

## Decision Report - Executive Decision

Forward Plan Reference – FP 23/12/03

Decision Date – 1 July 2024

Key Decision – yes

Confidential Information – Appendix B

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### Yeovil town centre active travel scheme – Phase 1 - contract award

Executive Member(s): Cllr Richard Wilkins - Lead Member for Transport and Digital

Local Member(s) and Division: Cllr Andy Soughton / Cllr Faye Purbrick

Lead Officer and Author: Peter Paddon Ian Timms

Contact Details: [peter.paddon@somerset.gov.uk](mailto:peter.paddon@somerset.gov.uk) or [ian.timms@somerset.gov.uk](mailto:ian.timms@somerset.gov.uk)

### Summary / Background

1. This paper is seeking approval from the Executive Director for Climate and Place in consultation with the Lead Member for Transport and Digital to appoint a contractor to deliver phase 1 of active travel schemes associated with the Yeovil Refresh regeneration programme.
2. This phase of work forms a key element of the plans to regenerate Yeovil town centre. The phase delivers schemes in three areas namely Hendford, South Western Terrace/Central Road/Middle Street. This delivers new infrastructure and enhancements to the active travel network in the town centre improving overall connectivity. The schemes are outlined in the Council's current Yeovil Local Cycling and Walking Infrastructure Plan (LCWIP) which covers the active travel routes throughout the town.
3. This appointment is funded through grant funding from Active Travel Fund 3 (ATF3) and the remainder of an historic grant for Yeovil Eastern Corridor (YEC) works. These are sums allocated to Yeovil town centre within the respective grant awards. The ATF3 sum is allocated to active travel in Yeovil town centre with the YEC grant also being geographically restricted in to this area. This combines to create funds able to deliver the project with a small amount from existing already approved allocated project capital funds to meet the contract price. There will be no requirement for additional capital funding requests to deliver this project. This will place no additional demands on the council's budget.
4. This appointment utilises a public realm framework which was created by South Somerset District Council for work of this type. The Framework remains live for appointments until end of September 2024 and work can be completed two years post closure of the Framework. This is in accordance with the general legal requirements for operation of such frameworks. The Framework utilises a JCT form contract which formed part of the initial framework sign up package.
5. The proposed contractor is detailed in Appendix B of the report. They are one of the original four contractors on the framework. This proposed appointment

follows a procurement process in the summer/autumn of 2023. We have subsequently been negotiating on price and seeking to address cost risks through December/January and have now concluded those discussions. This has created a finalised contract value which is included in Appendix B.

6. Whilst we have concluded this discussion further joint work is planned to reduce costs on elements of this contract. This will be achieved by creating programme overlap with the existing public realm work which is ongoing in Yeovil through 2024. These commercial discussions will continue post contract signing to address costs. This will enable any further risk factors to be minimised and costs to be controlled.

## **Recommendations**

7. Recommend that the Executive Director for Climate and Place, in consultation with the Lead Member for Transport and Digital:
  - 7.1. Agree to appoint the preferred contractor to deliver phase 1 of the active travel work in Yeovil Town Centre.
  - 7.2. Agree that Appendix B should be treated as exempt information and to be treated in confidence on the ground that it contains information relating to the financial or business affairs of the tenderers and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **Reasons for recommendations**

8. The package of works which this contract seeks to deliver form part of the Yeovil Refresh Access strategy and are key schemes within the council's LCWIP. These form part of the wider strategic approach to the provision of active travel infrastructure in Yeovil.

The work complements and links to public realm improvements in the town centre core streets.

9. The work is part of an Active Travel Fund 3 allocation which need to be delivered to meet the requirements of that award. This will be matched by utilising the remainder of the Yeovil Eastern Corridor grant which may only be used in a restricted geographic location.
10. The preferred contractor is already working on range of schemes in the town centre. This presents an opportunity to deliver value from integration of the existing mobilised workforce.

## Other options considered

11. These schemes can be delivered due to the use of external funding which is available. The alternative is to not deliver these schemes which would be the case if funding was not in place.

## Links to Council Plan and Medium-Term Financial Plan

12. This decision and the wider delivery of the links directly with the 2023 – 2027 Council plan in the following ways: -
  - **A Fairer and Ambitious Somerset** – The Yeovil Refresh aims to use the existing town centre places and spaces regenerating the core centre to support the wider town. This supports wider ambitions to deliver a better place as part of this key Somerset town.
  - **A Flourishing and Resilient Somerset** – This vital element of active travel works will support links into and through the town enhancing links to Pen Mill Station.
  - **A Greener, More Sustainable Somerset** – The new shared active travel facility in Hendford, signals/crossing upgrades in South western Terrace and Drainage improvements in the country park encourages sustainable travel and help heathy outcomes.
13. In terms of links to the MTFP there are no negative impacts associated with this decision on the basis that the works will replace and update existing facilities. These will be subject in future to maintenance through whatever funds are allocated into highways budget areas.

This is a key project in helping deliver connectivity into Yeovil Town centre and delivery of wider regeneration goals in the town. The overall programme aims to support growth of the local economy.

## Financial and Risk Implications

### 14. Financial

The award of this contract utilises two sets of grant funding those being funds related to highway schemes on the Yeovil Eastern Corridor and Active Travel fund 3 with a very small residual amount of funding associated with the regeneration project. The grant funding is derived solely from external sources so has no impact on the agreed council budget.

The Yeovil Eastern Corridor funds are historic with the sum remaining being the residue from previously delivered elements of a plan for improving that transport corridor. This residual amount is grant funding provided by Department of Transport which requires expenditure in and around this corridor. It is also intended for strategic schemes which limits its scope. This scheme fits that broader definition and in the short term there are limited uses for this fund in the specific geographic location.

The second element of funding derives from active travel fund 3 (ATF3) provided through successful bids to Active Travel England. The funds are allocated to Yeovil town centre active travel centre schemes so are specific to the delivery of this contract. This element of the funding must be expended on this specific proposal a risk exists that it may need to be repaid if this does not occur.

This contract area meets the requirements for both grants which are derived from external agencies and enables their usage in a timely manner. This decision paper will enable the grants to be utilised.

Contingency for risks during construction is covered within agreed costs and also by integrating management with existing public realm contracts within Yeovil. This will ensure risks are mitigated and costs actively controlled through reduction in prelims and other costs which are being actively managed.

15. The key risks that occur

**Risk:**

Consultation with those impacted by the scheme.

**Mitigation**

A full statutory consultation has been carried out which resulted in several design changes to address issues. In operating the contract there will be regular proactive communications from the contractor, providing regular project delivery newsletters which will be posted on the council`s website and making themselves available to the community. When issues occur, the contractor has a track record of liaising with individuals and businesses to deal with issues quickly and in cooperation with the neighbours.

|            |   |        |   |            |   |
|------------|---|--------|---|------------|---|
| Likelihood | 2 | Impact | 3 | Risk Score | 6 |
|------------|---|--------|---|------------|---|

**Risk:**

Communication of this investment during the ongoing financial emergency could create negative publicity.

**Mitigation**

This work will be communicated via the comms team and updates created on the Yeovil Refresh pages of the Somerset Council website.

|            |   |        |   |            |   |
|------------|---|--------|---|------------|---|
| Likelihood | 2 | Impact | 4 | Risk Score | 8 |
|------------|---|--------|---|------------|---|

**Risk:**

Increased costs due to ground conditions or delayed consents for permits.

**Mitigation**

Works are pre-planned with relatively few deep excavations which could impact services. Control will be maintained through existing approaches on public realm works. Permits will be managed through regular discussions on TTRO with relevant highways teams using mechanisms in place in Refresh project.

|            |   |        |   |            |    |
|------------|---|--------|---|------------|----|
| Likelihood | 3 | Impact | 4 | Risk Score | 12 |
|------------|---|--------|---|------------|----|

**Legal Implications**

- 16. The contractor will be appointed via the South Somerset District Council (SSDC) Public Realm framework, which was created by that authority. It was specifically targeted at the range of public realm and active travel schemes which were to be delivered under that council’s regeneration programme. The JCT contract is part of the prerequisite conditions of submitting a tender, therefore approved by both parties, including (as was) SSDC Procurement.

The framework was inherited by Somerset Council and remains live for appointments until 30<sup>th</sup> September 2024. Contracts which are let under the framework can be completed up to two years after this date. This is standard for frameworks within the UK.

- 17. The procurement process associated with this decision has been supported from the outset by the procurement team and delivered within the framework boundaries. This complies with general good practice in combination with standing Somerset Council’s procurement rules and regulations have been followed.

**HR Implications**

- 18. There are no HR implications directly associated with this decision. The contract will be delivered by a third-party contractor with Somerset Council as client.

**Other Implications:**

**Equalities Implications**

- 19. This paper relates to the award of a contract to the preferred bidder for the construction, upgrade and creation of active travel routes within Yeovil town centre. These have been designed in accordance with current legislative standards which address a number of the protected characteristics. The designs also follow any standard instructions from Somerset Council on construction of such facilities which address impacts.

Specific requirements are laid out in LTN1-20 which deals with active travel to create safer and more accessible infrastructure. These principles have been followed in the design of these works.

Some specific areas worth considering are the improved and widened crossings in South western Terrace which improve separation of pedestrians and cyclists. This impacts those with visibility and hearing impairments. Updates to the signals equipment also enable the council to meet current standards.

### **Community Safety Implications**

20. The schemes which will be built enhance the town centre network making it safer for those utilising the routes to travel within the town.

### **Climate Change and Sustainability Implications**

21. The Active Travel Routes address sustainability by assisting local residents in making choices to reduce car use and travel in a different way. This should in turn enable more journeys to be carried out on foot by cycling or wheeling through the area.

A key component of the work is to enhance the route from the town centre to Pen Mill station enabling travellers to link up these two locations. The Pen Mill route then accesses an improving network into the eastern part of Yeovil.

### **Health and Safety Implications**

22. The management of the schemes was a key element of the tender assessment process. Safe systems of work for both the workforce and members of the public are key parts of contract delivery and managing the construction process.

The design incorporates and takes account of safety having been reviewed through two phases of Road Safety Audit (1&2) to ensure compliance with relevant Health and Safety and specific highways legislation.

Health and safety is embedded in both the design and delivery of these schemes.

### **Health and Wellbeing Implications**

23. The delivery of these schemes creates much improved connectivity into the western and eastern ends of the core of Yeovil town centre. The eastern link also enhances the route to pen Mill station. This will mean that residents have better options to use active travel as a way of moving into and through the centre. In relation to the Health and Wellbeing priorities outlined below, the scheme will:

- Have a positive impact on health and wellbeing of residents of Somerset through better walking and cycling infrastructure.

## Social Value

24. The Framework used to procure this work placed delivery of social value at the core of evaluating and appointing contractors. Social Value aspects are therefore embedded in the contract with arrange of commitments given by the contractor. The contractor has been working on range of schemes in Yeovil so will continue to add to the delivery of range of additional commitments. These included:

- During the build, where possible, utilising local contractors and suppliers to ensure that Government funding is channelled through the local economy.
- Enabling local people to access employment and skills opportunities including jobs, training and apprenticeships.
- Providing volunteering, community event attendance, skills development with local schools and colleges.

## Scrutiny comments / recommendations:

25. This report has not been considered by scrutiny committee

## Background Papers

26. Tender Report Appendices

## Appendices

- **Appendix A – Tender report**
- **Appendix B – Confidential elements of tender report**

## Report Sign-Off




|                                      | Officer Name                      | Date Completed |
|--------------------------------------|-----------------------------------|----------------|
| Legal & Governance Implications      | David Clark                       | 13/02/2024     |
| Communications                       | Peter Elliott                     | 13/02/24       |
| Section 151 Officer                  | Jason Vaughan                     | 06/03/24       |
| Finance & Procurement                | Nicola Hix                        | 13/02/24       |
| Workforce                            | Dawn Bettridge                    | N/A            |
| Asset Management                     | Oliver Woodhams                   | 23/04/24       |
| Executive Director<br>Senior Manager | Mickey Green<br>Mike O'Dowd Jones | 14/06/24       |
| Strategy & Performance               | Alyn Jones                        | N/A            |
| Executive Lead Members               | Cllr Richard Wilkins              | 3/06/24        |
| <b>Consulted:</b>                    | Councillor Name                   |                |

|                         |   |                       |
|-------------------------|---|-----------------------|
| Local Division Members  | Cllr Andy Soughton and Cllr Faye Purbrick | 13/02/2024            |
| Opposition Spokesperson | Cllr Diogo Rodriguez                      | 10/06/24<br>&17/06/24 |
| Scrutiny Chair          | Cllr Martin Dimery                        | 13/02/2024            |



## 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](http://www.somerset.gov.uk/impactassessment)

|   |  |  |  |                   |  |  |
|---|--|--|--|-------------------|--|--|
| <b>Organisation prepared for<br/>(mark as appropriate)</b>  | <br><b>Somerset<br/>Council</b> |  | <br><b>NHS<br/>Somerset</b> |                   | <br><b>NHS<br/>Somerset</b><br>NHS Foundation Trust |  |
| <b>Version</b>  | <b>1</b>   |  | <b>Date Completed</b>  | <b>24/04/2024</b> |  |  |
| <b>Description of what is being impact assessed</b>   |  |  |  |                   |  |  |
| Award of Contract for Active Travel improvements Yeovil. Includes delivery of additional cycling and walking routes, changes and updates to road crossings, physical improvements to existing highways network.   |  |  |  |                   |  |  |
| <b>Evidence</b>   |  |  |  |                   |  |  |
| <b>What data/information have you used to assess how this policy/service might impact on protected groups?</b> Sources such as the <a href="#">Office of National Statistics</a> , <a href="#">Somerset Intelligence Partnership</a> , <a href="#">Somerset's Joint Strategic Needs Analysis (JSNA)</a> , Staff and/ or <a href="#">area profiles</a> ,, should be detailed here  |  |  |  |                   |  |  |
| <p>Decision relates to contract award for active travel route. The design complies with existing standards for active travel infrastructure which takes account of accessibility and other impacts. In letting the contract consideration was given to range of protected groups by applying the legislation and specific standards.</p> <p>Construction phase – The contractor is required to make provision for diversion and alternate routes through the work areas. This either means using alternate footways of the set-up of clearly marked routes which take account of visual impairments and mobility issues. This impacts age and disability characteristics. Routes have been agreed through the contract process with SWH the contractor, these will be clearly signed and marked to enable minimal disruption. The construction of these routes will comply with national and local standards relating to accessibility.</p> |  |  |  |                   |  |  |

Usage of new infrastructure. The Hendford section of the route provides an updated and clear route for all impacted characteristics which are primarily age and disability along the western footpath. This incorporates new and upgraded crossing points with blister paving which provide improved accessibility on the route. The South Western Terrace section upgrades signals, crossings and pathways in the area which are designed to improve accessibility specifically for those with physical disabilities and visual impairments. The route via Country Park will upgrade the link the town centre to the Pen Mill station improving accessibility through improved signage and drainage upgrades making the area easier to navigate through in bad weather. The routes will also enhance walking, cycling and wheeling routes providing greater access for those individuals utilising mobility scooters and similar aids.

**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?

Not consulted as decision relates to contract award only.

**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 |
|-----------------|--|------------------|-----------------|------------------|
| Age             | <ul style="list-style-type: none"> <li>There will be impacts during the construction of these active travel routes.</li> </ul> | ☒                | ☐               | ☐                |


|                                       |  |                                     |                                     |                          |
|---------------------------------------|--|-------------------------------------|-------------------------------------|--------------------------|
| <b>Disability</b>                     | <ul style="list-style-type: none"> <li>There will be impacts during the construction of these active travel routes.</li> </ul>   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| <b>Gender reassignment</b>            | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Marriage and civil partnership</b> | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Pregnancy and maternity</b>        | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Race and ethnicity</b>             | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Religion or belief</b>             | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

|  |  |                          |                                     |                          |
|--|--|--------------------------|-------------------------------------|--------------------------|
| <b>Sex</b>   | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Sexual orientation</b>  | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Armed Forces (including serving personnel, families and veterans)</b> | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Other, e.g. carers, low income, rurality/isolation, etc.</b>          | <ul style="list-style-type: none"> <li>Due to this decision relating to a contract award there is believed to be no identifiable direct impact on this characteristic</li> </ul> | <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          |
|--|------------|--------------------|---|--------------------------|
| There will be impacts during the construction of the active travel routes. These will be mitigated through management. Once installed the routes and areas will be improved and will meet current standards with regards to accessibility for those sharing the characteristics of Age and Disability. | 31/10/2024 | Ian Timms          | Review on regular basis through construction. Final review carried out on completion of | <input type="checkbox"/> |

|   |   |  |   |                          |
|---|---|--|---|--------------------------|
|   |   |  | work through formal Road Safety Audit 3 |                          |
|   | Select date   |  |   | <input type="checkbox"/> |
|   | Select date   |  |   | <input type="checkbox"/> |
|   | Select date   |  |   | <input type="checkbox"/> |
| <b>If negative impacts remain, please provide an explanation below.</b> |   |  |   |                          |
|   |   |  |   |                          |
| <b>Completed by:</b>  | Ian Timms   |  |   |                          |
| <b>Date</b>   | 22/05/2024  |  |   |                          |
| <b>Signed off by:</b>   | Peter Paddon  |  |   |                          |
| <b>Date</b>   | 22/05/2024  |  |   |                          |
| <b>Equality Lead sign off name:</b>                                     | <br><b>Dave Crisfield</b> |  |   |                          |
| <b>Equality Lead sign off date:</b>                                     | 22 <sup>nd</sup> May 2024   |  |   |                          |
| <b>To be reviewed by: (officer name)</b>                                | Ian Timms   |  |   |                          |
| <b>Review date:</b>   | 31/10/2024  |  |   |                          |