



<b>A605 WHITTLESEY ACCESS PHASE 2 – STANGROUND ACCESS: CONTRACT EXEMPTION FOR CADENT GAS WORKS</b>
<b>COUNCILLOR PETER HILLER, CABINET MEMBER FOR STRATEGIC PLANNING AND COMMERCIAL STRATEGY AND INVESTMENTS</b>
<b>September 2020</b>
<b>Deadline date: September 2020</b>

Cabinet portfolio holder:	Councillor Peter Hiller, Cabinet Member for Strategic Planning and Commercial Strategy and Investments
Responsible Director:	Steve Cox, Executive Director Place & Economy
Is this a Key Decision?	YES If yes has it been included on the Forward Plan : Yes Unique Key decision Reference from Forward Plan : KEY/17JAN20/02
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	Yes

## R E C O M M E N D A T I O N S

The Cabinet Member is recommended to authorise an exemption from the Council’s Contract Rules to allow a contract to be placed with Cadent Gas to undertake essential works associated with the A605 Whittlesey Access Phase 2 – Stanground Access highway scheme at a cost of £1,657,393.08. This CMDN does not increase the overall cost of the scheme.

### 1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks approval from the Cabinet Member for Growth, Planning, Housing and Economic Development for:
- An exemption from the Council’s contract rules to contract with Cadent Gas in order for them to undertake essential works associated with the highway scheme.

### 2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Growth, Planning, Housing and Economic Development to consider exercising delegated authority under paragraph 3.4.8 (b) of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b).

### 3. **TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>
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### 4. **DETAILS OF DECISION REQUIRED**

- 4.1 The A605/B1095 junction is an existing pinch point on the local road network. The traffic turning right from the A605 onto the B1095 causes significant delays and queuing, particularly in peak periods. This queuing impacts on the operation of a nearby junction to the west, and subsequently causes queuing/delays on its approaches. The scheme is driven by the imminent construction of a bridge to replace the existing A605 Kings Dyke railway level crossing and the regular flooding of the parallel North Bank route, both of which increase traffic flows along the A605.
- 4.2 The Council submitted a successful bid to the Department for Transport as part of the National Productivity Investment Fund. As a result £2.8m will be awarded to the Council from the DfT, via the Cambridgeshire and Peterborough Combined Authority, and £2.2m has been allocated as part of the Council's MTFS. DfT funding is paid to Transport Authorities so it will be awarded to the Combined Authority. At their Board Meeting on 28 March 2018, the Combined Authority agreed to pass the £2.8m DfT funding to the Council to deliver the scheme.
- 4.3 Through a previous CMDN (DEC19/CMDN/63), the Council has awarded a package of works to Skanska Construction UK Limited ("Skanska") under the Council's existing Peterborough Highway Services Contract. Skanska and the Council have been in ongoing discussions with Cadent Gas about the highway scheme and have been discussing a number of different options. However, for all options there is a significant amount of utilities works that need to be undertaken and the responsibility for that falls on the Council to fund because the Council is altering the road layout.
- 4.4 Section 4 of the Council's Contract Rules, permits quotations being obtained from a single bidder on the basis of being the only supplier that can provide the works.
- 4.5 It should be noted that the Council commenced this work in January 2020 whereby a purchase order to the value of £895,439.85 was raised to Cadent in order to allow them to commence work to undertake works to the gas main. This CMDN is seeking retrospective consent for these works alongside authority to raised an additional order to the value of £779,953.23, a total of £1,657,393.08. This CMDN does not increase the overall cost of the scheme.

### 5. **CONSULTATION**

- 5.1 Appropriate level consultation will take place with all relevant stakeholders and detailed discussions have been undertaken with Cadent Gas and the Cambridgeshire and Peterborough Combined Authority.

### 6. **ANTICIPATED OUTCOMES**

- 6.1 Delivery of the A605 Stanground east junction improvements will contribute to the transportation aims of both the Council and the Government by supporting the city's growth agenda; improving accessibility to key services, providing safer roads and reducing congestion, leading to an improved environment.

### 7. **REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION**

- 7.1 Improvements are required to the junction of the A605 Whittlesey Road with the B1095 Milk and Water Drove. This junction is located on the eastern edge of Peterborough close to the border with Cambridgeshire. The need for the improvements has come about due to the high volumes of traffic travelling eastward out of Peterborough in the PM Peak. Eastbound traffic turning right from the A605 onto the B1095 blocks traffic heading towards Whittlesey and beyond. This subsequently causes long queues on the B1092 through Stanground and also on the A605 Stanground Bypass. The improvements will be designed to allow traffic to turn right without blocking the straight ahead movement. This will alleviate the congestion currently occurring.
- 7.2 The scheme is in the Cambridgeshire and Peterborough Combined Authority's Local Transport Plan.
- 7.3 The scheme cannot go ahead without significant works being undertaken by Cadent Gas and the Council is required to fund this work because the Council is altering the road layout.
- 7.4 Cadent Gas are responsible for the gas pipes in the east of England. Cadent Gas maintain, repair and replace the gas network in the Peterborough area. Therefore, the upgrade of the gas main as part of the highways works must be carried out by Cadent Gas so it is not possible to procure this work which is why an exemption from the Council's Contract Rules to allow a contract to be placed with Cadent Gas to undertake these works is required.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 Not to go into contract with Cadent Gas: This will mean that the scheme cannot go ahead and the significant benefits to the residents of Peterborough and the wider travelling public will be lost. In addition, the Council would not be able to meet its strategic transport and highway priorities for Peterborough following a period of consultation with stakeholders and partners.
- 8.2 Agree an alternative works programme: The A605 Stanground east junction improvement programme of works put forward has been assessed to ensure it meets the objectives and provides value for money. No viable alternatives have been identified.
- 8.3 To procure the works – This was discounted on the basis that Cadent Gas are responsible for maintaining the gas supply and the only party who can carry out the works.

## **9. LEGAL IMPLICATIONS**

- 9.1 There are no procurement implications as the contract is below the EU threshold for such works. Furthermore, section 8.2 sets out the reasons as to the works not being able to be procured and be exempt from the Council's Contract Rules.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 Approving the recommendation will ensure that that the planned expenditure is consistent with the capital program of works via the performance measurement and efficiency mechanisms built into the Peterborough Highway Services Contract.

## **11. PROCUREMENT IMPLICATIONS**

As set out in this report.

## **12. EQUALITY IMPLICATIONS**

12.1 An Initial Equality Impact Assessment has been carried out and there are no detrimental effects associated with the Scheme. The completed equality impact assessment is in Appendix A

### **13. CARBON IMPACT**

13.1 The project as a whole will have a positive impact and will reduce carbon emissions by improving journey times and reducing congestion along the route and surrounding area. Although there are factors, such as additional street lighting, embodied energy in the materials which will have a negative impact, we will look to limit the impact of these through planting trees which will provide a long term benefit. Please see the carbon impact assessment form (Appendix B) for further details.

### **14. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

14.1 None.

### **15. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

- Combined Authority Board Meeting 28 March 2018 <http://cambridgeshirepeterborough-ca.gov.uk/meetings/combined-authority-board-28-march-2017/?date=2018-03-28>
- National Productivity Fund Submitted Application <https://www.peterborough.gov.uk/upload/www.peterborough.gov.uk/residents/transport-and-streets/A605Application.pdf?inline=true>
- Cambridgeshire and Peterborough Combined Authority's Interim Local Transport Plan <https://cambridgeshirepeterborough-ca.gov.uk/assets/Transport/Interim-Transport-Plan-170628.pdf>
- Cambridgeshire and Peterborough Combined Authority's draft local transport plan <https://cambridgeshirepeterborough-ca.gov.uk/assets/Transport/Draft-LTP.pdf>
- Previous CMDN for this scheme: <https://democracy.peterborough.gov.uk/ieDecisionDetails.aspx?ID=1680>

### **15. APPENDICES**

- Appendix A: Carbon Impact Assessment