



**REPORT TITLE: The procurement of highway works in connection with the delivery of the A435 Bishops Cleeve to Cheltenham Capacity Improvements**

<b>Dates between which decision will be taken</b>	Earliest date: 24 <sup>th</sup> September 2021 Latest date: 30 <sup>th</sup> September 2021
<b>Cabinet Member</b>	Cllr Vernon Smith – Highways and Flood
<b>Key Decision</b>	Yes
<b>Purpose of Report</b>	To ask the Cabinet Member for Highways and Flood to delegate authority to the Head of Highways (in consultation with the Cabinet Member for Highways and Flood) for the purpose of commissioning works in relation to: the A435 Bishops Cleeve to Cheltenham Capacity Improvements project; and awarding a contract for the provision of such works.
<b>Recommendations</b>	That the Cabinet Member delegates authority to the Head of Highways (in consultation with the Cabinet Member for Highways and Flood) to:  <ol style="list-style-type: none"><li>1. Conduct a competitive procurement process in respect of a contract for the supply of highway works in relation to the A435 Bishops Cleeve to Cheltenham Capacity Improvement Project;</li><li>2. Award such contract to the preferred tenderer</li></ol>
<b>Reasons for recommendations</b>	The proposed decision will enable the Council to engage a supplier for the purpose of securing highways services and works in respect of the A435 Bishops Cleeve to Cheltenham Capacity Improvement project, which will provide the best opportunity to meet the required timescales for delivery.

**Resource Implications**

The scheme will be funded by the following developer contributions : -

Development	S.106 Funding
Homelands 2	£974,084
Wingmoor Farm	£60,000
Cleveland	£635,000
Total	£1,669,084

The estimated value for delivery of highway capacity improvements under the A435 Bishops Cleeve to Cheltenham Capacity Improvement Project is £1.1M. (£1.62M when including design and all historical costs).

The historical costs included in the above figure of £1.62M include both feasibility and design costs in respect of the proposed A435 Capacity Improvements together with feasibility and initial design costs for the separate A435 cycleway project.

As project promoter, the County Council will be liable for any future cost overruns associated with the delivery of the project. 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.

As stated in 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.

<b>Background Documents</b>	<p>Gloucestershire's adopted Local Transport Plan  <a href="http://www.gloucestershire.gov.uk/ltp3">http://www.gloucestershire.gov.uk/ltp3</a></p> <p>Connecting Places Strategies (CPS)  <a href="https://gloucestershire.gov.uk/media/2193/2-ltp-csv-cps-nov-2017.pdf">https://gloucestershire.gov.uk/media/2193/2-ltp-csv-cps-nov-2017.pdf</a></p> <p>Joint Core Strategy  <a href="https://www.jointcorestrategy.org">https://www.jointcorestrategy.org</a></p>
<b>Statutory Authority</b>	<p>Highways Act 1980</p> <p>Traffic Management Act 2004</p> <p>Local Transport Act 2008</p> <p>Growth and Infrastructure Act 2013</p> <p>Infrastructure Act 2015</p>
<b>Divisional Councillor(s)</b>	<p>Cllr Robert Bird</p>
<b>Officer</b>	<p><b>Any representations should be sent to:</b></p> <p>Name: Kath Haworth, Head of Highway Authority  Tel. no:01452 328792  Email: <a href="mailto:Kathryn.Haworth@gloucestershire.gov.uk">Kathryn.Haworth@gloucestershire.gov.uk</a></p> <p><b>By 5pm on 23rd September 2021</b></p>
<b>Timeline</b>	<ul style="list-style-type: none"> <li>• GCC Cabinet approval – September 2021</li> <li>• Issue tender documents – October 2021</li> <li>• Tender assessment and award – November 2021</li> <li>• Construction start – January 2022</li> <li>• Construction end – April 2022</li> </ul>

## Background

1. The A435 Corridor is a key strategic route for local and regional traffic serving communities to the North of Cheltenham and their journeys between Bishops Cleeve and Cheltenham.
2. The land adjacent to the scheme and immediate surroundings consists of farm land, sports fields and a business site.
3. The County Council is supportive of the development proposals to the North of Cheltenham and further towards Tewkesbury in the north of the County.
4. The A435 corridor currently experiences congestion and delays, particularly during peak hours at the Hyde Lane and Southam Lane Junction. With the future developments the proposed junction improvements are necessary to increase capacity, optimise the efficiency of the corridor and reduce journey time for all traffic using the A435.
5. Developer S.106 agreements are in place in order for Gloucestershire County Council to deliver the capacity improvements at Hyde Lane and Southam Lane.
6. Gloucestershire's Local transport Plan (LTP3) sets out the transport strategy for the county encompassing the period from 2015 to 2031 and beyond to 2040. In terms of the overarching strategy, the project contributes towards all of the key objectives as summarised below, from LTP3. In particular, the project contributes to the objective of supporting sustainable economic growth by reducing congestion on the route and improving journey times for users.
7. Key objectives have been identified as follows:
  - Provide transport enabling works to support employment expansion along the A435 corridor;
  - To reduce peak period congestion on the A435;
  - To support emerging strategic housing and employment growth sites in Cheltenham, Bishops Cleeve and Tewkesbury;
  - To increase capacity, optimise efficiency and reduce delays for general traffic, HGV's and buses;
  - To provide adequate provision for pedestrians and
  - To support planned growth, improve access to jobs and support the efficient movement of goods.
  - Enabling future cycling improvements along the A435 corridor by aligning the project with the wider cycling enhancements proposed as part of the future A435 Cheltenham to Bishops Cleeve Cycle Improvements
8. Therefore the following capacity improvements are proposed for the A435 and Southam lane Junction:
  - Widening of the A435 to provide additional stacking lengths with two ahead movement lanes for southbound traffic approaching the junction.

- Widening of the A435 southbound from the junction to provide additional carriageway merge length for the two lanes coming from the north.
  - Widening of Southam Lane approaching the A435 junction to provide additional stacking distances and allowing the construction of a new section of footway linking into the rugby sports grounds.
9. Some elements of the A435 Cycleway Project will be delivered as part of this scheme including the traffic signals upgrade and advance cycle stop lines on Hyde Lane and Southam Lane approaches to the junction, in preparation for the future proposed A435 cycleway.
10. It is the council's aim to deliver these works during winter 2021/2022, with an intention to enter into contract during November 2021 and commence works in January 2022. This will allow greater cost certainty and deliver works within the funding horizons of the developer agreements.

## Options

11. The options for Cabinet are as follows:

- Option A: To authorise the Head of Highway Authority to progress the Project as set out in this report's recommendations; or
- Option B: To decline to authorise such recommendation. The S.106 developer 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.

## Risks

12. 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 include: -

13. Developer funding horizons associated with S.106 agreements

The developers funding expiry dates are shown in the table below

Development	Initial S.106 Funding	Funding Expiry Dates
Homelands 2	£974,084	August 2023
Wingmoor Farm	£60,000	Available
Cleveland	£635,000	August 2034
<b>Total</b>	<b>£1,669,084</b>	

Any Delay of the scheme may put funding at risk due to the potential expiry of the S106 funds. In addition there are planning conditions linked to completion of the capacity improvements with developer occupancy.

Delivering construction as planned during the winter of 2021/2022 mitigates this risk.

14. Upgrading the Traffic Signals to allow for the potential cycleway crossing phase for Southam Lane as part of the A435 Cycleway Project will give rise to the risk that there is a detrimental impact on capacity improvements when the proposed dedicated cycleway is implemented.
15. The A435 Capacity Improvement project is a capacity improvement project supporting developments (outlined in 7. above), rather than an active travel project. The A435 Cycleway project contains the future significant active travel elements. Therefore, this will be supported by clear messaging within the communications plan to mitigate the risk of confusion between the two projects. The council will manage expectations by outlining the scheme impacts via scheme communications.
16. 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.

## **Financial implications**

17. This capacity improvement scheme is funded by S106 developer contributions which are shown with expiry dates in the table above (under Key Risks),
18. The estimated value for delivery of the highway capacity improvements are £1.1M. (£1.62M when including design and all historical costs).
19. The historical costs included in the above figure of £1.62M include those costs for both the feasibility and design costs of the A435 Capacity Improvements and the feasibility and initial design costs for the A435 cycleway projects.

## **Climate change implications**

Carbon Emissions Implications? **Positive/ Neutral/ Negative**

Vulnerable to climate change? **Yes/ No/ Maybe**

## **Equality implications**

Has an Equalities Impact Assessment (EIA) been completed? Yes

20. The EIA (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 EIA include:
- Monitoring the scheme to ensure protected groups are well served. Monitoring of service users once in operation to identify if groups with protected characteristics are being discriminated against or if this scheme is advancing opportunities for these groups. This will be done through user surveys.
  - Prevent scheme construction from impacting the movement of protected groups. Appropriate traffic management plan and information provision during construction stage to consider severance and obstruction issues for those with protected characteristics.
  - Providing access to relevant information to all protected groups. Supply of equality and diversity policy details from external contractors involved in the provision of construction and operation services.
21. The EIA 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'.
22. Cabinet Members should read and consider the Equalities Impact Assessment in order to satisfy themselves as decision makers that due regard has been given.

### **Data Protection Impact Assessment (DPIA) implications**

23. A Data Protection Impact Assessment is not required.

### **Social value implications**

24. The A435 capacity improvement scheme will support the future developments north of Cheltenham 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.
25. The scheme will relieve the traffic congestion that often builds up at peak periods and affects the journeys of motorists using this strategic route and the businesses operating in the area.

## **Consultation feedback**

26. Initial engagement has been undertaken with the Cheltenham and Tewkesbury Cycle Campaign, relevant County Councillors and County Council Officers.
27. This scheme delivers the capacity improvements within the highway extents associated with the developer agreements. The scheme will compliment the A435 Cycleway Improvements scheme which has broad support from a variety of stakeholders.
28. A comprehensive communication plan has been prepared ensuring that all elements of the scheme will be shared via a pre works share event, press releases where required, letter drops, bulletins and emails to key stakeholders.
29. Consultation includes a full range of stakeholders:
- Gloucestershire County Council Cabinet Members
  - Local County Councillors
  - Cheltenham Borough Council
  - Tewkesbury Borough Council
  - Internal GCC consultees
  - Bus Service Providers
  - Haulage Associations
  - Emergency Services
  - Cycle, Walking and Horse Riding Groups
  - MPs Cheltenham and Tewkesbury
  - Residents, general public and businesses
30. Feedback from cyclists is that there is little proposed change to the existing arrangements and thus the impact is neutral and that the scheme is unlikely on its own to encourage less experienced cyclists. However the proposed upgrade to the traffic signals as part of this capacity project will allow for the future implementation of a Toucan crossing on Southam Lane as part of any future A435 cycleway scheme.
31. The County Council will require that, as part of the procurement process recommended in this report, the 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.

## **Officer recommendations**

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



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

33. 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.
34. 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.