

SUBJECT:	WESTERN GROWTH CORRIDOR SCHEME DELIVERY – EASTERN ACCESS
DIRECTORATE:	MAJOR DEVELOPMENTS
REPORT AUTHOR:	JO WALKER – ASSISTANT DIRECTOR, WESTERN GROWTH CORRIDOR

1. Purpose of Report

- 1.1 To provide an update on the progress with the delivery of the Skellingthorpe Road (southern access) works and proposed housing development.
- 1.2 To provide an update on proposals for the design and delivery of the main bridge and road link, which will form the eastern access point into the Western Growth Corridor site.
- 1.3 To seek approval to move forward with enabling works, relating to vegetation clearance and the diversion of statutory services, in order to maintain the programme for delivery of the eastern access work, in line with funding timescales.

2. Skellingthorpe Road – Southern Access & Housing Proposals

- 2.1 On 20 February 2023, Executive approved the proposed funding and delivery arrangements for the construction of the southern access into the Western Growth Corridor site from Skellingthorpe Road.
- 2.2 To enable this work to proceed, the Council exercised its Compulsory Purchase Order (CPO) powers to acquire two slender parcels of unregistered land adjacent to Skellingthorpe Road and to the Boultham Catchwater. The Order was confirmed by the Secretary of State for Levelling Up, Housing & Communities on 6 March 2023, enabling the Council to take ownership of the land following a General Vesting Declaration procedure, which completed in July 2023.
- 2.3 Construction work was then able to commence on site during the school summer holidays, on 7 August 2023. The new junction and access road will be completed by Summer 2024 and will serve the first 300 homes on the site. It will also provide an alternative access route for those with existing rights via Pig Lane.
- 2.4 In addition to approving the infrastructure works, Executive also approved in principle, the proposals for the delivery of a first phase of housing on Council-owned land at the gateway into the site, subject to planning and all other necessary consents.
- 2.5 This first phase of development will provide a mix of market housing, with a focus on sustainability and place-making, to set the standards for the wider site and to meet the delivery objectives of a key funding partner, Homes England.

- 2.6 The proposals for the first 52 homes were the subject of a formal (Reserved Matters) planning application, which was considered and approved by Full Council sitting as Planning Committee on 31 January 2024.
- 2.7 The planning process followed a series of consultation sessions and communication with stakeholders and the community, particularly in the period since March 2023. This has included a community consultation event and further meetings with local residents, led by the Council in its role as developer and landowner.
- 2.8 Delivery of the new housing proposals will also be contingent technical approvals as well as a final development appraisal, to ratify that costs and values are in line with earlier decision-making. If approvals are granted and terms are met, housing delivery is expected to commence during Summer 2024, once the new access has been formed. The homes will be delivered in phases over an approximate 24-month period, depending on market conditions.
- 2.9 The build-out and phasing proposals will allow for access to be maintained for those with rights along Pig Lane. This will be along the route of the existing track until such time as the new access is available, whereupon it is proposed to replace this part of the track with the new highway & signalised junction, built to adoptable standards.

3. Tritton Road – Eastern Access

- 3.1 Following approval in February, and subsequent approvals in June and July 2023, work has progressed on the design of the bridge and access road to the east of the site, under specialist infrastructure contractor, John Graham Construction and their designer, Ramboll.
- 3.2 The scope of work has included a design review and value engineering exercise for the structures and access road, in consultation with Network Rail (NR) and the Local Highways Authority (LHA). A range of site surveys and investigations have also been undertaken to further inform the optimal design solution (for example in respect of utilities, ecology and archaeology).
- 3.3 Updated designs for the main bridge have now been submitted to both NR and the LHA to secure 'Approval in Principle' (AIP), prior to the technical design stage, which will follow over the next 2 months. This will inform the final scope and works packages, which will be subject to tender to ensure value for money.
- 3.4 Subject to technical approvals and a final cost, which demonstrates value for money, the construction works for the main bridge could commence during Summer 2024.
- 3.5 The design and delivery of this project is supported by Levelling Up Fund Round 2 grant of £20m. The contract for the delivery of the eastern access will be contingent on the approval of funding partners to the final scope, costs and delivery programme. A report will be presented in March 2024, with these details once the technical approval process is further advanced.

- 3.6 Prior to the main start on site, enabling works will be required to prepare the land for development, which will include the clearance of vegetation and trees, particularly to the east of the railway, which is the location of the main access route.
- 3.7 Soft cutting of some hedgerows on site will also be required to facilitate the construction of the haul route for materials and equipment but this will be limited only to what is needed for this phase of construction. Ecological surveys have been carried out to inform the required Reserved Matters application in respect of the haul route and for the discharge of planning conditions in respect of the bridges and access routes – to form part of the Construction Environmental Management Plan.
- 3.8 The work to clear vegetation is proposed to be carried out from February 2024, outside of bird nesting season and under the watching brief of an ecologist. The cost of such enabling work was included within the budget approval of July 2023.
- 3.9 Arrangements for the diversion of statutory services will also need to be planned in advance, due to the significant lead-in times. This includes electricity, gas and media services located within the public highway and on the development site itself, which will all require diversion ahead of the main infrastructure works on Tritton Road. The statutory bodies require payment of an upfront fee to confirm the lead in and delivery timescales, however the fee is refundable (less any costs incurred in mobilisation) if the works do not proceed.
- 3.10 Approval is needed in order to commit to the above enabling works, in order to maintain the overall programme for delivery to meet the funding timescales.
- 3.11 All costs associated with the design and enabling works in the current year will be funded by the LUF grant.

4. Strategic Priorities

4.1 Let's drive inclusive economic growth

The delivery arrangements which are proposed in this report will open up the WGC development via its eastern access, creating opportunities for housing growth and contributing directly and indirectly to the economic growth of the city.

The creation of this access will then further provide the opportunity to deliver a connecting spine road (to link with the Skellingthorpe Road – Southern Access), thereby opening up the full potential of the site and resulting opportunities to support sustainable economic growth.

4.2 Let's reduce all kinds of inequality

The development will bring a number of positive benefits in respect of reducing inequality and supporting inclusive growth through the provision of affordable housing, sustainable transport links and wider energy efficiency measures, employment opportunities and access to leisure and green spaces.

4.3 **Let's deliver quality housing**

Delivery of the Eastern Access will directly open up the land within the ownership of the City Council and forming part of the Western Growth Corridor site. This will provide the opportunity for the delivery of a range of housing across all types and tenures to serve the needs of the City. The Council will be ensuring that a high quality of development is achieved, in line with its objectives and wider vision statement to create sustainable, inclusive communities.

4.4 **Let's enhance our remarkable place**

The area for development has a fantastic environment and some very special attributes in terms of existing quality landscape, views of the historic area and the biodiversity of the natural environment that will be utilised to create a quality community environment. The detailed development proposals for both the infrastructure and subsequent housing development, will be required to take account of these assets and to seek to preserve key landscape features and enhance biodiversity across the site.

4.5 **Let's address the challenge of climate change**

The vision for the Western Growth Corridor is to deliver a high quality, sustainable development which seeks to address the challenge of climate change in terms of the overall scheme design and its constituent parts – housing layout and built form, energy, biodiversity, transport and construction methodology.

In respect of the Eastern Access, the value engineering and design process is seeking to improve the overall design, to reduce the quantum of material to be used and to seek to source this sustainably. The opportunities identified to date will realise a 50% reduction in fill material, with greater potential still to be explored leading to significant carbon (and cost) efficiencies. A sustainability report assessment will be carried out as part of the design and delivery process, comparing the previously approved bridge solution to the current proposal.

In respect of the first phase of housing, a sustainability report has been provided which demonstrates that the proposals will deliver a scheme which will produce 87% less carbon than a standard building regulation compliant scheme. The proposals will go further than this, exceeding the proposed Future Homes Standard for development.

This demonstrates the Council's commitment to leading the way in the delivery of a new standard of housing, which is differentiated from the existing market offer and a positive and significant step towards the delivery of net zero development.

5. Organisational Impacts

5.1 Finance (including whole life costs where applicable)

Capital Implications

The cost of the design and enabling works was set out in the report of July 2023. All costs associated with the design and enabling works in the current financial year will be funded by the LUF2 grant, as previously reported to the Executive.

The final project costs will be subject to the technical design process which is currently underway and delivery will be subject to agreement with all funding partners. A further report will be presented in March 2024 to seek approval, ahead of entering into contract to proceed to the delivery stage.

5.2 Legal Implications including Procurement Rules

Procurement

All procurement associated with the delivery of the proposals set out in this report has and will continue to be undertaken in accordance with Public Contract Regulations 2015.

For Phase 1b, the Council has procured a lead contractor via the Pagabo Civils Framework. This framework provides a compliant and expeditious route to market and allow for early engagement with a specialist civils contractor to support feasibility and cost-planning from the beginning. The process of engagement allows for this work to be progressed under an initial pre-construction agreement, prior to a delivery agreement, and with no obligations to proceed to the delivery phase.

Subsidy Control

State Aid regulations have now been replaced with the Subsidy Control Act 2022 which came into effect on 04 January 2023. The Council has received specialist external legal advice at all key points of the LUF2 scheme including at submission of the grant application in August 2022 and this advice has been followed throughout. In respect of the LUF2 grant, Government have determined that the £20m grant to the Council is not a subsidy. In addition, as required under the Subsidy Control Act, Council officers have undertaken an assessment of whether there is any form of subsidy involved in delivering the works funded by the grant. That assessment has concluded that the works to be undertaken do not give rise to a subsidy and the Council can proceed with delivery.

5.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

The detailed design process for the eastern access and wider site master planning has and will continue to have due regard to the above objectives, in conjunction with the wider legislation which must be adhered to in connection with the design and delivery of highway and development projects.

5.4 **Human Resources**

A combination of internal officers and specialist external advice has been procured to support the delivery of the scheme. Further resources will be required, as set out within this report, to deliver the wider scheme.

5.5 **Land, Property and Accommodation**

The land which has been identified for the construction of the Eastern Access is within the control of the City of Lincoln Council, with further proposed improvements to the existing highway on Tritton Road (on land which is under the control of Lincolnshire County Council, the Highways Authority [Section 278 Works]).

Access and works will also be required across the adjoining development land, owned by Lindum (in respect of the proposed haul route and final spine route). The Council and Lindum are working together to jointly promote and develop the land, with provisions for access over each other's land for the purposes of delivering the agreed common infrastructure.

5.6 **Corporate Health and Safety Implications**

A Health & Safety assessment has been undertaken in respect of the contractor selection process, to ensure compliance with the Council's Control of Contractors procedure.

A Principal Designer (PD) has been appointed in respect of the project to ensure compliance with Construction Design & Management (CDM) Regulations 2015.

6. **Risk Implications**

- 6.1 A risk register is in place for the delivery of Phase 1b and for the development as a whole. Key risks and mitigations in respect of Phase 1b include:

Financial – ability to deliver the project within budget:

Early contractor engagement to review design and value engineering opportunities, phased design with key hold points, external funding secured.

Financial – funding and risk of claw-back:

Regular dialogue and monitoring with DfT; discussion and understanding of need to undertake early work to determine deliverability.

Financial – funding and risk of non-payment of partner contributions

The Council currently has agreements in place with the key funders and partners.

Programme – ability to deliver the project to programme:

Utilising compliant framework for procurement, early contractor engagement to establish feasibility and deliverability, detailed programming, contract provisions to reduce client risk.

Resource – capacity and expertise to deliver:

Experienced, specialist civils contractor to lead on design and build basis, external project manager/cost consultant to oversee, support client and provide due diligence.

7. Recommendations

- 7.1 To acknowledge the progress which is being made in respect of the delivery of the first phases of delivery to open up the Western Growth Corridor site, which is of strategic importance to the future growth of the city.
- 7.2 To approve the proposed enabling works associated with the eastern access, in order to maintain the programme for delivery to meet the required funding timescales.

Is this a key decision? Yes

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? None

List of Background Papers: Executive Reports - Western Growth Corridor Scheme Delivery – 20th February; 5th June; 24th July 2023

Lead Officer: Kate Ellis – Strategic Director of Major Development
Email address: kate.ellis@lincoln.gov.uk