

CABINET - 12TH APRIL 2018

Joint report of the Head of Landlord Services and the Head of Finance & Property

Lead Member: Councillor Mercer and Councillor Barkley

Part A

ITEM 8 FOOTPATH AT JUBILEE AVENUE, SILEBY

Purpose of Report

This report requests authorisation to undertake a capital scheme to complete the installation of a footpath and associated works at Jubilee Avenue, Sileby.

Recommendations

Cabinet is asked to:

1. Approve the completion of the footpath at Jubilee Avenue, Sileby, as described in Part B of this report.
2. Approve the release of funding from the HRA financing fund and general fund capital receipts (50/50 split).
3. Give delegated authority to the Head of Finance & Property Services to make arrangements for the delivery of the works identified above.

Reasons

1. To allow completion of the pedestrian footpath and associated works at Jubilee Avenue in Sileby and to satisfy Condition 20 of the planning permission P/10/1660/2 as summarised at Part B section 1 *Background* of this report.
2. To ensure that adequate funding is available for the completion of the footpath and associated works.
3. To ensure that the works can be completed in an efficient and timely manner.

Policy Justification and Previous Decisions

Plans Committee resolved to grant planning permission for P/10/1660/2 subject to a S106 agreement at its meeting on 14 October 2010 (minute 18 (1) 10/11 refers). The completion of the footpath will satisfy Condition 20 of the planning permission P/10/1660/2 as detailed at Part B section 1 *Background* of this report.

Implementation Timetable including Future Decisions and Scrutiny

It is envisaged that commissioning of the works will be carried out once Cabinet approval has been received.

This report is available for scrutiny by the Overview Scrutiny Group at their meeting of 9th April 2018.

Report Implications

The following implications have been identified for this report.

Financial Implications

The total cost of works required is estimated at £14,000. Given the context of the existing footpath its location it is considered appropriate to split the costs between the General Fund and Housing Revenue Account on a 50/50 basis.

The amounts involved are not considered material to either the General Fund or Housing Revenue Account, or in total and can be funded from available budgets.

Risk Management

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

<i>Risk Identified</i>	<i>Likelihood</i>	<i>Impact</i>	<i>Risk Management Actions Planned</i>
Costs of the rectification works exceed initial estimates	Possible	Minor	Management of selected contractor. Any additional amounts involved are unlikely prove significant
Some residents do not want the footpath installing and they may be dissatisfied. However 64% were in favour of the footpath being completed.	Possible	Minor	Local residents will be advised of the consultation results, the action to be taken, and the reasons why

Equality and Diversity Implications

A full assessment will be completed in advance of delivery of the works to ensure any potential areas of discrimination are eliminated

Key Decision: No

Background Papers: Map of the site

Officers to contact: Peter Oliver - Head of Landlord Services
01509 634952
peter.oliver@charnwood.gov.uk

Clare Hodgson - Head of Finance & Property Services
01509 634810
clare.hodgson@charnwood.gov.uk

Part B

Background

Planning history

1. The planning permission was granted 8 November 2010, P/10/1660/2 – Site for residential and mixed use development, including sports facilities and access at Land off Seagrave Road, Sileby, Loughborough, LE12 7NJ. The development abuts the Council's car park serving properties at Jubilee Avenue.

2. Condition 20 of that planning permission states:

No development shall commence until details including timing for provision of a pedestrian link within and up to the application site boundary adjoining Jubilee Avenue have been submitted and approved in writing by the local planning authority and thereafter this link shall be provided, maintained and in no way obstructed.

REASON - To facilitate a pedestrian link between the development and Sileby via Jubilee Avenue for the benefit of residents of the development and residents of Sileby.

3. The Plans Committee report for the item states:

'The opening up of a pedestrian link to Jubilee Avenue would also improve the sites sustainability by considerably reducing walking distances into the village for many of the proposed plots. This cannot currently be included as a legal obligation within the section 106 agreement as the land is not within the ownership of the applicant. As it is core to consideration of the sites sustainability its provision does, however, need to be secured by way of a condition.'

4. Whilst the planning condition was imposed and the footpath implemented to the boundary of the site this left the link through Jubilee Avenue to be implemented and no provision for funding of this link on the Council's land was made. The developer has undertaken to provide the footpath within the site however this has left the Council with the issue of resolving the rest of the link themselves.
5. Necessary works on the Council's side of the link include the installation of a footpath and dropped kerb, and appropriate measures to facilitate the safe crossing of the car park by pedestrians. The developer has instated a footpath which terminates at a fence which marks the boundary with the Council's land.
6. In the absence of a formal pedestrian link between the new development and Jubilee Avenue a number of unofficial pedestrian access points have developed. This has led to issues for local landowners with regards to trespassing and damage to their property to facilitate access.

Proposal

7. As set out in planning permission condition 20 there is a need to install the pedestrian link to connect the new development with Jubilee Avenue. These works will include construction of the footpath, removal and securing of the existing fencing, marking of a pedestrian crossing in the existing car park and provision of additional bollard lighting for pedestrian safety
8. The rectification works required together with the associated cost estimates (derived from a recent outline quote) are set out below:
 - Construction of footpath and removal of fencing £9,828
 - Installation of bollard lights £3,088
 - Contingency £1,300
 - **Total estimated cost £14,216**

Funding

9. It is proposed to fund the works on a 50/50 basis split between the general fund and the Housing Revenue Account as the original development was HRA. The cost of the works is not material and can be funded from HRA financing fund and general fund capital receipts balances. The footpath will be on HRA land and the expenditure is capital in nature so this is allowable within the ring-fencing rules. Ongoing revenue maintenance works will be minimal and can be funded from existing budgets.

Consultation

10. On 23rd July 2017 the Council undertook a door knocking exercise at 46 properties at the location to ascertain residents' views on the proposed pedestrian link.
11. 14 responses were received from the 46 households - a 30.4% response rate. Of those households that responded 9 (or 64%) were in favour of the installation of the pedestrian link.
13. The consultation methodology, results, and comments made by residents can be found at Appendix 1 - Consultation Feedback.

Summary

14. This matter of the link through Jubilee Avenue is of long standing and, now a public consultation has been completed, it is considered appropriate that it should be addressed.

Appendices

Appendix 1 - Consultation Feedback.

Appendix 1 Consultation Feedback - Proposed Pedestrian Link between the New Miller Estate and Jubilee Avenue, Sileby

1. Methodology

The Customer Engagement Team identified 46 households that would be immediately affected by the proposed pedestrian link - 28 on Jubilee Avenue and 18 on Southfield Avenue on the new Miller estate.

On 23rd July 2017 the Customer Engagement officer undertook a door knocking exercise at the 46 households to ascertain residents' views on the proposal. Where the officer was unable to receive a response on the doorstep a copy of the questionnaire and a pre-paid self-addressed envelope was left so that residents could return the form to express their views.

Residents were asked to say *Yes* or *No* to the proposal and were given the opportunity to provide any comments/reasons for their response.

2. Results

14 responses were received from the 46 households - a 30.4% response rate. The responses received are detailed in the below table.

Response	All responses	%	Jubilee Avenue	%	Southfield Avenue	%
Yes to proposal	9	64%	5	62.5%	4	66.6%
No to proposal	5	36%	3	37.5%	2	33.3%
Total	14	100%	8	100%	6	100%

Residents that lived closer to the proposed pedestrian link were more likely to say *No to proposal*.

2.1 Comments made by residents

Summary of reasons for *Yes to Proposal*:

- Convenient and safer access to the centre of Sileby (for those living on the new development) and to the park (for those visiting the new development - which has a park on it), particularly for mothers and children.
- Children would continue to climb the fence or damage it if the link is not installed.

Summary of reasons for *No to Proposal*:

- Increase in pedestrian traffic through the car park, which could have security implications e.g. increase in antisocial behaviour and crime incidents, including vandalism to cars and litter.