

## **BARNSELY METROPOLITAN BOROUGH COUNCIL**

**This matter is a key decision within the Council's definition and has been included in the relevant Forward Plan**

### **REPORT OF THE EXECUTIVE DIRECTOR PLACE TO CABINET ON 17 NOVEMBER 2021**

**Public or private: Public**

#### **A635 QUALITY BUS CORRIDOR – BUS RAPID TRANSIT (BRT) - Barnsley MBC as lead Authority**

#### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to provide Cabinet with:

- An update on the current Transforming Cities Fund scheme – the A635 Quality Bus Corridor (Bus Rapid Transit – BRT); Barnsley officers are currently working as “client” to the South Yorkshire Passenger Transport Executive (SYPTE)

1.2 And to seek Cabinet approval for the following:

- For Barnsley MBC's strategic transport team to take responsibility for the development of the scheme from the SYPTE and to continue with the detailed design and submission of the Full Business Case (FBC) – effectively reversing the roles; with the SYPTE being a stakeholder.
- Given the high scheme costs, it is proposed that further approval is sought from SMT / Cabinet prior to going out to tender, to procure the works for construction; to give comfort that the scheme is within the budget envelope and there are no risks to the Council once the contract is let.
- Acceptance of grant funding of £0.950m (10% of the original scheme costs) from South Yorkshire Mayoral Combined Authority (SYMCA) to enable the Council to complete the FBC, this will include the undertaking detailed design work, the submission of all relevant planning applications and the preparation of the Full Business Case.
- Prepare and progress any necessary statutory procedures required to develop and deliver the proposed work packages in line with SYMCA guidance; this could involve work such as negotiation with landowners and land acquisition; securing planning consent and any necessary Traffic Regulation Orders

#### **2. RECOMMENDATIONS**

**It is recommended that Cabinet:**

- **Notes the progress on the delivery of the BRT scheme**

- **Authorises Council officers to take over the design work on the BRT scheme; with the agreement of the SYPTE (Option 1) as per Para 6.**
- **Approves acceptance of future grant funding post OBC for £0.950m to progress the scheme to Full Business Case (detailed design, planning consent, Stats diversions, TRO's**
- **To agree a “break clause” prior to going out to tender and seek approval from SMT, once costs are established to ensure no cost over-runs in order to mitigate associated risks to the Council.**
- **If costs are within the indicative budget allocation (see Para 7.11) then at this stage, agree the preparation of the tender documents to procure contractors to deliver the works. On receipt of final tender price, then submit the Full Business Case to the SYMCA**

### **3. REASON FOR RECOMMENDATION**

- 3.1 To ensure that the BRT scheme remains in house for design and delivery and to ensure that funding is accepted to enable the work to continue in a timely manner.
- 3.2 At the time of the SOBC, there were insufficient in-house resources for the Council to pick up this work stream; therefore, the SYPTE appointed consultants to undertake feasibility work and local modelling work until such time as Barnsley MBC had the resources to undertake the work in house.
- 3.3 Once the Transportation team was fully resourced, the SYPTE agreed that the Council should take over the work and design the scheme and submit the Outline Business Case. This work has now been undertaken, including strategic and micro-simulation modelling and a scheme which delivers journey time savings for buses and provides capacity at the Stairfoot junction, along with new and improved active travel measures has been submitted to the SYMCA for Outline Business Case approval.
- 3.4 Officers in the Transport team have invested time and effort into the detailed design of the scheme, they are aware of the local context what is required for the borough, what design criteria is acceptable and have taken “ownership” of the scheme; something consultants do not do. It makes sense for them to continue with the detailed design (although we will need to appoint a consultant to prepare the planning application)

### **4. BACKGROUND INFORMATION**

- 4.1 In November 2019 a Strategic Outline Business Case (the “SOBC”) was submitted to the DfT on behalf of the 4 Local Authority’s and the South Yorkshire Passenger Transport Executive to deliver a series of interventions that contribute towards the SYMCA’s objective to improve intra-city region connections that either:
- i) connect areas of deprivation/transport poverty to areas of economic opportunity by public transport and active travel modes; or
  - (ii) seek to achieve significant mode shift away from the private car on key corridors and in areas where future growth ambitions and improved health and air quality would otherwise be compromised

- 4.2 On 23rd March 2020 the DfT agreed funding of £166m regionally to deliver the TCF programme. The SYMCA submitted an indicative list of projects in April 2020 that aligned with the new funding offer. Over £13m was awarded to Barnsley. In addition, a further £20m was awarded to the South Yorkshire Passenger Transport Executive (SYLTE) to deliver bus priority measures
- 4.3 At the time, the Council did not have the in-house resource to undertake the design work so SYLTE appointed consultants to undertake the feasibility design for the A635 Doncaster Road; with Council officers working in an advisory capacity for the project, until such time as additional resources were appointed and then Barnsley Council officers would take over the feasibility design and invoice the SYLTE for the work undertaken.
- 4.4 To date, the Strategic Transport Team have undertaken the feasibility design work, which now involves a much wider scheme, so that journey time benefits / bus priority / capacity improvements can be delivered. Strategic and Micro-simulation models have been commissioned, which show journey time benefits can be delivered. We have prepared all the Outline Business Case documentation, which includes documents such as Appraisal Specification Report, Option Assessment Reports, Quantified Risk Assessment, full budget costs etc. Staff are fully committed to this scheme, understand the local context and issues.
- 4.5 The OBC was submitted to SYMCA for appraisal on 14 June 2021. The OBC is now expected to be approved at Transport Executive Board in December and the Mayoral Combined Authority in January 2022.
- 4.6 It is anticipated that the work on the Full Business Case will commence once the funding agreement is signed, likely late January. We anticipate that land acquisition will be required as will planning consent. It is likely therefore, that the Full Business Case will be ready to be submitted to Cabinet for approval to go out to tender early 2023. This will depend on appraisal deadlines / Cabinet dates
- 4.7 Work on site could commence by early 2024

## **5. CURRENT ISSUES**

- 5.1 Design work (and traffic modelling) has been undertaken and a range of options has been prepared. One of the options includes the replacement of the TPT overbridge, which will allow the widening of the highway to accommodate 2 lanes of traffic.
- 5.2 The traffic modelling (both at macro and micro level) demonstrates that the scheme provides increased capacity for all modes, provides bus priority measures and improves overall journey times.
- 5.3 It is proposed that we would undertake the detailed design work, secure all consents etc and then submit a further report to SMT / Cabinet requesting approval to go out to tender. Whilst this would add some delay into the process, it would give the Council comfort the scheme can be delivered within the costs allocated.

## **6. OPTIONS**

- 6.1 The Outline Business Case for the scheme has been submitted to the SYMCA for appraisal. A decision by the MCA should be announced in early January, with a further £0.95M to be released to develop the scheme to Full Business Case.
- 6.2 At present, the Council are acting as Client to SYPTE, but moving forward they have given us the opportunity (now we are fully resourced) to take the work back "in house".

Below are the options presented for consideration in respect of the delivery of the scheme:

### **Option 1**

The Council take over the responsibility for the design and delivery of the BRT scheme and the grant funding in its totality rests with the Council

Advantages – the Council are already working on this scheme, have a feasibility design the Highway Authority support, the scheme delivers journey time benefits for buses and provides capacity at the Stairfoot roundabout. Staff are committed to the scheme, understand the issues in the area and are keen to continue with the detailed design. We would be responsible for the detailed design and Full Business Case submission. All design fees would remain in-house (relieving staffing budgets). The Council has also submitted the BRT into the City Region Sustainable Transport Settlement (CRSTS) so that funding would come to the Council

Disadvantages – May be resource issues, although this is unlikely given the recent restructure. Potential risk around the submission of the FBC as the SYMCA expect that the procurement exercise would have been undertaken. We propose to bring another report to DMT / Cabinet before the procurement exercise is undertaken, so full construction costs / risks etc can be evaluated

### **Option 2**

We enter into a legal agreement with the SYPTE to remain as client; invoicing for works done; but whilst the Council would be responsible for the design etc; approval would be for the SYPTE so likely to be two separate governance processes – with the final say being the SYPTE; although as Highway Authority the Council does not have to accept this. Risks on programme delivery, final costs etc would be shared

Advantages – the SYPTE would remain in overall control of the project, although some legal agreement would have to be undertaken

Disadvantages – SYPTE have not submitted the BRT into the CRSTS funding so would rely on the Council for funding; timescales for separate governance. SYPTE (although unlikely) could put unrealistic timescales/ pressures on the Council for delivery. The Council would only get a proportion of the fees. The SYPTE and SYMCA do not support this option, preferring the Council to take over the work.

### Option 3

We leave the SYPTE to commission consultants to undertake the work, with the Council only having an advisory role, although the Council as Highway Authority does not have to accept sub-standard designs.

Advantages – the Council has no responsibility for the design and therefore less influence over the quality and ultimate outcomes of the design

Disadvantages – SYPTE have not submitted the BRT into the CRSTS funding so would rely on the Council for funding; the Council would be reviewing designs, when it could do them. Consultants have no authority to work on the highway; they have no internal contacts (so will be down to the Council to intervene). The design fees would go to the consultant with the Council being invoiced only receiving fees to review the designs. Would still need internal approvals

## 7. FINANCIAL IMPLICATIONS

- 7.1 Consultation on the Financial implications of this report have taken place with representatives of the Service Director (Section 151 Officer) Finance.
- 7.2 It is important to note that this report seeks approval for BMBC to lead on the development of the scheme up to the completion of the Full Business Case only – a “break clause” is recommended and will be requested that will enable further consultation with DMT/SMT/Cabinet to take place prior to the Council progressing the scheme beyond this point.
- 7.3 This “break clause” is considered an essential mitigation as it will enable the Council to utilise the completed FBC to undertake a detailed review of the viability and affordability of the scheme prior to the commencement of formal tendering processes or indeed any other actions that may commit BMBC to delivery of the scheme.
- 7.4 All funding required to complete the activities necessary to produce the FBC will be provided in the form of Transforming Cities grant up to a maximum value of £0.950m. This funding will be accessed via claims submitted to the SYPTE.
- 7.5 It is therefore recommended that Members agree to receipt of the (up to) £0.950m in Transforming Cities funding for the purpose of FBC development.
- 7.6 Colleagues in BMBC Transport have confirmed that the grants offered is considered sufficient to fully cover the costs of delivering the FBC – there is therefore no financial ‘ask’ of the Council to progress the recommendations outlined within this report.
- 7.7 Members should be aware that latest overall scheme delivery cost estimates are currently high-level and will be refined as part of the FBC process. The impact of factors such as, for example, the outcome of detailed design work, prevailing industry/market conditions being yet to be determined.
- 7.8 Scheme costs will therefore be further reported back into Cabinet for consideration as part of the FBC/break clause follow up report when greater cost certainty has been established as will any mitigations to ensure the scheme remains within the funding envelope available to support it.

- 7.9 It is important to note that the funding required to deliver the scheme beyond FBC stage currently remains unsecured and affordability will be largely dependent on the outcome of the CRSTS.
- 7.10 Cost and funding uncertainty clearly represent key risks that will need to be considered as part of the review of the FBC and will clearly impact on any subsequent decision to progress, or otherwise, with this scheme.
- 7.11 Per paragraph 7.4 there is no financial ‘ask’ of the Council to progress the recommendations outlined within this report – as indicated above the costs of producing the FBC will be 100% funded from TCF grant.
- 7.12 Appendix A provides a summary of the financial implications in this report i.e. acceptance of TCF grant to fully fund the delivery of the FBC.

## **8. IMPLICATIONS FOR LOCAL PEOPLE / SERVICE USERS**

- 8.1 Improved journey times for buses along this corridor could increase the number of people using alternative modes of transport. Creating and improving new lengths of walking / cycling facilities can reduce the number of cars on the local road network, which in turn can help improve air quality, increase health and wellbeing and increase physical activity.

## **9. EMPLOYEE IMPLICATIONS**

- 9.1 There are no issues arising directly from this report. The recent restructure in the Strategic Transport team has provided the in-house resources to deliver active travel schemes and develop a work programme. Any staffing implications will be subject to reports on specific schemes.

## **10. COMMUNICATIONS IMPLICATIONS**

- 10.1 All Sheffield City Region business case submissions are high profile schemes and appropriate communication strategies are being developed linked to the signing of the funding agreement. Releases will also need to be agreed and co-ordinated with Sheffield City Region Combined Authority arrangements.
- 10.2 Timely and accurate information will be provided through appropriate press releases via local press, social media/website updates, local member briefings, and engagement with key stakeholders.

## **11. CONSULTATIONS**

### **Engagement / Consultation to Date**

- 11.1 The pandemic has prevented the more traditional approach to consultation / engagement; therefore, we have undertaken an online survey for the residents of Barnsley to determine their views on providing the major work programme around Bus Priority and Active Travel routes across the Borough.

Over 230 responses have been received representing a broad range of local views which have been very positive in terms of building our walking and cycling aspirations. Below is a selection of the results:

- 68% of respondents never cycle;
- The car is the main choice of travel for all activities;
- 63% of respondents thought more extensive and direct active travel routes would be useful or very useful to get them walking and cycling more;
- 64% of respondents thought more segregated walking and cycling routes from traffic would be useful/very useful to get them walking and cycling more.

### **Schedule of Proposed Consultation**

- 11.2 A public consultation event to disseminate information on the detailed design, to capture public opinion and degree of support, and to record and measure responses will be held in 2022 as work starts on the Full Business Case submission and detail design. However, at this stage it will depend on further impacts of the pandemic and whether the country is still in lockdown. Hopefully, this event will be face to face in a local community building.

Details on this event will be captured in the Full Business Case submission

Plans for additional consultation following the completion of the procurement process for the construction of the works will be developed.

## **12. THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK**

- 12.1 The proposal creates a key strategy and defines how it supports Barnsley Council's other key strategies.

## **13. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION**

- 13.1 Better connectivity, affordable and inclusive travel, a cleaner environment and a healthier population are all key aims of the SCR Strategic Economic Plan and the Barnsley Transport Strategy 2014 – 2033.

- 13.2 The proposed projects support the principles of the SCR Strategic Economic Plan and the Barnsley Transport Strategy 2014 – 2033, and once completed will provide better connectivity and opportunities assisting linking people to employment, training and healthcare.

## **14. TACKLING THE IMPACT OF POVERTY**

- 14.1 The proposed schemes will assist in linking people to employment, training and healthcare.

## **15. TACKLING HEALTH INEQUALITIES**

- 15.1 The strategy will improve access for residents and visitors travelling from different parts of the borough and links to public transport and active travel will provide more options, promoting sustainable travel choices as the preferred mode. Improved air

quality is one of three Strategic Outcomes of this strategy. The strategy assists in improving air quality by reducing emissions as a result of encouraging low emission vehicles and active travel, whilst the use of smart signage will reduce the occurrence of unnecessary vehicle journeys.

## **16. RISK MANAGEMENT ISSUES**

16.1 In accordance with TAG guidance, a Quantified Risk Assessment (QRA) has been undertaken to consider those risks that may impact on scheme costs, their likelihood and the associated financial impact. The risk “allocation” which forms part of the grant allocations from SCR can be drawn down should those risks occur.

## **17. HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES**

17.1 Health and Safety issues will be identified during the preparation of individual projects and addressed as part of the Construction (Design and Management) Regulations 2015.

## **18. COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS**

18.1 The proposals are compatible with the European Convention of Human Rights.

## **19. CONSERVATION OF BIODIVERSITY**

19.1 The proposals do not affect the conservation of biodiversity; where possible the schemes will be designed to enhance biodiversity, with additional planting / SuDs etc.

## **20. GLOSSARY**

SYMCA – South Yorkshire Mayoral Combined Authority

SCR – Sheffield City Region

DfT – Department for Transport

TCF – Transforming Cities Fund

OBC – Outline Business Case

FBC – Full Business case

## **21. APPENDICES**

Appendix A: Financial Implications

## **22. BACKGROUND PAPERS**

Sheffield City Region Transforming Cities Fund Tranche 2 Business Case Submission.

Sheffield City Region Active Travel Plan Implementation

Barnsley Draft Transport Strategy

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