



AGENDA ITEM: 5(i)

CABINET: 14 January 2014

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

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**SUBJECT: PROVISION OF NEW CYCLE & PEDESTRIAN LINK THROUGH THE
TAWD VALLEY, SKELMERSDALE, LINKING TO WEST LANCASHIRE
COLLEGE**

Wards affected: Skelmersdale Wards

1.0 PURPOSE OF THE REPORT

1.1 To inform Members of the proposal to create a new cycle/pedestrian link way through the Tawd Valley linking to West Lancashire College's campus and to seek approval to release Section 106 funding to finance the scheme.

2.0 RECOMMENDATIONS

2.1 That delegated authority is granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning, to:

a) negotiate and enter into agreement with Lancashire County Council to provide a grant using S106 funding to assist them with the construction of the proposed cycle and pedestrian link through the Tawd Valley and to also to give Lancashire County Council access to land owned by WLBC to conduct work to construct the proposed route.

b) release section 106 funds of up to £200,000 secured through planning permissions related to West Lancashire College, to contribute towards the implementation of a new cycle and pedestrian path through the Tawd Valley linking the college campus with surrounding residential areas.

- 2.2. That subject to an acceptable scheme being designed, the Council arrange to dedicate the route to Lancashire County Council so that the County Council adopt the route, taking over future maintenance liabilities.
 - 2.3 That the Assistant Director Planning be authorised to enter into all necessary agreements and licences and to obtain necessary consents approvals and permissions to facilitate the scheme
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3.0 BACKGROUND

- 3.1 On the 12th March 2010 planning permission was granted for the erection of West Lancashire College's new campus in Skelmersdale. This permission was subject to a S106 Agreement under the Town & Country Planning Act 1990.
- 3.2 The S106 agreement required that, on the commencement date, the sum of £100,000 be payable (to the Council) and, 12 months after commencement, a further £100,000 be payable to the Council for improvements to the local transport infrastructure and services to improve accessibility to the site by means other than the private car. The Council has received the full £200,000.
- 3.3 With the construction of West Lancashire College's new campus in Skelmersdale, there is a need to improve sustainable transport links between the College and the rest of the town. There has also been an aspiration to improve links to and through the Tawd Valley, to increase access and opportunities for local residents.
- 3.4 In 2012 Lancashire County Council (LCC) also approached WLBC to explore opportunities to improve connectivity in Skelmersdale, as a pilot scheme, using £75,000 of Local Transport Plan (LTP) money. They proposed to work with the local community and Borough Council to identify a pilot to improve the public realm of footways, cycleway's and open space and also to encourage better connectivity and greater use of them to open up local services.
- 3.5 Although £75,000 is a significant sum, in relation to addressing the aspirations of the project, the sum would only deliver limited benefits. Therefore, officers explored the possibility of using the S106 money provided by the College in combination with LCC money to deliver a project which could provide significant benefits to the college and wider community.

4.0 CURRENT POSITION

- 4.1 Over the last year, the Council have been working with officers at Lancashire County Council (LCC) to design a suitable scheme, which makes the best use of both sources of funding. Officers believe that a cycle and pedestrian scheme linking residential areas adjacent to the Tawd Valley to West Lancashire College, as well as the town centre, schools and employment areas, would provide multiple benefits and offer the best value for money.

- 4.2 The proposed scheme aims to upgrade parts of the current pedestrian link through the Tawd Valley, whilst instating a new path/cycle link where required. The path aims to use existing desire lines, where possible, to reduce any environmental impact upon the Tawd Valley, which is an environmentally sensitive site. The route has also been designed to avoid conflict with and complement the proposed redevelopment of Skelmersdale town centre.
- 4.3 Although the proposal is currently in draft form and may be subject to change, these changes will however be limited to design to ensure the scheme remains within the budget available. The indicative route heads north from Yeadon through the existing car park to the south of the existing library and leads into the existing footpath leading into the Tawd Valley, and includes a direct link to the rear of West Lancashire College as well as a separate link to the Inglewhite area. The route goes further north linking into the Mill Street footpath and heads across Houghtons Road following the existing footpath and cycle link before finishing at Summer Street , which provides direct access to existing cycle paths providing a link to schools and the Stanley Industrial estate. Please see appendix 2 which shows an indicative plan of the route.
- 4.4 As well as providing a direct link between the College and residential areas, this scheme also improves access to the town centre, helping to link the Tawd Valley to proposals to redevelop the town centre, as well as education and employment opportunities. Adjacent to, or linked to, the route there are 7 schools, as well as the College. It is hoped that the new route may be used by the public as part of their daily journeys as well as being used as a leisure route, helping to breathe new life into this underused part of the Tawd Valley. The proposed scheme also helps to link many sections of the cycle network in Skelmersdale which are currently not joined up and provides a direct off-road route between the north and south of the town.
- 4.5 Officers have worked with a number of organisations including the Environment Agency to try to alleviate issues of drainage, erosion, lighting and the impact on the environment.
- 4.6 The proposal aims to introduce a 3.0m wide dual-use footway. The section adjacent to the library will have to follow the existing limits of the path which is 2.4m. The surfaces of the path will be improved with new base and surface layers, as well as drainage and soakways. The plans aim to try and resolve some current drainage issues which have occurred. The design and specification of the path has to be a high standard as Lancashire County Council will be adopting the route, which will mean that they will be responsible for future maintenance.
- 4.7 Although the proposal was designed to include lighting columns, due to issues of light encroaching onto bat foraging areas and following the results of a light survey, we have recently found out that there may be limited forms of lighting that would be allowed, if at all. LCC are currently investigating new forms of lighting which must also be sufficiently robust in order to meet with LCC adoption standards. However, there is a risk that following a further lighting survey, which is required as part of the planning application, any new lights we are proposing

may still not be acceptable, in which case it may not be possible to light the new route.

- 4.8 Officers are hopeful that the proposed scheme can be implemented for Summer 2014 so that the new route is ready for when cycle and walking usage are likely to be at their highest.
- 4.9 Officers have discussed the proposed scheme with West Lancashire College who are supportive of the scheme.
- 4.10 Ward Councillors were also consulted at an earlier stage of the proposed scheme. A number of comments were received which were generally supportive; however, several issues were raised over future maintenance, safety and drainage amongst others. The scheme has been designed to account for these concerns.

5.0 ISSUES

- 5.1 The proposed scheme is being implemented by LCC who will be using their direct labour organisation who offer them best value for money. As the proposed scheme is located largely on WLBC land there may be potential issues over the liability during the construction phase. As such, WLBC will be asking LCC to enter into a Grant Agreement where they accept liability whilst construction works are taking place.
- 5.2 Whilst the work is taking place, some of the existing footpaths through the Tawd Valley will need to be diverted. However, it is hoped this work can take place when footfall is expected to be minimal.
- 5.3 Whilst the scheme was being developed officers have consulted with County ecologists as well as the Environment Agency to ensure that any disruption to wildlife and the environment generally is kept to a minimum and that, where required, mitigation takes place. As such, a number of environmental surveys have taken place.
- 5.4 Although officers at LCC have provided the Council with indicitive plans showing the proposed route, which can be seen in appendix 2, these plans are still being finalised and may be subject to change, hence the need for delegated authority. Although the plans may change a little, LCC have confirmed that there is sufficient funding to complete this scheme.
- 5.5 The scheme will only go forward under the agreement that once the scheme has been constructed LCC will adopt the route taking over future maintenance liabilities.
- 5.6 It should also be noted that, as the funding required for the scheme was raised from Section 106 contributions from West Lancashire College, it can only be used for a scheme which relates directly to the permission.

6.0 SUMMARY

- 6.1 It is clear that the proposed scheme does offer tangible benefits in terms of providing a new off-road route between the College and residential areas, as well as providing a link between the town centre, local schools and employment areas, providing additional benefits for residents generally. The proposed scheme also fills a missing link in the town's cycle network, forming an additional link between the Tawd Valley and other parts of the town, thus helping to increase access to leisure and recreational opportunities.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 The proposed scheme will have positive sustainability implications and help support the community strategy.
- 7.2 The proposed scheme will help provide safer communities by providing a new route through the Tawd Valley, develop stronger communities by linking residential areas with educational, employment and social opportunities and provide improved health for all by encouraging cycling and walking.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 All financial / resource implications arising from this report in respect of the proposed scheme will be met using funding from Section 106 commuted sums secured through planning permissions related to West Lancashire College and funding allocated through the Lancashire County Council LTP3.
- 8.2 This scheme will only be progressed when the proposals have been designed to a standard in which Lancashire County Council will adopt the route meaning that Lancashire County Council will be responsible for all future maintenance.

9.0 RISK ASSESSMENT

- 9.1 The proposals for a new cycle way between the Tawd valley and West Lancashire College provide an opportunity to spend that Section 106 funding secured through the recent planning permissions at West Lancashire College to provide a safe and sustainable alternative mode of transport between the College and residential areas via the Tawd Valley. Given that Lancashire County Council will be delivering and maintaining the cycle way, there is limited risk for WLBC in this project.
- 9.2 If a suitable scheme is not agreed that enables the S106 monies to be spent within 10 years, the monies would have to be returned to West Lancashire College.
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Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Equality Impact Assessment
2. Indicative plans showing the proposed route

<p>1. Using information that you have gathered from service monitoring, surveys, consultation, and other sources such as anecdotal information fed back by members of staff, in your opinion, could your service/policy/strategy/decision (including decisions to cut or change a service or policy) disadvantage, or have a potentially disproportionately negative effect on, any of the following groups of people:</p> <p><i>People of different ages – including young and older people</i> <i>People with a disability;</i> <i>People of different races / ethnicities / nationalities;</i> <i>Men;</i> <i>Women;</i> <i>People of different religions/beliefs;</i> <i>People of different sexual orientations;</i> <i>People who are or have identified as transgender;</i> <i>People who are married or in a civil partnership;</i> <i>Women who are pregnant or on maternity leave or men whose partners are pregnant or on maternity leave;</i> <i>People living in areas of deprivation or who are financially disadvantaged.</i></p>	<p>The proposal will, through improvements to existing paths and the provision of new paths , increase access and opportunities for all members of the public including the disabled</p>
<p>2. What sources of information have you used to come to this decision?</p>	<p>This proposal has been developed by Lancashire County Council highway's and cycling officers who have ensured that the proposed scheme meets all the relevant health and safety and disability requirements</p>
<p>3. How have you tried to involve people / groups in developing your service / policy / strategy or in making your decision (including decisions to cut or change a service or policy)?</p>	<p>Local Ward Councillors have been consulted regarding the proposed scheme. The West Lancashire Cycle Action Group has also been made aware of the proposals West Lancashire College has also been made aware of the proposals.</p>
<p>4. Could your service / policy / strategy or decision (including decisions to cut or change a service or policy) help or hamper our ability to meet our duties under the Equality Act 2010? Duties are to:</p> <p><i>Eliminate discrimination, harassment and victimisation;</i></p> <p><i>Advance equality of opportunity (removing or minimising disadvantage, meeting the needs of people); and</i></p> <p><i>Foster good relations between people who share a protected characteristic and those who do not share it.</i></p>	<p>The proposed scheme should improve access for all through the Tawd Valley helping to increase opportunities to education as well as cultural and leisure facilities.</p> <p>Part of the proposal will also help reduce the perception of a fear of crime by increasing visibility along the route.</p>
<p>5. What actions will you take to address any issues raised in your answers above?</p>	<p>N/A</p>