

Report of Director of City Development

Report to Executive Board

Date: 22 April 2020

Subject: Regent Street Flyover Essential Maintenance Funding

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name(s) of ward(s): Little London and Woodhouse; Hunslet and Riverside; Beeston and Holbeck; Armley; and Burmantofts and Richmond Hill	
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:	
Appendix number:	

Summary

1. Main issues

- Regent Street Flyover is a reinforced concrete structure, built in the late 1960s, that carries the A64(M) Inner Ring Road (IRR). Similarly to other concrete structures of this age, the structure suffers from a number of problems, including deterioration of the load-bearing capacity of critical elements. Extensive feasibility work has concluded that the most cost-effective and beneficial solution is to replace the existing structure.
- Leeds City Council submitted a bid for external funding to the Department for Transport (DfT) Local Highways Maintenance Challenge Fund on 31st October 2019 and a decision was expected in December 2019. The DfT have now confirmed that a decision is not expected before summer 2020.
- The urgent need for this work to be carried out has been raised with the Department for Transport on multiple occasions over the last 12-18 months and was raised with Leeds MPs at a meeting earlier this year.
- Owing to the continued deterioration of the structure and the commencement of other impactful works across the city over the next 12 months, intervention is required now to preserve the resilience of the A64(M) Inner Ring Road and the wider city network. The report seeks Executive Board approval to authorise the procurement of the design and build contract via the Scape Civil Engineering contract, allow works to proceed and press The Department for Transport for a positive decision in the summer.

- Over the next 5-10 years, Leeds city centre will be the focus of major changes through a series of infrastructure investments aimed at betterment and transformation of public transport and public realm. The reliability of Regent Street Flyover is fundamental to the resilience of the highway network during construction of this extensive programme of works.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

The Regent Street Flyover scheme is designed to align with the following Leeds City Council's Best City priorities as laid down in the Best Council Plan 2019/20 – 2020/21:

Sustainable Infrastructure

- Delivers renewed and reliable infrastructure, reducing maintenance needs, and the cost and congestion associated with manging condition-related risks on the Inner Ring Road.
- Delivers improved resilience of this key element of the city's infrastructure.
- Through the wider Meadow Lane, Bishopgate Street, Armley Gyratory, Regent Street and City Square (MBARC) combined programme, facilitates the overall reduction in through traffic within the city centre, City Square and the around the train station.

Inclusive Growth

- Delivers the major regeneration of dated and deteriorating highway infrastructure.
- Boosts the local economy through social investment and locally-sourced workforce.
- Facilitates business rate growth and entices new investment by upgrading public infrastructure.
- Delivery of the scheme facilitates refreshing key public spaces within the city centre core, through the wider MBARC programme.

3. Resource Implications

- The total cost to design and implement the scheme is £31.0m of which £20.4m has been requested within the bid submission to the DfT Local Highways Maintenance Challenge Fund. Until a decision is made on this allocation and following discussions with finance colleagues last year, it is now recommended that Leeds City Council bring forward £4.7m of LCC borrowing injected by Full Council in Feb 2020 to financial year 2020/21. It is anticipated that, should the Challenge Fund bid be successful and funds received, this borrowing will be replaced by DfT funding.
- Leeds City Council's funding contribution has been injected into the Capital Programme by Full Council in February 2020.
- Should the funding bid submission to DfT expected in the Summer be unsuccessful, Leeds City Council will fund the works from borrowing of £26.4m and Local Transport Plan funding of £4.6m.
- Reduced risk of Contractor conflict between individual schemes and improved management of the local highway network throughout the programme. A combined MBARC programme will increase Contractor agility and reduce the likelihood of incurring associated stand down costs.
- Internal staff resource required to manage the MBARC programme is not as great as that required to manage the projects individually.

- Early commercial input and market access via the Contractor to provide cost and quality surety and achieve timely, cost-effective and buildable solutions.
- Reduced risk of a lack of contractor interest in a buoyant market and failure to deliver to ambitious timescales.

Recommendations

Executive Board is recommended to:

- i) Note the decision by Full Council in February 2020 to inject LCC borrowing into the capital programme of £23.0m for the Regent Street Flyover Maintenance Scheme alongside the existing £8.0m within the Highways Bridges & Structures Programme giving a total funding package of £31m.
- ii) Authorise the procurement of the design and build contract via the Scape Civil Engineering Framework.
- iii) Request the Leader of Council write to the Secretary of State to express concerns with the delay of the bid decision and seek clarification on timescales.
- iv) Agree that the Director of City Development proposes to inject external bid funds into the Capital Programme upon receipt of the relevant approvals in accordance with his existing delegated authority.
- v) Authorise the total expenditure of £31.0m for the design and implementation of the Regent Street Flyover Essential Maintenance Scheme funded from £26.4m LCC borrowing and £4.6m Local Transport Plan funding.
- vi) Note that the Chief Officer Highways and Transportation will be responsible for the implementation of these works.

1. Purpose of this report

- 1.1 This report seeks the approval from Executive Board to authorise the procurement of the design and build contract via the Scape Civil Engineering contract, authorise expenditure of £31m for the Regent Street Flyover Maintenance Scheme.
- 1.2 The report also requests that the Leader writes to the Secretary of state to express concerns with the delay of the bid decision and seek clarification on timescales.

2. Background information

- 2.1 Regent Street Flyover is a three-span, reinforced concrete structure, built in the late 1960s, that carries the A64(M) Inner Ring Road over A61 Regent Street. Similar to many other highway bridges of this age, the structure suffers from a number of issues. The most critical of these for Regent Street Flyover is the load-bearing capacity of the east abutment beams, one of which spans the entrance to New York Road tunnel.
- 2.2 Leeds City Council has managed the deteriorating condition of Regent Street Flyover through the implementation of a rigorous monitoring process in accordance with national standards, with public safety at the forefront of this decision-making process.

- 2.3 Extensive feasibility work has been undertaken and identified that the most economical solution was to replace the structure. These findings resulted in the Council making an initial allocation of £6m match funding to progress the design work.
- 2.4 Following the unsuccessful exploration of a number of potential capital funding sources, officers submitted a bid to the DfT Local Highways Maintenance Challenge Fund on 31st October 2019. The latest information received week beginning 13th March 2020 is that a decision on this bid has been delayed until summer 2020 requiring Leeds City Council to proceed at risk and deliver the scheme through LCC capital borrowing.
- 2.5 The condition of structure has necessitated the early implementation of enabling works, including crossover construction and the part-installation of an extensive propping system. These measures were approved by Highways Board in July 2019.

3. Main issues

Regent Street Flyover Essential Maintenance

- 3.1 Regent Street Flyover suffers from a number of issues the most critical of which is the load-bearing capacity of the east abutment beams, especially that spanning the entrance to New York Road tunnel.
- 3.2 Rigorous monitoring of the structure continues to be undertaken on a monthly basis to assess the condition of its critical elements. The results of recent inspections have identified similar deterioration in adjacent elements.
- 3.3 Significant intervention and essential maintenance works are required to preserve the long-term resilience of the Inner Ring Road and to mitigate against future demand following the proposed closure of City Square to through traffic. The works are been designed in detail and will take around two years to construct on site.
- 3.4 To enable the major works discussed above and to minimise disruption and congestion during construction, the south span of the bridge has been proactively propped and vehicular crossover points constructed on the eastern and western approaches to enable future traffic management options and minimise disruption and congestion.
- 3.5 A funding bid submission was made to the DfT Challenge Fund in October 2019 and a £20.4m allocation was requested to implement the project. A decision on this allocation has been delayed and is not expected until summer 2020. It is now recommended that Leeds City Council bring forward £4.7m of LCC borrowing injected by Full Council in Feb 2020 to financial year 2020/21 to allow materials and service orders to be placed in line with the current programme. This will permit works to progress until June 2020.
- 3.6 A further contract issue will be required to progress with demolition and construction operations. To maintain existing programmes and limit the impact on subsequent, high priority schemes, this contract is programmed to be issued by the latest date of early June 2020.
- 3.7 Detailed design of the essential maintenance scheme was substantially completed in January 2020 and was subject to an extensive early contractor involvement (ECI) phase to aid the development of the design, undertake buildability and value engineering checks and determine the target cost for the construction of the scheme.

- 3.8 Construction is programmed to commence in spring 2020, with the construction phase programmed for 2 years. A comprehensive communications plan has been produced and implemented and will be adapted now to take into account reduced traffic flows arising from the Coronavirus crises. The nature of the construction will require extensive traffic management and continued liaison is required to minimise impact which in normal conditions has the potential to cause considerable congestion

Traffic Impact and Mitigation Measures

- 3.9 The design team has been working closely with the Contractor and key stakeholders to plan appropriate, and adaptive, mitigation to manage the potential impact of the works on traffic disruption, bus service routing and local businesses. These measures include:
- The use of advance warning signs on strategic routes into the city to inform of the works and advise alternative routing.
 - A positive and proactive communications strategy promoting alternative, sustainable travel options while maintaining awareness that Leeds is open for “business as usual”
 - Enhancing the collaborative approach between Leeds City Council, WYCA and bus operators to limit impact on services through the promotion of public transport usage which will, in turn, reduce numbers of vehicular traffic on the network.

Programme Management and Governance

- 3.10 Regent Street is one of a number of high-profile and potentially disruptive schemes including Armley Gyratory, Meadow Lane, City Square, Bishopgate Street Enhancement and Neville Street all of which are designed to deliver a key Council objective of closing City Square to general through traffic by 2023.
- 3.11 The complexity and interdependencies between individual projects is such that there is a strong risk of scope overlap, abortive works and dissonance should be managed separately.
- 3.12 Managing and procuring these schemes holistically would facilitate works on the ground to be comprehensively programmed as a sequence of overlapping schemes, designed by a series of separate and appropriate organisations and then constructed within a single point of established governance, and importantly only one contractual link between the council and works on the ground.
- 3.13 Accordingly, the Director of City Development has approved proposals for using a procurement framework that facilitates the coordinated delivery of the programme outlined.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 The Executive Member for Climate Change, Transport and Sustainable Development has been consulted on Regent Street Flyover and the other individual schemes which form the MBARC programme and the principles behind the management approach.

Regent Street Flyover

4.1.2 In collaboration between Connecting Leeds, the design team and the Contractor, a communications strategy has been developed with the key messages that Leeds is open for “business as usual” and the promotion of alternative travel opportunities to reduce the number of vehicles on the network.

4.1.3 Following a briefing with the Executive Member for Climate Change, Transport and Sustainable Development on 11th February 2020, letters were sent to all Ward Members immediately impacted by the works. This consultation was extended to include adjacent wards indirectly effected by travel disruption.

4.1.4 On 26th February 2020, an extensive letter drop was carried out to inform local businesses within the extended area of works. This exercise targeted key stakeholders, informing them of the likely impact of the works on their business, offering opportunities for further, detailed discussion and inviting them to a public information event to be held on the 15th April 2020. In anticipation of likely restrictions on public gatherings in response to the coronavirus crises, the project team are also making contingency arrangements to inform the public. Letters have also been distributed by post to inaccessible and residential units inviting the same level of discussion.

4.1.5 A focused event was hosted on 27th February 2020 for residents and staff at Ladybeck Close who are in the immediate vicinity of the bridge and have been identified as being impacted by construction noise and to establish the need for pre-emptive interventions. As a result of this consultation and other discussions with residents, a package of mitigation measures has been agreed by Leeds Environmental Action Team. The team is also undertaking noise level assessments before and during the works to monitor if additional mitigation is required

4.1.6 Connecting Leeds and the design team are meeting regularly with WYCA and bus operators to develop a mitigation package for the potential disruption to services and routes during the works.

4.2 Equality and diversity / cohesion and integration

4.2.1 An Equality, Diversity Cohesion and Integration Screening (EDCI) has been undertaken on this report. Individual schemes within the wider programme will also have their quality impacts assessed as they progress through the approval process, where the appropriate EDCI assessment procedure will be invoked.

4.3 Council policies and the Best Council Plan

4.3.1 The Regent Street Flyover scheme is designed to align with the following Leeds City Council’s Best City priorities as laid down in the Best Council Plan 2019/20 – 2020/21:

- 4.4.2 This procurement approach for the MBARCS programme would allow for individual schemes to be packaged together into a holistic programme of development and improvement works. This facilitates optimisation of efficiencies with works to be comprehensively programmed as a sequence of overlapping schemes, designed by a series of separate and appropriate organisations and then constructed within a single point of established governance.
- 4.4.3 Only one contractual link would exist between the council and works on the ground., allowing contract management teams to exert more efficient control over ongoing network resilience concerns
- 4.4.4 Early engagement with design and construction delivery partners will minimise cost uncertainty and maximise value engineering opportunities.
- 4.4.5 The programme will allow for an overarching communications and delivery strategy, especially in light of potential impact of long/medium-term disruption, and build long-term relationships with key internal and external stakeholders and managers of existing infrastructure and investment programmes to maximise collaborative working opportunities.

4.5 Legal implications, access to information, and call-in

- 4.5.1 There are no legal implications for the contents of this report.
- 4.5.2 This is a key decision and is eligible for call-in.

4.6 Risk management

- 4.6.1 Due to Covid19 the intention is to now progress the scheme with a two stage phased award. This will allow a further assessment of where the industry confidence and supply chain capabilities are at the end of stage one, (likely to be late June 2020) before awarding the demolition and main works under a second stage to the contract.
- 4.6.2 This early package of works will include the facility to prop the beams adjacent to the entrance to New York Road Tunnel, layout and maintain the significant level of contraflow traffic management, and undertake some smaller elements of non-destructive demolition such as preparatory works to the carriageway.
- 4.6.3 If approval of the procurement method fails to receive authorisation, there is a risk of significant delay to project implementation. This may require officers to undertake a lengthy tendering process, incurring additional costs not already accounted for.
- 4.6.4 Any delay to the construction programme may also necessitate the installation of a long-term propping solution and the resultant closure of New York Road tunnel. This would have implications on the wider highway network and the delivery of other key schemes.
- 4.6.5 Should the inspection of Regent Street Flyover identify further deterioration of the critical elements prior to the commencement of construction operations, this may result in the closure of the structure and the installation of the propping solution described above. This would remain in place until the essential maintenance can be undertaken resulting in extensive traffic congestion on this strategic route.
- 4.6.6 While it is anticipated that the DfT bid submission will continue to proceed to a final decision in summer 2020, there is a risk that Central Government will not support

the bid and Leeds City Council will fund the works from borrowing of £26.4m and Local Transport Plan funding of £4.6m.

- 4.6.7 The need to issue the works as a series of contracts rather than a single design and build contract means that there is a risk that the Council will be contractually obliged to cover preliminary costs and overheads in the event that the coronavirus response causes site operations to cease.
- 4.6.8 If the Regent Street Flyover scheme within the MBARC programme is not successfully managed under a holistic approach, the complex interdependencies between the schemes and the tight time constraints on both delivery and funding elements could result in the loss of funding packages and an inability to realise key elements of the MBARC programme. This would result in a reduction in the overall benefits that could be achieved by the programme and would limit the individual success of the schemes.

5 Conclusions

- 5.1 Regent Street Flyover is in need of urgent and significant intervention to maintain its operational effectiveness. Leeds City Council in February 2020 injected the balance of funding £23m together with an existing £8m totalling a £31m package of funding. This provision is made up of £26.4m LCC borrowing and £4.6m of LTP funding which has been allocated from Highway Bridges and Structures programme. This allocation is to allow the project to proceed at risk in anticipation of a decision from the DfT in summer 2020.
- 5.2 Subject to the approval of the proposed procurement method for the works and authority to spend £31m, construction is expected to start on site in spring 2020 and last for two years.
- 5.3 In addition, the complexity and strong interdependencies between Regent Street and other individual MBARC projects are such that there is a high risk of scope overlap, abortive works and dissonance should they continue to operate autonomously.
- 5.4 In order to maximise the success of each of these projects and minimise the wider impact the works will have on the existing road network, the MBARC programme should be managed as one holistic programme of development and improvement works. This would provide opportunity for works on the ground to be comprehensively scheduled as a sequence of overlapping schemes with a single contractual link between Leeds City Council and the works promoter.

6 Recommendations

- 6.1 Executive Board is recommended to:
- i) Note the decision by Full Council in February 2020 to inject LCC borrowing into the capital programme of £23.0m for the Regent Street Flyover Maintenance Scheme alongside the existing £8.0m within the Highways Bridges & Structures Programme giving a total funding package of £31m.
 - ii) Authorise the procurement of the design and build contract via the Scape Civil Engineering Framework.
 - iii) Request the Leader of Council write to the Secretary of State to express concerns with the delay of the bid decision and seek clarification on timescales.

- iv) Agree that the Director of City Development proposes to inject external bid funds into the Capital Programme upon receipt of the relevant approvals in accordance with his existing delegated authority.
- v) Authorise the total expenditure of £31.0m for the design and implementation of the Regent Street Flyover Essential Maintenance Scheme funded from £26.4m LCC borrowing and £4.6m Local Transport Plan funding.
- vi) Note that the Chief Officer Highways and Transportation will be responsible for the implementation of these works.

7 **Background documents**¹

7.1 None.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.