

## **Divisions Affected – Bicester Town**

# **CABINET MEMBER FOR INFRASTRUCTURE AND DEVELOPMENT STRATEGY**

**22 February 2024**

## **Approval to award contract in respect of the construction/delivery of Middleton Stoney Road Active Travel Scheme**

**Report by Corporate Director of Environment & Place**

### **RECOMMENDATION**

- 1. The Cabinet Member is RECOMMENDED to**

**Delegate authority to the Corporate Director of Environment & Place in consultation with the Director of Resources and the Head of Legal Services & Deputy Monitoring Officer to approve the award of a contract in relation to construction and delivery of the Middleton Stoney Road Active Travel Scheme.**

### **Executive Summary**

- 2. This report seeks to ensure authority is in place to enter the forthcoming contract for the Middleton Stoney Road Active Travel Scheme and to provide assurances that the project satisfies the requirements of Oxfordshire County Council's corporate policies and practises.**

### **Background**

- 3. In May 2022 OCC was allocated £10,439,437 by DfT as part of the Active Travel Fund Tranche 3 (ATF3) funding round. This funding is allocated for infrastructure delivery and feasibility/design work on a selection of defined projects that OCC put forward in its bid. The Middleton Stoney Road Active Travel Scheme is an infrastructure project that has been allocated funding for full delivery. ATF3 funding has been allocated by DfT for the full project lifecycle comprising scheme development, design, consultation, construction and monitoring & evaluation.**
- 4. The Middleton Stoney Road scheme is located along the full length (1.6km) of Middleton Stoney Road, a radial route into Bicester town centre. It is Route 1 in the Bicester Local Cycling and Walking Implementation Plan (LCWIP), which was approved by Cabinet on 15 September 2020. Bicester LCWIP is a 10-year plan (2020 to 2031) to improve and increase cycling and walking in the town. The year 2031 is in line with the adopted Cherwell Local Plan which sets out the development framework for expansion of Bicester and forms the basis of the LCWIP targets and scheme delivery proposals. Bicester is undergoing rapid expansion, with population is forecast to increase from 30,000 to 55,000 by 2034.**

5. The Middleton Stoney Road scheme connects new development being delivered in north-west Bicester with the town centre and railway station. When combined with cycle tracks being delivered at the development sites and quietways within the existing residential areas, the scheme will offer a great opportunity to transfer short distance journeys from car to cycle or walking.

## Procurement Strategy

6. In Autumn 2023 a project Procurement Strategy (Appendix 1) was presented to the OCC Active Travel Board and approved by senior managers in November 2023. The strategy recommends:
  - a) Preliminary design to be procured through the Crown Commercial Services (CCS) RM6165 Lot 1 using the mini-competition option; and
  - b) Detailed design and construction to be procured via the Midlands Highway Alliance (MHA) MSF4 framework using the sub-regional call-off option.
7. The Scheme will be run as a 2-stage process comprising an NEC4 Professional Services Contract (PSC) Option A (Priced Contract with Activity Schedule) for preliminary design, and an Engineering Construction Contract (ECC) Option C (Target Cost with Activity Schedule) for detailed design and construction, with Option X22 for Early Contractor Involvement (ECI).
8. The contract for Preliminary Design is expected to cost less than £500k and, as such, does not meet the threshold requiring a Cabinet Member Decision. However, the contract for Detailed Design and Construction is likely to exceed £500k and a Cabinet Member Decision is required.
9. The procurement process for Detailed Design and Construction is underway and it is anticipated that a contract will be entered into in spring 2024.

## Corporate Policies and Priorities

10. The Middleton Stoney Road Active Travel Scheme has the potential to address a range of the Council's strategic priorities:
  - **Put action to address the climate emergency at the heart of our work.**
    - By improving sustainable transport offer the project will reduce carbon emissions from road transport by promoting active travel
  - **Prioritise the health and wellbeing of residents.**
    - An enhanced cycling and pedestrian environment will encourage walking and active travel, leading to health benefits
  - **Invest in an inclusive, integrated and sustainable transport network.**

- The project will provide new cycling and walking infrastructure that will encourage people to cycle and walk.

## Local Transport and Connectivity Plan Implications

11. The project is strongly aligned with the County Council's vision set out within the Local Transport & Connectivity Plan 2022-2050 (LTCP) which includes reducing the need to travel and private car use through making walking, cycling, public and shared transport the natural first choice. The LTCP supporting strategies include the Active Travel Strategy.

12. The LTCP includes targets to:

- reduce 1 in 4 current car trips by 2030; and
- deliver a net-zero transport network by 2040.

## Financial Implications

13. The total scheme cost estimate for all project stages is £5,287,483 and funding has been approved through the scheme's Outline Business Case. This includes a construction cost estimate of £2,858,099 and a contingency (40% of construction budget) of £1,143,240. The scheme is capital funded and there are no capital or revenue financial implications arising from this report's recommendation.

Comments checked by: Rob Finlayson, Finance Business Partner (Environment & Place), [rob.finlayson@oxfordshire.gov.uk](mailto:rob.finlayson@oxfordshire.gov.uk)

## Legal Implications

14. When procuring goods, services or works, the procurement must be conducted in accordance with the Council's Contract Procedure Rules and, where applicable, the Public Contracts Regulations 2015 (PCRs).

- The anticipated value of the contract for the design and construction works is between £3.5m and £4.5m. Such anticipated value falls below the PCR threshold, which currently stands at £5,372,609 inclusive of VAT.
- The Midlands Highway Alliance Plus Medium Schemes Framework 4 (MSF4 MHA+) was awarded on 21 June 2022 following a public procurement exercise under the PCRs and expires on 22 July 2026. A total of 4 suppliers were appointed to the Framework, including Galliford Try Construction Limited.
- The procedures for awarding call-off contracts include a Sub-Regional Call-off option. The Council may directly award a Call-off Contract to the Sub-Regional Contractor for the region that includes Oxfordshire. MHA+ have confirmed, for the region that include Oxfordshire, Galliford Try Construction Limited are the Sub-Regional Contractor.

- The proposed call-off contract between Galliford Try Construction Limited and the Council is an amended NEC4 Engineering and Construction Contract. MHA+ are in the process of approving the form of the call-off contract.
- The Council will be delivering the Middleton Stoney Road scheme in its capacity as highway authority for Oxfordshire under the Highways Act 1980.

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## **Staff Implications**

15. There are no staff implications.

## **Equality & Inclusion Implications**

16. The Equalities Impact Assessment is presented in Annex 2 to this report.

- The assessment highlights that persons with mobility issues could be both positively and negatively impacted by the design. Care should be taken to provide a level of service for pedestrians that complies with national accessibility guidance.
- The project has potential to positively impact persons living in rural communities by improving active travel connections

## **Sustainability Implications**

17. The Climate Impact Assessment is presented in Appendix 3 to this report and was last conducted in September 2023.

18. The project scores favourably in terms of the potential impacts that could be delivered however the project team should work closely with the designers and the construction contractor to ensure that desirable low carbon objectives achieved through the implementation of bespoke materials and innovative infrastructure measures are balanced against the scope of scheme deliverables determined by the budget and does not compromise other benefits identified in the 'Just Transition' category.

## **Risk Management**

19. If the Council does not enter into contract in respect of the construction/delivery of the scheme in spring 2024, as planned, then this will adversely impact OCC's ability to spend the ATF3 funding and deliver the scheme in a timely manner. This

could result in reputational damage and reduced funding allocated to OCC in future ATF rounds.

A project level risk assessment has been prepared and will be regularly reviewed throughout the project life cycle.

Report by Bill Cotton  
Corporate Director of Environment & Place

Annexes:  
Annex 1 – Climate Impact Assessment.  
Annex 2 – Equalities Impact Assessment.

Background papers: Nil

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