

REPORT TITLE:

M5 Junction 9 and A46 (Ashchurch) Transport Scheme and Mass Rapid Transit Transport scheme

Cabinet Date	15 May 2024
Cabinet Member	Cllr David Gray Cabinet Member for Environment and Planning
Key Decision	Yes
Purpose of Report	<p>To seek Cabinet’s approval for the Executive Director of Economy, Environment and Infrastructure in consultation with the Cabinet Member for Environment and Planning to procure the continuation of development work (Strategic Outline Business Case (SOC) and Outline Business Case (OBC)) on the M5 Junction 9 and A46 (Ashchurch) Transport Scheme under our Professional Services contract, or other approved procurement route.</p> <p>To seek approval to undertake a non-statutory public consultation, when appropriate, concerning options for transport scheme development, and to submit the SOC and OBC to the Department for Transport once complete.</p> <p>To obtain approval for the Executive Director for Economy, Environment and Infrastructure to continue work towards delivering the Mass Rapid Transit SOC and OBC.</p>
Recommendations	<p>That Cabinet delegates authority to the Executive Director of Economy, Environment and Infrastructure in consultation with the Cabinet Member for Environment and Planning to:</p> <ol style="list-style-type: none"> 1. Procure the professional services required to secure continuation of development work (SOC and OBC delivery) on the M5 junction 9 and A46 (Ashchurch) Transport Scheme, either by commissioning work under the Council’s Professional Services contract, or by awarding a call-off contract or contracts under an alternative, compliant framework, or a combination of both. 2. Identify scheme options for the M5 Junction 9 and A46 (Ashchurch) Transport Scheme, undertake a non-statutory public consultation concerning options, when appropriate, and to consider the outcome of that consultation when identifying the preferred option which will be taken forward within the OBC.

	<p>3. Approve and submit the M5 Junction 9 and A46 (Ashchurch) Transport Scheme SOC and OBC to the Department for Transport (DfT) once complete.</p> <p>4. Procure the professional services required to secure continuation of development work (SOC and OBC delivery) on the Mass Rapid Transit Transport Scheme, either by commissioning work under the Council’s Professional Services contract, or by awarding a call-off contract or contracts under an alternative, compliant framework, or a combination of both.</p>
<p>Reasons for Recommendations</p>	<p>Continuing to fund the work to deliver the OBC for M5 Junction 9 and A46 (Ashchurch) transport scheme will enable GCC to transfer the scheme over to National Highways (NH) to progress the scheme to construction. Discussions with NH show they can take over the scheme and deliver themselves. The proviso to this is that GCC, as current scheme promoter, progresses the scheme ‘at risk’ to OBC submission stage.</p> <p>The work on the SOC/OBC can be delivered through our existing long-term contracts, or other compliant framework, and the commissioned value for 2024/25 is likely to be approximately £3 million.</p> <p>Continuing to develop the mass rapid transit business case means work can build on the momentum already gathered in contributing to meeting a substantial amount of the Council’s decarbonisation goals and the commissioned value for 2024/25 is likely to be approximately £900k.</p>
<p>Resource Implications</p>	<p>M5 Junction 9 and A46 (Ashchurch) Transport Scheme A sum of up to £3 million is required for the development of the M5 Junction 9 and A46 (Ashchurch) Transport Scheme OBC in 2024/25.</p> <p>£2 million of approved revenue funding from the existing base budget sat within the transport planning business case in 2024/25 can be used to fund the £3 million expenditure. Along with £1 million funded from historic funding approval from the June 2022 Cabinet paper which has been carried forward against the EE&I Reserve.</p> <p>In addition, there may be the following sources, though currently unsecured:</p> <ul style="list-style-type: none"> • Contribution from Department for Levelling Up, Housing and Communities funding, to support infrastructure needs around the Tewkesbury Garden Town; and

	<ul style="list-style-type: none"> • Potential OBC development funding from the DfT, subject to a successful outcome of the previously submitted SOC. <p>If secured, these may help offset GCC's costs reducing the overall financial contribution to the scheme.</p> <p>Whilst projects of this scale necessarily rely on support from many of the Council's service departments, the scale of the development work has already included the procurement of external legal advisors, in order to support the delivery of the substantial legal aspects involved in delivering a successful OBC to the DfT. This will continue and be funded from the above project funding.</p> <p>Mass Rapid Transit (MRT) The progression of the Mass Rapid Transit SOC and OBC will be funded by £500K from the general fund reserve as set out in the MTFFS 2024/25, and the remaining £400K from the previously approved City Region Board funding.</p>
Background Documents	<ul style="list-style-type: none"> • M5 Junction 9 and A46 (Ashchurch) Transport Scheme and Mass Rapid Transit Scheme https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-9-and-a46-ashchurch-transport-scheme/ • M5 Junction 9 and A46 (Ashchurch) Transport Scheme – FAQs https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-9-and-a46-ashchurch-transport-scheme-faqs/ • Gloucestershire County Council 'Transport Business Case development' Cabinet report – March 2023 https://glostext.gloucestershire.gov.uk/documents/s89337/Transport%20Business%20Case%20development%202023%202024%20-%20Cabinet%20report%202023%20v7.pdf • Gloucestershire County Council 'M5 Junction 9 A46' Cabinet report – June 2022 https://glostext.gloucestershire.gov.uk/documents/s83068/M5J9%20Cabinet%20report%20June%202022.pdf • Gloucestershire County Council 'M5 Junction 9 A46' Cabinet report – March 2021 https://glostext.gloucestershire.gov.uk/documents/s69683/M5J9%20A46%20Progress%20Report%20FINAL.pdf • Gloucestershire Local Transport Plan (LTP) (2020 – 2041) Gloucestershire Local Transport Plan 2020–2041 Gloucestershire County Council • Gloucestershire County Council Local Development Guide 2021 https://www.gloucestershire.gov.uk/planning-and-environment/planning-policy/gloucestershire-local-development-guide/ • Midlands Connect A46 Corridor Study – Phase 2 Task 1 Final report November 2020 • _____ • _____

	<ul style="list-style-type: none"> https://www.midlandsconnect.uk/media/1756/mc-a46-corridor-study-phase-2-final-report-march-2021-with-appendix.pdf Gloucestershire Economic Growth Joint Committee resolution to approve the request for £850k of funding from the City Region Board Agenda for Gloucestershire Economic Growth Joint Committee on Thursday 19 May 2022, 10.00 am MRT update to the Economic Scrutiny Committee July 2023 MRT_GEGSC_20July_v1.pdf (gloucestershire.gov.uk)
Statutory Authority Highways Act 1980, Section 1(2)	
Divisional Councillor(s)	Cllr Vernon Smith is the local councillor that covers the M5 junction 9, but all council divisions may be positively influenced by the scale and scope of the MRT project.
Officer	Name: Amanda Lawson-Smith Tel. no: 01452 426394 Email: amanda.lawson-smith@gloucestershire.gov.uk
Timeline	<p>M5 Junction 9/A46 (Ashchurch) transport scheme</p> <p>Cabinet approval: May 2024</p> <p>Commission work for 2024-2025: May 2024</p> <p>Non statutory consultation: To be determined</p> <p>SOC approved by DfT: 2024</p> <p>OBC submitted to DfT: Summer 2026</p> <p>OBC approved by DfT: Winter 2026</p> <p>If confirmed, official scheme handover from GCC to National Highways: Spring 2027</p> <p>Mass Rapid Transit</p> <p>Cabinet approval: May 2024</p> <p>Stage 0 - Strategic Assessment: completed Spring 2023</p> <p>Stage 0.5 - Options Assessment Report - Part A Identification of shortlist : completed January 2024</p> <p>Options Assessment Report – Interim Part B : Spring 2024</p> <p>Options Assessment Report – Part B – Assessment of Shortlist : Summer 2024</p> <p>Stage 1 – Strategic Outline Case: October 2024</p> <p>Option Development (Pre OBC): March 2025</p>

Background

1. The M5 Junction 9 and A46 (Ashchurch) Transport Scheme is a proposal to upgrade the M5 Junction 9 near Tewkesbury and re-route the section of the A46 which currently passes through Ashchurch to the east of the M5 (between M5 Junction 9 and Teddington Hands roundabout). A location plan is included in Appendix 1. This transport scheme has been identified in the adopted Gloucestershire Local Transport Plan as a highway scheme priority, and that GCC will progress the Pre-SOC, SOC and OBC for M5 J9 and A46 scheme.

2. The A46 is one of the country's most important trade routes – the Trans Midlands Trade Corridor - operating at a national, regional and local level. This corridor runs for 155 miles from Gloucestershire across to Lincolnshire. It is home to 5.5 million people and 2.9 million jobs, with an economic output of £115 billion – almost 10% of the entire English economy¹. By 2041, the economic potential will have increased by 600,000 new residents, 150,000 new jobs and 250,000 new homes. This will have dynamic and extensive impacts upon the whole of Gloucestershire; helping to unlock economic potential throughout the county.

3. Key investments will be necessary to unlock this considerable economic potential, giving the 'lift up' needed for the A46 to take on an even stronger role in national prosperity. Infrastructure investment will provide a strong opportunity to engage in the levelling up process across the nation. Making smart investment choices to deliver a viable, modern, fit for purpose, cross-country national trade route will deliver economic equality for areas outside London and the Southeast, and support the Government's levelling up agenda.

4. The A46 also provides a strategic link between the Southwest and the Midlands, via Gloucestershire, offering an important alternative to the A42/M42 for traffic travelling between the M1 and the M5. However, the section of the A46 through Ashchurch is currently acting as a key constraint on the route, with drivers experiencing significant delays. This causes congestion, air pollution and substantial negative impacts on the economy - both locally and regionally. People with disabilities, children, older people and other vulnerable groups of society may experience poorer health as a consequence. Alongside GCC, Midlands Connect - the sub-national transport body – are also calling for necessary improvements to be made in order to unlock economic benefits, lower congestion and remove heavy traffic from affected communities.

5. One aim of the scheme is to improve north-south connectivity for long distance traffic and Heavy Goods Vehicles (HGVs) travelling between Gloucestershire, Wales and South-West to the West Midlands, East Midlands, Lincolnshire and up to Yorkshire and beyond. The A46 could, if it were better developed, provide direct access for business to the A1, M1 and M6 and is hence critical for supporting future economic growth through the corridor, in our region and for the whole county. This is recognised by both the Western Gateway and Midlands Connect Sub National Transport Bodies. All of Gloucestershire would benefit from the increased access for businesses to other key regions and cities.

6. A further aim of the scheme is to help solve long-standing traffic issues at this key location on the A46 corridor, including improving journey times and reliability for journeys between the M5 Junction 9 and Teddington Hands roundabout.

¹ <https://www.midlandsconnect.uk/key-projects/a46-corridor/>

7. Regarding safety objectives, the scheme will address mainline queueing on the approaches to M5 Junction 9 at peak periods due to congestion, which is currently a significant safety concern due to rear end shunts and connected personal injury concerns.

8. The scheme is being developed with a view to supporting the delivery of future sustainable mixed-use development which will enable at least 10,000 homes to be delivered along with 120 hectares of employment land at Ashchurch by 2041 and beyond. This will require significant investment in infrastructure in the local area. Whilst not currently in an adopted development plan, the emerging Tewkesbury Garden Communities scheme is one of Homes England's designated garden towns, which was awarded Garden Town status in 2019. The Garden Town proposal will be considered as part of the emerging Cheltenham, Gloucester, Tewkesbury Strategic and Local Plan (SLP).

9. In November 2021, the DfT Transport Minister approved the scheme for continuation up to SOC stage. This approval included NH's use of additional funding to work in conjunction with GCC to produce a mutually agreed SOC.

10. NH have stated that they wish to take on the Preferred Route Announcement (PRA) stage of the project.

11. GCC is the current scheme sponsor and, through collaborative working with NH, it has been agreed that, subject to an approved OBC, NH will take the scheme on for delivery. A Ministerial PRA will be withheld until after NH's formal acceptance and adoption of the scheme to ensure that NH is fully satisfied with the decision on the preferred route, including all associated works to this point, thus reducing risks to NH and to project delivery. As a result, the scheme will be developed by GCC in accordance with NH's Project Control Framework (PCF²) for PCF Stages 0-2 to align delivery of the project with NH's processes and enable a smooth handover. PCF stage 2 is the production of the OBC.

12. The Department for Transport have confirmed that NH are authorised to spend up to £0.5 million engaging with GCC to support the OBC for submission. This also means that the DfT will refund costs associated with the development of the scheme during OBC stage, if and when they approve the SOC. Whilst these costs do not reflect the entire cost of developing the OBC, it should cover the cost of the works associated with final scheme design for OBC (this would be expected to be around 40% to 50% of total expenditure) as this can be considered a capital cost against the scheme.

13. The Stages of the M5 J9 project are planned to be delivered as below, and are subject to change:

- Cabinet approval: May 2024
- Commission work for 2024-2025: May 2024
- Non statutory consultation: To be determined
- SOC approved by DfT: 2024
- OBC submitted to DfT: Summer 2026

²Project Control Framework is NH's project management delivery methodology. The purpose of following NH procedures is to ensure a smooth transition from GCC to NH.

- OBC approved by DfT: Winter 2026
- If confirmed, official scheme handover from GCC to NH: Spring 2027

Mass Rapid Transit

14. MRT would support and enable economic growth by providing capacity for increasing travel demand across the Central Severn Vale (CSV) and wider Gloucestershire and would also form a key aspect of supporting the decarbonisation of the transport network in Gloucestershire by providing a powerful motivator to mode-shift from cars to public transport. 34% of all CO2 emissions in Gloucestershire are transport related (43% incl. motorways and rail). The Gloucestershire targets for emissions control are to reduce emissions from all sources by 80% by 2030 and to achieve net zero by 2045. Almost 60% of emissions are from car travel. Furthermore, trips over 20km make up around 15% of all trips, but account for 60% of emissions. This is a key metric, as it means moving car drivers to active travel is only one part of the story, and we need to provide a realistic alternative to journeys longer than those by bike – usually considered about 6-8km maximum. The purpose of the MRT business case process is to explore all the options that will allow us to support the decarbonisation targets. We believe MRT is a strong contender, but the business case will allow us to find out.

15. Whatever form / option of MRT the council chooses to adopt, the council will still need to support decarbonisation across a full suite of interventions. MRT is not the single solution. As represented in the diagram (figure 1).



Figure 1: suite of decarbonisation measures

16. MRT is at an early stage of development. Pre-feasibility and feasibility studies have been undertaken, confirm the viability from a patronage and financial perspective, of a form of rapid transit system. An Options Assessment Report - Interim Part B - will be completed in Spring 2024.

17. GCC secured Strategic Economic Development Fund (SEDF) monies to progress the scheme during 2022/23 and 2023/24. This is funding up to the strategic appraisal along with the options appraisal report (OAR). Whilst we have undertaken stakeholder engagement with District and Local Economic Partnership colleagues, we anticipate a possible need to undertake a broader consultation later in 2024/25 to support the Strategic Outline Business Case (SOC) work undertaken during the year.

Project Stage	Milestone	Estimated Date
Pre-feasibility	Report completed	2021
Feasibility	Report completed	2022
Stage 0 Strategic Assessment <ul style="list-style-type: none"> • Story of place • Confirm problems / issues • Agree Strategic Objectives and Critical Success Factors 	Strategic Assessment Report completed	Spring 2023

<ul style="list-style-type: none"> • High-level strategic options • First sift 		
<p>Stage 0.5 Options Assessment Report</p> <ul style="list-style-type: none"> • Focused on PT options– layered approach, e.g.: <ul style="list-style-type: none"> • Network scope / definition • Mode / technology • Level / type of infrastructure • Identify short list 	<p>Options Assessment Report - Part A (identification of shortlist)</p> <p>Options Assessment Report – Part B (Assessment of short list)</p>	<p>January 2024</p> <p>Summer 2024</p>
<p>Stage 1 Strategic Outline Case</p> <ul style="list-style-type: none"> • Bring together Stage 0 / 0.5 in the Strategic Outline Case (SOC) • High-level delivery and financial considerations • Identify 'preferred way forward' 	<p>Strategic Outline Case completed</p>	<p>October 2024</p>
<p>Option development (pre OBC) – focus on 'preferred way forward' and conditions for success</p>	<p>Initial feasibility design for selected infrastructure components</p>	<p>March 2025</p>

Options

M5 Junction 9/A46 (Ashchurch) transport scheme

18. To not delegate authority to the Executive Director and approve the development of the SOC and OBC (12 million), consisting of all the work that has already taken place. This is a substantial reputational risk to GCC and to other stakeholders, given the level of investment already undertaken and the strategic importance of the project. It is unlikely another suitable funding source of the magnitude required would become available in the foreseeable future, and so GCC would need to either cancel the work or try another funding route to acquire the external funding to deliver the scheme.

19. To deliver the business case work in-house. GCC do not have the in-house expertise nor the officer resource level to deliver this work. We would not be able to recruit the substantial numbers of specialist staff required, nor deliver the outcomes needed.

20. To delegate authority to the Executive Director and This will allow the preparation of the OBC to continue, and ultimately for GCC to access finance from DfT for OBC development funding, and eventually could lead to DfT/NH providing capital funding and delivering the scheme on the ground.

Mass Rapid Transit

21. To delegate authority to the Executive Director to continue with the Mass Rapid Transit Business Case process. This will allow GCC to further develop the optioneering, funding strategy and consultation for mass transit, with the ultimate goal of driving forward decarbonisation.

22. To not delegate authority to Executive Director and to stop work on the Mass Rapid Transit Business Case process. This would stop all Mass Rapid Transit development work

Risks

M5 Junction 9/A46 (Ashchurch) transport scheme

23. Risk that the OBC is not delivered on time. The purpose of the finance drawdown and delegation to the Executive Director is to enable the deadline for the OBC to be met.

24. Risk that the investments already made are not recoverable, because the scheme does not proceed. Without taking the scheme forward for funding in the correct manner, we will not be able to get into development stage with DfT, (post-approved SOC) and therefore will not be able to draw down against the historic costs, and hence replenish funds.

25. Risk that there are not enough resources to deliver the work. By delegating authority to the Executive Director to procure project delivery, this risk can be successfully monitored and managed.

26. Risk of Tewkesbury Garden Communities project not coming forward in the emerging Strategic Local Plan (SLP), and/or the SLP is delayed, so there is not an adopted plan by the time planning permission/Development Consent is required for Junction 9. We continue to work with all the SLP authorities to support the delivery of the SLP. GCC is also a funding partner of the SLP. The SLP authorities have appointed consultants to deliver the transport options of the SLP. GCC have continued to actively contribute to guiding and steering this contract.

Mass Rapid Transit

27. Risk that the SOC is not completed on time. The purpose of the delegation to the Executive Director is to enable the timetable for the SOC to be met.

28. There is a risk that there is no funding stream immediately available to apply to following completion of the SOC. However, if a funding stream does become available for mass transit, then the council would need to have the business case work completed so we can access the funding.

Financial implications

M5 junction 9/A46 (Ashchurch) transport scheme

29. The services could be procured through the existing transport scheme framework that exists between GCC and the professional services provider. Alternatively, the work could be procured via another compliant framework to which the Council has access. Some subsections of the SOC and OBC process have required contracts with land referencing contractors and legal advisors to be deployed. These have been procured under existing legal framework arrangements, which are compliant with procurement regulations and meet the council's Contract Procedure Rules.

30. A sum of up to £3 million is required for the development of the M5 Junction 9 and A46 (Ashchurch) Transport Scheme OBC in 2024/25. £2 million of approved revenue funding from the existing base budget sat within the transport planning business case in 2024/25 can be used to fund the £3 million expenditure. Along with £1 million funded from historic funding approval from the June 2022 Cabinet paper which has been carried forward against the EE&I Reserve.

31. In addition, there may be the following sources, though currently unsecured:

- Contribution from Department for Levelling Up, Housing and Communities funding, to support infrastructure needs around the Tewkesbury Garden Town; and
- Potential OBC development funding from the DfT, subject to a successful outcome of the previously submitted SOC.

If secured, these may help offset GCC's costs reducing the overall financial contribution to the scheme.

32. Whilst projects of this scale necessarily rely on support from many of the Council's service departments, the scale of the development work has already included the procurement of external legal advisors, in order to support the delivery of the substantial legal aspects involved in delivering a successful OBC to the DfT. This will continue and be funded from the above project funding.

Mass Rapid Transit

33. The latest forecast of future costs (2024/25) are in the region of £900K which includes costs for: Finalising the Options Assessment report following further operator engagement, and completing the SOC. That would be followed by option development (pre OBC), with a focus on identifying a 'preferred way forward', the conditions for success and developing initial feasibility design for selected infrastructure components.

The progression of the MRT SOC and OBC will be funded by £500K from the general fund reserve as set out in the MTFs 2024/25 and the remaining £400K from the previously approved City Region Board funding.

Climate Change and Ecological implications

Climate change implications

M5 Junction 9/A46 (Ashchurch) transport scheme

Has the Climate Impact Assessment Tool (CIAT) been completed? Yes

34. The adopted LTP 2021-2041 addresses the climate change agenda and adaptation, the digitisation of transport, all transport user needs, sustainable economic growth, and the delivery of a safe, efficient and sustainable transport system.

35. The scheme will re-route traffic away from the existing A46 through Ashchurch on to the new road, enabling delivery of an improved street environment through Ashchurch and supporting shift to sustainable modes. In 2022 the scheme gained an objective to deliver active travel improvements in the area, thus supporting mode shift and decarbonisation. By alleviating the existing A46 issues, the scheme will also support sustainable local growth plans in Gloucestershire, including the emerging Tewkesbury Garden Communities project.

36. Schemes such as this are a sustainable way of supporting much-needed housing and employment in the county, which means the M5 Junction 9 and A46 transport scheme is a key device in facilitating the means to make these developments feasible.

37. The climate change impacts of the scheme will be explored and considered as part of the development of the OBC, to ensure the impact of the scheme on climate change is properly understood and minimised.

38. The scheme gained approval from the Programme Board meeting in June 2022, to include the objective to “Deliver a 10% Biodiversity Net Gain in accordance with the forthcoming requirements of the Environment Act 2021 (including for any scheme amendments/updates)” as part of the Development Consent Order (DCO) process. We will continue to advance this objective, as it reflects the ongoing importance to the Council of setting clear environmental objectives for the M5 J9 and A46 Improvement Scheme.

Mass Rapid Transit

Has the Climate Impact Assessment Tool (CIAT) been completed? Yes

39. The major purpose of the MRT development is to enable and encourage growth by providing capacity for increasing travel demand across the CSV and wider Gloucestershire and to support mode shift, and to support delivering decarbonisation across the county. This is reflected in the strategic objectives for MRT which are:

Strategic Objective 1 - Driving economic prosperity and clean, green growth. Enhance productivity and stimulate ambitious, sustainable, well-connected housing and jobs growth and regeneration within the Central Gloucestershire City Region and beyond.

Strategic Objective 2 - Protecting and enhancing the environment and addressing climate change. Reduce harmful environmental effects and whole life carbon impacts associated with travel within and to/from the Central Gloucestershire City Region and provide opportunity for environmental betterment and improved health and wellbeing.

Strategic Objective 3 - Supporting vibrant and inclusive local communities. Improve access to life chances and opportunities for all, creating equality and improved quality of life for people throughout the Central Gloucestershire City Region and beyond.

The climate change impacts of the scheme will be explored and considered as part of the development of the SOC and OBC, to ensure the impact of the scheme on climate change is properly understood and minimised.

Ecological implications

M5 Junction 9/A46 (Ashchurch) transport scheme

Has an Ecological Impact Assessment (EclA) been produced, or will one be undertaken at a later stage? Yes, one will be completed at a later stage.

40. To date an Ecological Impact Assessment (EclA) has not been formally completed. AtkinsRéalis have recently completed the biodiversity chapter of a Scheme Environmental Assessment Report (EAR) (based on desk study results for the study area and extended Stage 1 walkover surveys of limited areas of land affected by the shortlisted Scheme options currently being considered). An EclA will be completed in full at a later stage, in the Preliminary Design stage of the project after handover to NH (when full land access will be available and all necessary survey work for habitats and species will be completed for the Schemes preferred option).

41. Based on the information available at present, impacts are currently anticipated on designated sites (potentially including internationally important sites for nature conservation and Local Wildlife Sites), priority habitats and protected/notable species. As outlined above, Stage 2 surveys of habitats and species have not yet been completed and so the level of impact is still to be determined. However, mitigation is likely to be required to minimise impacts on these receptors. Further information is provided within the Biodiversity Chapter of the Scheme EAR.

Mass Rapid Transit

Has an Ecological Impact Assessment (EclA) been produced, or will one be undertaken at a later stage? Yes, one will be completed at a later stage

42. An Ecological Impact Assessment is not part of the scope of the SOC stage however the potential for impact on key environmental constraints, at a high level, is planned to be considered within the shortlist assessment. An ecological impact assessment will be scoped as part of the OBC (next stage) when there is a more defined 'scheme' and impacts can be assessed.

Equality implications

M5 Junction 9/A46 (Ashchurch) transport scheme

Has an Equalities Impact Assessment (EqIA) been completed? Yes

Cabinet Members should read and consider the Equalities Impact Assessment to satisfy themselves as decision makers that due regard has been given.

43. The A46 has been identified as a long-distance route with national economic significance. By routing long distance traffic away from the existing A46 and onto the new road, opportunities will be created to reduce the impact on this nationally significant corridor on all of the Protected Characteristic groups living, travelling and working in this area.

44. Design: Accessible design will consider:

- The movement of people who are pregnant or travelling with prams and/or pushchairs;
- Accessing places of worship;
- All pedestrians, but especially those such as female pedestrians and others with protected characteristics who may feel more vulnerable, particularly when dark, through appropriate lighting of footpaths;
- Movement of people with disabilities;
- Movement of older people; and
- Movement of people living in rural areas to the built area.

45. The current stage of scheme development is the detailed design. This statement will be reviewed and updated on selection of an option, completion of the design stage and at relevant points after construction and opening to ensure a continuing duty of regard for equality impacts on groups with protected characteristics.

46. Construction: There is a potential challenge of the impact of construction traffic causing barriers for older people and children to access facilities, services and other destinations, who are the more vulnerable pedestrians, which will be addressed. The EqIA indicates that there may be a negative impact for some protected groups due to safety and security issues when travelling with young children; safety issues in the event of a breakdown or incident during construction, and due to changes in travel routes and behaviours during construction. This can also impact on those experiencing mobility issues and/or disabilities. Carers, for example, may have to make several trips a day between caring roles and their own employment. Any required changes to travel, including access arrangements, as a result of construction (i.e. traffic management, lane closures, diversions), may increase both travel distance and time, with some groups making proportionally more trips and thus being more frequently affected.

These groups will require clear information on the project in advance of and during the works, and in a way which is clear and accessible for all including those who cannot or choose not to use online platforms.

Indirect impacts on journeys to school, nurseries, and other education establishments as a result of construction activity, diversions etc. may also present negative impacts for this group.

47. Contractors responsible for the construction of the scheme should adhere to appropriate codes of conduct and ensure they have the correct mechanisms in place so there is no discrimination by age, disability, sex, race, gender, maternity/paternity, religion/belief, or sexual orientation of any workers.

Ensure EqIA is shared with the contractors prior to finalising their construction plans.

48. Operation: Potential reduction in congestion levels and fostering positive outcomes for pedestrians - could benefit those living in the local area, including young and old, people with disabilities, resulting in better accessibility and less barriers to local movement.

Those experiencing more inconvenience during construction phase may experience disproportionately more positive impacts associated with the scheme in operation, through improvements to active travel routes, A-road and motorway links, providing greater access to services and social/leisure opportunities both within and outside of the area.

Mass Rapid Transit

49. A full EqIA for Mass Transit will be delivered at the appropriate stage of the business case development (most likely at OBC stage).

Data Protection Impact Assessment (DPIA) implications

50. GCC will engage with landowners, stakeholders and the public to gather feedback on the proposed route options in 2024. Views and comments received during the consultation will be considered and summarised in a public consultation report.

51. The information given by survey respondents will be treated as confidential and in accordance with UK data protection legislation. Responses received as part of the consultation will be anonymised, stored and handled in accordance with GCC's policy on General Data Protection Regulation (GDPR).

52. The information provided will be treated as confidential and in accordance with UK data protection legislation. GCC is the data controller for all information collected from surveys related to the M5 Junction 9 and A46 (Ashchurch) Transport Scheme. The lawful basis for processing this data is for the performance of task carried out in the public interest in line with the Highways Act 1980.

53. For MRT, following confirmation through the completion of the DPIA checklist we are not currently required to undertake a DPIA. We will undertake a full DPIA prior to any kind of public consultation activity.

Social value implications

54. Procuring locally as much as possible, means we can deliver added value; using local businesses and/or staff that are based in the area in order to deliver the M5 Junction 9 and A46 (Ashchurch) Transport Scheme as a whole; ranging from the consultants delivering the OBC to construction firms building the scheme.

55. We are currently engaged with our term consultants, AtkinsRéalis, who are leading the work on our behalf. Social value was a required aspect assessed as part of the base

framework contract awarded to AtkinsRéalis. Where new procurements are carried out to deliver project work, the Gloucestershire County Council Social Value Policy will be adhered to.

Consultation feedback

56. non-statutory consultation (NSC) is a major contributing factor to the OBC. The NSC was due to launch in Summer 2023 but was postponed to enable further work to be undertaken on scheme options. A future NSC is proposed to take place prior to OBC completion, which is likely to be after the General Election. Shortlisted Scheme options will be presented to stakeholders to allow them to express their preferences. The outcome of the consultation exercise will be considered with other factors during the OBC development stage to identify a preferred option. Prior to identifying a preferred option, a second public consultation exercise may be necessary. Despite the postponement of the NSC, work has continued to identify best practice ahead of NSC taking place.

57. Seldom Heard Groups. The GCC project team have been working to develop strategies for improving engagement with seldom heard groups around infrastructure consultation. Our consultants have developed a set of strategies which will be deployed in support of the NSC. Several different groups have been identified that are not often heard from during consultations, and actions we will undertake to try and engage with these groups. These are outlined below:

Seldom Heard groups	Engagement activities
Commuters travelling through the scheme area Seasonal road users	Online information widely publicised through local businesses and media. Variable Message Signs (VMS) and A-frames
Time poor	Online information including recorded content available, including virtual event recordings. Online information is accessible for all screen sizes and resolutions. Postcard drops to local residents and businesses. Updates and engagement via social media. Design of the feedback survey will be concise and easy to use so people can leave feedback in a short time. Option to request hard copy consultation materials by phone or pick up a hard copy of documents at various libraries.
Those unable to access the internet	Ability to respond to consultation by post or over the phone via the GCC customer contact centre - set up a dedicated line who can input the survey if required. Postcard drops to local residents and businesses. Posters displayed in community facilities.

Disabled groups	<p>Contact representatives of local disability groups. Option to request hard copy consultation materials by phone. Ability to respond to consultation by post or over the phone via the GCC customer contact centre. Option to request documents in accessible formats. Posters displayed in community facilities. Contact representatives of local community groups.</p>
Black and Minority Ethnic (BAME) groups	<p>Option to request hard copy consultation materials by phone. Ability to respond to consultation by post or over the phone via the GCC customer contact centre (details above). Postcard drops to local residents and businesses and poster displayed in community facilities. Updates and engagement via social media. Online information including recorded content available, including virtual event recordings.</p>
Young people	<p>Design of the feedback survey will be concise and easy to use so people can leave feedback in a short time. Updates and engagement via social media.</p>

58. Ahead of a future NSC these groups will be extended to include the wider groups that are now part of the updated EqIA process. Further to these actions to support seldom heard group engagement, we will provide the option to complete the survey over the phone on behalf of respondents, if respondents are unable to do this themselves. There will also be the option to get in contact via letter.

59. Consultation materials will be developed for those with learning disabilities, colour blindness, visual impairments or those who do not speak English as a first language.

60 We are working towards all public-facing documents being accessible and inclusive to all; this will be a priority going forward, meaning all readers will have access to the same information despite the method chosen to digest the information. The Web Content Accessibility Guidelines (WCAG) 2.1 are the most widely adopted standards for achieving digital accessibility and will be used as guidance for ensuring the portal, website, animation, feedback survey and all public facing documents are made accessible. Consultation materials will meet the Level AA requirements.

61. Contact details will be provided if consultees require information in a different format to those provided, or if we are unable to create accessible alternatives, for example detailed engineering design drawings, for which it is currently impossible to create alternatives.

62. These same principles will be applied to any MRT consultation that is taken forward.

Officer recommendations

63. Officers recommend authority is delegated to the Executive Director of Economy, Environment and Infrastructure in consultation with the Cabinet Member for Environment and Planning to:

- Procure the professional services required to secure continuation of development work (SOC and OBC delivery) on the M5 junction 9 and A46 (Ashchurch) Transport Scheme, either by commissioning work under the Council's Professional Services

contract, or by awarding a call-off contract or contracts under an alternative, compliant framework, or a combination of both.

- Identify scheme options for the M5 Junction 9 and A46 (Ashchurch) Transport Scheme, undertake a non-statutory public consultation concerning options, when appropriate, and to consider the outcome of that consultation when identifying the preferred option which will be taken forward within the OBC.
- Approve and submit the M5 Junction 9 and A46 (Ashchurch) Transport Scheme SOC and OBC to the Department for Transport (DfT) once complete.
- Procure the professional services required to secure continuation of development work (SOC and OBC delivery) on the Mass Rapid Transit Transport Scheme, either by commissioning work under the Council's Professional Services contract, or by awarding a call-off contract or contracts under an alternative, compliant framework, or a combination of both.

Performance management/follow-up

M5 Junction 9/A46 (Ashchurch) transport scheme

64. Progress is managed through regular reporting from consultants working on the OBC. The GCC Project Manager meets the consultants on a weekly basis to oversee project progress against the contract, with the GCC Contract Manager meeting every 6 weeks.

65. Oversight is achieved through regular Cabinet member meetings.

66. The programme is led by a Programme Board which meets every six weeks. It consists of senior representatives from GCC, NH, Homes England and Tewkesbury Borough Council.

67. An M5 Junction 9/A46 (Ashchurch) Transport Scheme governance process will be developed as part of the OBC.

Mass Rapid Transit

68. Progress for MRT is managed through weekly reporting from consultants working on SOC. The GCC MRT Project Manager meets the consultants on a weekly basis to oversee project progress against the contract, and meetings with the GCC Contract Manager take place as required throughout the year.

69. MRT oversight is achieved through Lead Cabinet Member meetings and the MRT team has met with Lead Cabinet Members several times through the development process.

70. A Programme Board was established in December 2023 who will meet approximately every 6 months or at key project gateways.

71. A specific MRT governance process will be developed as part of the OBC.

Appendix 1 – M5 Junction 9 and A46 road network plan

