

DIRECTOR DECISION – DD 168

Title: Eastern Access Preliminary Business Case Outputs

Executive summary

The Eastern Access Route constitutes a new pedestrian and cycle route connecting Scrubs Lane to Old Oak Common HS2/Crossrail hub. This new route is necessary to provide for the demand for access from new and existing developments in Scrubs Lane and the wider area to the east, arising from the opening of the station. OPDC's Strategic Transport Study (2018) and Infrastructure Delivery Plan (2021) identify this connection as a critical piece of infrastructure to support growth in the Opportunity Area.

Previous work by High Speed Two (HS2) Ltd, and OPDC, considered options for the alignment and design of the various components of the route. The most recent study by Mott MacDonald ("the 2021 Study"), consisted of a high-level proof of concept analysis and design for the route, with particular focus on design and engineering options for the bridge component. The 2021 Study report set out the options considered, preferred options for each component of the route, initial cost estimates, and recommendations on next steps.

In August 2022, OPDC commissioned Mott MacDonald to undertake a further study to establish the demand for the proposed route and to produce the outputs needed for a preliminary business case, and a future outline business case. Work is in progress but following a recent stakeholder meeting with LB H&F, it was agreed that the scope of the current study should be extended to test the demand for a southern connection through Wormwood Scrubs.

This decision therefore seeks to amend the previous decision (DD 149), to increase the budget for the current project – from £40,000 to £46,731.18.

Decision

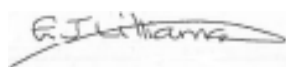
That the Director of Planning approves:

- Revised expenditure from £40,000 to £46,731.18 for consultancy services to assess potential demand for an eastern access route connecting Scrubs Lane to Old Oak Common Station and Old Oak Common Lane, and a southern connection through Wormwood Scrubs, and to produce data and recommendations for a preliminary business case.
- A single source exemption from OPDC's Contracts and Funding Code to appoint Mott Macdonald without a competitive procurement.

Authorising Director

I have reviewed the request and am satisfied it is correct and consistent with the OPDC business plan and priorities.

Signature:



Date: 09/02/2023

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

1. Background and context

- 1.1 OPDC's Strategic Transport Study (2018) ("the 2018 Study") recognised that the new HS2 / Crossrail hub will attract demand for access from the east, via Scrubs Lane. To provide for this demand, OPDC's Infrastructure Delivery Plan (2021) proposed a new pedestrian and cycle connection between Old Oak Common station and Scrubs Lane.
- 1.2 Additionally, the 2018 Study recognised that an eastern link to the HS2 / Crossrail station affords the opportunity to provide a continuous walking and cycling route between Scrubs Lane and Old Oak Common Lane. The Eastern Access route will complete a missing link and enhance the local and strategic walking and cycling network.
- 1.3 The eastern access route runs along the northern access road adjacent to the station, joins a pedestrian and cycle bridge which connects the Old Oak Common HS2/Crossrail/Great Western Main line station to land on the southern side of Grand Union Canal, where people would then make their journey along the towpath to destinations such as Scrubs Lane. The bridge is identified as essential in OPDC's Local Plan as it provides a means of overcoming the barriers to east-west movement created by the railway tracks, and is identified as necessary walking and cycling infrastructure in OPDC's Infrastructure Delivery Plan (2021).
- 1.4 Previous work by HS2 Ltd and OPDC have included high-level studies which considered options for the alignment of the route and various design features. This looked at developing proof-of-concept designs for bridge options to span the Crossrail Depot tracks, options to improve the canal towpath, access from the towpath to Scrubs Lane, and options for ramping from the bridge to Old Oak Common Lane. The previous Eastern Access Route Study was completed by Mott MacDonald in 2021 ("the 2021 Study") and provided cost estimates for the preferred options in addition to a set of recommendations on the options that should be explored at the next stage of design.
- 1.5 The 2021 Study acknowledged its own limitations. The methodology was based on a desktop exercise only and therefore information such as topographical surveys and site investigations which are required to refine and validate the preferred options were not considered. However, the 2021 Study notes that this can be done at later design stages when more information can be gathered. Furthermore, the 2021 Study provides that the options to be explored at later stages should be subject to the following next steps:
 - continuing engagement with HS2 Ltd and the Station contractor to ensure the route design and construction methodology is compatible with the station design and construction methodology.
 - continuing engagement with Crossrail and TfL to ensure the design of the route will be acceptable, given the significant interface with the Crossrail Depot tracks.
 - a demand study to understand existing and future usage of the route and to inform design.

- identification of the adopting authority or authorities for the assets along the route to determine the responsibility for managing the design process, construction, operation, and maintenance.
- engagement with Network Rail to determine the acceptability of the use of Birchwood Nature Reserve to land the bridge, any design requirements and the commercial agreements that are required to facilitate this.
- continuing engagement with Canal River Trust to develop the proposal for the route along the towpath and access onto Scrubs Lane including further design development and the commercial agreements required to enable this route.
- design development of the options that have been explored in the report.

- 1.6 The next steps above require a series of studies to be undertaken. OPDC determined that the logical next step should be to undertake a demand study to establish the existing and future demand for the route before committing to further, more costly work. The demand study will inform the design options for the various components of the route and will produce reliable outputs for a preliminary business case and a future outline business case.
- 1.7 In March 2022, OPDC approved a Directors Decision (DD) number 149 approving a budget of £40,000 for a study looking into footfall modelling and a preliminary business case for the eastern access route. OPDC launched an invitation to tender, invited bids from experienced suppliers through a closed tender competition, to undertake a demand study for the eastern access route, and provide outputs for a preliminary business case. A successful bid from Mott MacDonald was evaluated as meeting the technical competences required and being value for money. Contract TPIM 94202 was consequently awarded to Mott Macdonald for £34,979.18 in August 2022. This study (Eastern Access Preliminary Business Case Outputs) ("the 2022 Study") is ongoing.
- 1.8 During a stakeholder meeting with LB H&F in late 2022, the potential for a southern connection to the eastern access route was discussed, and OPDC agreed to look into the possibility of extending the scope of the current work to test the demand for the southern connection through Wormwood Scrubs. Mott MacDonald submitted a proposal and quoted a fee of £11,752.00 for this additional work.
- 1.9 DD149 approved a budget of £40,000 towards this project. The current contract value of £34,979.18 means there is an underspend of £5,020.82 from the previous DD149 which could be put towards the cost of the additional work - £11,752.00. The additional work increases the overall value of the contract to £46,731.18 and therefore means that this approval seeks an additional £6,731.18 over the DD149 approval.

2. The proposal and how it will be delivered

- 2.1 The demand study will be called the Eastern Access Preliminary Business Case Outputs and will involve seven stages:
- Stage 1: Inception, Scoping, and Data Collection. At this stage, relevant history and context of the project will be discussed and the full scope of the demand study will be re-examined and refined as necessary. The consultant would work with OPDC to identify the data sets and data sources for this work.

- Stage 2: Data and Forecasting Review. The consultant will undertake a detailed review of current land and future land use to the east of Old Oak Common station, within walking and cycling distance of the station, to determine the potential trip generation and distribution of these modes. Rail forecasting data for HS2 will be reviewed to understand the scale of local trips originating and ending at Old Oak Common station, and particularly trips from/to the east of the station.
- Stage 3: Walking and Cycling Assessments. GIS software will be used to examine current walk and cycle isochrones. The aim of this assessment is to define an area in which walking and cycling to the station, via the eastern access, is a realistic option. This stage will also involve an examination of current and future mapping to identify areas where alternative public transport options might be more attractive than the Old Oak Common station. This will assist in deriving a more realistic demand for the eastern access.
- Stage 4: Strategic Case for Investment. The consultant will focus on identifying overarching themes for the case for investment, outlining the issues and opportunities and translating these into a set of objectives to take forward to an Outline Business Case.
- Stage 5a: Demand Analysis. The consultant will build a spreadsheet model that incorporates future demand for Old Oak Common station origin and destinations trips. This will be used to examine different scenarios for trips between Old Oak Common station and areas to the north-east and south-east and will be correlated with the assessment of potential trips from the land use review, to improve the robustness of the analysis.
- Stage 5b: incorporate an assessment of a potential southern access across the rail lines and to Wormwood Scrubs.
- Stage 6: Cost Benefits Assessment: The consultant will examine the potential user benefits (journey time, etc) and wider benefits (environmental and health) using the DfT's Acton Mode Appraisal Toolkit (AMAT) and use the range of demand forecasts from the previous stage, to determine the present value of benefits (PVB) over time. Using the estimates of costs from the earlier proof-of-concept work, an estimated profile of the life-cycle costs will be produced, which will be use this to generate life-cycle costs for the preferred scheme option, allowing comparisons with PVB of user benefits to determine the overall economic case of investment.
- Stage 7: Reporting and Recommendations. The consultants will produce a report which outlines the analysis undertaken and initial conclusion on the strategic and economic case for investment. The report will also provide a set of recommendations for further analysis or assessment work and, if required, will identify ways to further strengthen the case for investment, and identify the requirements for a full Outline Business Case.

2.2 It is proposed that Mott MacDonald are commissioned to undertake the additional work through a Single Source Justification. This work is directly linked to the current contract and using Mott MacDonald's services for this additional work will reduce the time needed for completing the work compared to appointing a new consultant, and this will result in better value for money for OPDC. Mott MacDonald produced the 2021 Study and are undertaking the current demand study for OPDC. Because of their familiarity with the scheme, knowledge of the required

data, relationships with stakeholders, and an understanding of the further work required to inform a robust business case for investment, this supplier is considered to be uniquely qualified to meet the requirements of the project.

3. Objectives and expected outcomes

3.1 This decision is seeking approval to engage Mott MacDonald to extend the scope of the current study, to assess the potential demand for a southern connection via Wormwood Scrubs. This builds upon previous work which considered alignment options for the eastern access route, design and engineering constraints and options for each section of the route, particularly the bridge, and to support a future business case for investment.

3.2 The expected outcome of this work:

- to provide a report which sets out the conclusion of the analysis undertaken and present data on the pedestrian and cycle demand for the route. The report will provide initial conclusions on the strategic and economic case for investment in the eastern access scheme (with and without the southern connection) and a set of recommendations for further analysis or assessment work, including potential ways to strengthen the case for investment and to help identify the requirements for an Outline Business Case, including the evidence needed to progress the scheme to this next stage.

4. Strategic fit

4.1 The Eastern Access Preliminary Business Case Outputs will help inform a number of existing and future OPDC workstreams including:

- supporting the delivery of an 'essential' piece of infrastructure in OPDC's Infrastructure Delivery Plan and OPDC Local Plan Place Policy P1
- supporting the Mayor's Transport Strategy and Mayor's London Plan requirements for priority to be given to walking and cycling and a mode share target for 80% of journeys in London to be made by walking, cycling or public transport
- supporting OPDC's wider delivery strategy and programmes where public realm and walking and cycling enhancements can play a key role in the new mixed and vibrant neighbourhoods being planned in the OPDC area.

5. Project governance and assurance

5.1 Mott MacDonald will be appointed through a single source route. OPDC will enter into a contract with the consultants.

5.2 The contract will be managed by the Principal Transport Officer with oversight from the Director of Planning and Head of Planning Policy.

Risks and issues

- 5.3 Project delays could impact on the timeline for delivering public realm enhancements. The consultants will be expected to prepare a clear project plan with milestones, timely delivery of outputs and adequate resourcing. Project management by OPDC will manage risks associated with the delivery of project.
- 5.4 Poor quality outputs will affect OPDC's ability to use the work as intended – the future development of an Outline Business Case. Project management by OPDC will manage risks associated with quality control. Gateways will be established to ensure quality of outputs are secured before the consultant's reports are signed off and fees are paid.

6. Equality comments

- 6.1 The Eastern Access scheme aligns with the Corporation's overall vision and objective to remove barriers to movement and to ensure that streets and spaces in Old Oak and Park Royal are accessible to all, in keeping with Section 149 of the Equalities Act 2010.
- 6.2 The eastern access scheme addresses community severance and the inequalities resulting from the current lack of a direct east-west pedestrian and cycling route linking Scrubs Lane to Old Oak Common station. It will facilitate a shorter and more convenient and pleasant walking and cycling journey between Scrubs Lane and Old Oak Common HS2/Crossrail station when open, and Old Oak Common Lane. This connection is necessary to meet the mobility needs of low-income groups who are more likely travel by active modes and public transport and provides access for people with reduced mobility and will support the delivery of housing (including affordable housing).
- 6.3 The needs of all users, including protected groups, are an important consideration and have informed the preferred design options and features of the route. For example, the minimum widths and gradients needed to accommodate wheelchair users and prams/pushchairs, as well as cyclists, are determinants of the design of the route.
- 6.4 In summary, this proposed demand study is concerned with understanding the demand for the scheme and providing evidence which will support the case for investment in a necessary infrastructure which will advance the Corporation's objectives for equality and is consistent with requirements of Section 149 of the Equalities Act 2010.

7. Other considerations

- 7.1 There are no other considerations that need to be considered in the taking of this decision.

8. Conflicts of interest

- 8.1 No one involved in the preparation or clearance of this Form, or its substantive proposal, has any conflict of interest.

9. Financial comments

- 9.1 Expenditure of £46,731.18 for external consultancy services, as detailed in this report, will be funded by the 2022/23 Planning Directorate Planning Policy budget.
- 9.2 Project officers must ensure approval is obtained via TfL Procurement for single source exemption prior to making contractual commitments.
- 9.3 Further expenditure and contract variations are subject to the Corporation's decision-making process.

10. Legal comments

- 10.1 The report above indicates that the decisions requested of the Director fall within the OPDC's object of securing the regeneration of the Old Oak and Park Royal area and its powers to do anything it considers appropriate for the purpose of its objects or purposes incidental to those purposes, as set out in the Localism Act 2011.
- 10.2 In taking the decisions requested, the Director must have due regard to the Public Sector Equality Duty, namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010, and to advance equality of opportunity between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it (section 149 of the Equality Act 2010). To this end, the Director should have particular regard to section 6 of this report.
- 10.3 This decision form seeks approval for an exemption from the Code to procure Mott MacDonald without a competitive procurement. The OPDC's Contracts and Funding Code (the "Code") requires OPDC to seek a call-off from a suitable framework (where possible) or to undertake a formal tender process. The Director may approve an exemption from this requirement under section 5 of the Code upon certain specified grounds. One of those grounds is that the approval of the exemption is justified on the basis that the supplier is unique in its ability to provide compatibility with an existing service. Officers have indicated at section 2.2. of this report that this ground applies. Officers have also indicated at section 2.2. of this report how they intend to obtain value for money.
- 10.4 The Director may approve the proposed exemption if satisfied that the ground for exemption applies, that officers have demonstrated how they intend to obtain value for money, and if the Director is satisfied with the content of the report generally.
- 10.5 Officers must ensure that appropriate contract documentation is put in place and executed by the supplier and the OPDC before the commencement of the services.

11. Summary timeline

Activity	Date
Procurement of contract /Grant award	August 2022
Announcement	August 2022
Delivery start date	August 2022
Data Review	September 2022
Examination of Walk and Cycle Isochrones	October 2022
Demand Forecasting	November – February 2023
Case for Investment	February 2023
Cost Benefit Analysis	February 2023
Reporting	March 2023
Project closure	March 2023

Appendices

- None

Other supporting papers

- None

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

The deferral is until: N/A

This is because: N/A

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **Yes/No** [Delete as applicable]

DECLARATIONS

Drafting officer: Fred Raphael has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirms that:



Advice: The Finance and Legal teams have commented on the proposal.



CONFIRMATIONS

Section 106 funding: This use of S106 to fund the expenditure proposal was approved via a Section 106 spend proposal form on N/A

SMT review: This Decision was circulated to the **Senior Management Team** for review on Tuesday 7th February 2023.

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature:



Date:

09/02/2023