



Democratic Services

Location: Phase II
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CMD No: 1081

**To: COUNCILLOR MARTIN GODDARD
CABINET MEMBER FOR FINANCE**

**COUNCILLOR JONATHAN BIANCO
CABINET MEMBER FOR PROPERTY, HIGHWAYS
& TRANSPORT**

c.c. All Members of the Property, Highways &
Transport Select Committee
c.c. Nikki Wyatt, Central Services Directorate /
Sophie Wilmott, Resources Directorate
c.c. Ward Councillors for Uxbridge and Hillingdon
West

Date: 21 March 2024

Non-Key Decision request

Form D

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: St Andrew's Roundabout Subway Improvements, initial feasibility works (Release No 10)

Dear Cabinet Members,

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 Tuesday 2 April 2024** 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.

Liz Penny
Democratic Services

Title of Report: NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE
2023/24: St Andrew's Roundabout Subway Improvements, initial feasibility works (Release
No 10)

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 & Transport

NEW ALLOCATION OF S106 CONTRIBUTIONS & CAPITAL RELEASE 2023/24: St Andrew's Roundabout Subway Improvements, initial feasibility works (Release No 10)

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 – Central Services Directorate Sophie Wilmot – Resources Directorate
Papers with report	Appendix A – Capital release requests for approval Appendix B – Location Plan

HEADLINES

Summary	To seek Cabinet Member approval to allocate and release funds from the S106 contribution held at PT/177/283F towards the cost of initial feasibility works, carried out to enable consideration of measures to improve St Andrew's Roundabout for pedestrians and cyclists, as detailed within this report.
Putting our Residents First Delivering on the Council Strategy 2022-2026	This report supports our ambition for residents / the Council of: Live active and healthy lives. This report supports our commitments to residents of: A Green and Sustainable Borough.
Financial Cost	This report seeks the allocation and release of £32,273 from S106 funds made available from the redevelopment of sites in the London Borough of Hillingdon and detailed within this report towards the scheme outlined in this report.
Relevant Select Committee	Property, Highways and Transport Select Committee.
Relevant Ward	Uxbridge & Hillingdon West

RECOMMENDATIONS

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

- 1) Approve the allocation of £32,273 from the S106 contribution held at PT/177/283F relating to the development of St Andrew Park (formally RAF Uxbridge), to be spent towards the cost of initial feasibility works required to develop a scheme to improve St Andrew's Roundabout for pedestrians and cyclists.**
- 2) Approve the capital release requesting £32,273 to be used 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 S106 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 S106 monies generated from planning agreements must be spent on their intended purpose and the associated development contribute to the sustainability of the area by addressing the impacts of the development proposals. As a result, expenditure of S106 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 S106 agreement, the monies may need to be returned.

S106 contribution held at case reference PT/177/283F

Details of contribution

3. In accordance with a s106 planning obligation dated 18 January 2012, the Council has received the St Andrews Roundabout Contribution totalling £1,967,690 (including indexation) from the former RAF Uxbridge development, now known as St Andrews Park. As specified in the agreement, the contribution was received in two payments, £270,000 (plus indexation) prior to the completion of the 300th dwelling and a further £1,350,000 (plus indexation) prior to the completion of the 1000th dwelling. The contribution is to be used towards the “St Andrews Roundabout Works” shown for illustrative purposes on a plan number 2152-SK 52 attached to the agreement. The plan relates to the improvement of the pedestrian areas under St Andrews Roundabout. Funds are to be spent within 10 years of receipt of the last relevant payment (July 2031).

Planning background

4. Outline planning permission to redevelop the former RAF Uxbridge site was agreed by Planning Committee on 24th January 2011 (planning ref: 585/APP/2009/2752), subject to the completion of an appropriate s106 agreement. The application included permission for the creation of up to 1,296 residential properties, 77 one-bed assisted living/retirement accommodation, a 3 form of entry primary school, energy centre, theatre, GP surgery and District Park. As part of a package of planning obligations, officers negotiated a contribution towards the improvement of St Andrew Roundabout to improve the pedestrian connection between the new development and Uxbridge town centre.

Proposed allocation

5. Officers are requesting that a total of £32,273 from the contribution held at PT/177/283F is allocated to cover the costs of the initial structural surveys and feasibility works required to enable officers to develop options for improvements to St Andrews Roundabout. A request to allocate further funds will be made once a final scheme of works has been developed, costed and a way forward agreed.
6. This allocation request, if approved, will leave a balance of £1,935,417 available to be allocated towards an agreed scheme of improvements.

Project Proposal: Initial Feasibility works required for St Andrew’s Roundabout scheme

7. In support of the redevelopment of the former RAF Uxbridge site, funds have been received by the Council to upgrade the St Andrew’s roundabout for walking and cycling to connect the development to the wider Uxbridge town centre and public transport connections.
8. The roundabout is currently car dominated, being a busy four arm roundabout, which carries a significant amount of traffic around Uxbridge and between major routes such as the A40 on a daily basis. Pedestrians are provided an extensive network of subways under the roundabout which are very old and are an unattractive option for many people particularly at night. Often pedestrians will walk away from the desire lines through the

subways to use surface level crossings. Cycling is not permitted in the subways so cyclists, currently need to use the roundabout with the traffic.

9. In order to improve this situation and enhance the connection between the development and town centre, Officers are looking at potential options which could be considered. These options vary in terms of the level of intervention, the amount of benefit to each user and the cost. The current ideas for the roundabout include but are not limited to: improved public realm and safety throughout the subways as existing; provision of surface level crossings with more shared space or the reconfiguration of the roundabout.
10. To enable any of the options for the roundabout to be further considered, an in-depth survey of the current structure of the subways has been required. The surveys were carried out in February 2023 and have been overseen by the Council's Highways team with input from the Council's term consultants Project Centre Ltd and term contractors O'Hara.
11. Officers are therefore requesting that the cost of the initial feasibility works required to inform and process the upgrade of the St Andrew's roundabout (£32,273) are financed from the s106 contribution held at PT/177/283F. The costs associated with the works are outlined in the table below.

Scheme Element	Amount
Structural surveys (O'Hara)	£26,298
Project supervision & report (Project Centre)	£5,975
TOTAL	£32,273

Financial Implications

(S106 2023/24 Budget £1,968k; Previously Released Nil; Capital Release Requested £32k) – Appendix A

The report seeks the allocation and capital release of £32k from the S106 contribution held at PT/177/283F relating to the Former RAF Uxbridge, Hillingdon Road, Uxbridge towards improvements to St Andrew's roundabout for pedestrians and cyclists.

The initial feasibility costs of the scheme are £32k. The feasibility works costs are based on scheduled rates within the Council's Highways term contractors and quotation from consultants Project Centre Ltd.

The release of £32k will enable the feasibility of 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.

The remaining S106 contribution balance of £1,936k held at PT/177/283F will be used on the main contract works to the St Andrew's roundabout improvement scheme as stipulated in the S106 agreement and will be subject to the S106 allocation and capital release process.

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 proposed scheme will be funded from Section 106 contributions in accordance with the planning agreements, with no impact on Council resources.

Legal

Legal Services has considered the content of the Section 106 agreement referred to in this report and in relation to planning reference 585/APP/2009/2752 and conclude that the recommendations presented are consistent with the terms of the respective agreement.

Property / Asset Management

There are no Estate or Asset Management implications arising from the recommendations in this report.

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

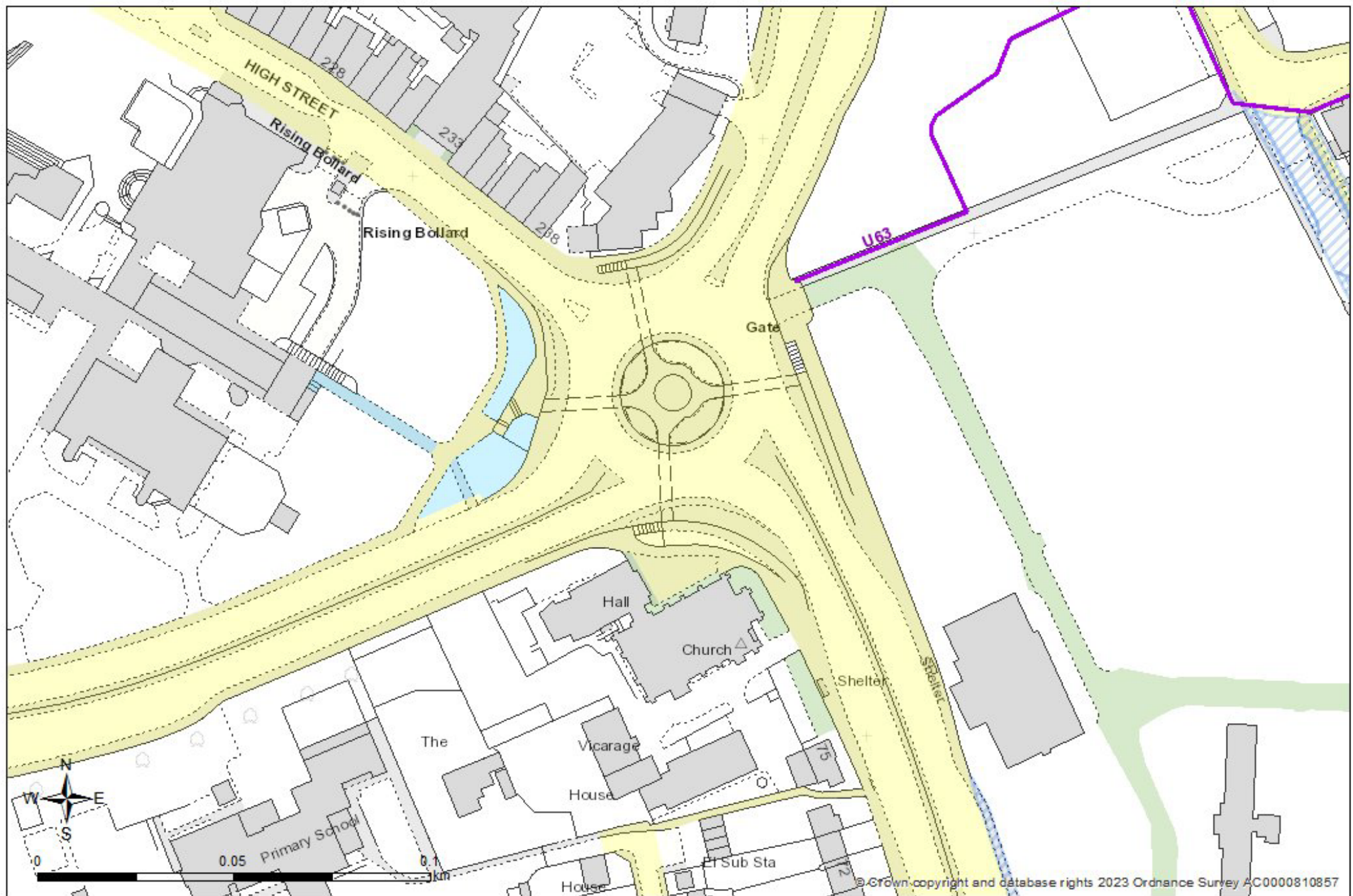
Planning Obligations Supplementary Planning Document 2014

APPENDIX A - CAPITAL RELEASE REQUESTS FOR APPROVAL

S106 Capital Release 2023/24: St Andrew's Roundabout - initial feasibility works (Release No 10)

Location	Project/ Expenditure Title	Information	Funds Release Sought £000's	Approve	Hold	More Information Required
St Andrew's roundabout, Uxbridge	Initial structural investigations	Initial works to allow feasibility to progress on upgrading the roundabout for pedestrian/ cycle access.	32			
Total seeking release			32			
Previously released			0			
Budget			1,968			
Remaining budget			1,936			

Appendix B - Location Plan



Map Notes