

CABINET

11 APRIL 2012

NATIONAL CYCLE NETWORK ROUTE 23 – PROGRESS REPORT AND
APPROVAL OF REPAIRS TO THE HOCKLEY VIADUCT

REPORT OF HEAD OF ACCESS AND INFRASTRUCTURE

Contact Officer: Andy Hickman Tel:01962 848 105, Email:
ahickman@winchester.gov.uk

RECENT REFERENCES:

[CAB1509](#) Hockley Viaduct - 19 September 2007.

[CAB2167](#) National Cycle Network Route 23 and the Hockley Viaduct - 6 July 2011

[CAB2241](#) National Cycle Network Route 23 and the Hockley Viaduct Progress report
- 9 November 2011

EXECUTIVE SUMMARY

At its meetings in July and November 2011, Cabinet approved the proposal to incorporate the Hockley Viaduct into the final stretch of National Cycle Network Route 23 which links Reading through to the Isle of Wight. Members were also keen to ensure that the Route provided a car-free option for completing work journeys into Winchester from the Park and Ride South car park.

The project has progressed well since this approval was given. However, following further structural assessment of the Viaduct (reported to Cabinet in November 2011), Members agreed in principle to progress urgently needed repairs. Cabinet authorised the appointment of Sustrans to carry out a tender process timed to ensure the works were completed within a tight 'window' designed to avoid harmful impacts on the local plantlife and wildlife.

This report seeks authorisation from Cabinet to appoint the preferred contractors, and to release the necessary funds from the capital programme to take the works forward.

In addition to providing a more general project update, the report also asks for authorisation for officers to initiate a tender process for the rest of the construction works required to complete the route, scheduled for the early autumn.

RECOMMENDATIONS:

TO CABINET:

That:

1. The Head of Access and Infrastructure be given delegated authority to appoint Avon Construction Limited to undertake the refurbishment works to the Hockley Viaduct as set out in this report;
2. Expenditure of up to £350,000 be authorised from the existing provision in the capital programme under Financial Procedure Rule 6.4 (authority to release capital expenditure) for the above repairs.
3. The Head of Legal Services, in consultation with the Head of Finance and Portfolio Holder for Finance and Estates, be authorised to enter into an agreement with Hampshire County Council to secure a section of the route through tenanted farm land as set out in paragraph 3.1 of this report, and to authorise release of appropriate expenditure under Financial Procedure Rule 6.4 to pay appropriate compensation to the tenant.
4. Subject to approval of the Planning Development Control Committee, the Head of Legal Services be authorised to enter into an agreement with Winchester College to waive certain open space contributions as set out in paragraph 3.1 of the report in return for permitting a section of the route to cross the College's land.
5. The route of National Cycle Network Route (NCN) 23 from the City Centre to the South Winchester Park and Ride shown in Appendix 1 and 2, and forming the basis of the recent application, be the Council's preferred one, given the various constraints on the project.
6. The Head of Access and Infrastructure, in consultation with the Head of Finance and the Portfolio Holder for Transport and Environment, be authorised to seek tenders for the next phase of construction works needed to complete NCN Route 23, with results to be reported back to Cabinet in July 2012.

TO PLANNING DEVELOPMENT CONTROL COMMITTEE:

7. That the Head of Legal Services be authorised to enter into an agreement under Section 106 of the Town and Country Planning Act 1990 with Winchester College to secure the use of land owned by the College as part of the proposed National Cycle Route 23, as set out in the report, such agreement to provide that such use shall be treated as being equivalent to the contribution that would be required under the Council's Open Space Scheme for a development of up to 38 houses on the College's land should planning permission be granted.

CABINET

11 APRIL 2012

HOCKLEY VIADUCT AND NATIONAL CYCLE NETWORK ROUTE 23 - APPROVAL OF VIADUCT REPAIRS

REPORT OF HEAD OF ACCESS AND INFRASTRUCTURE

1. History/Background

- 1.1. In July and November 2011, Cabinet considered papers setting out a proposal for a useful and sympathetic future for the Hockley Viaduct as the final part of National Cycle Network (NCN) Route 23.
- 1.2. A plan showing this last section is attached at Appendices 1 and 2. This route has been subject to extensive consultation and professional advice, and is considered by officers to represent the best option, taking into account constraints such as cost, land ownership, ecology and technical complexity.
- 1.3. Members have previously approved in principle a plan to transfer the management of the Viaduct to Sustrans the organisation, which co-ordinates and promotes the National Cycle Network. Cabinet also supported the potential of the scheme to create a car-free link into the town centre for commuters arriving at the Park and Ride South car park.
- 1.4. In November 2011, Members authorised officers to appoint Sustrans to carry out a tender exercise to procure urgently-needed repairs to the Viaduct, the timing of which is significant in terms of minimising harmful impacts on local plantlife and wildlife. This exercise is now complete and the costs covered within the agreed management fee and Cabinet is asked to approve the release of allocated monies from the capital programme to progress the works.
- 1.5. Progress has been made in securing the permissions required for public access along the length of the Route, and Members are asked to authorise officers to enter into legal agreements with Winchester College and Hampshire County Council to conclude this work.
- 1.6. Progress has also been made in securing funding, and in submitting a planning application for the remaining construction works. Details are included in this report.
- 1.7. Finally, authority is requested at this stage for tenders to be sought for the construction of the final elements of the Route.

2. Essential Repairs to the Viaduct

- 2.1. Because of the worsening condition of the Viaduct, it was advised that repairs to the structure be carried out as soon as possible. Although officers were not in a position to finalise the design and costings of the whole section of Route 23

in November 2011, it was clear that the Viaduct repairs would largely be needed whether or not the NCN Route was completed.

- 2.2. Following the completion of ecological and technical studies, the method of repairs to the Viaduct was discussed with Members and the Friends of Hockley Viaduct, and proposals presented at a public meeting in November 2011. No planning consent was necessary for the works, which are largely 'like for like' repairs, other than the creation of a number of viewpoints by the lowering of the parapet wall at points along the water meadow side and the inclusion of a new drainage system to reduce future damage.
- 2.3. The Council commissioned Sustrans to carry out the tender process, in line with previous Cabinet approvals, and details of the tenders received are set out in Exempt Appendix 5 along with the tender evaluation report produced by Sustrans. Avon Construction Limited offered the lowest price and the safest pricing structure.
- 2.4. As was made clear in the November 2011 report to Cabinet, the timing of these repairs is critical in reducing harmful impacts on the local ecology. Members are therefore asked to approve the appointment of Avon Construction Limited to carry out these urgently needed works within the specified 'window' between July and October 2012.

3. Access Rights and Permissions

- 3.1. One of the key risks to the project has been the requirement to provide public access across privately owned land. Officers are pleased to report that:
 - a) A Public Path Creation Order was confirmed on 19 March 2012 for the Route as it travels along Domum Road - the ownership of which is not known - to ensure access rights for walkers, cyclists and horse riders. This has been made in accordance with the statutory requirements and with advice from Hampshire County Council. There were no objections.
 - b) The County Council has agreed in principle to allow a section of the route through tenanted farm land (shown on the map at Appendix 2) adjacent to the Hockley Link. The County Council will enter formal negotiations with the tenant farmer once planning consent for the construction of this part of the route has been secured. The tenant is entitled to compensation based on the area of land lost. This will be determined in accordance with a recognised land compensation formula, and officers are confident that it can be absorbed into the existing project budget. The matter will be discussed further with the County Council and the tenant once planning approval has been granted. Members are asked to authorise the Head of Legal Services, in consultation with the Head of Finance and Portfolio Holder for Finance and Estates, to enter into negotiations, an agreement and the release of the necessary funding from the capital programme.
 - c) Winchester College has also agreed in principle to allow the route to pass through its land adjacent to Palmers Field, along the old railway embankment. The College has asked that this be offset against some open space contributions arising from future developments on its land as

set out in its campus development plan. It is therefore proposed that open space payments be waived for a total of 38 units (which will be subject to full planning approval as and when they come forward). The value of the waived contribution is currently estimated at £80,000 approx. An agreement has been drafted by officers, subject to Cabinet and Planning Development Control Committee approval of this arrangement.

Community Engagement

- 3.2. There has been good dialogue with local residents throughout the project, initiated by the Friends of Hockley Viaduct and reinforced at a public meeting in Shawford in November 2011. Around 30 residents and representatives from stakeholder groups attended the open meeting, at which plans were presented and participants invited – through a workshop based on the Council’s successful ‘Blueprint’ approach – to feed their ideas and aspirations into the process.
- 3.3. Comments and suggestions made at the meeting have helped to shape the design and route options which have since been submitted for planning approval. A web page has been set up to record project progress and public feedback at www.winchester.gov.uk/hockleyviaduct
- 3.4. Formal consultation with statutory consultees was also undertaken for the Public Path Creation Order on the Domum Road section of the route, referred to in section 3 above.
- 3.5. In March 2012, officers gave a verbal update on the project to Winchester Town Forum, and invited further comments in preparing this report. Appendix 4 records the main comments and the officer response to them.

4. Next Steps

- 4.1. Following the refurbishment of the Viaduct itself, there are further works required – including ramps to the old railway embankment and paths between the ramps and also to the Viaduct – to complete the project. A planning application was submitted in March 2012 for those elements which require consent, and a decision is expected in late May 2012.
- 4.2. Sustrans have made an offer of £200,000 from a larger allocation that they secured from the Government’s recently announced fund for sustainable transport. They have indicated that the money would need to be spent by the end of March 2013. The project team is therefore keen to line up these construction works to be carried out as soon as the planning process and ecological considerations allow. It is proposed that the Access and Infrastructure Team carries out the next phase of tendering, drawing on engineering advice from Sustrans on a consultancy basis as required. This consultancy support can be funded from the sums already released for feasibility and design work.
- 4.3. Members are therefore asked to authorise the Head of Access and Infrastructure to initiate a tender process for these remaining works, with results

to be reported back to Cabinet with a further request for the release of funds, in July 2012.

In the meantime, discussions are still ongoing with Sustrans to inform the drafting of a management agreement for the Viaduct, and officers will seek final Cabinet approval for the proposed arrangements in the July 2012 Cabinet report.

OTHER CONSIDERATIONS

5. SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS

- 5.1. This project supports delivery of the High Quality Environment outcome of the Sustainable Community Strategy by encouraging people to use forms of transport other than the car. In so doing, it also addresses one of the five priority areas of the Strategy, which is to reduce the District's carbon footprint. The completion of Route 23 is included in the High Quality Environment Change Plan for 2011/12.
- 5.2. By the same token, it supports delivery of the Active Communities outcome by encouraging cycling and walking, and the Economic Prosperity outcome by facilitating 'low carbon' tourism.

6. RESOURCE IMPLICATIONS

- 6.1. Members will be aware that the capital programme includes an amount of £500,000, the use of which Members approved in July 2011 "in a way which best fits the desired outcome of repairing the Viaduct and ensuring its long term maintenance as part of Route 23" ([CAB2167](#) National Cycle Network Route 23 and the Hockley Viaduct refers). This was increased to £548,630 as a result of a successful application of LEADER rural funding by officers.
- 6.2. The preliminary total project cost was estimated at around £1.2 million, although it was anticipated that this figure might be reduced through careful design and tendering. Work is underway to produce a more detail estimate of the entire project costs and this will be further informed by the tendering for the next stage of the cycle path works.
- 6.3. Viaduct Repairs:
 - 6.3.1. The biggest single element of this budget was considered to be the cost of repairs to the Viaduct. Further assessment and design work was commissioned subsequent to the July 2011 Cabinet report. Based on this information, Hampshire County Council's engineers advised that - depending upon the eventual design option selected and the tendering results - the cost of carrying out these repairs would be in the region of £440,000.
 - 6.3.2. The tender exercise has now been completed, and the preferred contractor's price was £296,834. This is encouraging in terms of the wider project budget, although Members should be aware that these costs can rise:

- a) if other damage is uncovered during the period of the works which needs to be addressed;
- b) if bats or other protected species are found, requiring a change of working methods;
- c) if assessments carried out following the works, when the structure has dried out, identify additional repairs

6.3.3. Given these risks, it is proposed that Cabinet authorises the release of up to £350,000 from the capital fund to enable the repairs to be completed to a satisfactory standard within the twelve week 'window' referred to in paragraph 2.4 above.

6.3.4. The repairs are constrained by a bill of quantities and detailed specification. The works will be overseen by Sustrans, who are experienced in the management of such works and will be able to ensure that costs are carefully controlled.

6.4. Partnership Funding:

6.4.1. Positive discussions between the Leader and the County's Executive Member have led to confirmation of funding from the Local Transport Plan of £250,000. Officers are discussing the release date of this funding, which would see the enhancement of the Route 23 scheme to include cycle loan provision at the Park and Ride South car park. This will be achieved by extending the existing bike-about scheme and discussions are underway to determine how best to achieve this. This funding is included in the County Council's approved capital programme for 2012/13.

6.4.2. As indicated in paragraph 5.2, Sustrans has made an offer of £200,000 of recently awarded Government funding to the project. This is included in the national listing of projects on the Government website www.dft.gov.uk/publications/linking-places-fund. Although officers are currently awaiting a formal offer letter, it is known that this funding has to be spent by March 2013. This should tie in with the current project plan, which would see final works taking place in autumn/winter 2012/13.

6.5. Project Budget:

6.5.1. The preliminary total project cost was estimated, in November 2011, at around £1.2 million, although it was anticipated that this figure might be reduced through careful design and tendering. Within the existing Capital Programme, approved in February 2012 (CAB2297), there is a total project budget of £1.1m for Hockley Viaduct; a summary of project expenditure and funding together with the effect on Prudential Indicators is included at Appendix 3 for reference.

6.5.2. The full cost of this scheme is yet to be fully determined. The required tendering for the next stage of the cycle path works will help to establish this cost more clearly. Winchester City Council may not be required to spend the full £550,000 identified in the capital programme. Therefore the

Council could consider provision of some modest enhancements – such as signage, or replacement signals – to support the interpretation of the Route as suggested by the Friends of Hockley Viaduct. The Friends have indicated that any funds they raise might also be put to this purpose.

7. RISK MANAGEMENT ISSUES

- 7.1. As was explained in the November 2011 Cabinet report, the rationale for progressing works to the Viaduct ahead of the confirmation of planning approval and formal signing of legal agreements is that a delay would contribute to the further degradation of the structure which in turn could escalate eventual project costs and/or lead to its becoming unsafe. Effectively, Members are being asked to mitigate against these risks by supporting the proposed works.
- 7.2. The timing of the proposed works seeks to reduce the risk of harm for the natural environment, as well a further harm to a much-loved local feature.
- 7.3. Specialist advice has been sought from a wide variety of agencies to ensure that works are planned in a way which improves outcomes and manages risks.
- 7.4. The key risk for Members is that of not being able to complete Route 23, or indeed not being able to integrate the Viaduct into it, for any reason – for example, issues of cost or land ownership. In this case, Members may feel that they had invested in the Viaduct without getting ‘best value’ for this expenditure. However, most of the repairs would still need to be done, and bringing them forward has – as indicated above - the advantage of reducing the risk of bigger repair liabilities at a future stage.
- 7.5. The cost of the repair works is now much clearer and officers are confident that the project can be achieved within the available budget. Furthermore, partners have now indicated the level of financial contributions they are willing to make to the project: this means that there is likely to be sufficient funding available to complete the whole project. At this stage, however, it should be noted that the Council does not have a formal written offer from Sustrans although there is high level confirmation of the intention to fund.
- 7.6. The progress made in ensuring public access along the length of the Route is reassuring, and once Member approval is given to finalise the legal agreements with Hampshire County Council and Winchester College, these risks will reduce significantly.
- 7.7. Notice of six months has to be served on the tenant farmer on the County’s land following the issue of planning consent. This could impact on the project plan, but there has been early communication with the farmer through the County’s estates service with a view to reaching an early agreement and reducing the six month notice period by consent.
- 7.8. It is recognised that it is not ideal that Members are being asked to authorise works to the Viaduct before having all the land ownership agreements in place, but – as has been explained – most of these would be required whether or not the structure was integrated into Route 23 for reasons of safety, preservation

and public access. It is in the nature of complex projects of this kind that decisions reflect a compromise between managed risk, opportunity and technical constraints.

- 7.9. Any funding confirmed by Sustrans will have to be spent by March 2013 because it stems from a time-limited grant which they have in turn received from Government. As a result, it is proposed to tender the next phase of construction works in separately costed 'parcels' to ensure that it can be clearly shown how the Sustrans funding has been deployed by this deadline.

8. EQUALITIES

- 8.1. A full Integrated Impact Assessment has been undertaken for this project with a meeting of the assessment panel taking place at the end of March. The group were very supportive of the project but did arise issues about how local people could play a role in the scheme. It was explained that local Sustrans rangers will play an important role in maintaining the route in the future.
- 8.2. The scheme has been carefully designed to meet all appropriate guidance and best practice for access and safety of users. The access points onto the route have been carefully considered to ensure that people can join the route at a number of suitable points, and so gain maximum benefit from it. All ramped areas have gradients which meet best practice requirements.

BACKGROUND DOCUMENTS

Winchester City Council, Hockley Bridge Inspections – Hampshire County Council August 2011 (hard copy available in Members' Room)

Plans showing construction details of viaduct repairs

Planning application details

Further information on the National Cycle Network can be found on www.sustrans.org.uk

Workshop feedback and recorded 'Q&A's from the public meeting in Shawford can be found at www.winchester.gov.uk/hockleyviaduct

APPENDICES

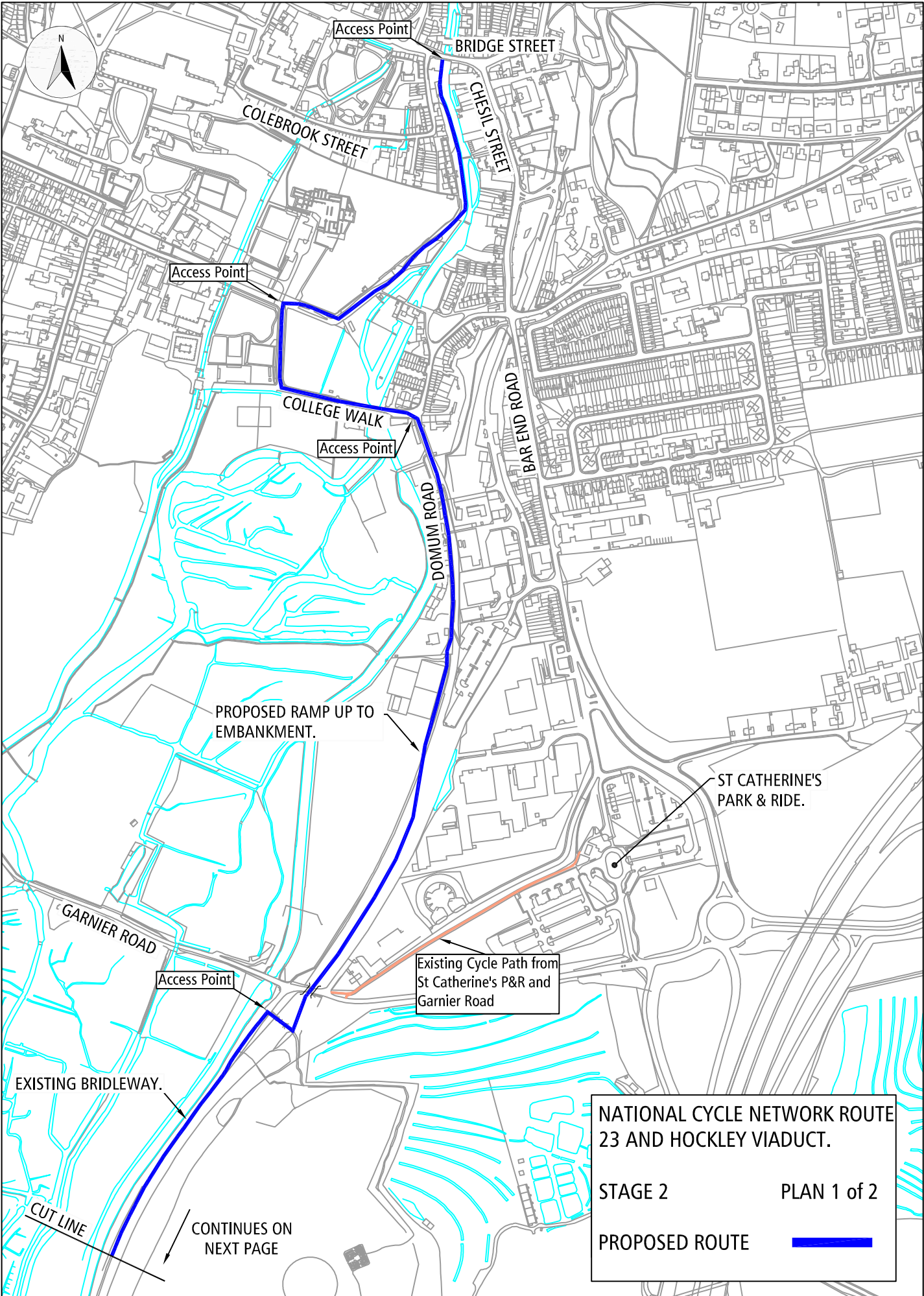
Appendix 1: National Cycle Network Route 23: Plan 1 (North)

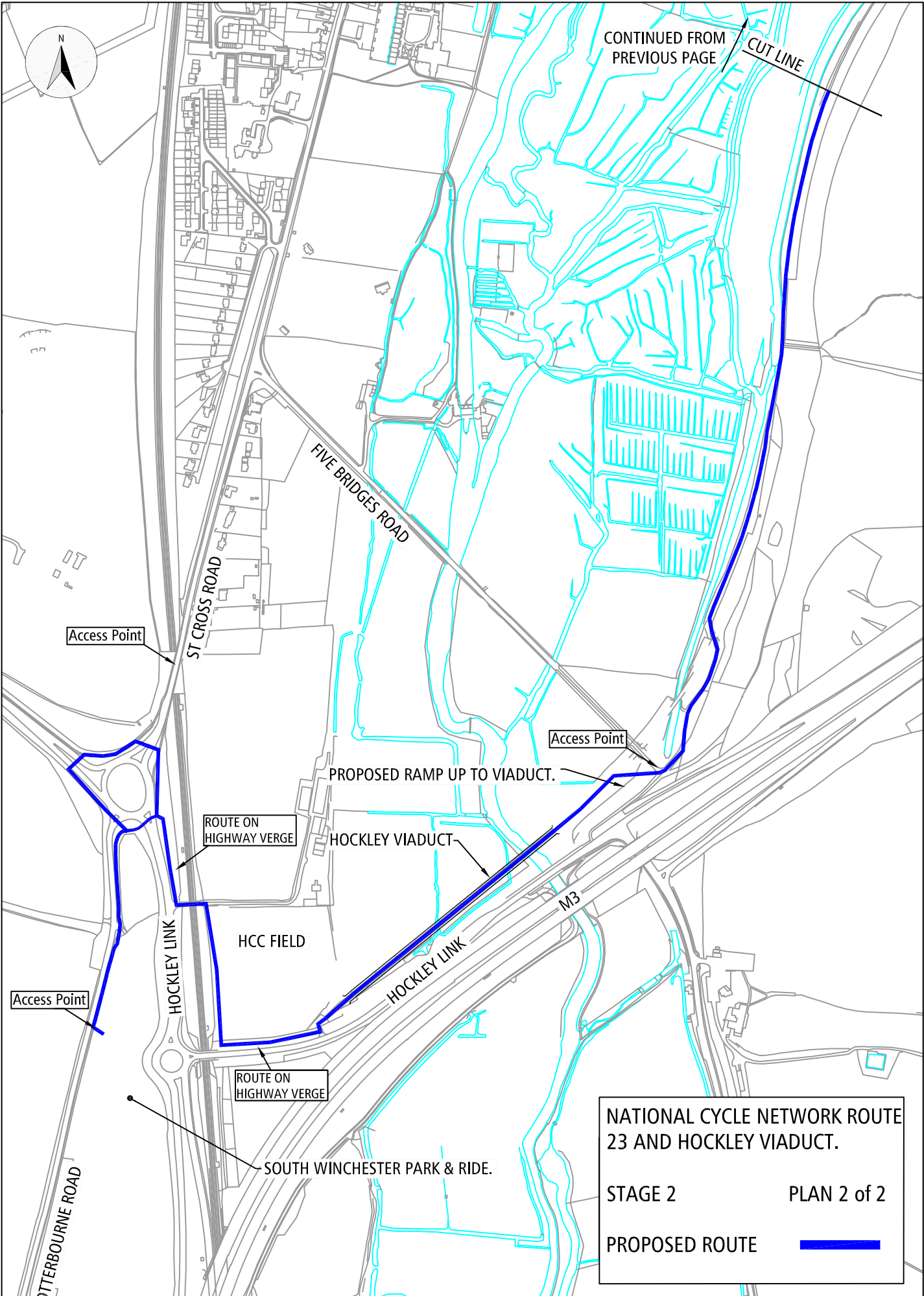
Appendix 2: National Cycle Network Route 23: Plan 2 (South)

Appendix 3: Summary project expenditure and funding & Prudential Indicators

Appendix 4: Town Forum considerations

Exempt Appendix 5: Tender prices and tender evaluation report





NATIONAL CYCLE NETWORK ROUTE
23 AND HOCKLEY VIADUCT.

STAGE 2

PLAN 2 of 2

PROPOSED ROUTE



	2011/12	2012/13				GRAND TOTAL	Note
	Pre-works Stage	Pre-works Stage	Viaduct Repairs	Construction of Cycle Path	TOTAL		
	£	£	£	£	£		
CAPITAL PROGRAMME: EXISTING BUDGETS	75,000	34,000	440,000	550,000	1,024,000	1,099,000	1
Capital Expenditure Proposals:							
Viaduct repairs			350,000		350,000	350,000	
NCN23 construction				574,413	574,413	574,413	
Vegetation clearance	10,600					10,600	
Sustrans project management fee - engineering preliminary design	5,000					5,000	
Sustrans project management fee - detailed design and supervision	12,500	17,500			17,500	30,000	
Ecological/topographical surveys	12,561	10,967			10,967	23,528	
Preliminary designs by Sustrans	7,000					7,000	
Planning Application for route	1,360					1,360	
Landscape and arboricultural surveys and reports	500	4,500			4,500	5,000	
TOTAL CAPITAL EXPENDITURE PROPOSALS	49,521	32,967	350,000	574,413	957,380	1,006,901	1
Changes from Existing Programme	-25,479	-1,033	-90,000	24,413	-66,620	-92,099	

Funding:

WCC - Capital Receipts			320,587	124,413	445,000	445,000	
WCC - Major Investment Reserve	13,500	12,087	29,413		41,500	55,000	
Total WCC Contribution	13,500	12,087	350,000	124,413	486,500	500,000	2
LEADER Funding	27,750	20,880			20,880	48,630	
Sustrans - DfT funding				200,000	200,000	200,000	
HCC	4,500			250,000	250,000	254,500	
South Downs Way	3,771				0	3,771	
TOTAL FUNDING	49,521	32,967	350,000	574,413	957,380	1,006,901	3

PRUDENTIAL INDICATORS

Full Yr Effect on Council Tax (Band D, £)	0.00			0.05	0.05
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Note:

1. The total project budget is now proposed to be reduced from £1.1m within the approved Capital Programme, to the £1.01m
2. The Council has made provision for £500k of the total project budget to be funded from Capital Receipts and the Major Investment Reserve. This was originally proposed to fund some of the pre-works stage costs (£60k) and all of the Repairs stage works (£440k). The required Council contribution for these stages has now reduced to £26k and £350k respectively (totalling £376k).
3. The savings are proposed to be used towards the final cycle path construction phase to give a budget within this phase of £574k. This is £24k greater than the originally identified requirement of £550k, with the remaining £100k of saving making up for a shortfall in the requirement identified within this phase and the external (partnership) funding identified.
4. If the final project costs are less than £1.01m, Winchester City Council may not be required to spend the full £500k that has been provided for from Capital Receipts and the Major Investment Reserve. Alternatively, the Council could consider undertaking some modest enhancements – such as signage, or replacement signals – to support the interpretation of the Route as suggested by the Friends of Hockley Viaduct.

Appendix 4

Town Forum Considerations (21 March 2012)

Member Question	Officer Response
Why did route not go via Wharf Mill?	This was originally the preferred route, but the bridge was too narrow for a cycle route. Widening the bridge was not felt to be an option, given its historic nature.
Why does the route appear to follow a complicated figure-of-eight pattern by the Park and Ride South car park?	There are many cycle facilities around the Park and Ride, and cyclists will inevitably choose their own route through this area. However, signs will point people to the adopted route where traffic is lightest and slowest, in the interests of safety, so providing the easiest place to cross.
What measures can be put in place to ensure that cyclists do not travel at excessive speeds and/or intimidate other users?	Best practice is being followed in designing the route, and it is considered that good design combined with signage and the regular presence of Sustrans's volunteer rangers will help to ensure that it is a safe environment for all groups. A width of 2.5m should provide adequate clearance for all users.
The access to the Route at Bridge Street entails crossing the road from Water Lane at a point where the pavement is narrow and the road busy. Can this be addressed?	This is not an appropriate crossing point, and the route officially stops on either side of Bridge Street, giving users the option to head into the city centre. It is seen as a potential start/finish point rather than a crossing and will be signed as such. However, it is being given consideration in the detailed design work now being done to see if any improvements can be made.
Could the tunnel not be used to provide safe passage across Winchester?	The tunnel was not felt to be within the scope of the project. It would present a range of safety, cost, maintenance and technical challenges and a loss of important storage.
If the Route encourages more people to cycle into town from the Park and Ride,	The provision of cycle racks is continuously reviewed and additional ones are being

<p>additional bicycle racks will be needed in town.</p>	<p>installed this summer as part of the Sustainable Travel Initiative. There is a lack of space for cycle parking, but officers will continue to identify and make best use of the opportunities which present themselves.</p>
<p>There is a difference between designated cycle routes used for access/routine journeys, and a Route of this kind which offers a leisure/cycling 'experience' but doubles as a cycle route.</p>	<p>The nature of the Route will be made clear in publicity and ongoing public engagement by Sustrans.</p>
<p>The bridleway south of Garnier Road is too narrow for a cycle path.</p>	<p>The bridleway being used is not the one immediately next to the canal, but the one further away (the Itchen Navigation path). It has reduced in width over time due to poor maintenance, and officers are meeting with Hampshire Wildlife Trust to agree a plan to clear vegetation and put the required surface down, at a width of 2.5 metres. This is allowed for within the existing project budget.</p>
<p>The area around Wharf Mill is a sensitive area and there should not be excessive use of new signage for the route</p>	<p>This has been taken into consideration. Route signage across the national Network is discrete.</p>