

Delegated Decisions by Cabinet Member for Infrastructure & Development Strategy

***Thursday, 16 November 2023 at 1.30 pm
Room 1 - County Hall, New Road, Oxford OX1 1ND***

If you wish to view proceedings, please click on this [Live Stream Link](#).
However, that will not allow you to participate in the meeting.

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 23 November 2023 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public



Martin Reeves
Chief Executive

November 2023

Committee Officer: ***committeesdemocraticservices@oxfordshire.gov.uk***

Note: *Date of next meeting: 14 December 2023*

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.

Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to committeesdemocraticservices@oxfordshire.gov.uk .

If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.

4. **A4130 Steventon Lights Integrated Transport Corridor Scheme** (Pages 1 - 4)

Forward plan Ref: 2023/326

*Contact: dan Hammond, Programme Lead - South & Vale Programme,
dan.hammond@oxfordshire.gov.uk*

Report by Corporate Director Environment & Place

The Cabinet Member is RECOMMENDED to Delegate authority to the Corporate Director of Environment & Place in consultation with the Director of Finance and the Head of Legal Services & Deputy Monitoring Officer to award and enter into a Stage 1 (detailed design, ECI and

target cost setting) contract under the NEC4 PSC Option A and NEC4 ECSC (enabling works/surveys) with Milestone Infrastructure Limited in respect of the A4130 Steventon Lights Integrated Transport Corridor Scheme.

5. **A34 Lodge Hill Interchange scheme - Cabinet Member Decision for approval to award two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the scheme** (Pages 5 - 8)

Cabinet Member: Infrastructure & Development Strategy

Forward Plan Ref: 2023/325

Contact: Dan Hammond, Programme Lead (South and Vale)

dan.hammond@oxfordshire.gov.uk

Report by Corporate Director Environment & Place

The Cabinet Member is RECOMMENDED to

Delegate authority to the Corporate Director of Environment & Place in consultation with the Director of Finance and the Head of Legal Services & Deputy Monitoring Officer to approve the County Council awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships

- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.
- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

This page is intentionally left blank

Divisions Affected – Hendreds, Harwell, Steventon & Milton

**CABINET MEMBER FOR
INFRASTRUCTURE & DEVELOPMENT STRATEGY
16 November 2023**

Delegation to the Corporate Director of Environment & Place to approve the County Council entering into a Stage 1 (detailed design, ECI, enabling works/surveys (if required) and target cost setting) contract with Milestone Infrastructure Limited in respect of the A4130 Steventon Lights Integrated Transport Corridor 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 Finance and the Head of Legal Services & Deputy Monitoring Officer to award and enter into a Stage 1 (detailed design, ECI and target cost setting) contract under the NEC4 PSC Option A and NEC4 ECSC (enabling works/surveys) with Milestone Infrastructure Limited in respect of the A4130 Steventon Lights Integrated Transport Corridor Scheme.

Executive Summary

2. The Council's Constitution states that key decisions are required prior to entering into any contracts with a capital spend of over £1 million.
3. This report seeks to ensure that delegated authority is in place for the Corporate Director of Environment & Place to approve the County Council entering into a Stage 1 (detailed design, ECI and target cost setting) contract (under the NEC4 PSC Option A) and NEC4 ECSC (enabling works/surveys) with Milestone Infrastructure Limited in November 2023. The estimated value of the Stage 1 services is £1,194,341.26 ex VAT (£1,433,209.51 inc VAT).

Background

4. The A4130 Steventon Lights Integrated Transport Corridor scheme includes the section of the A4130 Abingdon Road corridor between Steventon Lights and the Milton Interchange (inclusive of the junction with Trenchard Avenue).
5. Didcot and the surrounding area will see significant growth in housing and employment in the coming years. Investment in the A4130 Steventon Lights Integrated Transport Corridor scheme is needed now so that the transport network can meet the demands that will be placed upon it in the future.

6. The A4130 Steventon Lights Integrated Transport Corridor scheme will support planned growth in both housing and employment and, importantly, support/facilitate sustainable and active travel in the local and wider area. The scheme will:

- Facilitate and incentivise the use of public transport as an alternative to private car travel by improving bus journey time reliability
- Provide suitable infrastructure and encourage use of all active travel modes
- Support planned growth in housing and employment in the region while following the policies set out in Local Transport and Connectivity Plan (LTCP, 2022)
- Reduce congestion by enabling modal shift from private vehicles to sustainable and active modes
- Improve safety for all road users, and
- Minimise the impact on the landscape and provide a betterment to the local environment.

6. The County Council will enter into three NEC4 Contracts via the PAGABO 'Civils & Infrastructure' (Lot 2) Framework that will comprise a two-stage process, as follows:

Stage 1

- NEC4 PSC Option A for ECI, detailed design and target cost setting
- NEC4 ECSC if enabling works/surveys or other similar services, if required (optional)

and subject to the Council serving a Notice to Proceed to Stage 2

Stage 2

- NEC4 ECC Option C (without Option X22) for Construction Works.

7. Milestone Infrastructure Limited was identified by the County Council as the 'preferred bidder' for the provision of Stage 1 (detailed design, ECI, enabling works/surveys (if required) and target cost setting) support services following the culmination of a 10-week tender period on 22 September 2023. It is anticipated that Milestone Infrastructure will complete the detailed design for the scheme during Spring 2024, although this would be subject to their prompt appointment during November 2023.

8. The purpose of this report is to obtain a delegation to the Corporate Director of Environment & Place to approve the County Council entering into a Stage 1 (detailed design, ECI, enabling works/surveys (if required) and target cost setting) contract with Milestone Infrastructure Limited during November 2023. The value of the Stage 1 works is £1,194,341.26 ex VAT (£1,433,209.51 inc VAT).as stated above.

Key Issues

9. It is essential that this decision is made so that the County Council can proceed to enter into contract with Milestone Infrastructure Limited for Stage 1 (detailed

design, ECI, enabling works/surveys (if required) and target cost setting) support services in respect of the scheme. The time-efficient appointment of Milestone Infrastructure Limited for the Stage 1 works will ensure that the programme for detailed design is not adversely affected.

Financial Implications

11. There are no new budgetary implications as the budget for the scheme has already been agreed by Cabinet.
12. There is a requirement to ensure that the £6m of LEP (City Deal) and £4.8m of Housing Growth Deal funding that has been allocated to the scheme is spent by the end of March 2025. Any unnecessary delay in entering into (and completing) Stage 1 would result in loss of time in the programme.

Comments checked by: Rob Finlayson, Finance Business Partner
(rob.finlayson@oxfordshire.gov.uk)

Legal Implications

13. The Council's Procurement Department conducted a mini competition in accordance with the procedures set out in the Pagabo Civils & Infrastructure Framework, Lot 2 and in compliance with the Public Contracts Regulations 2015, Regulation 33 Frameworks (and related regulations) where Milestone Infrastructure Limited was determined to be the preferred bidder.
14. This decision is required to enable the County Council to finalise and complete all relevant contractual documentation associated with entering into a Stage 1 (detailed design, ECI, enabling works/surveys (if required) and target cost setting) contract with Milestone Infrastructure Limited in respect of the scheme.
15. Stage 2 of the Scheme will commence subject to satisfactory delivery of Stage 1 and under a separate CMD Report approving issue of a Notice to Proceed to Stage 2.
16. The Council will be delivering the A4130 Steventon Lights Integrated Transport Corridor scheme in its capacity as the highway authority for Oxfordshire under the Highways Act 1980.

Comments checked by: Jayne Pringle, Principal Solicitor – Contracts and Conveyancing (Legal Services)
(jayne.pringle@oxfordshire.gov.uk)

Staff Implications

17. There are no staff implications.

Risk Management

18. If the Council does not enter into a Stage 1 (detailed design, ECI, enabling works/surveys (if required) and target cost setting) contract with Milestone Infrastructure Limited during November 2023 then this will put pressure on the County Council's ability to spend the £6m of LEP (City Deal) and £4.8m of Housing Growth Deal funding that has been allocated to the scheme by the end of March 2025.

Bill Cotton, Corporate Director of Environment & Place

Annex: Nil

Background papers: Nil

Contact Officer: Simon Anyiamuka
Project Manager, South & Vale Programme
simon.anyiamuka@oxfordshire.gov.uk

October 2023

Divisions Affected – Abingdon North

**CABINET MEMBER FOR
INFRASTRUCTURE & DEVELOPMENT STRATEGY
16 November 2023**

Delegation to the Corporate Director of Environment & Place to approve the County Council to award two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange 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 Finance and the Head of Legal Services & Deputy Monitoring Officer to approve the County Council awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme.

Executive Summary

2. This report seeks to ensure that delegated authority is in place for the Corporate Director of Environment & Place to approve the County Council awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme. The value of the detailed design and construction works is forecast to be £20m (exc VAT, actual costs incurred to date, staff costs and contingency/risk).

Background

3. The A34 Lodge Hill Interchange scheme will provide improved junction capacity and south-facing slips to the A34, which currently has north-facing slips only. The scheme was granted planning consent on 7 September 2023.
4. The scheme will comprise a “Dumb-bell” configuration (one bridge, two roundabouts) on a basic diamond layout in accordance with DMRB TD 22/06. This configuration optimises junction capacity along the A4138 and A34, whilst minimising land take.

5. As well as the reconfiguration of the interchange, a traffic-calming scheme north of the A34 Lodge Hill Interchange is to be provided along predominately Sugworth Lane and Bagley Wood Road.
6. A34 layby parking re-provision, and improvements are to be provided at two A34 existing layby locations. This is a result of the removal of existing facilities to provide the new slip roads. This was included in the scope of works in 2021 as a result of stakeholder engagement with National Highways and Thames Valley Police that indicated they would not accept the proposals on safety grounds if a net loss in layby parking occurs.
7. The Procurement Strategy for the A34 Lodge Hill Interchange scheme, which recommended the direct appointment of Balfour Beatty Group Limited for detailed design, ECI and construction/delivery works was fully signed-off on 6 October 2023. More specifically, the direct award of Balfour Beatty Group Limited was recommended/approved due to **a)** their involvement in the scheme over the past 5 years, **b)** their existing knowledge of the project (which is expected to deliver added value) and **c)** time savings.
8. The purpose of this report is to obtain a delegation to the Corporate Director of Environment & Place to approve the County Council awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme. The value of the detailed design and construction works is forecast to be £20m (exc VAT, actual costs incurred to date, staff costs and contingency/risk).

Key Issues

9. It is essential that this decision is made so that the County Council can proceed to award two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme. The time-efficient appointment of Balfour Beatty Group Limited will ensure that the programme for detailed design and construction is not adversely affected.
10. The Planning Decision Notice associated with planning consent that was granted for the delivery of up to 900 dwellings, 50 retirement homes and other supporting/ancillary uses on land north of Dunmore Road and Twelve Acre Drive Abingdon (under ref P17/V0050/O) stipulates the following (Grampian condition) under planning condition 38:

No more than 400 dwellings shall be occupied until a contract for the construction works to provide the south facing A34 Lodge Hill slip roads has been awarded by the County Council

Condition reason: To ensure development at North Abingdon comes forward alongside delivery of the south facing Lodge Hill slip roads, to avoid development at North of Abingdon-on-Thames having a severe adverse impact on the local highway network (Core Policies 3, 4, 7, 8 of the adopted Local Plan and Saved Policy DC5 of the Local Plan 2011).

11. As of October 2023, it is understood that approximately 120 homes have been occupied across the housing sites that are impacted by the Grampian condition summarised in the foregoing. It is, however, understood that the 400 homes 'occupation' figure that is clearly set out under Condition 38 could be reached over the coming 12 months, meaning that it is imperative that the County Council awards two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme.

Financial Implications

12. There are no new budgetary implications, as the budget for the scheme has already been agreed by Cabinet.
13. There is a requirement to ensure that the Housing Growth Deal funding that has been allocated to the scheme is spent by the end of March 2025. Furthermore, the £17.33m of infrastructure grant funding that has been awarded to the scheme by Homes England (through the 'Brownfield. Infrastructure & Land' Fund) on 9 October 2023 is subject to the funding being spent by the end of March 2026. Any unnecessary delay in awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme would result in loss of time in the programme, and would put pressure on the County Council's ability to spend the Housing Growth Deal and BIL funding within the specified timescales.

Comments checked by: Rob Finlayson, Finance Business Partner
(rob.finlayson@oxfordshire.gov.uk)

Legal Implications

14. The County Council is able to access the Scape Civil Engineering and Infrastructure Framework, Lot 2 to commission design services and construction on the basis of the NEC4 Professional Services Contract (PSC) Option A and NEC4 Engineering Contract (ECC) Option C, including secondary Option X22. The conditions of these contracts are largely laid down in the Scape Framework Agreement subject to final agreement at the contract preparation stage in November 2023 with regard to selection of NEC option clauses and projects specific items such as levels of insurance and capping of liability. The County Council has experience of calling-off under this Scape Framework for another scheme.
15. This decision is required to enable the County Council to finalise and complete all relevant contractual documentation associated with awarding two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme.

16. The County Council will be delivering the A34 Lodge Hill Interchange Scheme in its capacity as the highway authority for Oxfordshire under the Highways Act 1980.

Comments checked by: Jayne Pringle, Principal Solicitor – Contracts and Conveyancing (Legal Services)
(jayne.pringle@oxfordshire.gov.uk)

Staff Implications

17. There are no staff implications.

Risk Management

18. If the Council does not award two contracts (NEC4 PSC Option A and NEC4 ECC Option C, including secondary Option X22) to Balfour Beatty Group Limited in respect of the design and build of the A34 Lodge Hill Interchange scheme as soon as practicably possible then this will put pressure on the County Council's ability to spend the Housing Growth Deal and BIL funding by the end of March 2025 and March 2026 respectively.

Bill Cotton, Corporate Director of Environment & Place

Annex:	Nil
Background papers:	Nil
Contact Officer:	Sharaz Arif Project Manager, South & Vale Programme sharaz.arif@oxfordshire.gov.uk

November 2023