

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Economy, Transport and Environment
<b>Date:</b>	14 January 2021
<b>Title:</b>	Project Appraisal: Whitehill and Bordon – South East Loop Path
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Allen Harris

**Tel:** 07834 123434

**Email:** Allen.harris2@hants.gov.uk

#### 1. The decision:

- 1.1 That the Executive Member for Economy, Transport and Environment approve the Project Appraisal for 'Whitehill and Bordon: South East Loop Path' ("the Scheme"), as outlined in the supporting report.
- 1.2 That approval be given to procure, spend and enter into necessary contractual arrangements, in consultation with the Head of Legal Services, to implement the South East Loop Path, as set out in the supporting report, at an estimated cost of £597,000 to be funded from EM3 Local Enterprise Partnership.
- 1.3 That approval be given to enter into any necessary licences easements consents approvals and agreements with East Hampshire District Council and Whitehill Town Council, in consultation with the Head of Legal Services, prior to the start of works to enable implementation of the Scheme.
- 1.4 That authority to make the arrangements to implement the scheme, including minor variations to the design or contract, be delegated to the Director of Economy, Transport and Environment.

#### 2. Reason for the decision:

- 2.1 Whitehill & Bordon is being transformed into a prosperous "green and healthy town" with a new town centre of 3,350 new homes and 5,500 new jobs. The present agreed Sustainable Transport Improvements Package proposes the following:
  - to provide walking, cycling and urban realm improvements in Whitehill and Bordon;
  - to remove barriers to movement in order to safeguard communities; and
  - to make the town more attractive and connect local communities.

- 2.2 The Green Grid Green Loop (GGGL) network is currently being delivered by the County Council in its role as Highway Authority as a programme of schemes both on and off-highway, reporting to the Whitehill Bordon Strategic Delivery Board. It is considered appropriate for the Highway Authority to lead on the schemes to ensure consistency with the on-highway links and to manage the overall delivery plan effectively.
- 2.3 Following Scheme Design and Approval, the County Council Countryside Service will be commissioned to engage the Contractor and manage the works. This provides benefits in that this specific element of the GGGL is more in keeping with schemes regularly provided by Countryside Service and their contractors.
- 2.4 The package proposed to deliver this is Whitehill and Bordon – South East Loop Path, a link of the GGGL.

**3. Other options considered and rejected:**

- 3.1 The section of pedestrian route considered in this report is already a desire line and it is considered beneficial to implement and formalise this as part of a wider planned network as it more direct, appropriate and ultimately more cost effective than a highway alternative and therefore the option of do nothing was rejected.

**4. Conflicts of interest:**

- 4.1 Conflicts of interest declared by the decision-maker: None
- 4.2 Conflicts of interest declared by other Executive Members consulted: None

**5. Dispensation granted by the Conduct Advisory Panel: none.**

**6. Reason(s) for the matter being dealt with if urgent: not applicable.**

**7. Statement from the Decision Maker:**

<b>Approved by:</b>  -----	<b>Date:</b>  <b>14 January 2021</b>
<b>Executive Member for Economy, Transport and Environment Councillor Rob Humby</b>	

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## Decision Report

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### Purpose of this Report

1. The purpose of this report is to obtain permission from the Executive Member for Economy, Transport and Environment to deliver the scheme as part of the 'Whitehill and Bordon Sustainable Transport Improvements Package' to support the sustainable economic growth potential in Whitehill and Bordon and to encourage walking and cycling.

### Recommendations

2. That the Executive Member for Economy, Transport and Environment approve the Project Appraisal for 'Whitehill and Bordon: South East Loop Path' ("the Scheme"), as outlined in this report.
3. That approval be given to procure, spend and enter into necessary contractual arrangements, in consultation with the Head of Legal Services, to implement the proposed improvements to South East Loop Path, as set out in this report, at an estimated cost of £597,000 to be funded from EM3 Local Enterprise Partnership.
4. That approval be given to enter into any necessary licences easements consents approvals and agreements with East Hampshire District Council and Whitehill Town Council, in consultation with the Head of Legal Services, prior to the start of works to enable implementation of the Scheme.
5. That authority to make the arrangements to implement the scheme, including minor variations to the design or contract, be delegated to the Director of Economy, Transport and Environment.

### Executive Summary

6. This report seeks to deliver a section of the Green Grid Green Loop (GGGL), a strategic network of pedestrian and cycle facilities that links the whole of Whitehill and Bordon (See Appendix) contributing to the overall delivery of the Whitehill and Bordon Sustainable Transport Improvements Package.
7. The GGGL traverses both highway and private land such as Hogmoor Inclosure (MoD), Alexandra Park (Whitehill Town Council) and the proposed South East

Loop (East Hampshire District Council and Whitehill Town Council) which is the subject of this report.

8. The aims of the GGGL are to:
  - link together the existing and new areas of town;
  - reduce motor-traffic dominance in the town and thereby free up capacity to support growth in housing and jobs;
  - make the town an attractive place to relocate to;
  - support better health by enabling active travel; and
  - enable sustainable growth by promoting sustainable travel.
9. This particular section of the route is for pedestrian use and aims to link Mill Chase Road to Forest Road, and further links and other areas in Whitehill and Bordon to meet the objectives of the Walking and Cycling Strategy. This will link to a shared use path to the north to be delivered as a separate scheme as part of the GGGL and link to Lindford.

### **Contextual Information**

10. This Scheme is part of a successful bid for £3.14million to the EM3 Local Enterprise Partnership (LEP) in July 2018 titled, 'Whitehill and Bordon Sustainable Transport Improvements Package'. This package was prepared as a response to the sustainable economic growth potential in Whitehill and Bordon, to encourage walking and cycling.
11. East Hampshire District Council led the bid in partnership with Hampshire County Council represented by ETE, which will deliver the schemes identified.
12. The GGGL network is currently being delivered by the County Council in its role as Highway Authority as a programme of schemes both on and off-highway, reporting to the Whitehill Bordon Strategic Delivery Board. It is considered appropriate for the Highway Authority to lead on the schemes to ensure consistency with the on-highway links and to manage the overall delivery plan effectively.
13. Following Scheme Design and Approval, the County Council Countryside Service will be commissioned to engage the Contractor and manage the works. This provides benefits in that this specific element of the GGGL is more in keeping with schemes regularly provided by Countryside Service and its contractors.

## Finance

14.

<u>Estimates</u>	<u>£'000</u>	<u>% of total</u>	<u>Funds Available</u>	<u>£'000</u>
Design Fee	30	5	EM3 LEP	597
Client Fee	15	3		
Supervision	40	7		
Construction	469	77		
Land	1	1		
Contingency	40	7		
Total	<u>597</u>	<u>100</u>	Total	<u>597</u>

15. <u>Maintenance Implications</u>	<u>£'000</u>	<u>% Variation to Committee's budget</u>
Net increase in maintenance expenditure	0	0.0000
Capital Charges	0	0.0

16. The construction of the track within Whitehill Town Council land was stated in the LEP bid for which the LEP has agreed spend for this purpose.

## Programme

17.

	Gateway Stage			
	3 - Project Appraisal	Start on site	End on site	4 - Review
Date (30/20)	January 2021	February 2021	April 2021	April 2022

18. To ensure that works are started at the earliest opportunity to maximise LEP spend Countryside Services has undertaken pricing and tendering under its own Property Services governance process but does not have the authority to procure the works until this project appraisal has been approved and funds transferred.

## Scheme Details

19. The scheme consists of the improvement of existing tracks used for walking to provide unsealed paths for pedestrian use in six sections along the line shown as the blue dotted line in accordance with the General Arrangement in the appendix.

20. A 2-metre wide path (as per County Council standard path) shall be constructed at the following locations (see Appendix - Proposed Works):

- Section A – Mill Chase Road to Britannia Close – 150 metre length;
- Section B - Britannia Close to River Deadwater Sign – 340 metre length;
- Section C – Hollybrook Park Open Space – 90 metre length;
- Section D - River Deadwater Sign to Forest Lodge – 850 metre length;

- Section E – Forest Lodge to Woodlea Primary School – 460 metre length; and
  - Section F – Woodlea Primary School to Forest Road – 325 metre length.
21. All sections are an improvement of existing tracks used for walking currently maintained by Whitehill Town Council or East Hampshire District Council.
  22. Where required, a number of recycled plastic boardwalks (135 metres approx. total length) to raise the path shall be provided at low-level flood points and the 3 damaged wooden bridges are to be replaced with recycled plastic alternatives.
  23. There are no national or international conservation designations in the immediate area, although there are several SINCs (Sites of Nature Conservation) as designated by Hampshire County Council. Extra notice of potential impact on wildlife/habitat has been observed, but not requiring Natural England consent.
  24. The environment dictates the paths are unlit and that the path surface that is provided is specifically non bituminous surfacing. The proposed design is considered sensitive to the nature of the environment it is being built in.
  25. Sections A, B, D, E and F, are on land designated as Local Nature Reserve (LNR) and is managed by the Deadwater Valley Trust on behalf of Whitehill Town Council who own or lease the land. The works are consistent with this LNR status.
  26. Where they are obstructing passage for pedestrians 4 Scots Pine trees are to be removed in the wooded area in section F. Alternative route options to retain the trees were considered but are not feasible. The trees are considered by the County Council Arboriculture Team to be of relatively lower importance in this location. Therefore, the decision was taken reluctantly to propose their removal.
  27. The proposed scheme also includes measures to plant additional trees as mitigation for trees that have been felled to facilitate the construction of the new pedestrian path. Replanting proposals include a ratio of two-three trees planted for every tree removed, of a suitable species type in line with the existing range and that would offer a good level of canopy cover replacement within a reasonable time. This is in collaboration with the local County Councillor, Whitehill Town Council and East Hampshire District Council.
  28. In section B and F, native trees are to be coppiced to allow working space and thus more light to the underlying vegetation which will also cause less root disturbance. Hampshire County Council arboriculturist will work closely with the Countryside Services supervision team to ensure correct methodologies are respected.
  29. Cell-web will be laid to prevent future maintenance damage to existing tree roots and allow them to grow without impacting on the structure of the path.

### **Departures from Standards**

30. There will be no departures from standards.

### **Consultation and Equalities**

31. East Hampshire District Council commissioned the original bid development, is in full support of the scheme, will maintain the new path where it is the landowner and will ensure it remains open for use by the public at all times.

32. The local County Councillor, Adam Carew, has agreed to the proposals and supports the scheme.
33. The final scheme incorporates a request from Councillor Carew that in section F, from Forest Road eastbound, the route follows the existing north track rather than the existing south track initially favoured by Whitehill Town Council. Whitehill Town Council has agreed to this amendment and planting will be provided to reduce the impact on adjacent properties from being overlooked.
34. Further communications will be made with Councillor Carew to ensure that he is fully informed on the delivery of the scheme.
35. Whitehill Town Council approved the scheme at its Executive Decision Council meeting on 8 October 2020, attended by an officer from Hampshire County Council Countryside Services. At this meeting it was also agreed that Whitehill Town Council will maintain the new path where it is the landowner/lessee and will ensure it remains open for use by the public at all times.
36. The Deadwater Valley Trust, which will be tasked with maintaining the works on Whitehill Town Council land, has been consulted regarding impacts on watercourses/ponds, trees, bat roosts and habitats.
37. Section B is next to the Deadwater River. The Environment Agency has been consulted and will visit the site to determine construction methodology and whether consent is required. The Contractor shall submit any required consent forms prior to start of works.
38. This scheme has no detrimental impact on equalities or diversity and has the potential to improve modes of travel for physically and socially disadvantaged groups. The design is in accordance with best practice in meeting mobility requirements.
39. The Whitehill Bordon Transportation website will be updated and local residents/businesses will be informed of the works prior to commencement.

### **Climate Change Impact Assessments**

40. The proposals have been assessed using the County Council's Climate Change Adaptation assessment tool, and the summary of vulnerability appears to highlight the scheme as being vulnerable to climate impacts. However, mitigation measures are to be provided that will reduce the overall impact to acceptable levels.



*Vulnerability Impact and Strategic Priority Matrix*

41. The Path will replace the existing tracks to improve safety of the route for pedestrians and is to be maintained by Whitehill Town Council and/or East Hampshire District Council and not by Hampshire County Council.
42. The impact on the path takes into account the possibility of flooding by UK Government flood prediction, however, the scheme is the improvement of existing tracks within a wooded/park area for which structures are to be provided to raise path levels and other routes are available in extreme weather events.
43. The impact of extreme winds has been assessed to take into account the possibility of bridges/wooden pathways being damaged should a tree fall. However, experience is that this is not a regular occurrence and trees near the path are protected by other trees at the extremity of the wooded areas.
44. The carbon mitigation tool does not calculate emissions for bound gravel construction. Materials have been chosen to be in keeping with the natural environment.
45. The project is important for meeting Hampshire County Councils' strategic priorities, including economic growth and contributing towards strong, resilient and inclusive communities as the GGGL forms part of a wider development and growth initiative in the regeneration of Whitehill & Bordon, encouraging people to move into the area and contribute financially and inclusively to the town. Additionally, it leads to health benefits by providing improved facilities to enable walking, encouraging the local community to walk in local woodland areas that they may not have done so previously.
46. As the climate change tools used to form this assessment are newly implemented, having come into effect from January 2021, this project is already at an advanced stage of development. By understanding where the carbon emissions lie and where the project is vulnerable to climate change variables, it will be considered through the next stages where it is appropriate to make mitigations and adaptations to climate change and help meet the two climate change targets.

### **Statutory Procedures**

47. Although owned by Whitehill Town Council, the Deadwater Valley Local Nature Reserve (LNR) Bylaws were made by East Hampshire District Council (EHDC) on 15 November 2006 under Section 20, 21(4) and 106 of the National Parks and



Access to the Countryside Act 1949, and in accordance with Section 236 of the Local Government Act 1972. The byelaw prevents vehicles being brought onto the LNR without a permit from East Hampshire District Council. It also prohibits engaging in activity which is likely to cause a disturbance. However, it should be noted that normal local authority operations in fulfilling their statutory functions would be exempt.

48. East Hampshire District Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these byelaws. Hampshire County Council will obtain any necessary permit prior to the works.

### **Land Requirements**

49. Sections A and B are to be constructed as a path on land owned by Whitehill Town Council. The track will remain in the ownership of the landowner and dedicated for use by the public as a path for pedestrians at all times.
50. Whitehill Town Council has confirmed that it is prepared to give Hampshire County Council the necessary highway rights dedication and rights to access the land to complete the works, and that it is willing to enter into agreements in this respect.
51. Section C is to be constructed as a path on land owned by East Hampshire District Council. The path will remain in the ownership of the landowner and dedicated for use by the public as a path for pedestrians at all times.
52. East Hampshire District Council and Whitehill Town Council have confirmed that they are prepared to give Hampshire County Council the necessary highway rights dedication and rights to access the land to complete the works, and that they are willing to enter into agreements in this respect.
53. Sections D, E and F, are to be constructed as a path for pedestrians on Hampshire County Council LNR land which is leased long term to Whitehill Town Council to be managed as public open space. Whitehill Town Council has confirmed that it will manage and maintain the path as required by the lease for use by the public as a path for pedestrians at all times.
54. Whitehill Town Council has confirmed that it is prepared to give Hampshire County Council the necessary rights to access the land to complete the works, and that it is willing to enter into agreements in this respect.
55. All necessary arrangements are to be progressed by Hampshire County Council Legal Services and will be in place prior to the start of works.

### **Maintenance Implications**

56. The scheme is being delivered by the County Council in its role as delivery partner for the GGGL as part of the wider regeneration of Whitehill & Bordon. The original GGGL funding application to the EM3 LEP states that maintenance of all new GGGL elements (that are not to be constructed within the existing publicly maintainable highway) shall become the maintenance responsibility of the landowner. On this basis, the route remains privately maintainable. Whilst all reasonable arrangements will be put in place to secure the long term maintenance obligations with the town council and district council, should these arrangements

cease at some future point it is possible that a maintenance obligation may fall back on the Highway Authority as long as the routes remain in place.

57. Whitehill Town Council will maintain Sections A, B, D, E and F, as the responsible landowner or lessee, after the scheme has been delivered by Hampshire County Council. At the end of the lease between Whitehill Town Council and the landowner, should it arise, the maintenance responsibility will revert to the landowner.
58. After practical completion of Sections A, B, D, E and F, a defects period shall run for a period of 12 months. During this period, Whitehill Town Council will be responsible for maintenance; however, the County Council will be responsible for any liabilities and remediating any defects. Upon expiration of the defects period, Whitehill Town Council will be responsible for management, maintenance and liabilities as the responsible lessee/landowner.
59. East Hampshire District Council will maintain Section E as the responsible landowner, after the scheme has been delivered by Hampshire County Council.
60. After practical completion of the path in Hollybrook Open Space, Section C, a defects period shall run for a period of 12 months. During this period, East Hampshire District Council will be responsible for maintenance; however, Hampshire County Council will be responsible for any liabilities and remediating any defects. Upon expiration of the defects period, East Hampshire District Council will be responsible for management, maintenance and liabilities as the responsible landowner.
61. Prior to issuing a certificate/confirmation of practical completion the District Council and Town Council will be invited to inspect the new paths and make notes of any "snags".
62. Replacement tress shall be maintained by the landowner.

# APPENDIX – PROPOSED WORKS PLAN



Figure 1 – Proposed South East Loop - Path

# APPENDIX – LAND PLAN

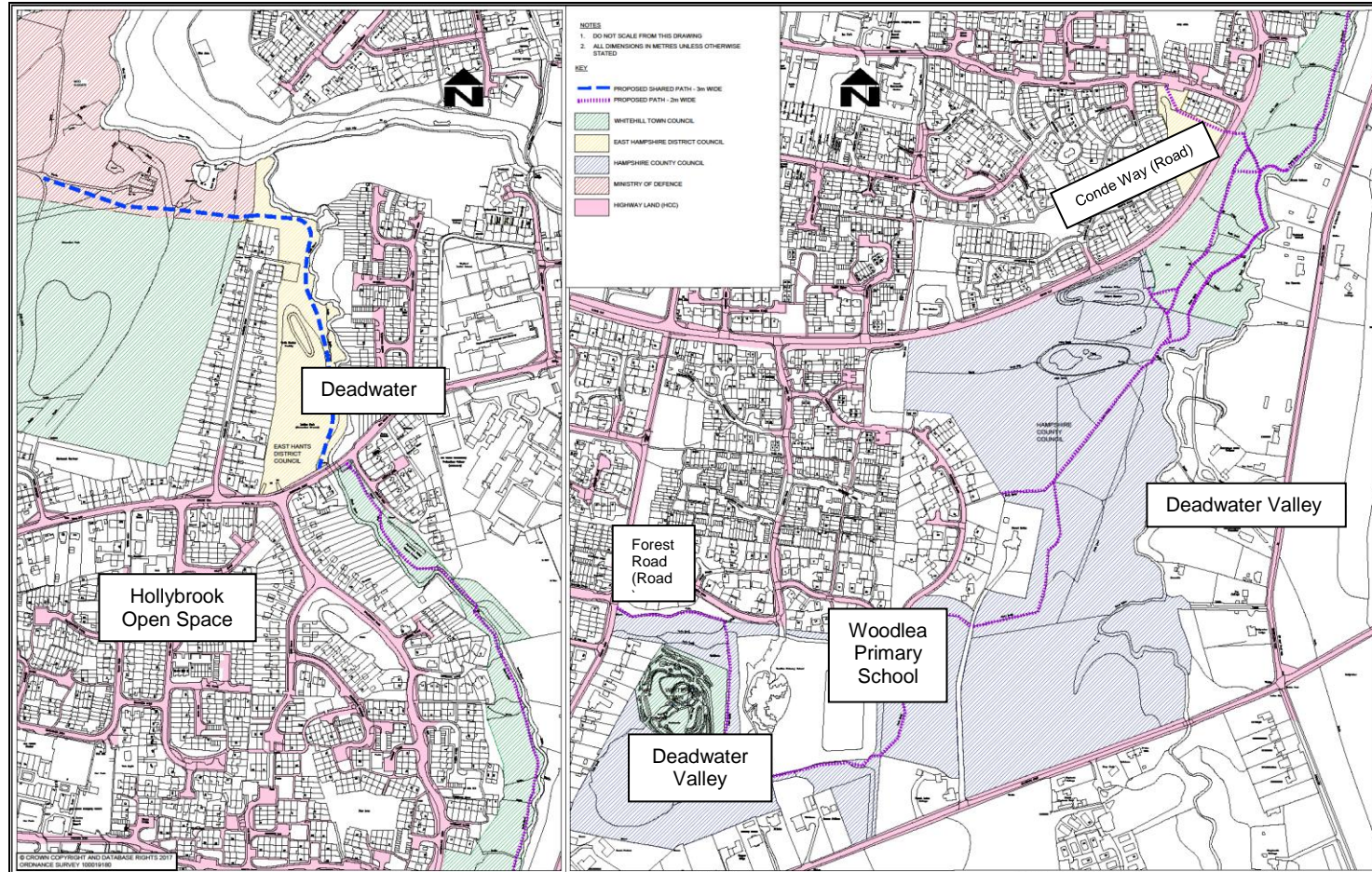


Figure 2: South East Loop Path – Land Plan

## LTP3 Priorities and Policy Objectives

### 3 Priorities

- To support economic growth by ensuring the safety, soundness and efficiency of the transport network in Hampshire
- Provide a safe, well maintained and more resilient road network in Hampshire
- Manage traffic to maximise the efficiency of existing network capacity, improving journey time reliability and reducing emissions, to support the efficient and sustainable movement of people and goods

### 14 Policy Objectives

- Improve road safety (through delivery of casualty reduction and speed management)
- Efficient management of parking provision (on and off street, including servicing)
- Support use of new transport technologies (i.e. Smartcards; RTI; electric vehicle charging points)
- Work with operators to grow bus travel and remove barriers to access
  -
- Support community transport provision to maintain 'safety net' of basic access to services
- Improve access to rail stations, and improve parking and station facilities
- Provide a home to school transport service that meets changing curriculum needs
- Improve co-ordination and integration between travel modes through interchange improvements
- Apply 'Manual for Streets' design principles to support a better balance between traffic and community life
- Improve air quality
- Reduce the need to travel, through technology and Smarter Choices measures

- Promote walking and cycling to provide a healthy alternative to the car for short local journeys to work, local services or school
- Develop Bus Rapid Transit and high quality public transport in South Hampshire, to reduce car dependence and improve journey time reliability
- Outline and implement a long term transport strategy to enable sustainable development in major growth areas

**Other**

Please list any other targets (i.e. National Indicators, non LTP) to which this scheme will contribute.



**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

Document

Location

## **EQUALITIES IMPACT ASSESSMENT:**

### **1. Equality Duty**

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

This scheme has no detrimental impact on equalities or diversity and has the potential to improve modes of travel for physically and socially disadvantaged groups. The design is in accordance with best practice in meeting mobility requirements.