

**Open Report on behalf of Andy Gutherson,  
Interim Executive Director of Place**

Report to:	<b>Executive</b>
Date:	<b>8 May 2019</b>
Subject:	<b>Spalding Western Relief Road</b>
Decision Reference:	<b>I017458</b>
Key decision?	<b>Yes</b>

**Summary:**

This paper seeks approval to the Spalding Western Relief Road Delivery Strategy attached at Appendix A to the Report.

**Recommendation(s):**

That the Executive approves the Delivery Strategy attached at Appendix A as the basis for delivery of the Spalding Western Relief Road.

**Alternatives Considered:**

The main two alternatives include:

1. Delivery of the SWRR as one project instead of 5 separate projects, however this was discounted due to the poor likelihood of attracting third party funding to develop a scheme of that size in one process. This would also result in significant delay to the progress of the scheme which would severely jeopardise the highway improvements delivered by the scheme as well as the planned growth in the South East Lincolnshire Local Plan, which the County Council is a partner of.
2. Not to progress the SWRR further. This would also result in significant delay to the progress of the scheme which would fail to deliver highway improvements delivered by the scheme as well as the planned growth in the South East Lincolnshire Local Plan, which the County Council is a partner of.

**Reasons for Recommendation:**

It is recommended that the SWRR is delivered in line with the appended Delivery Strategy as this provides the strongest likelihood that the whole project will be delivered, which provides the following benefits:

- The road will mitigate the significant impact which the rail line has on

bisecting Spalding. It's important to stress that there is an expectation of greater levels rail freight in the future which will further increase the level-crossing barrier downtime in Spalding.

- The road will result in a reduction of traffic congestion in Spalding town centre.
- The road will enhance connectivity by improving north, south and west links around Spalding.
- The road will reduce the strategic through traffic, particularly between the east and west, and the east and south, by providing a link between the A151 Bourne Road to the west of the town and the A1175/A16 to the south and east of the town.
- The road will provide alternative routes for local traffic passing through Spalding avoiding congestion in the town centre and increasing journey time reliability.
- The road will facilitate access to planned Sustainable Urban Extensions in various locations to the west of Spalding which cannot be progressed without element of the SWRR.

## **1. Background**

The Spalding Western Relief Road (SWRR) will be a 6.5km road linking the A1175 and A16 to the south and east of Spalding, to the B1356 Spalding Road to the north of Spalding, via the B1172 Spalding Common.

The SWRR is a strategic infrastructure project essential to delivering the growth of Spalding and required to address the strategic transport connectivity around the town as well as addressing specific transport problems within Spalding. These strategic ambitions are set out in the South East Lincolnshire Local Plan (SELLP) which was formally adopted by South East Lincolnshire Joint Planning Committee on the 18<sup>th</sup> March 2019.

The SWRR scheme includes a number of complex interdependencies and has required joint working and collaboration between a number of partners including LCC, SHDC, Network Rail, the Local Internal Drainage Board and key landowners some of which are promoting key aspects of the proposed development being considered as part of the Northern Spalding SUE and Southern Spalding SUE development proposals.

The scheme in a strategic context, is to remove through-traffic in the town centre by providing an alternative route with a bridge over the railway line negating the need for north-south traffic to cross at grade via the town centre level crossings and secondly to distribute new development traffic generated by future residential development.

### **Scheme Objectives**

The objectives defined in the Delivery Strategy were jointly developed by LCC and South Holland District Council (SHDC), these are:

Reference	Objective
SWRR 1	To support and facilitate sustainable population and commercial growth within South Holland in accordance with the emerging South East Lincolnshire Local Plan
SWRR 2	To deliver economic benefits by reducing delays and improving journey times
SWRR 3	To mitigate the impact of increased freight passing through Spalding and the associated increase in level crossing barrier downtime
SWRR 4	To reduce traffic congestion in Spalding town centre
SWRR 5	To have regard to the aims of the SHDC Economic Development Strategy and Lincolnshire County Council's LTP which seek to deliver environmental and traffic benefits
SWRR 5	To enhance connectivity by improving west to south links around Spalding
SWRR 7	To enhance quality of life for residents of Spalding by improving air quality, reducing carbon emissions and addressing issues of town centre safety
SWRR 8	To improve the reliability of public transport by minimising delays in the town centre
SWRR 9	To support and encourage walking and cycling by reducing town centre traffic and providing safe links

### **SWRR Delivery Strategy Summary**

The proposal for the scheme is to deliver a 7.3m wide all-purpose single carriageway road in five sections, as follows:

- Section 1: Spalding Common to Holland Park (Southern Connection)
- Section 2: Holland Park to Bourne Road
- Section 3: Bourne Road to North of Vernatt's Drain
- Section 4: North of Vernatt's Drain
- Section 5: North of Vernatt's Drain to Spalding Road (Northern Connection)

The SWRR scheme delivery process will be led by LCC and supported by South Holland District Council (SHDC). LCC will manage the process up to and including construction, including the procurement and appointment of a construction partner.

The SWRR Delivery Strategy presents the expected delivery timescales and estimates of the costs to delivery each section of the route. It is important to stress that both these elements may change if the delivery extends beyond the proposed timescales.

Lincolnshire County Council (LCC) working in conjunction with South Holland District Council (SHDC) was successful in a bid to Homes England for Housing Infrastructure Marginal Viability Funding (HIF). This bid amounted to a sum of £12m to assist in building Section 5 to support the delivery of housing growth in the Northern Spalding Sustainable Urban Extension (SUE).

The phased delivery of the SWRR has a total estimated cost of approximately £100m. The table below shows the estimated delivery of each section of the SWRR.

Description	Section				
	1	2	3	4	5
Timescale	2021-2022	By 2036	By 2036	By 2036	2020-2021
Planning	Outline Planning Application submitted	Determined at a later date dependent on funding - Potential for one Planning Application covering Sections 2, 3 and 4			Outline Planning Application submitted
Cost	£29.1 m	£44.8 m			£27.6 m
Funding Stream	75% developer contribution being secured	No funding stream identified to date, although there is an expectation of a high level of developer funding.			HIF contribution of £12m with the remaining £15m identified in LCC's budget
Delivery Lead	LCC will be the delivery lead on all sections of SWRR, taking responsibility for each stage of the scheme's development from preliminary design, planning, detailed design, legal orders, procurement and construction management.				
Delivery Partners	<ul style="list-style-type: none"><li>• SHDC</li><li>• Developer</li><li>• Network Rail</li></ul>	<ul style="list-style-type: none"><li>• SHDC</li><li>• Developers</li></ul>			<ul style="list-style-type: none"><li>• SHDC</li><li>• Developers</li><li>• Network Rail</li></ul>

Section 1 capital funding has yet to be secured both from the developer (this is actively progressing) and from LCC to construct the project. Revenue funding was however utilised in financial year 2018/19 to progress this section which resulted in a planning application being submitted in February 2019. Further revenue funding has also been allocated from the 2019/20 Advance Design Block to progress the detailed design which will commence in August 2019.

Section 5 capital funding has been identified and secured in line with the delivery timescales in the appended delivery Strategy. This consists of £12m HIF contribution with the remaining £15m identified in LCC's budget. As with Section 1, revenue funding was utilised in financial year 2018/19 to progress this section which resulted in a planning application being submitted in February 2019.

Planning applications for both sections 1 and 5 will be determined in July 2019

A period of public engagement on Sections 2, 3 and 4 was undertaken in early 2019 with an aspiration of fixing a route of the road within the protected corridor identified in the SELLP. There is currently no funding identified for these sections, however there is an expectation of a high level of developer funding.

## 2. Legal Issues:

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

Consideration has been given to the Equality Act 2010 and as indicated in the Report the design will take account of the needs of people with a protected characteristic such as people with a disability. An Equality Impact Assessment will be undertaken as part of the development of the Scheme to ensure all impacts are identified and mitigated where possible.

### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

Consideration has been given to the JSNA and the JHWS and the scheme has benefits for both the health and wellbeing of people in Spalding due to the following reasons:

Objective SWRR 7 is to enhance quality of life for residents of Spalding by improving air quality, reducing carbon emissions and addressing issues of town centre safety.

Objective SWRR 9 is to support and encourage walking and cycling by reducing town centre traffic and providing safe links

### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

Consideration has been given to section 17 of the Crime and Disorder Act 1998 and the scheme is not considered to have any direct effect on crime and disorder.

### **3. Conclusion**

The SWRR Scheme has been promoted through a significant number of policy documents published by LCC and SHDC. The need for the SWRR scheme and the benefits it will bring are widely recognised in support of improving traffic congestion in the town of Spalding and enabling future housing growth as reflected in the SELLP.

The Executive is invited to approve the delivery strategy for the scheme as set out in Appendix A. The different phases of the scheme will be brought forward for specific approvals to proceed at the appropriate times.

### **4. Legal Comments:**

The Council has the power to construct the Spalding Western Relief Road and to adopt the delivery strategy set out in the report and Appendix A. In particular State Aid advice has been received and as a piece of public infrastructure which will be open to all potential users on equal and non-discriminatory terms the road and its phasing should not give rise to state aid issues.

The decision is consistent with the Policy Framework and within the remit of the Executive.

## **5. Resource Comments:**

Endorsing the proposals for the delivery of the five sections of the Spalding Western Relief Road will commit costs to the revenue advance design budget of the council, which is part of the approved revenue budget of the Highways Service. This report does not commit any expenditure to the Council's capital programme, this commitment would only arise on approval of a capital scheme appraisal.

The Council has included in the approved capital programme a net contribution of £13.2m to section 5 of the SWRR. This with the £12m secured HIF funding provides a budget of £25.2m for this scheme. There is currently no budget in the approved capital programme to deliver any other sections of the road either by a direct contribution, or forward funding any proposed developer contributions.

## **6. Consultation**

### **a) Has Local Member Been Consulted?**

The local members have been consulted on the SWRR Delivery Strategy.

### **b) Has Executive Councillor Been Consulted?**

The Executive Councillor for Highways, Transport and IT has been consulted on and is fully supportive of the SWRR Delivery Strategy.

### **c) Scrutiny Comments**

The report will be considered by the Highways and Transport Scrutiny Committee at its meeting on 29 April 2019. Any comments from the Committee will be presented to the Executive.

### **d) Have Risks and Impact Analysis been carried out?**

The risks and impact analysis have been undertaken for the scheme.

### **e) Risks and Impact Analysis**

See the body of the Report and Appendix A

## **7. Appendices**

These are listed below and attached at the back of the report

Appendix A

Spalding Western Relief Road Delivery Strategy

## 8. Background Papers

The following Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report

Background Paper	Where it can be viewed
South East Lincolnshire Local Plan	<a href="http://www.southeastlincslocalplan.org/adopted-plan/">http://www.southeastlincslocalplan.org/adopted-plan/</a>
Local Transport Plan	<a href="https://www.lincolnshire.gov.uk/transport-and-roads/strategy-and-policy/local-transport-plan/34380.article">https://www.lincolnshire.gov.uk/transport-and-roads/strategy-and-policy/local-transport-plan/34380.article</a>

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