



## **ECONOMY REGENERATION AND HOUSING COMMITTEE**

### **8 MARCH 2023**

<b>REPORT TITLE</b>	<b>SUSTAINABLE URBAN DEVELOPMENT WORK PACKAGE 7: BIRKENHEAD ROAD – PROPOSED ACTIVE TRAVEL SCHEME SEACOMBE WARD</b>
<b>REPORT OF</b>	<b>DIRECTOR OF REGENERATION AND PLACE</b>

### **REPORT SUMMARY**

This report considers the objections and expressions of support received regarding the proposed active travel scheme on Birkenhead Road in the Seacombe ward.

The Birkenhead Road scheme has been developed as part of Work Package 7 of the European Union's European Regional Development Fund (ERDF) Sustainable Urban Development (SUD) with match funding from the Liverpool City Region Combined Authority (LCRCA) Transforming Cities Fund. The total funding for the Work Package 7 programme amounts to £2,893,522 of investment with £1,323,139 being allocated to the Birkenhead Road scheme.

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 the Birkenhead Road 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 the Seacombe ward.

This matter is a Key Decision.

### **RECOMMENDATIONS**

The Economy, Regeneration and Housing Committee is recommended to approve the implementation of the Birkenhead Road scheme, Seacombe as set out in Appendix 1 of this report.

## **SUPPORTING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATION**

- 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 European Union's European Regional Development Fund (ERDF) Sustainable Urban Development (SUD) with match funding from the Liverpool City Region Combined Authority (LCRCA) Transforming Cities Fund.
- 1.2 Officers have considered the objections and expressions of support 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, the objectives of the funders and supports the delivery of the Wirral Plan 2021-2026.

### **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), who are the accountable body for the funding, has advised that the funds cannot be transferred to an alternative scheme and even if this was an option, the end date for the expenditure of the grant would mean there was not sufficient time to progress an alternative scheme.
- 2.2 Remove the Birkenhead Road Scheme from the Work Package 7 programme and return the £1,323,139 of funding to the LCRCA as the accountable body for the funding. This is not considered an appropriate option as failure to deliver against the approved programme could result in reputational issues for the Council and the LCRCA in terms of demonstrating commitment to active travel which could result in future funding allocations being reduced.

### **3.0 BACKGROUND INFORMATION**

#### **Work Package 7**

- 3.1 The Birkenhead Road scheme has been developed as part of Work Package 7 (WP7) of the European Union's European Regional Development Fund (ERDF) Sustainable Urban Development (SUD), Priority Axis 4 and Priority Axis 6, with 50% match funding from the LCRCA Transforming Cities Fund to support and enable increased levels of walking and cycling in the Borough. The funding for the WP7 programme amounts to £2,893,522 of investment. £1,323,139 of that programme is identified for Birkenhead Road. Other schemes within the WP7 Programme include Price Street active travel scheme, habitat improvements at Bidston Moss and pedestrian and cycle priority crossings to the entrances as part of the Millers Quay development on Dock Road.

- 3.2 The deadline for delivery of WP7 and claiming the funds is the end of June 2023. The Council is unable to use the funding for any other purpose. The timescales for construction are challenging and therefore a swift resolution is needed so that the LCRCA can be advised of the decision of the Council. If the scheme is not delivered within the required timescales, the Council would lose the opportunity of the WP7 investment and would be at risk of clawback from the claims of work undertaken to date to bring the scheme to this stage, the sum involved being approximately £147,000.
- 3.3 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.
- 3.4 The proposed walking and cycling infrastructure upgrades on Birkenhead Road are designed in accordance with the latest cycling design guidance (LTN1/20 - Cycle Infrastructure Design) 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.
- 3.5 The objective of the EU ERDF SUD Priority Axis 4 is 'supporting the shift Towards a Low Carbon Economy in all sectors' as part of the LCRCA bid for the funding this was specifically to implement walking and cycling schemes to reduce the dependency on car-based journeys. Following the publication of the latest guidance for the implementation of walking and cycling schemes the introduction of segregation provides an increased confidence for users of active travel modes.

### **Birkenhead Road Scheme**

- 3.6 Birkenhead Road currently has a cycle lane on the footway segregated from pedestrians by only a white line and has a pinch point at the current bus stop due to the bus bay and the mature tree within the footway. The current facility also crosses several access points and the junction with East Street which do not provide priority for cyclists.
- 3.7 The Birkenhead Road scheme proposals extend from the junction with Kelvin Road to Seacombe View and include the conversion of the existing cycle lane to a fully segregated cycle lane which is separated from the carriageway by a kerb. Scheme drawings can be found in Appendix 1.
- 3.8 The scheme will also include an upgraded segregated pedestrian footway and cycle track along the east side of Birkenhead Road (between Kelvin Road and Seacombe View) and removal of existing vehicle parking bays along the east side of Birkenhead Road. The scheme will provide new vehicle parking bays along the western side of Birkenhead Road (between house numbers 30 – 56), improving safety by removing the need for residents and visitors to cross the road to access their vehicles. The proposed scheme will include pedestrian and cycle priority crossings at side roads, with improvements to

pedestrian crossing points at dropped kerb accesses along the west side of Birkenhead Road.

- 3.9 The scheme will include the removal of the existing bus bay on the east side of Birkenhead Road, opposite 100 Birkenhead Road, to be replaced with a Bus Stop Bypass facility opposite 76 Birkenhead Road. The scheme will introduce Traffic Regulation Orders (double yellow lines), with the revision of existing Traffic Regulation Orders along the western side of Birkenhead Road, to enable vehicle parking. The overall impact of these proposals is therefore an overall loss of 57 metres of parking space. Based on a fairly standard 6m long parking bay this would result in 9.5 lost parking spaces. Observations have shown that Birkenhead Road is not always at full parked capacity however, in the event that there are no free spaces on Birkenhead Road, it is considered that parking spaces would be available on East Street or other neighbouring streets. There is also available paid parking provision at the ferry terminal.
- 3.10 The scheme will include the removal of trees from the eastern side of Birkenhead Road to allow for footway and cycle track upgrades. New trees will be planted at Corbyn Street and the Seacombe Ferry area. The ratio of trees to be planted for each tree removed will follow the guidelines set out by the council tree strategy and in consultation with the appropriate officers.
- 3.11 Public consultation was undertaken from 23 November to 21 December 2022 with local residents, landowners, and businesses via the Have Your Say website. A summary of the responses can be found in Appendix 2. Consultation has also been undertaken with the Emergency Services, Freight Transport Association, Road Haulage Association, Merseytravel and Wirral's Active Travel Forum including the Royal National Institute of Blind People (RNIB). Letters with plans were delivered to residents and businesses found within the vicinity of the scheme, informing them of the proposals.
- 3.12 During the public consultation period, 83 objections and 86 expressions of support were received. These comments, noted as objections and expressions of support received during the public consultation and an officer response to each are summarised in Appendix 3 of this report. In addition, a petition has also been received objecting to the proposal recording 674 signatures, however it should be noted this was still live at the time of preparing this report.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The Birkenhead Road scheme has an allocated budget from the WP7 programme of £1,323,139 As part of the grant fund agreement the money is claimed by the Council in arrears.
- 4.2 The ongoing maintenance costs would be included within existing highway maintenance programme. Discussions are continuing to take place with the Liverpool City Region Combined Authority regarding future highway

maintenance funding allocations from the City Region Sustainable Transport Settlement.

## 5.0 LEGAL IMPLICATIONS

5.1 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.

5.2 On 26 January 2022 the Economy, Regeneration & Housing Committee resolved that:

- (1) *A Deed of Variation be entered into by the Council to accept £2.89 million of funding from the Liverpool City Region Combined Authority to deliver 6.65 kilometres of walking and cycling infrastructure upgrades and 5.15 hectares of habitat improvements as part of Phase 1 of the Local Cycling and Walking Infrastructure Plan - the Sustainable Urban Development Green Sustainable Travel Corridors Programme;*
- (2) *Amendments be made to the individual phase programmes, if required, in consultation with Liverpool City Region Combined Authority and the Chairs and Spokespersons of the Economy, Regeneration and Development and the Environment, Climate Emergency and Transport Committees, having due regard to any issues that may arise during design or consultation stages of projects; and*
- (3) *The necessary procurement process to appoint external contractors to undertake the necessary highway works associated with Phase 1 of the Local Cycling and Walking Infrastructure Plan - the Sustainable Urban Development Green Sustainable Travel Corridors Programme be carried out.*

5.3 The effect of resolution 2 was to delegate authority to the Director of Regeneration and Place. That is clear from the committee report of the 26 January 2022 in that at paragraph 7.7 it provided that:

*“There is also a risk of objections being received to the schemes during the consultation process. Should objections be received it is proposed that these are considered by 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.”*

5.4 In line with resolution 2, the results of the consultation were discussed with the Chairs and Spokespersons of the Economy, Regeneration and Development and the Environment, Climate Emergency and Transport Committees at the Active Travel Members Working Group on the 8 February 2023.

5.5 Taking into account the range of views expressed at the Active Travel Members Working Group on 8 February 2023 and noting the receipt of a petition from a local business, the Director of Regeneration and Place considers it appropriate to refer this matter to the Committee for decision making.

## **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 Schemes within Work Package 7 have been added to the Council's Capital Programme. Existing staff resources, supplemented with external consultation support as appropriate has been used for development of the scheme.

6.2 There are no ICT or asset implications.

## **7.0 RELEVANT RISKS**

7.1 Failure to deliver the Birkenhead Road scheme would be viewed negatively by the LCRCA and may impact future funding allocations.

7.2 The deadline for spending the Work Package 7 funding is the end of June 2023. Failure to deliver the Birkenhead Road scheme within the delivery timescales would leave the Council open to the risk of claw back of funding. As with all highway schemes there is the risk that due to unforeseen circumstances once works commence on site the programme is required to be extended. The current programme from the contractor identifies the works may exceed the required timescales, however officers are currently in discussions with the LCRCA with regard to the possibility that this deadline could be extended, or the scheme moved to an alternative future funding programme should the situation arise that would result in the deadline for funding be exceeded.

7.3 Failure to deliver the Birkenhead Road scheme within the delivery timescales would leave the Council open to the risk of claw back of funding for design work already undertaken. Work undertaken to date to develop the Birkenhead Road scheme could be clawed back by the WP7 programme and to date that cost is approximately £147,000. Confirmation would be required if the scheme was moved to an alternative future funding programme whether the development costs could also be transferred.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 A pre-consultation email was sent to Ward Councillors, Chairs and Vice-Chairs, Spokespersons on 23 June 2022 providing information on the scheme. On 17 November 2022, Ward Councillors, Chairs and Vice-Chairs were advised of the intention to proceed to consultation and on 23 November 2022 an email was sent confirming the start of public consultation. A further email was sent on the 14 December 2022 advising of the upcoming deadline for consultation comments.

- 8.2 Public consultation on the Birkenhead Road scheme was undertaken from 23rd November to 21st December 2022 with local residents, landowners, and businesses via the Have Your Say website. During the public consultation period, 83 objections and 86 expressions of support were received. These comments, noted as objections and expressions of support received during the public consultation and an officer response to each are summarised in Appendix 3 of this report. In addition, a petition has also been received objecting to the proposal recording 674 signatures, however it should be noted this was still live at the time of preparing this report.
- 8.3 Consultation has also been undertaken with the Emergency Services, Freight Transport Association, Road Haulage Association, Merseytravel and Wirral's Active Travel Forum including the Royal National Institute of Blind People (RNIB). Letters with plans were delivered to residents and businesses found within the vicinity of the scheme, informing them of the proposals.
- 8.4 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 have been engaged as Work Package 7 programme has developed.
- 8.5 The Members Active Travel Working Group were engaged regarding the Birkenhead Road scheme on 6 October 2022, 8 December 2022 and the results of the consultation were discussed with the working group on 8 February 2023.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 An Equality Impact Assessment has been completed and published. 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.
- 9.2 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.
- 9.3 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.
- 9.4 An Equality Impact Assessment has been completed and this is published at <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Delivery of active travel projects will enable increased numbers of journeys to be undertaken by sustainable modes, especially for local journeys, therefore reducing residents' reliance on the private car and reducing carbon emissions. Increasing cycling and walking will help combat climate change. By encouraging and enabling people to travel more on foot and by cycle instead of private car harmful emissions will be reduced. Promoting active travel can result in reduced emissions of Nitrogen Dioxide, particulate matter and Carbon Dioxide helping to tackle climate change and improve air quality.
- 10.2 Gear Change Cycling Strategy produced by Government in Summer 2020 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 in England and provide opportunity to improve green spaces and biodiversity.

## **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 Birkenhead Road 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.

**REPORT AUTHOR:** Julie Barnes  
Lead Commissioner Transport and Technology  
Strategic Transport  
Regeneration and Place Directorate,

Tel 0151 606 2365  
[juliebarnes@wirral.gov.uk](mailto:juliebarnes@wirral.gov.uk)



## APPENDICES

- Appendix 1:** Birkenhead Road Scheme Drawings Ref Nos.  
100105630-MMD-02-BH-DR-C-0101  
100105630-MMD-02-BH-DR-C-0102
- Appendix 2:** Birkenhead Road Objections and Expressions of Support Report from the 'Have Your Say' website.
- Appendix 3:** Birkenhead Road Officer response to Objections and Expressions of Support.

## TERMS OF REFERENCE

This report is being considered by Economy, Regeneration and Housing Committee in accordance with section a) of its Terms of Reference

“The Committee is charged by full Council to undertake responsibility for: (a) formulation and delivery of the Council’s strategic development objectives for planning, sustainability and transportation”.

## 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](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)

<b>Council Meeting</b>	<b>Date</b>
Economy Regeneration and Development Committee Item 71	26 January 2022