

Executive

26 September 2019

Report of the Corporate Director of Economy and Place
Portfolio of the Executive Member for Transport

York Outer Ring Road Improvements Update

Summary

1. Planning and development work for the York Outer Ring Road (YORR) Improvement scheme commenced in 2017 and the first junction upgrade was completed in early 2019. As the scheme is evolving, the phasing of the six remaining junctions is subject to various changing conditions and challenges.
2. Various opportunities for the provision of grant funding from Central Government for enhancing the capacity of the Outer Ring Road are being progressed by City of York Council (CYC) and Transport for the North. Currently no decisions have been made at Central Government level to confirm whether these bids have been successful.
3. A decision is needed on funding to enable the construction of an enhanced junction and underpass at the A1237/Clifton Moor roundabout which would provide access and pedestrian/cycle facilities to a site allocated for housing in the draft Local Plan.
4. To facilitate the acquisition of necessary land and/or rights over land, against a background of some protracted land acquisition negotiations, Executive Members are asked approve the principle of pursuing a Compulsory Purchase Order using powers contained in Part XII of the Highways Act 1980 to acquire the land edged red on the plan attached to this report at Annex C required to deliver the Monks Cross Junction improvements. A separate report requesting the endorsement of the making of one or more Compulsory Purchase Orders will be brought to Executive in due course. Officers would endeavour to continue negotiations with landowners during any Compulsory Purchase Order process.

Recommendations

5. The Executive are requested to:

- 1) Note the potential grant award from the DfT of c. £26m for upgrading the A1237 (Phase 1 Dualling (Rawcliffe to Hopgrove)) and the need to co-ordinate planning and design work on the current junction upgrade programme.

Reason: To be aware of the potential impacts of co-ordinating the design and construction on the YORR Programme.

- 2) Note the inclusion of a scheme to dual the A1237 from A19 Rawcliffe to B1223 Wetherby Road (Phase 2 Dualling (Rawcliffe to Wetherby Road)) in Transport for the North's Regional Evidence Base submission to the Department for Transport.

Reason: To inform Executive about the current status of proposals for dualling sections of the A1237 YORR.

- 3) Instruct Officers to investigate options for the introduction of further measures across the city to lock in the sustainable transport and environmental benefits which could result from the increased capacity provided by dualling the A1237.

Reason: To ensure that the potential for significant sustainable transport and environmental benefits resulting from the dualling of the ORR are investigated further with options presented to Members for future decision.

- 4) Recommend to Council to approve a budget of £7.0m for the 'enhanced option' upgrading of the A1237/ Clifton Moor junction. This is to be funded from £2m West Yorkshire Transport Fund contribution and £5m prudential borrowing. The revenue costs of which to be incorporated within 2020/21 Revenue Budget.

Reason: To enable the construction of an upgraded junction which will be future proofed to provide access to a proposed new development site shown in the Draft Local Plan for approximately 1350 new homes, new cycle and pedestrian networks and accommodate dualling of the A1237. In addition delivering a single enhanced scheme will minimise traffic disruption and abortive work

which would result from delivering the WYTF and development schemes separately.

- 5) Approve, subject to the approval of the budget in recommendation 4), the carrying out of the procurement to engage a contractor to undertake the civil engineering and associated construction works and delegate to the Assistant Director for Transport, Highways and Environment (in consultation with the Assistant Director of Legal and Governance or his/her delegated officers) the authority to take such steps as are necessary to award and enter into the resulting contract with the final layout subject to the approval of the Executive Member for Transport following the consideration of a report reviewing the landscaping, drainage and highway integration for east-west cycling and walking routes, and options for the Hurricane Way B&Q junction.

Reason: To enable the procurement process for the engagement of a contractor to undertake the civil engineering and associated construction works of an upgraded junction to be carried out and the resulting contract to be awarded.

- 6) Request Officers to identify opportunities to reduce the CYC contribution through external funding (HIF, developer contributions etc.) which if successful will reduce overall CYC borrowing.

Reason: To reduce the overall council financial contribution.

- 7) Approve the principle of pursuing a Compulsory Purchase Order using powers contained in Part XII of the Highways Act 1980 to acquire the land edged red on the plan attached to this report at Annex C required to deliver the Monks Cross Junction improvements.

Reason: To date it has not been possible to acquire these land interests by negotiation. The Executive are therefore recommended to approve the principle of using CPO powers and officers will continue to prepare the documentation necessary to make the Order. In the meantime negotiations will continue but in the event that these do not prove successful officers intend to take a report to December Executive requesting authority to make the Order.

- 8) Delegate authority to the Assistant Director of Transport, Highways and Environment to take all necessary steps to prepare to make the Compulsory Purchase Order referred to above. This delegation will also include negotiation of easements and temporary rights where

freehold ownership is not required e.g. for drainage purposes, or temporary occupation for the construction works. This delegation will also include obtaining the release/extinguishment of, or variation of, any third party rights over affected land (for example a third party might have a right of way over land which needs to be acquired).

Reason: To ensure that the Council is in a position to make the Order as soon as practicable in the event that a final resolution to make the Order is made.

- 9) Extend the delegated authority of the Assistant Director of Transport, Highways and Environment for purchase of land by private agreement/Private Treaty from £200k to £250k in any one land interest.

Reason: To enable the Assistant Director of Transport, Highways and Environment to negotiate the acquisition of land by private agreement/Private Treaty in an efficient and timely manner to support the planning, development and delivery of the YORR Improvement scheme.

Background

6. The current YORR Improvement project comprises upgrades to 7 of the existing YORR roundabouts between the Wetherby Road and Monks Cross junctions. The expectation is that these upgrades will deliver an overall 18-20% improvement in journey times at peak periods and drive economic growth to provide jobs and homes.
7. The identified improvements are being delivered through the West Yorkshire Plus Transport Fund (WY+TF). The West Yorkshire Combined Authority (WYCA) co-ordinate the WF+TF and are responsible for the approval and allocation of funds to identified projects. The allocated fund to the YORR Improvement Programme is £38.3m.
8. Since a report was presented to the Executive in July 2017 setting out the approach and delivery methodology of the scheme, a number of changing circumstances have arisen. These can be broadly broken down into the following three areas:
 1. Opportunities have arisen to bid for funding from the Department for Transport (DfT) to provide dualling along sections of the A1237.

2. An opportunity has arisen to bid for funding from Homes England to deliver an enhanced junction upgrade at Clifton Moor providing access to future housing sites and significantly reducing potential abortive works.
 3. Difficulties have been encountered in acquiring land at Monks Cross increasing the risk of delays to the programme.
9. With regard to 8.1 above, an outline business case was submitted to the DfT in December 2018 for a grant for approximately £26m to enable provision of a dual carriageway along the A1237 from the junction at A19 Rawcliffe in an easterly direction to A64 Hopgrove (Phase 1 Dualling (Rawcliffe to Hopgrove)). Since that time CYC have responded to all requests for additional information and clarifications from the DfT in order for a recommendation to be made to Ministers on the proposals. A decision is now awaited but there is no firm indication when this will be made. Executive are asked to note that the project team are balancing the needs of progressing the junction upgrade programme with the possibility that a dualling scheme may be announced. This requires careful co-ordination and decision making to minimise the risk of abortive work.
10. Transport for the North (TfN) have recently announced the submission of the Regional Evidence Base (REB) identifying a number of schemes which should be prioritised for delivery in the north of England. The REB includes a proposal to dual the A1237 from the junction at A19 Rawcliffe south west to the B1224 Wetherby Road (Phase 2 Dualling (Rawcliffe to Wetherby Road)) at a total cost of approximately £63m part funded by the Major Route Network (MRN) funding allocation. The scheme is at Pre-Strategic Business Case stage, and includes the high cost elements to bridge the River Ouse and East Coast Mainline. The progression of this potential Phase 2 dualling scheme is heavily dependent on the outcome of the Phase 1 dualling bid and the availability of approximately 15% match funding. Potential match funding sources such as the LEPs and adjacent Local Authorities will be investigated for the Phase 2 dualling.
11. A further bidding opportunity was utilised during 2018 to provide an enhanced junction upgrade for the A1237/Clifton Moor junction. This particular bid was made to Homes England for a grant from the Housing Infrastructure Fund (HIF). A decision on the HIF bid is currently still awaited and therefore a gap exists between the funding available for the base scheme from the WY+TF and the enhanced scheme. This is discussed in 'Options' below.

12. In terms of general progress, Members are asked to note the following:
 1. The upgrading of the junction at Wetherby Road was completed in January 2019.
 2. All necessary arrangements and approvals to commence construction work at the Monks Cross junction have been in place (with the exception of land acquisition) since April 2019.
 3. Consultation and Highway Authority approval was completed for the Clifton Moor junction in August 2019.
 4. Consultation was undertaken for the Wigginton Road junction in April 2019.

13. In summary, whilst progress has been made in a number of areas, it is apparent that some changing conditions and challenges (as outlined above) are now being experienced which require a slightly different approach to align CPO and negotiated/Private Treaty land acquisitions more effectively, co-ordinate funding approaches with planning requirements or seek alternative funding arrangements and some decisions need to be made. These issues are discussed below and involve the options for the design of the Clifton Moor Junction and the need to seek authority to the principle of making Compulsory Purchase Orders for the scheme.

Consultation

14. Consultation with the public has been carried out on a phased basis for the following junctions:
 1. Junction 1 Wetherby Road
 2. Junction 7 Monks Cross
 3. Junctions 3 Clifton Moor and 4 Wigginton Road.

15. The YORR Improvement scheme is generally well supported as it will bring much needed relief in terms of traffic congestion at a local level as well as other more strategic benefits. Whilst there are few options to offer, as the funding is directed at upgrading junctions, support ranges from 85 – 94% on a scheme by scheme basis in the consultation processes carried out so far.

Options and Analysis

16. There are a number of direct and indirect benefits of upgrading the A1237 in addition to the reduced journey times to local and strategic traffic.
17. As part of the dualling scheme an orbital cycle route will be delivered over the East Coast Main Line and River Ouse substantially improving the walking and cycling connections in this area of the city.
18. Modelling indicates that a significant number of trips will divert from the main urban area (and adjacent villages) onto the YORR as a result of the additional capacity provided by the A1237 upgrades. The additional capacity provided by the dualling, in particular, will enable a significant redistribution of trips. For example it is anticipated that traffic flows will more than double on sections of the A1237 with consequential reductions on key radial and orbital routes in the northern and western sides of the city. It is recommended that options for locking in the released capacity and the potential to reassign road space to more sustainable transport modes should be investigated in more detail.
19. In this section the two main issues of: (i) future-proofing the A1237/Clifton Moor roundabout upgrade and (ii) use of CPO powers will also be considered.

(i) Future-proofing the A1237/Clifton Moor roundabout upgrade

20. At Clifton Moor, a preliminary design for an upgrade was initially proposed in 2017, see Annex A. This design is a modest upgrade based on the existing three arm roundabout, estimated to cost approximately £2m.
21. During early 2018, an opportunity arose to bid for funding from the Housing Infrastructure Fund (HIF) administered by Homes England on behalf of UK Government. This fund is aimed at investing in infrastructure which will unlock sites to help ease the national housing shortage. A site which is included in the Draft York Local Plan (Ref, ST14) north of Clifton Moor with an allocation of approximately 1350 homes was identified as eligible for this funding and CYC Officers committed to work with local developers in order to exploit this

opportunity. A collaborative partnership then developed between CYC and local developers to prepare the bid.

22. A bid was submitted in late 2018 to Homes England and DfT for an enhanced junction upgrade with a fourth arm and a pedestrian/cycle subway (both to serve the proposed housing to the north), and future proofed for being made into a dual carriageway at a later stage, see Annex B. The estimated cost of constructing this option is approximately £7m. The funding breakdown for this cost is £2m from the WY+TF and a £5m grant from the HIF (if successful).

23. To summarise, there are three options:

Option 1: the basic option (Annex A) funded solely by the WY+TF is estimated to cost approximately £2m. This option, based around the existing junction footprint i.e. three arms, would be constructed online and would provide benefits in accordance with the YORR Junction Improvement Programme.

Option 2: the enhanced junction upgrade option (Annex B) would include a fourth arm to the north and a pedestrian/ cycle subway. This option is estimated to cost approximately £7m (including the £2m contribution from the WY+TF). The enhanced option provides access to future sites allocated for housing in the Draft Local Plan (ST14) including significant pedestrian and cycling networks. The works would be predominantly undertaken off line to accommodate the space required for the subway and future proofed for modification to a dual carriageway in due course. There are several advantages to this approach as follows:

1. economies of scale.
2. ability to co-ordinate the design and construction with the future proposed housing needs and dualling options in mind.
3. distinct advantage to residents in only having one set of disruption to the area and impact on the highway network.
4. loss of productive effort if the basic option was later de-commissioned and superseded by the enhanced option.

However the key advantage would be to eliminate, as far as possible, £3-4m of abortive work in the event that Option 1, the basic option (Annex A), be constructed first, followed sometime later by Option 2, the enhanced option (Annex B).

Option 3: there is a further option to initially deliver the enhanced roundabout without the cycle subway if the HIF bid was not successful. This could be considered in recognition that the sustainable travel benefits of subway are limited without the presence of the housing development. This would allow the subway to be delivered by the developer when the development progressed and would reduce the short term funding requirement by approximately £1m. However the overall cost of delivering a subway at a later date would be higher due to increased contractor mobilisation, traffic management and access costs. In addition there would be significant additional disruption to the travelling public during the separate delivery of the subway at a later date. It is recommended that the subway is constructed and integrated into the city's walking and cycling network as much as possible, at the same time as the main roundabout upgrade to reduce the impact on travellers.

24. At this time a decision on the HIF bid is currently still awaited with no indication when this will be made, and therefore a funding gap of £5m exists. Executive are therefore asked to approve the investment of £5m to enable the enhanced option to proceed to be funded from prudential borrowing initially but with Officers investigating other possible funding mechanisms.
25. In terms of progress on the Clifton Moor junction upgrade scheme, design work is at an advanced stage following the consultation process earlier in the year. The Executive Member for Transport has endorsed the general arrangement design for Option 2, the enhanced upgrade shown in Annex B subject to a review of the landscaping, east-west cycle route and right turn arrangements at the Hurricane Way (B&Q) junction. The project team are in a position to submit a Full Business Case to WYCA and could invite tenders during the autumn of 2019 with a view to commencing work on site in early 2020 subject to the confirmation of funding.
26. Executive are therefore recommended and requested to sanction the funding of an additional £5m from prudential borrowing, subject to approval by Full Council, to enable the enhanced option (Annex B) to be constructed at this stage, and give delegated authority for the Assistant Director of Transport, Highways and Environment to investigate possible funding mechanisms.

(ii) use of CPO powers

27. Moving on to the issue of the need for a CPO, this has been predicated on some difficulties being experienced in acquiring land for the proposed Monks Cross Junction Upgrade (Monks Cross Scheme). A plan showing the area that needs to be acquired to deliver the Monks Cross Scheme is attached at Annex C to this report
28. The Land Acquisition Strategy (LAS) for the YORR Junction Improvement Scheme has always recognised that compulsory acquisition may be required if it is not possible to purchase land by private agreement. An impasse has now been reached at Monks Cross which has meant that the start of works has now been delayed since April 2019.
29. As indicated above, all necessary steps have been taken to facilitate a start on site at Monks Cross. In summary, the scheme comprises the upgrading of the existing roundabout junction between the A1237 ring road, North Lane and Monks Cross Link. The works include the enlargement of the roundabout and reconnection of the existing arms; increasing the length of the 2 lane approach on Monks Cross Link; and increasing the entries to 3 lanes and exits to 2 lanes on the A1237 to future-proof a potential dual carriageway for 100m on both sides of the roundabout.
30. The implementation of the Monks Cross Scheme requires the Council to demonstrate to Natural England that the impact on Great Crested Newts (GCN) has been considered and appropriate mitigation measures are incorporated and these must be reflected in a licence obtained from Natural England. As part of this process it is necessary to identify a suitable area of land in a suitable location (a hibernaculum) to compensate for the GCN habitat that will be lost as a result of the Scheme. This has been identified at the location identified on the plan attached at Annex C. Natural England are satisfied that this is an appropriate location and have approved a licence on the basis that the hibernaculum will be sited in this position.
31. In terms of the land required to deliver the scheme, this falls into two categories. First of all there is the land that is required to carry out the junction improvements. The second category is the land required to accommodate the hibernaculum. These areas are both shown on the plan at Annex C.
32. A number of unforeseen circumstances have led to delays in acquiring the land necessary for the junction. A key factor has been that a

landowner who has changed agent and negotiations to acquire the land have not progressed.

33. A compulsory purchase order should only be made where there is a compelling case in the public interest for making and promoting a CPO, the use of the powers is necessary and proportionate, and the public benefits associated with the proposed scheme will clearly outweigh the interference with the rights of those affected. These matters are referred to below, and will be considered further in detail in any future report to the Executive to seek authority for a CPO to be made. In summary, the key public benefits are as follows:-

- Reduced congestion and delays on the A1237.
- Increased capacity to accommodate future development in the area
- Improved design to modern standards reducing the potential for accidents.
- Improved Non-motorised User facilities.

34. In submitting the CPO to the Secretary of State for Transport for confirmation the Council must demonstrate that there are no impediments to implementation of the CPO. To do so, the Council must provide substantive information as to the sources of funding available for both acquiring the land and implementing the Scheme for which the land is required. In this case. Funding for the roundabout upgrade scheme is available through the West Yorkshire Plus Transport Fund and has been confirmed by the West Yorkshire Combined Authority most recently at their meeting on 13 December 2018.

35. The Council must also show that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation including any need for planning permission or other consent or licence. In this case the Council in its capacity as Local Planning Authority has formally confirmed that the works all fall within the definition of permitted development and they therefore do not need any further planning consent.

36. Turning to human rights issues, whilst this report only seeks an ‘in principle’ decision from the Executive that it is prepared to authorise the use of CPO powers to facilitate the Scheme, officers would provide the

following guidance at this stage on the human rights implications of pursuing CPO action.

37. The MHCLG Guidance on the CPO (the Guidance) confirms that an acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights (ECHR) (right to the peaceful enjoyment of property) and, in the case of a dwelling, Article 8 of the ECHR (right to respect for private and family life, home and correspondence). In this case no dwellings are to be acquired to deliver the Scheme. Before deciding whether to authorise a CPO, the Executive will need to consider the balance and compatibility between the compulsory powers sought and the rights enshrined in the ECHR and whether there is a compelling case for a CPO in the public interest which means that the acquisition of land to enable the scheme to proceed, brings benefits to the area, which could not be achieved without the use of compulsory purchase powers.
38. Executive should note that approvals have already been given to undertake preparatory work for a possible CPO, including the appointment of external lawyers (Weightmans) and a land referencing exercise identifying all relevant land interests in the site to be occupied by the works is being progressed by Land Referencing Services (LRS).
39. Accordingly, whilst any case for making a CPO will be rehearsed in a future report, officers are of the view that a compelling case in the public interest for making and promoting a CPO could be made out and the use of the powers could be seen as both necessary and proportionate and the public benefits associated with the proposed works are likely to outweigh the interference with the rights of those affected. So whilst negotiations to acquire the necessary land by agreement are ongoing and will continue, in the event that these do not prove successful officers intend to take a report to December Executive requesting authority to make the Order.
40. Executive are also asked to note that preparations are now under way to prepare for a further possible CPO to ensure the acquisition of land required to deliver the YORR Junction Upgrade Programme. This will ensure completion of the wider Programme in a timely manner.

41. If it is necessary to promote a further CPO approval of the Executive will be sought at the appropriate time. In the meantime the Council will continue to approach landowners, through its agents, to acquire land by private agreement as CPO is a 'last resort' measure.
42. In order to proceed with the efficient preparation, making and serving of the of the CPOs, Executive are asked to delegate operational and detailed decision making to the Assistant Director Transport, Highways and Environment to negotiate the terms of acquisition by private agreement for individual land interests, this delegation will also include negotiation of easements and temporary rights where freehold ownership is not required e.g. for drainage purposes, or temporary occupation for the construction works. This delegation will also include obtaining the release/extinguishment of, or variation of, any third party rights over affected land (for example a third party might have a right of way over land which needs to be acquired). This delegation will also include acquisition of land up to £250k in any one interest. .
43. The following decisions will remain with the Executive Member for Transport:
 1. Approval of proposed consultation with residents, businesses and stakeholders.
 2. Approval of the final layout of each junction upgrade.
 3. Approval of phasing of the scheme.
 4. Acceptance of tenders for construction.

Council Plan

44. The YORR Improvement proposals are embedded in the Council Plan 2015-19. The implementation of this programme of highway improvements will be an integral part of the key priorities to "provide a prosperous city for all"; to ensure it delivers the services people want and work in partnership with local communities. Improvements to transport infrastructure are key drivers for improved productivity and unlocking sites for homes and jobs. This in turn leads to economic growth and the increase in wealth.

45. Residents have been consulted about the junction upgrades to ensure that consideration of the potential impact of decisions in relation to health, communities and equalities has been made.
46. Improved journey times will support the following aims from the Plan. A city where:
- Local businesses can thrive
 - Residents have the opportunity to get good quality and well paid jobs
 - Efficient and affordable transport links enable residents and businesses to access key services and opportunities
 - Environmental Sustainability underpins everything we do

Implications

Financial Implications

47. The estimated cost for the Clifton Moor roundabout upgrade scheme is currently £7m. This estimate includes all works, land, fees, project management and utility diversions. Funding is anticipated to be split between a bid for a HIF grant (£5m) and WY+TF (approximately £2m). Release of funds from the WY+TF will be processed through satisfying the Project Assurance process and approval at meetings of WYCA. A decision on the funding grant for the HIF is still awaited from Central Government.
48. If the bid for a HIF grant were to be unsuccessful, the City of York Council have pledged to work with local developers to seek alternative routes to secure funding for the junction upgrade.
49. In the event that external funds do not become available in advance it is proposed that the council funds the additional cost through additional borrowing of up to £5m. The revenue impact of this borrowing would be up to £350k per annum and this will need to be incorporated in the Treasury Management budgets to be updated in the Budget Strategy report in February 2020. Once external funding is secured this can be utilised to reduce the level of borrowing and ongoing revenue costs.

Human Resources

50. There are no Human Resources Implications.

One Planet Council / Equalities

51. The One Planet Council Better Decision Making Tool has identified the following areas which can be explored further during the design and development of the whole YORR improvement programme:

- Greater consideration of renewable materials during construction.
- Consideration about the reduction of crime where subways are proposed.
- Enhanced Landscaping.
- Use of Public Art to provide attractive spaces for residents.

Legal Implications

52. CYC is actively pursuing the purchase of land and rights necessary for the YORR scheme (including Clifton Moor roundabout upgrade) by negotiated agreement.

53. CYC has the necessary powers to acquire land compulsorily for YORR. Part XII of the Highways Act 1980 includes a number of CPO powers to support the delivery of highways. These include:

- Section 239 of the 1980 Act pursuant to which the highway authority for the area may acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense, as well as any land required for the improvement of a highway.
- Section 240 of the 1980 Act, pursuant to which the highway authority may acquire land required for use in connection with construction or improvement of a highway and the carrying out of a diversion or other works to watercourses
- Section 246 of the 1980 Act pursuant to which the highway authority can acquire land for the purpose of mitigating any adverse effect which the existence or use of a highway constructed or improved by them has or will have on the surroundings of the highway.
- Section 248 of the 1980 Act pursuant to which the highway authority can acquire land in advance of requirements
- Section 249 of the 1980 Act prescribes distance limits from the highway for the acquisition of land for certain purposes.

- Section 250 of the 1980 Act allows the highway authority to acquire rights over land, both by acquisition of those already in existence, and by the creation of new rights.

54. In the event that CPO is required Legal Services will work closely with the external legal advisors to ensure there is continuity between the negotiated agreement process and any CPO process which may be required.

55. In respect of the funding of the future-proofing of the A1237/Clifton Moor roundabout upgrade, if the HIF bid is unsuccessful, Legal Services will work closely with the external legal advisors to provide advice regarding the possible funding routes available, in particular having regard to potential State aid implications.

56. The procurement process to engage a contractor to undertake the civil engineering and associated construction works will be undertaken in accordance with the Public Contracts Regulations 2015. Legal Services will provide resources to support the procurement process and prepare the relevant contractual documentation.

Crime and Disorder

57. There are no Crime and Disorder implications.

Information Technology

58. There are no Information Technology implications.

Property

59. Property Services are involved in this project acting as land managers for CYC. New pieces of land will be acquired for the junction upgrades, the title of which will belong to CYC. Property Services will also advise and assist the Project Team in supervising the work of the Land Valuers, land referencers and Legal advisors.

Other

60. There are no other known implications

Risk Management

61. In compliance with the CYC's risk management strategy the main risks that have been identified in this report are those which could lead to financial loss, damage to the CYC's image and reputation and failure to meet stakeholders' expectations. Measured in terms of impact and likelihood, the land acquisition risk has been assessed at 21. This is classed as Major/Highly Probable and is the most significant live issue on the project. Other risks have been assessed at 14 or below. At this point the risks will be monitored and managed. A risk allowance has been estimated and is included within the current cost plan for the project. The top two risks currently affecting this project are:

- a. Risks associated with land acquisition. As described above, there is a high risk that some landowners may potentially be unwilling to sell land to CYC by private agreement, or in a timely manner. This presents a programme risk potentially prolonging the time to complete the project, increase costs or lose the secured funding. In order to mitigate this risk, preparation of a CPO in parallel to land negotiation is being progressed as described in this report.
- b. Risks associated with utility diversions being more complex than anticipated. These could lead to programme delays and have a cost implication. In the case of Clifton Moor junction, early meetings with utility companies are planned to mitigate these risks.

Contact Details

Author:

Gary Frost
Major Transport Projects
Manager
Transport Department
Tel No. 01904 551084

Chief Officer Responsible for the report:

James Gilchrist
Assistant Director for Transport,
Highways & Environment

Report Date 18/09/19
Approved

Specialist Implications Officer(s)

Financial Implications
Patrick Looker
Finance Manager
Tel No.551633

Legal Implications
Cathryn Moore
Legal Manager – Projects
Tel No. 552487

Gerard Allen
Senior Solicitor
Tel No. 552004

Property Implications
Nicholas Collins
Head of Asset & Property Management
Tel No. 553360

Wards Affected:

Rural West York, Rawcliffe & Clifton Without, Haxby & Wigginton;
Huntington & New Earswick.

For further information please contact the author of the report

Background Papers:

Report to Executive 13th July 2017

<https://democracy.york.gov.uk/ieListDocuments.aspx?CId=733&MIId=10188&Ver=4>

Annexes

Annex A – Proposed Preliminary Design 3 Arm Clifton Moor Clifton Moor Junction.

Annex B – Proposed General Arrangement for 4 arm roundabout at Clifton Moor.

Annex C – Potential CPO Land Plan.

List of Abbreviations Used in this Report

CPO – Compulsory Purchase Order

WYCA – West Yorkshire Combined Authority

YORR – York Outer Ring Road

CYC – City of York Council

FBC – Final Business Case

FBC+ - Final Business Case Plus

HIF – Housing Infrastructure Fund

HR – Human Resources

WY+TF – West Yorkshire Plus Transport Fund

DfT – Department for Transport

TfN – Transport for the North