



CABINET: 15 JANUARY 2019

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor John Hodson

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SUBJECT: USE OF SECTION 106 MONIES FOR SHARED CYCLE/FOOTPATH BETWEEN THE RAIL AND BUS STATION IN ORMSKIRK

Wards affected: Ormskirk Ward(s)

1.0 PURPOSE OF THE REPORT

1.1 To seek authorisation to utilise S106 funding to deliver a shared use cycle- and footpath between Ormskirk rail station and bus station.

2.0 RECOMMENDATIONS

2.1 That the use of S106 monies be authorised to deliver the proposed shared use cycle- and footpath between Ormskirk rail station and bus station.

2.2 That delegated authority be given to the Director of Development and Regeneration to take all necessary steps to procure contractors and enter into agreements with landowners and any other parties as required to deliver this scheme.

3.0 BACKGROUND

3.1 For a number of years West Lancashire Borough Council has been working in partnership with Lancashire County Council (LCC) to develop proposals to

create a dedicated cycle link between Edge Hill University (EHU) and Ormskirk town centre (in particular to the rail station).

- 3.2 This proposal is seen as a way of improving safer and more sustainable access for students, employees and visitors to access the Edge Hill University campus from Ormskirk rail and bus stations and from Ormskirk town centre in general. Currently, the campus is accessed by walking to the campus (along a variety of routes across several main roads, most of which do not have pelican crossings), cycling on the highway (including the sometimes congested roads around Ormskirk town centre), and the bus link to the campus, taxi or private vehicle (the latter two of which add to the congestion). Therefore, this project would offer a much-needed alternative to attract people to use a more sustainable mode of transport to access the University, and to do so on a safer route.
- 3.3 This project has also been under consideration for a number of years, with the Council committing £356k of S106 monies from developments at the Edge Hill University campus in Ormskirk. In addition, LCC committed £325k of LTP funding in addition to the S106 monies to provide a budget of £681k for the entire project. With regards to the available S106 funding there are currently two S106 Agreements with Edge Hill University which refer to monies that have been earmarked for this project:
- 2008/0460/FUL - £79,578.60 should be spent by 15 November 2019
 - 2011/1079/FUL - £276,480 should be spent by 5 December 2022
- 3.4 Initially LCC were tasked with investigating the design, construction, maintenance and costings of the route in its entirety. The project was split into two sections:
- 1) Ormskirk rail station to Ormskirk bus station; and
 - 2) Ormskirk bus station to Edge Hill University.
- 3.5 The first section has been considered the highest priority given it is a well-used route (particularly by students) but one about which there is concern due to poor lighting creating the perception of the path being unsafe when it is darker, litter alongside the path and the fact this path is a gateway into the town centre for those coming to the town by train. The plan at Appendix A indicates the route of this path which would be improved by this proposal.

4.0 CURRENT POSITION

- 4.1 As proposals have been considered for this section of the wider route, it has become clear that it would be better for the Council to bring forward this section itself, rather than ask LCC to do so. The primary reason for this is that LCC could not adopt (and therefore maintain) any improvements they might make to the path as it would not connect directly to an existing adopted

highway at both ends, because the southern end comes out at the bus station (which is Council-owned and not adopted highway)

- 4.2 This also provides the opportunity for the Council to ensure that the improvements to the path complement any proposals for the redevelopment of the Council-owned Bus Station site, and for LCC to concentrate their resources on developing section two of the wider route so that it integrates with proposals in the emerging Ormskirk Town Centre Movement Strategy. That section is also more complex and requires upgrades to the highway, potentially including junction reconfiguration.
- 4.3 For section one of the project, the Council wants to provide a shared footpath/cycle path from the Bus Station to Railway Station which was previously costed at circa £100,000 (not including any maintenance) by LCC. The Council are looking at designing this proposal in order to create a safe and accessible route, bearing in mind that the proposal will require a temporary dismounting of cyclist at the entrance/exit of the bus station until a decision on the Bus Station proposals has been finalised and the movement of cyclist to the main road been designed.
- 4.4 The land between Ormskirk bus and rail station which forms the route of section 1 is entirely within the ownership of Network Rail. The Council has been negotiating with Network Rail for a number of months to enter into agreement to take a long term lease to construct and maintain the proposed path. Network Rail are supportive of the Council's proposal as they recognise the wider benefits. Under this arrangement, all future maintenance responsibility for the path would fall upon the Council. S106 monies cannot be utilised for maintenance and so the Council must also identify funding for the ongoing maintenance of the path once it has been constructed. A fixed sum of approximately £23,000 would be required to enable the Council's Street Scene service to keep the path clear and tidy in perpetuity.
- 4.5 The issue of lighting the path is also relevant, with the current lighting (particularly between the bus station and the Derby St rail bridge) not really being adequate. The lampposts would be moved and replaced with much more energy efficient and brighter lights as part of the improvements. LCC currently cover the costs for electricity to power the existing lights, and so these improvements will reduce their costs due to the improved energy efficiency of the new lights.
- 4.6 Therefore, in considering funding for this scheme, it is proposed that £80,000 of S106 monies should be allocated to the construction / delivery of the shared-use path (as is being sought through this report) together with £53,000 of the CIL funds (as is being proposed through the report on the CIL Funding Programme 2019/20). This would provide a total budget for the project of £133,000, (£110,000 for construction and £23,000 for on-going maintenance). The estimated construction costs reflect the circa £100k estimate by LCC with a 10% contingency. Any CIL monies not ultimately used for the construction would be able to be re-allocated to spend on other projects.

- 4.7 In order to deliver the shared cycle- and footpath, and to ensure best value for money, officers have sought quotes from a number of suitably experienced companies to design and cost the proposed improvements, as well as to assist with the preparation of tender documents to appoint a contactor. Subject to Cabinet approving the use of S106 funding to deliver this project, the Council intends to get detailed plans and tender documents finalised before publishing the final tender documents on the Chest procurement system for the beginning of March and then allowing one month for tenders to be returned. This should allow the Council to appoint a contractor before the end of April with work planned to take place as soon as possible, but no later than August 2019.
- 4.8 Officers have continued discussions with both Lancashire County Council and Merseyrail / Merseytravel so that our proposals are fully integrated with their plans. When the works take place, the existing footpath will have to be closed for a period (expected to be around six weeks); however, access will be maintained via alternative routes to both the town centre and bus station. Subject to approval, the Council will make wider stakeholders aware including town centre businesses, other transport providers and the wider public. Although there will be disruption with the route being closed, we will keep stakeholders fully informed and seek to keep disruption to a minimum.
- 4.9 Proposals for the second section of the Edge Hill Cycle Link route, the section of cycle way from Edge Hill University to the bus station, is currently being considered by LCC and the Council will continue working with them to ensure that both sections of this route are integrated together.

5.0 SUSTAINABILITY IMPLICATIONS

- 5.1 There are some sustainability impacts associated with this report, in particular, the proposal will increase access to the town centre and ultimately Edge Hill University by providing a safer and more accessible/sustainable route. The proposals will also reduce perception of a fear of crime by increasing visibility through the route. There will also be an impact upon the economic prosperity of existing businesses of Ormskirk and the image of the Ormskirk as a destination.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The costs associated with the construction and maintenance of the improved path will be covered by S106 and CIL funding as described above. The costs associated with the officer time required to manage the delivery of the project is covered by the Development and Regeneration revenue budgets.

7.0 RISK ASSESSMENT

- 7.1 The primary risks for the Council associated with this proposal are the risks of undertaking a construction project of this sort and the risk of an ongoing maintenance liability for the path as would be required through any Agreement with Network Rail. Through good planning, design and project management of the scheme, the risks of both should be minimised. In particular, any costs associated with the physical maintenance of the new path (e.g. filling in any cracks or potholes that might develop over time) would be minimised by ensuring that the materials used on the path endure over time.

Background Documents

There are no background documents (as defined in Section 100D (5) of the Local Government Act 1972) that have been relied on to a material extent in preparing 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

Appendix A – Map of route for improvement

Appendix B – Equality Impact Assessment (EIA)