

Decision by Portfolio Holder



Report reference: PLS-001-2019/20

Date of report: 21 May 2019

**Epping Forest
District Council**

Portfolio: Planning Services

Author: Claire Hamilton (Ext 4006)

Democratic Services: J Leither

Subject: Direct appointment of PJA to undertake the Local Cycling, Walking and Infrastructure Plan (LCWIP) for the Harlow and Gilston Garden Town project

Decision:

That in accordance with paragraphs 2.8 and 10.1 of the Council's Contract Procedure rules (2018), the Procurement Rules be waived to enable the direct appointment of PJA to undertake the LCWIP for the Harlow and Gilston Garden Town.

ADVISORY NOTICE:

*A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest.
A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.*

I have read and approve/~~do not approve~~ (delete as appropriate) the above decision:

Comments/further action required:

Signed: Cllr C Whitbread (Leader)

Date: 30th May 2019

Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:

None

*Dispensation granted by Standards Committee:
Yes/No or n/a*

N/A

Office use only:

Call-in period begins: 31st May 2019

Expiry of Call-in period: 7th June 2019

***After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY***

Reason for decision:

In order to prepare a Local Cycling and Walking Infrastructure Plan (LCWIP) across the Harlow and Gilston Garden Town (HGGT) it is considered pragmatic and effective to use PJA, the company which has been already been involved in the development of cycling and walking plans for East Herts and Harlow. PJA was also instrumental in designing the LCWIP programme with the Department for Transport, and they are subject matter experts who can add significant value to the local context.

Options considered and rejected:

To pursue competitive tendering for the work:

If a consultant is selected who does not have the local expertise in relation to the sustainable travel network, they will take significant additional time to get up to speed on the commission, thus causing further delay to the project. It is likely that this will also have an increased cost implication to the commission.

Not to proceed with the work:

This work is essential for the delivery of new homes in the Garden Town and must be in place for the development of the STC network. Failure to achieve the required sustainable travel modal shift could result in fewer homes being built in the HGGT which would have serious implications for the 3 District Councils.

Background Report:

In order to accommodate the planned levels of housing growth across the HGGT over the next 15 years, there needs to be a significant shift from people using the private car as a means to get to and around the town to people travelling sustainability (by public transport, walking and cycling).

A 50% sustainable travel mode share is required for journeys within the existing Harlow communities and this rises to 60% in the new developments. This is a challenging target and work to deliver this mode shift needs to start now, not when the new homes are occupied.

Work is underway to plan the key sustainable transport corridors which will transport people quickly and frequently around the Garden Town from residential areas to the town centre, stations and key employment zones. This is currently at feasibility stage and work will then progress to detailed design in the next few months.

In order to complement the STC routes, the project also needs to deliver a safe and attractive walking and cycling network for the Garden Town which will be well-used by both existing and future residents. The starting point for this is the development of a Local Cycling and Walking Infrastructure Plan. Usually these are produced within a single District, but given the geography of the HGGT, the LCWIP will need to be produced across the District and two County areas.

The LCWIP production needs to be aligned to the development of the STCs and therefore needs to be procured urgently so that progress on the development of the whole sustainable network is not delayed.

The existing work PJA is undertaking with Harlow District Council and East Hertfordshire District Council has given them an extensive knowledge of local issues and the local transport geography. This will help to reduce the time that will be required to understand the area at the required level in order to complete the commission. Furthermore, in order to align with the Essex Major Schemes Construction process, the development of the Walking and Cycling Networks and scheme prioritisation, PJA and partners could proceed at pace. Given ECC's capability (they have already undertaken LCWIPs for Braintree, Chelmsford and Colchester) and the availability of this specialist consultancy, commissioning PJA would ensure that the outputs can be delivered in an accelerated schedule which supports project deadlines, integration and efficiencies.

PJA has recently been involved in the production of LCWIPs for a range of authorities as part of the DfT programme and this is another reason why we want to directly appoint them to undertake the LCWIP for the Garden Town project.

Essex County Council has recent experience in developing LCWIPs and is also keen to ensure that an integrated LCWIP is produced which covers the existing urban areas and the planned new Garden Communities in Essex and Hertfordshire. Given the challenges of working across different geographies with different plans and policies, it makes sense to produce a single evidence base and integrated LCWIP. This will consider all of the factors required to produce an LCWIP including walking and cycling network plans. The LCWIP report and outputs will underpin sustainable mobility and sustainable urban development approaches.

The LCWIP will be procured on behalf of the HGGT project by EFDC as EFDC is the Accountable body for the HGGT project.

PJA have submitted a fee proposal for the sum of £51,080 to produce the LCWIP for the HGGT project.

Procurement rules – sections to be waived

Given the nature of the work to be commissioned and the work that has already been undertaken by the consultants in the area, it is not considered practical or desirable to seek further competitive quotes. In accordance with paragraph 5.2(c) and 5.5(c) of the Council's Procurement Rules, it is considered that PJA is the most appropriately placed consultant to deliver the LCWIP work.

Having determined that the existing relationship and nature of work to be commissioned under the paragraphs identified above, authority is sought to waive Procurement Rules (2018) paragraphs 2.8 and 10.1, both in relation to seeking quotes via competition.

Resource Implications:

This work will be funded through the HGGT Project Budget and there is an allocation of £51,000 within the 19/20 budget for the production of a LCWIP.

Legal and Governance Implications:

EFDC is the Accountable Body for the Harlow and Gilston Garden Town Project which receives funding from Homes England. All procurement must take place in line with the Council's Procurement Rules.

The detail of the approach taken in respect of the Procurement Rules (2018) is set out within the report above.

Safer, Cleaner and Greener Implications:

The HGGT proposals are set out within the Council's Local Plan which has been produced in accordance with the Council's Safer, Cleaner and Greener agenda.

Consultation Undertaken:

Corporate Procurement Officer.

Background Papers:

None

Impact Assessments:

N/A

Initialled as original copy by Portfolio Holder:

Risk Management:

This work is part of the Sustainable Transport Workstream's work programme and will be managed through the production of monthly highlight reports which are overseen by the HGGT Officer Group and then progress and risks are reported to the HGGT Board.

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix 1 of this report.

Key Decision Reference (Y/N):

N/A