

## **NORTH SOMERSET COUNCIL DECISION**

**DECISION OF:** COUNCILLOR JAMES TONKIN. THE EXECUTIVE MEMBER FOR PLANNING, BUILDING CONTROL, HIGHWAYS AND TRANSPORT



**WITH ADVICE FROM:** THE DIRECTOR OF PLACE AND S151 OFFICER

**DECISION NO:** 20/21 DP 272

**SUBJECT:** REVISED COMMISSIONING PLAN FOR THE WESTON-SUPER-MARE TO CLEVEDON (TUTSHILL) CYCLEWAY

**KEY DECISION:** YES

**REASON:**

1. It is likely to result in the Local Authority incurring expenditure or making savings of £500,000 or over (although there is no direct commitment over this threshold without a further Decision Notice).

2. It is significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the Local Authority.

**BACKGROUND:**

The Weston to Clevedon Cycleway will create a cycle link between Weston-super-Mare and Clevedon by constructing an off-road cycleway between Wick Lane, Wick St Lawrence to Yeo Bank Lane, Kingston Seymour (linking existing quiet roads and other short sections of paths).

The principal project site is the crossing of the Congresbury Yeo and Oldbridge rivers and key to the whole route. Here the route utilises an existing farm track built on the line of the former Weston, Clevedon & Portishead (WC&P) Railway line. The farm track crosses two sluices over the respective rivers.

The farm track and sluice crossings are used by the principal landowner for agricultural traffic and cattle movements of his dairy herd.

The project consists of:

- The construction of a new agricultural crossing over the Congresbury Yeo (planning permission was obtained in December 2018);
- An off-road cycleway (planning permission was obtained in December 2018);
- A replica of Wick St Lawrence Station Halt;
- Additional path and on-highway works.

This Decision is required to update the original Commissioning Plan, approved by the Council Executive 7<sup>th</sup> Jan 2020 (Minute number EXE 56). The estimated cost of works at that time was £2,045,000, to be funded by grants from the EU's Rural Growth Fund (administered by the Rural Payments Agency (RPA) of £639,559 and a then anticipated grant from Highways England (HE) of £1,200,000. This grant of £1,200,000 was confirmed by HE May 2020. A further 'no strings' £100,000 was granted by HE in March 2020 to expedite the agricultural crossing design.

The pre-tender estimate for the crossing construction has now been calculated by our consultants at £1,899,000 – an increase of £699,000 over the original estimate. A further £331,000 needs to be added to cover risk. The exact pre-construction cost will not be known until completion of the tender process, but the maximum anticipated cost of the crossing element is now £2,230,000. The cost of the non-crossing elements remains unchanged at £639,559. With other costs totalling £294,000, the maximum estimated cost of the scheme is now £3,164,000 and the maximum estimated deficit until further funding is secured and approved is £1,134,000.

The increase in costs is mainly due to the Tutshill site conditions, revealed through the Ground Investigation (GI) and the agricultural crossing design process. This was a risk identified in the original approved Commissioning Plan, but the implications were much more significant than expected. Funding was not available for a full GI at that early stage. The project gained momentum as officers successfully bid for what was rare (for rural cycle routes) and time-limited delivery funding. To avoid this situation arising again, greater funding to bring schemes with what could be significant risks is needed to bring them to Outline Business Case (OBC).

The GI revealed that solid foundations for the crossing are much deeper than anticipated (30m piles as opposed to the 20m expected). The original estimate of 20m piles was based on available British Geological Survey logs from around the area and the only available data without the full GI survey for which there was no budget at the time we were applying for funding. In addition, the site has an artesian aquifer with groundwater under positive pressure. This means deeper and more complicated piling is required. Indeed, the surface ground conditions at the site were found to be softer than anticipated and hence also the significant increase in costs of assembly and piling mats.

The Revised Commissioning Plan was presented to the Infrastructure and Investment Board (IIB) on 17th December 2020 and the decisions below are recommended for approval.

Please refer to Financial Implications below for details of the revised estimated scheme costs and how the potential deficit it intended to be funded. Officers will continue to closely monitor capital costs and seek further external funding.

### **Policy background**

The Project is identified in the Council's Local Plan under policy DM25: Public rights of way, pedestrian and cycle access; Schedule to policy DM25: Proposed Strategic Cycle Routes.

The route is also included in the Local Plan Site and Policies Plan Part 1; and is highlighted as a 'Strategic Cycleway' on the Local Plan Policies Map.

The North Somerset Replacement Local Plan 2007 specifically sets out the council's commitment to delivering the project; the route alignment was tested and approved at Public Enquiry as part of the Replacement Local Plan process.

The project is included in the Joint Local Transport Plan 4, which is West of England's current adopted transport policy.

The project forms the central section of the Council's proposed 'Coastal Towns Cycle Route' which aims to link Bristol, Portishead, Clevedon, Weston-super-Mare, and Brean to create a high-quality cycle and pedestrian route across the authority; providing local linkages whilst also serving as an attraction and catalyst for cycle tourism. The Coastal Towns Cycle Route would complete the North Somerset section of NCN Route 33 which will link Bristol to Seaton in Devon.

The Coastal Towns Cycle Route is included as a policy commitment and priority in the Joint Local Transport Plan 4 and in the Draft Active Travel Strategy.

The project also supports the Council's Corporate Plan outcomes, as follows:

Health & Wellbeing by "enabling residents to make healthy choices and promote active lifestyles which reduce ill-health and increase independence.";

Quality Places by "building and sustaining great places to live and visit - vibrant, accessible and safe."

The project will act as a driver for increased and sustainable tourism in the area, as further detailed below.

**DECISION:**

To approve the revised Commissioning Plan, including continuing with the procurement process as outlined below.

**REASONS:**

Not accepting the above decision would delay procurement beyond January jeopardising the £1.2M funding obtained from Highways England (HE) and the £639,559 funding obtained from the EU Rural Growth Fund (RPA), as we would not be able to spend and claim the funding within the grant deadlines.

NSC would also have to revert the £293,259 capital funding spent or committed to date to revenue, with repayment implications, if the scheme cannot go ahead. This does not include the HE £100,000 which has no repayment requirement.

A further £34,000 (legal fees and NEC4 construction contract for crossing will need to be committed to bring the scheme to the point where the tender documents can be issued. Therefore, a total of £327,259 is at risk of reversion to revenue, should we tender but then not deliver the scheme. To bring the scheme to the point of issuing the tender documents will amount to £154,021, covered by £90,000 JLTP funding for which no further approvals to spend are required, and the £100,000 HE funding.

**OPTIONS CONSIDERED:**

The following cost savings and funding sources were explored to try and bring down costs / secure further funding:

<b>Saving or funding source</b>	<b>Details</b>
<p>Crossing / Bridge optioneering – alternative designs / economies.</p>	<p>Various different forms of crossing have been considered including: single span concrete arch, three span concrete beam, single span integral bridge with prestressed concrete beams, single span simply-supported bridge with steel half-through type superstructure.</p> <p>The chosen steel modular truss bridge, being single span, avoids piers in the river channel and the associated costs of temporary cofferdams and piling mats. These costs are difficult to estimate but would be considerable. It has no formwork over the river. It has integrated metal kerbs, parapets and deck plates that serve as the running surface, so road surfacing and drainage systems are omitted. The removal of these usual on-site construction activities presents significant time savings compared to the other options, with associated costs savings in preliminaries.</p> <p>The chosen single span steel modular truss bridge, having a half-through type deck, achieves a similar finished road level to three-span concrete bridges. A single span concrete bridge would have a higher road level, increasing the size of the approach embankments.</p>
<p>Alternative route / crossing locations</p>	<p>Five other route / crossing options were also re-considered in light of the uplift in costs, as outlined in the report to Infrastructure and Investment Board. All of these were considered either impractical, incur greater cost or risk, or risk losing the funding already secured due to delay (for example new Ground Investigation and re-design, would not meet the needs of the landowners who we have ‘ready to go’ legal agreements with). Any further delay now will mean we lose the HE and EU funding.</p>

<b>Saving or funding source</b>	<b>Details</b>
Environment Agency	The EA have a financial interest in this scheme. They were also approached, but do not have a suitable funding stream that can be used
Joint NSC/Sustrans National Lottery Heritage fund bid	An EOI was submitted but was unsuccessful.
Weston Villages, various S106 contributions	The most likely available source is from planning application 12/P/1510/OT2, of which we have only received £525k so far out of £1,439,238. It includes measures to 'mitigate the impact of the Development on the highways network'. Tutshill directly addresses the severance caused by the M5 & J21, just as Highways England have viewed it this way (in their funding of this scheme), but Legal advice needs to be sought to clarify this would be an acceptable use of this funding. Other likely calls on this budget also need to be considered including the J21 Northbound Merge. S106 contributions intended for funding travel plan work and travel incentives were also considered but this is already allocated.
Highways England	HE has already increased the funding they have made available over early estimates. They are unable to provide further funding.
EU Rural Growth Fund	This bid was for a fixed amount for specified and quoted works. This funding stream is now closed to the UK.
WoE / WECA	NSC has limited access to WECA funding for some jointly strategic projects. A recent assessment process has placed other more urban schemes as a higher priority. If funding comes through it may free up funding elsewhere in the Capital Programme for Tutshill.
Other grant funding	We have undertaken wide-ranging searches with the help of Sustrans for other possible funding and have not yet found anything applicable. We will continue to search and apply for applicable funding. Funding opportunities for largely rural and tourism-based routes are particularly limited.

## FINANCIAL IMPLICATIONS:

### Costs

The estimated capital costs of the crossing element are broken down as follows (which would all be incurred over the 20-21 financial year):

<b>Agricultural crossing costs</b>	<b>Original estimate</b>	<b>Revised estimate £K</b>
Assembly and piling mats	500	1,000
Bridge Deck	180	285
Installation of deck	80	114
Abutments (£300K) and piles (£160,000)	440	500
<b>Total construction budget estimate</b>	<b>£1,200</b>	<b>£1,899K</b>

The design and overhead costs have also exceeded available budgets (and delay incurred) due to the additional complications and reviewing that the best crossing design solution had been chosen to take forward. All alternatives have been explored to minimise the cost increase, and any further risks. A revised design requiring fewer piles and a single span steel deck rather than three span concrete deck has been chosen. The findings of the GI influenced the change from a triple span to single span solution to find a value engineered solution without cutting quality. This decision was also driven by reducing works within the river channel and associated H+S / environmental risk. We are preparing a Non Material Amendment (NMA) to the planning application to reflect the change to a single span structure. This has been discussed with various planning consultees, all of whom are favourable to the change. This will be submitted after Christmas; anticipated timescales for approval are unlikely to affect the programme.

WSP have included Early Contractor Involvement from two contractors as part of the current design and they have also been under pressure to triple check and provide assurance in respect to the valuations below:

<b>Overall scheme costs*</b>	<b>Original estimate £k</b>	<b>Revised estimate £k</b>	<b>Reason for increase</b>
Crossing design and other 'pre-tender' costs	100	154	Design revision costs
Crossing construction	1,200	1,899	Deeper piling, artesian aquifer
Connecting paths, signing, highway improvements	640	640	Original estimate best of three quotes
Land acquisition	40	40	
Engineer supervision	50	50	
PM and QS fees	40	50	Proportional to scheme cost
Risk - originally included within crossing construction figure		331	Figure recommended by design consultants
<b>Total cost</b>	<b>£2070K</b>	<b>£3164K</b>	
* Not including previous years' design and preparatory costs of £173,363			

Following completion of the procurement process, the scheme will only be awarded if the value of the contract, including an appropriate risk budget, is less than the approved construction budget. Once final post-tender costs are known, a further report to IIB and Executive Decision Notice will be produced for the final sign-off of the funding required.

## Funding

The secured capital funding and deficit is as detailed below:

<b>Secured funding</b>	<b>£K</b>
Highways England, for agricultural crossing (to be spent by March 2022, approval to add to Capital Programme required).	1,200
Highways England, for agricultural crossing ('no strings' no repayment required if scheme does not go ahead).	100
EU Rural Growth (RPA), for connecting paths, replica railway halt, signing, highway improvements. Spend and claim required by Sept 2021. This funding cannot be spent on the agricultural crossing. Permission to accept the RPA grant was given by D&E Director on 31 May 2019.	640
20-21 Capital Programme ITB	90
<b>Secured funding for scheme</b>	<b>£2,030K</b>
<b>Total cost of scheme</b>	<b>£3,164K</b>
<b>Deficit</b>	<b>£1,134K</b>

To cover this deficit, potential cost savings and additional capital funding has been urgently sought, with help from Sustrans (who have explored all their known funding sources). Details of funding sources and cost savings explored are detailed at the end of this section. If no further external funding can be found, the deficit can be funded through approval of the use of the following sources:

<b>Confirmed available additional capital funding</b>	<b>£K</b>	<b>Notes</b>
43K 20/21 LTP underspend (anticipated)	28	Final amount to be confirmed but should be at least £28K
Parish Council (previously unallocated in to LTP), cost code TCD102	129	Confirmed available
LTP 20/21 River Avon Trail (Pill Path) underspend	20	Confirmed available
<b>Total</b>	<b>£177K</b>	
<b>Total deficit with confirmed available additional funding</b>	<b>£957K</b>	

<b>Unconfirmed deficit funding options</b>	<b>£K</b>	<b>Notes</b>
CIL	400	Head of Development agrees eligible. How this request is balanced with others and drawdown mechanism to be decided in new year.
Tutshill ITB in-year allocation 21/22	50	In draft Capital Programme
Maintenance funding in lieu of Strode Rd junction works	50	Maintenance Team to confirm.
Borrowing*	457	£500K borrowed over 15 years would cost £46K/annum @ 2.6% interest. Over 25 years this would be £34K/annum @ 2.9% interest.
Sustrans	Unknown	May be able to find a contribution (£300K+ sought).
<b>Total</b>	<b>£957K</b>	
<b>Total deficit including confirmed and unconfirmed additional funding</b>	<b>0</b>	

\* We anticipate borrowing will be paid back through future DfT allocations to the JLTP, but we will continue to seek this element through other means including Sustrans. There is also a possibility to consider crowdfunding / community bonds but shortage of time, and officer time count against this.

Time sensitivities mean that to claim the HE and EU funding the agricultural crossing tender process must start immediately in Jan 2021. Any delay beyond then will mean the loss of all of the EU and HE funding (£1,840,000 in total).

### **Procurement and tendering**

All scheme elements will be procured in a manner which maximises competition and reduces overheads, therefore reflecting the budget-led nature of the project as a whole.

The contract or contracts and route to market for each scheme element are for the following:

## **Contract 1: Agricultural Crossing**

This will form the highest value contract and due to its specialist nature will be procured as a stand-alone contract with the view of attracting a regional or national small to medium enterprise (SME).

The contract form will be NEC4 Option B (bill of quantities); which form is currently being assessed by the project team and procurement with a view to maximising competition at the tender stage.

This contract will be tendered via an open procurement process and will comprise of a two-stage tender with a prequalification stage to attract and assess potential bidders, prior to a final submission stage. This is likely to attract the highest number of potential bidders to stage 1 whilst also pertaining the Council to rule out candidates who are unsuitable from progressing to stage 2.

Use of frameworks has been considered however; it is not felt likely that this will maximise competition, and therefore overall value.

## **Contract 2: 1.4km cycleway link**

The cycleway and associated fencing works will most likely be tendered as a single package of works for delivery by one supplier. The southwest has a high number of small to medium sized civil construction firms who would favour the single nature of this off-highway project.

As with the crossing, an open tender process will be favoured as this will attract the greatest competition.

As the target market is small to midsized local contractors, the contract form will be NEC3 Option B. Whilst NEC3 is less current than NEC4, this is the contract which suppliers will be most familiar with. In addition, Option B, bill of quantities, will again be the form of contract which suppliers will be most familiar with. It will therefore be considered desirable to bid for and, because it presents the works information in a form which is easy to price for, this form is likely to attract a high degree of competition.

The delivery team has a lot of experience of delivering projects of this size using NEC3 Option B.

Specific scheme elements which may present a burden to civil construction companies, e.g. planting, fencing, tree removal, may be held back from the main contract and procured using a small 'three quotes' tender process in order to unburden the main contractor and to allow small scale works to be delivered by smaller scale local suppliers presenting a further cost saving and allowing the delivery team to have more control of the works.

Planning permission was also secured for a replica of Wick St Lawrence Station Halt, and funding for this also secured within the EU bid. These works will be delivered by a standalone contractor as they are ill-suited to a civil contractor although we also anticipate the involvement of volunteers.

## Contracts 3-6: Various highway and off-road sites

These works will either be tendered on the basis of attracting local SME's via the form of NEC3 Option B or delivered using the Council's Term Maintenance Contract or a combination. If procured, sites will likely be tendered on a site by site basis unless it is deemed desirable to competition to combine work packages to increase appeal.

### Indicative Timescales

Publish opportunity	Early-January 2021
ITT submissions due in	Mid Feb 2021
Evaluation	End Feb 2021
Approval process	March 2021
Standstill period	End March 2021
Mobilise	April - May 2021
Work starts	01 June 2021

If the Revised Commissioning Plan and funding proposals are approved by end Dec 2020 then the project will be procured in time for a start on site of June 2021.

The tender process and actual contracts cannot be awarded to any third parties until the Council has secured funding for **all** the scheme elements – for example, the EU funded path elements cannot go ahead without the certainty the crossing will be delivered. Certain works are time sensitive due to ecological sensitivities. In addition, the HE funding must be spent by March 31<sup>st</sup> 2022 and the EU funding spent and claimed by Sept 30<sup>th</sup> 2021. This now means that to deliver the scheme and claim the HE and RPA funding the agricultural crossing tender process must start immediately in Jan 2021. Any delay beyond then will mean the loss of all RPA and HE funding (£1,840,000 in total). Without further delay, the scheme can be delivered within the funding timescales.

### BUSINESS CASE

Highways England used the Department for Transport Active Mode Appraisal Toolkit to assess its value for money, based on the total costs. Using revised figures as per the latest estimated scheme costs, a very positive BCR of 2.1 is generated (over 30 years), based on the use of the route by commuters and leisure cyclists. The design life of the agricultural crossing which bears the bulk of the costs is a minimum 50 years which generates a BCR of 2.9. As the agricultural crossing would become the property of the farm in return for relinquishing use of the existing sluice crossings, NSC would bear no maintenance costs for this. The upkeep of the sluice structures would remain the responsibility of the Environment Agency and Inland Drainage Board. The 'Highway to Highway' route at Tutshill itself will become Bridleway, therefore providing permanent access, with the path surface the responsibility of NSC.

The BCR is based on the monetised costs and benefits the scheme will generate, principally reduced risk of premature death, absenteeism (through improved health) and congestion.

The BCR also included benefits regarding infrastructure, accidents, local air quality, noise, greenhouse gases, and journey ambience. This figure **does not include** the tourism benefits which are a key driver of this scheme, which are detailed below.

This project will develop the infrastructure for rural tourism by completing a long-awaited cycle route between Weston-super-Mare, North Somerset's main tourist attraction, with 5 million day-visitors and 255,000 staying visitors p.a. and Clevedon (where in 2017, 998,100 day-visitors and 113,300 overnight stays were recorded, total visitor-related spend £41,780,200). Existing routes mean that leisure cyclists visiting the general area are likely to miss off Weston and Clevedon altogether whereas this new provision will very much draw them in and encourage them to stay longer.

The route will link to the Brean Down Way (Brean to Weston-super-Mare), a cycle route that opened in July 2017, which is generating around 100,000 trips per annum, with around 60% of these being cyclists. Based on the experience of the Brean Down Way, Jacobs (consultancy) have predicted that the Weston - Clevedon section will generate 55,000 active travel (predominantly cycle) tourism and leisure related journeys per annum with between 15 - 20% of these between November and February, helping extend the tourism season and demographic, as part of the trend towards short, active breaks.

Jobs directly or indirectly related to tourism comprise 11% of all employment in North Somerset, with a 7% increase between 2016 and 2017 (NSC Tourism Data). In certain communities along this corridor, up to one-third of all employment is within the tourism industry (e.g. at Sand Bay and in central Clevedon). An economic analysis carried out by Jacobs suggests that 27FTE jobs could be created indirectly by this project. With many existing tourism-based businesses and jobs hit by COVID, the opening of this route is likely to be a very welcome and timely boost to the sector. In particular, the scheme has the potential to allow businesses in Clevedon and along the route to leverage opportunities relating to accommodation and camp sites, cafes, cycle hire and increased access to Clevedon Pier (England's only Grade 1 listed pier). With various horse-riding stables situated on either side of Tutshill, and a quiet lane and bridleway network, there are new opportunities for equestrian businesses.

The scheme has very significant strategic value enabling a network of routes and journeys not currently viable which go far beyond the route itself. As well as the Brean Down Way, the route will link to the Strawberry Line (NCN26), The Stop Line Way (Bristol to Seaton, NCN33), The West Country Way (NCN3), The Avon Cycleway (NCN410), The West Mendip Way, Eurovelo 1 Atlantic Route and the proposed Somerset Circle. North Somerset Council plans to continue the CTRC on towards Portishead from where a choice of routes (including along the iconic Avon Gorge) connect to Bristol. These comprehensive linkages to other key destinations including Bristol, Brean, Cheddar, Wells, the Somerset Levels, and wider tourist trails in the South West will draw cyclists to North Somerset.

## **LEGAL POWERS AND IMPLICATIONS**

The procurement route will be compliant with Council Standing Orders. The tender will be below the OJEU works threshold, so the council does not have to follow the Public Contract Regulations 2015.

## **CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

The provision of the strategic cycleway will support the North Somerset Climate Emergency Strategy and Action Plan.

There are local environmental concerns regarding construction of the project, e.g. vegetation clearance and management of existing habitats. All such issues have been addressed at the planning permission stage of the project and are covered by conditions where necessary. A Construction Environmental Management Plan (CEMP) will be approved by the relevant council officers prior to construction and this will be followed during the construction phase.

The Contractor will play an active and key role in ensuring the council's ambition of carbon reduction and bio-diversity net gain is secured and achieved. The procurement process will challenge the contractor, and their supply chain, on their carbon footprint and the winning bidder will have been able to demonstrate appropriate environmental considerations in their bid; for example, use of local supply chains, sourcing of local materials, and environmentally conscious construction techniques.

Key Performance Indicators for the construction phase will be linked to sustainable construction and environmental awareness but also at an organisational level and their corporate approach to sustainability.

## **CONSULTATION**

The project is long standing in nature and was first proposed by Cyclebag / Sustrans in 1979. Various efforts have been made to progress the scheme including by private individuals, Woodspring District Council, and Sustrans.

The proposal for the Weston to Clevedon Cycleway has gained increased popularity over recent years; an independent support and campaign group has been set up specifically for the project and has over 1300 supporters. The planning application received 550 comments or letters of support (and less than 10% against – a third of these were because equestrian access was not originally to be granted but this has now been resolved through further negotiation with the landowners). The project has subsequently garnered a high level of political support.

There are three private landowner parties, two statutory bodies and two adjacent landowners who are being consulted with, alongside the relevant Parish Councils and other relevant parties.

The scheme was granted planning permission in December 2018 (18/P/4758/FUL). Prior to the submission of the planning application all affected parties (including landowners, adjacent landowners, and statutory bodies and Parish Councils) were consulted in detail on the proposal and layout of the project. A Statement of Community Involvement <sup>[2]</sup> was included in the planning application and contains full details of the consultation undertaken for the scheme.

## LEGAL POWERS AND IMPLICATIONS

The procurement route will be compliant with Council Standing Orders. The tender will be below the OJEU works threshold, so the council does not have to follow the Public Contract Regulations 2015.

## RISK MANAGEMENT

The following risks and mitigation measures have been considered:

<b>Risk</b>	<b>Mitigation</b>
Final post-tender agricultural crossing costs exceed available budget, or other construction risks identified.	Seek further funding if possible. Only proceed if risks considered acceptable / manageable.
Other path construction costs (funded by EU element) exceed original quotes	Design cannot be changed as grant works fixed. Obtain new quotes ASAP to ascertain position. Find additional funding if necessary (not likely to exceed 10% of £640K).
Timing – Crossing construction delayed or runs into complications on site. Elements of the construction must normally be undertaken between March and September due to ecological constraints. RPA funded elements must be constructed and claimed for by Sept 2021.	The bidders will submit a programme which will detail how they will complete the environmentally sensitive works within the timescales. Contract management will ensure the programme is adhered to. We have explored options with the Landowners and Natural England who are both receptive to these works going beyond Sept cut-off date if we work collaboratively.
Consultation with third parties	EA permit and Land Drainage Consents are required for this scheme. As client, NSC will secure the permeant licences ahead of contract award but the contractor will need to secure temporary licences to enable construction. Bidders will therefore be required to demonstrate competence in working under licence as part of the quality assessment.

<b>Risks</b>	<b>Mitigation</b>
Unforeseen risks e.g. ground conditions and unknown services	<p>A full Ground Investigation has been carried out to identify conditions and risks and incorporate these into the crossing design and cost.</p> <p>The project has been reviewed prior to the tender process to ensure that all known risks have been accounted for. The construction budget for the scheme includes a risk budget to account for likely known and unknown risks.</p> <p>If tenders received are higher than expected, then the budget will be reviewed prior to contract award to ensure than an adequate risk budget can be assigned.</p>
Too few bidders respond to the procurement	Potential bidders will be approached to ascertain interest in the tender. The contract information will be presented in a way which is appealing to a wide variety of contractors.
Lease agreements or permits not being signed.	Crossing works will not commence unless landowner agreements are signed first. EA permit and Land Drainage Consents are required. As client, NSC will secure the licences ahead of contract award but the contractor will need to secure temporary licences to enable construction. Bidders will therefore be required to demonstrate competence in working under licence as part of the quality assessment.
COVID delays works	Construction works are not expected to be significantly delayed by COVID due to outdoor working and expected vaccinations by the time works will commence. Seek extensions to funding claim deadlines where possible (not possible for EU funding).
BREXIT changes labour availability or costs	We expect companies tendering for the works to factor this into their submissions.

## **EQUALITY IMPLICATIONS**

Have you undertaken an Equality Impact Assessment? No

Active travel is an activity which is open to all. In accordance with Policy DM 33 of the Sites and Policies Plan (Part 1) the path surface, gradients, and all access points have been designed to facilitate access by disabled people which is of the same standard as that provided for able-bodied people; this includes those who use wheelchairs and mobility aids.

Surfaces and access points will be smooth, free draining, and designed to accommodate walkers and cyclists of all abilities whilst gates and access controls will be omitted wherever possible. Where not possible, gates and access points will refer to Highways England's Interim Advice Note 195/ 16 (IAN 195/16) which defines a cycle design vehicle as 1.2m wide by 2.8m long and facilities should be open to all such vehicles (now incorporated into the Department for Transport LTN Cycle Infrastructure Design 1/20 guidance document).

The latest guidance and design standards will be followed during the design of and construction of this scheme and it is not foreseen that any deviations from standard will be required.

## **CORPORATE IMPLICATIONS**

The project supports a range of the Council's Corporate Plan priorities, including:

- A great place for people to live, work and visit.
- To be a carbon neutral council and area by 2030.
- A transport network which promotes active, accessible and low carbon travel.

It also supports the North Somerset Climate Emergency Strategy.

## **BACKGROUND PAPERS**

[1] Kent, R. (2018) *Notice of Decision: 18/P/4758/FUL*. North Somerset Council. Available at: [https://planning.n-somerset.gov.uk/online-applications/files/E23633B33994BF7055C32E49D9D80ACB/pdf/18\\_P\\_4758\\_FUL-DECISION\\_FUL\\_APPROVE-2759524.pdf](https://planning.n-somerset.gov.uk/online-applications/files/E23633B33994BF7055C32E49D9D80ACB/pdf/18_P_4758_FUL-DECISION_FUL_APPROVE-2759524.pdf)

[2] Report to Infrastructure and Investment Board 17<sup>th</sup> Dec 2020; Revised Commissioning plan WsM to Clevedon IIB Dec2020\_final. Available at: [Revised Commissioning plan WsM to Clevedon IIB Dec2020\\_final.docx](#)

[3] Report to Infrastructure and Investment Board 12<sup>th</sup> Sept 2019; Commissioning Plan WsM to Clevedon cycleway [V3 Final]. Available at: [20190925 Com plan WsM to Clevedon cycleway \[V3 Final\].docx](#)

[4] Fish, D.C. (2018) *Weston-super-Mare to Clevedon Cycleway: Statement of Community Involvement*. North Somerset Council. Available at: [https://planning.n-somerset.gov.uk/online-applications/files/1A65AC3A07543DE290E1433923FE5E36/pdf/18\\_P\\_4758\\_FUL-STATEMENT\\_OF\\_COMMUNITY\\_INVOLVEMENT-2748713.pdf](https://planning.n-somerset.gov.uk/online-applications/files/1A65AC3A07543DE290E1433923FE5E36/pdf/18_P_4758_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT-2748713.pdf)

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#### **SIGNATORIES:**

DECISION MAKER(S):



Signed:  
Executive Member for Planning, Building Control, Highways and Transport

Date: 22 January 2021

WITH ADVICE FROM:



Signed: Director of Place

Date: 19 January 2021



Signed:

S151 Officer

Date: 19 January 2021