

READING BOROUGH COUNCIL

REPORT BY THE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE		
DATE:	7 th July 2022		
TITLE:	ALLOCATION OF SECTION 106 FUNDING FOR TRANSPORT & HIGHWAY SCHEMES 2022/23		
LEAD COUNCILLOR:	COUNCILLOR PAGE		
PORTFOLIO:	CLIMATE STRATEGY & TRANSPORT		
SERVICE:	HIGHWAYS & TRANSPORTATION	WARDS:	BOROUGHWIDE
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report sets out the request for spending approval for new Transport & Highways capital schemes starting in 2022 to the value of £1,393,160. It is anticipated that these schemes will be solely funded from Section 106 contributions, however some may require additional external funding from sources including the Local Enterprise Partnership (LEP), which has already been secured.
- 1.2. These schemes will contribute to the delivery of the current Corporate Plan 2022-25 and any future Corporate Plan by implementing a number of Transport and Highway improvements across the Borough. Although not listed as major projects in the Corporate Plan 2022-25, these schemes will make a significant contribution to driving the change we want to see in Reading through our three themes: Healthy Environment, Thriving Communities, and Inclusive Economy.
- 1.3. The £1,393,160 referred to in this report allocates Section 106 contributions that have been received but as yet uncommitted to date and is an update to the figures detailed within the Council's Capital Programme approved at February 2022 Policy Committee.
- 1.4. **Appendix 1** to this report provides a summary of the S106 contributions and the capital schemes they are to fund.

2. RECOMMENDED ACTION

- 2.1 That spending approval is given for the Capital schemes outlined in Appendix 1.
- 2.2 That the Executive Director for Economic Growth & Neighbourhood Services in consultation with the relevant Lead Councillor for Climate Strategy & Transport

and Director of Finance, be given delegated authority to finalise details of individual schemes and programmes within the overall approval given.

- 2.3 That the Committee grants delegated authority to the Executive Director for Economic Growth & Neighbourhood Services in consultation with the Lead Councillor for Climate Strategy & Transport, the Assistant Director of Legal & Democratic Services and the Director of Finance to enter into relevant contracts required to undertake the approved S106 schemes and works programmes.

3. POLICY CONTEXT

- 3.1 As set out in the Councils Supplementary Planning Document on Planning Obligations under Section 106, 'the Council publishes annual information on its website on Section 106 as part of its annual statement and accounts. This sets out the details and description of the scheme, Section 106 agreement number, amount brought forward into the accounting year, receipts within the accounting year, expenditure total, for what, and the amount to be carried forward into the next financial year'.
- 3.2 The Section 106 contributions in **Appendix 1** are currently listed in the annual statement and accounts but as uncommitted to specific schemes and therefore do not currently appear in the Capital Programme.
- 3.3 All of the proposed schemes in **Appendix 1** will have a positive impact on contributing towards the Councils Corporate Plan, the current Local Transport Plan 2011-2026 and the draft Reading Transport Strategy 2036.
- 3.4 The Council's Corporate Plan supports the delivery of new transport & highway infrastructure in order to manage levels of congestion, improve air quality and reduce carbon emissions, whilst accommodating the significant levels of planned economic growth.
- 3.5 The Council's current Local Transport Plan (LTP) sets out the transport strategy for Reading to 2026. Consultation on a new Local Transport Plan (LTP) was undertaken from 4th May to 30th August 2020. The new strategy is being developed to help achieve wider objectives including the Reading 2050 Vision, the Climate Emergency and improved air quality. The LTP will be heavily focused on addressing these wider challenges through a package of solutions to provide realistic sustainable alternatives to the private car, including enhanced cycling and walking routes to improve air quality. The new strategy is being aligned with other Council strategies including the Local Plan and the Local Cycling and Walking Infrastructure Plan.

4. THE PROPOSAL

Current Position:

- 4.1 The funded schemes detailed in **Appendix 1** are in line with the aims and objectives of the current Local Transport Plan 2011-2026 and the draft Reading Transport Strategy 2036.
- 4.2 An assessment of available funding has been undertaken along with the time and geographic fettering of Section 106 contributions and has been cross-referenced with identified needs to produce the schemes set out in **Appendix 1**.

- 4.3 The proposed Transport & Highways capital programme for which spending approval is being sought is tabled at **Appendix 1**. Full details of these schemes will be reported through an appropriate committee such as Traffic Management Sub-Committee and the Strategic Environment Planning and Transport Committee.
- 4.4 The overall cost of a complete scheme may exceed the value of the total S106's identified in some cases and therefore schemes will be phased to align with available funding.
- 4.5 The timetabling for the commencement of the individual schemes may be subject to change. In some cases, schemes are dependent on subsequent Traffic Regulation Orders and Public Consultation as well as the availability of contractors. Regular updates on individual schemes will continue to be reported through the Traffic Management Sub-Committee and Strategic Environment Planning and Transport Committee.

Other Options Considered

- 4.6 The terms and conditions of the individual S106 contribution legal agreements are closely fettered and this therefore limits choices on where funding can be spent.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The proposals as set out within this report will help to deliver the following Corporate Plan Themes:
- Healthy Environment
 - Thriving Communities
 - Inclusive Economy

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 6.1 All Transport & Highway schemes will support the Councils Transport Strategy which is focused on encouraging the use of sustainable transport, walking and cycling as attractive alternatives to the private car. This includes managing congestion and improving air quality by providing a more efficient network and suitable alternatives for vehicular traffic.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 Where appropriate, consultation and engagement with local communities and interest groups will be undertaken prior to each of the projects. Ward Councillors will be consulted on all projects within their Ward.
- 7.2 Some of the schemes set out in **Appendix 1** will require Traffic Regulation Orders (TROs). Advertising of TROs will be conducted in accordance with appropriate legislation. Notices will be advertised in the local printed newspaper and erected on lamp columns within the affected area. If this is not possible, alternative means will be proposed such as delivering the notice to each property within the affected area and promoting the notice in the online version of local media.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149 the Council must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The Council has reviewed the scope of the proposals as outlined within this report and considers that the proposals have no direct impact on any groups with protected characteristics. Therefore, an Equality Impact Assessment is not relevant to the decision in this instance, however, further work will be undertaken for the schemes as designs are developed further.

9. LEGAL IMPLICATIONS

- 9.1 Section 106 agreements are legally binding obligations between Reading Borough Council as the local planning authority and developers under Section 106 of Town and Country Planning Act 1990.
- 9.2 The funding of the schemes will include the appropriate use of Section 106 contributions, in accordance with the terms of the individual legal agreements. Money provided through Section 106 agreements can only be used for the purposes set out in the agreement and not for other purposes. In almost all Section 106 agreements, contributions are fettered to a particular use such education, open space, transport etc. In some agreements the contributions can be heavily fettered to particular pieces of infrastructure such a road junction improvement or to tree planting or to a particular area or facility.
- 9.3 The fettering details of the contributions are as per **Appendix 1**; the fettering's are quoted from the original legal agreements held on the S106 database.
- 9.4 The schemes outlined in **Appendix 1** will be delivered in line with the Councils Local Transport Plan. The Local Transport Plan is a statutory requirement as set out in the Transport Act 2000, as amended by the Local Transport Act 2008.
- 9.5 Necessary changes to Highway signs and road markings, including temporary, may also be required and subsequently will need to be implemented in accordance with the Traffic Signs, Regulations and General Directions 2016 and associated Code of Practice for temporary Highway signing.
- 9.6 It is therefore envisaged that an element of internal legal support will be required to assist with the delivery of some of individual schemes.

10. FINANCIAL IMPLICATIONS

- 10.1 S106 is one of the main External Sources (Government/Non-Governmental/Private Sector) financing the Councils Capital Programme.

- 10.2 The effective application of Section 106 and CIL receipts against the Council's Capital Programme will reduce the future revenue cost of borrowing.
- 10.3 The receipt and subsequent use of obligations is a matter principally for the benefitting services and Finance, with the focus on funding the Council's Capital Programme.
- 10.4 If approved, the schemes set out in **Appendix 1** will contribute towards the Councils Capital Programme and contribute to reducing the Councils its revenue cost of borrowing by the effective use of Section 106 before raising borrowing finance.

11. BACKGROUND PAPERS

- 11.1 None

