

# CONNECT2 ROUTE OPTIONS Appendix1

## REPORT BY DIRECTOR OF ENVIRONMENT AND CULTURE AND DIRECTOR OF REGENERATION

REPORT TO CABINET MEMBER OF HIGHWAYS AND TRANSPORTATION: 3 MARCH 2010

DATE REPORT CONSIDERED AND DECIDED BY CABINET MEMBER: 11 MARCH 2010

DATE DECISION CAN BE IMPLEMENTED: 17 MARCH 2010

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**CLASSIFICATION:** Exempt - Appendix A - not for publication due to information relating to the financial or business affairs of any particular person (including the authority holding that information).

### Wards Affected

Central, Hollington, St Martins and Hinton, Tupsley.

### Purpose

To note the route options for the proposed Connect2 Greenway scheme and endorse the Preferred Route to be progressed to the submission of a planning application.

### Key Decision

This is a Key Decision because it is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates;

and

this is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the County.

### Recommendations

**THAT:**

- (a) the preferred route subject to any minor amendments considered necessary by the Director of Regeneration should be progressed and a planning application submitted accordingly and;
- (b) the increased cost of £845,000 be funded from Growth Point and Local Transport Plan capital budgets.

### Key Points Summary

- Additional options have been considered for the delivery of the Connect2 scheme due to additional risks and constraints associated with the current agreed route. A Preferred Route has been considered in detail.

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Further information on the subject of this report is available from Mairead Lane, Acting Construction Manager  
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- The Preferred Route will be a better quality route (more direct and coherent) which is more likely to attract additional commuter and leisure use.
- Reduced design, construction, environmental and land constraints will result in a lower risk scheme overall.
- If the council wished the route to become a highway, the council have the ability to invoke Compulsory Purchase Order (CPO) powers to acquire land for highway purposes over the Preferred Route but a CPO would be more difficult in this regard if the current agreed route is progressed, given statutory undertaker (Welsh Water) land is included (as further detailed in this report) It should be noted that, if the recommendations in this report are approved, a further report will follow to request a CPO for highway purposes.
- The Preferred Route is likely to have a reduced environmental impact on the River Wye.
- Whilst additional funding of £845,000 is required to pursue the Preferred Route, in continuing with the current agreed route, £461,850 additional funding will be required for a less attractive route. There is a difference in cost of £382,000 between delivery of the Current Route and Preferred Route. These figures include '*worst case scenario costs*' for land acquisition.
- It is recommended that the additional cost of this scheme be funded by a reallocation of resources from Growth Point funding and Local Transport Plan capital budgets.

## Alternative Options

- 1 **OPTION 1** (progress current agreed route – Appendix A, Drawing No. 551369/I/014)
  - The current approved route along Outfall Works Road, utilising the Welsh Water bridge and existing railway underpass has been compared with the Preferred Route in detail within the various sections of this cabinet report.

Whilst this option is viable in broad terms, it is recommended that the Preferred Route is progressed for the reasons described in this report and that this alternative is not pursued.

- 2 **OPTION 2** (do minimum scenario)
  - Terminate the Connect 2 scheme but provide improved pedestrian and cycling facilities on Holme Lacy Road.

Advantages           ○ Reduced capital cost

- Disadvantages
- Likely loss of Connect2 Status and Big Lottery Funding
  - Loss of potential Sustrans 'Links to Schools' funding (Hereford would be the first known scheme nationally to withdraw from the £50m Big Lottery 'Peoples Millions' Award Programme).
  - Some scheme costs to date would be abortive.
  - Further legal input to terminate or surrender Memorandum of Understanding and any implications thereto.
  - Adverse reaction from steering group and wider public
  - No advantage to commuters north of the river accessing the estate. Would not achieve desired car trip reduction and would compromise the negotiations with the Highways Agency on the development of the estate.
  - No provision of a leisure route or safe route to schools and colleges at Holme Lacy.

It is recommended that this option is not pursued. It should be noted that plans are already in place to introduce safety, pedestrian and cycling improvements along Holme Lacy Road as part of the Local Transport Plan programme.

### 3 **OPTION 3** (do nothing further scenario)

- Terminate the Connect 2 scheme.

Advantages

- No further capital cost.

- Disadvantages
- Loss of Connect2 Status and Big Lottery Funding
  - Loss of potential Sustrans 'Links to Schools' funding (Hereford would be the first known scheme nationally to withdraw from the £50m Big Lottery 'Peoples Millions' Award Programme).
  - Scheme costs to date would be abortive.
  - Further legal input to terminate or surrender Memorandum of Understanding and any implications thereto.
  - Adverse reaction from steering group and wider public
  - No advantage to any commuters accessing the estate. Would not achieve any car trip reduction and would compromise the negotiations with the Highways Agency on the development of the estate.
  - No provision of a leisure route or safe route to schools and colleges at Holme Lacy.

It is recommended that this option is not pursued.

## Reasons for Recommendation of 'Preferred Route'

- 4 **OPTION 4** (new river crossing & change of alignment - Appendix A, Drawing No 551369/I/015)  
- Recommended for the following reasons:
- a. It will provide a better quality route from the City Centre to the Rotherwas Industrial Estate and Holme Lacy, avoiding the end user safety risks associated with Outfall Works Road. The alignment of the Preferred Route follows a more favourable desire line and will avoid steep gradients associated with the current agreed route. It is a more direct and coherent route which are key considerations when planning cycle routes. The Preferred Route is unlikely to flood whereas the current agreed route will flood on an annual basis. These factors will encourage its use as a commuter and leisure route reducing city centre congestion, facilitating further development at Rotherwas and promoting health and wellbeing.
  - b. The risks associated with constructing the Preferred Route will be reduced adjacent to the River Wye. Construction of the preferred route will avoid the risks associated with working adjacent to the railway and constraints associated with the underpass. The overall construction time associated with constructing the Preferred Route will be reduced.
  - c. It will secure a new purpose built bridge structure with longer lifespan within the full ownership of the Council. A new bridge would avoid the complex and problematic issues relating to retrofitting ramps and parapets to an existing structure not originally designed for these purposes. A bespoke design for a new bridge could also be seen as an exemplary development by the Council.
  - d. The delivery of the Preferred Route will benefit from the Council's ability to invoke CPO powers to acquire the land needed for the scheme for highway purposes. If the council wished the route to become a highway, the council would have the ability to invoke CPO powers to acquire land for highway purposes over the Preferred Route. However, a CPO would be more difficult if the current agreed route is progressed as a statutory undertaker (in this case Welsh Water) is likely to object and, given this, the order would have to go through the "Certification Procedure" (see para 15 below).
  - e. Both the Current Approved Route and the Preferred Route are subject to Environmental Impact Assessment due to the designation of the River Wye and require an Environmental Statement to support any planning application. The Preferred Route requires less site clearance and riverbank works minimising the impact of the scheme. The current agreed route may be at risk during the planning process as a lower impact alternative exists.

## Introduction and Background

- 5 A feasibility report was completed in 2007 which assessed route options for the Connect2 scheme. This included a review of the constraints and scheme costs for two options involving new bridges and a third option to utilise the existing Welsh Water Bridge.
- 6 The option to use the Welsh Water bridge was selected on the grounds of cost and forms the current approved route. This route featured in the submission for funding although a new bridge was recognised as being along a more favourable desire line.
- 7 A memorandum of understanding (MOU) has been signed with Sustrans to secure funding from Big Lottery toward the design and construction of the current approved route.

## Key Considerations

- 8 The current approved route incorporates Outfall Works Road (public highway leading to the sewage treatment site). This road is narrow with poor forward visibility and is frequently used by heavy goods vehicles. This element is likely to raise concerns at safety audit and necessitate the Council to confirm exceptions to the Auditor's recommendations to avoid this route altogether. The Preferred Route would avoid this conflict via the construction of a shared footway/cycleway on Eign Road to the new bridge site.
- 9 The current approved route would incorporate two 100m long ramp structures and furthermore, at the nearby railway Underpass, a 1 in 12 gradient to accommodate the path within a very limited location. A better alignment along a more favourable desire line, with no steep gradients and no flood risk would be possible using the Preferred Route.
- 10 The current approved route would be expected to flood approximately once a year whereas the Preferred Route would be flood free up to a 1 in 100 year flood event.
- 11 The construction of either route option has significant constraints however, through the adoption of the Preferred Route, some of those associated with the Current Route could be mitigated or reduced. These include:
  - a. Site access for construction immediately adjacent to the river. Extensive site clearance, haul routes, and the diversion of high voltage overhead cables would be required if the current agreed route is progressed. In addition, construction material and plant to the east side of the river may need to be lifted over the railway line under overnight possessions which would introduce significant delay and cost to the scheme.
  - b. A high risk of inundation of the construction site from the river disrupting and causing hazards to construction operations.
  - c. Extensive requirements to work at height over the river during early inspection and construction.
  - d. Working adjacent to and underneath the live railway during the construction of the underpass.
- 12 The current agreed route utilises an existing structure of unknown structural integrity and residual lifespan. The existing bridge would remain in the ownership of Welsh Water and should security concerns be realised, permission to use the structure may be withdrawn. A new bridge would be fully within the ownership of the council and have a lifespan of at least 120 years.
- 13 The existing bridge was not designed for public access and would require significant works to the parapets and extra security for the Welsh Water works. The proof of the original 1970s design and construction before public use is allowed will require costly inspections and design checks and may result in the bridge being unable to be approved for use. This resource could be used to progress the design of a new structure.
- 14 Current liaison with Network Rail suggests that that use of the railway underpass may be rejected altogether and, if allowed through negotiation, a three month termination clause will be included in the agreement to allow the structure to be filled in at any time.
- 15 The delivery of the Preferred Route will benefit from the Councils ability to invoke CPO powers to acquire the land needed for the scheme, for highway purposes. A CPO for highway purposes would be much more difficult if the current agreed route is progressed, as it is highly unlikely that highway rights could be acquired by CPO over the Welsh Water Bridge. This is because there would probably be an unwithdrawn objection from Welsh Water and consequently it would be subject to the "Certification Procedure". This would involve not only

the usual confirmation from the Secretary of State but also from the relevant Minister responsible for that particular statutory undertaker and he would only grant that consent if the land can firstly be replaced, and secondly without serious detriment to the carrying on of the undertaking. As the land in question involves a bridge, used specifically for the Welsh Water Undertaking, it is highly unlikely that the Council would be able to satisfy this requirement. It should also be noted that such consent from the Minister would be applied for after the normal public inquiry into objections, so there would inevitably be further delay.

- 16 Both the Current Approved Route and the Preferred Route are subject to Environmental Impact Assessment due to the designation of the River Wye and require an Environmental Statement to support any planning application. The Preferred Route requires less site clearance and riverbank works minimising the impact of the scheme. The current agreed route may be at risk during the planning process as a lower impact alternative exists.

## **Community Impact**

- 17 The provision of the Preferred Route will promote increased use as a commuter route to the Industrial estate reducing traffic travelling through the town centre and on the congested A49. This commuter use and increased leisure use will promote health and wellbeing within the community and contribute to a modal shift from car use.
- 18 The public perception of the Preferred Route is likely to be one of a high quality route which will enhance the status of the route. It is a more direct and coherent route which are key consideration when planning cycle routes.

## Financial Implications

19 The capital bid for the current agreed route is:

2008/09	£22,819
2009/10	£180,000
2010/11	£500,000
2011/12	£697,181
2012/13	£350,650
<b>Total</b>	<b>£1,750,650</b>

20 Included within this budget is £350,000 allocated by Sustrans through the Big Lottery Fund which will be reclaimed on completion of the scheme. The total scheme budget is therefore £1,750,650 with Herefordshire Council's liability £1,400,650.

21 The cost estimate has been refined and the current estimate for the current agreed route is £2,968,740. However, additional funding is being sought through Sustrans 'Links to School' for Section 4 (Sink Green to Holme Lacy) amounting to £756,240. Herefordshire Council's liability is therefore £1,862,500 (an additional £461,850). This increase has occurred due to increased costs associated with constructing the ramps at the Welsh Water bridge and the capital bid not including amounts for design and supervision fees.

22 The cost estimate for the Preferred Route is £3,350,740 and, taking account of the 'Links to School' funding opportunity, Herefordshire Council's liability would be £2,244,500 (an additional £843,850).

23 A more detailed breakdown of the cost estimates for the scheme route options can be seen in the Route Appraisal Table in Appendix B.

24 It is recommended that the additional cost of this scheme is funded from Growth Point budget and if necessary Local Transport Plan capital budgets. In October 2006 Herefordshire was awarded Growth Point status following the Government's invitation to submit expressions of interest from local authorities as part of its commitment to increasing housing supply. In December 2008 an award for 2009/10 and 2010/11 was announced. In summary the award was:

<b>Growth Fund Announcement 10<sup>th</sup> December 2008</b>	<b>Revenue</b>	<b>Capital</b>
2009/10	£171,424	£1,460,000
2010/11	£171,034	0
<b>Total</b>	<b>£342,458</b>	<b>£1,460,000</b>

25. The capital allocation of £1.46 million was specifically in response to the bid for expenditure to implement the Park and Ride (North) site however the Grant Award is not ringfenced. Following a recent review of the Business Case for Park & Ride which recommends the provision of smaller car parks than intended when the grant point application was made which means it is possible to divert this funding to deliver Connect 2. The Connect2 project fits with the theme of

sustainable transport infrastructure which enables growth to take place whilst mitigating impacts.

## **Legal Implications**

26. Health and Safety legislation, and regulations place duties upon parties in the construction industry to minimise, so far as is reasonably practicable, the risks to workers and the public through the construction, use, maintenance and decommissioning of the structures designed.
27. Legislation requires the specific protection of selected species and an obligation to minimise any impacts upon the environment from any construction works.
28. As detailed in Paragraph 15 above, as regards a CPO.



## Risk Management

Risk Associated with the Current Approved Route	Mitigation and Management as a result of the adoption of the Preferred Route
Risk to users of the route due to conflict with HGVs on Outfall Works Road.	Reduced risk by adoption of Preferred Route along Eign Road.
Route subject to annual flooding causing damage and discouraging its use.	Reduce flood risk by adoption of Preferred Route which has a higher level alignment.
Access to both sides of the river is problematic requiring possessions over the railway line and costly diversion of overhead electricity cables.	Avoid risk by adoption of Preferred Route which has good site access throughout and no major conflicts with statutory undertakers apparatus.
Extensive site clearance required along the riverbank on the approaches to the Welsh Water structure could have unacceptable environmental impact.	Reduce risk by adoption of Preferred Route to minimise works to the riverbank. Residual risks associated with the visual impact of a new structure on adjacent residential properties.
Risk of disruption of Construction works due to inundation of site during flooding.	Reduced complexity and programme associated with construction will reduce risk of inundation.
The existing Welsh Water bridge is a post-tensioned structure requiring costly inspection and design checks which may result in the bridge not being usable.	Avoid risk by adoption of Preferred Route requiring a new bridge structure.
Future use of the Welsh Water structure at risk due to withdrawn permission for use following any security concerns and reduced bridge lifespan.	Avoid risk by the adoption of Preferred Route requiring a new bridge structure within the total control of the Council.
Risk to route use due to breakdown in landowner negotiations and no potential to use CPO powers to adopt route as a highway.	Reduce risk by adoption of Preferred Route due to fewer landowners. Potential to use CPO powers and adopt the route as a highway.
Risk to use of the railway underpass from rejection of scheme or a three month termination clause in the agreement to allow the structure to be filled in at any time.	Avoid risk by adoption of Preferred Route requiring a no crossing of the railway.

## Consultees

- Connect2 Steering Group
- Welsh Water
- Environment Agency
- Network Rail
- Central Networks
- Affected Landowners
- Affected Parish Councils & County Councillors
- Respective Herefordshire Council departments via the Major Projects Board and internal project team.

Note: Most consultation has been associated with the current agreed Route. Limited consultation has taken place on the Preferred Route due to the sensitive nature of land negotiations. However, preliminary discussions have been made with one of the affected landowners, Herefordshire Council Planning Authority and the Environment Agency.

## Appendices

Appendix A *Appendix A of this report is exempt by virtue of paragraph 3 of the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended.*

Drawing Number 551369/I/014

Drawing Number 551369/I/015

Drawing Number 551369/I/016

Appendix B Route Appraisal Table

## Background Papers

Amey Consulting Bridge Options Report – June 2009  
Connect2 Feasibility Report - 2007