

Cabinet - 1 March 2006

Darlaston Strategic Development area – statutory procedures

Portfolio: Councillor Marco Longhi, Environment and transport

Service Area: Built Environment

Wards: Bentley and Darlaston North Ward, Pleck Ward

Forward Plan: Yes

Summary of Report

The Walsall Regeneration Company (WRC) together with the Council is driving forward the redevelopment of the Darlaston Strategic Development Area (DSDA). The key to unlocking the development potential is to improve access to, from and within the area by providing new and improved roads and constructing new canal and rail structures.

In order to secure land required for the construction of the proposed new highways, improved existing highways and new structures, it will be necessary to publish compulsory purchase and side roads orders (Statutory Orders). It will also be necessary to obtain planning permission for the new highways and structures.

This report seeks authorisation for Officers to commence these necessary statutory procedures in order to meet the overall project programme. The programme requires the Statutory Orders to be published by September 2006 to enable highway construction start in 2007/08.

This Report will be considered by Regeneration, Housing, Environment and Community Safety Scrutiny and Performance Panel on 23rd February 2006 and Cabinet will be verbally advised of any issues raised.

Recommendations

1. To authorise Officers to take the steps necessary to commence the Statutory Order process in accordance with the scheme programme;
2. To authorise Officers to take steps necessary to prepare and submit a planning application for the proposed new highways and structures and associated works in accordance with the scheme programme;
3. To note that, before the Statutory Orders are published or the planning application submitted, detailed proposals will be presented to Cabinet for approval.

Resource and legal considerations

Funding for the highway elements of the project is currently through the West Midlands Local Transport Plan. The scheme received provisional approval by the DfT in December 2003 in the value of some £14.5m. Subsequent scheme development is funded from the integrated transport block allocation of the LTP.

The West Midlands has assessed all major schemes as part of the recently introduced Regional Assessment process and DSDA is within the top six as recommended to DfT in January 2006 with provisional funding identified for a 2007/08 start. This has influenced the development of the programme in that if the Council achieves this date the scheme is treated as a committed scheme by the DfT, otherwise it will form part of a future assessment priority.

It will be necessary to acquire land by compulsory means unless the Walsall Regeneration Company (WRC) can negotiate acquisition of the land by negotiation in the time period set by the scheme delivery programme. Confirmation of Statutory Orders will not be forthcoming unless planning consent for the proposals has been obtained.

At the moment the requirements of the WRC are subject to future detailed clarification because of the need to balance regeneration aims, the costs of providing the necessary highway infrastructure and the costs of remediation works to severely contaminated land and areas of old mine workings. Officers are working closely with the WRC to arrive at solutions which will support the regeneration of the area.

The approvals sought in this Report will give Officers the flexibility to act at appropriate times in order to achieve the requirements of the scheme programme.

Citizen impact

The construction of a new road network within the DSDA will benefit all sections of the community by providing better links between major distributor roads. The redevelopment of derelict land in the DSDA is projected to provide new jobs, many of which will directly benefit the local community.

Community safety

The Statutory Orders and Planning Consent will support the provision of new highway infrastructure which itself will support the regeneration of the area. The proposed highway improvements and provision of new highways will be designed and constructed to the latest standards and permit new links within the area thereby benefiting all road users including cyclists, pedestrians, the elderly, children etc.

Environmental impact

The area is adjacent to the busy M6 and in an area where there is significant ground contamination. The impact of the highway proposals is subject to an Environmental Impact Assessment which is currently being undertaken.

Performance and risk management issues

The approvals sought in this report will enable officers to progress statutory procedures in accordance with the project programme liaise and agree design parameters with the WRC, and ultimately obtain final approval to secure funding in accordance with the Regional Prioritisation process.

For this major project key risks have been identified and actions taken to mitigate wherever practicable as follows:

- Financial - Department for Transport has given provisional approval for the scheme and the project is identified within the top 6 for the West Midlands Regional Prioritisation and so the programme has been developed to accord with the requirement for committed spends in 2007/08.
- Design - several bridges are required and liaison with Network Rail and British Waterways Board is a prerequisite to ensure delivery. Specific arrangements have already been implemented with Network Rail to avoid potential delays.
- Partners and Ground Conditions - the WRC is leading on addressing the issues of contaminated land in this redevelopment area and has appointed specialists. Formal project management arrangements have been put in place with a Joint Board and Strategic Management Team to ensure coordination and effective delivery.
- Programme & land acquisition - although the WRC is liaising with affected landowners it cannot be guaranteed that all will come on board in a timely manner and so Compulsory Purchase Orders will be prepared. The project programme has been developed to allow for any Public Inquiry.

Equality implications

The Statutory Orders and Planning Consent will support the proposed improved highway network, and will provide improved transport links into the regenerated area. Pedestrian crossing facilities will be introduced, safety improvements for cyclists and the provision of enhanced bus facilities. The proposed highway improvements will greatly improve conditions for pedestrians and cyclists. Footway improvements will cater for disabled use.

Consultation

There has been consultation with key stakeholders, residents and businesses that may be partially or significantly affected by the proposals. This has been undertaken in conjunction with our partner the WRC. Consultation will be extended and developed as an integral part of the statutory processes.

Vision 2008

The redevelopment of land within the DSDA together with the improved highways infrastructure will directly link to the Council's Vision 2008 priorities:

1. Ensure a clean and green borough;
2. Make it easier for people to get around;
8. Strengthen the local economy.

Background papers

1. West Midlands Local Transport Plan 2005
2. LTP Annex E - approval dated December 2003
3. Briefing Paper - 26 January 2006

Contact officer

Steve Pretty
Acting Head of Planning & Transportation
Ext No. 2598
E-mail prettys@walsall.gov.uk

Signed:



Executive Director: J Morris

Date: 20 February 2006

Signed:



Portfolio Holder: Councillor M Longhi

Date: 20 February 2006