

CABINET
15 NOVEMBER 2018**A4440 WORCESTER SOUTHERN LINK ROAD STRUCTURES**

Relevant Cabinet Member

Dr K A Pollock

Relevant Officer

Director of Economy and Infrastructure

Local Members

Mr R Adams, Mr S Mackay, Mr P Middlebrough

Recommendation

1. **The Cabinet Member with Responsibility for Economy and Infrastructure recommends that Cabinet:**
 - (a) **recommends to Council that £3.5m of funding necessary to complete the Broomhall Way Footbridge is allocated to the Southern Link Road Phase 3 Dualling Project with funding ultimately being received from developers' s.106 contributions and that the Capital Programme is updated accordingly;**
 - (b) **authorises the submission of a planning application for the construction of the Broomhall Way Footbridge and the completion of any public engagement that is necessary regarding the proposals;**
 - (c) **authorises the expenditure of the allocated funding to enable the delivery of the Broomhall Way Footbridge;**
 - (d) **delegates authority to the Director of Economy and Infrastructure to finalise and award contracts and other necessary agreements for the delivery and future maintenance of the Broomhall Way Footbridge, and authorises the acquisition by the Director of Commercial and Commissioning of any land or rights over such land as are necessary to put the above into effect;**
 - (e) **recommends to full Council that the £3.5m necessary to complete the Crookbarrow Way Footbridge and Upper Battenhall Farm Accommodation Bridge is provisionally allocated to the Southern Link Road Project and that the Capital Programme be updated accordingly, and to vire £0.5m from existing allocations within the Capital Programme; and**
 - (f) **delegates authority to the Director of Economy and Infrastructure to finalise and award contracts and other necessary agreements for the delivery and future maintenance of the Crookbarrow Way Footbridge and Upper Battenhall Farm Accommodation Bridge subject to a suitable funding strategy being**

approved by the Chief Finance Officer as soon as practicable in consultation with the Leader and the Director of Economy and Infrastructure.

Why are these decisions important?

2. It is important that these decisions are made now to enable the bridges to be constructed in the next 18 months or so, subject to a suitable funding strategy being approved, thereby ensuring that:
- there are grade-separated facilities in place to enable safe and convenient passage for pedestrians, cyclists and where appropriate, horse-riders, to access services and facilities on either side of the Southern Link Road, as well as accommodating the National Cycle Network and providing cycle links to Worcestershire Parkway Station
 - all of the westbound approach lanes to Norton Roundabout can be opened
 - any impact on the efficient management of Upper Battenhall Farm is minimised
 - agreements reached through the Compulsory Purchase Order process are honoured and compensation payments in the meantime are minimised.

Background

3. The need for dualling the Southern Link Road has been well-rehearsed in previous Cabinet reports (specifically September 2014 and February 2017) and the policies of this Council and in the South Worcestershire Development Plan (SWDP) which have recently been adopted by the constituent Local Planning Authorities. The rationale for dualling the Southern Link Road together with the provision of associated structures is summarised in Appendix A, in particular the accessibility, housing and economic elements that lie at the heart of the case. The consequences of failing to complete the scheme would seriously effect the benefits referred to in the document, particularly the enabling of house building and employment land, improvements in highway capacity, reductions in congestion, improvements in air quality and the delivery of the various factors that support economic growth including the Council's corporate ambitions of Worcestershire being Open for Business.

4. The full scheme proposes that three bridges will be installed over the Southern Link Road between the Ketch and Whittington Roundabouts; the Broomhall Way Footbridge to the west of the Norton Roundabout (funded separately to the rest of the scheme through s.106 Agreements), the Crookbarrow Way Footbridge to the west of the Battenhall Railway Bridge and a Farm Accommodation Bridge to the east of the Battenhall Railway Bridge.

5. The funding originally considered necessary to complete the dualling of the A4440 Southern Link Road, including provision of the Crookbarrow Way Footbridge and the Farm Accommodation Bridge, was allocated by Council on 25 September 2014, however, as the scheme has progressed it has become apparent that further funding is necessary to complete these two bridges.

Progress to Date

6. Highway works are progressing well and it is expected that, following completion of the Battenhall Railway Bridge extension during the rail possession in May 2018, the

dualling under the new bridge will be completed in the current financial year. Designs for all three bridges are either completed or well advanced and the land necessary to accommodate the bridges is either secured or agreements are nearing completion.

Purpose of the Bridges

7. The two footbridges are designed for public use by pedestrians and cyclists and the Crookbarrow Way Footbridge, which connects to a bridleway, can also be used by horse-riders. The bridges will provide essential links between existing and future communities and amenities to the south of the Southern Link Road and those, including the City of Worcester and St Peter's, to the north. The Crookbarrow Way Footbridge will also provide a vital link for cyclists between the City of Worcester and the new Worcestershire Parkway Railway Station as well as being an important link in the National Cycle Network.

8. The Farm Accommodation Bridge is required to provide a link between the two halves of Upper Battenhall Farm which are bisected by the Southern Link Road. Provision of this bridge is required as part of the Compulsory Purchase Order process that was undertaken to secure the land necessary to complete the highway scheme.

9. The proposed locations of the three bridges are shown in Appendix B.

10. Policy SWDP 45 of the adopted South Worcestershire Development Plan requires the provision of a cycle and foot bridge west of the Norton Roundabout (the Broomhall Way Footbridge) to ensure that the proposed residential development to the south of Broomhall Way is not severed from Worcester City to the north and essential services such as shops, medical facilities and schools. The developers (Seven Capital, St Modwen and Welbeck) have agreed to fund the estimated £3.5m cost of the bridge through s.106 Agreements and the County Council has undertaken to construct it. The Seven Capital s.106 Agreement has been signed and it is expected that the St Modwen and Welbeck Agreements will be signed shortly. Under the terms of the s.106 Agreements the developers are required to make staged payments before the occupation of a specified number of dwellings can take place. Due to the uncertainty of the rate at which the homes will be built and then occupied, it is not possible to accurately predict when the payments will be made, however, it would be reasonable to assume receipt of around £0.5m by mid-2020 and the balance of around £3m between 2020 and 2022. The County Council will need to forward fund the £3.5m required until receipt of the developer funding in order to construct the bridge, otherwise it could not be installed for several years.

11. It is important that all three bridges are installed within the next 18 months or so to ensure that existing and future communities are adequately and safely connected via grade-separated crossings which will not result in delays to traffic on the Southern Link Road. It is also important that any impact on the efficient management of Upper Battenhall Farm is kept to a minimum. It should be noted that compensation is payable to the land owner for the period that the bridge is not in place.

12. Cabinet is therefore being asked to recommend to Council that the £3.5m of gap funding necessary to complete the Broomhall Way Footbridge is added to the Capital Programme.

13. Cabinet is also being asked to authorise a planning application to be submitted for the Broomhall Way Footbridge and for any public engagement that is necessary to support the planning application to be carried out.

14. Cabinet is further being asked to authorise the expenditure of the funding allocated to enable the Broomhall Way Footbridge to be delivered, to delegate authority to the Director of Economy and Infrastructure to award construction contracts and to finalise any agreements necessary for completion of the bridge, and to authorise the Director of Commercial and Commissioning to acquire the land and rights over such land as are necessary to construct and maintain the bridge.

15. In addition, Cabinet is being asked to recommend to Council to provisionally add a further £3.5m to the Capital Programme for the construction of the Crookbarrow Way Footbridge and Farm Accommodation Bridge, and to vire £0.5m from the existing Worcester Transport Strategy Capital Programme provision.

16. Finally, Cabinet is being asked to delegate authority to the Director of Economy and Infrastructure to award contracts to enable the construction of the Crookbarrow Way Footbridge and Farm Accommodation Bridge, subject to a suitable funding strategy being approved by the Chief Finance Officer as soon as practicable in consultation with the Leader and Director of Economy and Infrastructure.

Legal, Financial and HR Implications

17. The dualling of the Southern Link Road is being promoted and delivered as a scheme under general powers of wellbeing and promotion of economic prosperity and highway authority powers. It also is an objective of the Local Transport Plan 4.

18. Delivery of the construction activity will involve the Council entering into construction contracts with properly procured and competent contractors, including the use of existing term contracts. The Council's adopted policies provide the relevant framework for procurement and implementation.

19. There is a legal obligation for the Council to provide the Farm Accommodation Bridge following agreements made during the Compulsory Purchase Order process.

20. Land transfer agreements and easements will need to be entered into with St Modwen and Worcester City Council.

21. Planning Consent has been awarded for the Crookbarrow Way Footbridge but is yet to be secured for the Broomhall Way Footbridge. Planning Consent is not required for the Farm Accommodation Bridge.

22. The Broomhall Way Footbridge is to be funded through s.106 Agreements made between the County Council, Seven Capital, St Modwen and Welbeck.

23. Having conducted a feasibility study, the £3.5m developer contributions are believed to be sufficient to cover the estimated cost of the Broomhall Way Footbridge; however, in the event of the final cost exceeding the budget, the shortfall would be found from other s.106 contributions that are allocated for the implementation of the Worcester Transport Strategy.

24. In summary, a total increase to the Capital Programme of £7m is being requested, with £3.5m conditional on a funding strategy being approved by the Chief Finance Officer as soon as practicable in consultation with the Leader and Director of Economy and Infrastructure along with a virement of £0.5m from the Worcester Transport Strategy Capital Programme provision.

25. This increase will be added to the existing Capital Programme provision for the Southern Link Road Phase 3 Dualling Project, which currently has £11.789m remaining in the Capital Programme, with £21.7m having been spent in previous financial years.

26. Apart from the £0.5m virement, expenditure relating to the £3.5m conditional element of the Crookbarrow Way Footbridge and Farm Accommodation Bridge will not commence, in full or in part, until the funding strategy is approved.

27. Subject to Council approval, the £3.5m relating to the Broomhall Way Footbridge will be funded by developer contributions and the Council is requested to fund this from existing borrowing arrangements until the contributions are received. This will have a marginal impact on borrowing for the time between expenditure being incurred and funding receipt. It is acknowledged that receipt of the s.106 contributions will be delayed if the dwellings are not occupied as early as envisaged.

Privacy and Public Health Impact Assessments

28. Health implications of transport proposals can be identified by assessing opportunities for increased physical activity through cycling and walking. The provision of the two public footbridges is likely to result in more walking and cycling between the communities, facilities and services on either side of the Southern Link Road.

Equality and Diversity Implications

29. An Equality Relevance Screening was completed in respect of the Southern Link Road scheme (see Appendix C). The screening did not identify any potential Equality considerations requiring further consideration during implementation.

Supporting Information

- Appendix A - Worcester Southern Link Road Strategic Summary – available electronically
- Appendix B – Location of the proposed bridges
- Appendix C – Equality Impact Screening – available electronically

Contact Points

County Council Contact Points

County Council: 01905 763763

Specific Contact Points for this report

Rachel Hill, Strategic Commissioner – Major Projects

Tel: 01905 843539

Email: rjhill@worcestershire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Director of Economy and Infrastructure) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meetings of Cabinet held on 25 September 2014 and 2 February 2017