

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Director of Economy, Transport and Environment
Title:	M27 Junction 10 Initial Ecological Clearance Works (Package B)

Contact name: Heather Walmsley

Tel: 01962 846089

Email: Heather.Walmsley@hants.gov.uk

1. The decision:

- 1.1. That the details of the M27 Junction 10 initial ecological clearance works, (Package B) as set out in this paper be approved;
- 1.2. That approval be given to procure, spend and enter into necessary contractual arrangements to implement this scheme, at a total estimated cost of up to £249,000 to be funded from the Capital Programme.

2. Reason(s) for the decision:

- 2.1. A decision is required to enable the commencement of essential enabling works for the M27 Junction 10 in a timescale necessary to meet constraints associated with licensing for protected species. A delay to progressing the licensing could result in a 12 month delay to the start date for main works given the seasonally constrained period for progressing the license and this could jeopardise funding secured for scheme delivery which needs to be spent by March 2021.

3. Other options considered and rejected:

- 3.1. Alternative options have been considered and rejected. To not progress the advanced works could have a fundamentally delaying impact upon the M27 Junction 10 scheme in terms of the overall programme and not meeting critical project dates. There is no financial risk to HCC regarding any of these initial enabling works or licenses hence in this instance the approach taken is considered appropriate.

4. Conflicts of interest:

- 4.1. None


5. Dispensation granted by the Head of Paid Service:

5.1. None

6. Supporting Information:

6.1. None

Approved by:



Stuart Jarvis

Director of Economy, Transport and Environment

Date:

13/12/18

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Decision Report

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Title:	M27 Junction 10 Initial Ecological Clearance Works (Package B)

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1. Executive Summary

- 1.1. The purpose of this paper is to seek approval for the completion of ecological clearance enabling works for the M27 Junction 10, which are required to meet time constraints associated with licencing for European protected species. The works comprise: translocation of animals, vegetation clearance works followed by topsoil management / re-profiling works. The works are essentially required prior to the advanced works for the main scheme and in advance of the delivery of the main works. Approval is being sought to procure, spend and deliver the advanced works. It is necessary to secure a Section 6 Agreement under the Highways Act with Highways England (HE) to enable work to be undertaken on their land and to secure a licence to work on third party land with the developer Buckland Development Ltd (BDL). There is no financial risk to HCC regarding any of these initial enabling works or licences.
- 1.2. Alternative options have been considered and rejected. To not progress the advanced clearance works could have a show-stopping impact upon the M27 Junction 10 schemes by delaying the overall programme which could mean that critical programme dates are not met.
- 1.3. Measures of Success would be works satisfactorily completed.

2. Background

- 2.1. M27 Junction 10 currently has restricted access, only allowing partial movements for westbound off and eastbound on movements. It is an essential requirement that Junction 10 be upgraded to an all moves junction to cater for the predicted new traffic movements generated by the Welborne Garden development being promoted by Fareham Borough Council through their adopted Welborne Plan (2014).
- 2.2. As part of the Environmental Appraisal for the site, the presence of protected species including great crested newts and dormice have been identified. To ensure that appropriate licences (which will allow and shape the necessary habitat clearance) can be secured in the necessary timescale, it was necessary

to submit an initial, advanced Planning Application in October 2018 for advanced ecological works. (Planning Permission is required before a European protected species licences can be issued). The application is to be determined by Fareham BC in December 2018 allowing advanced works to commence to accommodate seasonally constrained vegetation clearance.

- 2.3. In order to progress these works it is necessary to seek approval via a delegated decision to procure the works. It is necessary to secure a Section 6 Agreement under the Highway Act with Highways England to undertake work on their land and to progress a licence to work on third party land with the developer, Buckland Development Ltd. There is no financial risk to HCC regarding any of these initial enabling works or licences, hence in this instance the approach taken was considered appropriate given the fact that to not have progressed this advanced application would have had a show-stopping impact upon the scheme.

3. Scheme Details

- 3.1. The initial, advanced, ecological clearance works contract (Package B) will follow on from the ecological enabling works (Package A) subject to a separate delegated decision and comprises the following:
- Once animals are active (April/May), cutting of 300mm high vegetation down to ground level using transverse strips moving towards retained coppice habitats; arisings to be immediately removed.
 - Translocation of great crested newts and dormouse from coppiced strips (April to June). Under ecological watching brief, removal of coppice strips and dead hedges (July onwards). Remove temporary fencing and associated pitfall traps.
 - Remaining vegetation and roots and tree root balls stripped, and topsoil reinstated (following on from above, under an ecological watching brief) using a long-armed excavator digger (e.g. 8 tonne or similar) with a small toothed bucket.
- 3.2. The works areas are shown by drawing CJ008926-ATK-HGN-J10-DR-CH-000023 attached and denoted by the areas shaded orange.

4. Finance

- 4.1. £1.5 million was secured from the DfT retained funding in January 2018 as an advance towards the scheme development. Accordingly, the Director of Economy, Transport, and Environment approved the early stages of this scheme's entry into the Capital Programme.
- 4.2. A separate report on Capital Programme Monitoring, to the decision day in January 2019, will propose that the £1.5m value is increased to reflect any additional funding secured and to enable further development of the scheme.
- 4.3. The funding for the advanced works is anticipated to come from the £1.5m funds already secured as set out above.

5. Programme

5.1 The works will help to ensure that the programmed target dates for the development and delivery of the Junction 10 scheme are achieved. It is anticipated that these enabling works will commence in April 2019 and be completed by September 2019.

6. Departures from Standards

6.1. None

7. Community Engagement

7.1. A planning application for the advanced works was submitted to Fareham Borough Council in October 2018 by Buckland Development Ltd. The wider Junction 10 scheme is part of the Welborne developments planning application submitted in 2017 and due to be updated in December 2018.

8. Statutory Procedures

8.1. The works require Planning Permission from Fareham Borough Council. It is anticipated that this will be granted on 12 December 2018.

9. Land Requirements

9.1. The land required for the advanced works is within ownership of both Highways England and Buckland Development Limited (BDL). It will necessary to progress a Section 6 Agreement with Highways England to work on their land and to process a licence to carry out the works on BDL land.

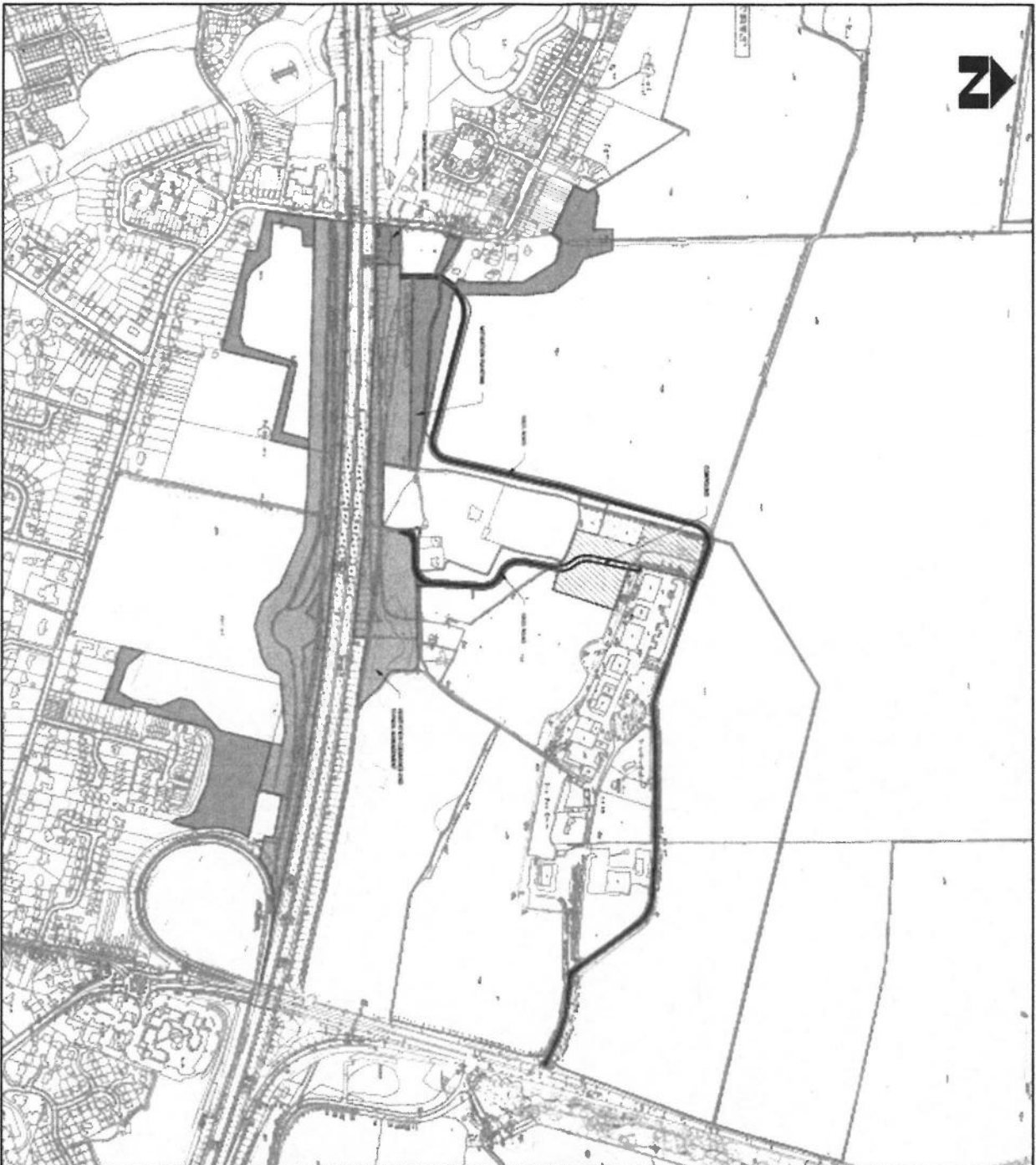
10. Maintenance Implications

10.1. No maintenance is required.

11. Recommendation(s)

11.1. That the details of the M27 Junction 10 initial ecological clearance works (Package B) as set out in this paper be approved;

11.2. That approval be given to procure, spend and enter into necessary contractual arrangements to implement this scheme, at a total estimated cost of up to £249,000 to be funded from the Capital Programme.



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- LEGEND**
- ▬ Adjacent to existing
 - ▬ Proposed structure & paving
 - ▬ CONCRETE
 - ▬ ASPHALT
 - ▬ IMPERVIOUS COVERING

NOTES
 1. SEE ALL NOTES ON ALL DRAWINGS.
 2. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CONSULTANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE CLIENT AND OTHER AGENCIES.
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DATE REVIEWED / COMMENTS

DATE	BY	COMMENTS

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APP LAYOUT IS SHOWN WITH 4" PER COLUMN PLAN

DATE	BY	DESCRIPTION	SCALE

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

OR

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision because:

NB: Only complete this section if you have not completed any of the Strategic Plan tick boxes above. If it is not applicable, please delete.

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Capital Programme EMET	
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

Impact Assessments

1. Equalities Impact Assessment:

- 1.1. The proposals in this report have been developed with due regard to the requirements of the Equality Act 2010, including the Public Sector Equality Duty and the Council's equality objectives. The website contains a summary assessment of the impacts on developing Hampshire's highway network and transport systems.
- 1.2. Statutory considerations:

Impact	
Age	Neutral
Disability	Neutral
Sexual Orientation	Neutral
Race	Neutral
Religion and belief	Neutral
Gender Reassignment	Neutral
Sex	Neutral
Marriage and civil partnership	Neutral
Pregnancy and maternity	Neutral
Other policy considerations	
Poverty	Neutral
Rurality	Neutral
Other factors	Neutral
Geographical impact	Fareham

Please give a brief explanation of each impact you have listed as low/medium/high.

2. **Impact on Crime and Disorder: Negligible**
3. **Climate Change:**

The construction of the advanced works will have minimal/negligible impact on Hampshire County Council's carbon footprint. The wider scheme will enable vehicles to enter the strategic road network more directly reducing the Welborne development's traffic generation overall impact of the on congestion on the highway network. The advanced planting mitigation works mitigate the impact of the larger schemes on habitat loss.