



ADUR & WORTHING
COUNCILS

Joint Strategic Committee
9 June 2020
Agenda Item 11

Key Decision [Yes]

Ward(s) Affected: Widewater

Use of s106 contributions to improve Widewater Bridge, Lancing

Report by the Director for the Economy

Executive Summary

1. Purpose

- 1.1 This report seeks authority to release s106 funds to deliver an improvement scheme for the Widewater bridge in Lancing.
- 1.2 The majority of funds are held by the County Council but the scheme requires £103,773 held by Adur District to fully fund the scheme. Whilst, these funds are specifically held for transport improvement schemes as the total exceeds £100,000 Committee approval to release the funds is required.
- 1.3 The report sets out some of the approval processes already undertaken by the County Council and describes some of the key improvements to be undertaken to improve accessibility to the seafront cyclepath.

2. Recommendations

- 2.1 The Committee is recommended to release £103,773 towards the proposed improvement scheme to Widewater Bridge and agree that this scheme is added to the capital programme.

3. Context

3.1 The Widewater bridge has been identified by the County Council as a suitable scheme to improve pedestrian and cycle access between the local community and the seafront cyclepath. The County has indicated that the scheme will offer the following public benefits:

- The current bridge is in poor condition and this single span replacement will be an improvement. The width of the bridge will be improved to enable better pedestrian and cycle access. New foundations will be provided. The project has met its criteria and is considered to be viable.
- The project will deliver accessibility improvements to the bridge, including disabled access. The gradient of the bridge will be altered from a gradient of 1 in 20 to gradient of 1 in 12 to provide access to the beach.
- The access steps currently prohibit use of the bridge for some members of the disabled community. There is potential for ramps to be installed and steps to be reduced.

3.2 The scheme was originally earmarked for completion during 2019/20 but after more detailed feasibility work the scheme was halted on the basis that scheme costs exceeded the available budget. The main reason for the increase in costs was the need to extend and improve the southern embankment. A revised scheme has now been designed which removes the need for the south bank works but still ensures a bridge replacement and reduction in height of the northern approach to Widewater Bridge (Footpath No 3029), ensuring that it is still accessible to everyone and fully compliant with the Equality Act 2010).

3.3 The overall scheme cost is £480k, of this £385k is held by WSCC (s106 transport contributions paid directly to the County Council). WSCC has requested the release of £103,773 held by Adur District for transport improvements, collected through s106 contributions, to ensure the delivery of the scheme. A drawing attached to the report highlights the works proposed to improve the link to the coastal cyclepath.

3.4 The County Council now approves such schemes through the Annual Delivery Programme (ADP). This replaced the County Local Committee approval process. Regarding the consultation and approval process undertaken, consultation support for the Annual Delivery Programme (ADP) was received from the Parish and Local WSCC Member, and signed off by the relevant

Cabinet Member. The scheme is now included in the approved Highway and Transport Delivery Programme 2020/21 which is published on the WSCC website.

4. Issues for consideration

- 4.1 As the level of funding sought from the District Council exceeds £100,000 this is a key decision. To comply with the Council's Financial Regulations the release of section 106 money over £100,000 requires the approval of the Joint Strategic Committee. In view of the significant cost of this scheme your Officers were concerned that it may affect other planned highway improvements and additional information was requested from the County Council and the following information has been provided:

The following represents a list of the other schemes in Shoreham that we are developing through LTIP which are also utilising suitable S106 contributions and other sources of funding. Owing to this, the bridge is not being developed at the expense of other schemes:

<i>Local Transport Improvement Scheme (LTIP)</i>	<i>Status</i>	<i>Indicative Programme</i>	<i>Summary</i>	<i>Information Source</i>	<i>Cost</i>
<i>LTIP0235</i>	<i>Further feasibility work required.</i>	<i>2020/21</i>	<i>Cycle link on southern side of the road to improve cycle links between Shoreham and Brighton & Hove</i>	<i>Sustainable Transport Improvement Plan (STIP) Scheme</i>	<i>£500k</i>
<i>LTIP207</i>	<i>Further feasibility work required</i>	<i>2020/21</i>	<i>New Pedestrian crossing on Old Shoreham Road</i>	<i>s106</i>	<i>£110k</i>
<i>LTIP0015</i>	<i>Further feasibility work required</i>	<i>2020/21</i>	<i>A259/A283 Norfolk Bridge Junction improvement</i>	<i>Shoreham Town Centre Study March 2014, Adur Local Plan and Shoreham Harbour Transport Study</i>	<i>£300 - £400K</i>
<i>LTIP0014</i>		<i>2020/21</i>	<i>Shoreham High Street traffic flow improvements</i>	<i>Shoreham Town Centre Study March 2014</i>	<i>£150 - £200k</i>

- 4.3 The revised scheme is now within the budget originally set for the project and will make some significant improvements to the bridge and ensure that it improves access for all. Whilst, the costs remain high given that it would not affect other planned highways improvements and has been taken through the County Council approval process, it is considered that the request for the transport funding held by the District Council is agreed to enable this project to proceed.
- 4.4 The recent Covid 19 pandemic has highlighted the importance of high quality public realm and the importance of improving local walking and cycling routes. This project is therefore considered even more important providing access to all residents to the seafront coastal promenade and cyclepath.

5. Financial Implications

- 5.1 Financial regulations require that the release of S106 funding over £100,000 is approved by the Joint Strategic Committee.
- 5.2 Section 25 of 2003 Statutory Instrument No. 3146 - Local Authorities (Capital Finance and Accounting) regulations 2003 requires that 'the making of an advance or the giving of a grant or other financial assistance to any person, whether for use by that person or by a third party, towards expenditure, which would, if incurred by the authority, be capital expenditure shall be treated as capital expenditure. Consequently, if approved, this scheme will need to be added to the capital programme.

6. Legal Implications

- 6.1 Section 106(1) of the Town and Country Planning Act 1990 provides that any person interested in the land in the area of a Local Planning Authority may, by agreement, enter into an obligation requiring a sum of money to be paid to the Authority. Section 106(5) provides that the obligation is enforceable by way of an injunction and section 106(11) provides that the obligation becomes a Local Land Charge.
- 6.2 S106 agreements may require that the Council uses certain contributions for specific purposes such as transport improvements. Provided the money from the Council is for transport infrastructure or is available for general infrastructure projects use of this money, subject to the Committee's approval, would be lawful.

6.3 Adur District Council holds sufficient funds from section 106 monies, for transport schemes, to release this funding for this scheme.

Background Papers

West Sussex Annual Delivery Programme

Local Transport Improvement Plan (LTiP) and Sustainable Transport Plan (STiP)

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Sustainability & Risk Assessment

1. Economic

- The proposal would help the visitor economy by improving accessibility to the Beach and coastal cyclepath.

2. Social

2.1 Social Value

- The improved bridge and access to the Beach and cyclepath will improve accessibility being fully compliant with the Equality Act. The proposal would help promote health and wellbeing for the local community.

2.2 Equality Issues

- By providing access for all the scheme will help improve equality.

2.3 Community Safety Issues (Section 17)

- Matter considered and no issues raised.

2.4 Human Rights Issues

- Matter considered and no issues raised.

3. Environmental

- The scheme will enhance access to the Widewater SSSI and help promote understanding of the area's ecological and environmental importance.

4. Governance

- Addressing disabled access requirements would enhance the reputation of both the County and SDistrict Councils.

