

Losing track of the start date for bus

As guided busway bosses refuse to give a date for the opening of the multi-million-pound scheme following revelations over its dispute with contractor BAM Nuttall, news editor PAUL HOLLAND asks: When will it open?

CAMBRIDGESHIRE County Council's service director for growth and infrastructure, Graham Hughes, will not be drawn into making statements about when exactly the busway will open.

It's not surprising given that it was supposed to be up and running by January 2009. That was put back a month and then when that failed to happen it was put back to the summer. And then further delays have made the council shy of fixing a date.

More than a year on there is no sign of it opening as the council reports discussions with BAM Nuttall (BNL) over essential defect works are going nowhere.

Mr Hughes, who has worked on the busway from its earliest days in planning, told the News: "The fact is the busway could open very soon, and I do mean soon in our opinion, if the defects on the northern section are addressed. What we need is for BAM Nuttall to do that. Until they do that there is nothing we can do."

He added that the council's problem was if it stepped in too early it would run the risk of taking on liability for fixing and then maintaining the busway – increasing the cost to the taxpayer.

A council document released this week described how disagreement between the council and BNL over defects such as the maintenance track being under water, the St Ives Viaduct leaking water and the St Ives park and ride being built on the wrong gradient, had left them in stalemate, with legal action almost certain.

As far as dates go BNL has told the council the southern section of the busway could be ready for inspection by November this year. This would in effect mean the contractor is satisfied the entire busway is complete (having offered the northern section of the busway up for inspection last year).

However, as was shown with the northern section, the contractor then has to allow the council and Atkins, the firm which is making the inspection, to examine the guideway.

With the northern section that meant a list of so-called minor, snagging issues and the defects which have since become the centre of disagreements between the council and the contractor.

So – November for the southern section does not mean it will be open and running by then. However, the date is significant as once the final section is complete the council would be in a position to issue BNL

with a warning that all work should be complete on notified defects within four weeks.

Once that deadline passes the council could step in – without fear of taking on liability for faults, explained a spokesman.

He added: "When the whole contract is completed – and that will be November according to BAM – they have four weeks to complete notified defects like the maintenance track. With the contract we have they are duty bound to correct them.

"If they do not after that four week period the council can step in and carry out the necessary work and costs accrued will be claimed back from BAM."

That presents the possibility that the busway could be open by early 2011 – a date used by lawyers acting for the council when they were estimating how long a legal battle with BNL over the rising costs of the busway would take. They decided, given an opening date of early 2011, a legal battle could take until 2015 to complete, costing up to £5 million.

The Conservative-run council's position has been greeted with derision from opposition councillors.

Cambridgeshire Liberal Democrats are calling on the Tories to give total clarity to the catalogue of defects facing the controversial guided bus project.

They want to know when the problems were first flagged up and how they were allowed to "drag on until the guided bus was heading seriously off track."

Julian Huppert, Lib Dem prospective parliamentary candidate for Cambridge, said: "This is a farcical situation. The guided bus was a bad idea from the start which has been poorly managed throughout by the Tories.

"Now we have both sides locked in disagreement with no sign of an early end to this dispute."

Roy Pegram, the council's cabinet member for growth, infrastructure and strategic planning, said: "No-one at the council will consider stepping down. Both officers and members worked hard to secure the funding for the busway and have no reason not to see this major civil engineering project through to a successful conclusion."

Tim Phillips of Cast Iron, which campaigned for a railway rather than a busway, said: "It is clear to me that resignations should follow, if only to prevent any such future disaster falling upon Cambridgeshire."

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When do you think the guided busway will open?

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Legal action could cost more than it's worth – warning

CONCERNS are rising over whether Cambridgeshire County Council will ever be able to extract the almost £50 million it wants from BAM Nuttall (BNL) for the overspend.

Green Party councillor Simon Sedgwick-Jell said he feared that

while the county council might be right to stand firm against BNL, the final cost of taking legal action would be too great.

He told the News: "The cost might outweigh the benefit to the taxpayer – in the end we could face having to

stump up the £50 million, regardless of if we are right or wrong."

However, the county council has told the News it is confident its legal position regarding its contract with BNL is "robust".

Any future legal battle would centre

on the agreed Target Cost – £87 million – and the Actual Cost – so far estimated at £140 million and rising.

The council says its contract means BNL would have to pay £48,867,500 of the current overspend, while it will pay just £4,132,500.