



**REPORT TITLE: GLOUCESTERSHIRE CYCLE SPINE: GLOUCESTER CITY CENTRE –
CONTRACT PROCUREMENT**

Cabinet Date	29 March 2023
Cabinet Member	Cllr David Gray, Environment and Planning
Key Decision	Yes
Purpose of Report	To seek Cabinet approval to undertake a series of competitive procurement processes for the supply of highway construction works and to award such contracts to the preferred tenderers.
Recommendations	<p>That Cabinet delegates authority to the Assistant Director for Highways and Infrastructure (in consultation with the Cabinet Member for Environment and planning) to:</p> <ol style="list-style-type: none">1. Conduct a series of competitive procurement processes in respect of contracts for the supply of highway works in relation to the Gloucestershire Cycle Spine: Gloucester City Centre (the “Scheme”).2. Award such contracts to the preferred tenderers.
Reasons for recommendations	<p>The proposed decision will enable the Council to engage one or more suppliers for the purpose of securing highways construction contracts in respect of the Scheme. This will provide the best opportunity to meet the timescales set out in the Department for Transport Active Travel Fund and Levelling up Fund agreements described in the Resource Implications section of this report.</p> <p>To maintain momentum on the Scheme programme and ensure delivery can commence in the 2023 / 24 financial year, we need to ensure that governance arrangements are in place. This will minimise the impact on the overall Scheme programme with delivery expected in a series of separate phases.</p> <p>The procurement procedures are a lengthy process and therefore we are seeking cabinet authorisation to procure the works ahead of consultation and completion of the detailed design phase. This will ensure the procurement process does not slow down delivery. By running the stages of the delivery programme in parallel where possible rather than sequentially, we aim to be on-site constructing in the coming 2023 / 24 financial year.</p>

	<p>Construction of the scheme will not begin until GCC has considered the outcome of the scheme consultation.</p>
<p>Resource Implications</p>	<p><u>Secured Funds</u> Funding for Scheme design has been fully secured from the Department for Transport Active Travel Fund Tranche 3 amounting to £4,220,000. In addition, funding has been secured from a Department for Transport Levelling Up Fund bid amounting to £3,700,000. The total funding awarded therefore amounts to £7,920,000.</p> <p>Gloucestershire County Council is in the process of commissioning the preliminary and detailed design of the Scheme.</p> <p>The costs estimate for the Scheme cost at feasibility stage suggest adequate budget is in place to deliver the Scheme.</p> <p><u>Additional Funds</u> Should the Scheme cost estimate increase at future phases of design, Gloucestershire County Council will look to secure additional funds to allow for full construction of the Scheme. Should this not be possible, the Scheme will undertake a value engineering exercise and / or de scope elements of the Scheme to deliver within the confirmed budget.</p> <p>Procurement of the highway works described in the above Recommendations will only take place once all necessary funding is confirmed and allocated to Gloucestershire County Council.</p> <p>The scheme will be procured in a number of distinct packages. The scope of the sections will be confirmed during subsequent design phases to provide best value, flexibility and speed of delivery. It is expected that the upper limit of any construction packages would be £5m. As Scheme promoter, the County Council will be liable for any future cost overruns associated with the delivery of the Scheme. 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.</p> <p>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.</p> <p>The proposed contracts for highway works in relation to the Scheme will be procured under the NEC4 Engineering and Construction Contract standard conditions of contract. Such standard conditions determine that the proposed highway works contractors will be subject to 14-day payment terms and as a result vendor details will be amended to reflect these terms specifically on this project.</p>

Background Documents	<p>Gloucestershire’s adopted Local Transport Plan http://www.gloucestershire.gov.uk/ltp3</p> <p>Levelling up Fund – Background information Levelling Up Fund - Highways (gloucestershire.gov.uk)</p> <p>Local Transport Note (LTN) 1/20 Cycle infrastructure design https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120</p> <p>Emerging Gloucester City Plan https://www.gloucester.gov.uk/planning-development/planning-policy/gloucester-city-plan/</p> <p>Central Severn Vale Local Cycling and Walking Infrastructure Plan https://www.gloucestershire.gov.uk/media/2090454/s-transportplanningprojects-strategy-planning-cwis-csv-cwip-2018-combined-report-20190701-ii.pdf</p>
Statutory Authority	<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>
Divisional Councillor	<p>While the scheme will bring benefits in terms of sustainable transport across a wider geographic area, the scheme itself runs through the following divisions:</p> <p>Cllr Pam Tracey, Hempstead and Westgate</p>
Officer	<p>Kath Haworth – Assistant Director for Highways and Infrastructure Kathryn.Haworth@gloucestershire.gov.uk</p> <p>01452 32879</p>
Timeline	<p>GCC Cabinet approval – March 2023</p> <p>Issue tender documents – Autumn 2023</p> <p>Tender assessment and award – Winter 2023 / 24</p> <p>Construction Start – Spring 2024</p> <p>Construction End – Spring 2025</p>

Background

1. The Gloucester City Centre cycle spine will deliver the infrastructure required to provide improved sustainable travel access through Gloucester City Centre. It will connect to the docks in the south, a former industrial area which has transformed into a thriving and dynamic mixed community of businesses, visitors and residents. In the north, it will link to the B4063 cycleway at London Road and the wider Gloucestershire Cycle spine currently under construction between Gloucester and Cheltenham.

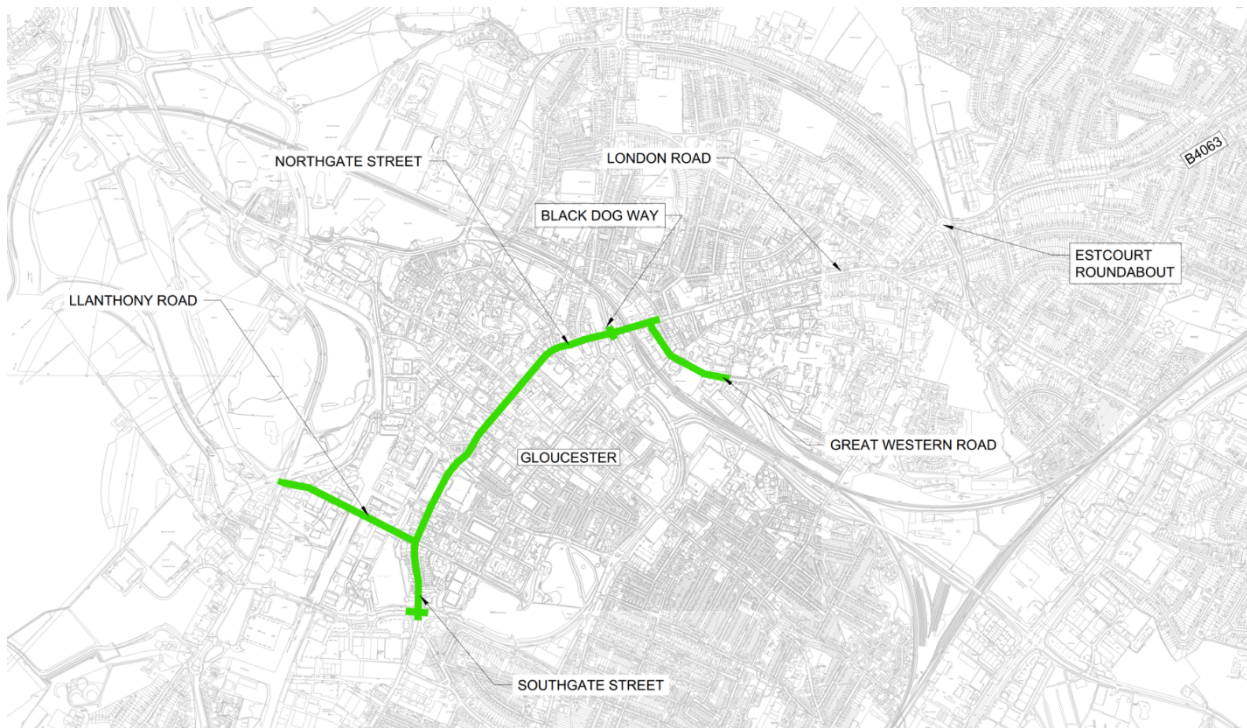


Figure 1. Overview of Gloucester City Centre Cycle Spine Scheme extents

2. The Scheme will improve facilities for cyclists, pedestrians and non-motorised users in the area and further contribution to CO₂ reductions. The project will provide access directly to major employment and education sites such as the hospital, transport hubs, leisure and retail facilities, employment areas, University of Gloucestershire and Gloucester College.
3. Providing access to education and employment is particularly important in Gloucester, which has a population younger than the county average. The proposals will improve access by all modes to Gloucestershire College, with the proposed cycle spine linking the college and its 14,000 full time and part time students to student accommodation and the City Centre.
4. The delivery of the Gloucester City Centre cycle spine will be in line with Gloucestershire's ambition to deliver a change in policy approach to meet cycle design guidance Local Transport Note (LTN) 1/20. This will be reflected in the proposed road space re-allocation in the city centre enabled by addressing congestion on the Gloucester Southwest bypass. This will ensure that the improved facilities for cyclists, pedestrians and non-motorised users are of high quality, ensuring that the ambitions for long term mode shift and CO₂ reductions can be achieved.

5. The Scheme also aligns with Policy G3 of the emerging Gloucester City Plan whereby it encourages comprehensive city-wide cycling initiatives in-line with the county council's LTP. Furthermore, the overarching Joint Core Strategy outlines cycling as a key component of its Strategic Objectives, "Strategic Objective 7 – Promoting sustainable transport." Strategic Objective 9 - "promoting healthy communities" also identifies the importance that Gloucestershire Sustainable Travel Corridor provision has to the population.

Options

6. The options for Cabinet are as follows:

Option A: To authorise the Assistant Director for Highways and Infrastructure to progress the Scheme as set out in this report's recommendations; or

Option B: To decline to authorise such recommendation. The Active Travel Fund is secured on the basis that the Scheme in its entirety must be committed to delivery in March 2023 by virtue of this cabinet paper. The ATF funding allocation must be spent as soon as possible in 2023, with approval of this paper acting as GCC commitment to the Scheme. If the highway construction works cannot be competitively tendered, then the funding of the project in its entirety would be at risk.

Risk and assumptions

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

The key risks include: -

8. Delay to construction start date:

The preliminary and detailed design stages must be completed in line with the timescales set out in this report for the construction dates to be met. Any difficulties or delays experienced during the design process would impact on the planned construction start date. A robust design programme has been developed with time allocated to for consultation and to review feedback to minimise the risk.

9. Cost estimate increase:

The current Scheme cost estimates are based on feasibility designs. There is a risk that as more detailed designs are developed, further detail, changes in scope and inflationary pressures could lead to increased Scheme cost estimates. In the worst case this would result in a Scheme cost in excess of the current funding that is available. The cost estimate will be reviewed at the end of each stage of design to allow any changes to be manage and risk mitigated where possible. This could be through potentially amending the scope or value engineering the scheme, or (subject to additional approvals) contributions from the wider highway's capital programme.

10. Traffic Regulation Order Approval:

The Scheme will require approval of traffic regulation orders, including changes to waiting restrictions for the removal of on-street parking in some areas. Early consultation with affected parties and local members to take place. Significant objections during the consultation would represent a risk to the delivery of the Scheme in its current form.

11. Funding Expiry:

The Scheme must be delivered in line with the funding requirements set out by the Department for Transport. Any delay to the agreed dates would represent a risk to funding should a formal extension not be agreed. A robust design programme has been developed to minimise the risk.

12. Operational Capacity at Traffic Signal Junctions: The scheme will be designed in accordance with the requirements of the DfT to fully reflect the principals of cycle design standards LTN 1/20. In doing so, safer, segregated, straight controlled crossings are being introduced on many arms of traffic signal junctions. To accommodate these improvements, in some cases there will be an impact on the operating capacity of the junction. These impacts will be minimised as much as possible, with priority provided to bus routes.

13. Land acquisition is required:

The Scheme to date has been progressed on the basis that all works should be delivered within the extents of the public highway. The project team are fully aware of the risks of extending the scope onto third party land. A review of all scheme extents and highway boundaries to take place following agreement of the preliminary design.

14. Key Stakeholders or public not supportive:

The public consultation and key stakeholder engagement for the Scheme will be completed during subsequent design phases. There is a risk that changes are required to the Scheme which could lead to delays completing the design and increased costs. Significant objections would represent a risk to the delivery of the Scheme. Following agreement of the preliminary design, consultation will take place on the proposals as quickly as possible to allow sufficient time for a review of the feedback and amendments to be made. Once the works commence key stakeholders will be encouraged to sign up to a regular scheme progress update (newsletter).

15. Delays from works by third parties:

A scheme of this nature which covers a long length, is likely that 3rd party developer or utility works take place prior to starting on site that could affect the Scheme. Any such works present a risk of design changes and delay. Close liaison with planning and development control teams to take place during design and construction phases.

Climate change implications

16. Carbon Emissions Implications? Positive / ~~Neutral~~ / ~~Negative~~

17. Vulnerable to climate change? ~~Yes~~ / No / ~~Maybe~~

Equality implications

18. Has an Equality Impact Assessment (EIA) been completed? Yes
19. The proposed Gloucester City Centre cycle spine promotes equality of opportunity for all protected characteristics and will impact particularly positively on people with a disability and in specific age groups:
20. The improvements have the potential to impact on a wide age range with primary education, further education facilities and retirement living as well as residential properties being in proximity to the Scheme. However, by improving accessibility to and from Gloucester College, and by linking the College and Gloucestershire University to Gloucester's city centre with its services, student accommodation and transport hubs, a specific benefit will be created for young people, a group particularly affected by the economic impacts of the Covid-19 related restrictions. In Gloucestershire, Gloucester has the highest proportion of 0-19 year olds (24.8%) of all districts, exceeding county and national figures.
21. Gloucester also has the highest number of residents with a long-term health problems or disability (40,563 people) in the county. According to ONS data, the areas that will be directly impacted by this project accommodate 2,578 of those residents (6.3%). The routes forming the Gloucestershire Sustainable Travel Corridor have been disability audited and the chosen routes, based on Local Cycling Walking Infrastructure Plan (LCWIP), were deemed most appropriate during the consultation with vulnerable users.
22. The ongoing Scheme design will also ensure it accommodates users with disabilities including appropriate footway widths, lighting, signposting, crossings and tactile paving, ultimately aiding accessibility once complete. Groups representing people with disabilities will continue to be key stakeholders in the consultation process. During construction due regard must be given to diversionary routes to maintain access for disabled users.
23. The Equality Impact Assessment (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.
24. The strengthening actions identified in the Equality Impact Assessment include:
 - Ensuring that the issues and design features / controls identified in this assessment are resolved in the design phase of the project. Undertaking consultation with different groups to consider their views in the final design. This will help in provision of information.
 - Accessible alternative facilities will be signposted during construction to avoid severance. This will be included in the traffic management proposals during the construction phase and accessible information will be provided to service users. This will be especially advantageous to people with disabilities, pregnant women, children, and the elderly.

- Ensuring that the Construction Environmental Management Plan and Construction Phase Plan consider the negative impacts of construction, such as noise and dust pollution, and put in place measures to mitigate them.
- Ensuring that Contractors have an appropriate code of conduct and have set out policies to prevent discrimination.

25. The Equality Impact Assessment 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'.

26. Cabinet Members should read and consider the Equality Impact Assessment to satisfy themselves as decision makers that due regard has been given.

Data Protection Assessment (DPIA) implications

27. A DPIA is not required for this decision.

28. During stages of the Scheme (such as the public engagement survey), where data has been collected it will be anonymous and any personal data will be treated as confidential and in accordance with UK GDPR laws and Gloucestershire County Council's data protection policy. Further contact with individuals will only be made in relation to this survey if they have signed up for the Gloucester City Centre Cycle Spine Scheme news bulletin.

Social value implications

29. The Gloucester City Centre cycle spine will provide access to jobs and services for residents, including those who do not have access to a private car. This includes University students and residents wishing to access other forms of sustainable transport at Gloucester bus and railway station. The Scheme passes through Gloucester, providing a much-needed north to south cycle connection across the City Centre. At the northern end of the Scheme, the cycleway connects to the B4063 cycleway, providing direct connectivity to the wider cycle spine towards Cheltenham. This extension to the cycle spine through Gloucester improves access to significant employment opportunities.

30. The Scheme will also provide connections to future development in the area, including the University Oxstalls and town centre campuses, the bus and railway station and wider Forum development and City Centre employers. The Cycle Spine provides sustainable transport option across Gloucester 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.

31. The Scheme also provides an opportunity for leisure cyclists and tourists, with a safe off carriageway facility linking Gloucester City Centre, the docks and the quays shopping centre.

32. The Council will be using a new performance and evidence-based approach to Social Value, based on the National TOMs (Themes, Outcomes and Measures) which has been developed for the Council by the Social Value Portal. Tenderers will be required to propose credible targets against which performance (for the successful Tenderer) will be monitored. Tenderers are free to choose those measures that are proportional and relevant to their business and this specific contract. However, a key success factor for Tenderers will be to demonstrate the ability to deliver against the commitments made.
33. Tenderers will be required to provide the following as part of their tender: a. A quantified Quantitative Social Value Proposal; and b. A Qualitative Social Value Proposal providing evidence describing how the social value being proposed will be delivered against each of the measures offered.
34. The Council will make provision for these commitments in its contract with the winning Tenderer which will then be monitored and reported on periodically throughout the term of the contract.
35. The Council recognises that the process of measuring and delivering Social Value requires flexibility and a collaborative approach. Agreed Social Value commitments may require a certain amount of refinement as a result. A key requirement is the willingness of the provider to work openly and transparently with the Authority whilst bearing in mind that the overall value of Social Value commitments made must be delivered.
36. Full details on the Social Value Portal and the National TOMs framework are available here <https://socialvalueportal.com/national-toms>

Consultation feedback

37. All elements of the cycle spine are reflected in Gloucestershire's recently adopted Local Transport Plan (LTP) 2020-2040 and were therefore included in the 2020 LTP public consultation.
38. The cycle related infrastructure improvements are also reflected in the Cheltenham and Gloucester LCWIP which was consulted on in public before its adoption. Again, the LCWIP received generally positive feedback with widespread support for improving walking and cycling infrastructure.
39. Further consultation will be completed upon completion of the preliminary design. This will be in the form of community engagement share events and online information and surveys. Briefings will be completed with key stakeholders including property owners, MP's, elected members and the local press. All other statutory consultees will be invited to comment on the proposals.
40. The local community and local members will continue to be well informed and consulted / engaged with, we will monitor any feedback and continue to encourage them to be part of the mailing group for updates on the project (newsletter).

Officer recommendations

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

Performance Management/Follow-up

42. 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.
43. During the Scheme delivery phase, Gloucestershire County Council retains governance and control of the delivery of the Contracts. Gloucestershire County Council will act as the client under the contracts 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 Contracts during the works.