



EXECUTIVE BOARD DECISION

REPORT OF:	Executive Member for Regeneration
LEAD OFFICERS:	Director of Growth and Development
DATE:	9 th November 2017

PORTFOLIO/S AFFECTED:	Regeneration	Resources
WARD/S AFFECTED:	Marsh House, Sudell, Whitehall	
KEY DECISION:	YES X NO <input type="checkbox"/>	

SUBJECT: Darwen East Development Corridor: Application for Full Approval

1. EXECUTIVE SUMMARY

To update the Executive Board on progress made with the Darwen East Development Corridor major transport scheme and to agree to the application for Full Approval being made to the Lancashire Enterprise Partnership.

2. RECOMMENDATIONS

That the Executive Board:

1. Approves the Full Approval application to the Lancashire Enterprise Partnership (LEP)
2. Approves the purchase of land and properties related to the project
3. Gives approval to accept the main contract tender subject to confirmation of Full Approval acceptance from the LEP
4. Approves the appropriation of land between Council departments to deliver the scheme subject to compliance with relevant statutory considerations and public notice where relevant.
5. Notes that further reporting will be made at appropriate stages within the project's progression
6. Gives approval to the Director of Growth and Development in consultation with the Executive Member for Regeneration to make amendments to the Full Approval application, as part of the final LEP approval process and to deal with any further matters relating to the land appropriation.

3. BACKGROUND

The quality of the Borough's housing offer is an important factor in determining the future prosperity of Blackburn with Darwen and is a key priority for the Council is to widen the choice of housing within the Borough, in particular the delivery of larger family homes. The Darwen East Development Corridor (DEDC) major scheme offers the opportunity to deliver this wider housing offer on a viable site situated on the fringe of the Darwen urban area, with good accessibility to Town and wider transport networks.

In order to accelerate the delivery of new housing in Darwen and mitigate the impacts of the traffic associated with the delivery of new housing on allocated sites on the highway network, a package of measures is presented and has been packaged as the DEDC major scheme.

The “Ellison Fold / Baileys Field” site in East Darwen has been long identified for development. It was a safeguarded site in the previous local plan and is identified as a housing land allocation in the Council’s adopted (December 2015) Local Plan Part 2 within Policy 16/14. This can be accessed via the following weblink: <http://www.blackburn.gov.uk/Pages/Local-Plan-Part-2-submission-documents.aspx> Landowners have confirmed they are willing for the site to be brought forward for development.

The DEDC major scheme will deliver a new link road on the eastern side of Darwen. This will unlock land to enable the future development of new housing and improve access to local employment opportunities identified within the Council’s adopted Local Plan. The scheme also provides a local traffic alternative for residents in South East Darwen to get to M65 Junctions 4 and 5.

The objectives of the new link road are to:

- Improve the local highway network and improve access to and from the eastern side of Darwen
- Increase travel options between south east Darwen and the M65 Junctions 4 and 5
- Reduce congestion across Darwen whilst helping to bring forward sustainable growth in the Town
- Improve junctions and structures on the DEDC corridor between the A666 / Watery Lane / Grimshaw Street and Ivinson Road / Holden Fold at Chapels

An ancillary result is that the new link road will Provide new infrastructure to enable the development of a designated housing site between Marsh House Lane and Ivinson Road

Following consultation the Council has developed further designs for adjacent junctions to improve conditions for highways users. As part of the project the Council is planning to improve the following junctions and highways:

- A666 / Watery Lane: improved junction layout, right turn pocket and lining, minor parking restrictions
- A666 / Grimshaw Street: improved junction layout, right turn pocket and lining, minor parking restrictions
- Sough Road / Grimshaw Street / Pole lane: compact roundabout
- Priory Drive / Pole Lane: mini roundabout
- Priory Drive / Marsh House Lane: mini roundabout Ivinson Road / Oak Grove / Holden Fold: improved junction layouts, sightlines and kerbing, lining and re-prioritisation
- Grimshaw Street Bridge: structure to be upgraded and strengthened (to be delivered separately via the Local Transport Plan)
- Watery Lane Bridge: options being considered to improve road safety and sightlines (to be delivered separately via the Local Transport Plan).

Traffic calming and junction improvement measures are designed to slow traffic down on these roads. By introducing mini roundabouts, priorities are changed and traffic will not have automatic right of way. Noise cancelling rumble strips will also be delivered on the approaches to selected junctions.

The design of the new road between Marsh House Lane and Ivinson Road will include:

- A single carriageway 30 mph residential road with footways and cycling facilities
- Raised junction tables to keep speeds down
- A design which will allow for future direct access to houses and driveways from the new road
- Landscaping and trees (to mitigate trees lost at Marsh House Lane / Priory Drive)
- Existing rights of way accommodated within the scheme

The Council has limited the scope of improvements at the A666 / Watery Lane and Grimshaw Street junctions to not promote the new link road as a route for Heavy Goods Vehicles. The new link road will be a residential road and the Council has committed to introducing an appropriate weight limit (via

a Traffic Regulation Order) as agreed at the Planning Committee meeting on 17th August 2017.

Full scheme details can be found via the Council's webpage and the information portal for the scheme at <http://www.blackburn.gov.uk/Pages/Darwen-East-Development-Corridor.aspx> and a summary diagram in Appendix 1 to this report.

The principle of development in Darwen and the associated impact on local highways have been assessed during the preparation of the Local Plan. The Local Plan does set out the policy requirements and key considerations for all development on the site (new road link and housing) to safeguard residents' amenity and to manage any potential impact.

Further Transport Assessments will be carried out at the planning stages for the future housing developments. The Council is committed to improving the wider road network as part of this project and will actively negotiate developer contributions as an integral part of the planning application stage to support the delivery of new infrastructure, with a particular focus on walking and cycling routes.

4. KEY ISSUES & RISKS

The confirmation of the DEDC project as a prioritised LEP major scheme as part of Central Government's Round Two Growth Deals in January 2015 has allowed the Council to work through the required planning, legal, procurement, design and consultation processes, detailed within the annual Local Transport Plan work programmes approved annually by the Council's Executive Board. These processes are now closed out and the Council is in a position to apply for Full Approval from the LEP to begin delivery of the scheme.

A summary of timescales and milestones for the major scheme are detailed below:

- Scheme confirmed as a LEP priority on 29th January 2015 as part of the Local Growth Fund 2 Announcement from Central Government
- Scheme approved for progression within the annual work programmes of the Council's Local Transport Plan in March 2015
- Detailed design of work packages completed and quantified: complete
- Statutory undertakings review and design: complete
- Gateway review to confirm design proposals: complete
- Planning approval: obtained for the link road on 17th August 2017 (application #10/17/0638) with pre-start conditions relating to archaeology, mine workings, ecology and landscaping
- Open procurement exercise via The Chest from 23rd August until 4th October 2017 with confirmation of costs: complete
- Land elements agreed: Heads of Terms agreed with exchange of contracts now with Council Legal Services for completion.
- Submission of Evaluation Plan to LEP: complete
- Full Approval application @ Transport for Lancashire Board: 20th November 2017
- Full Approval application @ LEP Board: 30th January 2018
- Contract award: 31st January 2018
- Mobilisation of main contractor following tender acceptance: February 2018
- Construction: February 2018 to March 2019
- Submission of Evaluation report to LEP: 1 year and 5 years after scheme completion

1. Full Approval Application (Strategic Outline Business Case)

The Council's Executive Board is being asked to approve the application of the project to the LEP for Full Approval which involves the submission of the Strategic Outline Business Case (SOBC) for the scheme and related Appendix documentation.

The scheme is seeking approval from the LEP and funding towards its £3.324m cost. In line with the

LEP's Accountability Framework, the SOBC is required in order to seek approval and draw down funds. The SOBC demonstrates the clear strategic need to deliver more housing and accelerate growth in Blackburn with Darwen and the wider Lancashire LEP region, as reflected in local, regional and national policy. In order to accelerate the delivery of new housing in Darwen and mitigate the impacts of the traffic associated with the delivery of new housing on allocated sites on the highway network, the DEDC a package of measures is presented and has been packaged as the DEDC major scheme.

Without the new link road and junction improvements included in the DEDC scheme the pace of housing delivery in East Darwen will be significantly impacted. Furthermore, the impact of the traffic generated by new housing developments would have a significant detrimental impact on the safe and efficient operation of the local highway network without the scheme, which could compromise the Council's growth agenda.

The DEDC will act as the catalyst for the development of Bailey's Field and Marsh House Lane development sites (allocated housing site 16/14) and help facilitate the delivery of other allocated housing sites in East Darwen by providing the key infrastructure required to bring these sites forward and to make them more attractive and viable to developers. Additionally, through the increased connectivity offered by the DEDC the local populace (both current and future) will be able to take advantage of improved links to employment in the wider region: along the M65 corridor, in Blackburn, Bolton, and further into Lancashire and the Manchester City Region.

In terms of Value for Money, the scheme will deliver significant journey-time saving benefits, amounting to a Present Value of Benefits **PVB of £28.8m** (2010 Prices, discounted over 60 years, including costs of accidents). The scheme also demonstrates 'Very High' value for money based on a traditional transport Benefit Cost Ratio **BCR of 7.85** in its entirety. Individual BCRs for each scheme have been produced and also indicate high value for money, exceeding both the Department for Transport (DfT) and LEP Value for Money funding criteria.

The scheme also has the potential to generate approximately **£0.55m per annum** of Gross Value Added (GVA) benefits averaged over a 60-year appraisal period (2010 prices, based on locally adjusted GVA values), which (in line with DfT guidance) have not been incorporated into the BCR but demonstrate the scheme's positive contribution to the wider economy.

2. Land and Property

Two areas of land will be acquired in order to deliver the DEDC major scheme:

- Land at Ellison Fold (Bailey's Field), Darwen
- Land at the junction of Oak Grove / Moor Lane, Darwen

Approval has been obtained to purchase both areas of land from the landowners via Delegated Powers. All negotiations relating to the land take from third party interests have been concluded and are currently with Council Legal Services for completion.

3. Acceptance of Main Contractor Tender

The Council's Executive Board is being asked to approve the acceptance of the Main Contractor tender to deliver the DEDC scheme following a detailed tender evaluation exercise. The Council will not be in a position to formally appoint the main Contractor until the LEP has confirmed Full Approval on 31st January 2018.

An open tender process was conducted by the Council via the electronic system "The Chest" for 6 weeks between 23rd August and 4th October 2017. Ten bids were received by the Council to deliver the DEDC scheme and were evaluated according to 60/40 price / quality split by an appointed evaluation panel.

Quality questions were split and had to be detailed in relation to the following areas:

- A description of the approach to this contract and the methodology to be employed
- Outline programme and the contractors approach to programming as a tool
- Site management structure and quality of staff
- Subcontractors and suppliers
- Public safety and protection
- Social and economic value

Particular focus has been given in relation to a number of outcomes and commitments including the creation of new jobs and traineeships in the local economy, a percentage of main contract spend within the local supply chain, and support for third sector organisations.

Main contract works will be carried out under terms and conditions of the Engineering and Construction Contract (ECC), Third Edition, (NEC3) published in June 2005 (with amendments June 2006) by the Institution of Civil Engineers, using Option B priced contract with Bill of Quantities.

Summary of works:

- Main contract: Construction of Link Road, DEDC junction improvements and safety measures, landscaping and highways resurfacing
- Pre works undertaken by BwDBC
- Statutory Undertakers diversions
- Professional fees for design
- Supervision fees
- Construction risk
- Preparation / supervision risk
- Total Confirmed Cost: £3,323,884

The total confirmed cost is to be funded as follows:

- Growth Deal 3 (LEP): £2,500,000 (75%)
- BwDBC local contribution: £823,884 (25%)
- Total Funding: £3,323,884

Further information on funding profiling can be found within the Financial Implications section of this report in Section 6.

4. Appropriation of Land

In order to deliver the DEDC major scheme, land is required for the purpose of highways construction, already within the ownership of the Council but under the control of either Property Management or the Environment Department. These will need to be appropriated for Highway purposes in accordance with the details set out in Table 1 below and can be found in Appendix 2:

Scheme	Description	Site Area	Held By	Action Required
Junction Improvements - Moor Lane / Oak Grove / Ivinson Road, Darwen.	Land comprising three areas of grass verge (shown edged red on Plan No 1) at the junction of Ivinson Road / Moor Lane / Oak Grove, Darwen	58.7 square metres on the north westerly side of the junction, 86.8 square metres on the north easterly side, and 60.4 square metres on the north westerly side of the junction.	Property Management (Growth and Development)	Appropriate for Highway Purposes (Growth and Development - Highways)
Junction Improvement - Sough Road / Grimshaw Street, Darwen.	Land comprising two areas of informal open space (shown edged red on Plan No 2) at the junctions of Grimshaw Street and Pole Lane with Sough Road, Darwen	721 square metres on the north westerly side of the junction and 202 square metres on the north easterly side.	Environment Department	Appropriate for Highway Purposes (Growth and Development - Highways)
		154 square metres on the north westerly side of the junction.	Property Management (Growth and Development)	Appropriate for Highway Purposes (Growth and Development - Highways)

New Link Road - Marsh House Lane to Ivinson Close, Darwen.	Land comprising informal open space (shown edged red on Plan No 3) off Marsh House Lane, Darwen.	0.4877 ha (4,877 square metres on the northerly side of the Marsh House Lane / Priory Drive junction.	Property Management (Growth and Development)	Appropriate for Highway Purposes (Growth and Development - Highways)
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In addition to the above there are a number of other parcels of land either within the ownership or which are maintained by the Council which require the vegetation to be curtailed to a maximum height of 0.5 metres in order to maintain visibility splays. The initial curtailment will be undertaken as part of the highway works but thereafter the Environment Department will be expected to continue maintaining these areas to ensure that the vegetation does not exceed the maximum height of 0.5 metres. The details are set out in Table 2 below and can be found in Appendix 2:

Scheme	Description	Site Area	Held / Maintained By	Action Required
Junction improvement - Marsh House Lane / Priory Drive, Darwen.	Land comprising two areas of informal open space (shown coloured green on Plan No 4) at the junction of Marsh House Lane / Priory Drive, Darwen.	135 square metres on the south westerly side of the junction.	Environment Department	Maintain the vegetation to a height not exceeding 0.5 metres.
		49 square metres on the south easterly side of the junction.	Unknown ownership but according to Council records is maintained by the Environment Department	Maintain the vegetation to a height not exceeding 0.5 metres.
Junction improvement - Priory Drive / Pole Lane, Darwen.	Land comprising informal open space (shown coloured green on Plan No 5) at the junction of Priory Drive / Pole Lane, Darwen.	158 square metres on the south easterly side of the junction.	Environment Department	Maintain the vegetation to a height not exceeding 0.5 metres.

5. POLICY IMPLICATIONS

A key priority for the Council is to widen the choice of housing within the Borough, in particular the delivery of larger family homes. The East Darwen site offers the opportunity to deliver this wider housing offer on a viable site. As part of the new road link's design, footpaths are being planned to closely link the western edge of the site with existing developments i.e. Two Gates and Ellison Fold Terrace. Similarly, efforts will be made to ensure footpaths are retained, to ensure easy access between any future development and social / health / cultural / retail and public transport facilities, given that they are under a kilometre away.

The objectives of the new link road are to:

- Provide new infrastructure to enable the development of a designated housing site between Marsh House Lane and Ivinson Road
- To improve the local highway network and improve access to and from the eastern side of Darwen
- To increase travel options between south east Darwen and the M65 Junctions 4 and 5
- To reduce congestion across Darwen whilst helping to bring forward sustainable growth in the Town
- To improve junctions and structures on the DEDC corridor between the A666 / Watery Lane / Grimshaw Street and Ivinson Road / Moor Lane at Chapels

Progression of the DEDC major scheme is essential to deliver the Council's corporate agendas to support economic growth, housing delivery and to facilitate sustainable regeneration.

6. FINANCIAL IMPLICATIONS

The scheme's total value stands at £3.324m which includes a risk layer of £270,563 (8.1%), following scheme tendering and reduction in the quantified risk layer. Works will be carried out and grant

claimed back from the LEP quarterly and on a defrayed basis. Any cost overruns will be met by the Council from the Local Transport Plan in future years.

The breakdown of funding is as follows and runs between 2016/17 and 2019/20:

- £2.5m Local Growth Deal (LEP)
- £0.824m Blackburn with Darwen Borough Council Local Transport Plan
- Total Funding £3.324m.

	2016/17	2017/18	2018/19	2019/20
LEP Growth Deal		£0.5m	£2m	
BwDBC LTP	£0.135m	£0.3m	£0.332m	£0.057m
Total	£0.135m	£0.8m	£2.332m	£0.057m

7. LEGAL IMPLICATIONS

All packages of work within the DEDC major scheme will be designed and implemented in accordance with relevant highway, transport and traffic legislation; and will need to be procured in accordance with the Council's Constitution and, where relevant, European directives; and grant conditions.

The Council's legal section will be involved in progressing the statutory elements of the project i.e. Traffic Regulation Orders, which will commence post Full Approval to coincide with implementation.

In accordance with Section 122 of the Local Government Act 1972 ("the Act"), the Council is declaring that the land in Table 1 in the report is no longer required for its present purposes identified in that schedule and is to be appropriated for the newly identified purpose. Because of s122(2A) of the Act, the areas of land which are recorded as informal public open space in Table 1 must also be advertised via public notice of the Council's intention to appropriate the said land to highway purposes, and in the event of no objections being received within the date specified in the public notice (or if received they are withdrawn), upon the day immediately following the date specified in the public notice to appropriate the said land to highway purposes and the said land shall be publicly maintainable as highway or highway verge.

8. RESOURCE IMPLICATIONS

Officer time in delivering the DEDC major scheme will be considerable but will be undertaken using existing resources and through established non-core fee protocols using funding as detailed within this report.

The delivery of new infrastructure in the borough will upgrade a significant number of junctions, lengths of highway and highways assets. Maintenance of new lengths of highway infrastructure and associated street furniture i.e. street lighting and landscaping will be funded using existing resources.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision.



BwDBC LTP3
Environmental Report



Environmental
Impacts Report



Social and
Distributional Impact:

10. CONSULTATIONS

Residents have been consulted with extensively on the principle of the site being developed for housing throughout the preparation process of the Local Plan and in terms of the potential alignment for the link road and associated junction improvements.

Local Plan consultation events in 2012-2013, in Darwen, were advertised and held at the following times:

13th July 2012 – Darwen Market Atrium - public exhibition
17th July 2012 – Darwen Library Theatre 2pm-7pm – drop-in session
24th July 2012 – Hoddlesden Village (bus touring exhibition in Ranken Arms car park 3pm-5pm)
23rd April 2013 – Carus Centre, Hoddlesden – drop-in session
29th April 2013 – Darwen Vale High School – drop-in session
8th May 2013 – Derwent Hall, Darwen – drop-in session

A further public consultation stage took place when the draft Local Plan was published in January-March 2014 (via letters, press notice, website material, information in all libraries).

There are three documents produced on consultation as part of the Local Plan evidence: Statement of Consultation Part 1 looks at the consultation process for the Issues and Options (July-Sep 2012). Part 2 details all the material that went out. Part 3 refers to response received in relation to the allocation of Bailey's Field (page 10) – Page 285 provides the full responses. Please see the following weblink for further information:

<http://www.blackburn.gov.uk/Pages/Local-Plan-Part-2-submission-documents.aspx>

Two consultation exercises relating to the DEDC and a proposed masterplan for the area to inform future housing development were held on the 22nd and 23rd November 2016 at Darwen Academy and the Craven Heifer Public House. Over 160 people attended in person over the course of the two nights to speak to representatives from the Council and Developers. 51 responses were received from residents responding to the consultation exercise. The Council produced a Question and Answer document to respond to issues raised, and this is published on the information portal for the scheme at: <http://www.blackburn.gov.uk/Pages/Darwen-East-Development-Corridor.aspx>

As part of the submission for Final Approval and in line with the LEP assurance framework, a Communications Strategy and Action Plan has been developed and proposes the following:

- Leaflet drops to adjacent properties before works commence
- An information portal on the Council's website to keep residents up to date
- Ongoing information releases to Elected Members and the Member of Parliament
- Social Media releases throughout the scheme's delivery phase.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	0.01
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CONTACT OFFICER:	Mike Cliffe, Strategic Transport Manager, ext 5310
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DATE:	13 th October 2017
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BACKGROUND PAPER:	Appendix 1: Scheme summary diagram Appendix 2: Land appropriation drawings
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