



CABINET REPORT

Report Title	Upton Country Park – Appointment of main contractor
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	3rd April 2019
Key Decision:	YES
Within Policy:	YES
Policy Document:	NO
Service Area:	Economy, Assets and Culture.
Accountable Cabinet Members:	Cllr. Tim Hadland, Cllr. Mike Hallam
Ward(s)	Upton & Hunsbury Meadows

1. Purpose

- 1.1 The purpose of this report is to update Cabinet on the Upton Country Park project work to date and the tender process that will be used to select the preferred contractor
- 1.2 To seek approval to appoint the main construction contractor for the Upton Country Park project.

2. Recommendations

It is recommended that:

- 2.1 Cabinet delegates authority to the Head of Economy, Assets and Culture, in consultation with the Borough Secretary, the Head of Customers and Communities and the Cabinet Members for Regeneration and Environment to finalise the contract terms and to appoint the main construction contractor for the Upton Country Park project.
- 2.2 Cabinet delegates authority to the Head of Economy, Assets and Culture, in consultation with the Borough Secretary, the Head of Customers and Communities, and the Cabinet Members for Regeneration and Environment to undertake any further land acquisitions, transfers of land, easements etc

required in order enable the delivery of the scheme as long as no additional funding is required.

3. Issues and Choices

3.1 Report Background

3.1.1 Upton Country Park is identified as a key element of the overall planned sustainable urban extension of South West Northamptonshire.

3.1.2 The objectives of Upton Country Park are to:

- Provide a gateway to the wider countryside and create a link between the urban area and the countryside
- Provide an attractive setting for adjoining development
- Provide leisure routes with good connections to the surrounding area
- Conserve and enhance biodiversity
- Maintain its agricultural use
- Promote environmental education
- Provide a range of formal and informal recreation activities

3.1.3 Upton Country Park is divided into two phases made up of approximately 166 hectares of land.

3.1.4 Phase 1 was delivered in 2008 and consists of approximately 38.5ha. The area includes the Elgar Centre (Community Centre and Changing Rooms) plus car parking, Sustainable Urban Drainage System including ponds and ditches, playing fields for 5 Football pitches and a cricket square, a bat barn, footbridges and associated access footways and footpaths, bins, benches, newly planted trees, a woodland and an area of grazed grassland. These works were funded through Section 106 developer contributions.

3.1.5 Phase 2 consists of approximately 127.2ha. The vast majority of this land is grazing land with some arable, but also includes 2 lakes making up 9.5ha. The area has the River Nene running through the centre west to east, and the Western Bypass dissecting the area North to South. It runs from Upton Mill Farm to the edge of the village of Kislingbury. Section 106 monies have now been received from surrounding developments to enable this second phase to be delivered. These funds were agreed by the Section 106 board on 06/03/19.

3.1.6 The Upton Country Park Masterplan was refreshed in 2016 after land from Homes England (previously known as Homes and Communities Agency) was transferred to NBC. This enabled a review of documents such as planning policies and planning applications, changes to land use, and changes to access arrangements to be incorporated into the designs and delivery strategy for the scheme.

3.1.7 The planned works will involve the construction of approximately 2,400m of new footway/cycleway, approx. 4,400m² of leisure and hardstanding areas, new fencing, gates, bridges, boardwalks, a viewing platform, signage and woodland, wetland and associated planting.

- 3.1.8 A maintenance allowance for 2019/20 and 2020/21 has been agreed with the Environmental Services team. Maintenance for future years is not included within the financial modelling, this will come from future year Section 106 payments.
- 3.1.9 Tenders for the works to Upton Country Park will be returned to the Council on 29 March 2019. A tender analysis and evaluation process will be undertaken to ensure compliance with the Council's detailed requirements both from a technical and financial perspective.
- 3.1.10 Potential works that will need to take place in a future phase have also been identified. These include the construction of a car park and toilet facilities for the new country park. Demand for these facilities will be evaluated once enough future Section 106 funding has been received and this work then taken forwards.

3.2 Issues

- 3.2.1 This project has a very tight critical path. This is because the window for carrying out the works is restrictive, with work not able to commence until the lambing period is over in May, and works being reliant on no flooding of the reservoirs. If the contract is not awarded and work started as soon as is practical it is probable that delivery will not be completed this year, and work will have to be suspended during the winter months and recommenced next year. This will have a significant impact on costs.

3.3 Choices (Options)

- 3.3.1 Cabinet could choose not to approve the recommendations of this report and wait until the tender evaluation has been carried out before recommending the appointment of a contractor. This option would delay the start on site, with the impact being that the work would have to be spread over 2 years with an inevitable increase in costs. The project has been costed against the available Section 106 allocations, and any increase in costs will require value engineering to be undertaken. This option is not recommended.
- 3.3.2 Cabinet could choose to bring the project to a close and only continue to maintain the areas in the phases that have already been completed. This would result in the eventual loss of Section 106 funding, as the funding is required to be spent on this specific project and the maintenance alone would not be able to use the available funding, resulting in over £2 million needing to be returned to the developers. This option is not recommended.
- 3.3.3 Cabinet could approve the recommendation to grant delegated authority to approve the appointment of the main contractor and proceed with the project. This option is recommended to ensure that the scheme is delivered in the current year, and that the Section 106 funding contributed by developers is spent on the schemes that it was intended for.

4. Implications (including financial implications)

4.1 Policy

4.1.1 This project delivers against the following policies: West Northamptonshire Joint Core Strategy (2014), the Green Infrastructure Plan, A Green Infrastructure toolkit for Northampton (2015) and the Nene Valley West Green Infrastructure Strategic Masterplan 2014.

4.2 Resources and Risk

- 4.2.1 The funding for this scheme is made up of Section 106 contributions as agreed by the Section 106 board
- 4.2.2 There are several financial risks associated with the project relating to both capital and revenue expenditure. They are identified in the following paragraphs.
- 4.2.3 At this stage the project construction costs are estimates and these will not be firmed up until tenders are received. Even after this stage there is an inherent amount of risk as with any capital scheme. There has been a sensible contingency placed on the scheme and it is intended that cost pressures above the contingencies will be met through Value Engineering.
- 4.2.4 There will be an ongoing revenue cost related to maintenance of the area once the scheme is completed. Allowances for this have been made within the project budget.

4.3 Legal

4.3.1 The works contract is being tendered in accordance with the Council's Contract Procedure Rules and external legal advice has been sought to provide construction law advice and assistance.

4.4 Equality and Health

- 4.4.1 Upton Country Park will have a positive benefit to residents and the wider community. The scheme will introduce shared multi use surfaces through the area allowing users from a range of groups that were previously unable to take advantage of this space to do so.
- 4.4.2 The Project will also ensure that the space is kept to specified standard ensuring that space is available to the public for years to come.

4.5 Consultees (Internal and External)

- 4.5.1 Public consultation was carried out as part of the consultation on the West Northamptonshire Joint Core Strategy Local Plan and the Green Infrastructure Plan. These included policies specifically related to the River Nene Strategic Corridor which this project falls under.
- 4.5.2 Further, detailed, consultation has taken place with key stakeholders through the design stage including with the local fishing club, the leasehold farmer, Northamptonshire County Council, Natural England, Homes England,

Environmental Agency, Morris Homes, internal NBC teams and Borough Councillors.

4.6 How the Proposals deliver Priority Outcomes

4.6.1 This project delivers under the corporate objective of 'A clean, green and tidy town' delivering further green infrastructure assets that can be used to help promote Northampton as a pleasant and desirable place to live.

4.7 Other Implications

4.7.1 N/A

5. Background Papers

5.1 River Nene Country Park – Design and Access Statement 2010

5.2 River Nene Country Park – Planning Statement 2010

5.3 Upton Country Park Masterplan Refresh and Delivery Strategy (2016)

6. Next Steps

6.1 Key dates for the next steps are as follows:

- Appointment of contractor April 2019
- Start on site May 2019
- Targeted completion Winter 2019 (to be agreed with contractor)

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Service Areas – Economy, Assets and Culture, and Customers and Communities

Heads of Service – Rick O'Farrell and Marion Goodman