

JUNE 2015

ALLOCATION OF DEVELOPERS' CONTRIBUTIONS TO JACOBS GUTTER LANE/TROTTS WAY CYCLE CROSSING

1 INTRODUCTION

- 1.1 New Forest District Council, through its planning development control powers, collects contributions to mitigate the impacts of new developments on existing communities in the areas where it is responsible for town planning. From 6 April 2015 this is via the Community Infrastructure Levy (CIL), however, prior to this, pooled contributions were collected via a S106 agreement.
- 1.2 In February 2015 Cabinet approved a number of projects to include in the 2015/16 capital programme which would be funded by S106 contributions. The Cabinet report authorised the Portfolio Holder for Planning and Transportation to make such amendments as deemed appropriate to the approved project lists and included within the 2015/16 budget.
- 1.3 This report seeks to amend the existing allocations for some transportation projects within Totton and re-allocate them to a new project for a crossing point along the proposed Jacobs Gutter Lane/Trotts Way cycle route.

2 POLICY FRAMEWORK

- 2.1 The projects which are the subject of this report benefit a wide sector of the community and respond positively to Core Strategy policies:
 - CS2: Design Quality;
 - CS5: Safe and Healthy Communities;
 - CS7: Open Space Sport and Recreation;
 - CS8: Community services and infrastructure.
 - CS24: Transport considerations

3 PROJECT PROPOSAL

- 3.1 Local Plan Part 2: Sites and Development Management DPD policies TOT22.9 (*Jacob's Gutter Lane (east of A326 spur cycle route)*) and MAR8.2 (*Marchwood Road/Bury Road (from Tavell's Lane junction) – adjacent-to-road cycle route link to Totton cycle network*) has already identified a cycle route to improve connections around Totton and Marchwood to existing cycle routes.
- 3.2 New Forest National Park Authority and Hampshire County Council have obtained funding of £195,000 to progress the scheme and are aiming to deliver the scheme by September 2015. There is currently a shortfall in the funding available to deliver a safe link to the highway and a crossing point at the Jacobs Gutter Lane / Trotts Lane junction, which is a separate element to the project over and above the main cycle route. This shortfall is understood to be in the order of £31,000.
- 3.3 In February 2015, prior to NFNPA and HCC being obtaining funds, £110,953 was allocated by the Council towards the cycle scheme using contributions agreed on four applications. It would now appear that the application for the largest contribution (£101,430) is unlikely to proceed with the application due to expire in November 2015. Of the remaining

applications the contribution for one is due to be paid shortly, whilst the others two have since expired before collection.

- 3.4 It is therefore proposed that the Council fund this specific link and crossing point of the project by re-allocating the contribution currently due on the wider scheme and using other developer contribution funds currently held and allocated to projects that have not yet commenced. Once approved the funds would be directly passed to Hampshire County Council who will implement the scheme.

4 FINANCIAL IMPLICATIONS

- 4.1 It is proposed to allocate £27,216.55 to the crossing point. The allocation is made from the following allocations:

Cost Centre	Current Scheme Description	Planning Application	Amount currently allocated
107471	TE/T/10 - Totton & Eling; Hammonds Lane Traffic Calming & Cycle Route (NFDC0362)	92228	£5,457.00
		94438	£4,195.09
		97697	£3,865.50
107469	TE/T/13 - Testwood - town centre - Redbridge on road cycle route (NFDC0365)	98764	£3,745.00
107468	TE/T/15 - Nutsey Lane on road cycle route (NFDC0367)	96117	£3,938.37
107470	TE/T/18 - Hounslow Avenue on road cycle route (NFDC0370)	98223	£3,901.74
107488	TE/T/73 Cycle Route (the existing approval for the wider cycle route)	99469	£2,113.85
TOTAL			£27,216.55

- 4.2 Regulation 123 of the CIL Regulations 2010 (as amended) limits the number of contributions that can be used to any one project to 5 from those agreements made after 6 April 2010. Of the 7 contributions proposed to be re-allocated to this project 2 (applications 92228 and 94438 were both signed before this date, therefore the pooling rules only apply to the remaining 5 contributions. The proposals, therefore, comply with the pooling rules.

5 CONSULTATION INPUT

- 5.1 The wider cycle route was discussed at All – Member meetings in October 2014 and £110,953 was allocated to this project by February Cabinet. The scheme proposed in this report is in addition to these works for which the original allocation was made with the overall scheme receiving support at these meetings.
- 5.2 The wider project is included within the Council's adopted Local Plan (policies TOT22.9 and MAR8.2) which has been through an examination in public.
- 5.3 Consultation on the proposal to reallocate the funding from the five schemes set out above has been carried out with all Totton and Marchwood District Councillors. The responses are set out below:

Name	Response
Cllr Alison Hoare	The completion of this project is an absolute must due to the volume of lorries on this road.
Cllr Sue Bennison	This cycle path is long overdue and will benefit both Totton

	and Marchwood residents.
Cllr David Harrison	Very supportive of the use of these monies to fund the completion of this scheme. In terms of value it trumps all other schemes.
Cllr Les Harris	Does support but is worried about the impact on other schemes.
Cllr David Russell	Does not support. The other schemes proposed in Totton also deserve support and should not be prejudiced because this scheme hasn't been fully worked out.
Cllr Arthur Davis	Not very happy about robbing Peter to pay Paul if other schemes cannot be progressed.
Cllr Di Brooks	Has no problem with this as the Marchwood Road is so dangerous and this project is longstanding.

6 ENVIRONMENTAL IMPLICATIONS

- 6.1 Delivery of this community scheme will bring a range of environmental benefits, including community safety, aesthetic, biodiversity and sustainability.
- 6.1 Delivery of this open spaces schemes will bring a range of environmental benefits through enhancement of the quality of the open space and the facilities, including community safety, aesthetic, biodiversity and sustainability.

7 CRIME AND DISORDER IMPLICATIONS

- 7.1 No project-specific implications.

8 EQUALITY AND DIVERSITY IMPLICATIONS

- 8.1 Good community engagement as part of the design and feasibility process will help ensure that schemes respond to the needs of the whole community rather than narrow sectors.

9 ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 9.1 Not approving this allocation would slow down the implementation of the Jacobs Gutter Lane cycle route for which significant funding has already been allocated by Hampshire County Council and the New Forest National Park Authority. The existing projects to which the monies are currently allocated to are not in any current work programme and have not been looked in to in any detail.

10 RECOMMENDATIONS

- 10.1 It is **RECOMMENDED** that £27,216.55 is allocated to a link to the highway and a crossing point at Jacobs Gutter Lane/Trotts Way.

11 PORTFOLIO HOLDER DECISION

I have agreed to the recommendations of this report.

Signed: CLLR E J HERON

Date on which notice of this decision given - 26 June 2015

Date: 26 JUNE 2015

Last date for call-in - 3 July 2015

For further information contact:

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Background Papers:

5 February 2014 Cabinet Paper "Allocation of developer contributions"
democracy.newforest.gov.uk/Data/Cabinet/20140205/Agenda/CDR08830.pdf

2 May 2012 Cabinet Paper "The Use of Developer Contributions"

democracy.newforest.gov.uk/Data/Cabinet/20120502/Agenda/CDR07539.pdf