

**Teignbridge District Council
Full Council
28th November 2023
Part i**

Teign Estuary Trail support for project delivery progress

Purpose of Report

Funding to support the project delivery progress of the Teign Estuary Trail, notably to support a (Strategic) Outline Business Case, land assembly and further design work. The costs to enable physical delivery are not included and will need to be secured from external sources.

Recommendation(s)

The Council approval for the following:

- (1) To approve £1,000,000 of Community Infrastructure Levy (CIL) to support the Teign Estuary Trail project delivery;
- (2) The £1,000,000 will consist of £50,000 towards the (Strategic) Outline Business Case and, subject to this evidencing an outcome of at least 2:1 Benefit Cost Ratio, the £100,000 for design costs and the £850,000 for land acquisition costs; and
- (3) To delegate the authority to the Head of Place & Commercial Services, in consultation with the Executive Member for Planning, to enter into a funding agreement with Devon County Council that accords with the funding agreement requirements in paragraph 1.3 of Part II (exempt part) of this report, and to oversee the ongoing progress.

Financial Implications

The financial implications are detailed in section 3.1 below.

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Legal Implications

See section 3.3 below

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Risk Assessment

See section 3.4 below

Also see Equality Impact Assessment summary (paragraph 3.4.6).

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Environmental/ Climate Change Implications

See section 3.5 below.

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Appendices/Background Papers

Appendix 1 – indicative phasing plan for Teign Estuary Trail delivery

Appendix 2 – equality impact assessment

Appendix 3 – artist's impressions

1. Introduction/Background

1.1 The Teign Estuary Trail (TET), between Passage House (Kingsteignton) and Teignmouth via Bishopsteignton, remains a top priority for both Devon County Council and Teignbridge District Council due to the evidence supporting the need for the route and the huge scale of demand locally.

1.2 In 2019, the Council declared a Climate Change Emergency, became a key stakeholder in the Devon Climate Emergency work, and has produced a Teignbridge Carbon Action Plan. The delivery of active and sustainable travel is recognised as one of the important responses to the Climate Emergency, with transport being the largest sector of greenhouse gas emissions.

1.3 The project features in multiple strategies and policies, and has received prominent support locally:

- Devon County Council's Cycling & Multi-user Trail Strategy highlights the TET route as a primary key missing link within the County.
- Teignbridge's Council Strategy priority projects support active and sustainable travel options:

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- 'Moving Up a Gear' to improve travel options
- 'Out and About and Active' to provide opportunities for healthy lifestyles
- 'Action on Climate' to be a carbon neutral district
- The Teignbridge Local Plan supports comprehensive active travel routes that connect within the Heart of Teignbridge and to nearby towns and villages, and proposed submission Local Plan 2020 – 2040 names the TET as a priority route for delivery.
- Teignbridge's Infrastructure Delivery Plan specifically identifies the route and underlines the strategic need.

1.4 Sustrans recognise the TET as a national priority based on the evidenced scale of public demand to address this missing link in the National Cycle Network to be addressed.

1.5 Devon County Council's public consultation in 2020 received record levels of response, with 2,975 survey questionnaires completed; 98% of respondents supported the construction of the Trail and 92% of respondents supported the proposed route.

2 Report Detail

2.1 Progress to date

- March 2013, the striking bridge at Town Quay was opened, as a valuable connection along Newton Abbot Racecourse and Hackney Marsh, between Newton Abbot and Kingsteignton.
- 2013 – 2018, core work on the Exe Estuary Trail took place, and the award-winning route was opened in various phases.
- April 2018, the route from Hackney Marsh to Passage House Inn was opened.
- March 2019, DCC and TDC each committed £200,000 towards the preparation of the planning application and this was paid 50% upfront in 2019 and 50% upon submission of the planning application.
- May 2021, the planning application for the route between the Morrisons junction and Passage House, Kingsteignton was submitted.
- December 2021, conditional planning approval was granted.
- 2022 & 2023, DCC set aside funds to build up towards land acquisitions.
- Regular meetings with Bishopsteignton Parish Council and Teign Estuary Trail Campaign Group (since 2018), including 11th September 2023 stakeholder workshop held at County Hall, hosted by Bishopsteignton Parish Council, with representatives from DCC and TDC and the Teign Estuary Trail Campaign Group.

2.1 Phasing & Timeframe

2.2.1 Devon County Council have put together three indicative phases (see Appendix 1), with Phase 2 being possible in two sub-phases and Phase 3 potentially requiring sub-phases (there will also be the need for a further Phase between Morrison's junction and Teignmouth town centre):

- Phase 1, Morrison's junction to the eastern edge of Bishopsteignton
- Phase 2b, link from eastern edge of Bishopsteignton to Flow Lane
- Phase 2a, Flow Lane to Metro Motors Footpath 13
- Phase 3, Metro Motors (Footpath 13) to Passage House Inn

2.2.2 There is a summary of the funding approach and timeframe below in 2.2.2.1 to 2.2.2.5 (further details are within the Part II section of this report).

- 2.2.2.1 £50,000 for production of (Strategic) Outline Business Case targeting completion date of summer 2024. Then progress with the further elements subject to 2:1 Benefit Cost Ratio (BCR). The BCR sets out the benefits against costs and 2:1 equates to £2 benefits for each £1 spent on scheme delivery and is an important part of supporting the potential to secure external funding.
- 2.2.2.2 £50,000 for design work on the section between Morrison's junction and eastern edge of Bishopsteignton (Phase 1), during 2024/25 financial year, subject to (Strategic) Outline Business Case.
- 2.2.2.3 £50,000 for further design work, preferably options review of Morrison's junction to Teignmouth town centre to identify the preferred route, targeting 2025/26 financial year, subject to (Strategic) Outline Business Case.
- 2.2.2.4 £850,000 towards land acquisition of the off-road sections required for the Trail (Phases 2b, 2a & 3), made available from summer/autumn 2024 subject to the (Strategic) Outline Business Case.
- 2.2.2.5 Total figure for Teignbridge District Council contributions of £1,000,000 alongside anticipated £1,650,000 contributions by Devon County Council (some of which is subject to future Cabinet approvals). This does not include the previous contribution of £200,000 by Teignbridge District Council and £200,000 by Devon County Council for the planning application progress (which resulted in planning approval in Dec 2021).

3 Implications, Risk Management and Climate Change Impact

3.1 Financial

- 3.1.1 An updated cost estimate for the route was calculated in 2022, providing a cost estimate of £44million for this route of approximately 5km length (including land costs, construction, early years maintenance, biodiversity net gain, contingency and optimism bias but not including future inflation). Optimism bias is a standard central government approach to accounted for the potential over-optimism of the likelihood of risks occurring to the project.
- 3.1.2 The cost is higher than typical delivery costs for a multi-user trail and carrying out a Strategic Outline Business Case should provide the evidence of appeal to external funders (ie – evidencing value for money via relevant cost-benefit analysis processes). The route will need to be delivered in phases due to the scale of cost and the workload involved in preparation for delivery and the physical delivery (see Section 2.2 for phasing).
- 3.1.3 TDC has sufficient CIL funding earmarked in the capital programme for the Teign Estuary Trail funding needs of £1,000,000, set out in this report. The capital programme covers a 3-year period but the funding timeframe will be flexible, so land acquisition costs can all be provided from 2024/25 (subject to the (Strategic) Outline Business Case).
- 3.1.4 In 2019, £200,000 was committed by Executive Committee to the project: £100,000 of this was paid in 2019 and the remaining £100,000 was paid in 2021. No funding was committed in 2022/23.

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- 3.1.5 There are various funding needs associated with the TET project and prioritising these in the best, most effective way is important to enable the project to move forwards meaningfully. The £200,000 contribution that TDC committed in 2019 for the planning application preparation was matched by DCC and provided a strong funding boost for the project as it was provided with a specific purpose and completion deadline (planning application submission) to enable funds to be released. This was an effective way of progressing to achieve one of three core requirements of the project (planning, land agreements, external funding).
- 3.1.6 Since the funding approval was granted in December 2021 and the updated cost estimate was completed in summer 2022, DCC has been putting funding aside towards land negotiations and working to build a funding pot for land acquisitions.
- 3.1.7 Timeframe for agreeing land arrangements cannot be guaranteed, but having access to sufficient funds to acquire all the land will notably support this process.
- 3.1.8 DCC's preference is to acquire land outright. However, an 'option' should be considered where appropriate and where it will enable progress. Devon County Council's land agent is currently Norse, who have good knowledge of the scheme.
- 3.1.9 Land is required from multiple landowners across Phases 2a, 2b and 3.
- 3.1.10 Phase 1 is largely on Highway land and so does not have the same private landowner considerations but does require further funding towards design work to better understand and respond to technical design challenges.

3.2 Economic opportunities

- 3.2.1 There are notable economic benefits that can often be generated from provision of high-quality active travel provision, in particular goods and services demand from high-quality multi-user trails, which can benefit the towns and villages linked to those trails. The Teign Estuary Trail project will deliver important linkage between the existing high-quality trails Stover Trail & Wray Valley Trails (National Cycle Network Route 28) and the Exe Estuary Trail (NCN2), allowing appealing active travel from moor to sea, and linking Newton Abbot and Kingsteignton to Teignmouth and Dawlish via Bishopsteignton.
- 3.2.2 This report sets out a review of the economic benefits in goods and services generated via high-quality active travel trails in Devon:
https://www.northdevonbiosphere.org.uk/uploads/1/5/4/4/15448192/sqw_devon_cycling_and_walking_trails_economic_impact_report.pdf
- 3.2.3 The (Strategic) Outline Business Case will also include a specific review of tourism and local economic opportunities.

3.3 Legal

- 3.3.1 It is proposed to delegate authority to the Head of Place and Commercial Services to oversee and approve a funding agreement with Devon County Council that accords with the funding agreement requirements in paragraph 1.2 of Part II (exempt part) of this report. These funding agreement requirements are to provide protections in relation to the funding use for its intended purpose/s, timeframe and expected outputs.

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3.3.2 Teignbridge District Council have already completed various infrastructure funding agreements with Devon County Council, including for multi-user trail projects, and are well placed to draw on that experience in preparing the necessary funding agreement for this particular project.

3.4 Risks

- 3.4.1 If the (Strategic) Outline Business Case does not evidence the sufficient value for money case - Benefit Cost Ratio of at least 2:1 evidenced, which means £2 benefits for every £1 spent on delivering the scheme and is typically the minimum that government would view as suitable to consider committing their funding - then the project would be less likely to attract external funding to enable physical delivery. This risk is mitigated by ensuring the (Strategic) Outline Business Case is completed upfront.
- 3.4.2 If an outcome below 2:1 is evidenced by the (Strategic) Outline Business Case, then it will be necessary to return to Full Council for a decision on whether to halt further support for the scheme. This report would include feedback, from Devon County Council and from external funders, on the (Strategic) Outline Business Case.
- 3.4.3 Making meaningful progress with landowner negotiations will be very important and provision of suitable funding and resource to progress this project - which is to benefit many local residents, businesses and also visitors - will notably support this process.
- 3.4.4 The further design work between Morrison's junction and the eastern edge of Bishopsteignton could evidence more significant technical challenges and costs than have previously been identified. This has been mitigated to some extent by there already having been notable time spent reviewing options for the route and challenges having been recorded and considered. It is recognised that this stretch of route is unlikely to meet the latest government guidance, and this could potentially pose an external funding challenge. This will need to be addressed clearly as a potential risk in the (Strategic) Outline Business Case.
- 3.4.5 There is no feasible onward link from Morrison's junction to Teignmouth town centre currently identified and this also needs to be reviewed and relevant designs produced for public consultation.
- 3.4.6 The delivery of the route will include relevant risk assessments, such as road safety assessment and flood risk assessment, which will be undertaken/overseen by Devon County Council as standard. The design of the route is intended to reduce risk, such as consideration of suitable gradients, widths of route and access points to accommodate safely for a wide range of users.
- 3.4.6 An Equality Impact Assessment form has been completed and is in Appendix 2. A brief summary of this is below:

Summary of significant negative impacts and how they can be mitigated or justified:
It is important to design for a wide range of users and to promote respectful behaviour by route users, to reduce risk of anti-social behaviour and possible impact, particularly on users with limited mobility, hearing/sight difficulties and any other relevant health conditions. Route design process, as standard, seeks to ensure the most appropriate

provision base, in terms of type of route, width, directness, gradient, access points, and other considerations. Devon County Council has a good record of delivering successful, high-quality multi-user trails, including the Stover Trail, Wray Valley Trail and Exe Estuary Trail, and they have gained much experience from ongoing provision of these routes. The government sets out strong quality expectations for active travel design (latest guidance is LTN 1/20) and this is important in attaining external funding to support route delivery.

Summary of positive impacts / opportunities to promote the Public Sector Equality Duty:

The Teign Estuary Trail scheme is highly demanded by local communities and would also benefit visitors to the locality. A (Strategic) Outline Business Case is to be carried out to 'quantify' the costs against benefits of the scheme. The delivery of the scheme is likely to encourage notably more active travel in the local area and also by connecting to wider existing routes. The route will provide for a diversity of users and should particularly support those who are less experienced/confident, enabling more local people to benefit from associated wellbeing and environmental outcomes. There is an Air Quality Impact Area on part of Bitton Park Road and this pollution issue may be reduced if more local trips are made by active travel instead of private car/van. Multi-user trails can also have notable opportunities for local economy through generation of goods and services demand, particularly in towns and villages on-route.

3.5 Environmental/Climate Change Impact

- 3.5.1 A cohesive active travel network can support a significant improvement in health and wellbeing for the individuals taking part in active travel and for the wider local community via environmental benefits. There are likely to be significant benefits for local people and visitors including recreation and wellbeing, environmental benefits, and economic benefits, and this will be explored further via the (Strategic) Outline Business Case.
- 3.5.2 Continuing to progress plans for the Teign Estuary Trail aligns with Action T6 of the Devon Carbon Plan, covering the development of Local Walking and Cycling Infrastructure Plans.
- 3.5.3 There is an Air Quality Action Area (AQMA) along part of Bitton Park Road vicinity and the Teign Estuary Trail could help to alleviate congestion if more trips are made by walking, wheeling and cycling.
- 3.5.4 There is an environmental design statement included in the planning application and that covers conserving resources, protecting environmental assets, meeting the needs of the community and developing a sustainable transport system. There are extensive biodiversity net gain proposals included as part of the planning application. There is also flood risk assessment information and proposals. It is important to recognise the likely impacts of current and future flooding on the effective and safe provision of the Teign Estuary Trail. The planning application reference is DCC/4238/2021
- 3.5.5 There will be embedded carbon within the project delivery, including for the hard-surfaced paths, boardwalks and the bridge to cross above Flow Lane. However, Devon County Council will consider options for materials and construction processes, based on costs, durability/life-span, embedded carbon, habitats and species, other environmental factors and visual and landscape factors.

4. Alternative Options

4.1 Do nothing, which would result in much slower progress with the Teign Estuary Trail.

5. Conclusion

5.1 The Teign Estuary Trail project is strategically important and overwhelmingly supported by local people. If delivery of the Trail is achieved then it will link a series of main settlements across Teignbridge and will link the existing Exe Estuary Trail to the Stover & Wray Valley Trails, enabling appealing active travel from moor to sea. Not supporting progress would be going against local opinion and needs. However, this will be informed by the outcome of the (Strategic) Outline Business Case in terms of ability to attract external funding to enable project delivery.