

Divisions Affected – Eynsham; Kidlington East and Kidlington West

**DELEGATED DECISIONS BY CABINET MEMBER FOR HIGHWAYS
CONSTRUCTION AND REPAIR**

1 JUNE 2026

**Housing Infrastructure Fund (HIF2) – A40 Eynsham to Wolvercote
Construction Contract**

Report by Director of Environment and Highways

RECOMMENDATION

The Cabinet Member is **RECOMMENDED** to:

- a) **Delegate authority to the Director of Environment and Highways in consultation with the Head of Legal and Governance Services (Deputy Monitoring officer) to:**
 - i) **Subject to finalising the scope, target cost, and programme for Stage 1 as well as the Option X22 Budget and Pricing Information, to approve the award of the NEC4 Engineering and Construction Contract, for an estimated total value of £70m, for the A40 Eynsham Park and Ride to Wolvercote scheme to Balfour Beatty Group Limited under the Scape Civil Engineering and Infrastructure Framework (Lot 2); and**
 - ii) **Subject to finalising the scope, target cost and programme for Stage 2, to approve the issuing of a Notice to Proceed under the Contract to commence the main Construction Works.**

Executive Summary

1. The Council's Constitution states that key decisions are required prior to entering into any contracts with a capital spend of over £2 million.
2. This report recommends that the Cabinet Member delegates authority to the Director of Environment and Highways in consultation with the Head of Legal and Governance Services (Deputy Monitoring officer) to:

- a) Subject to finalising the scope, target cost, and programme for Stage 1 as well as the Option X22 Budget and Pricing Information, to approve the award of the NEC4 Engineering and Construction Contract, for an estimated total value of £70m, for the A40 Eynsham Park and Ride to Wolvercote scheme to Balfour Beatty Group Limited under the Scape Civil Engineering and Infrastructure Framework (Lot 2); and
 - b) Subject to finalising the scope, target cost and programme for Stage 2, to approve the issuing of a Notice to Proceed under the Contract to commence the main Construction Works.
3. The NEC Option X22 enables the Council to either terminate the contract at the end of Stage 1 or proceed to Stage 2 and commence the construction works.
 4. An urgent Cabinet Member Decision meeting is required to allow Stage 1 enabling works to commence in June, which are season dependent. These enabling works are critical to minimise programme and cost pressures on the project and to maintain spend within the funding deadline. Programme delays have occurred due to a Regulation 25 notice being issued in April which had a knock-on effect on the governance approval process and timings.

Background

5. The scheme proposes the construction of highways infrastructure on the A40 between Eynsham Park and Ride and Wolvercote. This cabinet paper is to get approval to proceed with the delivery of phase 1 (see Appendix 1) of the scheme, which provides the following benefits:
 - a. Reduce congestion and provide alternative modes of transport – through the delivery of a new junction to enable Eynsham Park and Ride to become operational.
 - b. Reduce congestion and provide alternative modes of transport - through the delivery of shared service footways.
 - c. Improve bus journey times along the A40 – A bus lane eastbound between the Eynsham park and ride and Cassington junction, a bus lane eastbound from Duke's Cut Bridge to tie-in to the existing Oxford North Junction bus lane and a westbound bus lane between Cassington Junction and the Eynsham park and ride.
 - d. Improve non-motorised safety – new signalised crossings at points along the A40.
 - e. Enable unlocking of housing development sites along the A40 – The delivery of over 4000 homes and significant employment growth across the region.
6. The Planning application for the Scheme was submitted to the Local Planning Authority (LPA) in June 2025 with determination currently expected to be granted by the end of May 2026 subject to conditions.

7. The pre-construction design of the works has been carried out by Balfour Beatty under a separate contract.

Key Issues

8. The current cost estimate and programme depend on enabling works within this contract commencing in mid-June 2026. A delay to this date will result in the project costs exceeding the approved budget.
9. Approving this construction contract is necessary to keep the programme on track and use the Homes England grant before the deadline. Any funding not spent by the funding deadline will be lost.

Legal Implications

10. This is a key decision as defined in paragraph 3(b) of Part 1.3 of of the Council's Constitution.
11. This report seeks approval by a Cabinet Member to delegate authority to the Director of Environment and Highways, in consultation with the Head of Legal and Governance Services (Deputy Monitoring Officer) to award a works contract with an estimated value of £70 million for the delivery of highways infrastructure works on the A40 between Eynsham Park and Ride and Wolvercote. The Contract will comprise enabling works (Stage 1) and the main construction works (Stage 2). Following completion of the Stage 1 works the Council may elect to proceed to Stage 2 of the Contract by issuing the Contractor with a Notice to Proceed under the Contract.
10. As the total estimated value of the proposed construction works contract exceeds the applicable works threshold of £5,193,000 (including VAT), the Council is required to procure the works through a lawful and compliant route to market in accordance with the Public Contracts Regulations 2015 (PCR 2015), where applicable, or the Procurement Act 2023 (PA 2023), and in compliance with the Council's Contract Procedure Rules.
11. The proposed route to market for the award of the works contract is by way of a call-off under the Scape Civil Engineering and Infrastructure Framework 2022–2026 (dated 21 November 2022), being a single-supplier framework established pursuant to the PCR 2015. The PA 2023 expressly permits contracting authorities to continue awarding call-off contracts under framework agreements established under the PCR 2015, including the Scape Civil Engineering and Infrastructure Framework 2022–2026. The proposed award route is therefore a lawful and available procurement route for the purposes of this contract.

13. During Stage 1 of the contract, the parties will develop and seek to agree on the Tendered Total of the Prices for Stage 2 (target price) based on the Pricing Information, together with the Stage 2 Scope and programme, prior to the issue of any Notice to Proceed for the main construction works. No Notice to Proceed will be issued unless and until a further decision is taken under this delegation.
14. In delivering the construction of the A40 Eynsham to Wolvercote Scheme, the Council is acting in its statutory capacity as the highway authority for Oxfordshire pursuant to the Highways Act 1980.

Comments checked by:

Jayne Pringle, Principal Solicitor - Contracts Jayne.pringle@oxfordshire.gov.uk

Financial Implications

15. There are no new budgetary implications. The contract value is within the approved budget envelope.

Comments checked by: Rob Finlayson, Strategic Finance Business Partner
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Staff Implications

16. No additional staff resources are required as a result of this decision. The scheme will continue to be managed within the existing HIF2 Project Team under the leadership of the Programme Lead.

Sustainability Implications

17. The scheme supports the Council's Climate Action Framework by reducing congestion and providing alternative modes of transport through the delivery of infrastructure to enable the Eynsham Park and Ride to become operational and through the inclusion of high-quality shared footways. The design includes biodiversity enhancements and carbon reduction measures.

Risk Management

18. There are no key risk management issues.

Paul Fermer,
Director of Environment and Highways

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Appendix 1: Phase 1 of Scheme

