

## LYDNEY COASTAL COMMUNITY FUND

### CONSTRUCTION OF A HIGHWAY IMPROVEMENT SCHEME, HARBOUR ROAD, LYDNEY CONTRACT PROCUREMENT AND ANCILLARY ORDERS

<b>Cabinet Date</b>	20 December 2019
<b>Highways &amp; Flood</b>	Cllr Vernon Smith
<b>Key Decision</b>	Yes
<b>Background Documents</b>	<ul style="list-style-type: none"> <li>• Forest of Dean District Council Confirmation of Award</li> </ul>
<b>Location/Contact for inspection of Background Documents</b>	<a href="https://www.fdean.gov.uk/residents/planning-building/regeneration/lydney/lydney-docks-and-harbour/">https://www.fdean.gov.uk/residents/planning-building/regeneration/lydney/lydney-docks-and-harbour/</a>
<b>Main Consultees</b>	<ul style="list-style-type: none"> <li>• Local Member (Cllr A Preest for Lydney)</li> <li>• Forest of Dean District Council</li> <li>• Wide range of consultees as part of the statutory consultation exercise (Police/Ambulance/Freight &amp; Haulage associations) – Consultation Ongoing</li> <li>• Residents, general public and businesses (Public share events are scheduled for 2020)</li> </ul>
<b>Planned Dates</b>	<ul style="list-style-type: none"> <li>• Detailed design start – January 2020</li> <li>• Detailed design end – May 2020</li> <li>• Issue tender documents – July 2020</li> <li>• Tender assessment and award – August 2020</li> <li>• Construction start – September 2020</li> <li>• Scheme complete and open to the public – March 2021</li> </ul>
<b>Divisional Councillor</b>	Cllr A Preest for Lydney
<b>Officer</b>	Richard Lloyd Senior Engineer <a href="mailto:richard.lloyd@gloucestershire.gov.uk">richard.lloyd@gloucestershire.gov.uk</a>

<p><b>Purpose of Report</b></p>	<p>To seek authorisation from Cabinet:</p> <ol style="list-style-type: none"> <li>1. To delegate authority to the Lead Commissioner, Highway Authority to enter into a funding agreement with Forest of Dean District Council under which Gloucestershire County Council (GCC) shall receive funds from Forest of Dean District Council and thereafter become the “Client” for the purposes of procuring a contract for works in respect of the proposed Lydney Coastal Community Fund Highway Improvement scheme described in this report. An arrangement under which GCC (as the Highways Authority) undertakes such works within the highway extent is the most cost effective way to undertake this scheme; works will proceed using the Highway Authorities permitted development rights, as agreed with Gloucestershire County Council’s Planners.</li> <li>2. To authorise the Lead Commissioner Highway Authority to make any other ancillary orders that might be required to successfully implement the scheme (e.g. Traffic Orders).</li> <li>3. To add to the Capital Programme up to £1.5 million of additional funding received from Forest of Dean District Council on the basis described above.</li> </ol>
<p><b>Recommendations</b></p>	<p>That Cabinet delegates authority to the Lead Commissioner; Highway Authority:</p> <ol style="list-style-type: none"> <li>1) Enter into a funding agreement with Forest of Dean District Council under which Gloucestershire County Council (GCC) shall receive £1.5m by way of funding from the District Council to pay for a contract for works for the Lydney Coastal Community Fund Highway Improvement scheme described in this report (‘the Contract’)</li> <li>2) Permit the County Council to become the “Client” for the purposes of procuring the proposed Contract;</li> <li>(3) Conduct a competitive procurement process for the Contract, in consultation with the Cabinet Member for Environment and Planning,</li> <li>(4) Award such contract to the successful tenderer.</li> </ol>
<p><b>Reasons for recommendations</b></p>	<p>The decision will enable the council to receive funds and pursue the contract award for the scheme, which will provide the best opportunity to meet the timescales for project delivery.</p>
<p><b>Resource Implications</b></p>	<p>The proposed improvement works will be funded through the £1.5m provided to the council by way of a designated funds grant from Forest of Dean District Council.</p> <p>The total cost of the highway works is estimated to be £1.5 million and the proposed funding agreement between the council and Forest of Dean District Council will provide that the council will not be liable for any cost overruns, therefore the Highway Authority will deliver work to the value of estimated £1.5 million funding only.</p> <p>In the event of an overspend in connection with the proposed improvement works, the council will inform the Forest of Dean District Council of such</p>

	<p>overspend and request additional funding. The council shall not commission any further work in respect of the proposed improvement works unless and until the Forest of Dean District Council undertakes to provide further funding, hence delivery risk will remain with the Forest of Dean District Council.</p>
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## MAIN REPORT CONTENTS

### 1. Background

Forest of Dean District Council was awarded Stage 1 funding from the Coastal Community Fund (CCF) for the “Destination Lydney Harbour” project.

The £1.9m Destination Lydney Harbour project aims to attract increased visitor numbers to Lydney Docks and Harbour, through a range of physical improvements to the canal and wider public realm, cycling and walking routes, and the introduction of visitor information space and public toilet facilities at the docks.

This is an enabling project aiming to create the conditions for future economic growth and investment in this location.

The Stage 2 application was submitted in January 2019 and funding was awarded in September 2019. Project activity has now commenced with a view to completing all CCF expenditure by 31<sup>st</sup> March 2021.

### 2. Proposed improvements

The project is made up of 10 project elements:

- De-silting canal
- Creation of new mooring points in the canal
- Mortuary and store refurbishment to create new facilities
- Resurfacing of Harbour Road and creating a new footway with improved lighting
- Cookson Terrace & Railway Terrace parking improvements
- Creation of multi use cycle track
- Heritage signing and directional signing
- Skiff project – rowing boat building project
- Public art & creative events programme
- Boundary treatments

The £1.5m funding will allow the Council to undertake the highways elements that make up the overall project. These are:

- Resurfacing of Harbour Road and creating a new footway with improved lighting
- Cookson Terrace & Railway Terrace parking improvements
- Creation of multi use cycle track

### 3. Funding breakdown

#### **External Contributions:**

The scheme will be funded through the £1.5 million allocation of designated funds granted by Forest of Dean District Council to GCC.

**Reserves:**

Nil

**Funding breakdown:**

£000s	2019-20	2020-21
Forest of Dean District Council	£0.6m	£1.3m
Local Authority contribution	0	0
Third Party contribution	0	0
<b>TOTAL</b>	<b>£0.6m</b>	<b>£1.3m</b>

**4. Options**

The options for Cabinet are as follows:

- Option A: To authorise the Lead Commissioner; Highway Authority to receive funds from Forest of Dean District Council and progress the scheme as set out in this report's recommendations; or
- Option B: To decline the request for such authorisation. This would put the proposed scheme at risk.

**5. Risk Assessment**

An up to date risk register for the scheme exists and is regularly updated in line with the GCC Risk Management process, in order to investigate, manage and mitigate key risks.

The key risks can be summarised as follows:

- 1) The capital costs of the scheme increase as a result of factors uncovered at preparatory surveys and design stages. This will be mitigated by ensuring that detailed design and survey work is ongoing to eliminate such risk.
- 2) Increase in project design costs due to the New Professional Services contract. This will be mitigated by ensuring there is early contractor involvement with the aim of minimising any disruption to cost and programme.
- 3) Increases (above those identified in the risk and contingency allowance) in statutory undertakers' apparatus diversion or protection costs (Severn Trent Water, Wales and West, BT, CityFibre, Vodafone and Virgin Media) to that assumed at bid stage. This will be mitigated by ensuring that survey work

continues throughout the design phase, and that an appropriate risk allowance is set aside for potential cost increases.

Overall, the risks are well understood and are being eliminated or mitigated as the project moves forward. There are, however, a number of outstanding risks that could have an impact on the design and cost of the project. Risks will continue to be actively monitored and any significant changes affecting the scope of the project will be reported to the Lead Cabinet Member. In addition, the financial risk for this project shall remain with the Forest of Dean District Council.

## **6. Officer Advice**

That Cabinet approve the recommendations as set out in this report.

## **7. Equalities considerations**

To date, no specific analysis has been carried out with regard to the protected characteristics; however, the detailed design of the final scheme will be undertaken in accordance with relevant guidance in relation to equalities and safety. The Equality Act 2010, states that service providers have a continuing duty to consider impacts on groups with protected characteristics and therefore monitoring of users once the scheme is operational will be required to ensure that equality issues pertaining to age, disability, sex and ethnicity, are being considered and evolved after opening. Additionally any information on incidents/accidents or in the area around the scheme will be analysed according to the characteristics of the victim if the information is available.

## **8. Consultation feedback**

Public share events will be held in 2020. Pre-consultation included engagement with key stakeholders and interested parties, these include the Local member, local Town and Parish Councils, access and rights of way groups and scheme users and emergency services. The Forest of Dean District Council have undertaken various early consultations on the conceptual design with members of public. No significant objections have been made to date.

## **9. Performance Management/Follow-up**

Scheme costs and delivery will continue to be managed in accordance with business case objectives and the monthly Project Board Meetings, attended by the relevant Lead Commissioner.

<b>Report Title</b>	Lydney Coastal Community Fund: Construction of a highway improvement scheme on Harbour Road, Lydney – Authority to receive funds and proceed to contract procurement.
<b>Statutory Authority</b>	Highways Act 1980 Traffic Management Act 2004
<b>Relevant County Council policy</b>	Adopted Local Transport Plan (LTP 3) 2016
<b>Resource Implications</b>	<p>The scheme will be funded through the designated funds grant from Forest of Dean District Council and given to GCC.</p> <p>The total scheme cost is estimated to be £1.5 million and the funding agreement between GCC and Forest of Dean District Council will set out that GCC will not be liable for any cost over runs therefore they will deliver work to the value of estimated £1.5 million funding only.</p> <p>In the event of an overspend then GCC will inform Forest of Dean District Council and if they agree to fund it then the County Council will deliver the whole scheme therefore the delivery risk remains with Forest of Dean District Council.</p>
<b>Sustainability checklist:</b>	
Partnerships	Close working with the preferred contractor (when appointed) and Forest of Dean District Council.
Decision Making and Involvement	During the scheme delivery phase, Gloucestershire County Council retains governance and control of the delivery of the Contract. Gloucestershire County Council become the client under and enter into contract with a Contractor appointed via a competitive tender process. Representatives from Gloucestershire County Council or their highways maintenance contractor will be appointed to undertake the project management and supervision roles and will be responsible for managing the Contract during the works.
Economy and Employment	Supports the economic regeneration of Lydney Harbour.
Caring for people	<p>The scheme is also expected to have a beneficial impact by reducing cyclist and pedestrians' accidents. The proposed footway and cycleway will provide safe segregated footway and cycle way connections along Harbour Road.</p> <p>(The scheme design will promote the safety of all users.)</p>

Social Value	This scheme has the potential to increase physical activity. The footway and cycleway will provide a safe place for both pedestrians and cyclists.
Natural Environment' including Ecology (Biodiversity)	Pre-construction species surveys and checks to existing badger setts should be undertaken for badgers, and vegetation clearance undertaken outside of the bird breeding season if possible or under ecological guidance. Reasonable Avoidance Measures (RAMs) should be employed regarding amphibians and reptiles. Work should be undertaken in accordance with 'BS5873:2012 Trees' in relation to design, demolition and construction to ensure that mature trees, hedgerows and tree belts in close proximity are not harmed.
<b>Education and Information</b>	As part of any quality tender evaluation, the successful Contractor will need to outline their strategy for community engagement, (school visits/weekly site bulletins/social media and comms plan).
<b>Tackling Climate Change</b>	Carbon Emissions Implications? Positive The scheme will encourage walking and cycling which in turn will reduce car journeys to Lydney Harbour.  Vulnerable to climate change? No
<b>Due Regard Statement</b>	Has a Due Regard Statement been completed? No  No specific analysis has been carried out with regard to the protected characteristics. The detailed design of the final scheme will be undertaken in accordance with relevant guidance in relation to equalities and safety.  <b>Monitoring of Service Users</b> The Equality Act 2010 states that service providers have a continuing duty to consider impacts on groups with protected characteristics and therefore monitoring of users once the scheme is operational will be required to ensure that equality issues pertaining to age, disability, sex and ethnicity, are being considered and evolved after opening. Additionally any information on incidents/accidents or in the area around the scheme will be analysed according to the characteristics of the victim if the information is available.
<b>Human rights Implications</b>	N/A
<b>Consultation Arrangements</b>	Public Share Events will be held in 2020. Presentation boards will be provided with large scale plans and graphics together with scheme introduction, background and FAQs.

	<p>Pre-consultation included engagement with key stakeholders and interest parties included the Local member, Town and Parish Councils, access and rights of way groups, scheme users and emergency services.</p>
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