

## Record of officer decision

<b>Decision title:</b>	Award of consultancy contracts to undertake support services for the design of the phase 1 plots and infrastructure at Ross Enterprise Park
<b>Date of decision:</b>	7 June 2024
<b>Decision maker:</b>	Service Director for Economy and Growth
<b>Authority delegated decision:</b>	<p>for</p> <p>On 12 February 2024 the Cabinet Member community services and assets took a decision to:</p> <p>a) To approve expenditure of up to £550,000 capital to deliver the detailed design stage of the proposed phase 1 development of Ross Enterprise Park;</p> <p>b) Once detailed design stage completed, to approve and action the procurement of a contractor to complete the required works; and</p> <p>c) To delegate all operational decisions to the Service Director for Economy and Growth in consultation with the Cabinet Member for Community Services and Assets to implement recommendations (a) and (b) including the award of the contract to the preferred bidder following conclusion of the procurement undertaken in accordance with the Contract Procedure Rules.</p> <p>Documents relating to this decision are available at <a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50047178">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50047178</a></p>
<b>Ward(s):</b>	Old Gore; Penyard; Ross East; Ross West;
<b>Consultation:</b>	<p>A political group consultation was undertaken for the relevant decision report process. Councillors expressed support for the proposed development recognising the need for employment land in the area, but also how the development of the wider site can make a significant contribution to housing and employment for the county as a whole. That the value for money of this first phase needs to be considered as a first step in bringing forward the wider site. There was strong support for reducing the speed limit to 40mph on the relevant section of the A40 to aid safety both for the employment land site and nearby residential developments. The development should also be utilised to enable a number of businesses to grow, creating employment rather than becoming a larger distribution location.</p> <p>The procurement process has been facilitated by the Programme Management Office in conjunction with the project team, which includes Commercial Services in order to ensure that the process took place compliantly and in line with best-practice.</p>
<b>Decision made:</b>	<p>Award of consultancy contracts to undertake support services for the design of the phase 1 plots and infrastructure at Ross Enterprise Park following separate open competitive tender processes for:</p> <ul style="list-style-type: none"> <li>• Technical Project Management, Quantity Surveying (Cost Consultancy and Contract Administration) and Client Representative Services; RIBA Stages 2-6 to Rider Levett Bucknall UK Ltd.</li> </ul>

	<ul style="list-style-type: none"> <li>• Civil Engineering consultancy support to One Creative Environments Ltd.</li> <li>• Utility services consultancy to SMS Energy Services Ltd.</li> </ul>
<p><b>Reasons for decision:</b></p>	<ul style="list-style-type: none"> <li>• Ross Enterprise Park is one of the largest strategic employment sites in Herefordshire. It is a well situated site with excellent road transport links including easy access to the M50 (Midlands/South West), A449 (M4 corridor/Wales/South West) and the A49 (Marches/West Midlands/North West).</li> <li>• The proposed project will deliver as the initial phase of development, 4 development plots of circa 1 acre each, dependent on the end mix of uses between office and light industrial space, between 77,000 and 100,000 sq. ft. of floor-space, accommodation and between 150 and 600 jobs.</li> <li>• The 15 hectare site, is allocated to provide 10 hectares of employment land that could in the fullness of time accommodate 29,400 square metres of new employment floor space and support up to 1,000 jobs, whilst supporting the growth of the local and wider economy.</li> <li>• The entire site is in council ownership and vacant possession is available on providing the small holding tenants three months' notice.</li> <li>• The site has benefited from planning permission approved by the Planning and Regulatory Committee on 21 February 2018, and that consent will, if not implemented, expire on the 22 September 2025 meaning that physical work on site must commence before that date.</li> <li>• The <a href="#">Herefordshire Economic Plan</a> identifies a critical need for employment land in strategic locations to support the growth of higher value jobs in the county. There remains a strong demand for employment land in Ross in Wye, with a number of local employers stating they will have to consider relocating out of the county if their growth needs can't be accommodated locally. The need/ demand for the development of the site was strongly supported in the <a href="#">Ross on Wye Market Town Investment Plan</a>, which identifies the need for additional employment land as the highest local priority, addressing the 10 year market failure to establish new land.</li> <li>• The contracted providers will be responsible for developing detailed designs/proposals (RIBA stages 2-4) including a new junction off the A40, earthworks, drainage, utility and highways works to open up the Park and create 4 acres of development ready land. This will allow the scheme to be developed in phases that meet the market demand.</li> <li>• The contracted providers will also be responsible for overseeing the delivery of the scheme (RIBA stages 5 and 6) - subject to a separate approval decision to proceed to this stage of the project.</li> <li>• The preferred providers have been procured in accordance with the council's contract procedure rules via separate open competitive tender processes.</li> </ul>
<p><b>Equality considerations</b></p>	<p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need</p>

	<p>to -</p> <ul style="list-style-type: none"> <li>a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>An Equality Impact Assessment will be undertaken during the design phase to ensure that the development is open, accessible and inclusive for all. In line with the council's Equality Policy, when designing infrastructure schemes and redesigning the public realm in our city and town Centre's, we will work with user groups to ensure that the design improves access for all. And, in all our proposals, we will aim for the highest level of accessibility.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<ul style="list-style-type: none"> <li>• The required works will take Phase 1 up to RIBA Stage 4 technical design stage ( construction ready), including surveys to support design development and discharge of planning conditions, and fees for necessary statutory applications and consents. This builds on previous work commissioned by the council (£341k), required to seek planning approval and surveys of the site. The proposed phasing of the development of the site (in line with the available budget) will require some changes to the original design.</li> <li>• The quoted costs for the works to be contracted are just under £320,000, which is within the £500,000 authorised budget limit.</li> </ul> <p>Key risk categories for the project can be categorized as</p> <ul style="list-style-type: none"> <li>• Costs- £8m, budget allocation to deliver the first phase of the project and ensuring that the project does not exceed this as well as ensuring design costs stay within the £550k budget.</li> <li>• The planning status of the site with permission set to expire on 22 September 2025 meaning that physical work on-site must commence before this date. Associated with this is the required discharge of a number of conditions related to the infrastructure of the site (roads, broadband, and sewage) as well as others around the ecology and water-courses.</li> </ul> <p>The project will be supported by the Project Management Office with risks and issues tracked via the Verto project management system and at monthly project and programme board meetings. A risk workshop will also take place once the consultants have been appointed so that they can provide the necessary advice and information.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>Not to progress with the additional design elements utilising the appointed consultants is not recommended as this could result in a legal challenge due to these being considered a Compensation Event under the current agreement. This would also require alternative consultants being appointed to complete the works, which would add extra time and cost to the projects.</p>
<p><b>Details of any declarations of interest made:</b></p>	<ul style="list-style-type: none"> <li>• Do nothing- the option to not develop Ross Enterprise Park and allow the market to meet the employment need of the Ross on Wye locality has been discounted as there is an observed market failure for the delivery of new employment space of any scale within Herefordshire. The opportunity to obtain the benefits of the scheme would also be lost. This is not recommended.</li> </ul>

	<ul style="list-style-type: none"><li>• Utilise an alternative delivery model- no other viable delivery models have been identified, but the proposed development model has been used with success at Skylon Park, Hereford Enterprise Zone. Efforts have been made to secure gap funding and Enterprise Zone status from Her Majesty's Government however as a result of the highly competitive nature of the initiatives, those application were ultimately unsuccessful. This is therefore also not recommended.</li></ul>
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