



# Congleton Town Council

Historic market town

Town Clerk: **BRIAN HOGAN**



12<sup>th</sup> March 2015

Dear Councillor,

**Extraordinary Town Council Meeting – Thursday 19<sup>th</sup> March, 2015**

You are summoned to attend a meeting of the Council, to be held in the Town Hall, Congleton on **Thursday 19<sup>th</sup> March, 2015** commencing at **6.30pm**.

**The Public and Press are welcome to attend the meeting.** There may be confidential items towards the end of the meeting which the law requires the Council to make a resolution to exclude the public and press.

Please note that a meeting of Community, Environment and Services Committee will follow starting at 7pm

Yours sincerely,

B. Hogan  
TOWN CLERK

## AGENDA

1. Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non attendance).
2. Minutes (enclosed)

To approve the Minutes of the meeting held on 5<sup>th</sup> March 2015.

3. Declarations of Disclosable Pecuniary Interest

Members are requested to declare both “non pecuniary” and “pecuniary” interests as early in the meeting as they become aware of it.

4. Outstanding Actions

None.

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5. Rescission of Previous Resolution

To consider a petition from 6 Town Councillors to rescind resolution CTC/62/1415 in accordance with clause 37a of the Town Council Constitution

6. Link Road

To consider and approve the documentation relating to the Preferred Route for the Link Road

Members of the Town Council, Press 3, Burgesses (5), Mayor's Chaplain,  
Members of the Youth Committee  
MP, Cheshire East Councillors (4), Library, Congleton TIC.

# **Congleton Town Council**

Minutes of the Meeting of the Council held on Thursday,  
5<sup>th</sup> March 2015 in the Town Hall, Congleton.

**PRESENT:** Councillors      L. D. Barker  
   P Bates  
   G Baxendale  
   D. T. Brown  
   G P Hayes  
   Mrs S A Holland  
   Mrs A M Martin  
   D. Murphy  
   D A Parker  
   J D Parry  
   N T Price  
   Mrs E Wardlaw  
   G S Williams

## **1. APOLOGIES**

Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non-attendance).

Apologies for absence were received from Councillors Mrs D. S. Allen, R. I. Brightwell, G. R. Edwards and Miss R K Williams.

## **2. MINUTES**

**CTC/57/1415 RESOLVED-** That the Minutes of the meeting held on the 4<sup>th</sup> December 2014 be approved and signed by the Deputy Mayor.

## **3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

Members are requested to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become aware of it.

Cllrs G. Baxendale and D. T. Brown declared a non-pecuniary interest in any matters related to Cheshire East Borough Council.

Cllrs J. Parry and G. P. Hayes declared a non-pecuniary interest in item 16.

## **4. OUTSTANDING ACTIONS**

None.

5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

Mr. P. White asked a question related to the proposed Link Road route and asked how the Town Council could ignore the residents views which favoured the purple route and suggested that the purple route should be taken more seriously.

Mr. Goodwin read out a statement concerning proposed changes to the Town Council's Financial Regulations and Complaints Policy and suggested that Councillors should consider rejecting the proposals.

6. **MAYOR'S ANNOUNCEMENTS**

The Town Mayor drew attention to the various engagements that he and the Deputy Mayor had fulfilled since the last Council meeting.

7. **PLANNING COMMITTEE**

**CTC/58/1415 RESOLVED** that the minutes of the meeting held on 22<sup>nd</sup> January 2014 be received and the recommendations therein be adopted.

8. **FINANCE & POLICY COMMITTEE**

**CTC/59/1415 RESOLVED** that the minutes of the meeting held on 27<sup>th</sup> November 2014 and 8<sup>th</sup> January 2015 be received and the recommendations therein be adopted.

9. **COMMUNITY, ENVIRONMENT & SERVICES COMMITTEE**

**CTC/60/1415 RESOLVED** that the minutes of the meeting held on 13<sup>th</sup> November 2014 be received and the recommendations therein be adopted.

10. **URGENT ITEMS**

There were no urgent matters.

11. **CHESHIRE EAST COUNCILLORS' REPORTS**

Cllr D. T. Brown agreed to circulate to Councillors the documents that were available on the new preferred route for the Link Road.

12. **YOUTH COMMITTEE**

**CTC/61/1415 RESOLVED** that the minutes of the Youth Council meetings held on 27<sup>th</sup> January and 23<sup>rd</sup> February 2015 be received.

The Chairman of the Youth Committee read out an initiative called the Drugs Awareness Day for young people in Congleton prepared in conjunction with Fiona Bruce M.P. He also mentioned the need to support the Jeanne Whitehurst Fellowship.

13. **COMPLAINTS POLICY**

The new Complaints Policy was considered by the Council.

**CTC/62/1415 RESOLVED that:-** the new Complaints Policy be approved and adopted into its Constitution.

14. **FINANCIAL REGULATIONS**

There was a considerable discussion on the proposed amendments to the Financial Regulations.

**CTC/63/1415 RESOLVED that** the decision to adopt the amendments to the Financial Regulations be deferred until the outcome of the External Auditors report on the purchase of the Digital Display System is available.

15. **ELECTIONS ARRANGEMENTS**

The report on the election arrangements for May 2015 which included the period of purdah was noted.

16. **CHESHIRE EAST COUNCIL'S PREFERRED LINK ROAD ROUTE**

A considerable debate took place concerning the proposed route for the Link Road as set out in the consultation documentation. A short presentation was provided by Councillor Parry in favour of the purple route.

The route had been amended because of land, environmental and topography issues resulting in a Preferred Route which is a blend of the red and purple route.

Councillors expressed concerns that the views of the residents in favour of the purple route should not be ignored.

**CTC/64/1415 RESOLVED that** the Town Council reject the Preferred Route proposed by Cheshire East Borough Council and suggest the Purple Route is adopted.

D. Murphy

TOWN MAYOR

### Rescission of Previous Resolution CTC/62/1415

Councillors P Bates, D Brown, B Edwards, G Hayes, J Parry A Martin and G Williams:-

In accordance with clause 37a of the Town Council Constitution the afore named councillors give written notice of their request to rescind resolution CTC/62/1415 in respect of the Congleton Link Road and call upon the Town Council to call a Extraordinary Meeting of the Town Council to reconsider this issue.

Summary produced by Cllr Parry after meeting with Cheshire East Officers during the  
consultation on the Link Road

Fellow Councillors,

During a 1.5 hour discussion on Saturday with Paul Griffiths, Infrastructure Delivery Manager, I learnt some very important facts, that we should of have been made aware of before we voted at Thursday's Town Council Meeting.

1. To make a bid for the Government Grant, there was a very complicated scoring system demanded by Government which included about 10 or more different elements including the Preference of the People. The Purple Option scored highest in this element, but, overall the Red Option scored the highest number of points – Purple was second. Cheshire East therefore made the Red Option its Preferred Link Road which it took to the Government and won the bid for £45 million. Had it taken the Purple Option, CEC would have lost the bid as other towns would have had a higher score.
2. Before putting in the bid, minor adjustments had been made to the Red Option to take account of the wishes of the Business Community.
3. The Government Grant was made conditional upon the work on the Link Road starting in 2016.
4. The difference between the Red Option and the Purple Option in the west is only a maximum of 200 meters, although on the map it appears to be much greater. Also, with the Red Option, the Link Road nearest to West Heath Estate would be below ground level, whereas with the Purple Option, the land being flat would be at ground level. This could possibly result in Noise and Air Pollution being the same or greater even being 200 meters farther away.
5. If the result of the second consultation showed the majority of the people and the Town Council rejecting the Preferred Link Road in favour of the Purple Option, we would lose the Government Grant and the Link Road would not happen!

During the discussion, Paul Griffiths offered to bring the road joining Back Lane and Black Firs Lane forward. With the land made available, he would put in additional Noise and Air Pollution Preventative Measures. He suggested that I put a new proposal to the Town Council, that we support the Preferred Link Road, conditional upon there being no negative impact in respect of Noise and Air Pollution had the Purple Option been chosen. He also stated that the intention is to make space to install some further landscaping/screening and noise mounding on the west heath side of the road to further reduce the impact of the road".

The rest of Saturday, I spent visiting the people who had attended Thursday's meeting and told them what I had learnt. I asked them if I had their support for the new proposal and all of them agreed.

# CHESHIRE EAST COUNCIL

## Cabinet

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<b>Date of Meeting:</b>	27 <sup>th</sup> May 2014
<b>Report of:</b>	Head of Strategic Infrastructure and Director of Economic Growth and Prosperity
<b>Subject/Title:</b>	Congleton Link Road - Preferred Route Assessment and Next Steps
<b>Portfolio Holder:</b>	Cllr David Brown, Strategic Outcomes

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### 1.0 Report Summary

- 1.1 The Council has set out a clear vision and strategy for jobs-led economic growth, which articulates the rationale and plans for increasing productivity and creating new jobs. This is based on the strong competitive advantage and track record that the borough has in terms of its skilled workforce, existing business base, its national, regional and local infrastructure and strong connectivity.
- 1.2 The proposed Congleton Link Road is a key component of the Council's economic growth strategy and new Local Plan; enabling job creation, delivering housing growth and addressing longstanding traffic congestion and environmental issues in the town.
- 1.3 The report highlights the findings of the recent public consultation exercise, recommends a preferred route for the road and seeks approval to undertake the further work necessary to submit a planning application for the scheme.

### 2.0 Recommendations

- 2.1 Cabinet is recommended to:
  - 1. Note the findings of the Public Consultation report.
  - 2. Approve the findings of the Preferred Route Assessment report, namely that a modified hybrid of the Red and Purple routes be taken forward as the preferred route.
  - 3. Approve that the necessary steps are taken to protect the preferred route shown in Annex A from future development including introducing the necessary modifications (as a minor amendment) to the submission draft of the Local Plan Core Strategy at the earliest opportunity. This protection will also apply to the linking spur roads to Radnor Park and Congleton Business Park.



4. Authorise the Director of Economic Growth and Prosperity in consultation with the Portfolio holder and other relevant Cabinet members to determine the proposed boundaries of the 'strategic locations' as set out in the submission draft of the Core Strategy to reflect the preferred route as the boundary of development.
5. To make a minor amendment to the submission draft of the supporting Policy Principles document of the Local Plan (Policy C0 2) to specify that the protected route status of the proposed new highway will extend to 100m either side of the proposed new centre line.
6. Approve that the alignment of the preferred route and spur roads are further developed and to note the costs of the project development to enable the submission of a planning application and further development of the business case and that the professional support required for this is provided by Jacobs through the Highways Contract with Ringway Jacobs.
7. Approve that officers immediately commence detailed discussions with affected landowners, local residents, businesses, parish councils and recognised community groups to refine the design details (including access arrangements and traffic management measures) and that supplementary formal consultation be undertaken to inform planning submission material.
8. Approve that a 'pre planning application' consultation is held and that the details and arrangements are delegated to the Head of Strategic Infrastructure in consultation with the Portfolio Holder.
9. Note the anticipated programme for the next stage of work.
10. To delegate authority to the Director of Economic Growth and Prosperity to authorise entering into licences for the purposes of gaining access to third party land for the purposes of carrying out surveys or in the event the use of a licence is not possible or appropriate then to authorise the use of the highway authority's powers to gain access to land pursuant to ss289-290 of the Highways Act 1980.
11. Agree in principle that a capital provision be identified in 2015/16 to make allowance for possible acquisition of land / blight claims subject to a more detailed business case.

### **3.0 Reasons for Recommendations**

- 3.1 To confirm a protected route for the link road from the public consultation exercise. Both the Blue and Green options passed through (or very close to) the Eaton quarry mineral workings. Independent assessment has concluded that the potential costs to the disruption of this business would be significant. Moving the alignment even further to the North added additional costs to the scheme whilst sterilising future mineral resources. The Red and Purple options received the highest

levels of public support; the best solution was found to be blending the lower cost of the Red route with the additional land that could be unlocked for growth from the Blue Route. The full assessment is contained in the Preferred Route report.

- 3.2 To react to the feedback from the public consultation and take forward the best performing / most acceptable alignment for the proposed new road.
- 3.3 To complement the Local Plan submission for examination.
- 3.4 To protect the land required for the link road from development.
- 3.5 To enable detailed design and the planning application process to commence.
- 3.6 To ensure that the council's financial planning reflects the costs of delivering this scheme.
- 3.7 To reduce uncertainty in the Congleton area as to the location of the route.

#### **4.0 Wards Affected**

- 4.1 Brereton Rural, Congleton East, Congleton West, Gawsworth, Odd Rode.

#### **5.0 Local Ward Members**

- 5.1 Brereton Rural – Cllr John Wray  
Congleton East – Cllr David Brown, Cllr Peter Mason and Cllr Andrew Thwaite  
Congleton West – Cllr Gordon Baxendale, Cllr Roland Domleo and Cllr David Topping  
Gawsworth – Cllr Lesley Smetham  
Odd Rode - Cllr Rhoda Bailey and Cllr Andrew Barratt

#### **6.0 Policy Implications**

- 6.1 A minor amendment to Local Plan Submission Strategy is required to refine the corridor of interest to a specific route.

#### **7.0 Financial Implications**

- 7.1 The formal protection of the route of the link road in the Core Strategy may trigger blight claims against the council. If such claims are made they will need to be dealt with by means of a supplementary capital estimate. It is difficult to assess the scale of possible blight notices or the timescales. An assessment of the possible liability has been undertaken and ranges from between £1.5m - £4m.

- 7.2 Ultimately, these properties / land would have to be acquired as part of the main scheme and in that regard any investment made at this stage effectively reduces the outturn estimate of the scheme.
- 7.3 It is recommended that a capital provision be identified in 2015/16 to make allowance for possible acquisition of land.
- 7.4 The scheme estimate, subject to further work, is in the region of £77m, excluding the links to Radnor Park Industrial Estate and Congleton Business Park. This is currently unfunded and will be subject to the success of a funding bid to Government via the Cheshire and Warrington Local Enterprise Partnership's Strategic Economic Plan. The initial funding strategy is for external funding to cover between 60-70% of the cost, leaving a gap in the region of £30m to be found locally from development value and with council direct funding.
- 7.5 The budget estimate to develop the scheme to submission of a planning application is approximately £950,000. This can be accommodated in the approved capital programme for this scheme. The detailed approval of the work programme will be subject to the usual contract processes to assure that value for money is being achieved. This will include cross checking quoted prices for similar tendered works with other local authorities.
- 7.6 If, ultimately, the scheme is not funded the resources set aside for the development of the scheme will have to be met from the revenue budget.
- 7.7 As some of the surveys now required will be invasive (such as geotechnical surveys) the authority will be liable to pay compensation for loss or damage (such as crop damage, etc). These will be assessed on an individual basis, but in any case will be small in comparison to the scheme development budget.

## **8.0 Legal Implications**

- 8.1 One of the implications of the proposed modification to the Local Plan is that it may give rise to claims arising from 'Planning Blight'.
- 8.2 Planning Blight can arise where land is shown as being proposed or allocated for the purpose of a local authority in a deposited draft Local Plan. In this case the purpose being the proposed Link Road.
- 8.3 The blight liability will become effective when the Local Plan is submitted to the Secretary of State for independent examination: Schedule 13, paragraph 1A (2)(c) of the Town and Country Planning Act 1990.
- 8.4 The Planning Blight procedure is in effect a 'reverse' compulsory purchase process order (CPO) in the sense that a person whose property is affected by blight may, in certain circumstances, require the Council to purchase his property by the service of a 'blight notice'

- 8.5 This right is conferred in recognition of the fact that property values may be adversely affected by, in this case, a proposed new highway.
- 8.6 If a property owner serves a blight notice then, if his interest in the property is a qualifying interest, the Council will have the options to accept the blight notice, drop the scheme or alter the scheme so that it does not affect the blighted property.
- 8.7 If the Council accept the blight notice, then it will be compelled to purchase the relevant property on the same terms that would apply if the property were purchased pursuant to a CPO.
- 8.8 Claimants must show reasonable endeavours to sell their interests and demonstrate that as a consequence of blight they were unable to - or only at a substantially lower price. It is not sufficient to make no attempt to sell. The costs of any attempts to sell are not recoverable as compensation. Blight cannot be served for part of a unit.

## **9.0 Risk Management**

### Project Development

- 9.1 The project development costs necessary to deliver this scheme would be at risk if funding for the scheme is not available or the scheme does not achieve the necessary statutory permissions. However, it has been demonstrated that the scheme does have a strong initial transport and wider economic business case and there is broad public support for the proposal.
- 9.2 Continuing to progress the development of the scheme to 'shovel ready' status will ensure that if (and when) funding opportunities arise the scheme is well placed to take full advantage.
- 9.3 The scheme will be reviewed by the councils established project management process (TEG and EMB) to review the risks.

### Blight Costs

- 9.4 There will be some instances where landowners believe that they cannot sell their properties because of the link road proposals, but are not directly affected by the proposal in terms of physical land take and thus not entitled to make a blight notice. In these circumstances it may be possible for the Council, subject to review on a case by case basis, to make open market acquisitions of property.
- 9.5 If property / land were to be acquired under a blight notice the council would become the title holder. In this regard, should, for any reason the link road scheme not progress, the Council would be able to recoup its investment costs through the sale of the property / land. It is possible

that the Critchell Down rules will apply and that the land would need to be offered back for sale to the original land owner first.

- 9.6 It will be possible to at least partly offset the holding costs of potential properties by seeking tenants.
- 9.7 There is some local opposition to the scheme, mostly from those who interests are directly affected. The Council will work closely with affected groups and individuals in the design of the scheme to try to address all concerns. The Council is committed to providing the highest level of mitigation possible in the scheme design and will develop a package of complementary and mitigation measures.

#### Scheme Costs

- 9.8 The findings of the geotechnical studies may reveal more challenging ground conditions from those assumed (from desk study assessment), with consequential adjustments to the scheme estimates. As the scheme design is refined, further revisions of the cost estimate are likely.
- 9.9 Any delay to the assumed construction start date of the scheme (2016) would increase the costs due to the affect of inflation.

### **10.0 Background and Options**

#### Development of the Link Road proposals

- 10.1 In September 2012 Cabinet authorised the investigation of options to improve the transport infrastructure of Congleton, reflecting the emerging Local Plan.
- 10.2 A full range of measures were examined and reported to Cabinet in July 2013. The report concluded that a link road between the A534 Sandbach Road and the A536 Macclesfield Road was the preferred Improvement Strategy as it had a high contribution to the scheme objectives and also helped to resolve the traffic problems currently experienced by Congleton. It was also agreed that improvements to the existing A34 corridor through the town be further developed – as a 'low cost' option.
- 10.3 Following this, a number of link road route options were developed and appraised. This process is documented in the Route Appraisal Report. A total of four link road options were identified, which were assessed specifically from an engineering, environment and traffic perspective in the Stage 2 Scheme Assessment Report.
- 10.4 The 'Low Cost' option was also developed further (Annex E) to fully understand the viability and performance of improvements to the existing road network. It does offer some traffic benefits, but much less

than the new link. It also does little to address air quality, severance or allow the redistribution of existing road space to other uses (cycleway, enhanced bus provision, etc.). It is considered that this scheme would allow the delivery of the proposed Local Plan allocations - but without the significant additional transport benefits the link road could deliver (and hence access to external funding)

- 10.5 Following this extensive assessment process, four link road options were presented at a Public Consultation in January/February 2014. The intention of the Public Consultation was to gauge public interest in the scheme, capture public opinion of the four link road options presented and help identify any constraints/considerations which may have been previously overlooked.
- 10.6 The initial business case for the full scheme is currently strong and has been completed to the necessary DfT standards. To access funding a full business case will need to be developed. This will require some additional project development funding. The timing of developing the business case will be kept under review and will be subject to the outcome of the Local Growth funding settlement via the Strategic Economic Plan.
- 10.7 If, ultimately, funding for the delivery of the full link road could not be achieved, it may be necessary to consider building the road in phases.

#### Public Consultation

- 10.8 The Public Consultation for the Congleton Link Road scheme was held over a 7-week period from the 13th January to the 28th February 2014.
- 10.9 The Public Consultation consisted of the following:
- A Public Exhibition held over three days at Congleton Town Hall;
  - Displays for consultation material located in Congleton, Crewe, Sandbach and Macclesfield council buildings;
  - Newsletter distribution to local residents through the winter edition of Congleton's 'Bear Necessities' newsletter;
  - A consultation leaflet sent out to identified stakeholders;
  - A leaflet and questionnaire drop initiated for residents within a 500m boundary of the scheme;
  - Consultation material uploaded to Cheshire East Council's (CEC) website providing details of consultation venues and times, PDF's of the exhibition boards and ability to complete an online questionnaire; and
  - Meetings with Local Parishes, individual landowners and the business community.
- 10.10 Face to face meetings with 27 of the most affected landowners were undertaken as part of the scheme. It was not possible due to time constraints to meet with each landowner individually on all of the

possible routes, though clearly every effort has been made to make these key stakeholders fully aware of the consultation.

#### Consultation report

10.11 During the Public Consultation period, a total of 1279 questionnaires were received in response to the link road scheme.

10.12 The results illustrate that there is widespread support for the link road with 77.1% of respondents indicating that they support the scheme and therefore at least one of the proposed options. In contrast, opposition to the link road was relatively low with 18.4% of respondents against the scheme.

Total number of questionnaires: 1279		
Option	Respondents	Respondent %
<b>Support the scheme</b>	<b>986/1279</b>	<b>77.1%</b>
<i>In favour of only one option</i>	564/1279	44.1%
<i>In favour of two options</i>	300/1279	23.5%
<i>In favour of three options</i>	13/1279	1.0%
<i>In favour of all options</i>	109/1279	8.5%
<b>Against the scheme</b>	<b>235/1279</b>	<b>18.4%</b>
<b>Other</b>	<b>58/1279</b>	<b>4.5%</b>
<b>Total</b>	<b>1279/1279</b>	<b>100.0%</b>

10.13 In order to establish the public's preferred route, it was necessary to determine the individual support for the four proposed options, this involved a breakdown analysis of the 77.1% of respondents who had expressed general support for the scheme.

10.14 The total number of respondents for each option varied; however, each option received a large enough response for the results to be considered representative.

10.15 The business community submitted a significant number of responses (231 questionnaires, 18.1% of the total response) and it was necessary to assess how the support for the scheme fluctuated when these views were discounted.

10.16 The results indicate that there is widespread support for the scheme regardless of whether the business community's views are included or excluded with percentages of 77.1% and 72.0% respectively. Additionally, opposition to the scheme remains low with values of 18.4% and 22.4% respectively. It should also be noted that typically those who strongly object to a proposal are more likely to respond to a consultation than those who support but are not directly affected.

10.17 The Purple Option received excellent support with the highest public endorsement and least opposition regardless of whether the business

community's views are discounted or not. Support for the option when including the views of the business community roughly represents an 80/20 split in favour of the option. Conversely, discounting the business community causes this to reduce to roughly a 70/30 split in favour of the option.

- 10.18 The Red Option and Blue Option received very similar levels of support and opposition. Support for these options was generally good, with roughly a 60/40 split in favour of both options regardless of whether the business community's views are included or excluded.
- 10.19 The Green Option received the weakest support and strongest opposition of the four options, although support received was slightly more than opposition. The data illustrates that support and opposition for the option (regardless of whether the business community's views were included or not) roughly equals a 50/50 split.
- 10.20 Spatial analysis was also performed so that the views of specific regions could be assessed in relation to the proposed scheme. The analysis separated the questionnaires into two categories, responses received from within the CW12 postcode district and responses which were received from outside of the CW12 postcode district. CW12 was selected as this area encompasses Congleton and the parishes within the immediate vicinity of the link road. The full analysis is contained within the Public Consultation report (Annex B)
- 10.21 A number of key issues have been identified throughout the Public Consultation which was considered to be important by the public. These issues have been identified based upon the frequency of the comments made or where repeat requests for further information have been sought:

The key issues identified throughout the Public Consultation are as follows:

- A34 Newcastle Road extension;
- A54 Buxton Road extension;
- Online Improvements, 'the 5th Option';
- Funding of the RPTE and CBP links;
- Property Devaluation;
- Effect on Local Businesses/Town centre;
- Pollution.
- Potential 'rat running'

These issues are fully considered in the Public Consultation Report.



- 10.22 Where suggestions to improve or reduce the impact of the scheme have been made these have been assessed on an objective basis. These are fully reported in the Preferred Route Assessment report (Annex C)
- 10.23 A meeting was held with Somerford Parish Council on the 27<sup>th</sup> January 2014. The meeting was attended by approximately 120 people with unanimous opposition to the link road.
- 10.24 A meeting was held with Eaton Parish Council on the 14<sup>th</sup> January 2014. The meeting was attended by approximately 80 people. There was a mixed response to the scheme. A key conclusion was that traffic on the A536 through the village was already a problem and that (irrespective of the proposed link road) measures should be put in place to reduce the impacts of this traffic.
- 10.25 A meeting was held with Newbold Astbury Parish Council on the 12<sup>th</sup> February 2014. The Parish do not support any of the link road options – including an extension of the road to the A34. Strong representation from the residents of WallHill Lane – who consider that this route would attract additional traffic if the link road were not to be extended to the A34.
- 10.26 Lafarge Tarmac operates the Eaton Hall quarry and must be considered as a key stakeholder. They support the scheme in principle but strongly object to the northern routes (Blue and Green) due to the affect on their business operation. Given the scale of this operation and the national significance of the minerals extracted this has to have a significant bearing on the route choice.
- 10.27 It is clear that a range of off site mitigation measures will need to be developed in consultation with affected communities. This should include traffic management measures on Padgbury Lane, WallHill Lane and the A536 through Eaton. Any proposals will need to be included and committed as part of any future planning application for the link road.

#### Preferred Route Assessment report

- 10.28 The report documents the methodology used to define the Preferred Route. It provides the reasoning and justification for the decisions made in establishing the Preferred Route, and explains the scoring/weighting system used to rank the four options that were taken to Public Consultation. The full report is contained at Annex C.
- 10.29 Following feedback received from members of the public, modifications to the alignments taken to Public Consultation were developed. These alignment modifications are presented in the Public Consultation Report. An assessment of the proposed alignment modifications and

full justification / assessment of any of the proposed alignment modifications are contained in the Preferred Route Assessment report.

10.30 The assessment of the four link road options was carried out using the following factors:

- Scheme Cost Estimate
- Benefit to Cost Ratio (BCR)
- Quality of Local Plan
- Scheme Length and Earthworks Volume
- Engineering Constraints
- Road User Safety.
- Public Endorsement
- Environmental Impacts

10.31 A scoring system was developed to allow a quantitative comparison of the four options, and also allow them to be ranked in order of performance against the assessment factors. This included a weighting assigned to each factor so that the relative importance of each could be established i.e. so that the factors considered most important had a larger influence on the overall assessment.

10.32 Sensitivity tests were carried out by varying the weighting assigned to each assessment factor to investigate whether the outcome/results of the quantitative assessment would be altered if the weighing values were adjusted.

10.33 It can be seen from the results of the assessment that the Red and Purple Options outscore the Blue and Green Options. Based on the results of the assessment, it would seem rational to discount the 'low scoring options' (Blue and Green Options) at this point, while continuing to investigate the 'high scoring options' (Red and Purple Options).

10.34 Both the Red and Purple Options have been shown to have different strengths. The Red Option performs particularly well in the areas of Scheme Cost and BCR, and also has a relatively low impact on the environment. Conversely, the Purple Option is anticipated to allow a Local Plan of 'very high' quality to be delivered and was the option which was most supported by the public

10.35 It should therefore be concluded that the optimum or 'best' option would be a combination of the Red and Purple Options. It is recommended that the Red Option is taken forward as the Preferred Route but is modified immediately east of the River Dane so that it ties in with the Purple Option. This would act to increase the area of developable land to the south of the Scheme, thereby increasing the Quality of the Local Plan. The proposed route would also not preclude any future possible (though currently not planned) extension to the A34 (south), which was a key finding of the consultation.

- 10.36 Finally, following feedback received from members of the public, modifications to the alignment in some areas have been investigated. In order to reach a final Preferred Route alignment, the modifications must be considered and incorporated into the alignment if they are considered to be an improvement on the existing design.
- 10.37 The appraisals of all alternative alignments which were prepared are included within the Preferred Route Report for completeness and also to illustrate the effort and time that was taken in an attempt to improve the link road design following requests made throughout the consultation period.

#### Links to the Local Plan

- 10.38 The current submission draft of the Local Plan Core Strategy contains a 'Corridor of Interest' for the proposed link road.
- 10.39 In order to refine and strengthen the policy support for the road it will be necessary to ensure that the Local Plan considers this new information as a minor variation - in effect, the proposal of a preferred route is actually just providing more certainty and accuracy to information already contained within the plan.
- 10.40 The formalisation of the route of the road will also protect the interests of residents living close-by to the route. Currently, there is widespread public knowledge that a road may be built – with its approximate position known. This uncertainty could potentially lead to vendors finding it difficult to achieve a sale of their property at a fair market value. Once the Local Plan has been submitted for inspection the council will be liable for blight claims, which, in certain circumstances, will mean that the council would be compelled to purchase a property at its open market value.
- 10.41 The submission draft of the Core Strategy was written to make the exact boundaries of the strategic locations flexible depending on the alignment and support for the link road. The new road is considered to provide an effective 'boundary' to development and provide a defensible boundary to speculative development.
- 10.42 All of the options taken to public consultation were capable of unlocking the housing and development required to meet the allocations proposed for Congleton. Now that a preferred route has been established this will allow for comprehensive Masterplanning of the preferred allocations to be developed.
- 10.43 The delivery of the road will require land for environmental mitigation measures and drainage, etc. Experience has shown that these will be more readily accommodated outside of potential development land. This suggests that from a practical delivery point of view, development is constrained to the inner edge (Congleton side) of the new road. This

is also the reason for the recommendation to protect a strip of land 100m each side of the road from development. This will also allow some further minor flexibility in the design of the route.

- 10.44 The placement (where possible) of environmental / scheme mitigation on the non-development side of the link road will make further speculative development more difficult.

#### Further work and programme

- 10.45 In order to deliver a planning application for the scheme it is necessary to work up in more detail the preferred route. Issues that will need to be considered include access arrangements, mitigation measures, drainage, environmental impacts and off-site traffic management. This will also allow the refinement of the scheme estimate.

- 10.46 Given the scale of the scheme it is also necessary and good practice to undertake another round of formal public consultation.

- 10.47 It is also advised that the services of a consultant-contractor be procured to advise on build-ability issues.

- 10.48 Key activities and dates include:

Activity	Indicative Dates
Preliminary Design (including structures, drainage strategy, etc)	May'14-Sept'14
Traffic forecasting update	June'14 – July'14
Topographical and geotechnical surveys	July'14
Pre-Application Consultation	Sept'14-November'14
Production of Environmental Statement	December'14
Submission of Planning Application	To be decided

- 10.49 The extended programme is clearly subject to the success and availability of funding for the road. However, assuming a public inquiry is required and funding is provisionally secured for the scheme, construction could begin at the earliest by October 2016.

- 10.50 The project programme also shows that if funding for the scheme is not provisionally secured by Quarter 2 2015, the assumed date for the

public inquiry would slip and the current construction start date be delayed.

Annex D contains the high level project programme

#### Other Factors to Consider

- 10.51 A successful planning permission for the road would ordinarily be valid for a period of 3 years only. Depending on success with external funding this may require an extension to be requested or a re-submission.
- 10.52 Environmental information is usually only valid for 2 years. Discharge of any planning conditions and granting of Protected Species licences (assuming they are required) would require the revisiting of these surveys if the further development / delivery of the road did not continue in short order after any planning permission.
- 10.53 The submission of any future planning permission would be subject to a further cabinet paper and take into account the views of the pre-planning application consultation. There may be a risk that any planning application is called in by the Secretary of State.
- 10.54 Given that the planning application would be for the whole road, if only part of the road were to be constructed (first) this would require the variation of any planning application through a S73 variation. This would require the updating of supporting information such as the Environmental Statement.
- 10.55 Access to land for surveys will be required in a timely manner to achieve this programme. Thus far, most land access has been achieved by agreement though there have been occasions where formal notices to enter the land have been sought on an individual basis as necessary. It is anticipated that access will continue to be discussed and agreed where possible, but that in the absence of agreement the authority to serve notice will avoid any further delay.
- 10.56 The Highways Terms Contract includes the delivery of consultancy services and the estimated cost for delivering this next stage of work is within the financial scope of the contract. A rigorous challenge exercise will be undertaken to ensure that 'best value' is being achieved through the contract, including comparisons of hourly rates and outturn costs for delivering a similar scope of works. Any future construction contract would of course be tendered through an EU compliant procurement process.
- 10.57 As part of resource for delivering the strategic infrastructure programme Jacobs have been working with the Councils HR team to build on the authorities apprentice programme to provide further opportunities for local people.

## **11.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

Annex A – Preferred route drawing

Annex B – Public consultation report \*

Annex C – Preferred route assessment report

Annex D – Scheme Programme

Annex E – Low Cost (on-line A34) improvement scheme

\* Note: the appendices referred to in Annex B are available for inspection in hard copy form on request and may also be viewed on the agenda web page.

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