

**South Lakeland District Council
Cabinet**

Wednesday, 1 September 2021

**Community Infrastructure Levy application –
Gooseholme Bridge and adjustments to CIL
Governance**

Portfolio: Housing Portfolio Holder
Report from: Director of Strategy, Innovation and Resources
Report Author: Dan Hudson – Strategy Lead Specialist
Wards: Kendal Town;
Forward Plan: Not applicable

Links to Council Plan Priorities:

Working across boundaries – the funding will enable the construction of a bridge which will enable sustainable transport choices in Kendal, contribute to the efficient functioning of the transport network in Kendal, enhance Kendal Town Centre as a place to live, work and visit and contribute to the delivery of the Kendal Town Centre Strategy and Kendal vision and contribute to strategic economic growth and Covid Recovery

Delivering a balanced community – in contributing to modal shift in and around Kendal, the proposal will enable the delivery of new homes and jobs through the current and emerging Local Plan and complement the objective of growing the working age population.

A fairer South Lakeland – the proposed bridge will be accessible and offer a traffic free route option for everyone including wheelchair users (the previous bridge was stepped). In linking two public spaces, the proposed bridge will also have health benefits in encouraging outdoor recreation and active travel.

Addressing the climate emergency – the proposed bridge will enable and enhance sustainable transport choices in and around Kendal Town Centre and offer an attractive option for short trips to and across Kendal Town Centre.

1.0 Expected Outcome and Measures of Success

1.1 The funding will enable the construction of a new improved bridge link which is fully DDA compliant between the north-south routes on either side of the River Kent for use by pedestrians, the disabled and potential future use by cyclists.

2.0 Recommendation

2.1 **That Cabinet approve the payment of £75,000 from South Lakeland's Community Infrastructure Levy (CIL) to Cumbria County Council towards the construction of a DDA compliant and cycle ready bridge over the River Kent at Gooseholme, Kendal.**

2.2 **That the CIL Governance Framework attached at Appendix 2 be amended by rewording Para 2.2 to provide that that future Community Infrastructure Levy (CIL) payments of less than £100,000 be delegated to the Director of Strategy and Innovation in consultation with relevant Portfolio Holders.**

2.3 **That the Council's Monitoring Officer is authorised to make the necessary amendments to the Constitution.**

3.0 Background and Proposals

Background

- 3.1 In a report to Cabinet on February 3rd on various issues surrounding riverside land in Kendal, the Council recommended that the County Council be invited to submit a bid for a contribution of £75,000 towards the project to replace the Gooseholme Bridge from the South Lakeland Community Infrastructure Levy (CIL). This bid has now been received. Members will recall that the previous stepped access footbridge was destroyed during Storm Desmond in December 2015.

Purpose of the Bridge

- 3.2 The South Lakeland Local Plan allocates land for 2176 dwellings in Kendal, most of which are on the western and southern sides of the town. The main employment area is at Shap Road on the north east side and an additional 5.5 Ha is allocated for employment in the Local Plan. This combines with the existing distribution of housing and jobs in Kendal generates significant cross-town movements through the constrained town centre highway network. The town centre is already congested at times and is an Air Quality Management Area largely because of the impact of traffic.
- 3.3 To manage this growth, as well as changes to the highway network, the Local Plan seeks to encourage modal shift to active and sustainable travel including walking, cycling and public transport. This South Lakeland's Infrastructure Delivery Plan proposes a range of transport measures in and around Kendal Town Centre, many of which are being implemented.
- 3.4 The proposal will re-instate and enhance an important pedestrian link and therefore enhance sustainable transport connectivity between a number of major trip-generators including:
- Areas of new and existing housing on all sides of Kendal;
 - Kendal Town Centre;
 - Kendal Canal Head employment area;
 - The important employment area of Shap Road;
 - New employment sites on Shap Road;
 - Supermarkets on Shap Road;
 - The town's secondary schools and Queen Katherine's School in particular;
 - Kendal Railway Station
 - Kendal Bus Station
 - Mint Bridge Rugby Ground

- 3.5 The 2012 Kendal Transport study which underpinned SLDC's Land Allocations recommended a series of sustainable transport improvements with the aim of achieving a 5% reduction in car trips across the network. At that time, the opportunities presented by the replacement of Gooseholme Bridge and other changes in the area, did not exist. However, together these create a major opportunity to remedy a missing link in the town centre network.

- 3.6 More locally, the loss of the bridge has severed communities in the immediate vicinity of Gooseholme from the town centre. Alternative routes are indirect and unattractive.

The proposed Bridge

- 3.7 The proposed replacement bridge is proposed to be a single span structure and is proposed to follow the alignment of the previous bridge. The height of the new bridge deck would be set approximately 1.4m higher than the previous bridge deck in order

to meet Environment Agency flood risk requirements. It is also proposed to create a wider bridge deck measuring 3m in width compared to the previous 1.6m wide deck.

- 3.3 A steel-tied arch bridge design is proposed for the replacement bridge. The apex of the curved metal arch would stand 4.2m in height above the bottom of the deck. The arch would be splayed, so that it leans 15 degrees away from the deck. As such there would be an approximately 6.8m distance between the arches. The deck would be attached to the arch by 28 vertical ribs set at 3m spacings (i.e. 14 at each side). Each rib would be up to 0.2m in width. A 1.4m high metal parapet fence is proposed along the bridge. The abutments are proposed to be faced with local limestone.
- 3.4 It is proposed to construct two new ramp structures to provide a suitable gradient for wheeled access to either side of the bridge. The western ramp structure would extend for approximately 25m in length and 8m in width and its deck would stand up to 3.4m above the existing ground level. The eastern ramp would require a block of land measuring approximately 40m by 25m. The deck would stand up to 2m above existing ground level.

Benefits of the Bridge

- 3.5 The direct outcome is a combined 3m wide structure which is fully DDA compliant and ties in with the existing footpath arrangements on either side of the river and the SLDC development proposals for the New Road area. The design will require to conform to EA flood risk requirements for this area.
- 3.6 The indirect benefit is the future potential of the bridge for cycling when related cycle links are in place. This would significantly enhance the attractiveness of cycling between many different origins and destinations in and around Kendal. It would assist in air quality management both in terms of modal shift and in terms of minimising the impact of air quality on people using traffic free routes. The proposal will complement the wider programme of measures to enhance walking and cycling in and around Kendal being developed through the Kendal Local Cycling and Walking Improvement Plan (LCWIP).
- 3.7 A key benefit of the new bridge is that it will be more resilient against flooding and does not exacerbate the flood risk in Kendal based on a 1 in 100-year flow plus 70% for climate change will be higher than its predecessor with a reduced number of spans.
- 3.8 The new bridge will also complement the public realm, reconnect and enhance access between New Road and Gooseholme open spaces', improve linkages along the River Kent green corridor and form part of wider riverside environmental improvements being developed through the Town Centre Strategy and Kendal Vision.

Funding and implementation of the Bridge

- 3.9 The bridge will be constructed and maintained by Cumbria County Council. The total cost of the Bridge is £2m and CCC have secured funding from the Environment Agency and Sustrans as well as contributing £1.05m from their infrastructure recovery fund. A contribution of £75,000 is sought from South Lakeland, just under 4% of the total cost.

The CIL Governance Process

- 3.10 This is the first bid for CIL funding to be considered by the Council. The Community Infrastructure Levy is a levy on new housing and some retail development to fund infrastructure necessary to deliver the Local Plan including transport, education, health

and green infrastructure. The Council prepares an annual Infrastructure Funding Statement Appendix 1 which sets out the types of projects to be funded by CIL;

3.11 The CIL governance process was approved by Cabinet on 13th September 2017 and the process is set out in Appendix 2. Broadly proposals are reviewed by the CIL Technical Officers Group in consultation with relevant members and the final decision is made by SLDC Cabinet.

3.12 The process demands that requests for CIL are assessed against the following criteria

Business Case (30%)

- Whether the proposal addresses a specific problem and addresses infrastructure needs associated with development
- Whether the benefit of the proposal are clearly identified
- Whether the proposal represents value for money;

Strategic Fit (20%)

- Whether the proposal is included within the Council's Infrastructure Funding Statement;
- Whether the proposal helps to deliver the Local Plan

Funding (20%)

- Whether there is a match funding contribution and whether this is committed
- Whether the means by which ongoing and maintenance costs will be met has been identified;

Deliverability (30%)

- Whether the proposal has a clear project plan
- Whether consultations have been undertaken
- Whether necessary consents are in place

3.13 The bid has been considered by the working group and achieved a total score of 84 out of a possible 100. The bid scored 92% on business case with benefits well identified and value for money demonstrated. It scored 94% on strategic fit, 94% on funding and 72% on delivery. These are very high scores.

3.14 On the basis of the above, it is recommended that the funding be approved

Future CIL governance process – delegated authority

3.15 There is a need to align the CIL governance process with the Council's Commissioning Strategy which seeks to ensure that commissioning decisions are taken at the appropriate level. Under the Commissioning Strategy funding decisions of £100K or greater should be taken by Council or Cabinet whilst funding decisions of between £60K and £100K can be taken by directors in consultation with portfolio holders. It is therefore proposed to adjust the Governance process to allow smaller CIL awards to

be made by DED by directors in consultation with portfolio holders. This will enable more agile, fit for purpose decision making for smaller projects.

4.0 Appendices Attached to this Report

Appendix 1	Annual Infrastructure Funding Statement
Appendix 2	CIL Governance Framework

5.0 Consultation

5.1 The proposal for the bridge has been subject to public and stakeholder consultation by the County Council in August 2019. Of the 60+ comments received, 14% of responses raised concerns about the aesthetics of the proposed bridge (superstructure). 40% were positively in favour of the proposed structure and the remaining 46% of comments were neutral In terms of the structural choice.

6.0 Alternative Options

6.1 SLDC has invited the submission of the bid and the recommendation of the working group is that the bid meets the funding criteria. Whilst Cabinet could decide not to approve the funding, this would leave a significant funding gap which could affect delivery of the bridge

7.0 Implications

Financial, Resources and Procurement

7.1 The responsible authority for the construction and maintenance of the bridge will be Cumbria County Council. South Lakeland's contribution will be through the Community Infrastructure Levy. The accumulated total CIL held by South Lakeland at 1 April 2021 was £2,112,491.

Human Resources

7.2 None. The project will be delivered by the County Council

Legal

7.3 The CIL payment will require a legal agreement. This will relate only to the CIL payment and not to any other aspects of the bridge project. . The report proposes that as part of the Gooseholme Bridge project being delivered by Cumbria County Council, the Council contributes £75,000 from the Community Infrastructure Levy towards this £1.6m project;

7.4 This is justified on the basis that the bridge will have a positive impact on pedestrian and cycle connectivity, contribute to the modal shift necessary to deliver the local plan within the limitations of the local highway network.

7.5 The process is set out in the attached CIL Governance framework which was approved by Cabinet in 2017

- a) Infrastructure provider to make application for CIL funding to SLDC;
- b) Application to be scrutinized and scored by SLDC CIL Technical Officers working group (which has CCC on it but has an SLDC majority);
- c) Application to be approved by SLDC Cabinet**
- d) Payments will normally require a legal agreement to be drafted setting out
 - o the purpose and expected outcome from the use of CIL funds;
 - o the basis on which any changes to the project will be sought and agreed;
 - o the monitoring and reporting of progress and outcomes;

- the provisions for repaying some or all of the CIL funding if this is remains unspent, or spent other than as agreed
- 7.6 In February 2021 SLDC Cabinet resolved to invite the submission of a bid for £75K towards the Bridge. The report is presented back to Cabinet as the decision to allocate the funding in accordance with the Governance Framework had not been made.
- 7.7 The report proposes that we amend the Governance Framework for CIL allocations to align the decision making with the Councils commissioning strategy.

Health and Sustainability Impact Assessment

- 7.4 The bridge project is a Cumbria County Council project and its health and sustainability implications have been assessed by the County Council as part of their planning and procurement processes

Equality and Diversity

- 7.5 The bridge project is a Cumbria County Council project and Cumbria County Council have confirmed that their consultation, planning and procurement processes are compliant with the Public Sector Equality Duty in accordance with the 2010 Equality Act.

Contact Officers

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Background Documents Available

Name of Background document	Where it is available
SLDC Cabinet 3 rd February 2021 Minute CX132, Public Access – Council owned Riverside Land.	Minutes Template (southlakeland.gov.uk)
SLDC Cabinet 13 th September 2021 Minute CX132, Public Access – Council owned Riverside Land.	https://democracy.southlakeland.gov.uk/documents/g4252/Printed%20minutes%20Wednesday%2013-Sep-2017%2010.00%20Cabinet.pdf?T=1
SLDC Commissioning Strategy	A3 commissioning strat FINAL June2020 Layout 1 (southlakeland.gov.uk)

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	17/08/2021	19/08/2021
Monitoring Officer	17/08/2021	
CMT	17/08/2021	18/08/2021

Circulated to	Date sent
Lead Specialist	NA
Human Resources Lead Specialist	16/08/2021
Communications Team	16/08/2021
Leader	16/08/2021
Committee Chairman	NA
Portfolio Holder	16/08/2021

Circulated to	Date sent
Ward Councillors	17/08/2021
Committee	NA
Executive (Cabinet)	01/09/2021
Council	NA