

Forward Plan reference number: FP/648/03/20

Report title: A120-A133 Link Road and Colchester Rapid Transit: Preferred Routes	
Report to: Cabinet	
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Date: 22 May 2020	For: Decision
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County Divisions affected: Abbey, Mile End and Highwoods, Parsons Heath & East Gates, Tendring Rural West and Wivenhoe St Andrew	

1. Purpose of Report

- 1.1 The Council has consulted on proposed routes for a new link road from the A120 to the A133 (A120-A133 Link Road (A120-A133LR)) and a mass rapid transit system (RTS) at the East Colchester Garden Community (Colchester/Tendring Borders).
- 1.2 Together, these schemes will provide infrastructure to support the construction of up to 8,000 homes.
- 1.3 This report asks the Cabinet to agree a preferred option for the A120 to A133 link road, and to agree to take forward for further consideration the RTS, Options B2 and B5, C1 and C2, along with routing through the town centre.
- 1.4 The report also requests authority to progress the preferred route for the A120-A133 Link Road through preliminary design, planning application and prepare information for land negotiations, including preparation in parallel for Compulsory Purchase Order (CPO) should it be needed.

2. Recommendations

- 2.1 Note the outcome of the consultation on the A120 to A133 Link Road and Rapid Transit System.
- 2.2 Agree to adopt Option 1C Variant, as set out in Appendix E, as the preferred route option for the A120-A133 link road.
- 2.3 Agree to progress Option 1C Variant through preliminary design, planning application and prepare information for land negotiations (including information in parallel for preparation for compulsory purchase).

- 2.4 Agree that the Director, Capital Delivery may acquire land agreed by negotiation in relation to the preferred route for the A120-A133 link road.
- 2.5 With respect to the Rapid Transit System, agree to develop Options B2 and B5 including High Street area for the town centre to Greenstead roundabout part of the rapid transit scheme and Options C1 and C2 route from Greenstead Roundabout to the proposed garden community.
- 2.6 Agree that the Cabinet Member for Infrastructure may agree the final proposed route of the Rapid Transit System.

3. Summary of issue

Background

- 3.1 Essex County Council, working in close collaboration with Colchester Borough Council (CBC) and Tendring District Council, submitted a bid to the Housing Infrastructure Fund (HIF), which is a programme run by Homes England and aims to deliver 100,000 homes in England. The two key components for this bid were:
 - A new link road running east of Colchester between the A120 and the A133 to provide greater connectivity into the proposed new development; and
 - Rapid Transit development funding a route from the proposed east Colchester/west Tendring garden community via University of Essex into Colchester.

The Council was awarded £99m from the HIF bid. We are working on the detailed funding agreement and agreements with Tendring and Colchester in order to ensure that we can deliver the requirements of the funding. A separate report will be presented to the Cabinet to formally agree to accept the funding and enter into these agreements.

- 3.2 The Schemes are key projects in the Local Borough and Districts' emerging draft Local Plans and the North Essex Garden Communities programme to deliver the Tendring/Colchester Border Garden Community. The Schemes will address a package of transport and access matters, enabling early implementation of sustainable transport options to stimulate behaviour change and address highway capacity constraints in east Colchester and west Tendring. It will provide capacity and access to enable residential developments to come forward sooner than programmed. The Scheme will improve access to the University of Essex and would provide a connection into a proposed new employment park.

A120-A133 Link Road

3.3 The A120 and A133 provide vital transport links across this part of Essex. The A120 connects towns from east to west as well as linking into the A12; a major freight route through Essex and Suffolk - with the A133 as the main commuter route from Clacton-on-Sea into Colchester. The proposed A120-A133 Link Road will run from the A120 in the north and A133 in the south. It is required to provide additional highway capacity to serve proposed development areas and provide some relief to the existing local road network, thus generating capacity in the wider strategic highways network. The proposed route comprises over 2km of dual carriageway with a grade-separated junction where it meets the A120 and at-grade junction at the A133 end. Linking the A120 and A133 with a new road will unlock land to enable development of housing at the Tendring Garden Communities housing project and will improve connectivity locally and within the wider region. It will also serve proposed new Park and Ride sites and relieve traffic going to the University of Essex and the Knowledge Gateway Technology and Research park. Both are major employers and key contributors to the local and UK economy.

A120-A133 Link Road Consultation

- 3.4 Following ECC successfully securing funding from HIF, ECC created a longlist of seven options for the A120-A133 Link Road and undertook a high-level assessment to assess viability of the options. Options 1B, 2 and 4 were discounted because of issues associated with location (either too far from the Garden Community or located in a way that would result in future severance within the Garden Community), impacting existing high value infrastructure assets such as high voltage cables or impacting historic assets (Grade 1 listed buildings).
- 3.5 Four options remained (option 1A, 1C, 1D and 3) and these were the shortest options and they would connect to the A120 at a grade separate dumbbell junction located east of the A120 Services and would join the A133 at a roundabout junction in one of two possible locations (east and west). The main differences between these options related to where the junction would be positioned, either on Strawberry Grove (Option 1A), east of Strawberry Grove (Option 1C) or west of Strawberry Grove (Option 1D). Option 3 reflected a more westerly location to its route (particularly to the north) but reflect the same principles with regards to connecting to the A120 and A133. These options were then assessed against key technical criteria (which is set out in Appendix D to this report) and subject to a non-statutory public consultation exercise carried out by ECC. Table 1 below shows the estimated total construction cost for each option identified, which is just one of the factors that fed into the scoring matrix, but helps to indicate the cost impact of selecting an alternative option to the one recommended.

Table 1

Total estimated construction cost of options	Option 1A £000	Option 1C £000	Option 1D £000	Option 3 £000	Option 1C Variant (preferred option) £000
A133/A120 Link Road Cost	78,917	79,286	79,500	73,052	69,800

- 3.6 ECC published the consultation document for both the A120-A133LR and the RTS, set out in Appendix B and the consultation commenced for a six-week period between Monday 4th November and Monday 16th December 2019. There were seven public events held locally to allow stakeholders to view and discuss the proposals and meet different technical leads from the project team as well as the consultation being available online. Approximately 200 people took part directly by attending the events and the consultation received 136 responses in total. As well as members of the public there were responses from three Parish Councils and six community, heritage or action groups. A response was also provided by the University of Essex and two responses from local developers.
- 3.7 The responses from the consultees were in relation to both the Link Road and RTS proposals, with the positioning of junctions, impact on existing communities, congestion, environment, maintaining protected lanes and an increased focus on walking and cycling all highlighted. Further details are provided within the technical documents and consultation report referenced under Appendices C and D. The majority of public comments related to the Link Road rather than the RTS. Environmental impacts were highlighted, particularly the importance of protecting woodland at Strawberry Grove.
- 3.8 The concerns raised from the three Parish Councils related to whether the Link Road would form the boundary to the east of the proposed new Garden Community. The Link Road does not determine the boundary of the Garden Community and the concerns raised by the Parish Councils were in relation to the wider Local Plan, which did not form part of this consultation. Ardleigh Parish Council provided a response with regards to use of existing infrastructure, this was considered, and it was found that the existing infrastructure was not a viable option. Ardleigh Parish Council also commented on the structure of the consultation, ECC then attended their Parish Council meeting to take further questions to address this point.
- 3.9 The responses from public consultees included concern regarding the Link Road being in close proximity to a listed building and sandwiching the wooded area (Strawberry Grove) into a 'no man's land' and making it inaccessible and unkept. Comments were also received regarding the impact of the various 1 option alignments in general on Turnip Lodge Lane, which has Protected Land Status. All Option 1 alignments that were consulted on bisected the lane and therefore would have an impact.
- 3.10 Some respondents questioned the necessity of the Link Road with current traffic movements and whether a dual lane link road was necessary, ECC considered this point and considers that this is necessary given the future development of the Garden Community and in order to ensure that future

capacity is met. Comments were received with regards to the design of the Link Road: where the Link Road severs existing local roads, where it is necessary for network connectivity to be maintained, ECC will consider as part of the design planning stage to maintain connectivity. A comment was received with regards to if the Link Road would be beneficial if it required access roundabouts to the proposed new development – this is an important function of the Link Road. Comments were received with regards to concerns that the Link Road would only move the current congestion on the roads, however as part of the planning process ECC would conduct a traffic impact assessment.

- 3.11 These responses were considered by officers and have formed part of the qualitative analysis undertaken and were inputted into the scoring matrix to enable selection (as per Appendix F). A majority of respondents agreed that Colchester needed new infrastructure with most people agreeing that the Scheme would have a positive impact and support housing and business growth. The consultation indicated some clear preferences in relation to the link road options, with Options 1C (31%) and 1A (30%) being favoured. There was also notable opposition to Option 3 in response to open questions and email responses which could not be identified with closed questions alone, as a result of the impact on people, residents and businesses and community severance. The analysis of responses indicates that there was on the whole no significant preference for either the eastern or western A133 junction options. However, the Western option is further away from Elmstead Market village and was seen as affecting fewer residential properties and existing infrastructure assets.
- 3.12 Tendring District Council, Colchester Borough Council and North Essex Garden Communities Limited (NEGC) indicated that they preferred Options 1A, C and D over Option 3, with Tendring District Council directly referencing that they favoured Option 1C. They had a major concern about Option 3 because it ran through a large part of the potential development area and, therefore, impact on the ability to deliver the planned number of homes, and NEGC commented that the link road layout should take into account the future masterplan process and support sustainable modes of travel and maintain/support connectivity. Liaison with Tendring District Council, Colchester Borough Council and NEGC is ongoing thorough working groups and the project team will continue to work with these bodies as part of the development of the Link Road and RTS.
- 3.13 Option 1C received support as it was not considered to disrupt the operation of the Waste Transfer Station or the A120 Service Station, and because it would be less likely to have an impact on the ancient woodland or affect as much wildlife habitat as the other options.
- 3.14 Of the consultation Option 1C offered the most feasible alignment under the technical criteria, which included factors such as environmental, effect on key assets, number of existing properties and landowners impacted, although only just ahead of Option 1A.

- 3.15 Whilst the proposed location where options 1C would meet the A120 junction position is preferred, there were elements of Option 1A which could perform better than Option 1C, including the location of the A133 junction. As a result, the location of the A133 junction in Option 1C was assessed using criteria similar to those used for the main option assessment. The western roundabout position gained the highest score in the matrix and was recommended over the eastern position, which was less flexible and had a greater number of constraints, including the need to divert an existing water main constructed out of asbestos concrete. The A133 western roundabout also allowed existing accesses to properties to remain.
- 3.16 Although Option 1C scored highest overall in response to both the public stakeholder consultation comments received and the ongoing technical assessment undertaken, a further option, known as '1C variant' was developed which better addressed the concerns raised through the ongoing technical refinement and consultation input received. This further option was made up of the northern section of Option 1C and the southern part of Option 1A with a variation in the middle to avoid Turnip Lodge Lane (Protected Lane Status); Appendix I shows the routes for Option 1C and Option 1C Variant. This was named Option 1C Variant (as set out in the Technical Report Stage 2 in appendix D). This option was assessed using the same criteria as the other options and scored significantly better than the other options using the same scoring matrix. We have not specifically consulted on Option 1C variant but it is felt that it is sufficiently similar to option 1C and the other routes to enable any issues with this the route to have been identified and it is not therefore proposed to undertake further consultation on Option 1C Variant, other than as part of the planning process.
- 3.17 The proposed 1C Variant option overall:
- 3.17.1 addressed comments received through the consultation with regards to the impact on people, residents, community and businesses, by further reducing the impact on existing properties by routing the carriageway so that it does not pass within 100m of existing properties,
 - 3.17.2 in combination with the Garden Community and future development of the Link Road would take account maintaining connectivity and opportunities for walking, cycling and horses,
 - 3.17.3 addressed technical and affordability issues better than the original four options shortlisted,
 - 3.17.4 the amendments to the northern alignment of the proposed route removed the segregation caused by a separate new connection to the petrol station, reducing the sterilisation of land and isolation of Strawberry Grove between two highway corridors. This addresses the concerns raised by consultees during the consultation; and
 - 3.17.5 addressed comments received through the consultation, and environmental issues raised through the ongoing technical work, by achieving further environmental benefits through the realigned of the central section so that the

route passes on the eastern edge of Turnip Lodge Lane, significantly reducing the impact on this designated protected lane.

- 3.18 Following consideration of the comments and feedback received from the consultation and the recommendation from the additional technical work completed, Option 1C Variant is therefore recommended as the Preferred Option for the A120-A133 Link Road.

Rapid Transit System

- 3.19 The provision of a high-quality rapid transit system with dedicated running sections and priority measures at key junctions will provide more reliable services and improved journey times compared to normal bus services. The solution will provide a public transport alternative to car use and is fundamental to the planned longer-term modal shift strategy. The RTS is an essential part of the growth strategy and has the potential of unlocking further new homes. The RTS links the University of Essex, through the knowledge gateway employment zone to Colchester Town Centre and key destinations including the rail stations and hospital.
- 3.20 An effective transport system is integral to peoples' daily lives; it underpins business and commerce; provides access to work, education and training, essential services and leisure activities and enables people to make the most of opportunities as they arise. Investment in the transport network should be aimed at ensuring the efficient and effective movement of people and goods to boost economic growth, create great places to live, work and visit, enable people to live independently, and improve the lives of people using the transport network throughout Essex.
- 3.21 One possible future aspiration of the proposed RTS is the ability to link it across North Essex from Colchester through to Stansted Airport. The initial RTS scheme covered under this HIF Bid comprises improvements to support improved infrastructure between the existing Park and Ride site location to the north of Colchester on the A12 (junction 28), and the proposed garden community to the east of Colchester.
- 3.22 For the purposes of delivery, the RTS has been split into four sections; A, B, C and D (further details can be found in the RTS Technical Documents in Appendix G and H):
- 3.22.1 Section A – uses a route which has already been approved, which runs from the existing Park and Ride site located on junction 28 on the A12, through to the Albert Roundabout located on the A133. Since this was already approved it did not form part of the consultation but was included for reference. This Section A already has existing planning approval.
- 3.22.2 Section B – takes the scheme from Albert Roundabout to the Greenstead Roundabout. Option B1 uses Magdalen Street and the Hythe level crossing;

Option B2 uses the East Gate level crossing; and Option B5 is the St Andrew's Avenue route.

3.22.3 Section C – takes the scheme from Greenstead Roundabout to the proposed new community east of Colchester. Option C1 proposes a route through the University; Option C2 proposes improvements to the A133 corridor east of Greenstead Roundabout; and Option C3 is dependent on the proposed garden community Masterplan that is outside the scope of this project, to currently determine the location of any potential future connection point to the proposed garden community.

3.22.4 Section D – is located within the proposed garden community and will be developed as part of the future masterplan therefore it has not been consulted on and does not form part of this decision paper but was included for reference purposes.

RTS Consultation

3.23 The RTS has been progressed through technical development of options for Section B and C and the options for the RTS were included as part of the stakeholder consultation undertaken for the overall Scheme. ECC shortlisted the number of options to consult on for Section B from five to three. Those options discounted (B3 and B4) reflect routes which did not achieve the objectives of being affordable and deliverable as the three shortlist Options B1, B2 and B5. ECC consulted on all three options for Section C. Following the consultation, ECC assessed the best performing options for Sections B and C as part of the scoring matrix in Appendix G and H. The options were assessed against a number of factors such as environmental, journey timer reliability, connectivity, quality, stakeholder consultation feedback, cost and engineering feedback.

RTS Consultation Section B

3.24 For the consultation, ECC shortlisted the number of options to consult on for Section B from five to three. Those options discounted (B3 and B4) reflect routes which did not achieve the objectives of being as affordable and deliverable as the three shortlisted Options B1, B2 and B5 (as set out in the Technical Reports included in Appendix G). Options B1, B2 and B5 were put forward for consultation reflecting alternative routing options through Colchester town to the proposed garden community.

3.25 As part of the consultation response, the largest group of respondents (30%) chose Option B5, as the best option for Section B. Within this question respondents were asked to list by way of preference their preferred route options. This saw Option B5 selected as the most preferred route (30%), in comparison to 16% for Option B1 and 12% for Option B2, although as a second preference choice Option B2 was higher scoring than Option B1.

- 3.25.1 The assessment of route Option B1 concluded whilst the route directly serves all three Colchester railway stations and appears the most direct, it was observed to have the slowest overall journey time during the live public service vehicle trials. There is also very little opportunity to make meaningful improvements along this route option without disproportionate impact on existing residential areas. The presence of the Hythe level crossing means some journeys in either direction could be held for significant periods. This would likely be viewed negatively as part of a 'rapid' transit system by patrons and undermine the reliability of the system. This option scored considerably worse than either option B2 or B5 and therefore it has been discounted from being taken further.
- 3.25.2 Route Option B2 (Greenstead Road) serves all three Colchester railway stations. The directness of the route contributes to this option having the shortest overall journey time, even taking account of the level crossing. Option B2 gained the highest overall score in the option assessment matrix. This option received the highest score in all categories except Objective Fulfilment, and Stakeholder Feedback. For Objective Fulfilment it scored the same as Option B5, although the quickest, it was marked down as a result of the reliability concerns introduced by the Eastgate level crossing. The Eastgates level crossing will delay approximately a third of journeys. As with option B1, the level crossing may be viewed negatively as part of a 'rapid' transit system as it will to some degree undermine the reliability of the system. However, given that this option has the highest overall score, lowest estimated cost, lowest observed existing journey time and lowest average predicted journey time. It is recommended that Option B2 be progressed to the next stage.
- 3.25.3 Option B5 (St Andrew's Ave) performs the second best in the option assessment matrix. This option did however receive the highest score Stakeholder Feedback, as well as an equal score to Option B2 for Objective Fulfilment. This option offers opportunities to provide RTS infrastructure along St Andrew's Avenue which would benefit RTS journey time and reliability. This infrastructure would still give a slower predicted average journey time compared to Option B2. This option would, however, benefit from improved journey time reliability compared to the other options, due to lack of a level crossing on the route. It is recommended that Option B2 be progressed to the next stage.
- 3.25.4 Although Option B2 has scored highest, the concerns remain around journey time reliability as the route passes through a level crossing and the limitations placed on measures of improvement which can be introduced given the constrained nature of the corridor, while Option B5 has the space to introduce dedicated RTS lanes. At this time it is considered necessary to undertake further modelling to better understand the future longer-term implications of the level crossing (i.e. potential opportunities to 'sync' the RTS with the train timetable and reducing the duration that the barriers are in operation stopping traffic), and further long-term benefits to both Option B2 & B5 of route

improvements which could be introduced to increase journey time reliability, including routing through the High Street area.

3.25.5 It is therefore recommended that Options B2 and B5 are taken forward and developed further before a final decision on the alignment is taken by the Cabinet Member for Infrastructure.

RTS Consultation Section C

3.26 Option C1 runs through the University and will be dependant in the future on Essex University and the level of student patronage. It is most likely that services will travel via Boundary Road, using the existing circulatory route around the University. As Boundary Road is already in place and general traffic is already restricted extensive design work should not be required to make this option operational. Therefore, it is recommended that option C1 is progressed and discussions with Essex University continue on service level provisions.

3.27 Option C2 reflects improvements to the A133 corridor east of Greenstead Roundabout. Option C2 has been further broken down into sub-options:

- C2A (RTS infrastructure construction along the entire A133 within the area of Section C2),
- C2B (targeted infrastructure improvements along Section C2), and
- C2C (reallocation of existing A133 highway lanes).

For all Option C2 variants, provision for pedestrian and cycle facilities along with associated lighting are to be provided along the northern edge of the A133 highway corridor. This will provide improved sustainable connectivity between the proposed development, Essex University (via the existing crossing facilities at the Knowledge Gateway) and Colchester Town Centre (via Greenstead Roundabout), which the infrastructure will be explored at a later design stage once the achievable widths are known.

3.28 Option C2A, although the most comprehensive and the most robust solution for RTS journey time and reliability will require significant funding compared to Options C2B and C2C.

3.29 Option C2B attempts to provide infrastructure where the most significant average journey time savings can be achieved at the time of opening when considering capital expenditure. Given that the programme for development of the proposed garden community means it will be in its infancy when the RTS becomes operational, limited traffic will be added to the network in the earlier years. Therefore, Option C2B offers the best short-term approach to balancing capital investment and RTS journey time improvements and can be further refined with transport models to target subsequent future infrastructure.

- 3.30 Option C2C, in repurposing existing A133 lanes in both directions to RTS, will be significantly cheaper than Options C2A and 2B and achieve the goals of RTS. However, it is believed that such a reduction in capacity along the A133, a strategic route into Colchester and could have far-reaching negative effects on congestion.
- 3.31 It is therefore recommended to take forward all C2 variations for further review and refinement of the various sub-options to achieve the best balance of journey time versus engineering, cost and environmental impact.
- 3.32 Option C3 is dependent on the Masterplan for the garden community, it is therefore outside the scope of this project to currently determine the location of any potential future connection point to the proposed garden community. As the masterplan is developed the RTS route (through Option C2) can be aligned. Therefore, as option C3 is expected to be developed as part of the proposed garden community masterplan it is recommended that development of Option 3 is temporarily held back.
- 3.33 It is therefore recommended that Options C1 and C2 are taken forward and developed further before a final decision on the alignment is taken by the Cabinet Member for Infrastructure.

RTS Option D

- 3.34 Section D will be delivered as part of the proposed garden community masterplan, which will be progressed and consulted on as part of the wider development. Section D therefore does not form part of the decision required by this report.

RTS Outcome of Consultation

- 3.35 The consultation (as set out in paragraphs 3.6 and 3.7 above), was less conclusive on the RTS, with a greater focus given by consultees on the Link Road options. In response to a general question related to support for the RTS and whether people felt that the RTS will improve connectivity in Colchester, 48% of respondents agreed that the rapid transit system will improve connectivity in Colchester and 26% strongly agreed, showing that there is overall support for the RTS. Given the RTS reflected improvements proposed within the urban area to locations adjacent and largely within the existing highway corridor, this was not unexpected. Feedback from the consultation gave no clear preferences for Section C options. However, the University of Essex preferred option C1, because it provided access to its campus.

Land Negotiations for the A120 to /A133 Link Road

- 3.36 For the proposed route Option 1C Variant, ECC will identify the landowners and enter into negotiations with them to acquire land by agreement. Where

this is not possible, a decision will be brought to the Cabinet Member for Infrastructure to request approval to proceed with a Compulsory Purchase Order.

4. Options

- 4.1 **Option 1 Endorsement of the recommendations** - Supporting all the recommendations to adopt Option 1C Variant as the preferred route for A120-A133 Link Road and further developing Options B2 and B5 and Options C1 and C2 for the RTS will enable the Scheme to continue to progress towards delivering the infrastructure to support the proposed garden community and Joint North Essex local Plan and maintain progress against the HIF Bid programme as supported by previous Cabinet decisions.
- 4.2 Subject to the Cabinet agreeing to proceed with the Scheme in line with the recommendations, to continue to maintain progress against the HIF Bid delivery programme of March 2024, the Scheme will be progressed through preliminary design, which will also include the preparation and submission of the planning application (expected Winter 2020) and land negotiations (including preparation in parallel for Compulsory Purchase Order (CPO) should it be needed) required to deliver the A120-A133 Link Road element.
- 4.3 The proposal supports the delivery of the Essex Local Transport Plan vision for a transport system that supports sustainable economic growth and helps deliver the best quality of life for the residents of Essex by providing connectivity for Essex communities and international gateways to support sustainable economic growth and regeneration. The Scheme also supports delivery of the Essex Organisation Strategy by enabling inclusive economic growth within and around Colchester, facilitating growing communities and new homes; and helping secure sustainable development.
- 4.4 **Option 2 Do nothing** - To do nothing would not align with the previous decisions taken to support the proposed garden community through infrastructure delivery and would effectively result in the termination of the progression of the HIF Bid. As well as the loss of awarded funding, there would also be revenue budget implications as capital funding has already been expended to develop the Scheme to its current position. £2.019m of costs incurred to date would crystallise into abortive costs and be charged to the revenue budget creating an unfunded revenue pressure.

5. Issues for consideration

5.1 Financial implications

- 5.1.1 The total cost of the preferred option for A133/A120 Link Road (£69.8m) and RTS project (£41m) is estimated to be £110.80m funded by £99.9m of HIF and £10.9m partially secured S106 contributions. The most recent profile of spend and funding is shown below. Further work including

value engineering is underway to ensure Value for Money and to drive down cost where possible.

Current Scheme Cost & Funding							
	2019/20 Actuals	2020/21	2021/22	2022/23	2023/24	2024/25	Total
	£000	£000	£000	£000	£000	£000	£000
A133/A120 Link Road	2,016	2,450	6,500	30,900	27,000	1,000	69,866
RTS	4	1,500	3,500	14,000	13,000	9,000	41,004
Total Capital Expenditure	2,020	3,950	10,000	44,900	40,000	10,000	110,870
ECC Forward Funding	2,020	(2,020)	-	-	-	-	-
HIF Funding	-	5,970	10,000	44,900	38,000	1,100	99,970
S106	-	-	-	-	2,000	8,900	10,900
Total Funding	2,020	3,950	10,000	44,900	40,000	10,000	110,870

5.1.2 This differs to what is in the approved capital programme. The published capital programme position is shown below, this doesn't reflect the entire cost of the project as it only shows a 4-year position. The Medium Term Resource Strategy (MTRS) will be updated within the 2020/21 Quarter 1 financial report to reflect changes to funding profiles, specifically S106 and ECC forward funding.

Capital Programme						
	2019/20 Actuals	2020/21 Budget	2021/22 Draft Budget	2022/23 Draft Budget	2023/24 Draft Budget	Total 4 years £0
	£000	£000	£000	£000	£000	
A133/A120 Link Road	2,016	1,000	7,500	30,000	17,886	58,402
RTS	4	1,000	3,500	6,000	41,500	52,004
Total Capital Expenditure	2,020	2,000	11,000	36,000	59,386	110,406
ECC Forward Funding	2,020	(2,020)	-	-	296	296
HIF Funding	-	4,020	10,000	33,000	52,190	99,210
S106	-	-	1,000	3,000	6,900	10,900
Total Funding	2,020	2,000	11,000	36,000	59,386	110,406

5.1.3 The following changes will be required in the Quarter 1 financial report to ensure the capital programme reflects the current position:

Budget Adjustments	2019/20 £000	2020/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	2024/25 £000
Current Budget	1,380	2,000	11,000	36,000	59,386	
Advancement from 2021/22	636	364	(1,000)			
Advancement from 2023/24		1,586		8,900	(10,486)	
Slippage from 2023/24 to 2024/25					(8,900)	8,900
Addition	4					1,100
Revised Budget after adjustments	2,020	3,950	10,000	44,900	40,000	10,000

5.1.4 There has been a requirement for ECC to forward fund £2.02m relating to 2019/20 expenditure. This is due to ECC being unable to drawdown HIF funds until the agreement between Homes England and ECC (as highways authority) is signed. This is expected to take place in 2020/21

- 5.1.5 It is anticipated that the £2.019m of costs incurred to date will meet the criteria of HIF funding and be repaid in 2020/21 once the agreement has been signed.
- 5.1.6 The £10.9m of S106 funding anticipated for this scheme is made up of two separate contributors. £2m is due from NAR2 Busway, this S106 is due to be received in 2020/21 from Colchester Borough Council as triggers associated with this have now been met.
- 5.1.7 The second S106 figure is an estimated £8.9m North Essex Garden Communities contribution linked to future housing delivery, for which a planning inspector examination took place in January 2020 and is awaiting a planning inspector decision. The funding profile assumes this will be received in 2024/25.
- 5.1.8 There is £14.2m of contingency currently included within the £69.8m project cost for A133/A120 element of the project, representing 26%. This is an allocation representing an element for those risks that are unknown at this stage and some specific risks including those associated with:
- Securing the Land
 - Statutory undertaker costs
 - Earthworks and the materials required to build the scheme
 - The final design requirements of the new junction
 - Drainage design, planning approval inflation
- 5.1.9 A quantified risk assessment will be undertaken as part of the forthcoming preliminary stage work programmed, at which point the level of contingency will be reassessed as the projects moved into detailed design stage.

5.2 Financial Risks

The key financial risks associated with A133/A120 scheme are highlighted below:

- 5.2.1 The recommended option for A133/A120 is undergoing value engineering as part of the preliminary design state to identify cost efficiencies. But, any cost escalation will need to be funded by ECC or other external partners where ECC is the funder of last resort, no additional funding will be available under the HIF programme.
- 5.2.2 Current guidance issued by HE stipulates that the HIF funding is required to be spent by March 2024. The current spend and funding profile reflects that this requirement is met. However, there is a risk that any programme delays could result in this target date being missed. There is a risk that any HIF funding unspent as at March 2024 will be clawed back by Homes England and the resulting funding gap will require funding from ECC or other external partners where ECC is the funder of last resort.

- 5.2.3 The £8.9m of S106 funding that is anticipated to be received in 2024/25 to fund final delivery is at risk as an agreement is yet to be negotiated. If this funding is not confirmed and received, ECC will be required to find alternative equivalent funding. If this funding is subject to triggers aligned to house sales ECC may be required to forward fund future s106 receipts, this is not built into the financial profile above.
- 5.2.4 Covid-19 has created significant uncertainty with regards to future materials prices, delivery schedules and funding continuity. ECC is exposed to all cost escalation risk associated with these uncertainties.

5.3 Legal implications

- 5.3.1 The selection of the preferred route will enable the scheme to be protected from development by planning authorities and prospective purchasers of any land affected will be informed of the proposal to construct a road.
- 5.3.2 As it is proposed that ECC be will be undertaking this development, ECC's planning department is able to grant planning permission for the works.
- 5.3.3 Any award of funding from the HIF will be subject to a detailed agreement setting out the requirements of the Homes and Communities Agencies. Essex County Council will not be able to deliver those requirements on its own. It is therefore crucial that Tendring and Colchester councils commit to the delivery of these requirements to the extent that they are within the control of those organisations, to avoid a risk that the Council has to pay back funding because other organisations have taken decisions which mean that the Council. Those discussions are at a very early stage.

6. Equality and Diversity implications

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (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.
- 6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil

partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

- 6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7. List of appendices

Appendix A – EqIA

Appendix B – A120-A133 LR & RTS Public Consultation Document

Appendix C – A120-A133 Link Rd & RTS Consultation Report

Appendix D – A120-A133 Link Rd Stage 2 Technical Report and Preferred Route Recommendation

Appendix E – A120-A133 Link Rd Route Alignment 1C Variant

Appendix F – Link Rd Scoring matrix

Appendix G – Rapid Transit System (RTS) Stage 2 Section B Preferred Option Technical Note

Appendix H – RTS Stage 2 Section C Technical Note

Appendix I – A120A133 Link Rd Route Alignment 1C and 1C Variant

8. List of Background papers

Housing Infrastructure Fund – Business Case Tending Colchester Borders Garden Community

Essex Local Transport Plan

Essex Organisation Strategy