



## PORTFOLIO HOLDER DECISION NOTICE

### INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR FINANCE

#### TOPIC – Re-appointment of i-Transport to support the Station Approach Project

#### PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the Head of Legal and Democratic Services, the Chief Executive and the Head of Finance are consulted together with Chairman and Vice Chairman of The Overview and Scrutiny Committee and any other relevant overview and scrutiny committee. In addition, all Members are notified.

If five or more Members from those informed so request, the Leader may require the matter to be referred to Cabinet for determination.

#### Contact Officers:

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**Democratic Services Officer:** Matthew Watson, 01962 848 317, [mwatson@winchester.gov.uk](mailto:mwatson@winchester.gov.uk)

#### SUMMARY

- Further transport assessment work is needed to underpin the design work for the Station Approach project. An extension of the contract with i-Transport is therefore requested.
- This extension can be funded from the existing Station Approach budget.
- Sufficient resource is not available in-house to provide this service to the project.
- The specialist transport planning consultancy i-Transport has been commissioned to support this project since September 2016 to advise on transport related issues.
- Cabinet (CAB2864, 20 March 2017) authorised the retention of i-Transport throughout the design stages of the project to provide professional advice on

the emerging design in relation to transport assessment under Contract Procedure Rule 2.4(a).

- As the design work has progressed a significant amount of work, additional to the original agreed scope, has been needed to address transport and access issues and develop additional alternatives and options for the County to consider in the context of their role as transport planning authority and the wider movement strategy.
- This PHD therefore asks for the Council's Contracts Procedure Rules 27.2 and 27.3 to be waived and the extension approved by the Portfolio Holder for Finance to continue this important area of work and use the existing expertise of i-Transport.

### **DECISION**

That paragraphs 27.2 and 27.3 of the Council's Contracts Procedure Rules be waived and the extension approved by the Portfolio Holder for Finance as set out in paragraph 27.2 (extract below).

27.2 Contracts should not be extended beyond the period for which they were awarded unless i) provision for extension was included in the contract documents and ii) (where the value of the extension exceeds £100,000), the extension is approved by Cabinet, Committee or the relevant Portfolio Holder under the scheme of delegation in the Constitution. Where the terms do not expressly provide for extension, advice must be sought from the Head of Legal and Democratic Services.

27.3 Any contract extension must not be longer than two years. In all other circumstances an extension of contract will require the written approval of the Head of Legal and the Head of Finance following consideration of a report from the Head of Team. They shall only approve an extension if it can be demonstrated that this will achieve best value for money for the Council and will not contravene any legal requirement. Extensions of contract cannot be approved retrospectively. Once a contract expires it cannot be extended.

### **REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

The specialist transport planning consultancy i-Transport was commissioned in September 2016 to undertake the preliminary transport assessment for the previous 2016 scheme. Three companies were approach for a quote for these works, in line with the Council's Contracts Procedure Rules (2016).

On 20 March 2017 Cabinet (CAB2864) authorised the reappointment of i-Transport under Contract's Procedure Rule 4.2(a). The scope for this work is included in Appendix A.

To date, the following work has been commissioned with i-transport on the Station Approach project:

<b>Date</b>	<b>Procurement route/decision</b>	<b>Task</b>	<b>Cost</b>
September 2016	i-Transport procured following an approach to 3 companies for a quote	Completed Preliminary Transport Assessment	£18,194
March 2017	Cabinet authorisation under Contract Procedure Rule 2.4(a)	Transport Professional Services for staged approach	£30,000
March/April 2018	Addition to contract agreed by Head of Programme	Agreed additional for meetings:	£5,400
New additional fee request	Extension via Portfolio Holder Decision Notice	Completion of RIBA Stage 2/3 transport planning work.	£40,000

As work on RIBA stages 0-2 has progressed and further discussions held with Hampshire County Council as Highways Authority, it has become clear that additional work outside the scope agreed in March 2017 is needed to progress the transport and access side of the design work.

The areas where work has extended beyond the original agreed scope include:

- Additional designs for preferred public realm scheme. The original agreed scope included two designs, the subsequent requirement was for four: i) Carfax Junction, ii) Sussex Street two-way, iii) Andover Road bus lane and cycleway and iv) Station forecourt.
- Additional extensive and detailed modelling work required an analysis of the bus network and potential re-routing. Agreed in the original scope was a simple time based analysis. Following discussions with the County, it became clear that more extensive and detailed modelling work of buses was needed to satisfy concerns about how any proposal will impact the bus network, extending into the work on junction modelling in addition to work on pedestrian movements.
- The need to re-engage with the County's regulatory team and agree the revised scope of the Transport Assessment, originally agreed in 2016 to now reflect the current scope of the new Masterplan Framework and RIBA Stage 2 design.
- In addition, more meetings than initially envisaged are needed with the design team, the County and the Council to agree and progress this area of work.

Following a request from the Council for the additional work, i-Transport has quoted for an extended scope and it is proposed that £40,000 is allocated for the work. The total spend on i-Transport would remain well below the European Procurement threshold of £181,302 for services.

This PHD is therefore to request the extension to the contract with i-Transport to continue this crucial area of work for the Station Approach project. This extension can be funded from the existing Station Approach budget.

The alternative consideration is to not agree the extension; to halt work with County on transport issues and to begin a new procurement process for the additional scope. It is not considered that this would represent the best option for the Council. i-Transport have undertaken a considerable amount of work including the publication of a preliminary transport assessment and extensive research, design and liaison work, particularly with the County Council and have an established relationship with the County as well as the Design Team. Restarting a procurement process would lose these relationships and the expertise which has been built up and the valuable work undertaken by i-Transport to date, and cause a delay to the Programme.

It is also considered that extending the contract with i-Transport is also a low risk option as the total spend with i-Transport on the project is significantly below the European Procurement threshold and therefore extending the contract represents the best option for the Council.

#### **RESOURCE IMPLICATIONS:**

The cost of the procurement exercise will be met from the existing project revenue budget.

#### **CONSULTATION UNDERTAKEN ON THE DECISION**

Senior Officers were consulted on this notice between 9 and 16 August 2018, and Members were consulted between 21 and 29 August 2018. Comments were received from Cllrs Porter, Gottlieb, Hutchison and Burns. The comments related to the following issues:

**Comment 1.** Concern regarding the timing of, and links with the emerging Movement Strategy.

**Response:** Winchester City Council is working closely with Hampshire County Council on the Movement Strategy and the Station Approach project has been considered by officers from the County working on the Movement Strategy since the start of the Station Approach design process. The proposals for Station Approach do not constrain any approach that may be proposed through the Movement Strategy; indeed information from the project gathered by i-Transport has provided information to help inform the emerging strategy. The additional work required will provide information needed to inform planning in order to take the project forward in

a timely manner and support the future economy of Winchester by providing much needed office space, while work on the Movement Strategy continues.

**Comment 2.** That the PHD does not explain what the additional work is for, and that no reports on this have been received by the wider Council. More context is needed including on how the scope was defined, links with the Public Realm Strategy and why Station Road and surrounding streets aren't included.

**Response:**

The preliminary Transport Assessment from i-Transport has been published on the Council's website. Following this, i-Transport has worked closely with the design team for Station Approach to inform the RIBA Stage 2 design work for the Carfax site and the movement strategy in relation to proposals in the wider public realm. The additional work required is set out in the PHD.

This work will inform design work around access for the Carfax site following additional discussions with the Highway Authority and will form part of the RIBA Stage 2 design documents.

Discussions have been held at informal Cabinet briefings on the scope of the public realm works and future potential wider public realm ideas from the Public Realm Strategy and continue to be discussed with the Councillor who raised this concern.

**Comment 3:** Concern on additional spend on transport consultant's fees for Station Approach when there is no business plan which explains how the expenditure is going to be recovered or sets out the financial benefits in any detail.

**Response:** The business case process has been set out in previous Cabinet (Station Approach) Committee reports. An outline business case will be presented with the RIBA Stage 2 reports and will then be developed into a full business case through the progression of the RIBA design stages, enabling a final decision on whether to implement the project. In order to get to this stage of decision making further expenditure is required to provide the necessary technical information to allow the Council to make an informed decision.

**Comment 4.** The draft decision notice appears not to be complete, as the last four paragraphs are not filled in.

**Response:** The four sections mentioned in the comment are addressed below.  
Consultation undertaken on the proposed decision – This section should have stated 'none'. It has now been completed following the consultation process.

Further alternative options considered and rejected following publication of the draft notice – This section doesn't require completion until after members comments have closed and has now been completed.

Declaration of interests by the decision maker – This section should have stated 'none' and has been corrected.

Dispensation granted by the standards committee – As the above paragraph is 'none' then this section is not applicable and has also been completed.

**Comment 5.** The proposal wasn't discussed at the (Cabinet) Station Approach Committee meeting on 12th July, although we did agree expenditure on the public realm strategy and discussed the movement strategy as it impacted upon the Carfax junction.

**Response:** This item was not ready in time for the committee paper cycle and therefore a PHD has been used to make the request.

#### **FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE**

Representations received have been summarised above. Comment 4 related to the structure of the report and although 'none' or 'not applicable' should have been written in some of the sections listed, this does not change the decision set out in this PHD.

One response calls for further information in relation to the scope and links with public realm strategy works. It is considered that this information is adequately set out in the report, and the question on the public realm scope is part of an ongoing discussion separate to this PHD request.

In relation to the comment on the business case, the project is at the stage of developing the outline business case in line with government guidance for public sector business cases (green book guidance).

No alternative options are therefore proposed following the consultation on the PHD.

#### **DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED**

None

#### **DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

Not applicable

**Approved by: (signature)**

**Date of Decision**

**Councillor Guy Ashton – Portfolio Holder for Finance**