

Divisions Affected – Witney South and Central

CABINET MEMBER FOR INFRASTRUCTURE AND DEVELOPMENT STRATEGY

22 February 2024

Approval to award contract in respect of the construction/delivery of the Witney High Street and Market Square Enhancement scheme

Report by Corporate Director of Environment & Place

The Cabinet Member is **RECOMMENDED** to:

- a) **Delegate authority to the Corporate Director of Environment & Place in consultation with the Executive Director of Resources and the Head of Legal Services & Deputy Monitoring Officer to approve the awarding of a contract in relation to the construction/delivery of the Witney High Street and Market Square Enhancement Scheme.**

1. Executive Summary

This report seeks to ensure authority is in place to enter a forthcoming contract for the Witney High Street and Market Square Enhancement Scheme and to provide assurances that the project satisfies the requirements of Oxfordshire County Council's corporate policies and practises.

2. Background

In May 2022 Oxfordshire County Council (OCC) was allocated £10,439,437 by DfT as part of the Active Travel Fund Tranche 3 (ATT3) 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 Witney High Street and Market Square scheme has been allocated £1.98m funding for full project delivery, comprising scheme development, design, consultation, construction and monitoring & evaluation.

3. Project Overview

The Project Area is located between the Witney War Memorial in Market Square to the south and the junction of Witney High Street and Welch Way to the north.

The Project is intended to support and maintain the existing traffic restriction which was implemented as an experiment in 2021 and subsequently made permanent in 2022. The reduction of car traffic in the town centre has revealed opportunities for

reallocation of road space that can contribute to a better pedestrian environment, improved cycle access and new retail and leisure activities.

4. Project Progress

In summer 2023, OCC held a series of officer workshops to agree a project vision and scheme objectives which built the basis of a community engagement exercise.

The purpose of the engagement was to seek feedback from residents, businesses, and stakeholders to form parameters and priorities for the design stages of the project. This was achieved through community participation in a survey on the Let's Talk Oxfordshire engagement platform, in person stakeholder workshops, two face to face public events and other comments received by email and post.

The results of the engagement exercises show general support for the project vision/objectives and have identified preferences for a range of built environment interventions that can be considered in the project design and construction stages.

5. Project Procurement Strategy

In Autumn 2023 a project Procurement Strategy (Appendix 1) was presented to the OCC Active Travel Board and approved by senior managers in December 2023. The strategy set out the recommended routes to market to enable the progression of future project stages – preliminary design and detailed design & construction.

Detailed Design & Construction

This will involve the appointment of a Contractor to adopt the final preliminary design and begin the detailed design stage. This stage will specify the materials and methods used for execution of the construction stage and the implementation of new infrastructure on street.

Due to resourcing issues with the Council's term maintenance contract OCC has instead opted to procure a service provider under the Midlands Highways Alliance (MHA) Framework. MHA offers specific highways construction services via a call off contract with a regional supplier. After early engagement with the supplier, resource and availability to carry out the work has been confirmed for the next financial year. The value of contract to be awarded via the MHA is anticipated to be more than £1m.

6. Corporate Policies and Priorities

Transport and Public Realm improvements to the town centre of Witney 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 and boosting the local economy the project will reduce carbon emissions from road transport by promoting active travel and encouraging Witney residents to travel locally

Prioritise the health and wellbeing of residents.

Well-designed public spaces can help to increase opportunities for social activities and community events. An enhanced pedestrian environment encourages walking and active travel.

Invest in an inclusive, integrated and sustainable transport network.

The project will seek to improve the pedestrian environment in the town centre but will also seek to provide new infrastructure that will encourage people to use public transport and sustainable transport modes

Preserve and improve access to nature and green spaces.

The project can provide new space for trees, plants and gardens and increase access to green infrastructure and biodiversity

Work with local businesses and partners for environmental, economic and social benefit

Local businesses are a key stakeholder to informing the new designs of high streets with a particular focus on enhancing shopfront activity by providing the spaces and infrastructure to boost tourism and the local economy

7. Local Transport and Connectivity Plan Implications

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.

In addition, the project will play an important role in helping OCC to meet the headline targets that underpin the vision and key themes set out in the LTCP, which are to:

- reduce 1 in 4 current car trips by 2030
- deliver a net-zero transport network by 2040
- and have zero, or as close as possible, road fatalities or life-changing injuries by 2050.

The LTCP supporting strategies include the Active Travel Strategy which is strongly aligned to the Council's Strategic Priorities.

8. Financial Implications

Total funding of £1.98m has been allocated to the Witney High Street and Market Square project from the ATT3 bid. As part that bid, concept design drawings were produced from which construction cost estimates were prepared using an assessment of tendered rates for similar regional schemes. Percentage uplifts were then applied to cover all project costs including feasibility and preliminary design stages which would include the cost of surveys, site supervision, project management, consultation, monitoring & evaluation and scheme contingency.

Although the project program indicates completion of the construction phase in Spring/Summer 2025, recent meetings with Active Travel England have suggested that the funding is not rigorously dependent on hard deadlines and in the unlikely event that the project were to be cancelled, funding could be transferred to other Active Travel projects currently in development.

If required, additional funding streams shall be considered once costed design proposals are finalised and could potentially include s106, District/Town Council contributions and other public realm/transport projects related to the area.

There are no revenue funding implications resulting from the recommendation made in this report.

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

9. Legal Implications

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 £1m and £1.5m. 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 includes 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 Witney High Street and Market Square Enhancement scheme in its capacity as highway authority for Oxfordshire under the Highways Act 1980.

Comments checked by:
Anita McEleney, Locum Solicitor, anita.mceleney@oxfordshire.gov.uk

10. **Staff Implications**

There are no staff implications.

11. **Equality & Inclusion Implications**

The Equalities Impact Assessment is presented in Appendix 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 a potential to positively impact persons living in rural communities by promoting more public transport links to Witney.
- Any Public realm improvements in the town will seek to boost social cohesion and enable a wider range of social activities in Witney.

12. **Sustainability Implications**

The Climate Impact Assessment is presented in Annex 2 to this report and was last conducted in September 2023.

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.

13. **Risk Management**

Project Risks are routinely monitored and if necessary, escalated to the Active Travel Program Board where risk mitigation measures can be agreed.

If the Council does not award the design and build contract as soon as practicably possible then this could put pressure on the County Council's ability to spend the allocated within the agreed timeframes. This could result in reputational damage to the Council if it does not begin the construction works in Witney town centre as currently planned.

14. **Consultations**

An extensive Community Engagement exercise with Witney Residents, Businesses and Stakeholders was carried out in September 2023. The findings of the Community Engagement have been published in a report on OCC's Let's Talk Website.

The results of the engagement exercises show general support for the project vision and objectives and have identified preferences for a range of built environment interventions that can be considered in the project design stages.

Report by Bill Cotton
Corporate Director of Environment and Place

Annex:

1. Climate Impact Assessment
2. Equalities Impact Assessment

Other Documents: Witney High Street and Market Square Community Engagement Report
<https://letstalk.oxfordshire.gov.uk/26465/widgets/84744/documents/51928>

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