

Title: Community Projects Reserve Proposals

Lead Officers: Chris Elliott

Portfolio Holder: Councillors John Cooke; Judith Falp; Alan Rhead;  
Richard Hales

Wards of the District directly affected: Stoneleigh and Cubbington;  
Warwick; Bishop's Tachbrook

<b>Approvals required</b>	<b>Date</b>	<b>Name</b>
<b>Portfolio Holder</b>	20/2/2023	John Cooke; Judith Falp; Alan Rhead; Richard Hales
<b>Finance</b>	20/2/2023	Andrew Rollins
<b>Legal Services</b>	20/2/2023	Ross Chambers
<b>Chief Executive</b>	20/2/2023	Chris Elliott
<b>Programme Director for Climate Change</b>	20/2/2023	Dave Barber
<b>Head of Service(s)</b>	20/2/2023	Phillip Clarke; Marianne Rolfe
<b>Section 151 Officer</b>	20/2/2023	Andrew Rollins
<b>Monitoring Officer</b>	20/2/2023	Andrew Jones
<b>Leadership Co-ordination Group</b>	20/2/2023	Yes
<b>Final decision by this Committee or rec to another Cttee / Council?</b>	Yes	
<b>Contrary to Policy / Budget framework?</b>	No	
<b>Does this report contain exempt info/Confidential? If so, which paragraph(s)?</b>	No	
<b>Does this report relate to a key decision (referred to in the Cabinet Forward Plan)?</b>	No	
<b>Accessibility Checked?</b>	Yes	

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## Summary

The report sets out requests to allocate sums from the Community Project Reserve for the progression of three community based projects and authority to delegate the necessary action to implement the allocations if agreed.

## Recommendation(s)

- (1) That Cabinet approves the allocation of £30,000 from the Community Projects Reserve 2023/24 for a feasibility study for a footbridge over the River Avon from Bubbenhall village to the new country park.
- (2) That Cabinet approves the allocation of £65,000 from the Community Projects Reserve 2023/24 for the next stage of the feasibility study on the Europa Way foot/cycleway bridge.
- (3) Cabinet approves the allocation of £50,000 from the Community Projects Reserve 2023/24 for the cost related to the proposal set out in the private and confidential appendix to this report relating to Turnbull's Wood, Banbury Road, Warwick.
- (4) That authority to approve the use the above allocations be delegated to the Chief Executive in consultation with the portfolio holder for Climate Change.
- (5) That the basis for the proposal as set out in the private and confidential appendix to this report be agreed and that authority is delegated to the Chief Executive in consultation with the Head of Neighbourhood and Assets and the Head of Community Safety, Leisure and Environment to complete the legal processes;
- (6) That authority is delegated to the Chief Executive to execute the procurement process in all 3 projects where appropriate, in line with WDC Procurement policy.

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## 1 Reasons for the Recommendations

### 1.1 Bridge to Bubbenhall

1.1.1 Alongside the Coventry and Warwickshire Gateway Scheme for employment development which is now underway a country park along its southern edge along the route of the river Avon was planned and has been implemented. However, Bubbenhall village which lies to the south of the river has no direct access to this new facility even though it is only a few hundred metres away. Access on foot requires long walks to get to the nearest bridge crossing points over the river and is more likely to cause residents to use a car than to walk which rather defeats the objective of the proposal in the first place.

1.1.2 A community request therefore has been made via the Parish Council and Ward Councillors that a feasibility study be undertaken to establish the practicality and cost of creating a footbridge over the river to allow villagers to gain direct access to the new country park. It is suggested via soundings form the market that this could cost up to £30,000, including looking at a route that could connect to the Ryton Pools Country Park which lies to the east of the village. It is proposed that this feasibility work be funded from the Council's Community Project reserve.

1.1.3 Bubbenhall Parish Council is supportive of this action and has set up a Working

Party to assist and steer the development of this work. Once completed there will then need to be concerted efforts to raise the funding for its construction. It should not be assumed that the implementation cost would come from this Council. It is forecast that there will be opportunities from nearby developments to gain funding for the scheme once a cost and a plan has been worked up in detail.

## 1.2 **Bridge over Europa Way**

- 1.2.1 The Local Plan for Warwick 2011 to 2029 allocated a significant area of land south of Warwick/Leamington and Whitnash and North of Bishop's Tachbrook for housing development and associated ancillary facilities including schools, neighbourhood centres and open space. In particular, a new country park is to be developed along the northern bank of the Tach Brook from Oakley Wood Road to Europa Way. This now has planning permission and is due to be implemented in 2024. Other open space has been planned along the Tach Brook to the west of Europa Way some of which is to be awarded to the Council as part of an open space associated with development and Turnbull's Wood which is also the subject of this report. This chain of projects will create a continuous green open space from Oakley Wood Road to Banbury Road for public benefit but which especially in the light of the recent motion regarding about biodiversity it also offers a significant opportunity for enhancing biodiversity. With the County Council the District Council is planning a significant network of paths and tracks for a range of purposes (See Plan 1).
- 1.2.2 However, there is one blockage from a human movement perspective in that people would need to cross Europa Way at grade. The present envisaged crossing does have a traffic lighted facility, but the road is effectively 6 lanes wide at this point. This is also relevant from an active travel perspective as this is a significant barrier to people walking or cycling between the west and east sides of Europa Way to get to school; local shops; places of work and for recreation and leisure. Europa Way is also planned to become a dual carriageway for its full length. This barrier to movement is an issue bearing in mind the construction of a new secondary school to the east of Europa Way (at the eastern end of the new country park) and some 1,500 homes planned or under construction to the west of Europa Way.
- 1.2.3 In response to this issue, there is an opportunity to construct a foot/cycle bridge over Europa Way just north of the Tach Brook (Plan 1 also illustrates the location) via use of the raised ground levels, which aside from the functional purpose of enabling a safe road crossing point, it would also create an opportunity to create a new landmark – an exit/entrance to the towns.
- 1.2.4 This is a project which is already on the District Council's project list and is also on the Council's agreed CIL list. Feasibility work on the project began in earnest in 2022 with WCC expending some £50,000 on investigations and conceptualisation undertaken by consultants. This has included: Initial concept visualisation, topographical/photometric surveys, a geotechnical desk study, appraisal of available utilities information, preliminary ecological assessment and an equality impact assessment. Preliminary data has been used to identify feasible options for the western approach to the structure where the topography is challenging, the rerouting of maintenance access tracks and connecting footway/cycleways as well identifying the structural span needed to accommodate future widening of the A452 Europa Way to dual carriageway.

1.2.5 The next phase of design development will build upon the work done to date but requires some £75,000 of funding to do so. This work would include:

1. Defining the Scope of the Project – our first priority is to define the basic geometry of the bridge, the extents of connecting footpaths and cycleways and the extents of ancillary earthworks landscaping and access road diversions that we wish to deliver as a single construction project. This will include:
  - a. Concept Optimisation to verify bridge geometry and earthworks extents for the preferred alignment for the Western Approach Ramp to the new bridge.
  - b. Extend the scope of the project concept to include the connection south to the Asps Development, including a second bridge over Tach Brook.
  - c. Develop a strategy for maintenance access provision in consultation with WCC County Highways, WDC Country Park Project Team and Statutory Undertakers and achieve consensus, if possible.
  - d. Define extents of combined footway/cycleway connections and /or tie-ins to the existing paths to be included in the scope.
2. Statutory & Stakeholder Consultations – early consultations to map approvals processes and requirements, and understand the potential cost and programme implications:
  - a. WDC Planning – Pre-Planning and Planning Application processes and timeframes
  - b. WCC Ecology – Survey Requirements and Potential Mitigation Measures necessary to achieve Planning Consent
  - c. WCC Flood Defence – Constraints on the diversion of Tach Brook watercourse and other requirements necessary to achieve Planning Consent
  - d. Statutory Undertakers – any approvals processes necessary to implement alterations to apparatus and the maintenance access strategy in Item 1c
3. Determine preliminary land acquisition requirements (also an action from September Steering Committee Meeting). Establish communication channels with affected landowners/agents, and if appropriate, hold initial talks to gauge if they are willing to enter into negotiation and identify where accommodation works will be necessary during the construction.
4. Agree appropriate contingencies for current inflation levels.
5. Update Preliminary Cost Estimate and Programme to benchmark aesthetic improvements, scope change and inflation (please note this will not be a funding estimate)

Point 2 above will need to include some degree of community consultation and engagement.

1.2.6 As this project is very much a joint project – the two landing points for the bridge would be on WDC land when transferred from developers but the highway is clearly WCC's; it is proposed that this second stage of work is funded by WDC paying £62,500 from the community projects reserve and WCC paying £12,500. This means, with the earlier work taken into account, each Council will have contributed the same amount. WCC has agreed to contribute the £12,500.

1.2.7 The work would be commissioned under a WCC framework agreement. There is already a Joint Member and Officer Steering Group including a Parish Councillor from Bishops Tachbrook Parish Council to oversee the project. The results of this stage of work would be reported back to Cabinet to inform the next stages of the project. At this stage the scheme has an estimated cost of circa £5m and it is included on WDC's CIL list of schemes with £1m allocated and with another £1m proposed from other CIL sources. However, the scheme needs to be worked up further to better understand the costs and the programme for a bridge. There are other developments proposed or in the offing nearby which offer the opportunity for significant contributions toward the scheme costs but a worked-up scheme needs to be drafted to be able to exploit those opportunities.

### **1.3 Turnbull's Wood**

1.3.1 As referenced in paragraph 1.2.1 above, the Council has, or is in the process of, acquiring land from developers all along the northern bank of the Tach Brook from where it meets Oakley Wood Road near the Leopard pub, to Banbury Road in Warwick, under either Section 106 agreements or the public open space adoption process.

1.3.2 The one area which is not subject to this process currently is the area known as Turnbull's Wood – an area of woodland running along the north bank of the Tach Brook up to Banbury Road. (See Plan 1). The Council has been in discussion with the landowner for some time (5 to 6 years) about how this area can become part of the green open space corridor along the length of the Tach Brook but has now reached agreement on how this may be concluded. The proposal and explanation are set out in Private and Confidential Appendix 1 to this report. To achieve this opportunity, it is estimated that £50,000 is required which could be funded from the Community Projects Reserve.

### **1.4 Implementation**

1.4.1 The implementation of these projects if agreed bearing in mind the forthcoming elections and the long gap between meetings, it is proposed that the progression of the legal agreement in respect of Turnbull's Wood and of the procurement processes in relation to all 3 projects be delegated to the Chief Executive.

## **2 Alternative Options**

2.1 Members could opt not to support the allocation of funds and not grant the delegation as recommended in this report. The implementation of these projects would then not be possible to be progressed. For this reason, this option has not been recommended.

## **3 Legal Implications**

3.1 The Council will ensure legal advice is obtained throughout to secure compliance with any applicable procurement laws and on completion of any legal agreements.

## **4 Financial**

4.1 The Community Projects Reserve in the recently agreed budget had £500,000 for 2023/24 and these allocations if agreed would reduce it by £145,000 not including another report on this agenda which also seeks to make an allocation from the reserve.

- 4.2 As indicated in the report earlier the estimate of the cost at this stage for the Europa Way bridge is £5m and there are already CIL allocations of £2m with the prospect of other sources of funding coming forward. The overall cost of the bridge at Bubbenhall is not known but that is the purpose of this feasibility study. It should not be expected that the District Council would fund the eventual costed scheme.
- 4.3 In relation to Turnbull's Wood there should be no additional cost except for the creation of a footpath/cycleway through the wood and for its ongoing maintenance. These matters would be the subject of a separate report like that in the report on the proposed foot/cycle bridge over Europa Way.

## **5 Business Strategy**

- 5.1 Health, Homes, Communities – This proposal will make a direct contribution to supporting health and well-being, and an active community.
- 5.2 Green, Clean, Safe – The proposal will enable public space improvements and will contribute toward improvements in the quality of the environment generally. They will offer significant opportunities for active travel and for biodiversity enhancements.
- 5.3 Infrastructure, Enterprise, Employment – The proposals will make a significant contribution toward the green infrastructure of the district and in the walking and cycling infrastructure, both of which will assist the visitor economy.
- 5.4 Effective Staff – The proposals do not have a direct impact on the effectiveness of staff.
- 5.5 Maintain or Improve Services – The proposals do not immediately have a direct impact on service improvement or efficiency but will eventually enhance the Council's Green Spaces service.
- 5.6 Firm Financial Footing over the Longer Term – Not applicable but by seeking other funding for these proposals there ought not be any additional burden on the Council.

## **6 Environmental/Climate Change Implications**

These proposals if they lead to actual implementation would contribute to the Council's climate change, air quality and its bio-diversity commitments by enabling more active travel and by creating access to green open spaces as well as an opportunity to enhance the biodiversity of the area.

## **7 Analysis of the effects on Equality**

- 7.1 Whilst these proposals have not been the subject of an EIA they would, if fulfilled and implemented, enable more access to a wider section of our community to open space and to local facilities.

## **8 Data Protection**

- 8.1 There are no data protection implications of the proposal.

## **9 Health and Wellbeing**

- 9.1 The projects would if implemented create more opportunity for active travel and for access to green open spaces both of which have clear evidenced health and well-being outcomes in terms of improved physical and mental fitness. Enabling more active travel will also have a health benefit in terms of its potential to reduce air pollution and so the impact on respiratory illness which is

a priority area for the South Warwickshire Place Partnership Board (Health) to address.

## **10 Risk Assessment**

- 10.1 Each of the three proposals has risks. The main risk for the first two is around whether the proposed budget is sufficient for the purpose. The procurement process will allow that to be tested. The next is that the first two that the feasibility studies may demonstrate that the projects are not feasible and so the money spent would not lead to any particular benefit for the public. However, this is always a risk with feasibility studies but in these cases the concepts are not so outlandish as to be unrealistic.
- 10.2 In respect of Turnbull's Wood, the risks are addressed in the private and confidential appendix.

## **11 Consultation**

- 11.1 These proposals have risen from feedback with in the first case from Bubbenhall Parish Council; in the second and third from local Councillors in Warwick and Bishop's Tachbrook.

### **Background papers:**

N/A

### **Supporting documents:**

N/A