

Forward Plan reference number: FP/AB/190

Report title: A131 Braintree to Sudbury Project Change Request	
Report to Accountability Board	
Report author: Rhiannon Mort, SELEP Capital Programme Manager	
Date: 15 th February 2019	For: Decision
Enquiries to: Rhiannon Mort, Rhiannon.Mort@southeastlep.com	
SELEP Partner Authority affected: Essex	

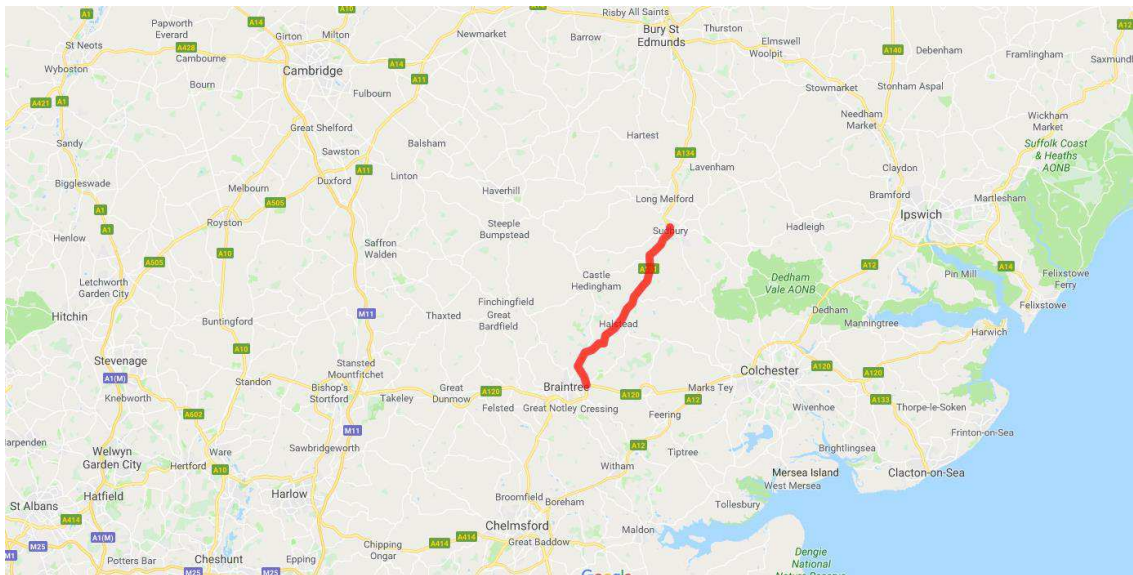
1. Purpose of Report

- 1.1 The purpose of this report is for the Accountability Board (the Board) to consider the cancellation of the A131 Braintree to Sudbury Project (the Project) from SELEP's Growth Deal as the result of a pause to the Project within Essex County Council's (ECC) own capital programme.
- 1.2 ECC has undertaken a substantive review of its own capital programme due to the pressures to review ECC's capital expenditure.
- 1.3 This report sets out the proposed cancellation and reallocation of LGF from the Project as a result of the ECC capital funding contribution no longer being available to enable the Project to progress to delivery.

2. Recommendations

- 2.1. The Board is asked to:
 - 2.1.1. **Agree** the cancellation of the Project from SELEP's Growth Deal and the return of the £100,000 of LGF incurred against this Project by ECC; and
 - 2.1.2. **Agree** the reallocation of the £1.8m LGF previously awarded to the Project into the central SELEP pot of unallocated LGF funding. This funding will then be reallocated through the LGF3b process referred to in section 4 below.

3. A131 Braintree to Sudbury Route Based Strategy



- 3.1. The Project was awarded £1.8m LGF by the Board in June 2018, with a total estimated Project cost of £3.6m. The £1.8m was due to be matched with a £1.8m contribution from ECC, which was committed by ECC through their formal governance processes at the time of the LGF funding decision being taken.
- 3.2. The scope of the Project included interventions at the following four locations:
 - 3.2.1. **Marks Farm** - widening of all four entry flares, introduction of a left turn slip from the A120 heading south and general improvements to the roundabout;
 - 3.2.2. **Broad Road** – improving entry flare from Broad Road and realignment to improve traffic flow.
 - 3.2.3. **High Garrett junction with A1017** – major improvements to layout, changes to signals, relocated and improved crossings and pedestrian facilities; and
 - 3.2.4. **Plaistow Green and Bulmer Tye** – safety improvements, including improved signage and non-slip surfacing.
- 3.3. The delivery of the Project was set to achieve the following six outcomes:
 - Improve journey times and reliability for all vehicles
 - Improve safety, especially for cyclists and pedestrians
 - Improve sustainable transport
 - Support the completion of at least 1,550 new homes
 - Support economic growth and businesses; and
 - Provide for incremental jobs associated with the new development.

4. Project Cost and Funding

A131 Braintree to Sudbury Project Change Request

- 4.1. ECC has notified SELEP that they are no longer able to provide the match funding required to deliver this Project, and, as a result, have decided not to progress with this Project at this time. As such, the delivery of the Project will be paused within ECC's Capital Programme and will be removed from the SELEP Growth Deal.
- 4.2. In reaching this decision, ECC considered options to decrease the scope of the Project, however, it was felt that the part delivery of the Project could not deliver sufficient benefit and that the Project should either be delivered in its entirety or not at all. As such, an ECC Cabinet Member decision has been taken to pause the delivery of the Project until sufficient funding is identified to complete the Project in full.
- 4.3. The cost of the original Project totalled £3.6m, with a £1.8m LGF contribution and a £1.8m ECC contribution from its own capital programme. To date, £100,000 LGF has been spent on the delivery of the Project. However, it is intended that the £1.8m LGF awarded will be returned to SELEP in full, including the £100,000 LGF which has been transferred and spent by ECC to date. The £100,000 LGF which has been transferred to ECC to date, in relation to the Project, will be returned to SELEP in Q4 2018/19.
- 4.4. The £1.8m LGF will be reinvested through the LGF3b process. This is in line with the Ministry for Housing Communities and Local Government (MHCLG) Deep Dive recommendations which set out the requirement for "*any underspend at a federated level is reallocated to the most promising and best value for money projects. This should be based on the strongest projects, regardless of the area they are in*".
- 4.5. The LGF3b single pipeline is due to be considered and agreed by the SELEP Investment Panel on the 8th March 2019. At the meeting, the Panel will be made aware of the additional LGF underspend and the increase in the amount of unallocated LGF available due to the cancellation of this Project.
- 4.6. As a result of the Project no longer being included within SELEP's Growth Deal and the pause to the delivery of the interventions included in the Projects scope, the proposed benefits of the Project will not be realised within the Growth Deal period.
- 4.7. The Project was intended to support the delivery of 1,550 new homes. Whilst it's understood that the delivery of these homes is not directly dependant on the Project, the residential development sites will need to be considered on a case by case basis by ECC as they come forward through the planning process, to ensure that the traffic impacts of these development sites are mitigated in order to promote sustainable development.
- 4.8. The reallocation of the £1.8m LGF through the LGF3b process will help support new investment opportunities for SELEP to support economic growth.

5. Financial Implications (Accountable Body comments)

- 5.1. It is a requirement of the SELEP Assurance Framework and the SLAs in place with each partner, that, in circumstances where funding received by Partners can no longer meet the conditions of the grant, as set out in the relevant SLA, the funding must be returned to the Accountable Body as soon as reasonably possible.
- 5.2. In this instance, Essex County Council are required to repay the £100,000 of LGF incurred against the Project that is to be cancelled.
- 5.3. The full £1.8m of LGF allocated against this Project will become available for reallocation through the SELEP Investment Panel prioritisation process.

6. Legal Implications (Accountable Body comments)

- 6.1. There are no legal implications arising out of the decision in this report.

7. Equality and Diversity implication

- 7.1. Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when a public sector body makes decisions it must have regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 7.3. In the course of the development of the project business case, the delivery of the Project and the ongoing commitment to equality and diversity, the promoting local authority ensured that any equality implications are considered as part of their decision making process and where it is possible to identify mitigating factors where an impact against any of the protected characteristics were been identified. This report does not impact on those equality and diversity considerations by ECC.

8. List of Appendices

- 8.1. None

9. List of Background Papers

- 9.1. Business Case for the A131 Braintree to Sudbury

A131 Braintree to Sudbury Project Change Request

9.2. Accountability Board Agenda Pack 15th June 2018 (LGF funding decision)

(Any request for any background papers listed here should be made to the person named at the front of the report who will be able to help with any enquiries)

Role	Date
Accountable Body sign off Stephanie Mitchener (On behalf of Margaret Lee, S151 Officer, Essex County Council)	07/02/19