly monitoring updates to DLUHC through agreed programme board structures.**
  - Undertake to provide further information and support, including collaboration with other bodies or agencies, if requested.**
- 4. That the Assistant Director Law Governance and Assets (Monitoring Officer) be authorised to execute all documentation arising.**

#### **REASONS FOR DECISION –**

Repairs are required now to stop the ongoing deterioration of these structures. If no repairs are undertaken, large scale emergency repairs to correct additional deterioration will be required. The longer the deterioration is not addressed, the greater the impact on the structures condition and the greater the cost will be to repair with additional elements failing over time.

There will also be smaller scale emergency repairs in a similar nature to those we have already been undertaking, such as repairs to failed expansion joints to ensure the safety of vehicles crossing the bridge; these smaller scale works will increase in frequency and extent until a large-scale emergency scheme is required.

It is possible without intervention now that weight limits would need to be imposed before the potential emergency scheme, especially on Gilbey Road Flyover due to the bearing and abutment issues, and on Cleethorpes Road Flyover due to the concrete issues.

#### **OTHER OPTIONS CONSIDERED –**

Option 1: Do Nothing - This option was not recommended.

If the road and bridge condition deteriorate to a level where undertaking reactive maintenance cannot maintain the road or bridges in a safe condition, the highway authority will have to close the A180 or impose weight restrictions to remove any risk of danger and injury to highway

users.

The reputational and financial risk of closing a key strategic road in the borough and potential associated claims for disruption/failure of business due to restriction of vehicular access, which will include impact on business rates payable to the council is significant. This would lead to an emergency scheme to repair the structure, which would be far more rushed and therefore less competitive than a planned scheme.

Option 2: Repairs over 5-10 years - This option was not recommended.

Without an injection of capital investment in this project the bridge repairs would be unable to be completed as the repair works far outweigh the funding available for highway maintenance through the councils' LTP. The scheme would need to be split into smaller areas of work spread over 5-10 years, still requiring additional funding, which would result in extensive disruption to road users, and would result in a higher overall repair cost.

Due to the strategic nature of the A180, it is also not recommended to be completed in shorter lengths. As well as a phased work programme to enable the required structural bridge repairs and carriageway resurfacing, reactive maintenance repairs will continue to be undertaken to ensure a managed deterioration of the carriageways and structures, though this would be at considerable ongoing cost and at high risk of further damage to the fabric of the structures. This would impact on travel times, with planned maintenance works having to be undertaken on a regular basis over a number of years to complete.

This approach would take all the LTP funding for many years, preventing other structural works from being undertaken and leading to problems with other structures.

## **DN.56     COUNTER-TERRORISM LEGISLATION PREVENT DUTY - VENUE HIRE AND EXTERNAL SPEAKER POLICY**

The Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking to approve the Counter Terrorism legislation Prevent Duty - Venue Hire and External Speaker Policy

### **RESOLVED –**

- 1. That the legal obligation to have “due regard to the need to prevent people from being drawn into terrorism”, including the requirement for a venue hire policy to be in place, to ensure that premises are not used by radicalising influencers be noted.**
- 2. That the the venue hire and external speaker policy be adopted and the Executive Director for People, Health and Care be instructed to so implement, in consultation with the Portfolio Holder for Finance, Resources and Assets.**

REASONS FOR DECISION – The local authority requires a Venue Hire Policy to be approved in order to meet its statutory duties under sections 26 and 29 of the Counter-Terrorism and Security Act 2015

OTHER OPTIONS CONSIDERED – No other options have been considered as a Venue Hire Policy is a requirement as part of the Home Office Assessment benchmarking tool. Appropriate training will be given for those responsible for making decisions around venue hire.

## **DN.57     FRESHNEY PLACE ACQUISITION AND GOVERNANCE ARRANGEMENTS**

The Cabinet considered a report from report from the Leader of the Council and Portfolio Holder Economy, Net Zero, Skills, and Housing on the acquisition of Freshney Place Shopping Centre and proposed governance arrangements regarding its future operation

### **RESOLVED –**

- 1. That the progress made since acquisition of Freshney Place Shopping Centre be noted.**
- 2. That the proposed governance arrangements for the future operation of Freshney Place Shopping Centre with a distinction between strategic, tactical and operational matters, howsoever described or settled, be noted.**
- 3. That sitting as part of the proposed Freshney Place Cabinet Committee, authority be delegated to the Leader of the Council, the Portfolio Holder for Finance, Resources and Assets and the Portfolio Holder for Safer and Stronger Communities (acting as a sub-committee of Cabinet and subject to all constitutional and regulatory matters), to make any key decision, following recommendations from the Executive Director Environment, Economy and Resources and other officers as appropriate, as defined in the Constitution, in connection with Freshney Place and the juxtaposition of Freshney Place in the wider town centre strategy. Such committee to act in accordance with the Core Terms of Reference set out in Appendix 1 of the report now submitted.**
- 4. That, as part of the proposed Oversight Group, the existing constitutional delegations to the Executive Director for Environment, Economy and Resources to take all decisions up to key decision threshold in connection with Freshney Place be reaffirmed.**
- 5. That, as part of the Operational tier of governance, and in accordance with established constitutional delegations, the said Assistant Director Regeneration, Deputy Section 151 Officer and Assistant Director Law and Governance, acting**

**jointly or by two of them only and with engagement from the Asset Managers, be authorised to make decisions up to a level to be decided by the Executive Director for Environment, Economy, and Resources, but not to exceed the key decision threshold.**

- 6. That governance and day to day operations be reviewed by the Audit and Governance Committee and the Economy Scrutiny Panel respectively, on an annual basis with any recommendations arising being brought to Cabinet.**

REASONS FOR DECISION – To update Cabinet regarding the acquisition of Freshney Place Shopping Centre and proposed governance arrangements regarding its future operation.

OTHER OPTIONS CONSIDERED – Council manages the centre – The Council does not have the specialist retail expertise, nor capacity in-house to run all facets of Freshney Place. Consequently, it is not feasible to explore this option further.