

**EAST SUSSEX COUNTY COUNCIL**

in favour of

**HASTINGS BOROUGH COUNCIL**

and

**ROTHER DISTRICT COUNCIL**

**UNDERTAKING**

under (inter alia) Section 106 of the Town and Country Planning Act 1990  
relating to land known as A259 Belle Hill, Bexhill on Sea to B2092  
Queensway, St Leonards on Sea, East Sussex

**BEXHILL HASTINGS LINK ROAD**

**ANNUAL REPORT BY HEAD OF PLANNING IN ACCORDANCE WITH  
PROVISION 4.5**

**28 July 2011**

## **BEXHILL HASTINGS LINK ROAD**

### **SECTION 106 UNDERTAKING**

#### **ANNUAL REPORT BY HEAD OF PLANNING – 2010/11**

#### **1 Introduction**

- 1.1 Provision 4.5 of the Section 106 Undertaking for the Bexhill Hastings Link Road requires the Head of Planning to annually report progress to Hastings Borough Council and Rother District Council on the compliance with the planning obligations contained in the Undertaking. The first Annual Report was forwarded to the Councils on 28 July 2010 and the second Annual Report needs to be published by 28 July 2011.
- 1.2 The Scheme still has yet to receive approval of the compulsory purchase orders and side road orders. The proposal is in a Development Pool for Department for Transport funding and a decision is expected by the end of 2011. Consequently there has been little progress on the obligations. The current position is explained below with a limited update on the provisions of the Undertaking.

#### **2. Current position on the Bexhill Hastings Link Road**

- 2.1 The planning application for the link road was considered by East Sussex County Council's Planning Committee in December 2008 following rigorous appraisal of the application and the accompanying Environmental Statement. It was resolved that subject to the Secretary of State not calling in the application and the completion of a legal undertaking, that planning permission should be granted. The Secretary of State for Communities and Local Government on 3 February 2009 decided not to 'call-in' the application and a legal undertaking was completed in July 2009. Consequently planning permission was granted on 29 July 2009.
- 2.2 The County Council made Compulsory Purchase Orders and negotiated with landowners to purchase land needed both directly for the link road and also for new environmental habitats. Objections to the Orders required a Public Inquiry to be held. The Public Inquiry started on 10 November 2009 at the White Rock Theatre, Hastings in front of an independent Inspector. The Inquiry looked at the land needed for the road and for new environmental habitats, and whether East Sussex County Council should be allowed to buy it from current owners by using compulsory purchase powers. Nearly 40 people came to the Inquiry to give evidence, and the Inspector made two site visits to look

at the Council's proposed route and alternative routes suggested by other people.

- 2.3 The Public Inquiry into the Compulsory Purchase Orders for the Link Road closed in early December 2009. The Inspector has completed his Report in which he will consider all the evidence submitted to the Inquiry including letters from objectors and supporters, as well as other documents. The Report has not yet though been published.
- 2.4 The new Government has made clear its most urgent priority is to tackle the UK's record budget deficit, in order to restore confidence in the economy and support the recovery. The Department for Transport will play a full part in the Spending Review.
- 2.5 Following the publication of the conclusions of the Spending Review, the Secretary of State for Transport announced in October 2010 a process for deciding which schemes would receive funding. Further guidance was issued in February 2011. The Secretary of State has identified a Development Pool of 45 schemes including the Bexhill Hastings Link Road which would be funded from a £650m budget. The Department for Transport does not expect that all schemes in the Development Pool will be funded as the budget exceeds bids by a ratio of 1:5 to 1.
- 2.6 Schemes within the Development Pool are invited to submit Best and Final Funding Bids by 9 September 2011. The key criteria will be value for money, proportion of funding coming from non Department for Transport sources, deliverability, strategic importance, and modal & regional considerations across the Programme. The Department for Transport will also seek the views of interested parties including Local Enterprise Partnerships. A final decision is expected before Parliament's Christmas Recess.
- 2.7 The County Council has previously indicated to the Department for Transport that it was very conscious of the current economic position and the Government's stated priority of tackling the UK's budget deficit. However it is considered by the County Council that the Bexhill Hastings Link Road is more than a pure transport project. It is considered an important component for delivering the regeneration of Hastings and its construction would enable the release of strategic new employment and housing land in Bexhill for development. These proposals are key parts of the established regeneration plans as well as allowing other projects to be delivered which are currently constrained by congestion on the A259 corridor. The County Council considers that in the current economic climate it is even more important to regenerate the local economy, which would in itself reduce public spending by reducing unemployment.

2.8 A decision on the Orders and the funding position is therefore still awaited.

### **3 Monitoring Report**

3.1 The Annual Report from the Head of Planning would normally consider progress on the planning obligations in the Undertaking. This would cover:

- i. The Construction Environmental Management Plan
- ii. The Operational Environmental Management Plan
- iii. The Complementary Highway Improvement Plan
- iv. The Compensatory Habitat Scheme
- v. Adams Farm Barn
- vi. The Monitoring Scheme

3.2 No formal submissions have been made in respect of any of the obligations and therefore, there is nothing substantial to report.

3.3 In the light of the Secretary of State's requirements, the County Council as Highway Authority has commenced considerations of potential cost savings. The County Council as Highway Authority has also commenced consideration of the details needed to fulfil the obligations in the Undertaking and the requirements contained in the conditions associated with the planning consent. No formal planning details have been submitted.

3.4 Any further progress will be reported in the Annual Report for 2011/12.

### **4 Conclusion**

4.1 There is little to report on progress with the obligations in the Undertaking on the Bexhill Hastings Link Rd. Further work is dependent on the completion of the necessary procedures on Orders and funding. A decision by Government is expected in December 2011.

**Tony Cook**

**Head of Planning**

**East Sussex County Council**