

Divisions Affected – Eynsham, Witney (North and East)

**CABINET MEMBER FOR
INFRASTRUCTURE & DEVELOPMENT STRATEGY
– 12 October 2023**

**Access to Witney Detailed Design
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 commencement of a Professional Services Contract (for the value given in the Annex A) called off under the Scape Perfect Circle Consultancy Framework (Lot 2) between Scape Procure Limited and with Perfect Circle JV Ltd in relation to the Detailed Design of the Access to Witney / Shore Green Scheme.

Executive Summary

2. This report seeks to ensure that authority is in place to enter into a contract for professional services (for the value given in the Annex A) with Perfect Circle JV Ltd (pursuant to the Perfect Circle) for the Detailed Design of the Access to Witney Scheme.

Background

3. The A40 Access to Witney Scheme proposed improvements to the existing B4022/A40 junction at Shores Green. The purposes of the A40 Access to Witney transport Scheme is:
- To reduce congestion and improve air quality in central Witney, including on Bridge Street and in the Air Quality Management Area
 - To support the delivery of planned housing growth in Witney as set out the West Oxfordshire Local Plan 2031
 - To improve access to the A40 from northeast Witney
4. The purpose of this report is to obtain approval for the Council to enter into a Professional Service Contract with Perfect Circle JV Ltd for the Detailed Design of the Access to Witney Scheme.

5. Perfect Circle JV Ltd will undertake the Detailed Design for the Access to Witney Scheme.

Key Issues

6. It is essential that this decision is made urgently in respect of entering into a contract with Perfect Circle JV Ltd to ensure that the Detailed Design can progress and subsequent construction programme is not adversely affected.
7. The key driver for use of the Scape Perfect Circle Consultancy Framework with Perfect Circle JV Ltd is time; this route will produce the shortest time to commence Detailed Design and the subsequent construction programme. Furthermore, 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. Use of the Scape Perfect Circle Consultancy Framework will help to drive time and cost (including value for money) efficiencies and, thereby, ensure that the project adheres to the latest programme/timescales.

Financial Implications

8. As identified previously, this report seeks to ensure that authority is in place for entering of a Professional Services contract (f for the value given in the Annex A) to be issued to Perfect Circle JV Ltd (pursuant to Scape Procure) for the delivery of the Detailed Design stage of the Access to Witney Scheme.
9. The value given in Annex A is the cost for Perfect Circle JV Ltd to deliver the Detailed Design stage for the Access to Witney Scheme on behalf of the County Council which falls within the 'approved budget':
 - (a) Housing Growth Deal Fund - £17m - Cabinet approved on 18 October 2022
 - (b) S106 (Unsecured) - £6.64m - forward funded by OCC Coporate Resources.
 - (c) S106 (Secured) - £1.39m - held as secured s106 contributions from an existing housing site on Burford Road in Witney.
10. There are no budgetary implications, as the budgets for the project have already been agreed by Cabinet.

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

Legal Implications

11. 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 value of the proposed contract for Detailed Design is given in Annex A and therefore is above the PCRs threshold for services which currently stands at £213,477 inc VAT.

12. The Scape Perfect Circle Consultancy Framework Agreement between Scape Procure Ltd and Perfect Circle JV Ltd was entered into on 29th January 2021 following a public procurement exercise under the PCRs and expires on 4th January 2025. The proposed call-off contract between Perfect Circle JV Ltd and the Council is a NEC4 Professional Service Contract
13. The Council will be delivering the Access to Witney 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)
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Staff Implications

14. There are no staff implications.

Risk Management

15. If the Council does not enter a contract with Perfect Circle JV Ltd in respect to the delivery of the Detailed Design of the Scheme as soon as practicably possible then this could put pressure on the Council's ability to spend the Housing Growth Deal funding that has been allocated to the Scheme by the end of March 2025. Furthermore, Perfect Circle JV Ltd will not be able to commence the Detailed Design as per the latest programme until the call-off contract has been entered, which could have financial and time implications. Both of these risks could result in reputational damage if the Council does enter the contract with Perfect Circle JV Ltd in a time-efficient manner.

Bill Cotton, Corporate Director of Environment & Place

Annex: Annex A – Project Details

Background papers: Nil

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