



Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Michael Ryan Corporate Director of People and Places	Cllr Roger Berry Neighbourhood Services and Community Safety Portfolio Holder	18 June 2015

Hardhorn Road to Queensway Link Road, Poulton.

1. Purpose of report

- 1.1 To gain approval to invest monies into the development and construction of the Hardhorn Road to Queensway Link Road, Poulton.

2. Outcomes

- 2.1 A legal agreement will be reached between the Council, Lancashire County Council and Booths Supermarkets Ltd for funding towards the Hardhorn to Queensway Link Road, Poulton
- 2.2 The Council will contribute £100,000 through capital provision towards the link road and provide land on which the ring road will be constructed through the Hardhorn Car Park.
- 2.3 A Contractor will be appointed by Lancashire County Council for the construction of the link road and works associated with the Booths development in Poulton.

3. Recommendation/s

- 3.1 That approval to support the link road is given.
- 3.2 That scheme approval be given to release the Capital Programme provision of £100,000 for this project.

4. Background

4.1 Chapel Street, Poulton first exceeded the national limits for NO₂ in 2009 and an Air Quality Management Area was created in 2010 together with an Air Quality Action Plan (AQAP) following consultation in 2011. For the last two years NO₂ levels have been below the national limits but new developments in the town including the new Booths store may increase levels above these limits again. Failure to take adequate action to avoid exceedance of the NO₂ levels may result in a fine from the EU being passed from national government to local and public authorities.

5. Key issues and proposals

5.1 The link road through Hardhorn Car Park has been identified as a key action within the AQAP and progress has been reported subsequent to DEFRA. An air quality report on the proposed link road was undertaken last year, and it was estimated that it would improve air quality on Chapel Street by 8%.

5.2 Members have requested that Queen’s Square operates a one way (eastbound) system and this has been incorporated into the current layout. However LCC have advised that this would not reduce vehicle movements on Chapel Street as modelled, and hence the 8% reduction AQMA may not be realised. LCC have therefore proposed to undertake a future operational review.

5.3 Following discussions between the Chief Executive, Corporate Director of People and Places, LCC and Booths the funding split for the works has been agreed as follows:

	£	
Wyre	100,000	Plus land valued at £300,000
Booths	250,000	
LCC	314,000	
	664,000	

5.4 Part of the cost of the scheme is allocated to Part 1 claim risk (defined as claims for compensation if the value of property goes down because of pollution or disturbance from the use of a new or altered road, please see <https://www.gov.uk/compensation-road-property-value/who-can-claim> for further details.) It has been agreed that this risk is owned and managed by LCC. LCC will therefore bear any additional costs of claims but will benefit in the future should the claims fall below the target value (£140,000).

5.5 Allowance has been made within the project for foreseeable construction risks through a contingency item of 15% and statutory diversions (utility diversions such as electric, gas and telecoms) of £50,000 should these risks not materialise the benefits would be shared in the proportion 100 (Wyre) :250 (Booths) :314 (LCC)

- 5.6** The works are due to start in late June with a proposed construction period of 16 weeks. Booths are currently on programme to open the new store during the second week of November. It is desirable that the scheme is fully completed and open in advance of the store opening.
- 5.7** Whilst the council requested that the car park remain open throughout the construction period LCC have advised that due to safety concerns the car park would need to be closed for a 6 week period. The impact to the council of this closure is noted in the financial section and correspondence with users will be undertaken prior to the works commencing.
- 5.8** The road construction allows for remarking of the existing car park, the movement / removal of parking meters, lighting and drainage where required but not for any resurfacing or patching of damaged sections.

6. Delegated functions

- 6.1** The matters referred to in this report are considered under the following executive function delegated to the Neighbourhood Services and Community Safety Portfolio Holder (as set out in Part 3 of the council's constitution): To exercise all powers in relation to the provision and operation of off-street car parks which are not ancillary to another Council building the management of which is undertaken by another portfolio holder."

Financial and legal implications	
Finance	<p>Provision has been made in the 2014/15 capital budget towards the link road for the sum of £100,000, which following Audit Committee approval of the Statement of Accounts will slip into 2015/16.</p> <p>Closure of the entire car park for the 6 week construction period will result in a loss of income of approximately £12,000 in the current year, assuming the closure takes place during July and August.</p> <p>Car park income in 2014/15 was £91,175 excl. VAT with 165 fee earning spaces being available. Assuming occupancy at 80%, a loss of up to 1/3 of the car parking spaces would suggest a reduction in income of £15,000 in a full year. This will need to be reflected in future updates of the Medium Term Financial Plan.</p>
Legal	<p>Formal legal agreements for the agreement to contribute to the link road provision will be made between the three parties prior to commencement of the works. A section 38 agreement has been prepared for this purpose.</p>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	✓

risks/implications	✓ / x
asset management	✓
climate change	x
data protection	x

report author	telephone no.	email	date
Carl Green	7215	Carl.Green@wyre.gov.uk	1/06/15

List of background papers:		
name of document	date	where available for inspection

None

List of appendices

None

arm/ph/ne/cr/15/0006cg1