

Decision Report - Executive

FP/23/09/18

Decision Date – 8 November 2023

Key Decision – Yes



CELEBRATION MILE, BRIDGWATER – APPOINTMENT OF CONTRACTOR

Executive Member(s):	Cllr Ros Wyke
Local Member(s) and Division:	Cllr Leigh Redman, Cllr Hilary Bruce, Cllr Brian Smedley and Cllr Kathy Pearce
Lead Officer:	Stuart Martin
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Summary / Background

1. The Celebration Mile project in Bridgwater has been a long-held ambition for the town to deliver streetscape improvements from the railway station through to the docks. As part of the Bridgwater Town Fund grant award a substantial section of the route was selected for delivery; Eastover (street), Clare Street and Angel Crescent. Following a competitive tender exercise officers are now able to recommend to Council Executive the appointment of a contractor to deliver the works and seek approval to proceed.

These works will substantially improve the pedestrian and cycle accessibility into and through the three areas and improve the conditions for businesses and traders to be successful. Works will include widened pavements, re-ordered traffic movement and landscaping.

Recommendations

2. The Executive agrees;
 - a. That Taylor Woodrow SWH Contracting be identified as the preferred main contractor to deliver the works with formal appointment being subject to the successful outcome of further officer and contractor discussions to value engineer and de-scope elements of work to bring an agreed contract price to within project budget levels.
 - b. That a delegation be provided to the Lead Member for Economic Development, Planning and Assets in consultation with the Service Director Economy, Employment and Planning to confirm contractor appointment following the discussions and which must result in assurance that the project will not require additional top up funds from Somerset Council. The result of this process to be brought back to Executive for ratification.

- c. The work to de-scope and value engineer the project will include the following; a reduction in the area identified for enhancement, alternative materials to replace natural stone such as granite and removal of the proposal to create new facades in the colonnade area of Angel Crescent.
- d. The case for exempt information in Appendix B and Appendix D to be treated in confidence, as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.
- e. To exclude the press and public from the meeting where there is any discussion regarding Appendix B and Appendix D (to be treated as exempt information).

Reasons for recommendations

3. Following a competitive tendering exercise two bids were received and assessed against agreed criteria which scored the bids 60% price and 40% quality. The attached Appendices A and B provide detail on the procurement exercise, Appendix C details Project Risk Register and Appendix D Pricing Comparison detailing bids received against budget.
4. The Appendices B and D should be exempt for the reason of commercial and financial confidentiality.

Other options considered

5. a. In considering that the bid not selected for recommendation was significantly below budget but did not reach the quality standards expected during the procurement assessment, Executive may consider that a new procurement exercise should be undertaken. However, this is not recommended for the following reasons:
 - There is a risk that a new procurement exercise will not produce any acceptable bids due to continuing inflationary price pressures.
 - The delay to start of work and consequent delay to the spend of Towns Fund grant would be a material change to the approved business case requiring a formal change request submitted to DLUHC. This would further delay the project and there is no certainty that the change would be agreed.
- b. The Executive might consider that the works cannot be delivered due to the possibility that following further discussions the proposed contract sum cannot be brought into line with the project budget. In this case Executive could decide not to proceed with this element of Towns Fund grant, again this is not recommended for the following reasons:
 - Officers believe that project budget can be attained as part of a value engineering and de-scoping exercise.

- Officers and consultant teams have undertaken a large amount of work to de-risk the project and bidders have indicated only a small number of red risks which are all capable of mitigation.

The Risks are assessed within section 7 and 8.

Links to Council Plan and Medium-Term Financial Plan

6. Towns Fund grant is not linked to the Council Plan or Medium-Term Financial Plan, but the proposals are a long-held ambition of the former District Council and, which is now translated into the objectives of the new Somerset Council. The projects meet the following Council priorities:

- A Greener, More Sustainable Somerset. Improving the drainage infrastructure through the carriageways will allow better dispersion of surface water. Raising the quality of the streetscape unites the two Conservation Areas and provides better context and condition for historic buildings. Introducing improved conditions for both pedestrians and cyclists will reduce air pollution and carbon impacts within the town centre.
- A Healthy and Caring Somerset. The project enables walking and cycling through improvements to the road network in Eastover in particular. Accessibility to Eastover for people with disability and equalities issues will be much improved. The degraded appearance of Angel Crescent will be significantly enhanced and provide an important boost for all generations to better enjoy the town centre experience.
- A Fairer, Ambitious Somerset. Raising the quality and creating a better environment within the town centre will allow those businesses and traders that work hard to stay afloat and flourish.
- A Flourishing and Resilient Somerset. Creating better physical links between the places that matter in the town will allow equity of access to opportunities.

The project will have the following impacts:

- Raised quality of materials through the spine of the town centre and linking together the important areas of the shopping / leisure experience by breaking down barriers created by traffic and pollution that lead to an unpleasant experience in the town centre.
- Material quality will provide longevity of appearance and use for the next 100 years at least.
- Improved accessibility and footfall across Town Bridge into Eastover will provide traders with better opportunities to be successful.
- Creating a high-quality environment that visitors to the town will appreciate linking together important aspects of tourism at the Mercure Hotel and health and social care training facilities at the former Bridgwater Infirmary.

Financial and Risk Implications

7. The financial implications to the Council from the contents of this report are limited in that the project budget is delivered via Government Towns Fund grant. There are no revenue implications to the delivery of the project as street cleaning activities will continue as normal and other maintenance around highways activity will be reduced as newly installed surfacing and paving will not require to be addressed for some years.

Decision Risk	Risk Description	Likelihood	Impact	Total Score	Mitigation
New Procurement Exercise	There is a risk that a new procurement exercise will not produce any acceptable bids due to continuing inflationary price pressures.	9	3	12	Procurement process sound and evidenced, de-scope and VE exercise underway.
	The delay to start of work and consequent delay to the spend of Towns Fund grant may not be acceptable to DLUC.	9	3	12	Procurement process sound and evidenced.
Discussions with contractor do not result in achieving budget or Council decide not to proceed because of overspend risk.	Key element of the Town Fund unlikely to be delivered reducing positive benefits and regeneration of town centre.	9	3	12	De-scope and VE exercise underway, early signs demonstrate savings can be made to achieve budget with healthy contingency.

8. Officers and consultant team have worked hard to understand the risks to the project and have mitigated wherever possible through prior investigative works such as trial holes and GPR activity. Please see Appendix C Risk Register for construction risk detail.

Legal Implications

9. Due to the fact that this project was running prior to and across Unitary Council Vesting Day, Legal Officers of the former District Council advised to outsource the NEC4 contract work. Freeths LLP were selected as preferred representatives and have provided expert advice in constructing a contract with boilerplate/Z Clauses being included again on advice from Somerset Council (North) legal officers.
10. All relevant procurement procedures have been followed and Somerset Council (North) Procurement Manager conducted an open tender process via the e-tender portal. The tender was open for a six week period and resulted in two strong bids being received.

Tenderers were able to ask clarifying questions and it is interesting to note that companies subsequently identified as prime sub-contractors to the preferred main contractor were among those requesting clarifications.

Please see the attached Appendix A Tender Evaluation Report and Appendix B Tender Evaluation Report – CONFIDENTIAL for fuller detail.

HR Implications

11. There are no direct or indirect impacts on Somerset Council Human Resources.

Other Implications:

Equalities Implications

12. Equalities Impact Assessment detailed below.

Community Safety Implications

13. There are no direct implications on community safety from this decision, however the project itself will have a positive impact as follows:
 - Improvements to the streetscape will reduce interaction with vehicles including HGVs within the town centre area as well as a reduction in vehicle pollution to the area while improved surfaces reduce the likelihood of trips and falls.
 - Degraded areas within the street scene generally tend to induce the fear of crime and raising the quality of the street scene will offer a better sense of security and reduce fear of crime. Additional CCTV provision will allow for safer areas at all times of the day.
 - Creating the environment for vitality enhances inter-generational social interaction.
 - The project will have a positive impact on the perception of crime and disorder in Bridgwater although anti-social behaviour rates are on the rise countrywide and Bridgwater is no exception. Increasing footfall and dwell time does help to reduce the instances of ASB as areas do become self-policing, however it must be recognised that the brazen and aggressive nature of some activities are becoming unmanageable. As part of Town Deal funds, Town Wardens have been appointed to engage with the community within the town centre to address these issues.

Climate Change and Sustainability Implications

16. The tender response from the contractor contained a significant section in respect of Environment and Sustainability. While not attached to this report as an appendix the information can be shared to any Member(s) who would like to inspect and understand the detail. It is anticipated that Officers will have a pre-engagement meeting with the contractor where the approach and methods to climate change, the environment and sustainability will be agreed.
17. The Sedgemoor Local Plan currently remains as the adopted policy of Council for the area detailing the detailed high level strategic direction. The project is supported by the preparation of appropriate planning documents over a long period of time all of which underwent extensive consultation and further supported by various events to maintain interest in delivering the schemes. The following Council adopted documents are relevant;
 - Bridgwater Vision 2009
 - Hinkley Point C Supplementary Planning Document 2011
 - Eastover Supplementary Planning Document 2014
 - Bridgwater Vision Refresh 2015
 - Bridgwater Re-Energised – Town Investment Plan 2021

Health and Safety Implications

18. Health and Safety is identified within the risk register as a significant issue related to public safety while street and highways works are undertaken. The contractor has provided a detailed HSE report detailing how they will manage the works and ensure public, worker and highway safety is maintained and mitigation provided.

Health and Wellbeing Implications

19. In section 6 benefits to health and well-being are identified. Discussions with the Public Health team have uncovered a need for closer relationship to create a deeper understanding of regeneration projects which will be pursued.

Social Value

20. The tender response from the contractor contained a significant section in respect of Social Value. While not attached to this report as an appendix the information can be shared to any Member(s) who would like to inspect and understand the detail. In summary the contractor will be providing; local employees, training opportunities, school site visits, apprenticeships, support for young people into work, work placements, pre-employment courses, significant value to local supply chain, well-being programmes, savings on driven car miles. In respect of the Local Labour Agreement Caroline Derrick, Employments, Skills and Development Manager will be engaged with the contractor to ensure a smooth process and monitoring of impacts.

Scrutiny comments / recommendations:

21. A detailed discussion was held with Councillor Dimery and Councillor Boyden who were satisfied that the project will have significant benefit to Bridgwater, the local economy and the community. They were also satisfied that appropriate process is in place to manage the project.

Background

22. Celebration Mile was conceived during the development of the Bridgwater Vision in 2009 and subsequently supported by additional Supplementary Planning Documents and special events designed to maintain momentum in the project. As part of the Bridgwater Towns Fund application, elements of the Celebration Mile which were prefunded to RIBA Stage 2 were put forward for consideration and subsequently successfully awarded grant funds.

Background Papers

23. None

Appendices

Appendix A Tender Evaluation Report

Appendix B Tender Evaluation Report - CONFIDENTIAL

Appendix C Risk Register for Exec Report




Appendix D Contractor Pricing Comparison - CONFIDENTIAL

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	19.10.23
Communications	Peter Elliott	30.10.23
Finance & Procurement	Jason Vaughan / Nicola Hix	30.10.23
Workforce		NA
Asset Management	Oliver Woodhams	NA
Executive Director / Service Director	Mickey Green / Paul Hickson	30.10.23
Strategy & Performance	Alyn Jones	NA
Executive Lead Member	Councillor Ros Wyke	25.10.23
Consulted:	Councillor Name	
Local Division Members	Councillors Leigh Redman and Hilary Bruce – Bridgwater North.	23.10.23
	Councillors Brian Smedley and Kathy Pearce – Bridgwater South.	26.10.23
Opposition Spokesperson	Councillor Mark Healey	30.10.23
Scrutiny Chair & Vice Chair	Councillors Martin Dimery and Adam Boyden	17.10.23

Somerset Equality Impact Assessment

Before completing this EIA please ensure you have read the EIA guidance notes – available from your Equality Officer or www.somerset.gov.uk/impactassessment

Organisation prepared for (mark as appropriate)	 Somerset Council		 NHS Somerset		 NHS Somerset NHS Foundation Trust	
Version			Date Completed			
Description of what is being impact assessed						
<p>Celebration Mile is a public realm improvement scheme that seeks to enhance connectivity between the Railway Station, the core retail offering and the new leisure destination of Northgate Yard and reinvigorated docks. Celebration Mile will form the ‘back-bone’ of Bridgwater. The route will include coordinated high quality public realm materials, street furniture, shared surfaces, paving, lighting, street trees, interpretative material, public art and improved wayfinding.</p> <p>The project seeks to improve pedestrian and cycling routes through the town, it is also designed to provide essential added value by creating new informal enterprise spaces addressing the need for inclusive growth, diversifying the range of uses and activities, improving footfall, attraction and consumer dwell time in the town to the quality experience.</p>						
Evidence						
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset’s Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p>						
<p>Data for Bridgwater specifically has been used as part of the development of the project including Deprivation data</p>						

Health inequality data
Data relating to the town centre including business closures

Who have you consulted with to assess possible impact on protected groups and what have they told you? If you have not consulted other people, please explain why?

Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?

Programme Level Stakeholder engagement including
#MyTown Feedback
Bridgwater Vision Online Survey
Virtual presentations – Bridgwater Chamber of Commerce and Local Parish Council
Project partner engagement
Project Level Stakeholder engagement including
Consultation event at Bridgwater Town Hall
Town centre pedestrianisation Traders Survey

Celebration mile project is one of the projects in Bridgwater’s £23.5 million Towns Funds programme.

Analysis of impact on protected groups

The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.

Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
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<p>Age - older</p> <p>Age – younger people</p>	<ul style="list-style-type: none"> • The pedestrianisation of part of the scheme will support older people and give them the ability to move around unimpeded by the traffic in a safer environment. • Increases in seating will support older people who tends to want to be able to sit for a period during their visit. • Enhanced street lighting will help people feel safer in town. • Connection with the Town Warden project will bring together an overall safer place to visit for older people. • There will be a variety of education and training projects • The scheme will provide space for aspiring small businesses, working in partnership with Step Up as well as Angela Crescent • Enhanced street lighting will help people feel safer in town • Connection with the Town Warden project will bring together an overall safer place • The project will create a number of temporary local construction jobs. • The project may also support apprenticeships • There will also be indirect jobs in the construction supply chain 	□	□	☒
<p>Disability</p>	<ul style="list-style-type: none"> • Accessibility will be improved by increased pedestrianisation of parts of the scheme making it safer for disabled people to move around • Enhanced street lighting will help people feel safer in town • Enhanced signage and wayfinding will help people navigate the area • Connection with the Town Warden project will bring together an overall safer place to visit for disabled people 	□	□	☒

Gender reassignment	<ul style="list-style-type: none"> Enhanced street lighting will help people feel safer in town. Connection with the Town Warden project will bring together an overall safer place to visit for people. 	□	□	☒
Marriage and civil partnership	<ul style="list-style-type: none"> There are no identifiable impacts 	□	□	□
Pregnancy and maternity	<ul style="list-style-type: none"> Enhanced street lighting will help people feel safer in town. Connection with the Town Warden project will bring together an overall safer place to visit for people, especially families with children 	□	□	☒
Race and ethnicity	<ul style="list-style-type: none"> Connection with the Town Warden project will bring together an overall safer place to visit The ability to celebrate culture and recognise the heritage of Bridgwater 	□	□	☒
Religion or belief	<ul style="list-style-type: none"> There are no impacts identified 	□	□	□
Sex	<ul style="list-style-type: none"> There will be a variety of education and training projects The scheme will provide space for aspiring small businesses, working in partnership with Step Up as well as Angela Crescent Enhanced street lighting will help people feel safer in town Connection with the Town Warden project will bring together an overall safer place, especially young women The project will create a number of temporary local construction jobs. 	□	□	☒

	<ul style="list-style-type: none"> The project may also support apprenticeships There will also be indirect jobs in the construction supply chain 			
Sexual orientation	<ul style="list-style-type: none"> Improvements in place which makes a safer place for people to visit will encourage greater community involvement 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Armed Forces (including serving personnel, families and veterans)	<ul style="list-style-type: none"> Improvements in place which makes a safer place for people to visit will encourage greater community involvement 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other, e.g. carers, low income, rurality/isolation, etc.	<ul style="list-style-type: none"> Improvements in place which makes a safer place for people to visit will encourage greater community involvement. Job opportunities across this project and the wider project with support local jobs 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
Ongoing review to ensure that equality requirements are considered as part of this and the overall Town Deal project which include a review of Impact Assessment to ensure that the positive impacts identified have been delivered	31/12/2024	Town Deal Board	Board meetings	<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

There are no negative impacts identified currently. This is based on the project documentation and supporting evidence and data. The Town Deal Board will have to monitored equality considerations as part of the ongoing delivery of the project as a whole and ensure that requirements are met

Completed by:	Stuart Martin
Date	1/10/23
Signed off by:	
Date	
Equality Lead sign off name:	Angela Farmer
Equality Lead sign off date:	19/10/23
To be reviewed by: (officer name)	
Review date:	