

# Delegated Decision Report

Decision below £250k



<b>Subject:</b>	Penning Bridleway National Trail Maintenance
<b>Decision maker: Senior Officer</b>	Director of Environment, Nasir Dad
<b>Decision maker: Cabinet Member</b>	Don't Trash Oldham, Councillor C Goodwin
<b>Decision date:</b>	18 September 2024
<b>Report author:</b>	Liam Kennedy, PRoW Officer
<b>Ward (s):</b>	Saddleworth North

## Reason for decision

The Council have successfully secured Grant funding from the Yorkshire Dales National Park Authority (YDNPA) to deliver 3 schemes on various sections of the Pennine Bridleway National Trail.

## Recommendation(s)

To accept the YDNPA grant funding, approve the Council match contributions detailed in this report and approve the delivery of the 3 schemes detailed in this report in accordance with Contract Procedure Rules and any other relevant procedures. All proposed works would be funded using grant funding and any Council match contributions. In addition, approval is sought to enable the direct contract appointment of CPY Excavations to deliver works under Scheme 1, subject to the CPR exemption report being approved.

## Background

To date we have secured £26,276.10 in grant funding from the YDNPA. This amount consists of 3 separate offers for 3 separate schemes;

### Scheme 1:

Castleshaw Reservoir scheme – the Council has received a quote (CPY Excavations) at £22,292.24. Acceptance of the quote is subject to an exemption to Rule 4 of the Contract Procedures Rules being exempted (this is being progressed under a separate report).

YDNPA have offered £15,604.69 match funding on a 70:30 basis with the Council contributing £6,687.73. The scheme will deliver much needed replacement drainage and resurfacing of a severely degraded section of a National Trail.

The Council contribution (£6,687.73) will be split 50/50 between Highways Operations and Drainage.

**Scheme 2:**

Pennine Bridleway Signage. This scheme will cost £4,645.24 with YDNPA offering grant funding of £1,721.41 on a 37:16 basis. £2,186 has been secured from The Ramblers Association with the Council matching with a contribution of £737.88

The scheme will see the installation of new replacement Pennine Bridleway Signage at 15 locations along the trail throughout the Borough.

The Council contribution (£737.88) will be funded from the Public Rights of Way Capital Budget (M0983).

**Scheme 3:**

Golburn Clough. This scheme is currently outsourced to Rowan Ashworth, as arranged by our Drainage Team. YDNPA have offered match funding of £8,950 to contribute towards additional resurfacing of The Pennine Bridleway beyond the scope of the current works.

The Council contribution to this is £83,950 from the Drainage Budget. This amount is already budgeted for and the scheme is currently under way. The match funding amount of £8,950 is towards an additional section of resurfacing that is technically beyond the scope of the current works but is an opportunity to receive match funding towards a scheme that is in the immediate vicinity.

**Alternative option(s) to be considered** *(please give the reason(s) for recommendation(s))*

Option 1: To accept the YDNPA grant funding, approve the Council match contributions detailed in this report and approve the delivery of the 3 schemes detailed in this report in accordance with Contract Procedure Rules and any other relevant procedures. All proposed works would be funded using grant funding and any Council match contributions. In addition, approval is sought to enable the direct contract appointment of CPY Excavations to deliver works under Scheme 1, subject to the CPR exemption report being approved.

Option 2: Not to accept the YDNPA grant funding and not to progress the 3 schemes as proposed in the report. There is no guarantee the funding will be available from the Yorkshire Dales National Park Authority in future financial years.

**Consultation** *(include any conflict of interest declared by relevant Cabinet Member consulted)*

19<sup>TH</sup> JULY 2024 t:\03 TEAM RESOURCE\Traffic & Network Man\05 PROW\2021 LK\Pennine Trails\2024-2025\Offers\Reports

None

## Risks

The procurement, legal and financial risks are detailed separately in this report, and cover the need for an exemption. There is a risk that if the Council does not commit to these projects this year that the level of grants from both organisations will not be available in future financial years. The projects should be monitored closely to ensure that they leave the areas in an enhanced position for the Council, that the finances are in line with the budgets and grant funding and used for the appropriate purposes, and that the contractors leave the areas in an appropriate condition so that there are no ongoing liabilities following the works. The service should request the contractor and any sub-contractors insurances and ensure that they meet the minimum requirements under the Contract Procedure Rules and will need to retain copies of the insurance policies.

Vicki Gallacher (Head of Insurance and Information Governance)

## Implications

Financial	<p><u>Capital Implications</u></p> <p>The proposed acceptance of grant and subsequent expenditure will be charged against the Environment capital programme and defrayed in 2024/25.</p> <p>The external funding of £26,276.10 and £2,186.00 will be an increase to the capital programme and will be matched by resources of £3,343.87 from existing budgets within the approved capital programme. (Jit Kara – Senior Accountant)</p> <p><u>Revenue Implications</u></p> <p>50% of the match funding for the Castleshaw Reservoir scheme (£3,343.86), will be funded from existing budgets within the Highway Operations Service.</p> <p>It should be noted, as at Month 3, there was an overspend of £296k within Highway Operations. This additional spend will increase the pressure on the Service.</p>
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	<p>The ongoing cost to the Highways Operations Service for maintaining these sections of the Pennine Bridleway up to the required standard is expected to be minimal.</p> <p>(John Edisbury – Senior Accountant)</p> <table><tr><td></td><td>YDNPA Grant</td><td>The Ramblers Association</td><td>OMBC Match</td><td>Total</td></tr><tr><td>Scheme 1 - Castleshaw Reservoir</td><td>15,604.69</td><td>-</td><td>6,687.73</td><td>22,292.42</td></tr><tr><td>Scheme 2 - Pennine Bridleway Signage</td><td>1,721.41</td><td>2,186.00</td><td>737.88</td><td>4,645.29</td></tr><tr><td>Scheme 3 - Golburn Clough</td><td>8,950.00</td><td>-</td><td>83,950</td><td>92,900</td></tr><tr><td>Total</td><td>26,276.10</td><td>2,186.00</td><td>91,375.61</td><td>119,837.71</td></tr></table>		YDNPA Grant	The Ramblers Association	OMBC Match	Total	Scheme 1 - Castleshaw Reservoir	15,604.69	-	6,687.73	22,292.42	Scheme 2 - Pennine Bridleway Signage	1,721.41	2,186.00	737.88	4,645.29	Scheme 3 - Golburn Clough	8,950.00	-	83,950	92,900	Total	26,276.10	2,186.00	91,375.61	119,837.71
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Legal	<p>The acceptance of grant funding is not subject to the Contract Procedure Rules, but the Council must be satisfied that it can meet any of the funding rules and requirements imposed by YDNPA prior to accepting the monies.</p> <p>The progression of each of the 3 named schemes is subject to approval of the grant funding and the Council match funding. The source of the match funding is as detailed in this report.</p> <p>In this report it is proposed that a direct contract award is made to CPY Excavations to deliver replacement drainage and resurfacing of a severely degraded section of a National Trail for Scheme 1. This is subject to the approval of a report recommending an exemption to Contract Procedure Rules. If the exemption is granted and a suitable contract is agreed between the Council and CPY Excavations, a direct contract award can be approved.</p> <p>Sarah Orrell – Commercial &amp; Procurement Solicitor</p>																									
Equality impact including implications for Children and Young People	Not applicable																									

Co-operative	The funding we have secured outlined in this report will allow Oldham Council to implement 3 schemes to improve the Pennine Bridleway National Trail. The improvement will encourage more active lives for residents. This is in line with our cooperative agenda. (James Mulvaney, Policy Manager)
Procurement	<p>The selected supplier CPYX has been used on this project for the past three years. CPYX have the capability, knowledge, and experience of the area. Over the past three years they have always delivered on time and met Oldham's requirements. CPYX have all the correct plant tools already available to them to carry out the works, unlike their competitors. The main risks in not proceeding to award to CPYX are:</p> <ul style="list-style-type: none"> <li>• Delays in timescales and project</li> <li>• Not to approve the recommendation with no guarantee the funding will be available from the Yorkshire Dales National Park Authority in future financial years.</li> </ul> <p>(Raj Jassal)</p>

Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?	Yes
Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?	Yes
Are any of the recommendations within this report contrary to the Policy Framework of the Council?	No

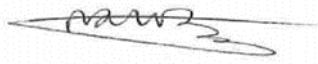
Background Papers under Section 100D of the Local Government Act 1972


**There are no background papers for this report**

Appendix

Report author sign-off	Liam Kennedy
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Role	PRoW Officer
Date of sign-off	19 <sup>th</sup> July 2024

<b>Approval</b>	
Officer approval sign-off	
Role	Director of Environment
Date of sign-off	18 September 2024

<b>Approval: Cllr Chris Goodwin</b>	
Member(s) approval sign-off	
Role	Cabinet Member for Don't Trash Oldham
Date of sign-off	Tuesday 24 <sup>th</sup> September 2024