

Record of officer decision

Decision title:	Phase 1 plots and infrastructure, Ross Enterprise Park - Construction Contractor Award
Date of decision:	9 October 2025
Decision maker:	Service Director Economy and Growth
Authority for delegated decision:	<p>On 22 July 2025 the Cabinet Member Community Services and Assets took a decision to:</p> <p>a) approve expenditure of up to £7.229 million for construction works as set out in Appendices 1 to 3 and associated activity to secure delivery of phase 1 development of Ross Enterprise Park; and</p> <p>b) delegate to the Director for Growth authority for all operational decisions necessary to deliver the works in (a), including the agreement and implementation of a suitable procurement strategy to secure the necessary suppliers.</p> <p>Documents relating to this decision are available at: Issue details - Ross Enterprise Park Phase 1; Construction Phase - Herefordshire Council</p>
Ward(s):	Old Gore; Penyard; Ross East; Ross West;
Consultation:	<p>The development of Ross Enterprise Park is one of the key aspirations emerging from the Market Town Investment Plan developed in partnership with Ross Town Council. The plan was informed by consultation with a well-represented steering group of local and county Councillors as well as a number of local stakeholders. Engagement has also taken place with private landowners, local businesses, developers and county-wide and regional sector representatives.</p> <p>Cabinet Members for Community Services and Assets and Economy and Growth have been regularly briefed on project progress and are fully supportive with regards to realisation of the original project objectives.</p> <p>The project was initiated following a previous decision in February 2024 which approved the commencement of the design and procurement stages. At that time a full Political Group Consultation was carried out and as there have been no material changes to the project or its scope since that time, the outcome of that consultation is deemed to remain valid for the decision to continue into the next stage. On these grounds, no re-consultation has taken place.</p> <p>The procurement process has been undertaken by key members of the project team, in conjunction with Commercial Services, to ensure that the process was compliant with Procurement legislation and in line with best practice.</p>
Decision made:	<ul style="list-style-type: none"> Award a contract for the construction of Ross Enterprise Park Phase 1 plots and infrastructure to Fitzgerald Contractors Ltd. following successful evaluation from an open tender process for a tendered value of £2,602,939.81.
Reasons for decision:	<ul style="list-style-type: none"> Ross Enterprise Park is one of the largest strategic employment sites in Herefordshire. It is a well-situated site with excellent road transport links

	<p>including easy access to the M50 (Midlands/South West), A449 (M4 corridor/Wales/South West) and the A49 (Marches/West Midlands/North West).</p> <ul style="list-style-type: none"> • 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 and between 150 and 600 jobs whilst supporting the growth of the local and wider economy. The site will be constructed to ground level, including services, road and drainage infrastructure, and marketed as serviced plots for subsequent development by others. Phase 1 will also include all public highway and active travel improvements necessary to satisfy planning obligations. • The entire site is in council ownership and available for the contractors to start on site. • The site has the benefit of a planning permission approved by the Planning and Regulatory Committee on 21 February 2018, and that permission will expire in late February 2026, meaning that physical work on site must commence before that date. The project delivery strategy has been geared to ensure that works begin before planning permission expires. This decision will allow the contractor to start on site in mid-November. • The Herefordshire Economic Plan 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 on Wye, with several 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 Ross on Wye Market Town Investment Plan, which identifies the need for additional employment land as the highest local priority, thereby addressing the 10 year market failure to establish new land. • Consultants appointed in July 2024 have developed detailed designs/proposals (RIBA stages 2-4) including highways works to open up the Park by creating a new junction off the A40 whilst internally earthworks, drainage and utilities provision will create 4 acres of development ready land. This will allow the scheme to be developed in phases that meet the market demand. • The procurement was conducted in line with the above threshold process as set out in the council's Contracts Procedure Rules. • Following robust evaluation, Fitzgerald Contractors Ltd. are recommended as the preferred contractor for award. • The preferred contractor will be responsible for implementing the designs as per the tender scope and specification to RIBA stages 5 and 6 in conjunction with the Council's appointed design consultants. • The Director of Growth will approve any future spend of contingency on compensation events in accordance with the contract to a total maximum of £1,000,000 in accordance with authority delegated to the director in the 22 July 2025 decision.
Equality considerations	<ul style="list-style-type: none"> • Due to the potential impact of this activity being low, a full Equality Impact Assessment is not required. However, the following equality considerations

	<p>have been taken into account as part of the strategy behind this decision:</p> <ul style="list-style-type: none"> ○ Central to the strategy for developing the site are the aims of supporting the development/ expansion of businesses in the area and the creation of inclusive employment opportunities for people within the region taking up employment with them. ○ The buildings and surrounding infrastructure constructed by third parties following sale of the development-ready plots will be controlled under the Building Regulations, specifically part M, which provides a statutory mechanism to ensure that the buildings (and therefore the employment opportunities within them) are physically accessible to all. ○ The designs for the public infrastructure serving the development incorporates new active travel routes for walking, cycling and other wheeled options, a pedestrian/cycle-friendly reduced speed limit within the highway and provision for public transport links. These will also serve the new housing development to the south.
<p>Highlight any associated risks/finance/legal/equality considerations</p>	<ul style="list-style-type: none"> • The Capital Programme Review decision taken by the Full Council on 8 December 2023 included a £12 million allocation from the capital receipt reserve to support the development of employment land and business incubation space in the county. £8m of this total was allocated for Ross Enterprise Park and the other £4 million to deliver employment land and business incubation space in other market towns. • Confirmation of the phase 1 plot and infrastructure contractor will enable further progress to take place against agreed project spend and objectives. • Project spend to date is £703,449, which has been focused on <ul style="list-style-type: none"> ○ Completing necessary site investigations, ○ Progressing design to RIBA stage 4 (detailed engineering-level design) ○ Discharging pre-commencement planning matters. ○ Utility service design, diversions and new connections as essential enabling work ahead of the main construction phase. • The contract value tendered by Fitzgerald Contractors Ltd. is £2,602,939.81. A contingency of £1,000,000 will allow any risk realisation, for example requirement of external material for plot construction and delays due to statutory requirements (planning and utilities) to be reacted to promptly to reduce any further financial and reputational risk. • This contract value is within the budget envelope advised by appointed cost consultants who are part of the project team. The cost consultants will continue to monitor costs rigorously through the construction phase. • The Property team is closely involved in managing the relationship with the existing tenant of adjoining Council-owned land. • The project delivery strategy has been geared to ensure that works begin before planning permission expires. This decision will allow the contractor to start on site in mid-November 2025. • Engagement has taken place with the Council's Highways and Planning departments throughout the pre-construction phase to ensure compliance

	<p>with planning conditions and the statutory approvals process.</p> <ul style="list-style-type: none"> • The key project risks have been appropriately recorded on the relevant risk register and escalated in line with the Council's Risk Management Strategy. Governance and monitoring arrangements are in place to ensure these risks are actively managed throughout the delivery of the project.
Details of any alternative options considered and rejected:	<ul style="list-style-type: none"> • There are significant upfront infrastructure works (and costs) required to open up the employment land at Ross Enterprise Park; this has served to inhibit development on site for a decade or more demonstrating a clear market failure. • The proposed approach has been used with success at Skylon Park, Hereford Enterprise Zone, where initial investment in infrastructure by the Council to prepare construction ready plots has resulted in strong business interest and uptake. • No other viable delivery models have been identified. Efforts have been made on several previous occasions to secure gap funding from the Government to meet the cost gap. However, because of the highly competitive nature of those initiatives, these applications were ultimately unsuccessful. There are no suitable Government funding regimes in place currently, and no indication of when they could be. To wait for external funding is therefore not recommended. • Not appointing the preferred contractor now would result in the project not going ahead and the employment land need in the locality will continue to be unmet. Moreover, the planning permission would lapse meaning much more pre-construction work would need to be undertaken should the project be taken forward in the future, adding to uncertainty and further cost. This is not recommended.
Details of any declarations of interest made:	<ul style="list-style-type: none"> • N/A

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Service Director Economy and Growth