

Report of the Strategic Director – Regeneration to the meeting of Executive to be held on 20 September 2016

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Subject:**Improvement Line Review for Highway Schemes 2016.****Summary statement:**

This report presents the findings of a desktop review of highway improvement lines protected for highway purposes to recommend retention of existing declared lines, changes to declared lines or revocation of lines for schemes which are no longer considered deliverable within a reasonable timescale or have been completed.

The report also recommends the declaration of a number of new highway improvement lines for projects to be delivered by the West Yorkshire Local Transport Plan 2011-2026 and the West Yorkshire+ Transport Fund together with other strategic plans.

Mike Cowlam
Strategic Director
Regeneration & Culture

Portfolio:

Regeneration, Planning & Transport

Report Contact: Richard Gelder
Transportation Development Manager
Phone: (01274) 437603
E-mail: Richard.Gelder@bradford.gov.uk

Overview & Scrutiny Area:

Environment & Waste



1. SUMMARY

- 1.1. This report presents the findings of a desktop review of highway improvement lines protected for highway purposes to recommend retention of existing declared lines for schemes which remain viable for deliver or are continued strategic priorities, changes to declared lines where proposals have been superseded or revocation of lines for schemes which are no longer considered deliverable within a reasonable timescale or have been completed.
- 1.2. The report also recommends the declaration of a number of new highway improvement lines for projects to be delivered by the West Yorkshire Local Transport Plan 2011-2026 and the West Yorkshire+ Transport Fund together with other strategic plans.

2. BACKGROUND

- 2.1. Highway Improvement Lines (HILs) are proposals for the construction of new roads or alterations of existing roads, whether for general traffic, public transport, cycling or walking and many are declared on Local Land Charge Searches for properties which lie within 200 metres of the centre line of the new or altered road. The elements of a Highway Improvement Scheme that affect individual property should be declared as Highway Improvement Lines and are only declared on searches for the individual properties concerned.
- 2.2. There are a number of Highway Improvement Schemes and Highway Improvement Lines declared on Local Land Searches with many of these being established as part of the Replacement Unitary Development Plan (rUDP) and second Local Transport Plan. There is a presumption that only those schemes which have a reasonable chance of proceeding in a finite period of time (10-15 years or greater in order to safeguard routes) should be retained and given the long history to some of the declared Highway Improvement Lines it is prudent to undertake periodic reviews of the currently declared lines.
- 2.3. Periodic reviews of declared lines also help minimise uncertainty and blight for owners whose property value can be adversely affected by being within the vicinity of a HIL. The last review of Bradford's HIL register was undertaken in 2002 as part of the Unitary Development Plan statutory adoption process when a number of changes were approved. Since then there have been no modifications to the HIL register to reflect changing Council priorities, scheme completions or emerging strategic plan requirements.
- 2.4. The desktop review of existing and potential new Highway Improvement Lines was undertaken against the following principles:
 - a) Is the HIL still required for the purpose originally identified?
 - b) If yes, is the scheme funded or likely to be funded in the near future?
 - c) If no, is there another scheme that would require the HIL to remain?
 - d) Does the scheme meet current transportation, planning or regeneration objectives (as set out in the Local Transport Plan (LTP), Local Development Framework (LDF), West Yorkshire+ Transport Fund or Council Corporate Strategies?

- e) Does the HIL have any detrimental impacts on individuals or other interests?
 - f) Is there a requirement for new improvement lines to implement Council, WYCA, LTP or LDF priorities etc?
- 2.5. The review has considered all existing HILs, new proposals as detailed in the West Yorkshire+ Transport Fund, LTP, LDF, allocation work arising from the Core Strategy, and Metro proposals.
- 2.6. Appendix 1 of this report includes a schedule of proposed changes to the HILs together with plans for each new site showing the proposed alignment. The changes being recommended fall into one of three categories,
- a) continue to PROTECT;
 - b) PROTECT with amendments; or
 - c) REVOKE.

There are three new highway improvement lines proposed.

3. OTHER CONSIDERATIONS

- 3.1. HILs are declarable on Local Land Charge searches in accordance with the Law Society's Local Property Search - Enquiries of Local Authorities Form – Conveyancing 29 (2002) and consequently can become a barrier to regeneration. This search form also includes questions about the proximity of highway schemes, and the highway improvement line drawings are used in the answers. Revoking and/or modifying highway improvement lines will enable blight to be removed from affected properties.
- 3.2. The Council currently has a number of improvement lines for historic scheme proposals which now realistically do not have the potential for delivery within a reasonable timeframe (10-15 years).

4. FINANCIAL & RESOURCE APPRAISAL

- 4.1. There are no specific financial implications arising from this report. All financial issues relating to scheme development will be considered in future reports relating to the detailed development of the highway improvement scheme.
- 4.2. The staff resources and specialist technical services required to develop the scheme referred to in this report are funded through the scheme budget.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1. There are no specific risk management issues arising from this report.

6. LEGAL APPRAISAL

- 6.1. The work identified in this report can be implemented through the Council's role as Highway and Traffic Authority. From time to time a local highway authority can resolve to construct new roads or improve (widen) existing roads. A further formal resolution is needed to abandon or vary such proposals.

- 6.2. Such proposals are noted on the local land charges register and their existence disclosed via local searches. Where the value of the land is affected by such proposals, there may be in certain circumstances, a right to serve a blight notice on the Council requiring it to purchase the affected land.

7. OTHER IMPLICATIONS

7.1. EQUALITY & DIVERSITY

The public sector equality duty in Section 149 of the Equality Act 2010 applies to the Council in the exercise of this function. Those functions will include the proposals referred to in this report.

The duty is to “have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct that is prohibited by or under [the 2010 Act], (b) advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share it, [and] (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it”. In summary, this includes the need to remove or minimise disadvantages and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it and encouraging persons who share a relevant protected characteristic to participate in public life. It also makes taking steps to take account of disabled persons’ disabilities and makes it clear that compliance with the duty “may involve treating some persons more favourably than others”.

The duty is “to have regard” which means such regard as is appropriate in the circumstances. The duty and its effect are wide-ranging and this is also reflected in the definition of relevant protected characteristics which are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It is likely that any scheme that would ultimately be developed as a result of the proposal made in this report would potentially impact on persons who share one or more of the relevant characteristics and appropriate consideration will be given during the design and delivery processes to the implications of the Act on the proposals being developed.

7.2. SUSTAINABILITY IMPLICATIONS

The sustainability implications of any ultimate schemes that would be developed as a result of the proposals in this report will be considered at the appropriate stages of scheme development.

7.3. GREENHOUSE GAS EMISSIONS

There are no greenhouse gas emission implications associated with the content of this report. Any specific greenhouse gas emission issues associated with the development and delivery of any projects developed as a result of the proposals in this report would be considered at the appropriate stage of development of the particular project.

7.4. COMMUNITY SAFETY IMPLICATIONS

The community safety implications, particularly those relating to road safety, of any schemes that would ultimately be developed as a result of the proposal made in this report will be considered at the appropriate stages of the respective scheme development.

7.5. HUMAN RIGHTS ACT

Any scheme which is developed as a result of the proposals made in this report will have an impact on some land including that occupied by business premises, residential occupiers or other categories of land users and thus there would be some human rights implications associated with the development and delivery of any ultimate scheme proposal. As such specific human rights implications of the individual project(s) arising from the schemes highlighted in this report would be considered at the appropriate stages of their development.

7.6. TRADE UNION

There are no Trade Union implications arising from this report.

7.7. WARD IMPLICATIONS

Members and the local community will be consulted as the scheme reaches appropriate stages of development.

8. NOT FOR PUBLICATION DOCUMENTS

None.

9. OPTIONS

9.1. Executive could choose to support the recommendations in this report which would allow revocation of expired HILs to be taken forward and declare new HILs for strategic highway projects which will assist with the delivery of the projects either through the West Yorkshire+ Transport Fund or other strategic funding streams.

9.2. Alternatively, Executive may resolve to make alternative recommendations for individual improvement lines to those proposed within this report. Were Executive to take such an approach appropriate officer advice will be given during the meeting.

10. RECOMMENDATIONS

10.1. That the Executive is asked to approve:

- a) as per attached Schedule A those HILs for which the declared alignment should continue to be protected.
- b) As per attached Schedule B those schemes for which the Highway

Improvement Line will be protected subject to the following modifications:

- (i) Item B1 – Tong Street replace previous HIL alignment (shown on drawing N/24315/4D and replace with drawing TDG/THS/102579/LA1 to LA3.
- (ii) Item B2 – Harrogate Road / New Line junction improvement shown on drawing TF/61/2351/5 and replace with drawing R/PTH/MH/103196/LA-19A.
- c) As per attached Schedule C those schemes for which the Highway Improvement Line should be revoked/discharged.
- d) As per attached Schedule D approve those new highway improvement lines as follows:
 - (i) Item D1 – A650 Hard Ings Road, Keighley widening shown on drawings TDG/HDB/103197/PL-1A and TDG/HDB/103197/PL-2A.
 - (ii) Item D2 – City Connect 2, Canal Road, Bradford shown on drawings TDG/HDA/103116/IL-1A to TDG/HDA/103116/IL-8A (inclusive)
- e) That a further review of Highway Improvement Lines is undertaken following the adoption of the Local Plan with any modifications to existing lines, or new lines to be declared, being presented to Executive.

11. APPENDICES

11.1. Appendix 1 – HIL Schedule Review Recommendations.

- a) Schedule A: HILs to continue to PROTECT.
- b) Schedule B: HILs to continue to PROTECT with amendments and/or be replaced with alternative proposals.
- c) Schedule C: HILs to REVOKE.
- d) Schedule D: New HILs.

11.2. Appendix 2 – Harrogate Road / New Line Junction Improvement HIL (Drawing R/PTH/MH/103196/LA-19A)

11.3. Appendix 3 – A650 Hard Ings Road, Keighley HIL. (Drawings TDG/HDB/103197/PL-1A and TDG/HDB/103197/PL-2A)

11.4. Appendix 4 – City Connect 2 HIL. (Drawings TDG/HDA/103116/IL-1A, TDG/HDA/103116/IL-2A, TDG/HDA/103116/IL-3A, TDG/HDA/103116/IL-4A, TDG/HDA/103116/IL-5A, TDG/HDA/103116/IL-6A, TDG/HDA/103116/IL-7A and TDG/HDA/103116/IL-8A)

11.5. Appendix 5 – Tong Street Improvement HIL. (Drawings TDG/THS/102579/LA1, TDG/THS/102579/LA2 and TDG/THS/102579/LA3)

12. BACKGROUND DOCUMENTS

12.1. Highways Act 1980

Appendix 1: Highway Improvement Line Review Recommendations

Schedule A

HILs to continue to PROTECT

Item	Scheme Name	Scheme No.	Drawing No. Currently Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
A.1	Elliott Street, Silsden	24229	T/47224/TN/18A	Junction Improvement	No		Identified in UDP as being necessary to ensure access to redevelopment sites served by Elliott Street. This proposal would be the responsibility of any Developer	Continue to PROTECT
A.2	Legrams Lane / Ingleby Road	22335	N/22335/1B	Junction Improvement				Continue to PROTECT
A.3	Great Horton Road / All Saints Road / Horton Park Avenue	22334	N/22334/1B	Road Widening / Junction Improvement				Continue to PROTECT
B.3	Canal Road (Stage II) Bradford	21577	N/21577/PL-1A	Road Widening	Yes	Forms part of Central Spine Route Strategy	Awaiting determination on composition of WY+TF Project – Bradford for Shipley Corridor Improvement	Continue to PROTECT
A.4	Queens Road / Midland Road / Station Road	22341	N/22341/1B	Junction Improvement			Awaiting determination on composition of WY+TF Project – Bradford for Shipley Corridor Improvement	Continue to PROTECT

HILs to continue to PROTECT

Item	Scheme Name	Scheme No.	Drawing No. Currently Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
A.5	Kings Road / Queens Road	22342	N/22342/1B	Junction Improvement			Awaiting determination on composition of WY+TF Project – Bradford for Shipley Corridor Improvement	Continue to PROTECT
A.6	Lucy Hall Drive, Baildon	24098	TN/24098/1	Bus Turning Circle			Scheme proposed to facilitate bus turning movements. It has a low priority in terms of usage and cost. There are no blight implications.	Continue to PROTECT
A.7	Toller Lane / Carlisle Road / Whetley Hill (includes Toller Lane / Church Street junction)			Junction Improvement			Elements of scheme now incorporated into WY+TF programme (Highway Efficiency Bus Package & Bus18)	Continue to PROTECT
A.8	Killinghall Triangle	22035	MW/21055/C/3	Junction Improvement		Strategic route to airport		Continue to PROTECT
A.9	Green Lane / Otley Road	22323	H/22323/5B	Junction Improvement			Opportunities remain for delivery of this scheme via development at Otley Road	Continue to PROTECT

HILs to continue to PROTECT

Item	Scheme Name	Scheme No.	Drawing No. Currently Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
A.10	Sticker Lane South / Dudley Hill	24311S	N/24311/DL-13A	Junction Improvement			Elements of HIL may be incorporated into the works required for the WY+TF Tong Street Improvement Project	Continue to PROTECT
A.11	Silsden Eastern Bypass	24348	N/24328/DL-1A	New Link Road		Relieves impact on town centre	To open up the site for development and thereby minimise the traffic impact of new development sites in the area on the town centre. It would also allow environmental improvement to the town centre to be carried out post-bypass.	Continue to PROTECT
A.12	Station Road / Bridge House Lane, Haworth	24646	T/47224/TN/17A	Provision of footways			Alternative routes are currently being developed which take pedestrians away from the busy trafficked roads between the Railway Station and the town centre.	Continue to PROTECT
A.13	Crack Lane, Wilsden	24390	E/T/24390/TN/6A & 7A	Road Widening				Continue to PROTECT

HILs to continue to PROTECT with AMENDMENTS and/or REPLACED with alternative proposals

Item	Scheme Name	Scheme No.	Drawing No. Currently Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
B.1	Tong Street	24315	N/24315/4D	Widening	Yes		Project now part of WY+TF programme (Tong Street Improvements)	REVOKE scheme with drawing no. N/24315/4D and replace with drawing nos. TDG/THS/102579/LA1 , TDG/THS/102579/LA2 and TDG/THS/102579/LA3
B.2	A658 Harrogate Road / A657 New Line	2361	TF61/2361/5	Junction Improvement	Yes	Strategic route to airport	Project now part of the WY+TF Programme (Harrogate Road / New Line Junction)	REVOKE scheme with drawing TF/61/2361/5 and replace with drawing PTH/MH/103196/LA-19A

HILs to REVOKE

Item	Scheme Name	Scheme No.	Drawing No. Currently Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
C.1	Southfield Lane / Little Horton Lane	22331	N/22331/1B	Junction Improvement	No		Scheme Completed	REVOKE
C.2	Lilycroft Mills Link Road	21805	H/21805/DL-4A	New Link Road	No	Forms part of package of measures for improving Bingley Town Centre post Bingley Relief Road		REVOKE
C.3	Oak Lane / Heaton Road junction	21562	1571/3/1A	Junction Improvement	Land Take		Scheme Completed	REVOKE
C.4	Manchester Road / Mayo Avenue	23277	H/23277/PGA/3A	Junction Improvement	No		Scheme Completed	REVOKE
C.5	M606 / Staygate	23275	H/23275/PGA/3A	New north bound link between M606 and Rooley Lane	No		Scheme Completed	REVOKE
C.6	Sticker Lane North (Leeds Road / Laisterdyke Junction)	24311N	N/24311/DL-14A & 15A	Junction Improvement	No		Scheme Completed	REVOKE
C.7	Munby Street	21071	TN 21071/2	Road Widening	None	No	Scheme Completed	REVOKE

NEW Highway Improvement Lines

Item	Scheme Name	Scheme No.	Drawing No. to be Protected	Improvement Type	Property Blight	Strategic Issues	Scheme Evaluation	Recommendation
D.1	A650 Hard Ings Road, Keighley	103197	TDG/HDB/103197/PL-1A TDG/HDB/103197/PL-2A	Road Widening	Land Take		Scheme part of WY+TF “Early Win” projects to be delivered by 2019.	APPROVE new Highway Improvement Line
D.2	City Connect 2 – Canal Road Corridor	103116	TDG/HDA/103116/IL-1A TDG/HDA/103116/IL-2A TDG/HDA/103116/IL-3A TDG/HDA/103116/IL-4A TDG/HDA/103116/IL-5A TDG/HDA/103116/IL-6A TDG/HDA/103116/IL-7A TDG/HDA/103116/IL-8A	Segregated Cycle Route	No		Stage 2 of City Connect programme to be delivered by 2019.	APPROVE new Highway Improvement Line