



**REPORT TO CABINET  
TO BE HELD ON  
16 OCTOBER 2018**

<b>Corporate Aims:</b> <b>People/Place/Prosperity/Council</b>	<b>Key Decision</b>	<b>Yes</b>
	<b>Forward Plan ref</b>	<b>31</b>
	<b>Portfolio Holder</b>	<b>Cllr Cockerill</b>

**REPORT OF: DIRECTOR (NE) – 18/235**

**WARDS AFFECTED: WHITBY WEST CLIFF AND STREONSHALH**

**SUBJECT: DOCK END REPAVING, WHITBY**

**RECOMMENDATION (S):**

The Cabinet is recommended to approve that:

- The Council enters into a contract with Wilf Noble (Construction) Ltd to carry out the repaving, in natural York stone, of Dock End, Whitby.
- Allocate £181,500 of the previously approved budget to complete the works.

**REASON FOR RECOMMENDATION(S):**

To facilitate the carrying out of the repaving of Dock End.

**HIGHLIGHTED RISKS:**

The risk register is attached at Appendix A.

The following are highlighted as key risks:

- Third party accident claims as a result of the deteriorating state of the existing surface.
- Delays caused as a result of adverse winter weather and the potential costs associated therewith.
- Impact on adjacent business due to delays associated with progress during

adverse winter weather.

## **1. INTRODUCTION**

- 1.1 The existing paving at Dock End, Whitby was laid by Yorkshire Water in 1998/99 following the infilling of a section of Dock End Basin for the purpose of installing a 35 metre deep drainage shaft.
- 1.2 Regrettably the paving used was of a sub- standard quality and oversights at that time resulted in this material being laid.
- 1.3 The paving started to deteriorate quite rapidly and the defects arising resulted in an increasing number of third party claims due to trips and falls.
- 1.4 The Council undertook regular inspections and repairs which have continued to be a financial burden on the Council and the ongoing risk of claims still exists.
- 1.5 In recent times repairs have been undertaken using cementitious material which has detracted from the general appearance of the area.

## **2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 This decision will underpin all of the Council's Corporate Plan aims:

Aim 1: People

Aim 2: Place

Aim 3: Prosperity

Aim 4: Council

## **3. BACKGROUND AND ISSUES**

- 3.1 The Financial Strategy 2018 earmarked and approved £200,000 towards the repaving of Dock End (18/43).

## **4. CONSULTATION**

- 4.1 Consultation has taken place with stakeholders and the adjacent business and ongoing talks will continue throughout the delivery period.
- 4.2 Whitby Town Council have been involved in the process and the commencement of these works will be deferred until after Remembrance Day.
- 4.3 Whitby Civic Society recently delivered a report on the deteriorating state of highway authority pavements and public open spaces in Whitby and this project addresses a main element of that document.

## 5. ASSESSMENT

- 5.1 The approval of this report would ensure a start in mid-November 2018 allowing the completion of a significant amount of paving before Christmas.
- 5.2 These works will deliver a quality public space in Whitby.
- 5.3 There is no external funding for this project.

## 6. IMPLICATIONS

### (a) Policy

- 6.1 There are no policy implications as a result of this report.

### (b) Financial

- 6.2 The tendered cost of this project and current approval budget set by Council is set out below.

Cost Component	Approved Budget	Tendered Cost
Construction Costs	£200,000 (Council Report 18/43)	£172, 839.70
Project Management and Site Supervision		£9,660.30
TOTAL SCHEME COST	£200,000	£182,500.00

### (c) Risk

- 6.3 The risks are set out in Appendix A

### (d) Legal

- 6.4 The work is to be carried out on land in the ownership of the Council and no notices are required to be served on others. The Council will be entering into a contract with the successful contractor, Wilf Noble (Construction) Ltd, for the works.

### **(e) Environmental and Sustainable Development**

- 6.5 It is not envisaged that any works will in itself adversely impact on the environment.

### **(f) Procurement**

- 6.6 The project was procured on “Yortender” with seven contractors submitting a bona fide tender submission.

- 6.7 The seven contractors submitted costings as below:

£172,839.70

£199,208.09

£204,907.68

£208,873.50

£219,730.50

£239,630.00

£288,548.70

- 6.8 The tenders were scored using a 70/30% split on price/quality and the successful Contractor is Wilf Noble (Construction) Ltd, of Whitby at a cost of £172,839.70.

### **(g) Planning**

- 6.9 There is no planning requirement to pave the area in Yorkstone neither is there a need to obtain planning permission for the project.

The Conservation Officer did express his desire to use a natural product throughout of a high quality that will enhance the appearance of this public open space.

### **(h) Health & Safety**

- 6.10 There are no direct health and safety implications as a result of this project.

All of the health & safety implications associated with construction will be managed by the contractor.

### **(i) Others**

- 6.11 I have considered whether the following implications arise from this report and I am satisfied that there is no identified adverse implications that will arise from this decision.

Equalities and Diversity  
Staffing

*Nicholas Edwards*

Nick Edwards  
**Director**

Report Author: Mr John Woodhead, Northern Area Engineer – October 2018

Background Papers:

Please give details of all publicly accessible (non private) background papers applicable to the report:

Council 18/43

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT THE AUTHOR

## Risk Matrix

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	13.9.18	Third Party Claims as a result of the deteriorating existing surface.	Financial loss to Local Authority	Undertake project at the earliest opportunity	D3	A1	C.E. Projects (JW)	Deliver Project
2	13.9.18	Delay due to adverse winter weather	Continuation of Risk 1 and potential costs associated with delayed progress	Undertake project at the earliest opportunity	C3	B2	C.E. Projects (JW)	Deliver Project
3	13.9.18	Potential claims from adjacent business due to slow progress in winter	Potential claim for effect on business	Undertake project at the earliest opportunity	B2	A1	C.E. Projects (JW)	Deliver Project

## Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low  
 B = Not Likely  
 C = Likely  
 D = Very Likely  
 E = Almost Certain

### Impact

1 = Low  
 2 = Minor  
 3 = Medium  
 4 = Major  
 5 = Disaster