

Record of Officer Decision

Decision title:	Accept and instruct Compensation Event (CE) as part of agreement (NEC4 Contract) for the design of Quiet Route improvements to the Hereford Enterprise Zone (HEZ).
Date of decision:	24/01/24
Decision maker:	Corporate Director for Economy & Environment
Authority for delegated decision:	<ul style="list-style-type: none"> • A cabinet decision was taken on 12 January 2023 to accept and spend any funds approved by the Department for Levelling Up including the Hereford Transport Package. This includes the Quiet Route improvements to the HEZ that are the subject of this decision notice. • Full details of the decision taken can be seen at the following link: Decision - To Accept and Spend Any Approved Levelling Up Fund Allocation to Herefordshire - Herefordshire Council
Ward:	Belmont Rural, Dinedor Hill, Hinton & Hunderton, Newton Farm, Red Hill and Saxon Gate.
Consultation:	The Quiet Route Improvements to the HEZ were consulted on with the relevant Members (Ward and Portfolio) as well as HEZ stakeholders in 2022. The acceptance of this Compensation Event has been discussed and agreed with Legal and Commercial Services, Finance, Communications and the Section 151 Officer. An update on the project and the specific issues surrounding this officer decision have also been shared with the relevant Portfolio and Ward Members prior to approval and publishing.
Decision made:	<p>Accept Compensation Event for up to £82,400 as part of agreement (NEC4 Contract) for the design of Quiet Route improvements to the Hereford Enterprise Zone (HEZ), specifically relating to the following:</p> <ul style="list-style-type: none"> • Project Management • Design changes • Design of routes N & P (To be finalised following further consultation) • Road Safety Audits (updates and new).
Reasons for decision:	<ul style="list-style-type: none"> • The City Transport Package will provide safer alternative modes of travel to the car, which will reduce the reliance on cars and the number of vehicles undertaking short journeys within the city limits. The alternative walking, cycling and public transport links will help provide safe reliable alternatives. This will also enhance the current environment for the residents, businesses and visitors to Hereford and help: <ul style="list-style-type: none"> ○ Protect and enhance our environment and keep Herefordshire a great place to live. ○ Strengthen communities to ensure everyone lives well and safely together.

	<ul style="list-style-type: none"> ○ Support an economy which builds on the county’s strengths and resources ● This project is one of several Active Travel Measure (ATM) schemes accessing Levelling Up Funding (LUF) across Hereford City. ● Project Centre was awarded the contract for undertaking the design of Quiet Route improvements to the Hereford Enterprise Zone (HEZ) following an open tender exercise in compliance with the Council’s Contract Procedure Rules (CPR’s). ● A value engineering exercise was conducted by the project team, which has resulted in design changes being required in order to reduce overall project costs and create a more connected network of routes. The changes require further meetings, investigations and modifications to existing designs that require familiarisation and experience of the original brief.
<p>Equality Considerations</p>	<p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:</p> <ul style="list-style-type: none"> ○ A public authority must, in the exercise of its functions, have due regard to the need to <ul style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.</p> <p>During the Business Case development phase of these projects the project promoters and any contractors were and will be made aware of their contractual requirements in regards to equality legislation.</p> <p>All of the council led projects have completed an Equality Impact Assessment and confirmed that, as a minimum, there is no detrimental impact on any of the protected characteristics at this bidding stage of the Levelling Up Fund process. In the event that the funding bids are successful then the project teams will conduct detailed Equality Impact Assessments for all aspects of the schemes as they are developed.</p>
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<ul style="list-style-type: none"> ● The value of the awarded contract was £73,180; this was varied in October 2022 for an additional £35,650 because of additionally scoped sections for design and stakeholder engagement. ● The total contract value prior to this Compensation Event is therefore £108,830, of which £97,130 has been spent. ● The value of the proposed compensation event is £87,350; however, £14,950 for Bridge scheme design is not being included following value for money testing. £10,000 is included as contingency, therefore giving a revised figure of £82,400. ● The value engineering exercise that has taken place is estimated to save £217,000 on construction costs, thus the extra expenditure proposed in this decision will provide overall savings to the project.

	<ul style="list-style-type: none"> • Due to Project Centre having already completed the investigations and original design work for the relevant routes, it would not be in the interests of the Council to change suppliers, as any new consultants would require extensive briefing and familiarisation that would add unnecessary extra costs.
Details of any alternative options considered and rejected:	<ul style="list-style-type: none"> • The project could have proceeded with the original design solutions, however it was felt that value engineering was required in order to reduce unnecessary expenditure in the construction stage of the project as well as ensuring a more connected network of active travel routes. • Not to progress with the schemes- this is not recommended as this will not achieve the mode shift to active travel and further delay development of the active travel measures in South Hereford. This will also not achieve the wider benefits to the whole zone and impact on future planning applications due to the travel cap imposed by the HEZ LDO.
Details of any declarations of interest made:	N/A

I am an officer delegated to make the decision

Signed:

Print Name: Ross Cook

Job Title: Corporate Director Economy and Environment