

Bath & North East Somerset Council

DECISION MAKER:	Cllr Sarah Warren, Cabinet Member for Climate Emergency and Sustainable Travel Cllr Mark Elliott, Cabinet Member for Resources		
DECISION DATE:	Not before 28 September 2024	EXECUTIVE FORWARD PLAN REFERENCE:	
		E	E3525
TITLE:	Scholars Way Active Travel project		
WARD:	Bathwick, Widcombe & Lyncombe, Combe Down, Odd Down, Bathavon South		
AN OPEN PUBLIC ITEM			

1. THE ISSUE

- 1.1 The Scholars Way Active Travel project has been developed over recent years to enable healthier, safer and greener ways to travel, connecting residential areas to educational establishments across the south of Bath such as the University of Bath.
- 1.2 The project has benefited from Council and West of England Combined Authority (the CA) grant funding for concept design and development to approval of an Outline Business Case (OBC) in spring 2023, followed by the current Full Business Case (FBC) stage.
- 1.3 A programme to deliver the Western section has been proposed within a £2m allocation, funded by revenue held in the Clean Air Zone (CAZ) reinvestment reserve.
- 1.4 As part of the governance within Bath & North East Somerset Council, there is a requirement for the capital funding to be fully approved, following inclusion as provisional in the Council budget (February 2024).

2. RECOMMENDATION

THE CABINET MEMBERS ARE ASKED TO:

- 2.1 Approve capital budget of £2m, fully funded by the CAZ reinvestment reserve, for the Western section of Scholars Way (Combe Down village to Frome Road)
- 2.2 Note the remaining interventions in the Eastern section are proposed to progress through Final Business Case (FBC) stage to be submitted to WECA,

in order to establish the evidence base for securing funding for delivery and construction. Should a decision be taken for the CRSTS to fund construction of the Eastern section, agreement has been reached with the West of England Combined Authority that the £2m investment in the Western Section will be counted as BANES local match to that investment.

- 2.3 Delegate approval to the Executive Director of Sustainable Communities, in consultation with the s151 Officer, to formally accept any future grants from the West of England Mayoral Combined Authority or other funding body, relating to this scheme.
- 2.4 Note the delivery of one crossing (Bathwick Hill, at Oakley/Copseland) and the progression of necessary approvals and final design for another (Ralph Allen School) in the Eastern Section through the Highways programme for 2024/25.

3. THE REPORT

3.1 Key benefits of the whole Scholars Way scheme include:

- Safer and better-connected cycling routes
- Reduced vehicle speeds in residential areas.
- Improved community connectivity and reduced severance, with local roads being easier to cross for those walking, wheeling, or cycling.
- Supporting the local economy by supporting access to new and existing employment, education and training.
- Actively promoting increased levels of physical activity through walking and cycling, with health and wellbeing benefits.
- Contributing positive impacts to the problems of poor air quality and carbon emissions.
- Reducing traffic congestion by providing people with better travel choices.
- Supporting mode shift from private vehicles.

3.2 The Western section being brought forward from 2024/25, comprises a new cycle and pedestrian route from Combe Road to St Martins Garden Primary School, via Mulberry Park, including off-road sections and improved pedestrian and cycle crossings.

3.3 The Western section with the interventions described below will deliver benefits to the communities and residential areas through which it passes. This will be further enhanced as and when the Eastern section is delivered in future.

3.4 The current proposed interventions include:

- a new parallel crossing on Bradford Road, east of Mulberry Way with shared use path on each approach.
- a new zebra crossing on Entry Hill between Hawthorn Grove and Entry Rise including traffic calming (raised tables) on each approach
- shared use path between Hansford Close and Midford Road.

- a new parallel crossing for pedestrians and cycles on Midford Road with cycleway and shared use path on each approach.
- on carriageway route through St Martin's Hospital with in-carriageway markings and signage where appropriate.
- an upgrade to the existing puffin crossing on the Frome Road, adjacent to St Martin's Garden Primary School, to a toucan crossing for pedestrians and cycles with cycleway and shared use path on each approach.
- in-carriageway markings and signage where appropriate and required along the route, including Mulberry Park and Foxhill.

3.5 The outcomes that the scheme is expected to deliver are:

- Increased walking and cycling
- Increased provision of active travel routes to key locations and services
- Improved access to employment, training and education
- Improved journey quality for active travel trips
- Improved ease of crossing the road
- Reduced car use
- Connection towards Somer Valley Links, the strategic City Region Sustainable Transport Settlement corridor project through Odd Down
- Future connections to housing developments in the area
- Facilitating access to the Entry Hill Green Space project (former golf course)
- Interfaces with the Entry Hill Liveable Neighbourhoods proposals

4 STATUTORY CONSIDERATIONS

- 4.1 The delivery and construction element of the scheme allows for further public consultation to be undertaken, as part of the TRO (Traffic Regulation Order) process, where applicable.
- 4.2 The path between Midford Road and Hansford Close will require a legal order to create a permanent right for the public to use the route on bicycle
- 4.3 The public sector equality duty (Equalities Act 2010) requires equality considerations to be reflected in the design of policies and the delivery of services, please also see section 7 of this report.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 Funding of £2m has been allocated from the CAZ reinvestment reserve for delivery of this scheme. The commitment to spending from the reserve has gained the required approval through Transport members and the CAZ portfolio holder and is therefore ready to progress following this decision.
- 5.2 The CAZ reserve is made up of revenue from daily charge and penalty charge payments from use of higher polluting vehicles within the zone since its launch in March 2021. Any revenue over the operating costs of the scheme is held in reserve for future use to support sustainable transport projects and initiatives that promote air quality improvements across the district
- 5.3 This project to date has been part-funded by WECA and CRSTS for the FBC and detailed design stage. Grant allocation was not identified for the

delivery/construction of the route, following the OBC approval in 2023. Funding of £2m from the CAZ reserve is allocated to fund the Western section of the scheme only. No obligation arises to deliver the rest of the scheme if funding is not secured.

- 5.4 Funding options to complete the outstanding Eastern section of the route will be brought forward for consideration as and when CRSTS resources or other government grants are identified and made available for this scheme. The Council has submitted the Eastern section for consideration against CRSTS overprogramming (i.e. additional projects that could be delivered within the CRSTS funding window if funds allow).
- 5.5 The £2m investment via the CAZ reinvestment reserve will be counted as part of the council's local match contribution against the CRSTS programme, should agreement be reached that the CRSTS funds the Eastern section. The Council's £2m CAZ contribution as match funding will enable £8m of CRSTS funding for £10m in total of transport investment.
- 5.6 If CRSTS funding is not available to fund the Eastern section of Scholars Way, the Council's contribution will be limited to the £2m covered by this report and only the Western section will be deliverable at this time. The £2m will also not be able to count as local match for the CRSTS.
- 5.7 Whilst provisionally accepted that Scholars Way is entered into the CRSTS following completion and agreement of the FBC, if this is not achieved the Council will forego £8m of CRSTS grant as this decision is allocating the CAZ receipts in advance.
- 5.8 Future costs to maintain the route, once developed, are estimated to require an additional £10k of revenue budget per annum. It is proposed these will be funded from budget growth and will be included as part of a co-ordinated approach to absorbing the costs of new capital infrastructure at 2026/27 budget setting.
- 5.9 Project management, Walking/Wheeling/Cycling principal engineers, and Highways technical assurance resources have been allocated from within Council teams, funded by the project budget. Additional Highways construction management will be required and is proposed to be resourced externally.

6 RISK MANAGEMENT

- 6.7 A risk assessment related to the issue and recommendations has been undertaken (Appendix A), in compliance with the Council's decision-making risk management guidance.
- 6.8 There is a risk that the elements noted in 2.4 will not be deliverable in full, due to technical and/or funding availability reasons.

7 EQUALITIES

- 7.1 Equalities, Diversity and Inclusion impacts are assessed both at a programme level and from the preliminary design stage, as part of the individual scheme design process.
- 7.2 The scheme has been designed to LTN 1/20 Cycle Infrastructure Design and the Department for Transport, Inclusive Mobility.
- 7.3 In addition, a specific Equalities Impact Assessment (EqIA) will be developed for this scheme and updated at key stages.
- 7.4 The scheme is provided in accordance with the vision and objectives of the JTLP4, by enabling low-carbon transport within Bath along with improvements to user health and wellbeing and transport equality through the provision of accessible infrastructure for all.

8 CLIMATE CHANGE

- 8.1 A Climate Emergency was declared in March 2019 along with an Ecological Emergency in July 2019. In response to this B&NES has pledged to achieve carbon neutrality by 2030. Active Travel (walking, wheeling and cycling) routes are part of a package of measures to mitigate the climate crisis through the adoption of more sustainable and healthy transport options.
- 8.2 Transport currently accounts for 29% of carbon emissions in the B&NES area. Schools are one of the most productive areas for encouraging sustainable travel, with children particularly aware of environmental challenges and eager to walk or cycle.
- 8.3 These proposals will contribute to achieving the Council's commitment including enabling healthier, safer and greener ways to travel to and from school and other educational establishments such as Bath University.
- 8.4 The scheme is in accordance with the WoE Climate Emergency Action Plan as it will enable an increase in the uptake of active travel in Bath. This will help achieve the goal to create a net carbon zero region by 2030.
- 8.5 Active travel is the cleanest form of travel. High-quality infrastructure, in combination with other low-carbon transport modes, can provide competitive journey times to private vehicle use and lead to a step change reduction in transport carbon emissions.

9 OTHER OPTIONS CONSIDERED

- 9.1 The option to keep seeking a source of funding for the whole proposed route was considered high risk to deliver within the CRSTS grant timescale of March 2027.
- 9.2 The option to delay until full funding is secured carries risks of the designs becoming out of date, with further design work and public consultation needed; inability to use section 106 funding from the Mulberry Park development for the section on Bradford Road; and inflation increases on all construction costs.

9.3 The option for the Council to progress the whole scheme with capital budget allocations through the Capital programme budget-setting process was considered unaffordable and unviable amongst other Council priorities.

10 CONSULTATION

10.1 Consultation has been undertaken with the Executive Director of Sustainable Communities and the Director of Place Management, together with the cabinet members.

10.2 Public consultation was carried out during summer 2022 in which 59% supported the concept of the Scholars Way.
<https://beta.bathnes.gov.uk/scholars-way-consultation/introduction-and-policy-background>

10.3 This report has been agreed by the s151 Officer and Monitoring Officer.

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Background papers	<p>Budget Report Annex 5(i), February 2024 https://democracy.bathnes.gov.uk/documents/s80554/Annex%205%20i%20-%202024-25%20New%20and%20Emerging%20Capital%20Schemes%20-%20updated%20final.pdf</p> <p>Outline Business Case https://www.westofengland-ca.gov.uk/wp-content/uploads/2023/01/Scholars-Way-Walking-Cycling-Route-OBC.pdf</p> <p>CAZ reports: https://beta.bathnes.gov.uk/policy-and-documents-library/baths-clean-air-zone-monitoring-reports An update on the performance of CAZ and reserve spend commitments was recently published</p>
<p>Please contact the report author if you need to access this report in an alternative format</p>	

Appendix A

Single Member Decision Risk Assessment – E3525 Scholars Way Active Travel project – delivery of Western section

Issue/Decision:

1. Significant risks which would need to be accepted if the proposed decision and related work is not taken.

Risk Description (Cause & implication(s))	Probability	Impact
<p>Not taking the decision would lose this opportunity to materially impact carbon emissions and create a step-change towards achievement of B&NES' climate emergency targets and net zero in accordance with our policy.</p> <p>https://beta.bathnes.gov.uk/journey-net-zero/climate-and-ecological-emergency</p>	Likely	Large
<p>Not taking the decision could mean that funding provided by the Combined Authority to date becomes a financial liability for the Council, requiring repayment and revenue pressure</p>	Likely	Large
<p>Not taking the decision would diverge from resident and stakeholder expectations given previous public consultation and coverage by the Combined Authority and the Council, resulting in reputational loss.</p>	Likely	Large

2. Significant risks envisaged if the proposed decision is taken and what action will be taken to manage these risks.

Risk Description (Cause & implication(s))	Probability	Impact	Action
Procurement of works contractor and cost control are not well managed and creates budget pressure	Fairly likely	Large	Supply chain capacity is a key consideration, as well as delivery resource planning and technical support and advice.
There are objections received to Traffic Regulation Orders (TROs) that may be necessary in order to implement certain interventions affecting the overall scheme outcomes	Fairly likely	Large	The next stage of communications & consultation needs to be planned thoroughly to ensure the objectives and benefits of the scheme are communicated well to residents and stakeholders.

Inflation starts to increase again affecting current material and labour cost estimates	Unlikely	Moderate/ Severe	Inflation in current cost estimates has been factored at rates higher than the current downward trend
Construction takes longer due to traffic sensitive streets and restricted hours of working	Unlikely	Moderate	Avoiding network disruption and inconvenience to residents and stakeholders is paramount. This will be managed through early planning discussion and ongoing liaison with Highways teams and the Works contractor.

Probability

Description	Likelihood of the risk occurring expressed as a percentage.	Likelihood of the risk occurring expressed in words
Highly Likely	Over 95%	Very frequent occurrence, almost certain.
Likely	50% to 95%	More than evens chance.
Fairly Likely	21% to 49%	Quite often occurs
Unlikely	2% to 20%	Small likelihood but could happen.
Very Unlikely	0.5% to 2%	Not expected to happen.

Impact

Description	Scenario Description
Disastrous	Service will not achieve stated objective(s).
Severe	Serious threat that objective(s) of Service will not be achieved.
Large	May result in level of service being reduced to a level where objectives may not be achieved.
Moderate	Small effect on service provision.
Negligible	Trivial effect on service provision.

