

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	10 th December 2013
Report of:	Director of Economic Growth and Prosperity
Subject/Title:	Congleton Link Road – Approval to Proceed to Public Consultation (Forward Plan Ref. CE 13/14-14)
Portfolio Holder	Councillor D Brown, Strategic Communities

1.0 Report Summary

- 1.1 This reports summarises the work that has been undertaken in both assessing the need for a Congleton Link Road and the assessment of possible route options.
- 1.2 The report sets out the important role that Congleton Link Road will have in delivering jobs-lead growth in the Borough as part of an ambitious infrastructure delivery programme. The proposed road will help facilitate the delivery of housing and contribute to the economic prosperity of the Borough.
- 1.3 The report highlights the importance of the Strategic Economic Plan as a potential funding stream for our major infrastructure programme.
- 1.4 This report seeks approval to proceed with a public consultation exercise on the four shortlisted routes for the proposed Congleton Link Road.
- 1.5 All of the options open up sufficient land to deliver the targets of the new local plan. However, two of the options (Blue and Purple) may provide more flexibility in the Master-planning of sites.
- 1.7 The report also provides a summary of the overall public consultation strategy, including all key issues, timescales and activities associated with the Congleton Link Road consultation.

2.0 Recommendations

- 2.1 That the shortlisted route options, shown at **Appendix A**, are taken forward for public consultation.

2.2 That the public consultation exercise is undertaken for a 6 week period, commencing in early January 2014 including the following key events / tasks:

- Exhibition events at Congleton Town Hall;
- Consultation leaflet and questionnaire to be distributed to all landowners/residents/businesses which lie within 500m of any of the four options being considered;
- Advertisement feature within the Congleton Town Council's local newsletter January edition;
- Congleton Link Road website update, including an electronic questionnaire on the website;
- Press release prior to Public Consultation;
- Meetings with all affected Parish Councils;
- Meeting / drop in event with the Business Community;
- Direct meetings with various affected landowners.

2.3 That a post-consultation report be produced to summarise the findings of the consultation.

2.4 Members are also invited to note the indicative delivery programme.

3.0 Reasons for Recommendations

3.1 In September 2012, Cabinet authorised officers to investigate options to improve the Transport Infrastructure of Congleton. This included the investigation of the viability of a new link road.

3.2 In September 2013, Cabinet authorised that the preferred solution to address the transport and economic needs of Congleton was a new link road between the A534 and A536.

3.3 In assessing the viable route options a significant level of assessment has been undertaken including the following considerations:

- Physical constraints – including geology and river crossings;
- Environmental constraints – including Ancient Woodland, impact on residential dwellings;
- Costs and highway geometry;
- Objectives of the scheme.

The shortlisted routes are the best performing options from a considerable number of alternatives. **Appendix B** shows a plan of the discounted options.

- 3.4 The aim of the Public Consultation exercise is now to formally capture public opinion of the concept of the scheme and the possible route options. This is to ensure that a robust evidence base has been used, in accordance with best practice to evidence further decision making and funding of the scheme.
- 3.5 Selection of a preferred route will allow the detailed development of the scheme to commence and contribute to the case for the deliverability of the link road at the Local Plan Inspection stage.
- 3.6 The final route design will have due regard for the issues raised at this consultation and will be the subject of further consultation as part of the planning process.
- 3.7 The Congleton Link Road is a cornerstone of an ambitious infrastructure improvement plan centred on improving the connectivity of the Borough. The Council, through its role in the Cheshire and Warrington Local Enterprise Partnership will be seeking to maximise the funding allocated to infrastructure improvements in the Strategic Economic Plan.

4.0 Wards Affected

- 4.1 Brereton Rural, Congleton East, Congleton West, Gawsworth, Odd Rode

5.0 Local Ward Members

- 5.1 Local Ward Members include:

Brereton Rural – Cllr J Wray

Congleton East – Cllr D Brown, Cllr P Mason and Cllr A Thwaite

Congleton West – Cllr G Baxendale, Cllr R Domleo and Cllr D Topping

Gawsworth – Cllr L Smetham

Odd Rode – Cllr Rhoda Bailey and Cllr A Barratt

6.0 Policy Implications

- 6.1 The confirmed objectives of the proposed link road are to:

- To support the economic, physical and social regeneration of Congleton by creating and securing jobs;
 - To open up new development sites and improve access to Radnor Park Industrial Estate and Congleton Business Park;
 - To relieve existing town centre traffic congestion / HGVs, remove traffic from less desirable roads and facilitate town centre regeneration;
 - To improve strategic transport linkages across the Borough facilitating wider economic and transport benefit;
 - To reduce community severance along key town centre corridors;
 - To reduce traffic related pollutants within the towns declared Air Quality Management Areas, affecting an established population.
- 6.2 In accordance with best practice, a comparative assessment of the impact of each route on environmental / social issues has been undertaken to help inform decision making.

7.0 Financial Implications

- 7.1 The estimated cost to prepare materials, staff events, respond to queries, collate and analyze responses and prepare the consultation report is estimated at £40,000
- 7.2 The costs of delivering this stage of the work can be accommodated in the budget provision for this scheme in the capital programme.
- 7.2 As capital funding is used for this scheme to address development costs, should a subsequent capital project not be delivered it would be necessary to fund these costs from revenue.
- 7.3 A high level estimate of route costs has been prepared to help inform the public consultation exercise. These estimates include a conservative margin for risk (30%) as the scheme remains at an early stage of development. It should also be noted that it may be possible to significantly pare back these costs through the phased delivery of the scheme and value engineering measures.
- 7.4 These estimates also include an allowance for 3rd Party compensation claims that may / may not arise as a result of the schemes delivery. These figures are estimated at 2017 prices and do not include the spur road costs connecting to Radnor Park and Congleton Business Park.

7.5

Route	Cost (£M)
Red Option	70.9
Blue Option	102.1
Purple Option	79.7
Green Option	96.0

7.6 Further detailed assessment and development of any preferred route will be undertaken to refine these cost estimates and review the level of risk applied as the design develops. This will be an important factor in assessing the scale of the bid for Local Growth Funding – as will any potential phasing strategy.

8.0 Legal Implications

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.

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, including the preparation of an Environmental Statement.
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.

8.6 In due course, should a preferred route be adopted, the Council may become liable for Blight claims from property owners along the preferred route that can evidence that, as a result of the proposed scheme, they are unable to sell their property.

9.0 Risk Management

9.1 The process for developing the proposed Congleton Link Road is following national standards / guidance. A key component of this is the consultation stage.

9.2 It will be necessary to record and report the key findings from the consultation and feed these into the decision making process.

9.3 Ultimately a preferred route – and its detailed design, will be determined based on both the technical appraisals undertaken and the results of the public consultation.

9.4 The adoption of a preferred route and its subsequent development will be important in demonstrating that the scheme is deliverable as part of any future examination of the Cheshire East Local Plan

9.5 The scheme is essential in both the safeguarding and expansion of key employers in Congleton and Cheshire East.

9.6 It is essential that the Link Road is given due priority in the Strategic Economic Plan for the LEP, along with the other key infrastructure schemes the council is promoting in order to attract Government funding.

9.7 The proposed scheme will help facilitate Local Housing Delivery for Congleton.

9.8 Early delivery of the proposed scheme will depend on the success of external funding bids and may require the council to forward fund any developer contributions.

9.9 The road may be required to be delivered in phases to reflect the availability of funding.

10.0 Background Information

Consultation Details

10.1 The Bridestones Suite within Congleton Town Hall is considered to be the most appropriate exhibition venue due to its size, facilities and close proximity to the proposed link road scheme.

10.2 It is anticipated that the exhibition would last 3 days. Two full-day events will be held for the general public to attend (Friday and Saturday). One of these events will be at the weekend, thereby providing members of the public who work Monday-to-Friday with an opportunity to attend the Public Consultation. An event for the associated press will also be held; this will be held on a weekday afternoon (Thursday,) and will be held prior to the two general public exhibition events.

The provisional consultation event schedule is as follows:

- Thursday 23rd January 2014 – Half day event (afternoon) for the associated press.
- Friday 24th January 2014 – Full day event held for members of the public.
- Saturday 25th January 2015 – Full day event held for members of the public

10.3 It is also the intention to hold a Business Community drop in event on the scheme – invites will be via the Chamber of Commerce and the Link to Prosperity Group.

10.4 Approximately 10 No. consultation boards will be prepared and will be positioned around the exhibition venue. The consultation boards will describe the scheme objectives, highlight the benefits of the link road scheme, present and describe each of the four options, provide a comparison/appraisal of the options and show the current position on the project timeline.

10.5 A consultation leaflet will be prepared and will be distributed to all landowners, residents and businesses which lie within 500m of any of the four highway options being considered. This amounts to approximately 1000 properties in total.

10.6 A consultation questionnaire will also be included (as a separate sheet) within each consultation leaflet. The Congleton Link Road Questionnaire will be based on previous successful consultation

questionnaires and will be prepared using guidance provided by the Highways Agency.

- 10.7 Consultation questionnaires will also be available at each of the Public Consultation and Business Community events. It is envisaged that members of the public would complete the questionnaires and submit them to a Jacobs/CEC member of staff while at the event. Consultation questionnaires will also be made available on the updated scheme website.
- 10.8 It is also the intention to make the questionnaires available at public buildings within Congleton, for example Congleton Library.
- 10.9 A double-sided A4 poster will be included as part of Congleton Town Council's local newsletter (Bear Necessities) January edition. The local newsletter is distributed to approximately 12,000 residents within the CW12 postcode area.
- 10.10 It is also the intention to display these posters at various council premises in the town and utilise the town council notice boards
- 10.11 Press releases are anticipated after the Cabinet Meeting and also prior to the start of the Public Consultation (13th January)
- 10.12 Meetings with individual Parish Councils and potential affected landowners will be arranged to take place over the 6 week consultation window.

Next Steps and Key Decisions

- 10.12 Key to the early delivery of Congleton Link Road will be a strong bid for Government Growth funding through the Cheshire and Warrington Strategic Economic Plan. It will be essential to convey the links to both jobs and housing growth this scheme can deliver. This will be set within and complement an ambitious 'package' of infrastructure improvements across the LEP area.
- 10.13 The target date for Cabinet to decide upon a preferred route for the scheme is May 2014. This report will also need to confirm approval for the next stages of work, to take the scheme through the stages of Planning Permission, Detail design and Business Case Development. The programme for these next stages will also be confirmed.
- 10.14 Assuming these decisions are taken, the following key dates are achievable – however, this will depend on progress through statutory procedures and success with funding bids.
 - ◆ Local Enterprise Partnership (LEP) submits Strategic Economic Plan – end March 2014.
 - ◆ Government determines spending allocation to LEP's – July 2014

- ◆ Target Date for Submission of Planning Permission for Preferred Route – October 2014
- ◆ Business Case Development Completed by late 2014
- ◆ CPO Inquiry – Target date early 2015
- ◆ Start of first phase of Construction – Target date Autumn 2016

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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