

## **Examination of the Hertsmere Borough Council Revised Core Strategy**

### **Hertfordshire County Council Environment and Commercial Services Department (Representor Ref: 4553)**

#### **Matter 6: Open Space and Recreation Provision (Policy CS14 and CS18); Protection of the Natural Environment (Policy CS12); Other Infrastructure (Policies CS15; CS17; CS23; CS25)**

#### **Issue 6.3**

##### **1. Introduction**

- 1.1 These representations are made by Hertfordshire County Council as the local highway authority ahead of the examination in relation to Matter 6, Issue 6.3. These representations are concerned principally with the timely delivery of necessary highway improvements along the Elstree Way Corridor (EWC).
- 1.2 Since the pre-submission version of the document was published and initial representations submitted, the county council has been engaged in a continuous and constructive dialogue with Hertsmere Borough Council ('the Council') to overcome a number of initial concerns, many of which have now been resolved as set out in the authorities' Statement of Common Ground (SOCG Hertfordshire County Council Env).
- 1.3 However, as local highway authority, the county council has continued reservations around the funding and delivery of necessary highway improvements along the EWC.
- 1.4 The local highway authority are aware of the Council's intention to prepare an Area Action Plan (AAP) for the EWC following the examination, however it is considered that it is necessary for the issue to be addressed as part of the Core Strategy process and not left to the preparation of a later Development Plan Document (DPD).

## **2. EWC Highway Improvements**

- 2.1 The EWC is a critical component of the development strategy delivering a significant proportion of future housing over the Plan period. To help enable the delivery of the EWC, the local highway authority were engaged in the preparation of the EWC feasibility study and associated transport options appraisal (CD/90) to identify the necessary highway improvements that would facilitate the delivery of the scheme.
- 2.2 In principal, the local highway authority supports the EWC Feasibility Study's preferred approach which requires approximately £10m upfront investment in transport infrastructure to bring forward the redevelopment of the EWC (Para 9.1), although no detailed costs have been carried out to firm up on this figure. Without these improvements it is unlikely that the scale of development envisaged along the EWC can be achieved as a proportion of development is to take place within the highway boundary and may otherwise not be acceptable to the highway authority in terms of design and layout.
- 2.3 The local highway authority has made it clear that although it will assist with the design and implementation of the scheme, only very limited funding (from existing S106 monies held by HCC and subject to the approval of their spend) may be available. Therefore alternative funding sources will need to be identified. There are also a number of complex legal issues associated with the disposal of highway land for development use which will need to be resolved, at least in principal, prior to further scheme development being undertaken.

## **3. Delivering EWC Highway Improvements**

- 3.1 Established 'sound' infrastructure planning principles require local authorities as a minimum to have evidence of what infrastructure is needed to enable the amount of development envisaged for an area,

including needs, cost, funding and delivery responsibilities and it is widely agreed that local authorities should not place undue reliance on critical elements of infrastructure where funding or delivery is uncertain, particularly within the early years of the Plan period.

- 3.2 The preparation of an Infrastructure Topic Paper (ITP) since the publication of the pre-submission document is welcomed and goes some way to fulfilling the Council's infrastructure planning responsibilities. Where necessary, the local highway authority has, and will continue to work with the Council on the planning of, and implementation of highway schemes over the Plan period.
- 3.3 The critical issue in relation to highway improvements along the EWC is the need for significant upfront investment. What is of concern to the local highway authority are the funding arrangements for the EWC improvements identified in the Infrastructure Delivery Schedule (IDS). As far as the local highway authority is aware there is no formal agreement in place with the land owners or potential developers along the EWC to fund the necessary highway improvements and greater certainty on the deliverability of these proposals is sought.

#### **4. Conclusion**

- 4.1 As local highway authority, the county council are supportive of the proposals within the EWC and will continue to work with the Council in relation to the scheme development and implementation where appropriate.
- 4.2 However, in the absence of significant funding being made available by the local highway authority and the importance of the EWC in delivering the Core Strategy objectives, the local highway authority seek greater certainty that alternative funding is available and subsequently the proposals are deliverable.

- 4.3 As a minimum it is expected that additional wording is incorporated into Policy CS22 recognising the need for upfront investment in transport infrastructure and the need for all development proposals within the EWC to make a contribution towards this. However, given the importance of the EWC in achieving the Core Strategy objectives; the need for housing delivery within the EWC within the first 5 years and the indicative implementation date of the highway improvements as set out in the IDS (2013 – 2015); it is suggested that evidence is provided to the examination that the indicative RLV (identified in the EWC Feasibility Study) would be acceptable to the affected land owners in commercial terms in line with the requirements of the NPPF (Para 173) or a more formal agreement, such as a MoU is sought from the land owners and potential developers.
- 4.4 Given the importance of the EWC in delivering the development strategy, it is considered that deferring the issue of funding for highway improvements to the preparation of an AAP once the Core Strategy examination has taken place would not support the established principles of sound infrastructure planning and the Core Strategy would not provide the certainty sought by the development industry, local communities and infrastructure service providers.
- 4.5 Where possible, the local highway authority will continue to work with the Council prior to the examination sessions to address the outstanding issues.