

THE PROCUREMENT OF HIGHWAY SERVICES AND WORKS IN CONNECTION WITH THE DELIVERY OF THE WEST CHELTENHAM TRANSPORT IMPROVEMENT SCHEME - UK CYBER BUSINESS PARK PHASES 3 & 4 AND WALKING AND CYCLING IMPROVEMENTS; AND MAKING OF ANY ANCILLARY ORDERS IN RELATION THERETO

Cabinet Date	17 June 2020
Environment and Planning	Cllr Nigel Moor
Key Decision	Yes
Background Documents	<ul style="list-style-type: none"> • GCC Cabinet report 10th October 2018 • GFirst LEP Board Paper and associated appendix (September 2018, December 2018 and October 2019) • Adopted Local Transport Plan • Adopted Joint Core Strategy • Gfirst LEP's Strategic Economic Plan (SEP) • GCC Project Website
Location/Contact for inspection of Background Documents	<p>The 10th October 2018 GCC Cabinet report can be viewed here; http://glostext.gloucestershire.gov.uk/ieListDocuments.aspx?CId=117&MId=8901&Ver=4</p> <p>The GFirst LEP Board Papers and associated appendix can be viewed by clicking on the links below: https://www.gfirstlep.com/about-us/board-minutes-archive/ GCC's West Cheltenham Transport Improvement Scheme - UK Cyber Business Park Website https://www.gloucestershire.gov.uk/highways/major-projects-list/west-cheltenham-transport-improvement-schemes-uk-cyber-business-park/ GCC Adopted Local Transport Plan https://www.gloucestershire.gov.uk/transport/gloucestershires-local-transport-plan-2015-2031/ Joint Core Strategy https://www.jointcorestrategy.org/ Strategic Economic Plan https://www.gfirstlep.com/about-us/our-vision/strategic-economic-plan/</p>
Main Consultees	<ul style="list-style-type: none"> • Lead Cabinet Members • Local Members • Cheltenham Borough Council • Tewkesbury Borough Council • GFirst LEP • Highways England • MPs Alex Chalk (Cheltenham), Laurence Robertson (Tewkesbury) Richard Graham (Gloucester) • Residents, general public and businesses (Public engagement undertaken in March 2020) • Wide range of consultees as part of the statutory consultation exercise (Police/Ambulance/Freight & Haulage associations etc.)

Planned Dates	<ul style="list-style-type: none"> • Full Business Case Decision by LEP – June 2020 • Tender assessment and award – late Summer 2020 • Construction start – late 2020/early 2021 • Scheme complete and open to the public – December 2021
Divisional Councillors	<ul style="list-style-type: none"> • Cllr Chris Coleman for Cheltenham St Marks/Peters, • Cllr Suzzane Williams for Hesters Way and Springbank, • Cllr Simon Wheeler for Benhall and Up Hatherley,
Officer	Simon Excell – Lead Commissioner; Strategic Infrastructure simon.excell@gloucestershire.gov.uk 01452 328487
Purpose of Report	<p>To ask Cabinet to delegate authority to the Lead Commissioner, Highway Authority (in consultation with the Cabinet Member for Environment and Planning) for the purpose of commissioning highway services and works in relation to: (a) the West Cheltenham Transport Improvement Scheme - UK Cyber Business Park Phases 3 & 4; and (b) the West Cheltenham Walking and Cycling Improvements (together the “Project”); and awarding contracts for the provision of such services and works.</p> <p>In addition, it will be necessary to make further ancillary orders in order to successfully implement the Project and authority is sought to enable GCC to make legal orders (such as temporary traffic regulation orders (TTROs for speed limits etc.)) during the construction phase of the Project.</p>
Recommendations	<p>That Cabinet delegates authority to the Lead Commissioner, Highway Authority (in consultation with the Cabinet Member for Environment and Planning) to:</p> <ol style="list-style-type: none"> 1. conduct a competitive procurement process(es) for the supply of highway services and works relation to: (a) the West of Cheltenham Transport Improvement Scheme- UK Cyber Business Park Phases 3 & 4; and (b) the West Cheltenham Walking and Cycling Improvements; and award contract(s) for the provision of such services and works to the successful tenderer(s); and 2. make any other ancillary traffic regulation orders that might be required in order to successfully implement the Project (such as temporary traffic regulation orders (TTROs for speed limits etc.)) during the construction phase of the Project.
Reasons for recommendations	The decision will enable the Council to engage suppliers for the purpose of securing a highways services and works in respect of the West Cheltenham Transport Improvement Scheme, which will provide the best opportunity to meet the timescales set out in the Full Business Case for full delivery.
Resource Implications	The West of Cheltenham Transport Improvement scheme will be funded by a Capital Growth Deal Grant of £22.00 million through the GFirst LEP following the approval of the proposed package of scheme’s at the LEP Board on the 4 th December 2018. A further Capital Growth Deal Grant of £1.60million was reallocated to walking and cycling improvements as part of the West

Cheltenham Transport Improvement Scheme at the LEP board on the 8th October 2019.

The Outline Business Case has been approved by the GFirst LEP for funding of Phases 3 and 4 and the Walking and Cycling Improvements and the Full Business Case has been submitted to the LEP for assessment.

Pending approval of the Full Business Case in June 2020 for phases 3 and 4 and the Walking and Cycling Improvements, Capital grant funding of £9.89 million will be allocated to the County Council to undertake a compliant procurement process. Opportunities to roll capital budgets forwards into the next financial year will be discussed with Government later this year, as discussed later in this report.

As scheme promoter, the County Council will be liable for any future cost overruns associated with the delivery of the suite of transport schemes (as is the case with all Growth Deal projects). This will be funded from within the scheme funding envelope or alternative funding, such as the highways capital programme, Section 106 developer contributions, Community Infrastructure Levy, etc. However, as stated in the December 2018 LEP Board paper, the LEP understand the need to also manage the capital risk of the project through the total (£23.6m) allocation to the project.

As per the County Council's Constitution, 'Directors are responsible for ensuring that variations in capital project estimates that occur during the course of a contract are contained within the resources allocated to that service'. The scheme's costs will be monitored and managed accordingly.

MAIN REPORT CONTENTS

1. Background

The A40 Corridor is a key strategic route for both local and national traffic entering from the M5 (Junction 11). It is currently the primary link for commuters travelling between Gloucester and Cheltenham. The Arle Court and Benhall Roundabouts act as a conduit for road users into Cheltenham. The land adjacent to the scheme and immediate surroundings consists of residential developments, businesses and a park and ride facility.

The County Council is highly supportive of the Cyber Park proposals, including 45 hectares of much needed employment land. The proposal will be focussed on cyber industries generating new highly skilled jobs. The site is important to the economic prosperity of the county and the aspiration for Gloucestershire to become a magnet county attracting young professionals. The proposed Cyber Park will be served by the currently highly congested A40 corridor from the M5 J11 to Cheltenham Spa Railway Station.

The corridor currently experiences significant congestion and delays, particularly during peak hours. A package of schemes has been identified to improve key areas, aiming to increase capacity, optimise the efficiency of the infrastructure and reduce journey time delays for all traffic using the A40, whilst also maintaining and improving access for businesses, and facilities for pedestrians and cyclists.

The Full Business Case process for transport schemes is designed to ensure that investments are directed at the right schemes, and that these are managed and delivered in the best way. This ensures that transport investment addresses important issues in an effective way, delivering value for money.

The £22.0m West Cheltenham Transport Improvement Scheme - UK Cyber Business Park (WCTIS) identifies four key phases of improvements, Phase 1 Arle Court, Phase 2 M5 Junction 11, Phase 3 Arle Court Roundabout to Benhall including Telstar Way, and Phase 4 Benhall. In addition a £1.6m, separate walking and cycling improvements phase has been integrated which will extend from Arle Court Roundabout to Cheltenham Railway Station. Phases 1 and 2 of the WCTIS scheme have been fast-tracked for an early start in summer 2020 to ensure that the most congested part of the route is treated first. The Full Business Cases for phases 3, 4 and the walking and cycling improvements is in the process of being finalised and subject to approval by the LEP. It is our aim to deliver these works as quickly as possible with an intention to enter into contract before September 2020 and commence works from late 2020/early 2021 to allow greater cost certainty and to align with the terms of the funding agreement.

Under current proposals, the preliminary design for the Walking and Cycling Improvements and Phase 3 and 4: A40 Eastbound from Arle Court to TGI Fridays (A40/A4633) includes:

Walking and Cycling Improvements

- Cycle and pedestrian infrastructure improvements from Arle Court to Cheltenham Railway Station
- Cycle improvements within the wider Benhall and St Marks area providing direct linkage with Cheltenham Railway Station

Phase 3 & 4 - A40 Eastbound from Arle Court to TGI Fridays (A40/A4633)

- Arle Court to Gloucester Road/Lansdown Road junction eastbound carriageway improvements (towards Cheltenham town centre)
- Improving access for cyclists between Arle Court Roundabout and Benhall Roundabout
- Telstar Way widening to Hubble Road
- Benhall Roundabout re-modelling including eastbound widening

The Project will be funded by a Capital Growth Deal Grant of £22.0M (WCTIS) and £1.6M (WCWCI) through the GFirst LEP following the approval of the proposed package of schemes at the LEP Board on the 4th December 2018 and subsequent reallocation of £1.60 million of walking and cycling funds on the 8th October 2019. The Outline Business Case has been approved by the GFirst LEP for funding of Phases 3 and 4 and the Walking and Cycling Improvements and the Full Business Cases will be considered by the LEP Board in June 2020.

The below sets out the projected spend as outlined in the Full Business Case for all four phases:

Phase	Latest Budget Estimates
Phase 1 – Arle Court Roundabout	£9,230,000
Phase 2 – A40 E/B Widening: M5 – J11 to Arle Court	£4,480,000
Phase 3 – A40 E/B Widening: Arle Court to Benhall Rbt	£4,800,000
Phase 4 – A40 E/B Widening: Benhall Rbt to Griffiths Avenue	£3,490,000
Walking and Cycling Improvements	£1,600,000
Total	£23,600,000

The funding breakdown associated with the delivery of phases 3 and 4 and the walking and cycling improvements are as follows:

	Design	Estimated Construction Costs	Contingency	Land Purchase	Total Costs
Phase 3 and 4 Combined Costs	£1,590,000	£4,820,200	£1,879,800	£0	£8,290,000
Walking and Cycling Improvements	£300,000	£1,020,000	£280,000	£0	£1,600,000

*The estimates provided are in line with market conditions

2. Options

The options for Cabinet are as follows:

- Option A: To authorise the Lead Commissioner, Highway Authority to progress the Project as set out in this report's recommendations; or
- Option B: To decline to authorise such recommendation. The LEP funding is secured on the basis that the Project in its entirety must be delivered by 2021. If the proposed highway services and works cannot be competitively tendered as recommended in this report, then the funding of the Project in its entirety would be at risk.

3. Risk Assessment

An up to date risk register for the Project exists and has been 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:

Scheme clashes with other Highways England projects leading to delays due to network occupancy

Extensive liaison has been undertaken with Highways England on an ongoing basis. Highways England are a member of the WCTIS Project Board and the close working partnership has allowed an understanding of the programming of adjacent works at Staverton Bridge and M5 Junction 11. The phasing and traffic management of the scheme has been carefully considered to minimise impact on Highways England works. The sequencing of the M5 Junction 11 Highways England works has been delayed until September 2020, which minimises the clash with the WCTIS Phase 1 Arle Court works.

Delay to the Business Case

An experienced team has been employed to mitigate the risk of delays to the business case impacting on delivery; the Full Business Case is in the process of being finalised. The Full Business Case remains on programme to be authorised by the GFirst LEP in June 2020.

Funding Expiry

From the beginning GCC officers highlighted to the LEP and Government the risk that not all of the WCTIS and WCWCI schemes will be fully spent by the Growth Deal funding deadline of 31st March 2021 as is required. In Spring 2020 Government wrote to all LEP informing them that “There will be opportunities later this year as part of discussions in the run up to a fiscal event to further review some of the funding flexibility asks, including the potential to roll capital budgets forwards which we will continue to work closely on”.

It is likely that Government will look favourably at schemes with all construction contracts in place before March 2021. The Phase 3, 4 and Walking and Cycling Improvements contract will be entered into at the earliest opportunity to secure funding commitment.

Overall, the risks are well understood and are being eliminated or mitigated as the project moves forward. There are, however, a number of 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 Major Projects Board and Lead Cabinet Member.

4. Officer Advice

That Cabinet approve the recommendations (Option A above) as set out in this report.

5. Equalities considerations

The Due Regard Statement (Appendix A) will be reviewed and updated on completion of work packages (i.e. on completion of design, procurement, on completion of construction, after opening, etc.) to ensure a continuing duty of regard for equality impacts on groups with protected characteristics.

The strengthening actions identified in the Due Regard Statement include:

- Incorporating equality issues identified in the public engagement in the detailed design of the scheme
- Traffic management plan to cater for those with protected characteristics
- Equality and diversity policies from external contractors undertaking services and works to be provided
- Monitoring of service users once in operation to identify if groups with protected characteristics are being discriminated against or if this scheme is advancing options for these groups.

The Due Regard Statement demonstrates that ‘due regard’ has been shown to the three aims of the public sector equality duty (section 149 of the Equality Act 2010) during the development of the ‘policy’.

Cabinet Members should read and consider the Due Regard Statement in order to satisfy themselves as decision makers that due regard has been given.

6. Consultation feedback

A comprehensive engagement exercise has been completed for Phases 3 and 4 and the Walking and Cycling Improvements including press releases, letter drops, bulletins, user group meetings, emails to key stakeholders and an employer engagement event.

Two Public Share Events were scheduled for March 2020 to cover Phase 3, 4 and the walking and cycling improvements with 1200 letters distributed to directly affected residents. However due to the unprecedented Covid-19 situation and restrictions on social distancing these events needed to be cancelled and content was moved online with 1,081 page views recorded over the period.

Consultation has involved a full range of stakeholders for phase 3 and 4 and the walking and cycling improvements, which has included:

- GCC Cabinet Members
- Local County Councillors
- Cheltenham Borough Council
- Tewkesbury Borough Council
- Internal GCC consultees
- GFirst LEP
- Bus Service Providers
- Haulage Associations
- Emergency Services
- Cycle, Walking and Horse Riding Groups
- Highways England
- MPs Alex Chalk (Cheltenham), Laurence Robertson (Tewkesbury) Richard Graham (Gloucester)
- Residents, general public and businesses

Questionnaires were available to complete on the GCC Major Projects website, a full breakdown of the responses and suggested feedback has been incorporated into the Full Business Cases and will be published on the GCC website subject to approval by the GFirst LEP in June 2020.

The feedback received from the online consultation and user feedback suggested greater emphasis on air quality within the phase 3 and 4 works, it is fully anticipated that the free flow conditions that the scheme will provide will have a positive impact on road traffic air-quality whilst recognising an overall increase in traffic volumes is likely from nearby development sites. The overall impact on air quality of the scheme has been fully assessed, and is expected to be neutral. The scheme has been developed to benefit all users. In relation to the walking and cycling proposals minor refinements to the geometric design of the cycle route were suggested to remove tight radii and visibility issues, in addition more detail was requested regarding the access arrangements at Lansdown railway bridge which will be provided as part of the detailed design. The overall feedback suggested that the measures encouraging cycling and walking and access to key employment sites would be supported.

The County Council will require that, as part of the tender process, any successful contractor will undertake contractor share events (that comply with social distancing requirements) in advance of any works commencing to introduce the contractor, answer

any concerns and provide more information on the construction programme. This will be supported by pro-active scheme communications.

7. Performance Management/Follow-up

GCC has set up a clear and robust structure to provide accountability and an effective decision making process for the management of the major projects. GCC-led monthly project boards, monthly standing reports to Lead Cabinet Members and monthly meetings of the Local Transport Plan Management Board are all in place.

Regular monthly updates are provided to the GFirst LEP and they remain an integral member of the Project Board. Robust governance is also supported by the submission of Outline and Full Business Case Submissions to the GFirst LEP along with regular financial reporting.

Report Title	The procurement of highway services and works in connection with the delivery of the West Cheltenham Transport Improvement Scheme - UK Cyber Business Park Phases 3 & 4 and Walking and Cycling Improvements; and making of any Ancillary Orders in relation thereto
Statutory Authority	Highways Act 1980 Traffic Management Act 2004 Local Transport Act 2008 Growth and Infrastructure Act 2013 Infrastructure Act 2015
Relevant County Council policy	Adopted Local Transport Plan (LTP 3) 2016
Sustainability checklist: Partnerships Decision Making and Involvement Economy and Employment Caring for people	<p>The delivery of the WCTIS aligns with strategic objectives held by a number of key project partners including: Highways England, CBC, TBC and GFirst LEP and has garnered significant support. Strong partnership working has been instilled at project board meetings, all of these parties support the positive progress currently being made regarding the project.</p> <p>During the scheme delivery phase, Gloucestershire County Council retains governance and control of the delivery of the Contract. Gloucestershire County Council will act as the client under the contract with a Contractor appointed via a competitive tender process. Representatives from Gloucestershire County Council or their professional services provider will be appointed to undertake the project management and supervision roles and will be responsible for managing the Contract during the works.</p> <p>The A40 between M5 Junction 11 and TGI Fridays Junction (A40/A4633) is a key commuter corridor linking the M5 with employment areas to the West of Cheltenham including GCHQ and the proposed new Cyber Park site. The congestion along the route is constraining future development and the purpose of the GFirst LEP funding is to help enable the opening up of a strategic employment land allocation by bringing forward transport infrastructure improvements, enabling capacity on the network to accelerate an early phased release of the west of Cheltenham employment site and Cyber Business Park.</p> <p>The local community is severely constrained by the current road network causing severance, air pollution and road safety concerns. The proposed transport schemes will have a positive impact on many of Cheltenham's residential areas by reducing congestion and pollution and supporting accessibility.</p>

Social Value	The WCTIS will support the future development of 45 hectares of employment land and will encourage significant development in line with the adopted Joint Core Strategy and the Gloucestershire 2050 Vision, growing our economy presents the opportunity for Gloucestershire to be a 'magnet' county – growing the working age population by keeping and attracting more 18-40 year olds with high level qualifications who want to live and work in the county.
Built Environment	The proposed transport schemes will help to enable future growth as outlined above.
Natural Environment' including Ecology (Biodiversity)	Careful consideration has been made to offset the effects of the scheme on the natural environment, landscaping will be incorporated into the proposals creating new habitats and providing screening.
Education and Information	As part of any future 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).
Tackling Climate Change	Carbon Emissions Implications? Positive/ Neutral/ Negative Vulnerable to climate change? Yes/ No/ Maybe
Due Regard Statement	Has a Due Regard Statement been completed? Yes/No - considerations included in main body of report A copy of the full Due Regard Statement can be accessed on GLOSTEXT via http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1 Alternatively a hard copy is available for inspection from Jo Moore, Democratic Services Unit, e-mail: jo.moore@gloucestershire.gov.uk .
Human rights Implications	None