



Democratic Services

Location: Phase II
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**To: COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

**COUNCILLOR JONATHAN BIANCO
CABINET MEMBER PROPERTY, HIGHWAYS AND
TRANSPORT**

c.c. All Members of the Property, Highways and
Transport Select Committee
c.c. Nicola Wyatt – Place Directorate
c.c. Perry Scott – Corporate Director of Place
c.c. Ward Councillors for Uxbridge

Date: 02 June 2023

Non-Key Decision request

Form D

NEW ALLOCATION OF S.106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: Bakers Road, Uxbridge – Improvement Works Release No 2

Dear Cabinet Member

Attached is a report requesting that a decision be made by you as an individual Cabinet Member. Democratic Services confirm that this is not a key decision, as such, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 notice period does not apply.

You should take a decision **on or after Monday 12 June 2023** in order to meet Constitutional requirements about publication of decisions that are to be made. You may wish to discuss the report with the Corporate Director before it is made. Please indicate your decision on the duplicate memo supplied, and return it to me when you have made your decision. I will then arrange for the formal notice of decision to be published.

Steve Clarke
Democratic Services Officer

Title of Report: New Allocation of S.106 Contributions & Capital Release 2023/24: Bakers Road, Uxbridge – Improvement Works - Release No 2

Decision made:

Reasons for your decision: (e.g. as stated in report)

Alternatives considered and rejected: (e.g. as stated in report)

Signed Date.....

Cabinet Member for Finance / Cabinet Member for Property, Highways And Transport

NEW ALLOCATION OF S.106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: Bakers Road, Uxbridge - Improvement Works Release No 2

Cabinet Members	Councillor Martin Goddard Councillor Jonathan Bianco
Cabinet Portfolios	Cabinet Member for Finance Cabinet Member for Property, Highways and Transport
Officer Contact	Nicola Wyatt - Place Directorate
Papers with report	Appendix A - Capital release requests for approval Appendix B – Proposed works

HEADLINES

Summary	To seek Cabinet Member approval to allocate and release funds from the s106 contributions held at PT/226/438A towards measures which will improve bus operation and enhance passenger experience and the public realm.
Putting our Residents First Delivering on the Council Strategy 2022-2026	<p>This report supports our ambition for residents / the Council of: Live active and healthy lives.</p> <p>This report supports our commitments to residents of: A Green and Sustainable Borough.</p> <p>This report supports the delivery of the Hillingdon Transport for London Local Implementation Plan 3.</p>
Financial Cost	<p>This report seeks the allocation and release of £42,533 from s106 funds made available from the redevelopment of Westcombe House, 36-38 Windsor Street approved within the London Borough of Hillingdon and detailed within this report towards measures that will improve bus operation and enhance passenger experience and the public realm.</p> <p>The works will commence upon release of the funds and are due for completion by March 2024.</p>
Relevant Select Committee	Property, Highways and Transport Select Committee
Ward(s) affected	Uxbridge

RECOMMENDATIONS

That the Cabinet Member for Finance and the Cabinet Member for Property, Highways and Transport:

- 1) approve the allocation of £42,533 from the s106 contribution held at PT/226/438A to be used towards measures which will improve bus operation and enhance passenger experience and the public realm at Bakers Road, Uxbridge; and**
- 2) approve the capital release requesting £42,533 towards the scheme, as outlined in Appendix A to this report.**

Reasons for recommendations

In accordance with the Council's Constitution, the allocation of Section 106 (s106) and Section 278 (s278) funds is required to be formally approved by the Cabinet Member for Finance on a case-by-case basis – and any capital release, in conjunction with the relevant Cabinet portfolio holder. This report requests the approval for the s106 funds held at case references detailed in this report to be committed as outlined in this report.

Alternative options considered

The Cabinet Members may agree to fund the scheme and/or suggest alternative projects to which funds could be allocated within the terms of the relevant legal agreements. If the s106 funds are not allocated to an appropriate scheme, the unspent funds may need to be refunded.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

1. Planning obligations, or s.106 agreements, are an established mechanism for mitigating planning effects arising from development proposals. The agreements are usually negotiated within the context of planning applications, between local planning authorities and persons with an interest in the piece of land (owners, leaseholders or developers). They are intended to make development acceptable, which would otherwise be unacceptable in planning terms.
2. Any s.106 monies generated from planning agreements must be spent on their intended purpose and that the associated development contributes to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of s.106 funds must relate to a specific development and must be in accordance with the corresponding legal agreements. If a contribution is not used for the intended purpose or not spent within the period allocated in the s.106 agreement, the monies may need to be returned.

S106 contribution held at case reference PT/226/438A

Details of contribution

3. A contribution of £42,533.64 (including indexation) has been received by the Council in accordance with an obligation contained in a s106 agreement dated 21 November 2017 and relating to the redevelopment of Westcombe House, 36-38 Windsor Street, Uxbridge (planning reference 13544/APP/2017/3388). The funds were received as the “Public Realm Contribution”, to be used by the Council towards measures that will enhance the public realm and broaden travel choice in Uxbridge Town Centre. These may include but are not limited to works to improve the surroundings along Bakers Yard and the support of the bicycle loan scheme. There is no time limit for spending this contribution.

Planning background

4. Prior approval to change the use of Westcombe House, 36-38 from office accommodation to 33 residential units, was agreed by Major Applications Planning Committee on 19 September 2017 (planning ref: 13544/APP/2017/3388). Approval was subject to the completion of an appropriate s106 agreement to provide a financial contribution towards measures to enhance the public realm, to help mitigate the impact of the development and integrate the site into the local area. A contribution of £40,000 (plus indexation) was subsequently received from the developer.

Proposed allocation

5. Works to improve the environment in Bakers Yard were completed in 2019 as part of the Uxbridge Town Centre Major Scheme. A bike hire scheme sponsored by Santander was also implemented as part of the scheme. Officers are therefore requesting that the contribution held at PT/226/438A (£42,533) is now allocated and spent towards a scheme to provide measures that will improve bus operation to enhance passenger experience and improve the public realm in Bakers Road as outlined below.

Project Proposal: Bakers Road, Uxbridge public realm improvements works

6. The bus stops along Bakers Road and the adjacent Uxbridge Underground station serve as a major public transport hub, providing travel choice to residents and those visiting the Borough. Bakers Road is served by eleven different bus services; these are listed in the table below – typically up to 48 buses pass through Bakers Road each hour. The greater part of Bakers Road is adopted Council highway, though a small section the far southern end is owned by TfL.
7. A trial was recently conducted by TfL to determine if improvements to road safety, passenger experience and bus operations could be made by rationalising the way bus stops are organised. Some of these changes included moving bus drop off locations and standing arrangements outside of Bakers Road. This trial proved to be so successful that these changes have now been made permanent. In response to the success of these trials the bus shelters along Bakers Road have been repainted and new road markings provided, these improvements were funded in full by TfL.

Table One. Bus services using Bakers Road

Table 1: Summary of Bus Services		
Bus No.	Route	Typical hourly frequency
A10	Uxbridge – Stockley Park – Heathrow	2-3/hr
U1	West Drayton – Hillingdon Hospital – Brunel University – Uxbridge – Ickenham – Ruislip	3-4/hr
U2	Brunel University – Hillingdon Hospital – Hillingdon Station – Uxbridge	3-5/hr
U3	Heathrow – Harmondsworth – West Drayton – Hillingdon Hospital – Uxbridge	2-5/hr
U4	Hayes – Botwell Lane – Hillingdon Hospital – Uxbridge	3-5/hr
U5	Hayes – Stockley Park – Stockley Estate – West Drayton – Hillingdon Hospital – Cowley – Uxbridge	3-6/hr
U7	Hayes Sainsbury's – Charville Lane Estate – Hayes End – Hillingdon Hospital – Uxbridge	2-3/hr
U9	Harefield – South Harefield – Harvil Road – Swakeleys Road – Uxbridge	3/hr
U10	Heathfield Rise – Ruislip – West Ruislip – Ickenham – Swakeleys – Uxbridge	1/hr
331	Ruislip – Northwood – Harefield – Denham – Uxbridge	3-4/hr
427	Uxbridge – Hayes End – Southall	9/hr
TOTAL:		34-48/hr

8. Capital release is sought to for the following works. It is proposed to build-out the footway at the rear of Superdrug. Currently, buses are unable to pull up alongside the kerb which presents a risk to passengers as they board and alight the bus. This is because the kerb is too far back for buses manoeuvring to pull up close enough to pick up passengers. This is cause for concern as it means that passengers must step into a live carriageway to board a bus which presents a risk to their road safety, this is especially a concern for disabled and elderly passengers. Building out the footway would allow bus drivers to deploy the boarding ramp provided for disabled people, it would also provide more waiting area for passengers reducing the risk of them spilling onto the highway.
9. At the far end of Bakers Road is roundabout with a 'Keep Left' sign. This sign confuses some motorists resulting in them driving into the bus garage. It is proposed to replace this sign with appropriate roundabout signage. Other improvements include the replacement of damaged pedestrian railings, upgrading all the street lighting and repainting all road markings. It is considered that all the above measures will improve bus operation and enhance passenger experience and the public realm.
10. The Council's term contractor, O'Hara, would undertake all the works proposed. The breakdown of the scheme costs is provided in Table 2.

Table 2: Breakdown of scheme costs	
Scheme Element	Contribution
Civil Works to Highway	£35,430
Project Engineering Fees (10%)	£3,550
SUB TOTAL	£38,980
Contingency	£3,553
TOTAL	£42,533

Financial Implications

(S106 2023/24 Budget £43k; Previously Released Nil, Capital Release Requested £43k) - Appendix A

The report is seeking the allocation and release of £43k from the s106 contribution held at PT/226/438A relating to the development at Westcombe House, 36-38 Windsor Street, Uxbridge towards the public realm improvements along Bakers Road, Uxbridge.

The cost of the public realm improvements and associated works is based on scheduled rates within the Council's highways term contract and includes engineer fees and contingency of 10% each.

The total cost of the scheme is £43k, the release of this funding will enable the project to progress. The proposals meet the conditions stipulated by the developer in the s106 agreement on the intended use of the s106 contributions.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon residents, service users and communities

The recommendations will enable external funds to be spent to maximum effect to provide viable improvements for the benefit of local communities.

Consultation carried out or required

Consultations will be carried out as part of individual project development.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance concurs with the financial implications above, noting that the public realm improvements and associated works along Bakers Road, detailed above in the main report, will be funded from developer contributions in accordance with the planning obligation agreements.

Legal

Legal Services has considered the contents of the Section 106 agreement referred to in the report and concludes that the recommendation presented is consistent with the terms of the agreement.

Infrastructure / Asset Management

The Property and Estates team confirm that the above proposals do not impede with any plans or strategies from an asset management view.

Capital Release Protocol

The release of all capital funds, and certain revenue funds, held by the Council is to be made by a formal democratic decision. No expenditure can be placed or committed by officers until this formal approval is given by Democratic Services. Release of funds must be for identified projects only and strictly not for the general release of funds for projects to be identified at a later date. No block releases of capital or funding will be allowed, except if authorised by the Leader of the Council in advance to Corporate Finance. The release of funds will only be made if previous Council, Cabinet or Cabinet Member agreement has been given to the project and only if there is an approved budget.

BACKGROUND PAPERS

Planning Obligations Supplementary Planning Document 2014.

APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

S106 Capital Release 2023/24: Uxbridge Bakers Road Improvement works. (Release No 2)

Location	Project / Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
Uxbridge Bakers Road	Uxbridge Bakers Road Improvement works		43			
Total seeking release			43			
Previously released			0			
Budget			43			
Remaining budget			0			

APPENDIX B - PROPOSED WORKS

