

Tiverton Eastern Urban Extension (EUE) Access Junction – Phase 2

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: that the Cabinet be asked:

- (a) that the Head of Planning, Transportation and Environment be authorised to negotiate and agree the terms of an agreement with Mid Devon District Council to fund the construction of phase 2 of the Tiverton EUE access junction;
- (b) to approve the junction design shown on drawing C11017/68 (attached to this report – Appendix 2) to go out to tender;
- (c) to approve the scheme to proceed to tender award and construction subject to the funding agreement (referred to in Recommendation a) being signed, and a plan to overcome the issue of the construction of the link road being in place;
- (d) to agree to the Chief Officer for Highways, Infrastructure Development and Waste, in conjunction with the Cabinet Member for Infrastructure, Development and Waste and Local Member, be given delegated authorities to make minor amendments to the scheme design and delivery programme;
- (e) to give approval to enhance the 2020/21 and 2021/22 capital programme, once the funding agreement has been signed, funded by external contributions.

1. Summary

This report seeks Cabinet approval to construct phase 2 of the Tiverton EUE access junction off the A361 to the east of Tiverton. This will provide direct access to the Tiverton Eastern Urban Extension (EUE) and allow the full allocation of houses to come forward on the site.

2. Introduction

The Tiverton EUE development site, Appendix 1, is included in Mid Devon's Local Plan Review for up to 1830 dwellings and at least 30,000m² employment floorspace. This development has commenced, and the first dwellings are now occupied.

Devon County Council completed construction of Phase 1 of the A361 junction in 2018 following Cabinet approval in June 2017. This consisted of westbound slip roads on the southern side of the A361. Phase 2 will see the construction of an overbridge and eastbound slip roads on the northern side of the A361. The road linking this new junction to the existing Blundell's Road will be constructed by the developer.

3. Proposal

The scheme will consist of constructing Phase 2 of the access junction as shown in Appendix 2, plan C11017/68, up to surface course and also includes drainage and planting. This will allow full movements to and from the new development at this location and reduce the number of vehicles using the existing road network:

- through Halberton to the east - where the road has a series of give and take priorities and
- through the middle of Blundell's School to the west where there are over 3,000 pedestrian movements a day.

The junction will reduce delays on the existing network and provide shorter journeys for people travelling east along the A361, reducing carbon emissions.

4. Options/Alternatives

Given the first phase of the junction is complete, the only viable alternative is not to construct Phase 2. This will result in the development traffic travelling through Halberton to reach Tiverton Parkway train station and the M5 and using Blundell's Road through the middle of the school when coming from the A361 west. Neither of these roads are appropriate for carrying large volumes of traffic and this option would also limit the amount of development that can come forward on the Tiverton EUE site.

5. Consultations

The A361 junction was included in Mid Devon District Council's masterplan for the Tiverton EUE site and also their Local Plan Review which has recently been adopted. Both of these documents went through two stages of public consultation including local exhibitions for people to have their say about the scheme. In addition to this, a planning application for the junction was submitted to Mid Devon District Council in summer 2014, allowing the public another option to express their comments over the scheme.

6. Financial Considerations

The cost of constructing the junction is estimated to be £10m. This will be funded by Mid Devon who have successfully obtained £8.2m from Homes England's Highways Infrastructure Fund, with the remaining funding coming from Mid Devon forward funding S106 contributions. Devon County Council are not funding any part of the project. The proposed funding agreement will clarify that whilst Devon will endeavour to deliver to planned timescales and within budget, Devon will not be assuming responsibility for any shortfalls in costs.

Devon County Council will be responsible for delivering the new junction, which will become part of our highway infrastructure. Devon will therefore need to include this scheme in the approved capital programme. We will incur the expenditure and submit regular claims to Mid Devon, for reimbursement.

7. Legal Considerations

The delivery of the HIF is dependent on a funding agreement between Mid Devon District Council (MDDC) and Homes England (HE) dated 29 November 2019. That agreement has been entered into and, as far as we are aware, MDDC have started to receive funding from HE.

In addition to this there is a requirement for a separate funding agreement between MDDC and Devon County Council. This is well advanced but there are a couple of outstanding issues that need to be resolved. Firstly, the original timescales are very challenging and MDDC will likely need to agree a revised programme with HE. Secondly, it is estimated that the total cost of the Project at £10m will over and above the £8.2m HIF Funding. There are a number of options to fill this funding gap linked to other development sites. These are currently being explored by MDDC.

The legal agreement to acquire the land is also being progressed.

The scheme will not progress to tender and construction until there is certainty that the funding agreement with MDDC has been entered into, and there is certainty the issue of the construction of the link road has been resolved. A land licence agreement will be entered into prior to start of works.

It is not anticipated that there will be any issues with the tendering of the construction contract as it will follow the County Council's normal procurement processes.

8. Environmental Impact Considerations (Including Climate Change)

An Environmental Impact Assessment was carried out as part of the planning application for the junction.

The development is considered to be located in a highly sustainable location. It is very close to the existing employment area of Tiverton Business Park. Ten minutes cycle and 30 mins walk to the Town Centre. It will have a regular bus route connecting to the Town Centre and the National Rail Station at Tiverton Parkway. There is an environmentally attractive leisure walking and cycling route along the canal. It will have a new dedicated Primary School and a local centre with employment.

The junction, is just one element of the transport infrastructure, is an attractive link to the main road network and will reduce congestion on local roads and reduce journey distances, both of which will reduce carbon emissions.

9. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;

- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular scheme/proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Members and is also available on the Council's website at: <https://www.devon.gov.uk/impact/a361-tiverton-access-junction-phase-2/>, which Councillors will need to consider for the purposes of this item.

10. Risk Management Considerations

The construction of the slip roads and overbridge requires the closure of the A361 for a period to allow the bridge deck to be put in place. The nature of the bridge crossing the A361 at a skew angle makes this process difficult and will require a longer closure period than normal. To enable the closure of the A361 it is necessary to have the road linking this new junction to the existing Blundell's Road in place to act as a diversion route as it is not possible to route all A361 traffic through the villages of Sampford Peverell and Halberton. The current plan is the linking road will be constructed by the developer. There is uncertainty when this construction will take place and without the absolute certainty it is not possible to agree a contract with the contractor, unless an alternative can be found.

The funding for the scheme which is primarily Homes England "*Housing Infrastructure Fund*" has a finite time period and has to be spent by December 2022. This means the scheme has to be built in 2021/22 and in turn this means the Linking Road has to be built imminently.

Negotiations are currently taking place on three fronts:

- Mid Devon are negotiating with the landowner and his agent
- Mid Devon are negotiating with Homes England for a possible extension of time
- Devon County Council are considering alternative construction processes.

As set out in Section 7 (Legal Considerations), Devon County Council are negotiating an agreement with Mid Devon District Council regarding the funding of this project and the delineation of responsibilities.

The scheme will not progress to tender and construction until there is a plan to overcome the issue of the construction of the link road.

11. Public Health Impact

The junction is within close proximity to existing residential properties. These residents have been involved as the plans for the junction have progressed and changes to the scheme have been made as a result.

12. Summary

Phase 1 of the scheme has been completed and Mid Devon have secured funding for Phase 2 of the junction. This will allow the Tiverton EUE development to be built out to its full potential as well as having additional capacity to accommodate future developments in the area.

Dave Black
Head of Planning Transportation and Environment

Electoral Divisions: Tiverton East

Cabinet Member for Infrastructure, Development and Waste: Councillor Andrea Davis

Chief Officer for Communities, Public Health, Environment and Prosperity: Dr Virginia Pearson

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Stuart Jarvis

Tel No: 01392 383372 Room: County Hall, Exeter EX2 4QD

Background Paper	Date	File Reference
Nil		

sj150920cab Tiverton Eastern Urban Extension (EUE) Access Junction Phase 2
Final

Tiverton Eastern Urban Extension Masterplan



Appendix 2
To PTE/20/24

Do not scale from this drawing in either hard or electronic format. No responsibility is accepted where this drawing is used in circumstances other than that for which it was originally prepared and issued.

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NOTES

no.	details
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A.	General amendment.
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Rev	Date	Drawn	Revisions	Chk



Engineering Design Group

Matford Offices County Hall Topsham Road Exeter EX2 4QD	Tel. 0845 155 1004 Fax. 01392 382342 customer@devon.gov.uk www.devon.gov.uk
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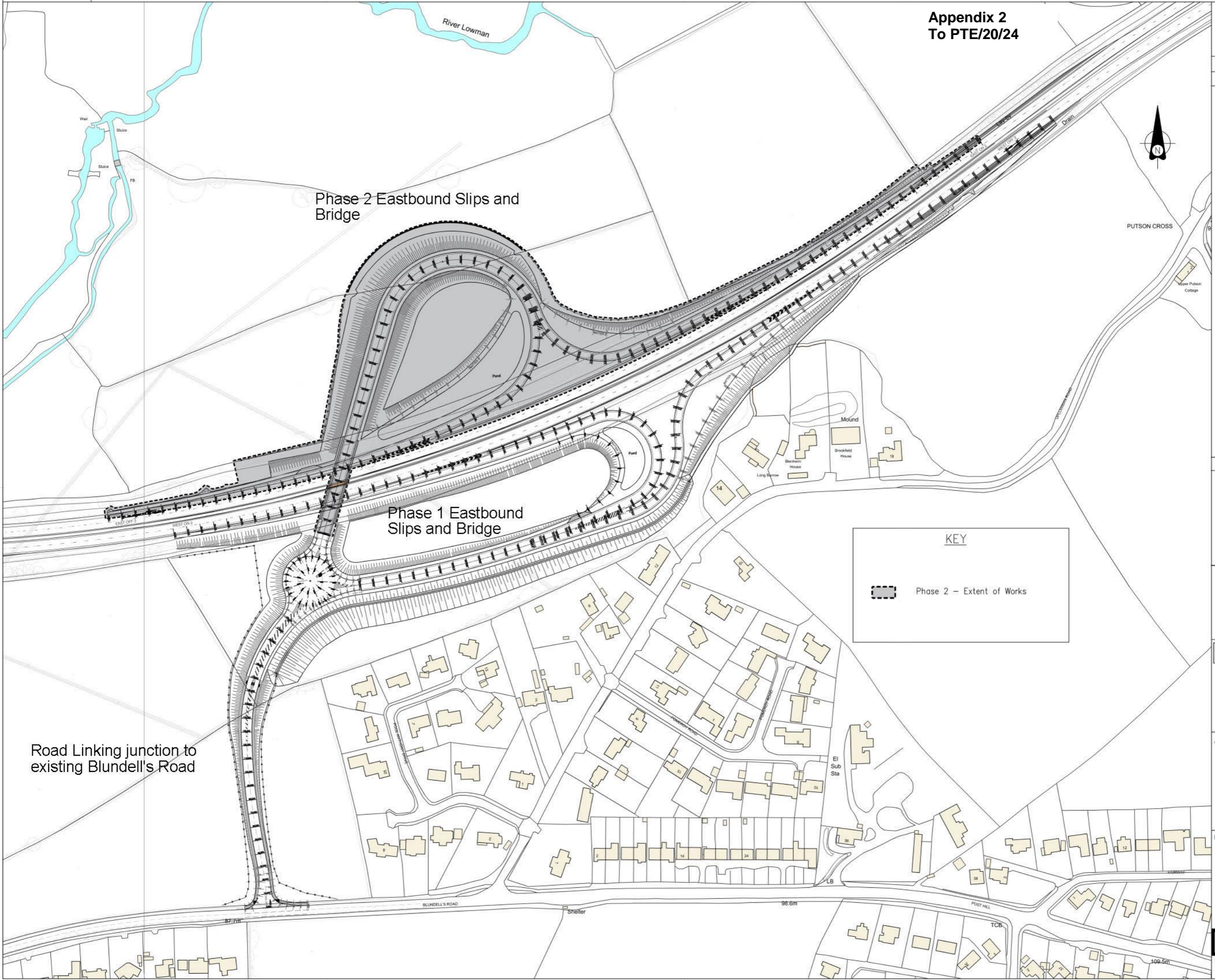
JOB

A361 NORTH DEVON LINK
TIVERTON
EASTERN URBAN EXTENSION

DRAWING TITLE

GENERAL SCHEME PLAN
PHASE 2

drawing number	C11017/68	Revision	
scale(s)	1:1250	size	A1



Road Linking junction to
existing Blundell's Road