



## Report to Leader (Transport and Finance, Resources, Property and Assets portfolios)

**Decision Date:** 28 October 2021

**Reference number:** TR21.21

**Title:** **East West Rail Work In Kind (WiK) Prioritisation and Winslow Station Car Park Delivery**

**Cabinet Member(s):** Councillor Steve Broadbent, Councillor John Chliver

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**Ward(s) affected:** Winslow;

*There is a confidential appendix to this report which is exempt by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 because it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).*

### Recommendations:

1. **EWR Work in Kind (WiK) Future Prioritisation: Approves** the proposed WiK schedule, which sets out future priorities for the Council for utilising its WiK contribution in relation to EWR.
2. **Winslow Station Car Park Delivery: Delegates Authority** to the Director of Property and Assets in consultation with the relevant Cabinet Member and S151 Officer
  - (i) to negotiate and complete the emerging Implementation Agreement with Network Rail and
  - (ii) authorise the execution and financing of the Implementation Agreement to enable the delivery of the Car Park to meet the agreed delivery programme as well as the Councils previously agreed commitments based on the costed budget of £7.65m.

3. **Winslow Station Land Transfer: Delegates Authority** to the Director of Property and Assets in consultation with the relevant Cabinet Member and S151 Officer to finalise, agree and implement the emerging land transfer agreement with Network Rail related to the future Winslow East West Rail Station site,
  - (i) to facilitate the construction and operation of the new railway station;
  - (ii) to identify and retain any land required to enable the Council to operate the proposed car park; and
  - (iii) to assess and agree any transferred land values with those values being considered to be part of the local contribution via WiK in relation to the values being considered EWR Scheme.

**Reason for decision:**

1. **Work in Kind (WiK) Future Prioritisation:** Agreeing the Council's revised Work in Kind (WiK) Future Prioritisation Schedule which currently has a budget of £12.5m, will assist the Council in meeting its agreed obligations to prepare and return to Network Rail a delivery plan and to establish and agree those services and projects which will qualify as Work In Kind. In addition it will assist in ensuring that the Council is able to keep WiK costs under review, identify any potential changes that require an increase in budget allowances, monitor and report against projected final actual cost incurred and document those costs with supporting evidence and provide the final account summary to Network Rail for agreement and final sign off. In particular, approving the use of WiK to fund the Winslow Station Car Park represents the best value option for the Council as it enables the Council to discharge its obligation to fund the Winslow Station Car Park whilst avoiding the need for borrowing to fund the project, at the same time securing it as a new Council Asset with income generation potential.
2. **Winslow Station Car Park Delivery:** Having achieved detailed design with planning approvals, the existing Car Park project now needs to proceed to its remaining design stages, contract procurement and construction stages in order to develop out the car park at an appropriate point in time to meet the proposed railway line and station opening and meet the current Network Rail delivery programme.
3. **Winslow Station Land Transfer:** The development of the station and forecourt area will be carried out by Network Rail. Transfer of the land to Network Rail is required for the development to be undertaken and for their future occupation and operation of the station. The final decision on the transfer of the forecourt area is to be confirmed, however the preference is to include this within the transfer. This ensures that Network Rail are able to manage and maintain the area surrounding the station in keeping with all

necessary operational and statutory requirements with the Council retaining rights to access the retained land/Car Park.

## **Executive summary**

- 1.1 The Council's East West Rail Local Contribution of £15.5m has £12.5m remaining to fund priority work relating to the Council's response to East West Rail. It has been a few years since the original proposed allocation has been reviewed; this paper seeks approval of the allocation of the funding. The Council are now also been asked by Network Rail to proceed with formal commitments on the Winslow Station Car Park design and construction.

## **Content of Report**

### **2.0 East West Rail & Work-in-Kind Background**

- 2.1 East West Rail (EWR) is a project to reconstruct a partially disused railway and reinstate train services through Milton Keynes, Bedfordshire, Buckinghamshire and Oxfordshire on the western section of the former Oxford to Cambridge 'Varsity' Line. It will help improve the quality of life of hundreds of thousands of people, improving connectivity in the region, reducing journey times and providing a sustainable alternative to road travel.
- 2.2 The case for East West Rail was developed and promoted by a consortium of local authorities and strategic partners. It will deliver significant economic, social and environment benefits to the individuals, communities and businesses in the region it serves, and beyond.
- 2.3 In 2012, Government announced that it would fund the project for delivery in its next five-year investment period.
- 2.4 It is rare, if not unique, for Government to invest in a project of this scale that has been promoted from outside the rail industry.
- 2.5 In addition to the regional benefits the railway will bring, Government recognised its importance to the national strategic rail network in the National Infrastructure Plan.
- 2.6 The Government's commitment to delivering East West was conditional on local partners in the EWR Consortium along the route that benefit from the investment raising 'a local contribution' totalling £45.38m. Justified by its exceptional return on investment, the consortium councils have committed £45m+ towards the project, which may be paid in cash or as 'Works In Kind' over a 10-year period. The estimated £1bn investment was forecast to boost regional GDP by c.£135m and contribute to the public purse through tax revenues of c.£65m per annum. It will support the planned growth of 120,000 new homes and c.100,000 new jobs along the route.

- 2.7 The relevant councils commenced working together to support successful delivery of the railway itself and associated economic, social and environmental benefits. The process is governed and facilitated by a joint delivery board of local authorities' elected members and Department for Transport (DfT) and Network Rail representatives.
- 2.8 DfT now heralds this innovative, partnership approach to funding and delivery, including the innovative 'Works in Kind' agreement, as an exemplar for future rail investment projects.
- 2.9 EWR work includes a new station, extended platforms at existing stations, major earthworks, building or renovating 18 road bridges, modifying or closing 75 level crossings and building 22 new footbridges or underpasses.
- 2.10 With agreement from Network Rail, each contributing authority can utilise its fund to pay for 'Work in Kind' activity. This means that, rather than simply contributing cash to Network Rail, the Councils' can use the funding to pay for activities and projects they undertake which support the delivery of EWR.
- 2.11 The 7 Local Authorities (now 6 with BCC and AVDC becoming one) making up the 'Phase 2' of the EWR Consortium Authorities agreed to fund the project through 'Local Contributions', which are set out in the table below:

	<b>Local Contribution commitment</b>
AVDC	£5,360,000
Bedford Borough	£2,600,000
Bucks CC	£10,160,000
Central Beds	£4,200,000
Cherwell	£4,350,000
MKC	£7,650,000
Oxfordshire CC	£11,060,000
<b>TOTAL</b>	<b>£45,380,000</b>

- 2.12 Buckinghamshire Council's summarised position (combining the AVDC and BCC elements) is set out in the table below:

Total Legacy Local Contribution commitment (AVDC/BCC)	£15,520,000
Less WiK utilised to date	-£3,051,641
Remaining WiK to be allocated	£12,468,359

- 2.13 The full contribution is already set aside within the Council budget, in reserves (£10.23m) and earmarked within the Capital Programme (£2.68m) – to note, the reserve has additional funding of around £440k to cover a part of the Local Contribution commitment to index the contribution to Consumer Price Index.

## **WiK Future Prioritisation**

- 2.14 To date, the Council has utilised £3.051m of its WiK contribution. This leaves £12.5m remaining to be utilised. Because of both the move to Unitary, and the developments on the costs of Winslow Station Car Park (explained later in this paper), we have reviewed the projected commitments against WiK. Known commitments and new bids have been considered.
- 2.15 If all known commitments and new bids were to be fully funded as requested, this would (a) leave WiK overcommitted by over £600k, which would manifest as a cost pressure to the council and (b) there would be no headroom in the WiK contribution to fund any new, emerging EWR work in future years. Our aim was therefore to sift the requests to fund key priorities and give headroom of around £200k which leave a relatively small contingency for any emerging opportunity projects
- 2.16 We have confirmed that the Council is to unwind on a long standing commitment for Buckinghamshire Council to fully fund the EWR Legacy Manager post, and instead the other Phase 2 local authorities share the cost equally between them – creates a c. £130k reduction in WiK commitment beyond existing contractual commitments. This unwind is due to the lack of visibility and positive impact to local communities and parishes in the county.

2.17 The final proposed WiK allocation – which has been nominally agreed with NR - is:

Winslow street parking restriction proposal and implementation	Take forward detailed design, consultation, legal orders as appropriate, and schedule optimum implementation of measures to minimise displaced car parking on high street/residential streets near to station, as part of overcoming Winslow Town Council planning objections	£32,000.00
EWR Legacy Manager	Secondment fees associated with the post Costs agreed £225K over 3 year period 1/1/18 – 31/12/20 Figure includes extended contract and agreement to fund until September 2021	£281,250
Winslow Station Travel/Parking Management Plans	Supports production of a Travel Plan to support the re-submission of a planning app for the Winslow Station. Input required from BC to TP and PMP as per conditions of the planning consent for the station and car park	£1,660.00
Support on Winslow Station and Associated Matters	Application from BC (prev. BCC) for support to progress work relating to Winslow Station carpark	£19,867.00
Winslow Land Transfer legal fees	Work associated with the transfer of the BC owned land to NR	£35,243.00
Flood Opportunity Work	Proposal for WIK funded 'Habitat enhancement and natural flood management work'. Work to take place over a number of years.	£440,075.00
S278 Fees	Proposal for fees associated with S278 highway approvals of offline highway works etc. Includes officer time and legal fees	£10,000.00
Highway Assurances	In overcoming Highway objections to the TWAO agreement was reached and recorded within the Statement of Common Ground for the use of WIK for the reasonable costs (or contribution to costs) of a number of items. SoCG refs: 1.12 (d) and € – VMS and CCTV around Buckingham 1.12 (f), 1.13 (a), (c and d) – A41 Primary Public Transport Corridor 1.16 – Objections tracker – parking restrictions / red surfacing	£1,370,000.00
Digital Fibre	DfT and BC have agreed to fund investment in hi-speed fibre alongside EWR route in Buckinghamshire	£484,000.00
Winslow Station Car Park	To fund 100% of the station car park design & construction costs. The car park operation and revenues will now be retained by BC by agreement with NR.	£7,650,000.00
Buckinghamshire Council officer costs for coordination, liaison/engagement, technical input public engagement/comms	Includes SPOC; member and public engagement/comms; street works coordination; technical input and intervention	£928,174.00
Aylesbury Station Mitigation	As part of TWAO negotiation contribution towards mitigation measures in/around Aylesbury station for the increased activity generated by additional EWR train services – non car mode study / implementation (x/ref Aylesbury Garden Town)	£1,000,000.00
Client Transport EWR Temporary Diversion costs	Costs incurred as a direct result of EWR construction programme	£10,000.00
<b>TOTAL WiK Allocation</b>		<b>£12,262,269</b>

This allocation leaves £206,090 of WiK available for any currently unknown, future emerging work on EWR.

### 3.0 Winslow Station Car Park Background

- 3.1 Winslow Railway Station is the intermediate station on the 'Western Section' between Bicester and Bletchley: it has always been a requirement that a station car park would be provided.
- 3.2 During a Secretary of State (SofS) cost-challenge of EWR in 2017, Winslow station was removed from the proposed Railway specification as part of a capital cost reduction package to make EWR affordable. Following interventions from the EWR Consortium **including a commitment from BCC to directly fund the Winslow Station Car Park**, the Secretary of State agreed to include a station at Winslow as part of Government's EWR infrastructure investment. At the time BCC made this commitment, the cost estimate was around £3m.
- 3.3 Network Rail (Government) subsequently took forward the development of the 'Western Section' on the basis that BCC would directly fund the Winslow Station Car Park, and with cost estimates for the railway 'excluding all costs associated with Winslow Station Car Park'.
- 3.4 Since this decision to include a station at Winslow was made, the cost estimate from Network Rail for the associated car park had escalated from approximately £3m to over £10m. The explanation from Network Rail for the abnormally high estimate was related to poor ground conditions being more problematic than originally anticipated and construction being in close proximity to a railway line. The Council has continued to challenge Network Rail (and their delivery partner EWR Alliance) on the estimated cost (included a review of ground investigation reports, reviewing design and construction options). Through this check and challenge and advancement of the design, the total cost of the car park has reduced from the £10m estimate to £7.3m. This is still £4.3m higher than original estimates at the time the Council committed to fund the project.
- 3.5 During the initial design phase it also emerged that, due to the legal arrangements under which Network Rail operate, were Network Rail to retain ownership of the car park, the design would need to be a higher specification than the one which has received Planning Permission, which would increase the costs further.
- 3.6 The station at Winslow is of strategic and economic importance to the county's future opportunity for growth and consequently if the Council does not fund the car park at Winslow station this may bring the existence of the station at Winslow into question; as noted it was only following interventions from the EWR Consortium including highlighting that BCC intended to fund the car park, the Secretary of State agreed to include a station at Winslow as part of Government's EWR infrastructure investment.
- 3.7 Subsequently, as the detail of the Western Section was being developed, the Government established the East West Railway Company. One of its first tasks was to

challenge the costs of the overall scheme to ensure it remained affordable for the Government. As the Winslow Station Car Park was being funded directly by the County Council its associated costs were not included in that review.

- 3.8 Given the overall EWR scheme cost are in excess of £500m the overall EWR scheme falls into the topmost category of national projects, which makes the overall scheme subject to HMT oversight/scrutiny on costs.
- 3.9 As a result, if the East West Railway Co/DfT were to try and add the cost of Winslow Car Park back into the overall schemes costs it would trigger the need for approval from HMT, because of a change in scope. Had this route been followed there would have be implications for the delivery of the scheme and in addition there would also had been a reputational risk for Buckinghamshire Council with HMT (and Government more widely).
- 3.10 It was in the above context that the Councils team, alongside the EWR consortium, has in recent months worked with Network Rail and developed a **recommended proposal as to how the Winslow Station Car Park can be funded and delivered:**
- (1) Bucks Council retain the asset and run the car park.** To keep the costs of the design to a minimum, Bucks Council would need to retain the asset rather than it reverting to Network Rail ownership.
- (2) Using WiK to fund the car park:** Using the argument that the escalation of costs were making the project unaffordable for the Council, we asked that the Winslow Station Car Park construction cost be considered as an option for 'Work in Kind'. The benefit of this approach is that the council would not need to borrow to fund the investment, improving the ongoing financial viability of the car park (particularly owing to the uncertainty of income streams in post-COVID times, on an untested commuter belt).
- 3.11 Following further discussions and subsequent to the original Network Rail position, **the council has confirmation from Network Rail that construction cost can be counted as WiK and that the Car Park can be also be retained by the Council and considered a 'Council Asset'**; ownership and operation of the car park to be with the Council along with any revenue income generated. This position is subject to the Council agreeing the inclusion of the Winslow Station Car Park on its agreed WiK Prioritisation Schedule and being formally agreed via the EWR Co/DfT; who have confirmed that they are supportive in principle of this approach. This is good result for the Council.
- 3.12 In summary, the benefits of funding the Winslow Station Car Park from WiK and agreeing to the terms of ownership from Network Rail are:
- a) The Council will meet its obligation to fund the car park

- i. It will do so without needing to find additional funding, which would incur borrowing costs.
- b) It will retain the car park as an asset, to generate future revenue income
- c) the cost of the car park does not need to be added to the overall EWR scheme cost, thereby avoiding HMT scrutiny, the reputational risk to Buckinghamshire Council and any potential delay to the EWR scheme.

### **Cost of the Design and Construction of the Car Park**

- 3.13 With the car park design having secured planning approvals and the further internal Network Rail scrutiny having taken place the Council has now been provided with a confirmed updated overall cost estimate at £7.3m. It should be noted that any estimates provided at this stage by Network Rail will be subject to market changes when the delivery programme to meet the potential rail services commencement date of 2024 is finally agreed and that the Implementation Agreement would be executed on an Emerging Cost basis.
- 3.14 The above £7.3m cost estimate does not include any Council contingency or costs associated with external resources that may be required in the support of the project's delivery; due diligence and external checks and challenge. When these additional aspects are considered, the required budget allocation for the Winslow Station Car Park has been estimated at £7.65m.

### **Financial Model for the Ongoing Costs & Income from Winslow Station Car Park**

- 3.15 Once the Car Park is constructed, the proposal is for the asset to be under Council ownership – we therefore take on all the benefits and risks associated with the asset (income & costs).
- 3.16 Initial set up costs – for pay & display machines, lines and lighting, etc – are estimated at £77k. This will be funded either from WIK or council reserves, depending on the final amounts paid to Network Rail and whether there is any spare capacity in WIK.
- 3.17 Using existing Council car parks as a benchmark, the estimated annual cost of running the car park will be around £115k per year. These costs will become clearer as the spec for the build is worked through with NR; we have built in some contingencies and a maintenance sinking fund contribution to these costings to allow for variation. A £45k contingency for Business Rates is included in this cost, which will be subject to review by the Valuation Office Agency
- 3.18 It is more difficult to estimate the projected revenue income because we do not know what the demand for the car park will be: Phase 1 of EWR has seen passenger numbers exceeding the original estimates, however COVID has had a significant impact on commuter numbers; Winslow will be a new station, serving a new

commuter demographic on an un-tested route. For these reasons, we have prudently modelled income using the following assumptions:

- a) That, post-COVID, the car park could generate income £350,000 per year, in line with similar sized car parks in the Aylesbury area. This is a prudent assumption, equating to around 60% occupancy.
- b) To account for unknown COVID impact, and uncertainty of usage on a new commuter line, that the usage of the car park is tapered to increase during the first 5 years of life, starting prudently at 50% in years 1 and 2, increasing to 80% in years 3 and 4 and up to full income capacity by Yr 5.

3.19 With these estimated costs and income, the car park is projected to produce a net income between £60k and £165k per year and could rise to a net income of £235k if the car park begins to approach full capacity (post Covid). The model also includes an assumption of a £45k business rates cost, which is subject to review by the Valuation Office Agency and may not come to be needed, therefore further net income of up to £45k may be yielded. Costs and Income assumptions are summarised below.

Winslow Station CP Financial Model - Summary	£k					
	Yr 0	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5 onwards
Set up Costs	77					
Running Costs		115	115	115	115	115
Income		(175)	(175)	(280)	(280)	(350)
<b>Net</b>	<b>77</b>	<b>(60)</b>	<b>(60)</b>	<b>(165)</b>	<b>(165)</b>	<b>(235)</b>
<i>Usage assumption</i>		50%	50%	80%	80%	100%
<i>Income per bay p/a</i>		£506	£506	£809	£809	£1,012

### Winslow Station Car Park Delivery

- 3.20 Planning permission for Winslow Station was approved by Buckinghamshire Council on the 17 July 2020. As part of the planning permission the Car Park is to consist of a decked car park with 365 parking spaces including 19 disabled spaces, 3 taxi spaces and 2 charging points for electric vehicles supplying 4 parking bays and 3 motorcycle spaces. The Council will also be investigating the potential of increasing the number of Electric Vehicle charging bays in the car park from those in the permitted developed to be aligned with the Vale of Aylesbury Local Plan (VALP) requirements; as adopted by Buckinghamshire Council on the 15 September 2021. Funding and delivery arrangement are to be considered as part of the Parking teams emerging EV contracts in order to develop an agreed phasing plan with a view to meeting the VALP requirements for Developments >50 Bays at 4% of the total provision; 15 bays.
- 3.21 In addition, a Parking Management Plan and Winslow Station Travel Plan was formed as part of the Planning Application.

- 3.22 The car park would be designed and constructed in accordance with the Planning Approvals for the station car park. The capital cost of the car park to be paid for by BC through Work in Kind funding and delivered by NR through the East West Rail Alliance. The current programme allows for completion of the car park in time for the operation of the train services at Winslow.
- 3.23 The joint working approach will aim to extend beyond the technical aspects of reconstructing the railway. Local authorities via the EWR are also working with Network Rail and its contractors to promote use of local suppliers, employ local people and develop a framework for training, skills development and apprenticeships. There is also significant joint working towards the shared core aim for East West Rail to achieve a 'net-positive' impact on the environment.

#### **Implementation Agreement (Emerging Cost)**

- 3.24 The agreement will cover the cost for design and implementation, including contingency, of the car park using the estimates provided. The costs would be invoiced monthly as incurred, costs not incurred would not be invoiced. The agreement currently includes Industry Risk Fee and Network Rail Fee which may be charged up front as is standard for NR third party agreements of this kind. BC will receive monthly updates on progress and spend, any use of contingency would be communicated in advance and mitigation measures agreed as required. In the event of an unforeseen event occurring which led to the contingency being exhausted a variation to the agreement would be required and BC would be liable for the additional cost. This is considered low risk as a combination of contingency and mitigation measures should be enough to minimise impact on the costs for such an unlikely event occurring.
- 3.25 The car park's proposed requirements are currently being discussed and reviewed via Working Group meetings with Network Rail and the Council with input as required being sought from:
- a) Parking Department
  - b) Highways Department
  - c) Transport Department
  - d) Property Department (Maintenance)
- 3.26 The aim of the Working Group is to agree the design and construction requirements of the car park to meet the Council's needs and monitor ongoing delivery of the project.

#### **4.0 Winslow Station Land Transfer**

- 4.1 Winslow Railway Station is the intermediate station on the 'Western Section' between Bicester and Bletchley.

- 4.2 The land available on which to build the Station and Car Park was always limited. The County Council at the time recognised that there was a risk that that land might be purchased by a developer in anticipation of the railway (a re-opened railway was likely to lead to development opportunities in/around the station). If the land was indeed purchased by a third party, then securing it at a later stage for the station and the car park would be more difficult and/or could involve significant sums of money i.e. if it needed to be purchased at a commercial value.
- 4.3 In keeping with the principle of seeking to de-risk delivery of the 'Western Section' the County Council looked at the option of purchasing the land ahead of the railway securing the permissions it required. In addition to seeking an active and supportive role in enabling the railway to be delivered, the County Council also reviewed the potential for a long-term revenue stream in the form of the car parking charges.
- 4.4 The 2015 Cabinet Member Report No. L03.15 - to Utilisation of East West Rail local contribution funds (WiK) to purchase land at Winslow was approved. The decision to allocate the £1m from the funds that BCC were amassing to meet the required local contribution in relation to the East West Rail scheme in order to purchase the land required to site the rail station and associated car park at Winslow was taken in July 2015.
- 4.5 The report accompanying the decision also stated that a future decision would be required if the Council wished to retain some of the land rather than including it as payment in kind.
- 4.6 In 2016 the Council purchased the land necessary to site a railway station at Winslow on the proposed East West Rail line. At the time no decision was made as to whether or not the Council would retain the land in order to construct and operate the car park once the station was opened.
- 4.7 Heads of Terms have been prepared with Network Rail to transfer the land. The current outstanding issues are:
- a. Transfer to Network Rail of the forecourt to the station to be confirmed subject to final agreement.
  - b. Transfer to Network Rail of the station approach road which has been agreed as not to be adopted as public highway.
  - c. The appropriate value attributable to the land to be transferred. This is linked to agreement on a and b above.
  - d. Confirmation of the original acquisition funding position from BC Finance and any implications to this in the transfer of part to Network Rail.
  - e. The boundary to the multi-storey car park to ensure fire evacuation route from the station concourse subject to design.

- f. The right for the Council to erect a bus stop/shelter or associated infrastructure within the forecourt area to ensure that the station is connected to the wider transport network.
- 4.8 Should the Council transfer the forecourt and station approach road rights will be retained to access the Council's retained land (i.e. the Car Park) and to connect into any utilities and service media.
- 4.9 Network Rail are also to be granted a right of first refusal should the Council decide to sell the car park within the first 25 years of the land transfer date.
- 4.10 An existing Notice to Treat / Notice of Entry has been served by Network Rail on the Council to ensure that if the land transfer is delayed that they can access the land to commence the development works. These can be withdrawn at the date of the transfer.

## 5.0 Other options considered

### 5.1 Delivery Options - Winslow Station Car Park

Delivery Options	Pros	Cons
<p><b>1) Do Nothing</b></p> <p>The Council do not pursue the delivery of the car park.</p>	<p>None.</p>	<p>a) Breach of previously agreed Council commitments leading to:</p> <ul style="list-style-type: none"> <li>i. No Car Park at Winslow Station.</li> <li>ii. Potential cancellation of Railway Station at Winslow.</li> <li>iii. Reputational Damage</li> </ul>
<p><b>2) Network Rail Delivery via Implementation Agreement.</b></p> <p>The Council enter into agreement with Network Rail to deliver the Car Park as part of the Station Development.</p>	<p>Delivery Risks sit with Network Rail Including:</p> <ul style="list-style-type: none"> <li>a) Risk of Procuring and appointing the Works Contractor in time to meet delivery programme.</li> <li>b) Working in close proximity to Railway Lines</li> <li>c) Coordination of programme with</li> </ul>	<p>a) None</p>

	adjacent live construction site (Station Works) d) Single Legal Delivery Agreement required.	
<b>3) Council Direct Delivery</b> The Council directly deliver the car park final designs and works.	a) None	Delivery Risks sit with the Council including: a) Risk of Procuring and appointing the Works Contractor in time to meet delivery programme. b) Working in close proximity to Railway Lines (requires further legal agreements & Risk) c) Coordination of programme with adjacent live construction site (Station Works) d) Multiple Legal Delivery Agreement required.

## 6.0 Legal and financial implications

- 6.1 Car Park Delivery Agreement: The Network Rail Implementation Agreement terms are currently in discussion with BC Property, Legal and external Lawyers.
- 6.2 Land Transfer Agreements: The future land transfer options will depend on the outcome of the revisited business case.
- 6.3 The Council's WiK Local Contribution of £15.5m is already within the budget, either in Reserves or set aside in the Capital Programme. The proposed WiK allocation leaves £206k of WiK remaining to fund any new emerging projects in the future.
- 6.4 The £7.65m capital expenditure on the Car Park – to be funded via WiK – will need to be added into the Capital Programme as a new, separate project, and funded from the WiK reserve. As it is fully funded, this can happen as a technical adjustment via a section.151 (finance) and Key Decision. The profile of the funding requirement over financial years is still to be confirmed with Network Rail.

- 6.5 Capital Expenditure Risk: The budget of £7.65 million already includes significant contingency allowances. Should the Construction Costs increase beyond the allocated budget it is proposed that mitigation is to be provided via the proposed terms of the Implementation Agreement; setting out mechanisms to accommodate for any escalation in costs including any due to change in design. BC also proposed to undertake further financial scrutiny via an externally appointed Cost Consultancy as the works progress.
- 6.6 An additional amount of c. £77k will be required to fund the set-up costs for the Car Park in 2024-25. Given the relatively small amount, the exact funding arrangements will be confirmed closer to the time, and will come either from underspend on WiK, be built in as part of the Car Park maintenance programme, or come from earmarked reserves for asset development/car park maintenance.
- 6.7 Financial Model for the Car Park: Current modelling shows that there could be net revenue income of around £60k in the first year of running, rising to upwards of £200k-£230k after 5 years, with possibly up to £45k more p/a depending on the business rates valuation. This modelling will need to be kept updated, and the future income stream projections added into the MTFP for 2026-27 onwards and reviewed annually as part of the MTFP process to ensure they're still up to date and achievable.
- 6.8 The Car Park would be operated via the Councils Car Parking Section. The fabric of the Car Park would be maintained by the Council's Property department under SLA with the Car Parking Section.
- 6.9 To note that any unspent/unallocated local contribution funding would still be owed to Network Rail.

## **7.0 Corporate implications**

7.1 Corporate implications are as follows:

- d) HR – the only implications are for EwR staff funded via WiK.
- e) Climate Change – No implications. The car park design having already been subject to planning approval is deemed to have met the Councils principles of sustainable design and construction, including carbon management, energy efficiency as a theme in design, build and use; the use of materials in construction projects.
- f) Sustainability – No implications. The car park design having already been subject to planning approval is deemed to have met the Councils principles of sustainable design and construction, including carbon management, energy efficiency as a theme in design, build and use; the use of materials in construction projects; the sustainable management of water through the use of sustainable drainage systems (SuDS).

- g) Data – Quality - The report does not require an equality impact assessment. An Equality Impact Assessment (EqIA) Screening Template was undertaken related to this paper with the outcome that a full assessment was not required.
- h) Value for Money – there are no Value for Money issues relating to either WiK allocation or the Winslow Station Car Park; using WiK as the funding option presents the best value option for the Council.

## **8.0 Local councillors & community boards consultation & views**

- 8.1 The Multi Story Car Park formed part of the planning application number: 18/04244/ADP for the New Station. As such Winslow Town Council (WTC) were consulted both prior to and during the application process. In addition, WTC worked with Bucks CC (now BC) and Network Rail to develop both a Travel Plan and a Parking Management Plan for the station.
- 8.2 The planning approval contains conditions to ensure that prior to the station becoming operational, the final Parking Management Plan shall be prepared in consultation with Winslow Town Council, including details of the following:
  - a) Drop off and pick up zone
  - b) Taxi waiting area / taxi rank
  - c) Management and allocation of the parking spaces
- 8.3 WTC provided positive feedback on the proposed scheme and confirmed its support for the application and recommended the approval of planning permission.

## **9.0 Communication, engagement & further consultation**

- 9.1 Internal BC Department Consultation: The following internal Council departments have been engaged in the project to date and consulted on the development of this report:
  - e) Legal Department
  - f) Finance Department
  - g) Highways Department
  - h) Transport Department
  - i) Parking Department
  - j) Property Department (Maintenance)

9.2 Further consultations with both WTC and Local Councillors is to be arranged prior to the commencement of the car park construction works to advise on construction logistics and other relevant project delivery matters. The final Parking Management Plan is to be prepared in consultation with Winslow Town Council prior to occupation and use.

## **10.0 Next steps and review**

- 10.1 Proceed with the agreement of the revised Work in Kind (WiK) Future Prioritisation schedule with Network Rail via EWR Consortium.
- 10.2 Proceed with the transfer of land required to enable the construction of the Winslow Railway Station.
- 10.3 Proceed with entering into the Network Rail Implementation Agreement (Emerging Cost) to design and construct the car park.
- 10.4 Arrange regular project working group meetings will commence on a fortnightly basis.
- 10.5 The project working group to regularly review the project including Design, Financial, Legal. Monthly full project working group meetings are anticipated during construction.
- 10.6 The project working group will report to the Property Board at 6 monthly intervals during construction of the Car Park up to completion and handover. Relevant members to be briefed accordingly.

## **11.0 Background papers**

- 11.1 Several more detailed documents can be made available:
  - a) Detailed Station/Car Park Delivery Programme.
  - b) Draft Winslow Station Travel Plan.
  - c) Cabinet Report from 2015 to approve use of WiK to purchase land for the Car Park at Winslow.
  - d) Planning Permission documentation to the Car Park.

## **Your questions and views (for key decisions)**

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).