

Decision Report - Executive Decision

Decision Date – 25 January 2024

Key Decision – yes



Wellington Station – Forward-funding of Access Road

Executive Member(s): Councillor Ros Wyke, Lead Member for Economic Development, Planning and Assets and Councillor Richard Wilkins, Lead Member for Transport and Digital

Local Member(s) and Division: Cllr Marcus Barr; Cllr Andrew Govier

Lead Officer: Mike O’Dowd-Jones – Service Director for Infrastructure and Transport

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Summary / Background

1. The project to re-open Wellington Station is part of a wider project to create a Devon and Somerset Metro network. This includes restoring rail access to Cullompton station too.
2. The vision for a Devon and Somerset Metro service, is to provide sustainable transport options for residents of these communities. This will enable reductions in carbon emissions, reductions in congestion and air quality concerns and cutting commuting times. This positive impact will be seen particularly in relation to the key centres of Exeter and Taunton as well as opening up economic opportunities for the towns of Cullompton (and Culm Garden Village) and Wellington.
3. In October 2021, Somerset West and Taunton Council was successful in securing £5m funding from the Department for Transport’s Restoring Your Railway Fund, following the successful submission of the Strategic Outline Business Case at the beginning of 2021. The funds have been administered by Network Rail, with specific outputs and milestones agreed between the Department for Transport and Network Rail.
4. Following this, in October 2023, the Minister of State for Rail confirmed that the “project will be funded to delivery, subject to future updates to the project business case”.

5. Network Rail and the Department for Transport require certainty about the delivery of the access road and associated infrastructure to facilitate the development of the new railway station in Wellington by September 2025, in order to commit this funding to deliver the station. The basic operation requirement is that:
 1. The road up to basecourse will be in place by the time the station construction commences.
 2. The road will be adopted as a Public Road by the time the Station is due to open in 2025.

6. The Council is currently considering an application from the developer for “Longforth Farm”, which sits adjacent to the proposed station. This development proposal includes residential and employment uses, along with the access road and associated infrastructure to the new station. As the developer is unable to guarantee delivery of the access road and associated infrastructure by 2025, this Report sets out the role Somerset Council may need to play in taking over control of the delivery of the access road and associated infrastructure, including: designing the road, submitting the detailed planning application, procuring a contractor and managing the construction of the road.

7. In order for the Council to fund this, it is proposed that Community Infrastructure Levy (CIL) funding is used to provide cashflow to finance the project which would be fully recovered from the development of sites surrounding the proposed new station.

Recommendations

The Planning and Transport Policy Sub Committee agrees

- a. The temporary use of Community Infrastructure Levy (CIL) funding, if required, to provide cashflow to allow the Council to deliver the access road to the station and associated infrastructure, which would be fully recovered from the development of sites surrounding the proposed new station.

- b. Agreement to the S106 and Heads of Terms for forward funding the access road and associated infrastructure is delegated to the Chief Planning Officer and Service Director for Infrastructure and Transport, in consultation with the Director for Legal Services.

Reasons for recommendations

8. In order for Network Rail to meet the timetable to deliver the new station in Wellington by September 2025, and draw down funding from the DfT's Restoring Your Railways fund, both Network Rail and the Department for Transport (DfT) need surety that the access road will be delivered.
9. This is a once in a generation opportunity to secure funding for major rail infrastructure investment in Somerset. There is extreme competition amongst other schemes to secure funding from the limited pot available from DfT. The opening of the station in Wellington has gained significant momentum over the past couple of years, with considerable support from Network Rail, GWR, DfT, the Secretary of State and our own Member of Parliament. Further support from the Council to facilitate securing the funding through the Restoring our Railways programme and the delivery of the station may be necessary, to prevent preference being given to another scheme instead.

Other options considered

10. Detailed conversations have taken place with the developer of the site about prioritising the delivery of the access road as part of the current application for planning permission for the site surrounding the station, but the developer has been unable to agree when the road and associated infrastructure will be constructed in relation to phasing of the rest of the site.
11. Network Rail has been in discussion with DfT about options for forward-funding the access road, which has concluded that DfT will be unable to support forward-funding.

Links to Council Plan and Medium-Term Financial Plan

12. Delivery of the new railway station in Wellington in turn helps to deliver the following vision and priorities set out in the Council Plan 2023-27:
 - a. A greener, more sustainable Somerset – to support Somerset to become a carbon neutral place, responding to the climate and ecological emergency. The new railway station in particular responds to the priority around transport interventions:

Transport is another key contributor to our carbon footprint. Active and sustainable travel options, including walking and cycling and encouraging modes of transport that use clean energy will help reduce air pollution and greenhouse gas emissions and give a

wider range of options for local journeys. Alongside this an effective public transport system that meets the needs of more of our residents will be an integral part of our drive to net zero

- b. A flourishing and resilient Somerset – in promoting opportunities for investment, delivery of the new station in Wellington:

Businesses need excellent transport and digital connections to access markets, distribute their goods and services and have access to their workforce. We will influence and drive support for improving connectivity to those parts of our county that need it the most.

Financial and Risk Implications

- 13. There is significant risk that, without this solution for forward-funding the road and associated infrastructure, the DfT might not have confidence in the deliverability of the scheme for a new station in Wellington to agree the funding.
- 14. There is a risk that the current CIL income projections might not be realised, as developers on strategic sites in Taunton pursue conversations about viability. The risk is however within the Council’s control, as it is the Council’s responsibility to determine what asks will be prioritised over others in viability negotiations. This is therefore not seen as a significant risk.
- 15. Given some of the identified CIL funded capital projects, it is possible that there maybe a CIL funding shortfall to cover the costs of the programme.
- 16. The proposal under consideration is to agree the role of the Council in forward funding and delivering the access road, if required. The funds would be fully recovered within a timeframe that would be subject to a contractual arrangement and agreed between the Council and other parties. This contract would specify the timeframe for paying back – typically this could be specified as “within x number of years or completion of x number homes”. There is a low risk associated with reclaiming the funding.
- 17. Finally, for clarity, the forward-funding from CIL would not be provided for completion of the access road, if DfT funding for station is not granted. The purpose of this proposal is to demonstrate certainty to the DfT about deliverability and that this mechanism for the delivery of road is available, if required.

Likelihood	3	Impact	3	Risk Score	9
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Legal Implications

18. The Community Infrastructure Levy (CIL) can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities (as set out in [section 216\(2\) of the Planning Act 2008](#), and [regulation 59](#), as amended by the [2012](#) and [2013 Regulations](#)). This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan).
19. The Regulations set out that Local Authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed.
20. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

HR Implications

21. None

Other Implications:

Equalities Implications

22. The recommendation is to approve a funding mechanism and as such there are no direct Equalities implications of this report. For the delivery of the station itself, Network Rail is required to work with a Built Environment Accessibility Panel to make sure they follow the principles of inclusive design and carry our Diversity Impact Assessments to evaluate how inclusive our spaces will be.

Community Safety Implications

23. There are no immediate Community Safety Implications.

Climate Change and Sustainability Implications

24. Supporting the delivery of the station will specifically address climate change mitigation and adaptation and promote sustainability. Somerset Council have declared both a Climate and Ecological Emergency.

Health and Safety Implications

25. There are no specific health and safety implications.

Health and Wellbeing Implications

26. There are no immediate Health and Wellbeing implications.

Social Value

27. Forward funding an access road for a new railway station in Wellington has the potential to generate substantial social value by improving connectivity, fostering economic development, promoting environmental sustainability, engaging the community, ensuring safety, enhancing public spaces, and prioritising affordability and accessibility.
28. Improved Accessibility and Connectivity:
- **Positive Impact:** This improved accessibility can lead to increased mobility and convenience for residents and visitors.
 - **Social Value:** A well-connected transportation network encourages public transportation usage, reduces traffic congestion, and enhances overall urban mobility.
29. Economic Development:
- **Positive Impact:** The construction of the railway station and associated access road can stimulate economic development in the surrounding areas. Businesses, especially those reliant on transportation and tourism, may see increased opportunities and growth.
 - **Social Value:** Economic development can lead to job creation, increased local business activities, and improved living standards for the community.
30. Environmental Considerations:
- **Positive Impact:** A well-designed transportation system can contribute to environmental sustainability by encouraging the use of public transportation over private vehicles. This can lead to a reduction in carbon emissions and improved air quality.
 - **Social Value:** A healthier environment positively impacts public health and well-being, contributing to an overall improved quality of life for residents.
31. Community Engagement and Inclusion:

- Positive Impact: Involving the community in the planning and decision-making process for the access road can enhance social cohesion and promote a sense of ownership among residents.
 - Social Value: Inclusive planning ensures that the transportation infrastructure meets the diverse needs of the community, including considerations for pedestrians, cyclists, and individuals with mobility challenges.
32. Safety and Well-being:
- Positive Impact: A well-constructed access road with proper safety features contributes to overall public safety. This includes pedestrian-friendly pathways, proper signage, and efficient traffic management.
 - Social Value: Ensuring the safety of residents and commuters promotes a sense of well-being and confidence in using the transportation infrastructure.
33. Public Spaces and Urban Design:
- Positive Impact: Integrating the access road with thoughtful urban design can create attractive public spaces and contribute to the overall aesthetics of the area.
 - Social Value: Well-designed public spaces enhance the overall living experience, providing residents with places for recreation, social interaction, and community engagement.
34. Affordability and Accessibility for All:
- Positive Impact: Consideration for affordable transportation options and accessibility features ensures that the benefits of the new railway station are accessible to all members of the community, regardless of income or physical abilities.
 - Social Value: A commitment to affordability and accessibility promotes social equity and inclusivity, preventing transportation improvements from disproportionately benefiting certain demographic groups.

Scrutiny comments / recommendations:

35. The proposed decision has not been considered by a Scrutiny Committee.

Background

36. The Network Rail programme for delivery of the new railway station in Wellington, adjacent to Longforth Farm, has been agreed with the Department

for Transport (DfT). The timetable sets out that entry into service will be in September 2025.

37. A critical requirement to facilitating the delivery of the new station is the access road, which sits in the proposed Longforth Farm development. The planning application for Longforth Farm is currently being considered by the Council.
38. The developer has confirmed they can't realistically guarantee that: the basecourse will be in place by the time the station construction commences; or that the road will be adopted as Public Road by the time the Station is due to open in 2025. In addition, it is likely that the developer will sell off land parcels after they have achieved outline planning consent for their proposed development.
39. As such, Somerset Council believes that the best way of achieving surety about delivery of the access road to secure the new station, is for the Council to take control of delivery of the access road, if required.
40. In taking on this role, Somerset Council as Planning, Transport and Highway Authority will need to design the road, submit the detailed planning application, procure a contractor and manage the construction of the road. In addition, Somerset Council would have to take the cost risk (funding and finance) on design and construction. This would also give Network and ultimately DfT confidence that the access road will be delivered to help support their business case development and decision-making.
41. This would require the Council to agree the transfer of land required for the permanent works of the public highway formally at some point prior to construction commencing. We are seeking to agree 'step in rights' for Somerset Council in the S106 to be able to deliver the road as backstop and to agree the transfer of land by mutual agreement.
42. At the current time, we estimate the costs of design and planning for the access road will be approximately £500k; and the construction of the road between £3.5m and £4m. Detailed costings will be prepared to inform the necessary legal agreements. In order for the Council to forward fund the access road, it is proposed that Community Infrastructure Levy (CIL) funding is used to provide cashflow to finance the project. This would be fully recovered through the S106 to be agreed with the developer of the Longforth Farm site and the Council.
43. It is recommended that the decision to agree the S106 for forward funding the access road is delegated to the Chief Planning Officer and Service Director for

Infrastructure and Transport, in consultation with the Director for Legal Services.

44. The current workstreams are being worked on to help us take on the delivery role, include the following components:

- We are negotiating 'step in rights' in the S106 for the Developers Outline planning application for Longforth Farm which would allow Somerset Council to take ownership of the land necessary to deliver the public road, if necessary.
- We have informally agreed a contribution from the Developer for design costs – this will need to be formalised through a legal agreement but should be reflected in the viability assessment as Developers costs.
- Full recovery of the CIL will be agreed as part of the s106.

Background Papers

45. None

Appendices

46. None

Report Sign-Off

	Officer Name	Date Completed
Legal & Governance Implications	David Clark	11/01/24
Communications	Peter Elliot	15/01/24
Finance & Procurement	Jason Vaughan	17/01/24
Workforce	Dawn Bettridge	11/01/24
Asset Management	Oliver Woodhams	15/01/24
Executive Director / Senior Manager	Mickey Green / Alison Blom-Cooper	11/01/24
Strategy & Performance	Alyn Jones	12/01/24
Executive Lead Member	Richard Wilkes / Ros Wyke	5/01/24
Consulted:	Councillor Name	
Local Division Members	Cllr Marcus Barr; Cllr Andrew Govier	15/01/24

Opposition Spokesperson	Cllr Diogo Rodrigues Opposition Spokesperson for Transport and Digital	15/01/24
Scrutiny Chair	Cllr Martin Dimery for Scrutiny Climate & Place Committee	12/01/24