



Report to the Leader (Transport portfolio)

Date: 25 April 2022

Reference number: TR15.22

Title: **Emerald Way Improvements Scheme**

Relevant Cabinet Member: Steven Broadbent, Cabinet Member for Transport

Author and/or contact officer: Lee Stevens

Ward affected: Aylesbury North-West, Aylesbury West, Stone & Waddesdon

Recommendations:

That the Leader notes the results of the public consultation.

That the Leader delegates authority to the Head of Highways Infrastructure Projects to complete detailed design following public feedback.

That the Leader delegates authority to the Head of Highways Infrastructure Projects to proceed with the construction of the Emerald Way improvements.

That the Leader approves the conversion of the footway/s into a cycle track as set out in Appendix A.

That the Service Director for Strategic Transport and Infrastructure is delegated to approve contractual commitments of up to the value of the released budget of £1,398,400 to deliver the Emerald Way Improvements project

Reason for decision: To enable the implementation of the Emerald Way Improvements scheme, as bid for under the Active Travel Grant and funded by the Department for Transport

1. Executive summary

In November 2021, Buckinghamshire Council was allocated £1.748 million Department for Transport (DfT) Active Travel Tranche 2 funding towards an extension to the recently completed Haydon Hill cycle route, in the west of Aylesbury; providing an upgraded route along Rabans Lane, through Fairford Leys and into the town centre which will provide an alternative Emerald Way route, more in keeping with Aylesbury Garden Town aspirations.

The proposed route passes through Somerville Park, providing a more attractive option to Fowler Road. The routing will include quieter roads with less on/off road integration and the planting of additional trees and shrubs to create a welcoming and greener route. The proposed route passes through Fairford Leys to attract more users and provide a more attractive leisure route.


Tree and shrub planting along the route will primarily be in Somerville Park and will contribute to the Queen's 'Green Canopy' initiative. The proposed route will be re-branded to the Platinum Way and will be a great chance to link with the wider Queen's Platinum Jubilee celebrations. With the aim to launch the route in time to commemorate the Queen's Jubilee celebrations at the beginning of June. The team is working closely with Transport for Buckinghamshire to ensure that the route is completed on time and maintenance works around the scheme are also coordinated.

The old Emerald Way cycle route along Brunel Road will remain and provide for more direct access to/from Rabans Lane/Fairford Leys for certain users. However, the old route does not align with Garden Town and Buckinghamshire Greenway aspirations.

The Council carried out a public consultation from 16 February to 9 March 2022. This report recommends that the Leader:

- a) Notes the results of the public consultation
- b) Delegates authority to the Head of Highways Infrastructure Projects to complete detailed design following public feedback.
- c) Delegates authority to the Head of Highways Infrastructure Projects to proceed with the construction of the Emerald Way improvements
- d) Approves the conversion of the footway/s into a cycle track as set out in Appendix A.
- e) That the Service Director for Strategic Transport and Infrastructure is delegated to approve contractual commitments of up to the value of the released budget of £1,398,400 to deliver the Emerald Way Improvements project

2. Content of report

- 2.1 This project aims to increase walking and cycling between Waddesdon and Aylesbury (connecting with Berryfields and Aylesbury Vale Parkway Railway Station), contributing towards improved public health, reductions in traffic congestion, and providing air quality benefits associated with modal shift towards active travel.
- 2.2 The Emerald Way route forms part of the wider '[Buckinghamshire Greenway](#)', a flagship walking and cycling route stretching from Brackley to the Colne Valley, forming the north-south spine of Buckinghamshire's walking and cycling network that will connect with local active travel networks and links.
- 2.3 The Emerald Way upgrade will connect to the recently completed Haydon Hill Link and on to Waddesdon Greenway, which will finally provide a high-quality route from Aylesbury town centre to Waddesdon Manor.
- 2.4 It is worth noting that Sustrans (the walking and cycling charity) have recently approached Buckinghamshire Council confirming that they would like to designate Waddesdon Greenway, the new Haydon Hill cycleway, and the Emerald Way cycle route as part of NCN50 once the scheme is complete, recognising the high quality of the route and its local importance.
- 2.5 The proposals consulted on were:
- Routing to include quieter roads
 - Planting of additional trees and shrubs to create a welcoming and greener route
 - Some footway widening
 - Improved wayfinding signage as well as additional lining
 - In some areas, works such as dropped kerbs will be required as well as improved and additional crossings
 - A more attractive, traffic-free option to Fowler Road by routing through Somerville Park.
- 2.6 A Summary Plan illustrating the Emerald Way routes can be found at Appendix A.
- 2.7 Public consultation was held from 16 February to 9 March 2022. The project team provided information about the Emerald Way Improvements on the main project webpage, a consultation webpage and feedback form hosted on Your Voice Bucks. In addition, the Council promoted the scheme through social media releases and via a letter distributed to approximately 500 properties in proximity of the scheme. This is set out in more detail in section 7.
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- 2.8 A separate statutory consultation was also carried out from 16 February to 9 March 2022 on the proposals to install three raised parallel crossings, as part of the scheme proposals. A parallel crossing, previously known as a Tiger crossing, is a combined pedestrian and cycle crossing. Installing a parallel crossing and road hump requires statutory consultation. Based on this, a Notice which can be found in Appendix B was displayed on site, advertised in the press, and was served to the Chief Officer of Police, Secretary of State, Fire and Rescue Authority, Chief Officer of the local Ambulance service, and TfB consultee list. The Notice included the address of the Head of Legal and the Highways Infrastructure Projects Team mailbox to which any objections or representations were directed.
- 2.9 The project team has collated the responses received from the feedback form. The results are summarised in section 7 of this report and can be found in detail within Appendix C, the Consultation Report_Document. There have been no significant changes to the design proposals following the public consultation.
- 2.10 The project team has also collated the responses received via the free-text sections of the feedback form and emails received in the Highways Infrastructure Projects Team mailbox. The project team has additionally drafted a response document to questions and comments that have arisen during the consultation. These are summarised in section 7 of this report and can be found in detail within Appendix D, the Consultation Response Document.

3. Other options considered

- 3.1 Two other options have been considered for the project:
- Do Nothing- The project team do not progress with the project and instead give the funding back to DfT. This would lead to no improvements to the Emerald Way cycle route along Rabans Lane through Fairford Leys and into Aylesbury Town Centre.
 - Review active travel alternative- Produce other options which may attract increased support (for example, using the existing Emerald Way shared use footway/ cycleway on Brunel Road). This would, however, not align with the wider Buckinghamshire Greenway strategy. The proposed improvements have been provided with guidance from Transport Strategy, are well supported and compliment the aspirations of the Buckinghamshire Greenway. There is no guarantee that any other designs would attract more public support.

4. Legal and financial implications

- 4.1 The Total Costs of the delivery of the Emerald Way Improvements is forecast to be £1,293,710 (see below details of the scheme cost):

Descriptions	Total
Land / Legal fees for permissive path agreement	4,000
Preliminary / Landscaping Design	18,010
Consultation	500
Detailed Design	107,992
Construction/Supervision	750,112
Others (utilities, topo surveys, solar eye lightings, etc)	11,200
ATP Tranche 1 (already committed)	40,935
Internal Staff costs	40,000
Post-construction (RSA3, 5-yr landscaping maintenance, etc)	30,000
Optimism Bias (44%) / Risks	290,961

Total Expenditure	1,293,710
Total Budget	1,398,400
Variance	- 104,690

- 4.2 Buckinghamshire Council has received confirmation from DfT of the capital funding award of £1,398,400 for this project (plus £349,600 revenue budget which will partly be used for monitoring and promotional work associated with the scheme). This was Buckinghamshire Council's allocation for the Active Travel Tranche 2 funding.
- 4.3 There is minimal risk that the construction costs will exceed this amount. A contingency cost (optimism bias/ risk cost) of £290,961 has been set aside within the available budget, to ensure that the scheme is delivered within budget. This cost is a high level of contingency (44% of the indicative construction costs). The indicative construction cost information for the scheme has been provided by Ringway Jacobs/ Jacobs Ltd, as part of the scheme's detailed design works.
- 4.4 Of the funding, £40,934.43 has been committed during the 2020/21 financial year. This money is related to Active Travel Funding Tranche 1 capital work, which meets DfT criteria for the fund.
- 4.5 It is worth noting that some of the Tranche 2 funding will be used to continue background work on the A413 Aylesbury to Wendover cycleway scheme to support future delivery, enabling coordination with wider improvements in the area. Therefore, any remaining fund from the Active Travel Tranche 2 funding would be used for the background work of the A413 Aylesbury to Wendover scheme.

- 4.6 **Budget Changes:** No Budget Changes are required to the Capital Programme. The capital budget of £1,398,400 was added to the capital programme in November 2021 and a report was approved in January 2022 by the Highways Board to enable release of the funds and delivery of the project.
- 4.7 If the recommendations of this report are agreed, Buckinghamshire Council will look to complete detailed design on the proposed highway improvement measures in April and enter a contract for the construction contract in May.
- 4.8 **Legal Implications** – the Highways Act 1980 (HA 1980) contains powers under s65 which allow the Highway Authority (HA) to construct a cycle track as part of an existing highway. The majority of the proposed improvements will run along existing highways which are adopted/maintainable at the public expense. Therefore, the s65 powers are the most suitable mechanism.
- 4.9 **S228 HA 1980 Notices** - There are three sections of the Scheme which cannot be improved using s65 powers. The landowner of each of the three sections is unknown, the route therefore cannot be dedicated. In relation to these sections, it is proposed that a notice will be posted on site in accordance with s228 HA 1980. The effect of a notice under s228 is to declare the route to be a highway and will allow members of the public to object to the addition of the way to the Highway Register. The Highway authority can then utilise its powers under s26 Highways Act 1980 to construct new highways and create the cycleways.
- 4.10 **Footbridge** - one section of the improvement scheme crosses a bridge which is currently owned and maintained by the Parish Council. The Council can enter into a permissive path agreement with the Parish Council whereby the Council will upgrade the route in accordance with the improvement scheme and the Parish Council will agree to allow the public to use the route for cycling.
- 4.11 **Public right of way** - One section of the route runs adjacent to an existing bridleway. Pedal cycles can use bridleways. If the width of the bridleway extends across the proposed improvement route the improvements can be achieved by using powers contained within s62 HA 1980. If the width does not extend to encompass the area the improvements can be achieved using powers under s26 HA 1980.

5. Corporate implications

- a) Property: All land for this project is already within the Highway Boundary.
- b) HR: There are no foreseen HR implications in agreeing to the recommendations of this report.
- c) Climate change: Agreeing to the recommendations of this report would result in some footway widening to allow for a shared use footway / cycleway. This is expected to result in more people walking and cycling

between Waddesdon and Aylesbury and a reduction in car use, providing a reduction in carbon emissions and a benefit to the climate.

- d) Sustainability: Agreeing to the recommendations of this report is expected to result in more people cycling or walking for short journeys rather than relying on cars.
- e) Equality: In progressing the scheme and carrying out consultations the Council has considered the needs of persons with protected characteristics as set out in equalities legislation.
- f) Data: There are no foreseen data implications in agreeing to the recommendations of this report. This project will not require a data protection impact assessment.
- g) Value for money: The construction contract will be let via the term maintenance framework with Ringway Jacobs (Transport for Bucks). This framework meets all required procurement protocols. The Project was assessed for VfM, by DfT, as part of the bidding process, and met their criteria for outcomes v cost.

6. Consultation with local councillors & community boards

- 6.1 In February 2022, the project team consulted with the Cabinet Member for Transportation, Deputy Cabinet Member for HS2/ EWR and Local Members and shared the consultation plans prior to the public consultation period. In total, 5 Local Members attended the Local Member Briefing sessions (all the Local Members from Aylesbury North-west, Aylesbury West, and Stone & Waddesdon wards were invited to the member briefing sessions). Members were also given the opportunity to comment on consultation material prior to the material being finalised.
- 6.2 Feedback from the Local Members are that they were happy with the proposals and welcome the Emerald Way improvements scheme.
- 6.3 Local Members requested that the Project Team liaise with the Parish Council to ask for their views on the designs, which the Project Team did in February 2022. The Parish were happy to proceed.

7. Communication, engagement & further consultation

- 7.1 The Emerald Way Improvements project held a public consultation from 16 February to 09 March 2022.

- 7.2 The project team provided the following consultation materials:
- The project webpage was updated and is accessible at:
<https://www.buckinghamshire.gov.uk/emeraldway>
 - A consultation webpage was set up on Your Voice Bucks and a feedback form, accessible at [Emerald Way walking and cycling route improvements - Your Voice Bucks - Citizen Space](#)
 - An e-bulletin setting out the Emerald Way Improvements scheme proposals was sent to key stakeholders such as the Local Members and the Emergency Services on the 17 February 2022.
 - A consultation leaflet was distributed to approximately 500 residents and businesses.
 - Local reporters were asked to promote the public consultation. Also, social media output was sent to inform the public of the consultation.

- 7.3 Following the closure of the consultation on 9 March 2022, the project team has collated and analysed the responses that were gathered from the feedback form and emails sent directly to the Highways Infrastructure Projects team mailbox.

Members of the public who completed the feedback form (17 in total) were asked several questions about the scheme and were asked to respond with how much they supported the proposals.

There were no objections to the statutory consultation on the proposals to install three raised parallel crossings.

- 7.4 The specific results were as follows:
- 76.47% of respondents supported or strongly supported the Emerald Way Improvements scheme proposals.
 - 5.88% neither support nor opposed the proposals,
 - 17.64% opposed or strongly opposed the proposals.

- 7.5 Within the feedback form, members of the public also had the opportunity to provide free text for some questions. People could also submit letters through the post or provide their thoughts by e-mail. The project team has provided a response to the questions and comments that have arisen from the feedback form, letters and e-mail. These can be found in Appendix D, the Consultation Response Document

- 7.6 The project team has and will continue to issue regular e-bulletins updating those on the project mailing list with scheme progress. The project webpage is regularly reviewed and updated. Following the questions asked during the consultation period,

the Consultation Response Document that was produced will be uploaded onto the project webpage after a decision has been made by the Leader.

8. Next steps and review

If the recommendations of this report are agreed, the project team will:

- a) continue with detailed design
- b) proceed with the construction of the Emerald Way Improvements scheme

9. Background papers

Appendix A: Summary Plan

Appendix B: Notice - Statutory Consultation for Three Raised Parallel Crossings

Appendix C: Consultation Report

Appendix D: Consultation Response Document

10. Your questions and views (for key decisions)

- 10.1 If you have any questions about the matters contained in this report, please get in touch with the author of this report. If you have any views that you would like the Leader to consider, please inform the democratic services team. This can be done by telephone 01296 382343 or email democracy@buckinghamshire.gov.uk