# **Individual Cabinet Member Delegated Decision**

#### Cabinet Member for Economic Development - CIIr Philip Whitehead

# **Service Economic Development and planning**

**Officer Contact**: Rory Bowen (Rory Bowen, Acting Head of Service - Economic Development, 07810 753375, rory.bowen@wiltshire.gov.uk)

Reference: L-08-20

Title: Chippenham Station Hub- Approval to enter into a fixed-price funding agreement with Network Rail

# **Purpose of Report**

1. This report seeks authority to sign a fixed-price Implementation Agreement for £1,048,279 with Network Rail to enable the construction of a new lift at Chippenham station, and delegate authority to the Corporate Director for Place and Environment to sign the contract and agree terms, conditions and any other consequential matters.

#### Relevance to the Council's Business Plan

- 1. To ensure that Wiltshire Council/Chippenham maximises the benefits and opportunities associated with the Growth Deal programme in terms of delivering key infrastructure projects and building Wiltshire's economy.
- 2. The improvements at Chippenham Station will help deliver economic development in a sustainable manner by improving the use of public transport, improving the experience for those arriving at the station and improving the station's role as a transport gateway to Chippenham town centre. The programme will also create opportunities for jobs and growth. It will also support the growth in demand created by Great Western Main Line Modernisation Programme as well as the additional housing provision planned for the area.

# **Background**

- 3. A Local Growth funding bid for the Chippenham Station Hub project was submitted as part of the Swindon and Wiltshire LEP Strategic and Economic Plan in 2014.
- 4. The project was subject to the SWLEP's assurance framework which included full business case development.
- The Cabinet Capital Assets Committee agreed in September 2016 to grant delegated authority to the Director of Economic Development and Planning to cashflow and deliver the schemes.

- 6. In October 2016 a grant agreement for £16M was entered into with the SWLEP, with Wiltshire Council is acting as Accountable Body, i.e. acting as the accountable organisation for SWLEP.
- 7. The various phases including the lift have been agreed with the SWLEP and minuted in Board meetings as well as through regular highlight reports.

#### **Main Considerations for the Council**

- 8. The works form part of a funding agreement with the SWLEP for a total figure of £16M in relation to the Chippenham Station Hub.
- 9. This funding amount has since been reduced to £13M as some works planned were deemed unfeasible (this does not include the lift).
- 10. A key element of Chippenham Station Hub is the delivery of a new lift on the northern platform. This will allow step-free access to the train platform for those with mobility or access issues.
- 11. These works and cost as well as funding agreement option were approved by the SWLEP Board in March 2020. Approval is now sought from the Leader and Cabinet Member for Economic Development to enter into the contract with Network Rail.

# **Overview and Scrutiny Engagement**

- 12. In March 2020, the Joint Swindon and Wiltshire Local Enterprise Partnership (SWLEP) Task Group produced a report on the Chippenham Station Hub Project. The Chippenham Station Hub project was identified as a specific project for the task group to explore; the aim being for the task group to scrutinise the role of the SWLEP.
- 13. In undertaking this work, the task group was informed of a variety of reasons why this had been a constantly evolving project; including the detailed design of the various elements developing within the cost constraints of the allocated funding and within the needs and constraints of the variety of public sector and private sector partners involved in the project. The evolving nature of the project is also reflected in this request for a delegated decision. The task group is no longer in existence. There is now a SWLEP joint scrutiny panel, and the panel will be informed of this delegated decision.
- 14. The Chairman of the Overview and Scrutiny Management Committee has been consulted in the publication of this as a Key single member decision by the Leader.

# **Safeguarding Implications**

15. No implications

#### **Public Health Implications**

16. The work of the SWLEP delivered through nationally competitive Growth Deals, aims to deliver significant levels of new jobs in Wiltshire and attract significant private sector investment to our economy. This will help ensure that Wiltshire's

- economy remains strong and resilient and that employment figures remain high.
- 17. The local economy is a known contributor to the wider determinants of health. A struggling local economy can lead to higher unemployment throughout the local population. This in turn can impact on the social, physical and mental health outcomes of the population. Getting people into work is therefore of critical importance for reducing health inequalities.
- 18. The proposed transport improvements offer an opportunity to enhance utilisation of both public transport and active travel options which over time could lead to improved health outcomes. There may also be associated benefits in relation to both road safety and air quality.

#### **Procurement Implications**

- 19. Procurement has been undertaken by Network Rail in accordance with standard rules and procedures applicable to a public organisation. The cost for the Legal Agreement includes for a significant amount of risk which will be held by Network Rail.
- 20. The deadline for passporting the remaining grant funds over to NR is the 31<sup>st</sup> March 2021 and it is therefore urgent that this Legal Agreement is signed at the earliest opportunity; there is not a meeting of Cabinet until 5 January 2021.

### **Equalities Impact of the Proposal**

- 21. The Department for Business, Innovation and Skills published its Equality Impact Assessment (EQIA) for Growth Deals in July 2014. The report concludes that the Growth Deal programme has no adverse impact on any protected group and that the proposed funding decision is neutral in advancing equality of opportunity between persons who share the relevant protected characteristic and persons who do not share it.
- 22. As the project develops, Wiltshire Council officers will continue to consider the Final 5-9-16 equality implications locally and ensure that there are no negative impacts. This will be done throughout the life of their development and delivery.

#### **Environmental and Climate Change Considerations**

- 23. The planned transport improvements provide an opportunity to embed the development of a low carbon infrastructure and sustainable building practices.
- 24. The proposed transport improvements offer an opportunity to enhance utilisation of both public transport and active travel options which reduce the use of private car and therefore contribute to an overall carbon and pollution reduction in Wiltshire.

#### Risks that may arise if the proposed decision and related work is not taken

25. The lift is not installed. This would continue to create accessibility issues for residents, workers and visitors alike, especially those impaired or unable to use the stairs.

- 26. The environment and climate would also be negatively affected as more people would have to continue to rely on the use of private vehicles to move around.
- 27. There would also be reputational issues for Wiltshire Council and SWLEP which could affect our ability to bid for future central government funding.

# Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

28. No significant risks have been identified - This is a LEP funded project, to be delivered by Network Rail. The details of the funding agreement with Network Rail has been finalised which include clawback provisions for non-delivery. The project is well advanced, tender activities have been completed and Network Rail is currently awaiting the funding agreement to award the contract.

#### **Financial Implications**

- 29. This is a LEP funded project and Wiltshire Council is acting as the accountable body. Funding has already been allocated and approved by the SWLEP and there are contractual provisions in the legal agreement between NR and the Council which include clawback provisions for non-delivery.
- 30. The total funding envelope for the lift was approved at the SWLEP Board Meeting which took place on Wednesday, 25 March 2020.
- 31. Due to Covid-19 related risks and uncertainty, this approval was also for the use of a fixed-price Implementation Agreement, whereby Network Rail holds the majority of the risk at the expense of a non-refundable premium included in the fixed-price Implementation Agreement amount, with the Council bearing little to no risk on elements such as ground conditions, weather and Covid-19 to name a few.

# **Legal Implications**

32. Wiltshire Council's legal team have been involved in drafting the funding agreement with Network Rail and have approved this agreement.

#### **Workforce Implications**

33. None identified

# **Options Considered**

34. Not entering into a contract with Network Rail would mean that SWLEP and the Council would not be able to deliver the new lift, which would fail to provide a much-needed step-free access to the rail platforms.

# **Proposal**

**35.** That the Leader and Cabinet Member for Economic Development sign a fixed-price Implementation Agreement for £1,048,279 with Network Rail, and delegate authority to the Corporate Director for Place and Environment to sign the contract and agree terms, conditions and any other consequential matters.

# **Reason for Proposal**

36. To ensure the implementation of a new lift at Chippenham Station to provide for step-free access.

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# **Background Papers**

The following documents have been relied on in the preparation of this report:

- Capital Assets Committee Meeting September 2016
- SWLEP Board Presentation- Chippenham Station Hub Development Phases
- SWLEP Board Minutes September 2019
- SWLEP Board Minutes March 2020