

**BRISTOL CITY COUNCIL
CABINET**

21st July 2011

Report of: Peter Mann – Service Director Transport

Title: Ashley Down Road – Highway Improvement Works

Ward: Bishopston, Ashley

Officer Presenting Report: Adam Crowther – Traffic Signals and ITS
Manager

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RECOMMENDATION

That the cabinet approve a highways scheme on Ashley Down Road to provide improvements to the footways, road surface and pedestrian facilities. The scheme is funded from section 106 developer contributions secured as a requirement for planning permission for a major development. The total costs of the scheme are £950k.

Summary

Section 106 funds were secured as a requirement for planning permission for a major development on Ashley Down Road to provide much needed improvements to the footways, road surface and pedestrian facilities. Additional budget has been contributed by the safer routes to school team, the devolved highways budget for footpath improvements in the area and the highways resurfacing budget.

The significant issues in the report are:

Approval required for transfer of Section 106 and carried over capital funds to the scheme budget to allow works to be completed.

Policy

1. The scheme as a whole is in line with the council's priorities to promote pedestrian routes and improve road safety. There will be no impact on congestion levels other than possible reductions in car usage bought about by improved pedestrian facilities. As the scheme is over £500k and therefore a key decision, cabinet approval of the scheme is required.

Consultation

2. Internal

Full internal consultation on the scheme was carried out in 2010 and the scheme approved under the Traffic Authority Approval process. Local ward councillors were heavily involved with the development of the scheme and made significant contributions to the evolution of the design throughout the consultation process. The Executive Members for Neighbourhoods and Strategic Transport at the time, Bev Knott and Gary Hopkins, were also consulted and Bev Knott in particular was heavily involved in the scheme.

3. External

Extensive external consultation was carried out prior to commencement of the scheme. A leaflet drop was carried out and consultation drop in sessions were held at local schools. The Evening Post also provided coverage of the proposals as did the Bristol City Council website. First Bus the main public transport operator along Ashley Down Road were also consulted and changes made to the programme of works to mitigate possible delays to buses. The TRO's required for the yellow lines will be formally advertised in August/September.

Context

4. Section 106 funds were secured as a requirement for planning permission for a major development on Ashley Down Road to provide much needed improvements to the footways, road surface and pedestrian facilities.

The scheme is 60% complete and the majority of kerbing and pavement works are due to be completed in mid to late July. The remaining resurfacing works are due for completion in August. The development on Ashley Down Road requires scaffolding and pavement closures on one section of Ashley Down Road so the works required in this short section will be delayed until the development is complete in early 2013.

The scheme costing £950k is to be funded by the following budgets:

- Section 106 funds totalling £740k which must be spent on this

- scheme, as it was a condition of planning approval
- Safer routes to school budget - contribution £70k
 - Highways devolved footpath improvement budget – contribution £40k
 - Resurfacing budget - contribution £100k

£150k of the S106 funding was committed to the scheme budget in 2010/11 and carried forward to 2011/12 as the funds had to be committed by October 2010.

The scheme involves, footway widening and reconstruction along various sections of Ashley Down Road, alterations to parking restrictions and new and improved pedestrian facilities. Pavements have been built out and parking restricted to provide improved pedestrian routes particularly for children attending the local schools and also reduce some of the dangers created by the narrow road widths. New pedestrian crossings have been provided, in part funded by the safer routes to school budget. The road will be resurfaced in part at the end of the scheme as some sections are in a poor state.

Proposal

5. As detailed above cabinet approval is sought to allow release of the section 106 and capital funding allocated to this scheme.

Other Options Considered

6. N/A

Risk Assessment

7. The funding secured from the S106 agreement for this scheme has to be spent on this section of road on the agreed design. The funds cannot be spent elsewhere. Failure to approve the report would result in the council having to repay the funds to the developer. Significant elements of the scheme are already completed.

Public Sector Equality Duties

- 8a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
 - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
 - tackle prejudice; and
 - promote understanding.

8b) The draft screening Equalities Impact Assessment for the Ashley Down Road – Highway Improvement Scheme has been completed and has not identified any adverse impacts that can not be mitigated against, due to this it has been signed off at this stage as it is being presented to Cabinet in July 2011.

Monitoring of the work being implemented will be an essential part of this process to make sure that all Improvements comply with the reasonable adjustments section / clause of the Equality Act 2010 (Previously known as the DDA).

As there has been some resident / stakeholder equalities involvement previously through a consultation process further equalities work with stakeholders may need to be progressed if any difficulties arise during the implementation of the project.

Environmental checklist – see attached.

Legal and Resource Implications

Legal

As already mentioned in this report, since this scheme involves expenditure in excess of £500,000, it is a key decision requiring Cabinet approval.

As highways and traffic authority for its area, the City Council has various duties and powers in respect of public highways. Section 62 of the Highways Act 1980 gives the Council a general power to improve highways. There are also specific powers such as the power to vary widths of carriageways and footways (section 75 of the 1980 Act).

The provision of pedestrian crossings is affected by virtue of section 23 of the Road Traffic Regulation Act 1984 and relevant procedure regulations. Similarly, the promotion of yellow line waiting restrictions can only be legally affected pursuant to an Order made under the 1984 Act. The relevant procedures require public consultation with the Council being required to consider any objections received before any decision can be made on any proposal.

(Legal advice provided by - Peter Malarby, Senior Solicitor, Highways and Transport)

Financial

(a) Revenue

Provision of the new footpaths and pavements together with the road surfacing works will reduce existing maintenance costs. In addition the section 106 contribution includes a commuted sum of £10 k for the maintenance of signals

(b) Capital

The scheme is to be funded from secure section 106 developer contributions plus small contributions from the safer routes to school budget, the devolved highways footway budget and the highways resurfacing budget.

(Financial advice provided by - Mike Harding, Finance Business Partner, Neighbourhoods and City Development)

Land

N/A

Personnel

N/A

(Personnel advice provided by - N/A)

Appendices:

None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
Background Papers:**

None