

Meeting: Overview and Scrutiny Committee
Date: 4 August 2009
Subject: Luton Dunstable Busway
Report of: Director of Sustainable Communities

Summary: This report asks the Overview and Scrutiny Committee to consider the content of a forthcoming report to August Executive seeking a decision to approve the principle of advanced funding so as to direct tenderers for the Busway contract upon the ability to undertake site clearance early in 2010.

Contact Officer: Dave Buck, Senior Strategic Infrastructure Officer
Exempt: Public
Wards Affected: Houghton Regis, Northfields, Dunstable Downs, Icknield, Watling
Function of: Council

RECOMMENDATIONS:

- 1. That the Committee consider and endorse the recommendation to the Executive for approval of advanced funding for advanced works on the Luton Dunstable Busway.**

Report to Executive

1. Members are asked to consider and endorse the attached report going to Executive on 18 August 2009.
2. The report sets out the need to advise tenderers of the Luton Dunstable Busway with respect to the timetable for site clearance and seeks agreement to advanced funding to undertake advanced works for site clearance.
3. As set out in the Executive report, advanced funding is being requested because tenderers for the Busway have asked for clarification on getting site clearance completed before the bird breeding season. This will impact on their programme of works and tender price.

Overview

4. Tenders for the Luton Dunstable Busway scheme are due back to Luton and Central Beds Councils for consideration on 23 September 2009.

In line with best practice, regular meetings are being held with the tendering companies to enable them to seek clarification from the Councils of requirements to minimise their risk and thereby cost.

5. These meetings have highlighted an issue with site clearance where the tenderers proposed programme is being based on the assumption that they will be able to undertake site clearance before the start of bird breeding season in late February / early March.
6. However, this may not be possible due to the time taken to process the tenders and secure Department of Transport approval. Award of contract is not expected to be made before February 2010 which is unlikely to provide sufficient time for the contractor to undertake the work.
7. This has implications on their proposed programme and hence cost, which in turn will have implications for the Councils in trying to maximise expenditure in 2009/10 to try and meet the Regional Funding Allocation profiled for the scheme.
8. The report therefore proposes a loan to the scheme to allow advanced works to take place in early January 2010. This would be repaid following DfT approval.

CORPORATE IMPLICATIONS

Council Priorities:

The scheme contributes to all Councils priorities

- a) Supporting and caring for an ageing population by enhancing the provision, .quality and security of a good reliably bus service.
- b) Educating, protecting and providing opportunities for children and young people by improving the links to education establishments.
- c) Managing growth effectively by providing the infrastructure for the start of a conurbation wide busway system (in the Luton Dunstable area).
- d) Creating safer communities with the provision of increased CCTV and 'help points' at high profile bus stops and potentially the IT infrastructure to boost local communications.
- e) Promoting healthier lifestyles by making public transport a more attractive or preferred alternative.

Financial:

The Recommendations are intended to provide a reliable base for tenderers to optimise their prices for the Busway contract and reduce risks of Regional Funding issues for the scheme.

Legal:

The Busway via Luton Borough Council has all legal powers to construct the scheme under the Transport and Works Act (TWA).

A legal agreement between the two authorities was the subject of the report to shadow Executive of 17 March 2009. This agreement provides for joint working, cost sharing and joint ownership of the Busway.

Risk Management:

The risks associated with not undertaking advanced site clearance are increased schemes cost and insufficient Regional Funding Allocation being available for the scheme.

The Busway project has a risk register. This is updated regularly and reported to its Project Board which includes the Director of Sustainable Communities and the Director of Corporate Resources.

Staffing (including Trades Unions):

None

Equalities/Human Rights:

None

Community Safety:

None

Sustainability:

Sustainability is an overarching consideration in the preparation of the Core Strategy and public transport plays a significant part of this. The busway will set high standards for the type and size of bus that can use the system to ensure minimum air and noise impact while providing a more reliable and desirable transport system.

Appendices:

Appendix A – Report to the Executive on 18 August 2009