

**Report title:** Ashton Vale to Temple Meads and Bristol City Centre MetroBus Scheme – Full Approval

**Wards affected:** Cabot, Lawrence Hill, Southville and Bedminster

**Strategic Director:** Barra Mac Ruairi, Place

**Report Author:** Alistair Cox, Strategic City Transport Manager

**RECOMMENDATION for the Mayor's approval:**

1. To enter into contracts for Ashton Vale to Temple Meads and Bristol City Centre Metro Bus Scheme and contemporaneously implement the pre-agreed quotations for a reduced scope of works.
2. Delegate to the Strategic Director Place the exercise of powers conferred by The Ashton Vale to Temple Meads and Bristol City Centre Transport and Works Act Order and deemed planning permission/consents.
3. Delegated authority to the Strategic Director Place to acquire any land required by the Ashton Vale to Temple Meads and Bristol City Centre Metro Bus Scheme without the exercise of powers under the Ashton Vale to Temple Meads and Bristol City Centre Order 2013.
4. Delegated authority to the Strategic Director Place to enter any miscellaneous agreements, seek any orders or variations of existing orders and obtain any additional consents required to support the implementation of the Ashton Vale to Temple Meads and Bristol City Centre Metro Bus Scheme if these become necessary during the course of construction work for the scheme.

**Key background / detail:**

*a. Purpose of report*

To seek the necessary approvals required to deliver the Ashton Vale to Temple Meads and Bristol City Centre Metro Bus Scheme.

*b. Key details:*

The Ashton Vale to Temple Meads and Bristol City Centre MetroBus Scheme is the first of three schemes that form part of the MetroBus network with the overall aims to:

- Reduce carbon emissions;
- Support economic growth;
- Promote accessibility;
- Contribute to better safety, security and health; and
- Improve quality of life and a healthy natural environment.

Full approval award was granted by the Department for Transport on 12<sup>th</sup> September 2014. Through this report delegated authority to accept the Full Approval award offer from the Department for Transport is sought. This delegated authority will allow the project to proceed to implementation of the AVTM MetroBus Scheme.

**BRISTOL CITY COUNCIL  
CABINET  
7 October 2014**

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**Ward(s) affected by this report:** Cabot, Lawrence Hill, Southville and Bedminster

**Strategic Director:** Barra Mac Ruairi, Place

**Report author:** Alistair Cox, Strategic City Transport Manager

**Contact telephone no.** (0117) 922 2357  
**& e-mail address:** alistair.cox@bristol.gov.uk

**Purpose of the report:**

To seek the necessary approvals required to deliver the Ashton Vale to Temple Meads and Bristol City Centre Metro Bus Scheme.

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## **The Proposal**

### **1. Background**

The Ashton Vale to Temple Meads and Bristol City Centre (AVTM) MetroBus Scheme is the first of three schemes that form part of the MetroBus network with the overall aims to:

- Reduce carbon emissions;
- Support economic growth;
- Promote accessibility;
- Contribute to better safety, security and health; and
- Improve quality of life and a healthy natural environment.

The Local Enterprise Partnership (LEP) has a target to delivery 95,000 jobs by 2030. Further to this will be the challenge of delivering 72,000 new homes and associated jobs by 2026 as set out in the Core Strategies of the West of England authorities. Core Strategies which will further strain a transport system that already suffers from chronic congestion because the development of transport infrastructure and services has not kept pace with economic development and expansion in the area. Investment in the MetroBus network is part of the strategy to deliver sustainable economic growth.

### **2. Policy**

The scheme is consistent with Council policy and priorities which include the Joint Local Transport Plan and Core Strategy. The Joint Local Transport Plan provides the statutory basis for Bristol City Council's transport programme.

### **3. Delegated Authority**

The need for delegated authority is as stated in the Recommendations.

The Council has full approval from Department for Transport and there are contract offers in place that will allow the Council to implement the scheme within the available scheme budget. Details of the contractual offers are included in Appendix A. These are exempt by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act.

Delegated authority is now required to enable progression of the AVTM MetroBus scheme in a timely manner to meet the required Programme as agreed with the Department for Transport, without further recourse to Cabinet.

In relation to the Transport and Works Act (TWA) Order, this was made in December 2013 and came into force in January 2014. It is now requested that the Strategic Director Place be given the delegated authority to exercise these powers. Whilst there is provision within the TWA Order to acquire land by Compulsory Purchase the Council will endeavor to secure this through negotiation in the event that a more timely and less expensive outcome can be achieved through acquisition by agreement.

It is also requested that any further miscellaneous agreements, orders or variation to existing orders or the authority to achieve any further consents required delivering the scheme to be made under the relevant legislation or regulations are delegated to the Strategic Director Place. This delegation is sought in the interest of the scheme proceeding

in line with programme and ensuring that it will not be subject to delay by any additional requirements that only become clear once construction is underway.

#### **4. Progress Update**

Since the previous cabinet report of 16<sup>th</sup> January 2014 the scheme has now progressed to Full Approval submission. Full approval award was granted by the Department for Transport on 12<sup>th</sup> September 2014.

Through this report delegated authority to accept the Full Approval award offer from the Department for Transport is sought. This delegated authority will allow the project to proceed to implementation of the AVTM MetroBus Scheme. The AVTM MetroBus scheme has not changed from that previously considered by Cabinet on 16<sup>th</sup> January 2014. The link to the Full Approval business case submission to the Department for Transport is included in the background papers for this report.

Subject to the approval of this report the project will now commence the delivery phase. It is anticipated that the scheme will be operational by Spring/Summer 2016 (this is dependent on the final submitted Contractor's programmes).

#### **Consultation and scrutiny input:**

Scrutiny has considered MetroBus on a number of occasions. As this report is largely procedural no specific input has been sought this time.

The internal and external parties referred to in the previous cabinet reports have continued to and will be the subject of ongoing consultation for the three MetroBus schemes.

##### **a. Internal consultation:**

Internal consultation has been on going in terms of detailed design and construction programmes.

##### **b. External consultation:**

There has been no additional external consultation since the previous cabinet report 16<sup>th</sup> January 2014. However ongoing engagement with statutory stakeholders and interested parties continues.

#### **Other options considered:**

Not applicable. This has been covered in previous report.

## Risk management / assessment:

**FIGURE 1**

**The risks associated with the implementation of the (subject) decision :**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK  (Before controls)		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK  (After controls)		RISK OWNER
		Impact	Probability		Impact	Probability	
1	Delays to Programme	High	High	<ul style="list-style-type: none"> <li>Extensive pre-contract work has taken place</li> <li>Updated risk management</li> <li>Additional specialised staff have been brought into project team</li> </ul>	High	Medium	SRO / Project Manager
2	Risk of Legal Challenge	High	Medium	<ul style="list-style-type: none"> <li>TWA powers to be used</li> <li>Planning secured for revised route</li> <li>Traffic Regulation Orders for revised route will be consistent with Residents Parking Scheme</li> </ul>	High	Low	SRO / Project Manager
3	Cost Increases above budget	High	High	<ul style="list-style-type: none"> <li>A risk budget exists to deal with unforeseen circumstances</li> <li>The main contract contains a pain/gain change control to provide incentives to the contractor</li> <li>The DfT has given flexibility to the programme as a whole.</li> </ul>	High	Medium	SRO/Project Manager

**FIGURE 2**

**The risks associated with not implementing the (subject) decision:**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK  (Before controls)		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK  (After controls)		RISK OWNER
		Impact	Probability		Impact	Probability	
1	Not implementing the recommendation of the report will result in BCC not being able to proceed with the Ashton Vale to Temple Meads MetroBus Scheme	High	High	N/A the scheme will not progress	High	High	SRO / Project Manager

## Public sector equality duties:

**Before making a decision, section 149 of the Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:**

**i) eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.**

**ii) advance equality of opportunity between persons who share a relevant protected characteristic and those do not share it. This involves having due regard, in particular, to the need to:**

**- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic.**

- *take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);*
- *encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.*
- iii) *foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.*

**Guidance:**

***\* Insert a note on how the public sector equality duties are relevant to the proposals and how these duties have been taken into account in developing the proposals. Where an equality impact assessment has been undertaken, summarise its findings here, and provide a link to the full document, or include the equality impact assessment as an appendix. Where no equality impact assessment has been undertaken, give the reasons why this has not been carried out.***

## **Public Sector Equality Issues**

As this report is requesting delegated authority to enable the progression of the MetroBus schemes and so is therefore not changing any of the proposals which had previously been consulted on, then there are no additional equalities implications to include in this report, as any issues should have already be realised and considered during the consultation period with equalities groups / stakeholders, completion of the Equalities Impact Assessments and previous Cabinet reports.

**Advice given by** Jane Hamill

**Date** 18<sup>th</sup> August 2014

## **Eco impact assessment**

See previous Cabinet reports for relevant considerations.

**Advice given by** N/A

## **Resource and legal implications:**

### **a. Financial (revenue) implications:**

There are no specific revenue impacts of this scheme beyond any costs of borrowing. See below

**Advice given by**

**Mike Allen – Finance Business Partner**

**Date**

**27 August 2014**

### **b. Financial (capital) implications:**

The overall MetroBus programme funding was approved as part of the 2014/15 capital programme. MetroBus is funded from Department for Transport (DfT) grant and local contributions from the three councils involved.

Bristol City Council has agreed to local contributions of £42.68m for the overall MetroBus programme. This is made up of £15m from Bristol Futures, approved by Cabinet on 26<sup>th</sup> January 2012, £5m from LTP and an additional £27.68m approved at Full Council on 18<sup>th</sup> February 2014, as part of the BCC Capital Investment Programme. This additional funding will be secured from prudential borrowing.

The £51.148m AVTM programme is funded by £34.51m of DfT grant with the remainder being funded from local contributions from Bristol City Council and North Somerset Council.

As noted in Appendix A, there are a number of risks associated with the AVTM programme.

There will continue to be financial risks associated with the programme. However, as the Council has only approved MetroBus funding to agreed limits, any increase in costs will require an additional report requesting additional funding. This would only be the case if and cost increase was greater than the risk budget included in the total budgeted cost.

**Advice given by** Mike Allen – Finance Business Partner  
**Date** 27 August 2014

**Comments from the Corporate Capital Programme Board:**

**Not Applicable**

**c. Legal implications:**

The authority and delegations sought will enable the Council to proceed and implement the AVTM Metro Bus project through to completion and operation now that full approval has been given by the Secretary of State for Transport.

**Advice given by** Joanne Mansfield Temporary Team Leader  
**Date** 18<sup>th</sup> August 2014

**d. Land / property implications:**

There are no immediate or new land implications arising from this report.

**Advice given by** N/A

**e. Human resources implications:**

There are no immediate Human Resources implications or risks arising from this report.

**Advice given by** N/A

**Appendices:**

Exempt Appendix A – Exempt information as defined in paragraph ‘3’ of Part I of Schedule 12A of the Local Government Act as amended by the Local Government (Access to Information) (Variation) Order 2006 (EXEMPT)

### **Access to information (background papers):**

Bristol City Council Cabinet Report 2<sup>nd</sup> February 2009

[https://www.bristol.gov.uk/committee/2009/ua/agenda/0202\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2009/ua/agenda/0202_1800_ua000.html)

Bristol City Council Cabinet Report 10<sup>th</sup> December 2009

[https://www.bristol.gov.uk/committee/2009/ua/agenda/1210\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2009/ua/agenda/1210_1800_ua000.html)

Bristol City Council Full Council 19<sup>th</sup> January 2010

[https://www.bristol.gov.uk/committee/2010/ta/agenda/0119\\_1400\\_ta000.html](https://www.bristol.gov.uk/committee/2010/ta/agenda/0119_1400_ta000.html)

Bristol City Council Cabinet Report 25<sup>th</sup> March 2010

[https://www.bristol.gov.uk/committee/2010/ua/agenda/0325\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2010/ua/agenda/0325_1800_ua000.html)

Bristol City Council Full Council 29<sup>th</sup> June 2010

[https://www.bristol.gov.uk/committee/2010/ta/agenda/0629\\_1800\\_ta000.html](https://www.bristol.gov.uk/committee/2010/ta/agenda/0629_1800_ta000.html)

Bristol City Council Cabinet Report 21<sup>st</sup> July 2011

[https://www.bristol.gov.uk/committee/2011/ua/agenda/0721\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2011/ua/agenda/0721_1800_ua000.html)

Bristol City Council Cabinet Report 1<sup>st</sup> September 2011

[https://www.bristol.gov.uk/committee/2011/ua/agenda/0901\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2011/ua/agenda/0901_1800_ua000.html)

Bristol City Council Cabinet Report 4<sup>th</sup> October 2012

[https://www.bristol.gov.uk/committee/2012/ua/agenda/1004\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2012/ua/agenda/1004_1800_ua000.html)

Bristol City Council Cabinet Report 29<sup>th</sup> May 2013

[https://www.bristol.gov.uk/committee/2013/ua/agenda/0529\\_1600\\_ua000.html](https://www.bristol.gov.uk/committee/2013/ua/agenda/0529_1600_ua000.html)

Bristol City Council Cabinet Report 27<sup>th</sup> June 2013

[https://www.bristol.gov.uk/committee/2013/ua/agenda/0627\\_1800\\_ua000.html](https://www.bristol.gov.uk/committee/2013/ua/agenda/0627_1800_ua000.html)

Bristol City Council Cabinet 16<sup>th</sup> January 2014

[https://www.bristol.gov.uk/committee/2014/ua/ua000/0116\\_9.pdf](https://www.bristol.gov.uk/committee/2014/ua/ua000/0116_9.pdf)

Ashton Vale to Temple Meads Full Approval Business Case

<http://www.travelwest.info/avtm/fa>