

OFFICER DECISION FORM

DECISION TO BE TAKEN BY: DIRECTOR OF REGENERATION AND PLACE

KEY DECISION NO

DIRECTORATE: REGENERATION AND PLACE

WARDS AFFECTED: Bidston & St James Ward and Leasowe and Moreton East Ward.

SUBJECT: ACTIVE TRAVEL FUND TRANCHE 1 PROGRAMME AMENDMENT:
FENDER LANE, MORETON TO BIDSTON – PROPOSED CYCLE LINK

1.0 DECISION

The Director of Regeneration and Place approves the proposed cycle link on Fender Lane, Moreton to Bidston as set out in Appendix 1 of the attached is report for implementation.

2.0 REASONS FOR THE DECISION

- 2.1 This project is designed in accordance with the latest cycling design guidance to create an environment that is safe for both walking and cycling and to help embed walking and cycling as part of new long-term commuting habits and is funded via the Department for Transport's Active Travel Fund.
- 2.2 Officers have considered the objections received during the consultation period and have provided comprehensive responses but consider that the scheme proposal should be progressed as it is in line with the latest Department for Transport design guidance for cycle schemes and the objectives of the Active Travel Fund.

3.0 STATEMENT OF COMPLIANCE

- 3.1 The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been completed. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

4.0 DECLARATION OF INTEREST

4.1 None

Signed:

Officer: Alan Evans

Title: Director of Regeneration and Place

Date:

A list of background papers on this issue is held with:

Contact Officer:
Julie Barnes
Lead Commissioner Transport and Technology
Strategic Transport
Regeneration and Place Directorate,

Tel 0151 606 2365
juliebarnes@wirral.gov.uk

Date:

Date of Publication:

Date of Expiry of Call-In Period: Not applicable.

OFFICER DECISION**XX JANUARY 2022**

REPORT TITLE	ACTIVE TRAVEL FUND TRANCHE 1 PROGRAMME AMENDMENT: FENDER LANE, MORETON TO BIDSTON- PROPOSED CYCLE LINK
REPORT OF	ASSISTANT DIRECTOR-CHIEF REGENERATION OFFICER

REPORT SUMMARY

This report considers objections to the proposed mandatory cycle link along Fender Lane, Moreton to Bidston. This scheme has been developed as part of Tranche 1 of the Department for Transport's (DfT) Active Travel Fund (ATF).

The Wirral Plan 2021-2026 sets out the Council's vision to secure the best possible future for our residents, defined by the community prosperity we create and supported by our excellent people and services. This proposal directly supports the following key themes within that plan:

- A cleaner, greener borough which celebrates, protects and improves our environment and urgently tackles the environmental emergency;
- A prosperous inclusive economy where local people can get good jobs and achieve their aspirations; and
- Safe, vibrant communities where people want to live and raise their families.

The purpose of this scheme is to create an environment that is safe for both pedestrians and cyclists and to help embed walking and cycling as part of new long-term commuting habits.

This matter affects Bidston & St James Ward and Leasowe and Moreton East Ward.

This matter does not require a Key Decision.

RECOMMENDATIONS

The Director of Regeneration and Place is recommended to approve the proposal as set out in Appendix 1 of this report for implementation.

SUPPORTING INFORMATION

1.0 REASONS FOR RECOMMENDATION/S

- 1.1 This project is designed in accordance with the latest cycling design guidance to create an environment that is safe for both walking and cycling and to help embed walking and cycling as part of new long-term commuting habits and is funded via the Department for Transport's (DfT) Active Travel Fund (ATF).
- 1.2 Officers have considered the objections received during the consultation period and have provided comprehensive responses but consider that the scheme proposal should be progressed as it is in line with the latest DfT design guidance for cycle schemes and the objectives of the Active Travel Fund.

2.0 OTHER OPTIONS CONSIDERED

- 2.1. Allocate the funding to a different scheme in the Borough. This is not considered appropriate as the Liverpool City Region Combined Authority ("LCRCA") has advised that the funds could only be spent on schemes within the current programme and could not be spent on a new scheme in the borough.
- 2.2 Remove the Fender Lane Scheme from the Active Travel Fund Tranche 1 programme and return the £204,075 of funding to the LCRCA. This is not considered an appropriate option as failure to deliver against the approved programme could result in reputational issues for the Council in terms of its commitment to active travel which could result in future funding allocations being reduced.
- 2.3 Officers have considered alternative cycle link designs described in Local Transport Note 1/20 (LTN1/20 - Cycle Infrastructure Design). However, due to budget implications and time constraints, such alternative designs were not progressed.

3. BACKGROUND INFORMATION

- 3.1 Wirral Council has been awarded £308,380 from the LCRCA Active Travel Tranche 1 programme to progress 2 schemes to support and enable increased levels of walking and cycling in the Borough. The programme, which was approved by Policy and Resources Committee in June 2021 is set out in Table 1 below.

Table 1: Wirral Active Travel Fund Tranche 1 Programme

Scheme	Budget
New Chester Road (Rock Ferry/Bromborough wards),	£104,305
Fender Lane (Bidston & St James Ward and Leasowe and Moreton East Ward)	£204,075
Total	£308,380

- 3.2 The A533 Fender Lane scheme proposals extend from Hoylake Rd, Moreton (from its junction with Reeds Lane) to Hoylake Rd 'Tesco Roundabout' (Bidston). The scheme proposals include a reduction of dual carriageway to single carriageway to provide cycle lane in each direction. Fender Lane has a 40mph speed limit and the segregation units required for this project will subsequently be substantial in nature and quality. Additional road markings will supplement the segregation units.
- 3.3. The objective of the Active Travel Fund Programme is to implement walking and cycling schemes to reduce the dependency on car-based journeys and through segregation provide increased confidence for users of active travel modes.
- 3.4 On the 30 June 2021 the Policy and Resources Committee resolved to accept various recommendations from the Economy Regeneration and Development Committee and resolved (amongst other matters) that:
- (1) *the Director of Regeneration and Place be authorised to accept the grant funding of £1,153,380 allocated to Wirral Council by Liverpool City Region Combined Authority for the Active Travel Fund Tranche 1 and 2 Programmes and accept the Local Authority Active Travel Capability Fund Programme indicative allocation of £286,000;*
 - (2) *the proposed Active Travel Fund Tranche 1 and 2 Programmes and the Active Travel Capability Fund Programme (“the Programmes”) as set out in Appendices 1, 2 and 3 of the report, be approved;*
 - (3) *the Director of Regeneration and Place, in consultation with the Liverpool City Region Combined Authority and the Chairs and Spokespersons of the Economy, Regeneration and Development and the Environment, Climate Emergency and Transport Committees, be authorised to amend the Programmes if required having due regard to any issues that may arise during design or consultation stages of projects;*
 - (4) *Committee notes that the above authority and approvals are subject to the schemes at the Crescent, and proposed cycle way through Wallasey and New Brighton, being deferred until a consultation process has taken place;*
 - (5) *Committee notes the significant overlap between the terms of reference of the Economy Regeneration and Development Committee and the Environment, Climate Emergency and Transport Committee and requests that these committees work jointly with Economy Regeneration and Development Committee leading on active travel issues which affect major regeneration master plan projects and the Environment, Climate Emergency and Transport Committee to lead on all other transport, active travel and road safety strategy and schemes. Officers are asked to liaise with the Chairs of both committees on all*

transport planning to ensure that the work programmes are always agreed.

- 3.5 Following Committee approval of the programme, design work for the Fender Lane scheme was progressed.

4.0 PUBLIC CONSULTATION

- 4.1 Officers have consulted with Ward Councillors (Bidston & St James and Leasowe & Moreton East), Stakeholders, and Chair and Spokespersons of Environment, Climate Emergency & Transport Committee. One Ward Councillor asked if speed limit would be reduced to 30mph from the current 40mph limit. It was noted this would be kept under review as it was anticipated that reduction to one lane would act as a natural speed reduction measure. A Ward Councillor also considered that the reduction to one lane would be the safest way to have a cycle lane as there was currently a problem with cars undertaking on the inside lane.
- 4.2 Consultation with residents was not undertaken at this stage as the Tranche 1 funding was emergency funding to assist with COVID restrictions. The DfT had indicated that schemes should progress within 8 weeks to assist with pandemic travel issues. A Ward Councillor raised the lack of public consultation as a concern.
- 4.3 The scheme did not progress within the required timescales due to a supply chain issue in procuring light segregation units. Therefore, given the additional time provided by the delay in procurement, it was considered appropriate to undertake a public consultation.
- 4.4 In February 2021 Ward Councillors from the Bidston & St James and Leasowe & Moreton East Wards, and the Chair and Spokespersons of Environment, Climate Emergency and Transport Committee were re-consulted. (It should be noted that this consultation took place prior to the decision by Policy and Resources Committee on the 30 June 2021 to consult with both the Environment, Climate Emergency and Transport Committee and the Economy, Regeneration and Development Committee).
- 4.5 In March 2021 public consultation was undertaken with local residents, landowners, and businesses. Consultation has also been undertaken with the Emergency Services, Freight Transport Association, Road Haulage Association, Merseytravel and Wirral's Active Travel Forum including the RNIB. Letters with plans were delivered to residents, businesses and schools found within the vicinity of the scheme, informing them of the proposals.
- 4.6 During the consultation period, (Monday 1 March 2021 to Friday 19 March 2021), 13 objections (of which 6 provided no supporting information/reason for objecting) and 8 expressions of support were received. The objections and officer response are summarised in Appendix 2.

- 4.7 The feedback from the consultation has been discussed with the Chairs and Spokespersons of the Economy, Regeneration and Development Committee and the Chairs and Spokespersons of the Environment, Climate Emergency and Transport Committees.

5.0 FINANCIAL IMPLICATIONS

- 5.1 £204,075 has been approved to deliver the Fender Lane Scheme. This is funded by DfT's Active Travel Fund Tranche 1 programme and was approved by Policy and Resources Committee on the 30 June 2021.
- 5.2 The ongoing maintenance costs would be included within existing highway maintenance programme. Discussions are currently taking place with the Liverpool City Region Combined Authority regarding future highway maintenance funding allocations from the City Region Sustainable Transport Settlement (CRSTS).

6.0 LEGAL IMPLICATIONS

- 6.1 The Council has statutory duties as defined by the Highways Act 1980, Road Traffic Regulations Act 1984, Road Traffic Act 1988, Local Government Act 1972 and the Traffic Management Act 2004.
- 6.2 As per the decision of the Policy and Resources committee on the 30 June 2021, the Director of Regeneration and Place, in consultation with the Liverpool City Region Combined Authority and the Chairs and Spokespersons of the Economy, Regeneration and Development and the Environment, Climate Emergency and Transport Committees, is authorised to amend the Programmes if required having due regard to any issues that may arise during design or consultation stages of projects.

7.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 7.1 All capital schemes funded from Active Travel Fund allocations have been added to the Council's Capital Programme. Existing staff resources has been used for development of scheme included in the programme, supplemented where required with external design resources.

8.0 RELEVANT RISKS

- 8.1 Failure to deliver an active travel scheme that is designed in accordance with the latest cycle design guidance would be viewed negatively by the DfT and would impact future funding allocations to the LCRCA from the DfT and in turn to Wirral.
- 8.2 The deadline for spending the funding is the end of March 2022. We are currently in discussions with the LCRCA and the DfT with regard to this deadline being extended.

9.0 ENGAGEMENT/CONSULTATION

- 9.1 Wirral Council has a statutory consultation process that is required for the undertaking of work on the adopted highway which will require public consultation, objections to which would be considered under the Scheme of Delegation in the Council's Constitution.
- 9.2 Further consultation was undertaken with the Emergency Services, Freight Transport Association, Road Haulage Association, Merseytravel & Wirral's Active Travel Forum. Letters/plans were delivered to residents living within the vicinity of the scheme, informing them of the proposals and giving them the opportunity to provide comments/support/concerns/objections. This report provides details of objections and comments received.
- 9.3 The Wirral Active Travel Forum is a formally constituted group which meets quarterly with interested public and private organisations and individuals, to support active travel as a simple, low cost and effective way for people to access life opportunities whilst increasing levels of physical activity in their day-to-day life. Membership of this group is open to all and the forum will continue to be engaged as these programmes develop.
- 9.4 On 4 March 2021, the Economy Regeneration and Development Committee resolved to establish a Members Active Travel Working Group to support the work of Economy, Regeneration and Development Committee. The first meeting of this working group is due to take place in January 2022 and members of that group will be engaged as the Active Travel Tranche 2 programmes develops. This decision is required to be taken in advance of the scheduled January meeting of that group due to the identified risk that a delay would have on programme delivery timescales.

10.0 EQUALITY IMPLICATIONS

- 10.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 10.2 The Council has an obligation under the Equality Act 2010 and the Public Sector Equality duty (Sect 149 2011) to show due regard to the duty and show due regard to mitigate any negative impacts that may affect people with protected characteristics under the Act.
- 10.3 Whilst there are no equality implications arising from this report, the associated actions arising from the delivery may further need to assess any equality issues and mitigate any negative impact that may emerge.
- 10.4 An Equality Impact Assessment has been completed and this is attached at Appendix 3.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 Sustainable travel is at the heart of the Birkenhead 2040 Framework and emerging Local Plan. In this context that this scheme it is part of a wider programme to deliver a prosperous, inclusive economy to benefit local residents. The proposed improvements to Fender Lane will have a positive impact on removing barriers to active travel and encouraging a switch from motorised for short journeys.
- 11.2 The project supports the reduction in energy consumption as it will support the Cool 2 target of 'a complete transition to fossil fuel free local travel by around 2030'.
- 11.3 Gear Change, the Governments Cycling Strategy, identifies that mode shift to active transport is one of the most cost-effective ways of reducing transport emissions and that meeting the targets to double cycling and increasing walking would lead to savings of £567million annually from air quality alone and prevent 8,300 premature deaths each year and provide opportunities to improve green spaces and biodiversity.
- 11.4 Through any future procurement exercises we will be looking to maximise further social value activity through creation of local employment and training.

REPORT AUTHOR: **Lee Bailey**
Commercial Projects Manager (Design & Commissioning)
Highways & Infrastructure
Neighbourhood Services
telephone: (0151) 606 2437
email: leebailey@wirral.gov.uk

APPENDICES

Appendix 1: Scheme Drawings

Ref No.
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DC05961200
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DC06001100
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Appendix 2: Objections and Expressions of Support including Officer Responses.

Appendix 3: Equality Impact Assessment (EQIA)

BACKGROUND PAPERS

Gear Change Plan for Cycling and Walking – Department for Transport July 2020

<https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england>

Gear Change Plan One Year One– Department for Transport July 2021

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007815/gear-change-one-year-on.pdf

Cycling Infrastructure Design Local Transport Note 1/20

<https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120>

Sustrans Bike Life Report Liverpool City Region

<https://www.sustrans.org.uk/bike-life/bike-life-liverpool-city-region/>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Active Travel Cross Party Member Working Group Economy Regeneration and Development Committee Item 33	4 March 2021
Active Travel Funding Economy Regeneration and Development Committee Item 6	8 June 2021
Active Travel Funding Policy and Resources Committee Item 11a	30 June 2021