

## Report to the Cabinet

Meeting to be held on Thursday, 1 February 2018

### Report of the Director of Programmes and Projects

#### Part I

Electoral Division affected:  
Rossendale East; Whitworth &  
Bacup

### Bacup Townscape Heritage Initiative

(Appendix 'A' refers)

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#### Executive Summary

This report seeks approval of a public realm improvement scheme and related funding arrangements proposed within Bacup Town Centre. The scheme relies on both County Council and Heritage Lottery funding (HLF).

As part of the public realm works, it is proposed to create three Zebra crossings, located on Market Street, St James Square and Yorkshire Street.

A Section 278 Agreement is being drafted that will be used to safeguard the County Council's financial position.

This is deemed to be a Key Decision and the provisions of Standing Order No. 25 have been complied with.

#### Recommendation

The Cabinet is recommended to:

- (i) Approve that the County Council will enter into a S278 agreement under which it will accept staged payments totalling £320,000 from Rossendale Borough Council together with any other additional financial resources for the project that may be agreed, on the condition that payments are received and added to the Highways block of the 2015/16 capital programme in advance of any application for payment from the appointed contractor. The final wording of the Agreement will be agreed under the present delegations for S278 Agreements.

- (ii) Approve the introduction of a three Zebra crossing arrangement and markings as advertised and set out on the drawings attached at Appendix 'A'.

## **Background and Advice**

The Bacup Townscape Heritage Initiative (THI), promoted by Rossendale Borough Council (RBC), who are the accountable body for the HLF, is a public realm improvement scheme proposed on St James Square and associated adjacent side roads of Bacup Town Centre. The scheme relies on both County Council and HLF funding.

The County Council has provided an estimating and design service to RBC in connection with the development of these proposals in so far as they relate to highway improvements. The design has gone through numerous iterations that have been steered by the THI Board representatives consisting of local business owners, Borough and County Councillors and public consultation.

The proposed improvements are on land which is predominately dedicated as public highway, with a small proportion of RBC owned land. RBC has agreed in principle to enter into a S278 Agreement with the County Council, to enable the County Council to procure the works through an external tender arrangement and subject to the tender price being in line with the available budget, supervise the construction stage.

The County Council has previously approved an allocation of £422,000 from the highways block of the 2015/16 capital programme. The staged payments totalling £320,000 from RBC will allow for a total project budget of £758,500 including the credit of £16,500 for previous design iterations. The County Council and HLF will pay for two separate pieces of work and both of these must be within the respective financial requirements for the scheme to be affordable and contract award made.

As stated above, the County Council and RBC have agreed, in principle, to enter into a Section 278 Agreement with terms to be agreed prior to progressing to the construction stage. RBC will undertake a due diligence review of the S278 Agreement process and once satisfied with the conditions the construction phase will proceed on this basis.

Cabinet is also requested to approve the introduction of three Zebra crossings, located on Market Street, St James Square and Yorkshire Street.

## **Consultations**

RBC have arranged public consultation of the scheme and responses received have informed the final design, in addition specific statutory consultation has been undertaken in relation to the zebra crossings.

The zebra crossings were consulted upon and advertised twice based on two iterations of the proposed junction changes. These consultations were carried out

between 7 July 2017 and 4 August 2017 for a five zebra crossing arrangement and 1 December 2017 and 29 December 2017 for a three zebra crossing arrangement.

Objections were received from two respondents during the first stage of consultation for a five Zebra crossing arrangement. However, only one of the objections related directly to the establishment of the zebra crossings, and was concerned that five zebra crossings would cause disruption to the flow of traffic through the centre of Bacup. The other objections did not relate directly to the zebra crossings and are therefore not considered as valid objections for the purpose of this report.

The second round of consultation for a three zebra crossing arrangement and associated markings, based on the revised junction arrangement, received no objections.

However it is deemed appropriate that Cabinet should consider the one original objection to the crossing as it is still relevant.

### **Response**

As a result of the revised junction arrangement, three new crossings are proposed on present desire lines. This is a reduction of two crossings based on the original advertised five crossing arrangement.

The introduction of the Zebra crossings is important part of meeting project objectives of offering improved pedestrian movements and experience, to enhance the vitality of the town centre. It is accepted that new Zebra crossings will have some impact on the existing flow of traffic, however the impact is deemed commensurate with the requirement of safe crossing provision in line with the increased pedestrian capacity the town centre improvements will offer.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The Section 278 Agreement will provide a robust mechanism for the County Council to ensure there is no financial risk from the construction and supervision of these works. RBC has requested that payment is staged such that the County Council will request and receive payment from RBC in advance of any applications for payment made by the appointed contractor. The exact mechanism for receipt of funds will also be covered by the S278 agreement.

The zebra crossings will provide greater safety and visibility while reducing the conflict between vehicles and vulnerable users.

### **Financial**

This report will result in an increase in the Council's borrowing of £16,500. This will increase the overall project cost to £758,500. It is proposed that the expenditure be phased across the financial year 2018/19 in line with the receipt of income.

## **Legal**

The majority of the works will take place within the boundary of the adopted highway under the S278 Agreement. The remainder will be carried in RBC owned and controlled land under the same S278 agreement. There is to be no additional land to be dedicated as highway as part of the proposals.

Notice has been given in accordance with the provisions of section 23 of the Road Traffic Regulation Act 1984 to establish Zebra crossings on Market Street, St James Square and Yorkshire Street, Bacup.

## **List of Background Papers**

| Paper | Date | Contact/Tel |
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None

Reason for inclusion in Part II, if appropriate

N/A