

# **CHESHIRE EAST COUNCIL**

## **REPORT TO: CABINET**

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<b>Date of Meeting:</b>	17 September 2012
<b>Report of:</b>	Strategic Director of Places and Organisational Capacity
<b>Subject/Title:</b>	Poynton Relief Road
<b>Portfolio Holder</b>	Councillor Jamie Macrae

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### **1.0 Report Summary**

- 1.1 This report describes the stages necessary to investigate and identify a new preferred route for the Poynton Relief Road which could then be incorporated as a protected line into the emerging Local Plan.
- 1.2 A costed outline programme has been prepared to identify the work required and the timescale for delivery of the project up to an announcement of a Preferred Solution.
- 1.3 The report compares the programme for the development of the project with the current timescale for the production of the Local Plan.
- 1.4 The report also considers the anticipated timescale required to prepare a submission for devolved Local Major Transport Scheme funding.

### **2.0 Decision Requested**

- 2.1 To authorise Officers to commence the necessary work to support investigation of a new preferred route for the Poynton Relief Road when funding is identified and available. This will include:

A draft Project Plan indicating the following key milestones, timescales and decision points:

- Milestone 1 – Approvals, Governance and Funding
- Milestone 2 – Preliminary Investigation and Scoping
- Milestone 3 – Data Gathering
- Milestone 4 – Option Development and Appraisal
- Milestone 5 – Consultation
- Milestone 6 – Scheme Assessment Report and Preferred route.

2.2 Members are also asked to note the indicative delivery programme and the key milestones for further Cabinet decisions. A summary of the key decision points is contained within Section 10.

### **3.0 Reasons for Recommendations**

3.1 The Council's endorsement of this report will allow feasibility work to be commenced to rigorously re-examine the route options for the project when funding is available. This is considered necessary following the closure of the Woodford Aerodrome, which previously presented a design constraint and the work on the emerging Local Plan.

3.2 The evidence base could support any potential funding application to the proposed Local Transport Body, which is expected to control decision making for new Major Transport Schemes.

3.3 The work proposed would better inform our continuing dialogue with Stockport Council on the interface of Poynton Relief road with the SEMMMS scheme at Chester Road and this will require resolution before a firm route / layout can be identified.

3.4 It is intended that the project development work is to be undertaken by the Council's Highway Services provider, Ringway-Jacobs within the scope of services procured through the recently awarded Highways Services Contract as this would avoid delay through a further procurement process enabling the programme to compliment the timescale of the Local Plan.

### **4.0 Wards Affected**

4.1 Poynton East and Pott Shrigley, Poynton West and Adlington.

### **5.0 Local Ward Members**

5.1 Local Ward Members include:

- Poynton East and Pott Shrigley – Cllr Howard Murray and Cllr Jos Saunders.
- Poynton West and Adlington – Cllr Philip Hoyland and Cllr Roger West.

### **6.0 Policy Implications**

6.1 As part of the feasibility study of the route options a review will be made of the policy impact of the emerging technical solution.

- 6.2 The existing South East Manchester Multi-Modal Strategy (SEMMMS) traffic model will be used as part of the options appraisal and will provide key data to inform the impact on the air quality and congestion in the town.
- 6.3 The road would form a vital link in the Borough's wider infrastructure plan for Strategic Highways by forming part of a higher quality corridor linking SEMMMS through to M6 J17 via Congleton. This will support key development sites help retain existing businesses.
- 6.4 The existing protected route alignment passes through the Adlington Industrial Estate and is a constraint to the expansion of existing businesses.

## **7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

- 7.1 A Business Case will be required to be submitted to the Executive Monitoring Board for approval. The scheme will be considered as part of the Business Planning process for inclusion in the Capital Programme, subject to available funding.
- 7.2 If capital funding is used for this scheme to address development costs and a subsequent capital project was not forthcoming it would be necessary to fund these costs from revenue.
- 7.3 The existing Local Transport Plan programme has already been set and any revision to it would inevitably lead to a reduction of resource on other activities.
- 7.4 The indicative costs for each project milestone (below) are provided through the term highway contract. A formal fee quote procedure will be followed prior to the commencement of each stage to appraise value for money.
- 7.5 The costs associated with the development of the scheme are attributable to the promoting and protection of the scheme in the emerging local plan. It is considered that the evidence base to support future funding bids is a product of this work, rather than an additional task.
- 7.6 The initial budget estimate supplied by the Council's Highways Contractor to deliver the first four Milestones, subject to an internal challenge by the Highways Service is £930,000. The draft programme and procurement of the professional services through the current Highway Services Contract (Ringway Jacobs) would be the subject of

challenge by the Highways team to ensure its deliverability and value for money.

- 7.7 The Council has acquired [and inherited] land along the line of the existing protected route through Adlington Industrial Estate. Should a revised line be adopted the Council would have the opportunity to review the future use of this property.

#### Milestone 1 & 2 – Preliminary Investigation and Scoping

- 7.8 The estimated external cost for delivering this phase of work is £45,000. These costs would have to be met through a revision to the approved 2012/13 Local Transport Plan Programme or via additional capital funding.

#### Milestone 3 – Data Gathering

- 7.9 The estimated external cost for delivering this phase of work is £385,000. These costs would have to be met through a revision to the approved 2012/13 Local Transport Plan Programme or via additional capital funding.

#### Milestones 4 – Option Development & Appraisal

- 7.10 The estimated external cost for this stage of work is £500,000 however this will depend greatly on the findings at stage 3. To meet these predicted costs additional funding will be required to complement the Local Transport Funding budget. The programme shows much of this work being undertaken in the 2012/13 financial year.

### **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 It is necessary to ensure that any emerging proposals are robustly justified, assess that proposals are viable and to have sound reasons for any preferred course of action and solution so that it/they can be subject to scrutiny and the Council can be sure it satisfies the test of reasonableness and that the Council has the necessary evidence to respond to any possible objections to a preferred scheme. The study stages are intended to establish, from first principles, the underlying justification for the proposed scheme. As the Council moves forward into the planning / delivery phase and particularly, if and when, compulsory purchase or land assembly is pursued the Council will need to verify that the preferred solution is viable and there are sound reasons to proceed with it.
- 8.2 It is too early to predict the legal issues and considerations which will apply to this project and legal implications will be the subject of future Cabinet reports. However the following matters will/ may be relevant.

- 8.3 Depending on the preferred strategy, any major highway scheme would require the following statutory procedures:
1. Protected route process
  2. Planning permission
  3. Compulsory Purchase Procedures including in all likelihood a public enquiry
  4. Side Roads and Traffic Regulation Orders
- 8.4 If protected species as defined in the Conservation of Habitats and Species Regulations 2010/490 are likely to be impacted by any proposed scheme, full mitigation will have to be provided. This is likely to include a license application to Natural England who has to be fully satisfied before removing this constraint to development. It should be noted however that under these regulations the Council when exercising any of its functions must have regard to the requirements of the Habitats Directive (92/43/EEC) including the duty to consider whether there is a satisfactory alternative.
- 8.5 Other legal issues will include the drafting of legal agreements from potential developers and land owners to make financial contributions to a future scheme and advising on any third party contributions.

## **9.0 Risk Management**

### Local Plan

- 9.1 The principle of a relief road for Poynton was confirmed in the comprehensive SEMMMS (2001) study. This work does not propose to fundamentally review this principle but rather seeks to refine options for a road and test viability.
- 9.2 A protected route currently exists for the Poynton Relief Road. Route protection is currently held by the Highways Agency and the alignment is also shown and protected from obstructive development within the Macclesfield Local Plan 2004. The closure of the aerodrome provides an opportunity to optimise the route of the proposed road following the removal of this design constraint.
- 9.3 It is understood that the Highways Agency are seeking to remove the route protection for the extant scheme when the new local plan is adopted. It may be possible for the council to inherit this protected route. However, this route was determined following historical constraints and is considered to require revision. Establishing our

position on any new link road will support our negotiations with the Highways Agency going forward.

- 9.4 Ideally the principle of a new protected route for Poynton Relief Road would be included within the Core Strategy of the Local Plan which is currently programmed to be consulted on in Spring 2013 and thereafter submitted to the Secretary of State. The current outline programme for the project indicates that a protected route could be announced by Summer 2013 if funding were made available.
- 9.5 The later, detailed stages of the Local Plan (the site allocations) will set out policies and proposals on an ordnance survey base. The site allocations documents follow approximately one year behind the Core Strategy. Consequently the Core Strategy could include a revised 'Corridor of Interest' by Spring 2013 whilst the Draft Site allocations document could set out a detailed preferred route following its approval in the summer of 2013.
- 9.6 It is worth noting that there is some overlap between the work undertaken for the SEMMMS road scheme and that required to progress development work on the Poynton relief road. This programme and fee estimates assume that this work is made available and remains suitable for our purposes.

#### Milestone 1 – Approvals, Governance and Funding

- 9.7 The purpose of these stages is to identify a preferred road alignment and to develop a robust business case and justification for it such that any decision to deliver that solution satisfies the test of reasonableness thus reducing the risk of legal challenge at later stages.
- 9.8 It is necessary to follow a recognised and transparent evaluation methodology to successfully defend against challenge during the public consultation and inquiry stage of scheme development. The intention is to follow the process laid out in the Design Manual for Roads and Bridges (DMRB)
- 9.9 Any emerging scheme would be subject to a full public consultation exercise to support the statutory processes. This would enable local people to influence the design, raise concerns and make formal objections as the scheme develops.
- 9.10 To a certain extent project development work on major infrastructure projects always carries a certain amount of risk that funding can be sunk into a scheme that is never (or only partly) delivered. However, by following a recognised process and allowing for sufficient public consultation these risks can be minimised.
- 9.11 Project development work is required to provide evidence for a future potential funding bid for Local Major Schemes. This process is

expected to set major scheme priorities for the next spending review period (2015/16 – 2018/19) and requires a funding submission in April 2013. There is a risk that given the relatively short timescale to develop this evidence base the submission may be less robust than other competing schemes within the LEP area.

- 9.12 The Council has recently introduced a requirement for all major projects and programmes to be reviewed by a new corporate quality assurance group called the Executive Monitoring Board (EMB) before they can proceed. Major projects and programmes are defined where there is a total cost in excess of £250k and/or where there is significant risk. The project arising from this report will therefore need to be reviewed by the EMB prior to any approval to proceed being given.

## **10.0 Background and Options**

### General Background

- 10.1 The devolution of Local Authority Major Scheme funding to the proposed Local Transport Body (LTB) provides an opportunity to submit a funding application for the Poynton Relief Road.
- 10.2 A bypass for the town of Poynton has been planned for over 30 years and continues to be a strong local demand – established through recent consultation for the Local Transport Plan (3) and the Local Plan Town Strategy work.
- 10.3 Indeed, the scheme was in the Local Trunk Road programme in the 1990's and has the benefit of an extant Local Plan route protection. The comprehensive SEMMMS study (2001) confirmed the justification for the scheme.
- 10.4 Originally planned as a spur off the SEMMMS link road the scheme was developed and designed up and a robust cost benefit ratio established. Unfortunately, due to funding constraints it was necessary to promote the Poynton Bypass separately to the main SEMMMS scheme.
- 10.5 The main SEMMMS scheme now has a provisional delivery strategy after the award of Government funding. Discussions continue between CEC and the SEMMMS team to ensure the SEMMMS link road allows for the future provision of a Poynton Bypass.
- 10.6 Following the closure of BAE Woodford work is now underway to assess a more direct, cheaper alignment for the Bypass. This is likely to significantly strengthen its business case. Early estimates for the scheme put the delivery of the bypass at £20M excluding land and potential part 1 claims. Work on the Supplementary Planning Document for the site is underway but will focus primarily on the redevelopment of the main buildings (in Stockport) – and it must also reflect and expand

existing policy. Accordingly the SPD cannot define or protect a revised route alignment – but it can at least usefully highlight that an amended route is likely to be identified.

- 10.7 The outline programme for the production of the Core Strategy of the Local Plan indicates publication will take place between in the Spring of 2013 with submission to the Secretary of State late summer 2013. A detailed protected line would need to be identified for inclusion in the Local Plan Site Allocations document for consultation in Spring 2014.
- 10.8 Ideally an indicative protected route for WPRR would be included within the Core Strategy. The current outline programme for the project indicates that a protected route would be announced July 2013. It may be that a more defined 'Corridor of Interest' could be defined in the Local Plan. The initial programme indicates that we could provide this 'Corridor of Interest' by March 2013.

### Major Scheme Funding

- 10.9 Funding of Local Authority Major Schemes has been devolved from central government to Local Transport Bodys (LTBS). The LTBs are yet to be formed but are anticipated to mirror the geography of the existing LEPs.
- 10.10 This provides an opportunity, if desired, to submit a funding application to the LTB for the Poynton Relief Road. This funding process is expected to set major scheme priorities for the next spending review period (2015/16 – 2018/19) and requires a funding submission in March/April 2013.

### Scheme Development

- 10.11 The purpose of this report is to inform the Cabinet of the proposed approach to the development and appraisal of options in order to aid the decision making process to approve progression to a Preferred Route Announcement.
- 10.12 It is proposed to deliver the project in accordance with the requirements of the Design Manual for Roads and Bridges (DMRB), in the form of a series of milestones. This approach will also provide a robust evidence base for a potential bid for Local Major Scheme Funding The current timescale for this funding submission is April 2013. The Project Plan, (which forms part of Milestone 1) specifies these milestones and associated milestone activities as detailed below:

#### **Milestone 1: Approvals and Governance**

- Project Plan
- Devolved Major Scheme Funding Application



## **Milestone 2: Preliminary Investigation and Scoping**

- Project Plan
- Appraisal Specification Report
- Environmental Scoping Report
- Geotechnical Statement of Intent

## **Milestone 3: Data Gathering**

- Noise and Air Quality Desk Study
- Preliminary Sources Scoping Report (Geotechnical Desk Study)
- Hydrology Desk Study
- Landownership Survey
- Phase 1 Habitat Survey
- Landscape Survey
- Cultural Heritage Survey
- Review Traffic Modelling

## **Milestone 4: Options Development and Appraisal**

- Option Development Stage 1
- Stage 1 WebTAG Appraisal
- Option Development Stage 2
- Assessment of Structures Report
- Environmental Impact Assessment Report
- Initial Traffic, Economics and Accident Report
- Stage 2 WebTAG Appraisal
- Technical Appraisal Report

## **Milestone 5: Consultation**

- Stage 1 Scheme Assessment Report
- Exhibition Material
- Public Consultation
- Public Consultation Report

## **Milestone 6: Stage 1 Scheme Assessment Report**

- Stage 2 Scheme Assessment Report and Preferred Solution

### Outline Programme

10.13 A draft programme has been produced which covers the Options Appraisal stage leading to the announced of preferred solution and route. The following table summarises the key milestones, assuming funding is identified and a start can be made by October 2012:

<b>Stage / Milestone</b>	<b>Deliverables</b>	<b>Delivery Date</b>
<b>Milestone 1 – Approvals, Governance and Funding</b> <ul style="list-style-type: none"> <li>• Project Plan</li> <li>• Devolved Major Scheme Funding Application</li> </ul>	Commence preparation of evidence base to support funding bid	September 2012
<b>Milestone 2 - Preliminary Investigation and Scoping</b> <ul style="list-style-type: none"> <li>• Project Plan</li> <li>• Appraisal Specification Report</li> <li>• Environmental Scoping Report</li> <li>• Geotechnical Statement of Intent</li> </ul>	Commence review of Traffic Model and identify additional data gathering requirements.	October 2012
<b>Milestone 3 - Data Gathering</b> <ul style="list-style-type: none"> <li>• Noise and Air Quality Desk Study</li> <li>• Preliminary Sources Scoping Report (Geotechnical Desk Study)</li> <li>• Hydrology Desk Study</li> <li>• Landownership Survey</li> <li>• Phase 1 Habitat Survey</li> <li>• Landscape Survey</li> <li>• Cultural Heritage Survey</li> <li>• Review Traffic Modelling</li> </ul>	This stage completes various surveys and desktop studies including; Noise and Air Quality, Geotechnical, Hydrology, Landownership, Phase 1 Habitat, Landscape and Traffic Modelling. <u>The existing SEMMMS Traffic Model will be used to support the options appraisal. This programme assumes that the model is fit for purpose and that additional work is not required.</u>	September 2012 – November 2012
<b>Milestone 4 - Options Development and Appraisal</b> <ul style="list-style-type: none"> <li>• Option Development Stage 1</li> <li>• Stage 1 WebTAG Appraisal</li> <li>• Option Development Stage 2</li> <li>• Assessment of Structures Report</li> <li>• Environmental Impact Assessment Report</li> <li>• Initial Traffic, Economics and Accident Report</li> <li>• Stage 2 WebTAG Appraisal</li> <li>• Technical Appraisal Report</li> </ul>	Running in parallel and informed by Milestone 3 activity this includes the options appraisal and development stage and writing the various stages of the outline business case to support the scheme through the new Major Scheme Funding Process.	October 2012 – February 2013
<b>Milestone 5 – Consultation</b> <ul style="list-style-type: none"> <li>• Stage 1 Scheme Assessment Report</li> <li>• Exhibition Material</li> <li>• Public Consultation</li> <li>• Public Consultation Report</li> </ul>	The Stage 1 Scheme Assessment Report is prepared and used to inform the public consultation process.	February 2013 – June 2013
<b>Milestone 6 – Scheme Assessment Report</b> <ul style="list-style-type: none"> <li>• Stage 2 Scheme Assessment Report and Preferred Solution</li> </ul>	This report draws together all the work undertaken to date, the output from the public consultation process and will be used to present the recommendation for <u>Preferred Route / Scheme to Cabinet</u> – leading to potential route protection.	May 2013 – July 2013

10.14 Linked to the key milestones set out above, the following approval stages are proposed up to the end of Milestone 6:

Decision Required	Decision maker and indicative date			
	Cabinet	Portfolio Holder	Delegated Director	Head of Service
Briefing – Preliminary Investigation and Scoping		Oct 2012		
Agree Target cost for each Milestone within budget thresholds identified.				X
Outline Business Case	Jan 2013			
Proceed to Consultation	Jan 2013			
Briefing – Public Consultation Report		June 2013		
Approval of Preferred Solution	June 2013			

## 11.0 Access to Information

The background papers relating to this report:

- Summary Outline Programme and Expanded Task List
- Project Plan
- Proposed Project Governance

can be inspected by contacting the report writer:

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