

## Single Member Cabinet Decision

**Executive  
Forward Plan  
Reference****E3389****Bath City Centre Security**

<b>Decision maker/s</b>	Cllr Manda Rigby (Cabinet Member for Transport) Cllr Richard Samuel (Cabinet Member for Resources)
<b>The Issue</b>	<ol style="list-style-type: none"><li>1. The Bath City Centre Security scheme is now in its implementation phase for construction of permanent measures to replace the current temporary gates.</li><li>2. Delays in tendering due to the York Street Public Inquiry, resulted in moving into a high inflation period, with the sole tender received for the Scheme significantly exceeded the cost estimate, in addition, completed the tender incorrectly and therefore, was disqualified</li><li>3. Volker Highways have been appointed in accordance with the "Highway Maintenance and Improvement Works" term contract.</li><li>4. A post tender review of scheme costs also highlighted cost increases that could not have been forecast when the scheme budget for this scheme was set in 2019.</li></ol>
<b>Decision Date</b>	24 October 2022
<b>The decision</b>	<p>The Cabinet Members agree that:</p> <p>Works to proceed on York Street, and reconfiguration of the scheme to be delivered in a phased approach during 2022/23 and 2023/24, subject to approval of 2023/24 budget growth.</p> <p>Approve further sums from remaining provisional budget of £849k to bring the total budget allocation for City Centre to £3.03m.</p> <p>Approve awarding of contract to Volker Highways, for works orders to be issued</p>
<b>Rationale for decision</b>	<ol style="list-style-type: none"><li>1.1 The NaCTSO report, together with correspondence with the Chief Constable of Avon and Somerset Constabulary, sets out the need to further protect Bath City Centre's most crowded places, giving a health and safety risk. Any delay could be seen negatively if any incident did occur within any period where the implementation was delayed due to funding. This risk is low</li><li>1.2 In July 2021 Cabinet approved the TRO (for anti-terrorism purposes) for advertisement such that it would operate between</li></ol>

1000 hours and 1800 hours on the following streets:

- (1) Lower Borough Walls, Stall Street, including Abbeygate Street, Abbey Green, Swallow Street (South), Bath Street and Hot Bath Street
- (2) York Street

**1.3** Approved the TRO (for anti-terrorism purposes) for advertisement such that it would operate between 1000 hours and 1800 hours on the following streets:

- (1) Cheap Street, Westgate Street, Saw Close and Upper Borough Walls

with access to the restricted streets also being provided to Blue Badge Holders, carers transporting Blue Badge Holders, and taxi's transporting Blue Badge Holders. Access would be provided via Controlled Authorised Access by the Council's CCTV team.

1.4 To advertise the TRO between 1800 hours and 2200 hours on York Street, to reflect its proximity to the Roman Baths and to support the increased footfall from Terrace Walk through York Street to the new Clore Learning Centre and World Heritage Centre. The Roman Baths, Clore Learning Centre and World Heritage Centre will, at times, will be open late into the evening.

1.5 On 1 January 2022, vehicles were permanently restricted in streets named at 3.1 (1) and 3.2 (1) above and following Public Inquiry and the Inspector finding in favour of the Council, permanently restrict vehicles as per 3.1 (2) and 3.3 above.

1.6 On 20 June 2022, works began to replace all the temporary measures, with advance ducting, diversion of statutory undertaker supplies and install permanent bollards

1.7 Following tender exercise, via ProContract, the sole tenderer had completed the tender incorrectly and therefore, was disqualified

1.8 Volker Highways have been appointed and have drawn up a price for the works in accordance with the "Highway Maintenance and Improvement Works" term contract.

1.9 It should also be noted that at the time that the scheme budget was set in 2019, these were budget level costs only, and that costs relating to the following would not have been anticipated:

- (i) Informal and formal consultation exercises relating to the Anti-Terrorism Traffic Regulation Orders, including specialist engagement advice particularly in relation to Blue Badge holders.
- (ii) Costs relating to the delivery and management of temporary access restrictions to City Centre streets including Planning hospitality requests.
- (iii) Large numbers of ATTRO/ TRO options considered as a result of the public consultation, all with detailed risk assessments

	<p>(iv) Significant costs for trial excavations.</p> <p>(v) Significant additional Statutory undertakers' diversion costs.</p> <p>(vi) Significant additional traffic management measures costs.</p> <p>(vii) The Material price index in the Highways term contract indicates prices increased on average by 1.5% in 2021, but now have increased a further 7.9% in 2022.</p>
<b>Financial and budget implications</b>	<p>Current budget approval of £2,181k reflected funding to complete advance works prior to construction. To complete the works now proposed requires further drawdown of budget of £849K.</p> <p>Further funding would need to be identified for remaining phases in Council's February Budget Setting meeting before these commence in 2023.</p>
<b>Issues considered</b>	<p>Customer Focus; Sustainability; Equality (age, race, disability, religion/belief, gender, sexual orientation); Human Rights; Corporate; Health &amp; Safety; Impact on Staff; Other Legal Considerations</p>
<b>Consultation undertaken</b>	<p>Ward Councillors; Cabinet colleagues; Section 151 Finance Officer; Chief Executive; Monitoring Officer; Director of Place Management</p>
<b>How consultation was carried out</b>	<p>Emails, City Centre Security Project Board and Informal Cabinet</p>
<b>Other options considered</b>	<p>Consideration to descope the scheme was considered, however, any mitigations to save costs will seriously compromise the security provision within the city centre security scheme and were discounted.</p> <p>However, the scheme will be rephased over 2022-23 and 2023-24; with any additional capital requests via the budget setting process for 2023/24.</p>
<b>Declaration of interest by Cabinet Member(s) for decision:</b>	<p>None</p>
<b>Any conflict of interest declared by anyone who is consulted by a Member taking the decision:</b>	<p>None</p>

<b>Name and Signature of Decision Maker/s</b>	<b>Cllr Richard Samuel</b>  <b>Cllr Manda Rigby</b>
<b>Date of Signature</b>	24/10/2022
<b>Subject to Call-in until 5 Working days have elapsed following publication of the decision</b>	