

REPORT TO: CABINET MEMBER – TECHNICAL SERVICES
DATE: 17 NOVEMBER 2010
SUBJECT: SOUTHPORT CYCLE TOWN – PROPOSED CYCLE TRACK – BIRKDALE TO AINSDALE
WARDS AFFECTED: AINSDALE AND DUKES
REPORT OF: CHIEF EXECUTIVE
CONTACT OFFICER: MARGARET CARNEY - 0151-934-2057
**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

To reconsider the Cabinet Member decision taken on 20 October 2010 relating to the progression of the above scheme to a planning application and should the application be successful, the scheme be referred back to the Cabinet Member - Technical Services seeking authorisation for the scheme to be constructed.

REASON WHY DECISION REQUIRED:

The decision is required due to the internal and external cost associated with the approval process, the prioritisation of management capacity to respond to the councils challenging financial situation and the risk that the funding will not be committed in time and will have to be repaid.

RECOMMENDATION(S):

It is recommended that Cabinet Member approve the following action:

1. Rescind the decision contained in Minute No 90 of the meeting of the Cabinet Member – Technical Services held on 20 October 2010; and
2. That no further action be taken on the scheme for the reasons set out in the report.

KEY DECISION: No
FORWARD PLAN: Not appropriate
IMPLEMENTATION DATE: Upon the expiry of the call-in period following the publication of the minutes of the meeting

ALTERNATIVE OPTIONS: The Cabinet members could choose not to rescind his decision and the scheme would progress as previously outlined.

IMPLICATIONS:

Budget/Policy Framework:

Financial: The proposal will be funded by a grant from Cycling England, specifically provided for this project.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure	125,000			
Funded by:				
Sefton Capital Resources				
Specific Capital Resources	125,000			
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y	March 2011			
How will the service be funded post expiry?				

Legal:

Risk Assessment: N/A

Asset Management: N/A

CONSULTATION UNDERTAKEN/VIEWS

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity	√		
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy		√	
8	Children and Young People		√	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

NIL

1. INTRODUCTION

- 1.1 This proposal was first reported to Cabinet Member on the 13th January and to Cabinet on 14th January 2010 when it was included in the Capital Programme.
- 1.2 The resolution of the Cabinet Member gave officers the authorisation to proceed with the scheme and this resulted in a planning application being submitted in February 2010
- 1.3.1 A number of objections to the planning application were received and allegations were made that there had been insufficient consultation.
- 1.4 Following consultation with the Cabinet Member – Technical Services, it was decided that it would be prudent to withdraw the planning application. With the intention to undertake a far more extensive consultation process in June / July before submitting a further planning application for the route.
- 1.5 A report submitted by the Planning and Economic Development Director to the Cabinet Member – Technical Services on 20 October 2010 set out the current position. The Cabinet Member under Minute 90 agreed:

That

- (1) the report of the Planning and Economic Development Director, the two petitions and the resolution (Minute No. 88) of the Southport Area Committee be noted;
 - (2) the Birkdale to Ainsdale Cycle Track scheme be progressed to the planning application stage and should the planning application be successful, the scheme be referred back to the Cabinet Member - Technical Services seeking authorisation for the scheme to be constructed; and
 - (3) the views of the Cabinet Member - Leisure and Tourism, as portfolio holder with responsibility for the land, be sought on the proposal.
- 1.6 The decision of the Cabinet Member was subsequently 'called – in' by Councillors Preece, Hands and D. Rimmer in accordance with the Overview and Scrutiny Procedure Rules for the following reasons:
1. The Department (Tech. Services) did not follow the Council's consultation rules in the 2nd consultation.
 2. The wishes of the majority of Ainsdale and Birkdale residents were against this route. As was the Southport Area Committee and that was ignored.

3. Cycle England had suggested that they would fund improvements to the existing Cycle Path by the Coastal Road which was rejected by the officers without ward members being aware of the fact.
 4. If this proposal is forwarded then both routes should have an Environmental Impact Study as well as costing. (The existing coastal road route being the preferred route of Ainsdale and Birkdale residents.)
- 1.7 The call-in request is due to be considered by the Overview and Scrutiny Committee (Regeneration and Environmental Services) on 23 November 2010 and in accordance with the call-in procedures, the Committee may (a) refer the decision back to the decision maker (the Cabinet Member) or on to full Council, or (b) not refer the decision back for further consideration.
 - 1.8 If the decision was referred back to the Cabinet Member or in deed to the full Council Meeting on 16 December 2010, the Cabinet Member would need to review his original decision and there would be further delays in progressing the scheme to the planning application stage.

2. CURRENT POSITION

- 2.1 As the Cabinet member is aware the Council is facing a significantly challenging financial position. Members have been informed recently that a review of all ongoing projects will be undertaken to ensure that financial risk is minimised and we maximise management capacity to deal with the financial challenges and organisational change we are going through. Having reviewed this scheme, I would make the following comments
 - a) To progress the scheme to final decision is likely to equate to around 225 hours of staff time at an estimated cost of over £15,000. While it is likely that the majority of this cost would be eligible for Cycling England Funding, significant management and member capacity will be expended on this scheme given its complexity and history.
 - b) Based on a forward timetable the approval process could take until March 2011 to complete assuming its progress through Overview and Scrutiny, Cabinet Members and Planning and given the potential for any decision to be called in at the appropriate points.
 - c) The current Cycling England Funding is only available until the end of March 2011. If it is not committed by then any balance of unspent funding will have to be returned.
 - d) If the Council wished to continue with the scheme after that date a new bid would have to be submitted to the new "Sustainable Transport Fund" that is to include Cycling England Funding from 2011/12 onwards. Bids will not be restricted to existing Cycle Towns and may be eligible at the Merseyside level only. The detailed criteria for this fund is still awaited.

2.2 Given the above issues it is my view that the ability of the Council to commit this funding within the grant deadlines is limited. In addition significant staff time and cost will be expended at a time when the Council needs that capacity to deliver against its financial and service objectives. The Cabinet Member is therefore requested to consider this new information and rescind his previous decision to progress the scheme to its next stage.

3. RECOMMENDATION

3.1 It is recommended that Cabinet Member approve the following action:

- 1) Rescind the decision contained in Minute No 90 of the meeting of the Cabinet Member – Technical Services held on 20 October 2010; and
- 2) That no further action be taken on the scheme for the reasons set out in the report.