

<b>DECISION-MAKER:</b>	COUNCIL CABINET
<b>SUBJECT:</b>	'PLATFORM FOR PROSPERITY' – PLATFORM ROAD IMPROVEMENT SCHEME – PROJECT APPROVALS
<b>DATE OF DECISION:</b>	11 JULY 2012 17 JULY 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
<b>STATEMENT OF CONFIDENTIALITY:</b>	
NOT APPLICABLE.	

**BRIEF SUMMARY:**

This report seeks the necessary approvals to deliver the “Platform for Prosperity” Road Improvement scheme. This will implement a two-way dual carriageway through traffic route along Platform Road in order to improve access to and from the Port of Southampton and remove through traffic from the gyratory system to the north of Queen’s Park.

**RECOMMENDATIONS:**

COUNCIL

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £6.850m, phased £1.653m in 2012/13, £4.765m in 2013/14 and £0.432m in 2014/15 for the “Platform for Prosperity” capital scheme contained within the Environment and Transport Capital Programme, funded by £5.595m from the Regional Growth Fund and £1.255m from the Council’s Local Transport Plan (LTP) grant funding.

CABINET

- (i) To approve the outline design of the Platform for Prosperity Road Improvement Scheme as illustrated in Drawing 11ALM019023 Revision C as set out in Appendix 1 and delegate authority to the Highways Manager to undertake any future amendments to the design.
- (ii) To approve the purchase of the freehold interest of the water pumping station within Vokes Memorial Gardens from Southern Water Plc and to delegate authority to the Senior Manager Property, Procurement and Contract Management following consultation with the Director, Environment and Economy, Director of Corporate Resources, and Cabinet Member for Resources, to agree the purchase price and the final terms and conditions of purchase.
- (iii) To authorise the Head of Legal, HR & Democratic Services to advertise the proposed appropriation of Vokes Memorial Gardens and Queen’s Park for two consecutive weeks in a local newspaper circulating in the locality the areas L1, L2, L3 and L4 shown hatched in red on Drawing 11ALM019019 Revision G as set out in Appendix 2.

- (iv) To note that should any objections be received, to bring a subsequent report and refer those objections to the Cabinet Member for determination.
- (v) Subject to there being no objections, to approve the appropriation of the land to Highway Act Powers to enable the development of the new carriageway.
- (vi) To delegate authority to the Highways Manager to make any order, decision or application required under the Highways Act 1980 or Town & Country Planning Act 1990, to facilitate the delivery of the Platform Road Project including (but not limited to) making a planning application for change of use of areas of the car park and Latimer Street in Queen's Park and the Pan Handle Car Park to Open Space and to make the necessary application to the Secretary of State under S.247 Town and Country Planning Act 1990 to stop up Latimer Street to highway traffic and to advertise under S.257 Town and Country Planning Act 1990 to stop up the footpath in Queen's Park, labelled S3 on Drawing 11ALM019019 Revision G as set out in Appendix 2, on the basis that this is necessary for any change of use permission to be implemented.
- (vii) To delegate authority to Senior Manager Property, Procurement and Contract Management to approve the payment of compensation to any claimant in respect of the road scheme.
- (viii) To delegate authority to the Director, Environment and Economy, following consultation with the Director of Corporate Services and Cabinet Members for Resources, and Environment and Transport; to do anything considered appropriate to facilitate the delivery of the Platform for Prosperity Scheme including, but not limited to, the entering into of contracts, purchase orders, agreements, licenses, land purchase or land development agreements, subject to remaining within the overall approved spend.
- (ix) To note that a subsequent report will be taken to Cabinet in Autumn 2012 to seek approval to purchase the freehold interest of the Pan Handle Car Park and any other additional land within the ownership of Associated British Ports adjacent to public highway and to delegate authority to the Senior Manager Property, Procurement and Contract Management following consultation with the Director for Corporate Resources, to agree the final purchase price, terms and conditions of purchase.

**REASONS FOR REPORT RECOMMENDATIONS:**

1. Financial Procedure Rules require that approval to spend is secured to deliver schemes within the Council's Capital Programme.
2. The recommendations approve the layout design and provide the necessary delegated authority to amend the scheme layout as necessary.
3. It is necessary to acquire land to replace the loss of public open space (Vokes Memorial Gardens) following redevelopment to provide part of the highway improvements. Cabinet recommendation (ii) provides the necessary authority to purchase the Southern Water PLC owned pump house and to enable the

Head of Legal, HR & Democratic Services to advertise the proposed appropriation of public open space to allow construction of the highway improvements. Cabinet recommendation (ix) notes that a subsequent report will be taken to Cabinet to seek the necessary authority to purchase the Pan Handle Car Park and other land from Associated British Ports.

4. The recommendations provide the necessary authority to pay any compensation liabilities which will be incurred by the City Council from delivering the Platform for Prosperity Project.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

5. Working closely with Associated British Ports, the proposed scheme layout has been designed following extensive modelling of peak traffic demands, associated with busy cruise days. Original design proposals to retain both “In” and “Out” movements at Gate 4 have been rejected, as these were less efficient in terms of traffic movement.
6. In terms of the changes to public open space, additional land is being acquired to ensure there is no overall net loss in the area of public open space. The option to advertise changes resulting in an overall loss of public open space has been rejected, as this would be unacceptable to open space interest group and is contrary to Council Policy in the Core Strategy.

**DETAIL (Including consultation carried out):**

7. On the 14 March 2012, Full Council considered a report on the *Platform for Prosperity* Improvement Scheme and gave the necessary approvals to receive funding from Government, commit the Council match funding and add all this to the Environment and Transport Capital Programme. Council recommendation (i) now seeks the necessary approval to spend this funding.
8. The 14 March 2012, the Full Council *Platform for Prosperity* report outlined in detail:
  - the historic development of the scheme and its adoption into the Council’s policy framework;
  - The key elements of the scheme;
  - Consultation which had been undertaken at that stage.
9. Subsequent to this previous Council report, the design has been further refined with Associated British Ports and now proposes that Gate 4 should become “In” only and all traffic will exit the Port via the new Gate 5. Detailed traffic modelling has shown this to be the most efficient layout for dealing with peak travel demands in and out of the Port on busy cruise ship days.
10. Following the earlier dialogue with key stakeholders, exhibitions of the latest scheme proposals were held for local residents and businesses at God’s House Tower on the 29 and 30 May and at the City Cruise Terminal on the 1 June. In advance of the exhibitions, just over 2,000 letters of invitation were sent to local residents and businesses. Local ward councillors were also invited to the exhibition. A copy of the leaflet showing the scheme proposals was included with the invitation. A website has also been set up to display the scheme proposals and a dedicated email account provided for people to make contact in relation to the scheme.

11. A total of 83 people visited the exhibitions over the three days, with others contacting directly via email or telephone conversation. 55% of people that made comments are generally in favour of the scheme, whilst 17% are clearly against the proposals, with 28% not expressing a clear preference. Appendix 3 summarises the specific issues raised with an officer response.
12. Whilst it is important to note objections and where possible, address concerns raised; it is important to remember that the principle of delivering a road improvement scheme along Platform Road has been a long established part of the City Council's policy framework, including Development Plan documents and the Local Transport Plan. A number of detail issues are still subject to processes involving further statutory consultation. This includes the many Traffic Regulation Order changes and statutory processes to appropriate public open space, approval to commence which is being sought by virtue of this report. Traffic Regulation Order changes will be advertised later this year and any comments or objections will be considered in detail before the traffic orders are made. In relation to the appropriation of Open Space, Cabinet recommendation (iv) notes that any objections will need to be considered by the Cabinet Member in making a final decision.
13. Cabinet recommendation (i) seeks the necessary authority to approve the scheme layout, with delegated authority provided to the Highways Manager to make any subsequent design changes. It should be noted that it is intended to set up a Champions Group with local residents and businesses to develop the detail design for public realm enhancements in Queen's Terrace. It should also be noted that the overall scheme will aim to enhance the public realm and be sensitive to the historic built environment through the use of appropriate materials and detail design features. The scheme also includes a proposal to allow northbound traffic in Terminus Terrace to access Central Bridge. However, the consultation and design of this part of the scheme will be dealt with separately as part of the development of the proposed strategic east-west cycle route, funded by the Local Sustainable Transport Fund.
14. In order to maintain no net loss of open public space, the City Council is proposing to acquire the Pan Handle Car Park, which lies immediately to the south of Vokes Memorial Gardens and the Southern Water Pump House, currently located within Vokes Memorial Gardens. The latter is covered by Cabinet Recommendation (ii) and the former will be covered by a subsequent Cabinet report, as noted in Cabinet recommendation (ix). Additional open space will also be provided within Queen's Park, through a reduction in the width of Latimer Street and other changes at the eastern end of Queen's Park. These will be progressed through appropriate delegated authority. Drawing 11ALM019019 Revision G (included as Appendix 2) illustrates all the areas concerned. Cabinet recommendations (iii), (iv) and (v) seek the necessary authority to appropriate the public open space required to delivery the improvement scheme. This is primarily in Vokes Memorial Gardens, together with a small section of Queen's Park to provide a turning head at the closed eastern end of Queen's Terrace.
15. Cabinet recommendation (vii) outlines the potential requirement to pay compensation as a result of delivering the *Platform for Prosperity* Scheme. Compensation, often called 'Part 1 Compensation', can be claimed for the

effects on residential, agricultural and other property from the use of new roads or alterations to existing roads operated by the City Council Under Part I of the Land Compensation Act 1973. Compensation can be claimed by people who own and also occupy property that has been reduced in value by more than £50 by physical factors caused by the use of a new or altered road. The physical factors are noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the property of any solid or liquid substance. Loss of view or privacy, personal inconvenience and physical factors arising during the construction of the road are not included under Part 1 Compensation.

16. The City Council will publish a Claims Procedure at a later date when the scheme has progressed, this due to the strict timeframes which operate under the legislation governing the claims procedure. The first day for claiming compensation is a year and a day after the new or altered highway first came into public use. This claim window will remain open for a period of 6 years. It is intended that funding from the approved scheme budget will be set aside for this purpose to cover any claims that are subsequently evidenced and substantiated under the terms of the Act.
17. A Stage 1 Integrated Impact Assessment has been produced in support of the project. This has identified a number of specific issues which need to be considered.
18. Mott Macdonald has been commissioned to undertake a detailed assessment of all the environmental impacts of the *Platform for Prosperity* scheme. This includes the impact on the Natural Environment and impacts on local residents, including Air Quality, Noise and Vibration. Any amelioration measures identified as a result of this work will be incorporated into the detailed design.
19. In order to fully consider the needs of disabled people, a meeting was held with the Southampton Action for Access group. They are generally supportive of the scheme proposals, but have some detailed design requirements in relation to the layout of on-street disabled parking and pedestrian crossings. These can be accommodated within the detailed design and dialogue will be maintained with the group through the development and implementation of the scheme.

## **RESOURCE IMPLICATIONS:**

### **Capital/Revenue:**

20. The *Platform for Prosperity* capital scheme is funded by £5.595m from the Regional Growth Fund (phased £1.241m in 2012/13 and £4.354m in 2013/14) and £1.255m from the Council (phased £0.412m in 2012/13, £0.411m in 2013/14 and £0.432m in 2014/15). The intention is that the Council funding will be met from the confirmed 2012/13 Local Transport Plan (LTP) grant funding and the indicative 2013/14 and 2014/15 LTP funding. However, Council on the 14th March 2012 agreed to underwrite, from general capital resources, any shortfall in the 2013/14 and 2014/15 funding should the confirmed LTP funding be insufficient to meet the total requirement of £0.843m for those two years.

21. The *Platform for Prosperity* scheme has a number of capital and revenue implications, which are outlined in detail in the 14 March 2012 Full Council report. Since this report was considered, an additional financial implication has been identified with the potential need to pay compensation as a result of delivering the scheme, which is outlined in Cabinet recommendation (vii). Although a full assessment has yet to be undertaken, it is anticipated that this potential additional cost can be funded from within the contingency in the currently approved scheme budgets. Part of the Council funding will be set aside for this purpose over the six year period of the claim window.

**Property/Other:**

22. There are no revenue or capital implications identified for the acquisition of the water pumping station from Southern Water PLC. Any professional fees incurred in the acquisition will be funded through the approved budgets for the scheme.

**LEGAL IMPLICATIONS:**

**Statutory power to undertake proposals in the report:**

23. The main powers to deliver the scheme are Part 13 of the Town and Country Planning (General Permitted Development) Order 1995, the Highways Act 1980, As Amended and the Road Traffic Regulation Act 1984.
24. The Council is required to advertise proposed appropriations of public open space under section 122 (2A) of the Local Government Act 1972.
25. The Council may acquire land by agreement for the purposes of any of its functions under section 120 of the Local Government Act 1972.
26. All other matters referred to within this report re permitted by virtue of S.1 Localism Act 2011 (the General Power of Competence), which permits a Council to do anything and individual may do subject to pre and post comments limitations.

**Other Legal Implications:**

27. Planning consent will be required to change the car park and Latimer Street in Queen's Park to Open Space. This planning application will also be used to stop up the highway designation of Latimer Street and the adopted footpath in Queen's Park using the powers in S.247 and S.257 Town and Country Planning Act 1990 respectively.
28. The proposals set out in this report are being developed having regard to the requirements of S.17 Crime & Disorder Act 1998 (the requirement to exercise all functions having regard to the need to reduce or eliminate crime and disorder), the Equalities Act 2010 and the requirements of the Human Rights Act 1998 (particularly in relation to any impact on people or property arising out of the scheme, as identified in this report or through further consultation on the design of the scheme. Such interferences are considered proportionate to the degree of any interference and necessary to ensure the delivery of transport facilities that benefit the community as a whole).

## POLICY FRAMEWORK IMPLICATIONS:

29. The *Platform for Prosperity* scheme is consistent with the Council's policy framework. The scheme has been safeguarded in the Local Development Plan and identified as a priority within the Local Transport Plan.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bargate
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## SUPPORTING DOCUMENTATION

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

### Appendices:

1.	Drawing 11ALM019023 Revision C
2.	Drawing 11ALM019019 Revision G
3.	Summary of responses from public exhibitions, emails and telephone conversations

### Documents In Members' Rooms:

1.	<i>Platform for Prosperity</i> Leaflet
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### Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes
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### Other Background Documents

**Integrated Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	Integrated Impact Assessment Stage 1	
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