

# **The Lake Lothing Third Crossing (Lowestoft)**

## **Development Consent Order 201[\*]**

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Lake Lothing  
**THIRD  
CROSSING**

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## **Document 4.2: Funding Statement**

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**Planning Act 2008**

**Infrastructure Planning**

**The Infrastructure Planning (Applications: Prescribed Forms and Procedure)  
Regulations 2009**

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## EXECUTIVE SUMMARY

The Lake Lothing Third Crossing is a significant project for the town of Lowestoft and there is a long-held need in the town for a solution to help ease the severe traffic congestion experienced in the town.

This Funding Statement relates to an application by Suffolk County Council to the Secretary of State for development consent for the Lake Lothing Third Crossing scheme. It highlights the estimated costs of the scheme, including the associated land assembly costs, and seeks to demonstrate that there is a reasonable prospect that adequate funding for the scheme will be available within a timescale that enables the scheme to be delivered as planned.

## Abbreviations & Glossary

Abbreviation	Definition
DfT	Department for Transport
FBC	Full Business Case
OBC	Outline Business Case
PCE	Property Costs Estimate

## 1. INTRODUCTION

### 1.1 Purpose of this Funding Statement

- 1.1.1 This Funding Statement relates to an application ("the Application") by Suffolk County Council ("the Council" or, in the context of the Application, "the Applicant") to the Secretary of State (through the Planning Inspectorate) for a development consent order ("DCO") under the Planning Act 2008.
- 1.1.2 If made by the Secretary of State, the DCO would grant development consent for the Applicant to construct, operate and maintain a new bascule bridge highway crossing, which would link the areas north and south of Lake Lothing in Lowestoft, and which is referred to in the Application as the Lake Lothing Third Crossing (or "the Scheme").
- 1.1.3 This Funding Statement is required because the DCO, if made, would authorise the compulsory acquisition of interests in and rights over land required to enable the delivery of the Scheme. Where a DCO would include such powers it is a requirement under Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("the APFP Regulations"), that the application must be accompanied by a statement indicating how implementation of the order is proposed to be funded.
- 1.1.4 Accordingly, this Statement has been prepared in compliance with the requirements of section 37(3)(d) of the Planning Act 2008 and regulation 5(2)(h) of the APFP Regulations and in accordance with relevant guidance, issued by the Department for Communities and Local Government:
- Planning Act 2008: Guidance related to procedures for compulsory acquisition (September 2013) ("the DCLG 2013 Guidance"); and
  - Guidance on Compulsory Purchase Process and the Cichel Down Rules (October 2015) ("the DCLG 2015 Guidance").
- 1.1.5 The DCLG 2013 Guidance explains at paragraphs 17 and 18 that the Funding Statement should provide as much information as possible about the resource implications of both acquiring the land and implementing the works for which the land is required (including how any potential shortfalls are intended to be met); and the applicant should be able to demonstrate that adequate funding is available to enable the compulsory acquisition to be effected within the statutory period following the order being made.
- 1.1.6 This Funding Statement explains how the acquisition of the land necessary to build the Scheme would be funded; and how the Scheme generally is to be funded.

- 1.1.7 This Statement forms part of a suite of Application documents. It should be read alongside and is informed by those documents. In particular, this Statement supplements the Statement of Reasons for compulsory acquisition (document reference 4.1, Statement of Reasons) which sets out the justification in the public interest for the powers of compulsory acquisition sought in the DCO.

## 2. SCHEME DESCRIPTION

### 2.1 Overview of the Scheme

2.1.1 The scheme involves the construction, operation and maintenance of a new bascule bridge highway crossing linking the areas north and south of Lake Lothing in Lowestoft, hereafter referred to as the Lake Lothing Third Crossing ("the Scheme").

2.1.2 The Scheme would provide a new single-carriageway road crossing of Lake Lothing, consisting of a multi-span bridge with associated approach roads, and would comprise:

- an opening bascule bridge over the Port of Lowestoft, in Lake Lothing;
- on the north side of Lake Lothing, a bridge over Network Rail's East Suffolk Line, and a reinforced earth embankment joining that bridge, via a new roundabout junction, to the C970 Peto Way, between Rotterdam Road and Barnards Way;
- on the south side of Lake Lothing, a bridge over the northern end of Riverside Road including the existing access to commercial property (Nexen Lift Trucks) and a reinforced earth embankment (following the alignment of Riverside Road) joining this bridge to a remodelled junction with the B1531 Waveney Drive.

2.1.3 The Scheme would be approximately 1 kilometre long and would be able to accommodate all types of vehicular traffic as well as non-motorised users, such as cyclists and pedestrians.

2.1.4 The opening bascule bridge design would allow large vessels to continue to use the Port of Lowestoft.

2.1.5 A new control tower building would be located immediately to the south of Lake Lothing, on the west side of the new highway crossing, to facilitate the operation of the opening section of the new bascule bridge.

2.1.6 The Scheme would also entail:

- some changes to the existing highway network, such as:
  - the closure of Durban Road to vehicular traffic at its junction with Waveney Drive;
  - the closure of Canning Road at its junction with Riverside Road, and the construction of a replacement road between Riverside Road and Canning Road to the west of the Registry Office; and



- a new access road from Waveney Drive west of Riverside Road, to provide access to property at Riverside Business Park;
  - improvements to Kimberley Road at its junction with Kirkley Run; and
  - part-signalisation of the junction of the B1531 Victoria Road / B1531 Waveney Drive with Kirkley Run;
- the provision of a pontoon for use by recreational vessels located to the east of the new highway crossing, within the Inner Harbour of Lake Lothing; and
  - works to facilitate the construction, operation and maintenance of the Scheme, including the installation of road drainage systems, landscaping and lighting; accommodation works for accesses to premises; the diversion and installation of utility services; and temporary construction sites and access routes.

2.1.7 The works required for the delivery of the Scheme are set out in Schedule 1 to the draft DCO (application document reference 3.1), where they are referred to as "the authorised development", with their key component parts being allocated reference numbers, which correspond to the layout of the numbered works as shown on the Works Plans (document reference 2.4). The General Arrangement Plans (document reference 2.2) illustrate the key features of the Scheme.

2.1.8 The figure below provides a diagrammatic representation of the Scheme:



Figure 1: Location of the Scheme in Lowestoft

### 3. CAPITAL FUNDING

#### 3.1 Scheme Cost

3.1.1 The current cost estimate for the Scheme is £91.7 million. This cost estimate includes construction costs, preparation costs since 2015/16, supervision costs and land acquisition costs. This is an estimate of the anticipated outturn cost and therefore includes an allowance for inflation.

#### 3.2 Scheme Funding

3.2.1 The capital costs of the Scheme will be jointly funded by the Department for Transport ("DfT") and the Applicant.

3.2.2 In December 2015, the Applicant submitted a bid for Government funding through The Local Growth Fund

3.2.3 This bid was approved by the DfT in March 2016, with the Scheme being given programme entry status and an award of provisional funding (with a fixed maximum DfT contribution (see Appendix A)).

3.2.4 The DfT's funding grant is capped at £75.39m and is subject to satisfactory completion of all remaining statutory processes, and submission and approval of a Full Business Case ("FBC").

3.2.5 In the Outline Business Case ("OBC") (see Application document reference 7.4) the cost of the delivery of the Scheme is estimated to be £91.7m. Suffolk County Council's cabinet has agreed to underwrite the shortfall of £18.3m, which comprises the additional £16.3m required to meet the estimated Scheme cost of £91.7m (alongside the £75.39m being provided by the DfT) and a further £2m funding towards the OBC costs.

3.2.6 At the Council's cabinet meeting on 17 May 2016 a report was presented recommending that both the Lowestoft Lake Lothing Third Crossing (the Scheme) and the Upper Orwell Crossing (a bridge project in Ipswich) be included in the Council's cabinet programme (see Appendix B).

3.2.7 As set out set out in Appendix M of the OBC (document reference 7.4), the local partners' (County Council and New Anglia Local Enterprise Partnership) have committed to funding 20% of the total cost of the Scheme. This is currently estimated to be £18.3m. Accordingly £10m has been earmarked from the Council's capital programme, with the remaining £8.3m anticipated to come from local contributions. If such monies cannot be drawn down from other sources, the County Council would seek to borrow the monies or draw on its reserves if required to do so to deliver the Scheme.

3.2.8 On 19 June 2018, a report (see Appendix C) was presented to the Council's cabinet, explaining that the OBC, which dates from 2015, made an initial assessment of the likely cost of land acquisition necessary for the Scheme. The report notes that a more recent cost projection

suggests that there is an upward pressure of up to £8m on the original Property Costs Estimate.

- 3.2.9 The Cabinet acknowledged that the further funding of £8m would be made available if it is needed, but deferred any final decision on any additional funding until Autumn 2019, by which time the Applicant expects both to have awarded a stage 2 construction contract for the Scheme and to be able to make a more accurate cost projection, as part of its preparation of a FBC to be submitted to the DfT.

## 4. LAND ACQUISITION

### 4.1 The Applicant's approach to land assembly

4.1.1 In accordance with the DCLG CA 2013 Guidance (at paragraphs 24-25), the Applicant has been and is seeking, through negotiations, to secure by agreement the necessary land interests and rights to build, operate and maintain the Scheme. However, in parallel with those efforts, the Applicant is seeking powers of compulsory acquisition in the draft DCO, to ensure that the Scheme can still be implemented, and the public benefit it would bring can be realised, within a reasonable timescale, should attempts to acquire land interests and rights by agreement fail.

4.1.2 As evidenced in the Compulsory Acquisition Negotiations Tracker (document reference 4.4), the Applicant has engaged with all known affected landowners to discuss the Scheme, and its impact on land holdings, to agree the access necessary for surveys and to seek the acquisition of the land and rights needed by agreement where possible. This engagement and negotiation with the affected landowners is expected to continue throughout the DCO process.

### 4.2 The Property Costs Estimate

4.2.1 The anticipated outturn costs of the Scheme include allowance for the Applicant's property costs estimate (PCE). The component elements of the PCE cover:

- (a) compulsory acquisition of land and rights over land (where land or rights over land are required permanently);
- (b) disturbance and fees;
- (c) blight;
- (d) temporary possession of land;
- (e) injurious affection;
- (f) severance;
- (g) claims under section 10 of the Compulsory Purchase Act 1965;
- (h) claims under Part 1 of the Land Compensation Act 1973;
- (i) risk; and
- (j) inflation.

4.2.2 The current cost estimate (see paragraph 3.1) includes an allocated budget to cover the total cost of the payment of compensation for the

compulsory acquisition of land, interests in land and rights over land. The budget also covers costs associated with the exercise of powers of temporary possession and use of land during the construction period.

- 4.2.3 The property team have estimated the likely cost of using and acquiring the land and rights necessary to build and operate the Scheme and of the cost of blight and compensation claims likely to arise and become payable. Appropriate allowances have been made for all foreseeable costs (such as disturbance payments) and risk based on professional analysis and experience.
- 4.2.4 The land costs have been derived from analysis of recent comparable property transactions obtained within the locality where the Scheme will need to acquire properties. These values have then been applied to the land identified in the Scheme drawings for acquisition or occupation by the acquiring authority. Also, where available, the cost estimates have been corroborated with estimates produced by independent local agents.
- 4.2.5 The estimates, unless required for temporary possession, provide a capital value for the land required and incorporate both the freehold value of the property as well as those of any leases that are granted on the land and also include an estimate of disturbance compensation. The disturbance figures are based on the property team's past experience of dealing with similar compensation claims. Where land is required on a temporary basis such as for a work site, the land value is based on professional analysis and experience of payments made on other projects/schemes with a temporary land requirement.

#### 4.3 **Acquisition by agreement**

- 4.3.1 To date, one parcel of land has been purchased by the Council for the purposes of delivering the Scheme. This parcel of land was acquired by agreement from a private landowner and will provide the northern landing point for the new bridge crossing on the north side of Lake Lothing.
- 4.3.2 The Applicant is in the process of agreeing and issuing Heads of Terms in connection with a number of landowners, as reported in the Compulsory Acquisition Negotiations Tracker (document reference 4.4).

#### 4.4 **Potential for Blight**

- 4.4.1 The term 'blight' refers to the reduction of economic activity or property values in a particular area resulting from the expectation of possible future development, or associated restrictions on development. Where incidences of blight occur, blight notices may be served by those with a qualifying interest in land affected on the authority responsible for the planned development that gives rise to the blight, requiring the authority to acquire the 'blighted' interests in land. To date no blight notices have been served on the Applicant in respect of the Scheme.

- 4.4.2 The risk of receiving a valid blight notice has been assessed as relatively low as the qualifying criteria are unlikely to be met by the majority of the landowners within the Order Limits boundary. Should any claims for blight arise as a consequence of the threat of compulsory acquisition of land or rights over land related to the Scheme, the costs of meeting any valid blight notice claim will be met by the Applicant.

5. **CONCLUSION**

- 5.1.1 The Scheme is required in the public interest meet the objectives which are set out in the Case for the Scheme (document reference 7.1).
- 5.1.2 For the reasons set out in this Funding Statement, the Secretary of State can be satisfied that the requisite funding will be available to meet the resource implications of delivering the Scheme, including the costs of acquiring the land and rights necessary for constructing, operating and maintaining the Scheme.

## APPENDIX A - DEPARTMENT FOR TRANSPORT CONFIRMATION

*Department for*  
**Transport**

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23 March 2016

Dear Mr Watson,

### **LOWESTOFT THIRD CROSSING SCHEME – PROGRAMME ENTRY: LARGE LOCAL MAJOR SCHEMES PROGRAMME**

Following the receipt of your Business Case for the above scheme and subsequent discussions, this letter confirms that Ministers have agreed to provide Suffolk County Council with the agreed level of funding below, subject to the following conditions, and thereby confirm Programme Entry for the scheme within the Large Local Major schemes programme. This should allow your Authority to complete the negotiation of all the remaining legal and procurement processes (but not enter into final contractual or other legal commitments) following which a request for Full Approval can be made. Once Full Approval has been granted the required contractual and other legal commitments can be entered into.

#### **DfT Funding**

As part of this approval the Department will provide a maximum capped funding contribution of up to **£73.39 million** towards the estimated total scheme cost of **£91.73 million**. Should Full Approval of your scheme be granted, funding will be paid as capital grant under Section 31 of the Local Government Act 2003. We will discuss with you the final profile of funding and the extent to which funding is to be provided in advance of Full Approval.

#### **Terms and Conditions of Funding**

This offer of funding is subject to the following conditions:

- i. This funding approval is granted entirely without prejudice to any view that the Secretary of State or other Ministers may take on any future application for statutory powers or in accordance with any other functions.
- ii. The scheme must be implemented in accordance with the scheme proposals as set out in your funding bid as submitted to the Department and subject to any changes which may occur as a result of further design or as a result of any



remaining statutory procedures. Ministers reserve the right to reconsider their decision on funding if there are any changes to the overall cost, scope or design of the scheme which they consider to be material, particularly where such changes would alter the value for money of the scheme. You must notify the Department immediately of any such material changes.

- iii. The Department's contribution will be up to a maximum of **£73.39 million**. This figure is inclusive of preparatory costs and no further funding will be provided by the Department. Suffolk C.C. is solely responsible for meeting any expenditure over and above this amount.
- iv. Should this scheme progress to Full Approval, further detailed conditions would apply to any grant payable. The grant would be claimed annually in advance.
- v. Suffolk C.C. will be solely responsible for the validity of the procurement process for the scheme.
- vi. Suffolk C.C. continues to develop the business case for the scheme in accordance with the Department's Transport Business Case guidance and Transport Appraisal Guidance (WebTAG).
- vii. The Department is kept closely informed of progress with, and expenditure on, the scheme. It is important that you complete and return quarterly monitoring forms by the due date. In general, updates of progress, and information on work carried out should be shared with DfT on an open and transparent basis and no reasonable request for information withheld.
- viii. A DfT representative may attend Project Board meetings as observer and Project Board papers and minutes should be provided to DfT on request.
- ix. Suffolk C.C. will carry out a full evaluation of the scheme, the details of which we would wish to discuss with you and agree before Final Approval. We would expect you to make the results of this evaluation available to the Department.

I should be grateful for written confirmation that Suffolk C.C. agrees to these conditions, including certification from your Section 151 Officer that the Council accepts the above terms and conditions.

#### **Full Approval**

Your formal request to the Department for Full Approval will need to include:

- confirmation of the overall cost and scope of the scheme;
- a declaration that that you have acquired all the necessary statutory powers to construct the scheme;
- confirmation that you have completed the procurement process to a stage where you have a preferred bidder and a firm and final offer; and
- confirmation from your S151 officer that Suffolk C.C. has the ability to cover all remaining funding required over and above the capped Departmental amount

including any additional funding required as a result of the remaining legal and procurement processes.

We look forward to working with you on updating of the Business case and to receiving a bid for Full Approval once any remaining legal and procurement processes have been satisfactorily completed.

Yours sincerely,



**Charlie Sunderland**

**APPENDIX B - SUFFOLK COUNTY COUNCIL CABINET REPORT MAY 2016**

## Cabinet

<b>Report Title:</b>	Wet Dock Crossing, Ipswich and Lake Lothing Third Crossing, Lowestoft
<b>Meeting Date:</b>	17 May 2016
<b>Lead Councillor(s):</b>	Councillors James Finch, Richard Smith MVO and Guy McGregor (Member with special responsibilities for outside bodies)
<b>Local Councillor(s):</b>	Councillors Bryony Rudkin, Kim Clements, Mandy Gaylard, Janet Craig, Keith Patience, Bill Mountford and Derek Hackett
<b>Director:</b>	Geoff Dobson. Director of Resource Management
<b>Assistant Director or Head of Service:</b>	Bryn Griffiths Assistant Director Infrastructure and Waste Mark Stevens Assistant Director, Operational Highways, Resource Management
<b>Author:</b>	Dave Watson, Transport Strategy Manager. Telephone: 01473 264822

### Brief summary of report

1. The Chancellor's Budget included an allocation of Government funding to support two very large transport infrastructure projects in Suffolk. £77.546 million has been allocated towards the Ipswich Wet Dock Crossing and £73.39 million towards the Lake Lothing Third Crossing. This requires a local capital contribution of £37.4 million for both schemes under the terms of the government approval.
2. Government funding is subject to the submission of a final business case at a point when all statutory processes have been completed to enable scheme construction and when the Council is ready to enter a contract to construct. It is anticipated that construction of both projects could commence in 2019/20.
3. In order to develop the schemes to the point where a final business case can be submitted significant revenue and capital investment will be required.
4. It is estimated at this point that the likely cost of taking both schemes forward over the next three financial years will total £20 million: £10 million of revenue funding and £10 million of capital funding (part of the above contribution referred to in paragraph 1). The spend profile will depend on progress against a complex programme and may vary but is likely to be as shown in paragraph 24.

### What is Cabinet being asked to decide?

- |   |
|---|
| <ol style="list-style-type: none"> <li>5. The Cabinet is being asked to include the Ipswich Wet Dock Crossing and Lake Lothing Third Crossing in the Council's capital programme and to approve the expenditure of up to £10 million revenue funding and up to £10 million in capital funding over the financial years 2016/17, 2017/18 and 2019/20 to develop each project to a point where a final business case can be submitted to Government.</li> </ol> |
|---|

## **Reason for recommendation**

6. The proposed allocation of funding will enable work to continue on both schemes so that statutory consents can be obtained, the scheme designs progressed to a point where scheme construction can be procured and a full business case submitted to the Department for Transport so that the Government funding can be released.

## **What are the key issues to consider?**

7. The key issue to consider is whether the proposed allocation of capital and revenue funding to these schemes can be justified. The amount of money being requested is an estimate of what will be required and it is possible that additional funding will be needed later. The release of money from the Department of Transport for each scheme is dependent upon completion of the statutory approvals process and the submission of a final business case.
8. Overall funding for the schemes includes a local capital contribution to each: £19.1 million for Ipswich and £18.3 million for Lowestoft. The sources of the local contribution have yet to be confirmed given the uncertainties around local funding streams that may be available within any devolution settlement. There are a number of other potential funding opportunities including retained business rates, Community Infrastructure Levy and future New Anglia Local Enterprise Partnership Growth Deal funding. In view of the uncertainties around all these potential sources of funding it is likely that the Council would be required to guarantee the local contribution at the time of submission of the final business case. The capital funding invested in taking the schemes forward can be considered as part of the local contribution to the projects, thereby reducing the funding to be secured later.

## **What are the resource and risk implications?**

9. The estimated financial resource that is required is £10 million revenue and £10 million capital in total over the financial years 2016/17, 2017/18 and 2018/19 for both schemes. At this stage, however, given the scale of the projects there is some uncertainty about the extent of work that will be required to complete the statutory processes, acquire land and to procure the construction.
10. It is anticipated that some of these costs may be offset from other sources of funding but initially the Council will have to guarantee this resource. It is suggested that the revenue contribution is taken from the capital financing reserve and the capital element is carried in the short term from the Council's cash flow (temporary borrowing) until the Council needs to undertake a much larger tranche of permanent borrowing for a wide range of projects and to replace the use of reserves.
11. Both projects involve the construction of complex structures over bodies of water and including opening / lifting mechanisms. In addition to the capital cost of construction the Council will be responsible for ongoing costs to operate and maintain the structures. The likely ongoing costs are not yet known at this stage of scheme development but could potentially be in excess of £500,000 per year in total.

12. The principal risks associated with these projects are:
- a) The Council fails to secure the necessary statutory consents and land acquisition for one or both schemes in which case the affected scheme could not be built. This risk can be mitigated by ensuring that the processes to secure the necessary consents and to acquire land are rigorously followed.
  - b) The Council fails to secure final funding approval for one or both schemes from the Department for Transport. This risk can be mitigated by ensuring that the scheme business cases are updated as development progresses so that the very high value for money of the schemes can continue to be demonstrated.
  - c) The final cost at procurement of one or both of the schemes may be significantly above the estimated outturn cost. Under the terms of the Government funding offer (see sources of further information) its contribution to each scheme is capped and the promoting authority is liable for any additional cost. This risk can be mitigated to some extent by ensuring that the estimated cost is reviewed regularly as the scheme designs are detailed.
  - d) It is proposed that the Ipswich project will include a design competition following a request by Ben Gummer MP. This process will be undertaken in association with the Royal Institute of British Architects. There is a risk that this process will add additional time and cost to the project programme and delay construction, risking the loss of Government funding. It may also increase the likelihood of the risk of cost overrun identified at c) above. This risk can be mitigated by simplifying the design competition so that it can be carried out quickly, by controlling additional design costs and by ensuring that the terms of the competition are set so that the winning design can be provided within the estimated scheme cost. A competition for design is likely to result in a better appearance for the Wet Dock Crossing, which will be in a sensitive historic location within Ipswich.

### **What are the timescales associated with this decision?**

13. Government funding for the schemes has been secured from the Department for Transport's local major transport schemes budget. This Council has been advised that this funding is available until the end of the 2020/21 financial year. The programme for both schemes has therefore been determined with a view to a start of construction in 2019/20. This is a very ambitious target given the work that will be required to secure the relevant consents, to complete design work and to procure the contract works. In order to meet this target work must begin immediately so that applications for the necessary consents can be submitted in 2017.

### **Alternative options**

14. Cabinet could decide not to provide the necessary funding. In this case the projects could not proceed without alternative funding sources being available.

### **Who will be affected by this decision?**

15. Road users in Ipswich and Lowestoft, including those on the Strategic Road Network, that being the A14 in Ipswich and A12 in Lowestoft.

16. In both cases the schemes will enhance regeneration opportunities in the towns to the benefit of the local communities/employers.
17. Those with an interest in the land, be it landowners, tenants or statutory undertakers will be directly affected, as the Council will need to acquire the land interests it needs to build and operate the schemes.

## **Main body of report**

### *Introduction*

18. In his Budget speech on 16 March 2016 the Chancellor announced Government funding to support the construction of a new crossing of the wet dock in Ipswich and a third crossing of Lake Lothing in Lowestoft. Compelling outline business cases for both schemes had been submitted by the Council to the Department for Transport in December 2015.
19. Subsequent letters from the Department for Transport confirmed that Government funding allocated to each scheme was as follows:
  - a) Ipswich Wet dock crossing: £77.546 million towards a total estimated scheme cost of £96.649 million.
  - b) Lowestoft Lake Lothing crossing: £73.39 million towards a total estimated scheme cost of £91.73 million.
20. Overall funding for the schemes includes a local capital contribution to each: £19.1 million for Ipswich and £18.3 million for Lowestoft. The sources of the local contribution have yet to be confirmed given the uncertainties around local funding streams that may be available within any devolution settlement. There are a number of other potential funding opportunities including retained business rates, Community Infrastructure Levy and future New Anglia Local Enterprise Partnership Growth Deal funding. In view of the uncertainties around all these potential sources of funding it is likely that the Council would be required to guarantee the local contribution at the time of submission of the final business case.
21. The Government funding for each scheme will be made available subject to a final approval following submission of a full business case. The business cases can only be submitted after completion of all statutory processes and the completion of a procurement process for construction of the scheme.
22. In order to advance the schemes to the point where full business cases can be prepared a substantial amount of work needs to be done. There are no sources of funding available to support this work other than the Council's own resources.
23. At this point it is estimated that the funding required to develop the schemes to a point where final funding approval could be sought would total £10 million revenue and £10 million capital over the three financial years 2016/17, 2017/18, 2018/19. It is anticipated that construction of both schemes will commence in the 2019/20 financial year.

24. The estimated funding required in each financial year to cover work on both schemes is:
- |          |  |
|----------|--|
| 2016/17: | £3 million revenue, £3 million capital |
| 2017/18: | £5 million revenue, £4 million capital |
| 2018/19: | £2 million revenue, £3 million capital |
25. The revenue funding is required to carry out intensive work associated with acquiring the necessary consents to build the scheme and to develop the full business case to be submitted to Department for Transport. This includes costs for developing and submitting Development Consent Orders, examination and legal costs, statutory and non-statutory consultations, environmental assessments, traffic and economic modelling and preparation of the final business cases. Capital funding is required to develop and finalise the engineering designs and to purchase land where this can be negotiated in advance of any compulsory purchase and following compulsory purchase. The capital investment can be considered as part of the local contribution to the overall scheme costs.

### *Consenting*

26. The Planning Act 2008 (“the Act”) provides a means to speed up the consenting of major infrastructure projects. It allows an application for multiple consents and the compulsory acquisition of land to be made at the same time. The Secretary of State for Transport is the ultimate decision maker for transport projects, with the Planning Inspectorate making a recommendation to it after an examination in public.
27. The regime is only open to infrastructure projects of national importance, so called Nationally Significant Infrastructure Projects (NSIP). For highways schemes, in simple terms, NSIPs include those projects for which the Secretary of State for Transport is the highway authority, i.e. trunk roads such as the A14, and the area of the scheme meets the relevant limits set out in the legislation.
28. However, the Act also provides a mechanism for highway scheme promoters, such as county councils, to apply to the Secretary of State for a Direction that their scheme is nationally significant and thus can enter the fast track Planning Act regime. A Direction was sought for the Lake Lothing Third Crossing to be designated an NSIP and this was granted on 22 March 2016.
29. At this time The Council remains in discussion with the Department for Transport in relation to the Ipswich Wet Dock Crossing and continues to make the case that that scheme is also nationally significant. If this bid fails, the Council would need to review the alternative options, likely to be a Transport and Works Act Order, and pursue other consents separately. This outcome would cause significant concern over the timely delivery of the Wet Dock Crossing scheme.
30. To avoid confusion, this report makes the assumption that both schemes would proceed under the Planning Act 2008.

31. For schemes classified as NSIPs, the promoter must make an application for development consent to the Planning Inspectorate. Before doing so however, there are strict requirements in relation to pre-application consultation (which are described in more detail below). The application will consist of a suite of documents including a draft Development Consent Order (the Statutory Instrument that authorises the scheme), an Environmental Impact Assessment and a description of how the development complies with the National Networks National Policy Statement. The National Networks National Policy Statement is the policy document against which the application is tested, not the Local Plan or National Planning Policy Framework as is the case for applications made under the Town and Country Planning Act. The Planning Inspectorate examines the application documents in a 6 month process, which includes public hearings, and then reports three months later. Its recommendation report is then sent to the Secretary of State for Transport who has three months to determine the application

### *Programme*

32. At the current time the Department for Transport, while not yet having agreed a funding profile, has been clear that funds must be committed by March 2021. The local contribution to each scheme could fund construction after this date, providing for some flexibility.
33. The Council is committed to meeting the Department for Transport's deadline in view of the possible risks to funding, but recognises the programme to deliver the schemes in this timeframe is extremely challenging.
34. It is estimated it would take between two and three years to build each scheme. Construction should, therefore commence in 2019/20. Once an application for development consent is accepted, a decision would be forthcoming around 15 to 18 months later. Therefore, applications for development consent orders for each scheme need to be made in the summer/autumn of 2017. To achieve this target means there will need to be an intensive period of design, environmental assessment and consultation over the next 12 to 15 months. This will be extremely resource intensive, involving internal and consultant resources.
35. A construction programme will be developed as design of the schemes progresses. At this stage it is anticipated that construction of each project will take between 30 and 36 months.
36. Core teams are being established to act as the intelligent client, managing multiple contracts with consultants and ensuring the schemes keep to programme. External support will be required with expertise in the relevant legislation, consultation and engagement, environmental impact assessment, land referencing and assembly and highways and structural design and construction.



## *Governance*

37. A Project Board has been established for each scheme. The Senior Responsible Officer for the Wet Dock Crossing Ipswich will be the Assistant Director, Operational Highways. In the case of the Lake Lothing Third Crossing in Lowestoft the Senior Responsible Officer will be the Assistant Director Infrastructure and Waste. The arrangements for the respective Boards include representation from either Ipswich Borough Council or Waveney District Council, as appropriate, and the appropriate lead consultant and contractors (once appointed). The inclusion of district and borough council officers on the scheme promoter's project boards reflects the importance of these schemes to their local areas. Ipswich Borough Council and Waveney District Councils will also have a statutory role, set out in paragraph 41, as consultees in the DCO process, which is entirely separate.
38. There is also a wider group associated with each project, bringing together key stakeholders, for example the local Members of Parliament and New Anglia Local Enterprise Partnership, with district, borough and county councillors. These groups will be important consultees as the schemes progress and will be attended by the Senior Responsible Officers and county councillors representing the County as scheme promoter.
39. The Council as the promoter of the schemes will, under the Planning Act 2008, also be required to consult itself as a host local authority. To ensure that there is a clear separation of duties in place the Assistant Director, Strategic Development will lead with regard to the Council's role as consultee.
40. The Director of Resource Management advised by the Monitoring Officer will ensure that appropriate mechanisms are put in place to ensure that the distinction between the Council as the promoter and the consultee is maintained, and an internal governance structure is established that will cover Council officers, Councillors and the decision making bodies. It is proposed that this will involve Cabinet receiving reports and taking decisions from the position of the Council as promoter, while consultation responses and decisions from the position of the Council as consultee will, where necessary and appropriate, be taken to Development Control Committee.

## *Consultation and engagement*

41. Pre-application engagement is a statutory requirement under the Planning Act 2008, with the Council required to consult for period of at least 28 days with statutory consultees (for example the Environment Agency); the Marine Management Organisation; host and neighbouring local authorities; all those people/organisations who may have a 'private' interest in the land affected by the projects and 'people living in the vicinity of the land' (i.e. the local community).
42. The Council is committed to full and inclusive engagement, and in practical terms, consultation with all the above parties will be ongoing throughout the pre-application process.

### *Scheme Design, Land Purchase and Procurement*

43. In addition to funding required to secure consents for the schemes, significant capital funding will be needed to take forward the engineering designs of these schemes to a point where there is clarity about the amount of land required; there can be certainty that they can be constructed and operated and where we can have a reasonable certainty of likely cost prior to the procurement process.
44. The Development Consent Order applications are likely to include a request for compulsory purchase powers so that land and rights required for the construction and operation of the bridges can be secured. In advance of that process, where parcels of land have been identified, attempts will be made to buy them for the Council by negotiation.
45. The procurement of these significant projects will require significant resources to ensure that best value is obtained.

### *Conclusion*

46. Cabinet is being asked to approve the expenditure of significant sums of money to take forward these projects in Lowestoft and Ipswich and there will be a need for further local funding in future years to support construction. The proposed investment demonstrates the commitment of the Council to the delivery of key infrastructure to support growth across Suffolk.

#### **Sources of further information**

- a) Outline Business Cases and funding letters from the Department for Transport:

<https://www.suffolk.gov.uk/roads-and-transport/public-transport-bus-pass-and-transport-planning/consultations-and-studies/#tab3>

- b) Planning Inspectorate website:

<http://infrastructure.planninginspectorate.gov.uk/application-process/the-process/>

- c) National Networks National Policy Statement:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/387222/npsnn-print.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387222/npsnn-print.pdf)

**APPENDIX C - SUFFOLK COUNTY COUNCIL CABINET REPORT JUNE 2018**

## Cabinet

<b>Report Title:</b>	Lake Lothing Third Crossing, Lowestoft the Next Steps
<b>Meeting Date:</b>	19 June 2018
<b>Lead Councillor(s):</b>	Councillor Matthew Hicks, Leader of the Council Councillor Richard Smith, Cabinet Member for Finance and Assets
<b>Local Councillor(s):</b>	Councillors Jamie Starling (Lowestoft South); Jenny Ceresa (Lowestoft South); James Reeder (Oulton); Keith Robinson (Oulton); Craig Rivett (Pakefield); Melanie Vigo di Gallidoro (Pakefield); Keith Patience (Gunton); Steve Ardley (Gunton).
<b>Director:</b>	Aidan Dunn, Interim Corporate Director of Growth, Highways & Infrastructure.
<b>Assistant Director or Head of Service:</b>	Bryn Griffiths, Assistant Director Infrastructure and Waste.
<b>Author:</b>	Jon Barnard, Lake Lothing Project Manager, Tel:01473 264279

### Summary of report

1. The report informs members of the positive outcome of the public consultation prior to the submission of a planning application to the Planning Inspectorate and informs Cabinet of the adjustments to the project made because of the public feedback. The latest budget projection is set out and a recommendation is made in the light of expenditure to date. Cabinet is asked to reflect on the outcome of the consultation, endorse the proposed changes to the project, note the current budget projection and authorise the submission of a planning application to the Planning Inspectorate in mid to late Summer 2018.

### What is Cabinet being asked to decide?

- |   |
|---|
| <ol style="list-style-type: none"> <li>2. Welcome the positive public response to the proposed Lake Lothing Third Crossing and endorse the project changes to address consultation feedback as considered in paragraphs 42-53.</li> <li>3. Acknowledge the current expenditure projections in paragraphs 8-11 and ask that the Assistant Director of Infrastructure and Waste manage the project to contain the requirement for additional funds and report back to Cabinet in the Autumn of 2019 with a definitive budget requirement.</li> <li>4. Authorise the Interim Director of Growth, Highways and Infrastructure, in consultation with the Leader of the Council and the Cabinet member for Finance and Assets, to finalise the submission and apply for a Development Consent Order for the finalised Lake Lothing Third Crossing Scheme by the end of the Summer.</li> </ol> |
|---|

## **Reason for recommendation**

5. The County Council's Lake Lothing Third Crossing project has completed its initial design and statutory pre-application consultation. The next stage of the project is to finalise and submit the application for development consent to the Planning Inspectorate. It is advised that Cabinet reflect upon the outcome of the consultation, consider the proposed changes to the project, acknowledge the proposed budget adjustment and decide whether it wishes to proceed with the submission of an application for a development consent order. It is important the Planning Inspector can see the importance the Cabinet has attached to delivering the Lake Lothing Third Crossing, accommodating public feedback and its commitment to ensuring the project is properly funded.

## **What are the key issues to consider?**

6. The provision of a Third Lake Lothing Crossing will remove an important impediment to much needed growth in Lowestoft. The Outline Business Case which was part of the submission the Council made to the Department for Transport illustrates how important the delivery of the new bridge is to the local economy. The recent public consultation showed that 96% agree there is a need for the new bridge. Cabinet previously approved the funding at its meeting on 17 May 2016. The Chancellor's Budget included an allocation of Government funding to support two very large transport infrastructure projects in Suffolk including £73.39 million towards the Lake Lothing Third Crossing. The project remains on programme to deliver the bridge by 2022.
7. Cabinet needs to consider:
  - a) Does Cabinet wish to proceed with the bridge based on the positive feedback set out below and apply for a Development Consent Order for the finalised Lake Lothing Third Crossing Scheme?
  - b) Is Cabinet content that the project changes adequately address the matters raised in the public consultation?
  - c) Is Cabinet content with the budget position as discussed in paragraphs 8-11?

## **Finance and assets what are the resource and risk implications?**

8. The Planning Inspectorate will expect to see evidence that the proposals for land acquisition, as set out in Business Case, are well underway and adequately funded. In 2015 the Business Case made an initial assessment of what the cost of land acquisition was likely to be and now three years later we can revise the estimate. The current projection is that acquisitions to date have suggested that there is an upward pressure of up to £8m on the project budget.
9. The project is at the reference design stage and early feedback from potential contractors is that there are opportunities for value engineering which will be used to manage this budget pressure. It is recommended that the Assistant Director of Infrastructure and Waste ensure that the project is managed to do all that is possible to contain this upward pressure, but the current upward budget pressure of £8m is acknowledged to give the Planning Inspectorate comfort that the bridge will be funded in all scenarios. Any extra money still required by the project at its completion must be provided by the County Council under the terms of the Government funding offer. The Government contribution to each scheme is capped and the promoting council is liable for any additional cost. This risk will

be mitigated to some extent by ensuring that the estimated cost is reviewed regularly as the scheme designs are detailed.

10. Cabinet is asked to acknowledge that the further funding of £8m would be made available if it is needed but note that the Assistant Director of Infrastructure will act as set out above and seek to contain the cost. Cabinet will make a final decision on any additional funding that may be required prior to the award of the stage 2 construction contract in Autumn 2019. The cost will be more robust at this point as the detailed design will have been completed so a final target cost will be considered by Cabinet prior to proceeding with construction. Cabinet should therefore note that there is no requirement to make an additional budget provision at this stage and that Cabinet will have another opportunity to look at the County Council’s capital priorities when the Head of Finance (Section 151 Officer) reports to Cabinet in Autumn 2018.
11. The principal risks associated with this project are set out in the table below:

Possible Risks	Impact	Mitigation
Failure to secure Development Consent Order (DCO).	Scheme cannot progress in its current form.	Early engagement with Planning Inspectorate; appointment of key planning resources with DCO experience; appointment of specialist lawyers.
Changes to Department for Transport (DfT) guidance on economic appraisal, or changes to the traffic model resulting from this, erode traffic benefit.	Reduction to Benefit Cost Ratio (BCR) and Value for Money Category (VfM).	Keep abreast of any DfT changes and keep in regular dialogue with DfT.
Scheme negatively impacts on port operations (navigational constraints, visibility, safety) during construction and operation.	May require scheme design changes; may increase scheme costs. Possible combination effect with tidal barrier construction.	Undertake vessel simulation to identify scheme impacts. Work closely with Waveney District Council and Association of British Ports (ABP).
Presence of critical utility infrastructure (“stats”) impacts upon the proposed design.	This could require amendments to the existing design (which would increase scheme costs).	“Stats” mitigation costs already included in cost of scheme (and risk allowance) and the project is in dialogue with stats providers.

External parties, e.g. Land acquisition costs. Scheme costs increase.

Early discussions with landowners, making representations on planning applications as need be; appointment of land agents.

**Table one: The principle risks associated with the project.**

12. An Initial Equality Impact Assessment has been undertaken and can be found via the following link: <https://pandp.suffolk.gov.uk/> (search under **Lake Lothing**). It was decided that Full Equality Impact Assessment was not needed because at this stage of the project it is not expected that any of the people from the groups subject to the assessment are negatively affected.

### **What are the timescales associated with this decision?**

13. Government funding for the scheme has been secured from the Department for Transport's local major transport schemes' budget. This Council has been advised that this funding is available until the end of the 2020/21 financial year. The programme for the scheme has therefore been determined with a view to a start of construction in 2019/20. This is a very ambitious target given the work that will be required to secure the relevant consents, to complete design work and to procure the contract works. To meet this target, the application for the necessary consents must be submitted in 2018.

### **Alternative options**

14. Cabinet could decide not to proceed with the submission of the application and therefore not progress the project any further. If Cabinet was to consider this course of action they should reflect upon the impact of the lost opportunity to promote growth and regeneration in Lowestoft and the damage to the County Councils reputation which would occur because of a failure to deliver a Department for Transport funded project.

### **Who will be affected by this decision?**

15. All residents in Lowestoft and the surrounding area will have the opportunity to benefit from the growth and regeneration which will occur because of the provision of the bridge. The extent of the benefit was set out in the Outline Business Case.
16. Road users in Lowestoft, including those on the Strategic Road Network A47.
17. Those with an interest in the land in the locality, be it landowners, tenants or statutory undertakers will be directly affected, as the County Council will be seeking to acquire the land interests it needs to build and operate the schemes via the Development Consent Order (DCO) planning process. The County Council are working closely with those affected to discuss any impact and potential mitigation

### **Cabinet Committee**

18. The relevant Cabinet Committee did not indicate a desire to consider this report.

## Main body of report

### Introduction

19. At the meeting on the 17 May 2016 Cabinet approved the inclusion of the Lake Lothing Third Crossing and the Ipswich Upper Orwell Crossings into the Council's capital programme and the expenditure of up to £10m revenue funding and up to £10 million in capital funding over the financial years 2016/17, 2017/18 and 2019/20 to develop the project to a point where a final business case could be submitted to Government.
20. Since this approval the Lake Lothing Third Crossing project has been developed to a reference design stage which enables full assessment of its impacts and consultation. The existing bridges over the lake at Mutford Bridge and the existing A47 Bascule Bridge in Lowestoft are inadequate to meet current and future traffic demand. Delays and congestion are a common occurrence for drivers, particularly during peak hours, and pedestrians and cyclists often have long and difficult journeys as they travel across the town.
21. There have been improvements to local roads in recent years, but the Third Crossing remains a missing link. There has long been ambitions within the local authorities and communities for a third crossing over Lake Lothing to reduce congestion and severance, and allow the road network to operate efficiently, providing vital extra capacity.
22. In 2015, the County Council was awarded funding by the Department for Transport (DfT) to develop an Outline Business Case (OBC), to identify and assess several ways of improving north south connections across Lake Lothing.
23. On 24 February 2016, the County Council formally requested that the Secretary of State for Transport should use his power under section 35 of the Planning Act 2008 (the Act) to direct that the Lake Lothing Third Crossing, and its associated matters (collectively "the proposed scheme"), should be treated as development for which development consent is required. In the direction of the 22 March 2016, the Secretary of State confirmed that he was satisfied that the proposed scheme was nationally significant principally due to the relief it provides to the A47 Bascule Bridge, part of the Strategic Road Network (SRN).
24. In March 2016, the County Council received a provisional funding agreement of approximately £73m from the DfT for the Lake Lothing Third Crossing scheme.
25. As reported in the March 2016 paper the estimated total cost of the project is £91.73m the origin of funding is as shown below:

Source of contribution	Amount in £M
DfT contribution	73.39
Local Contribution	18.34
<b>Scheme Cost</b>	<b>91.73</b>

**Table two: The origin of funding**

26. The sources of the local contribution have yet to be confirmed, however there are several potential funding opportunities including Community Infrastructure Levy and future New Anglia Local Enterprise Partnership Growth Deal funding.



27. The project team along with the successful contractor are committed to managing down the budget pressure as highlighted in paragraphs 8 to 11 of this report. As the design of the project is at a reference design stage there are several opportunities where savings could be potentially made.
28. The Lake Lothing Third Crossing comprises a new multi-span bridge, including an opening section over Lake Lothing. The bridge will be a single carriageway road with facilities for pedestrians and cyclists. The proposed design includes new roundabouts to the north and south of the lake to help connect the traffic smoothly into the existing road network, as well as providing public spaces for people to enjoy.

### *Consultation*

29. The County Council has taken a proactive approach to engagement including three non-statutory consultations (informal public consultation June to July 2014, Business consultation September 2015 and Port users' consultation in October 2015). These consultations have been supplemented with additional stakeholder engagement activities to maximise awareness of the Scheme and provide the means for the County Council and interested parties to discuss concerns as the design developed.
30. The County Council has exceeded the minimum requirements for pre-application consultation to ensure that consultees, including the local community, are fully informed about the scheme, its design, the development consent application process, how they could provide feedback on the proposals and then to ensure that all relevant responses received were fully considered in the scheme's design.
31. Prior to the statutory consultation, there had been substantial engagement with interested parties, a public consultation over the location of the new crossing and a consultation with businesses. In addition, targeted engagement has taken place with key stakeholders including Associated British Ports (ABP), who own and operate the Port of Lowestoft, other port users and environmental consultees.
32. From Monday 4 September to Monday 23 October 2017, the County Council ran a statutory consultation on its proposals. The consultation was carried out in accordance with guidance and legislation.
33. The County Council compiled an extensive database of consultees including those required by the Act and Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP), local authorities, landowners and others with an interest in the land, local elected members, local community groups and other organisations with local or technical interests in the proposals.
34. The consultation activities included:
  - a) Preparation of a range of consultation documents.
  - b) Eight consultation events.
  - c) Six deposit locations where consultation documents were available to review.
  - d) Briefings to elected members and stakeholder groups.
  - e) A regularly updated website.
  - f) Publicity to raise interest in the consultation through formal notification, media, posters and advertising.

35. The communication methods were carefully considered to ensure that the wide range of consultees were made aware of the consultation and could access the relevant information needed to inform their responses. The consultation material was carefully created to be clear and accessible to the range of different consultees. Consultees were also provided with several different ways to provide their feedback.
36. These activities generated 1469 responses from a range of consultees, including 1350 questionnaires and 119 bespoke responses.
37. 96% of those that completed a questionnaire agreed a new crossing over Lake Lothing is needed and 82% agreed that the proposals presented at statutory consultation addressed the objectives of the proposed scheme.

<b>Response format</b>	<b>Number of responses received</b>
Questionnaire responses via the webpage	713
Questionnaire responses received by post or email	429
Questionnaire responses received at Deposit Locations	99
Questionnaire responses received at consultation events	109
Bespoke emails and letters	119
<b>Total</b>	<b>1469</b>

**Table three: Number of consultation responses received by format**

38. The below image shows the high-level inputs and outputs of the statutory consultation.

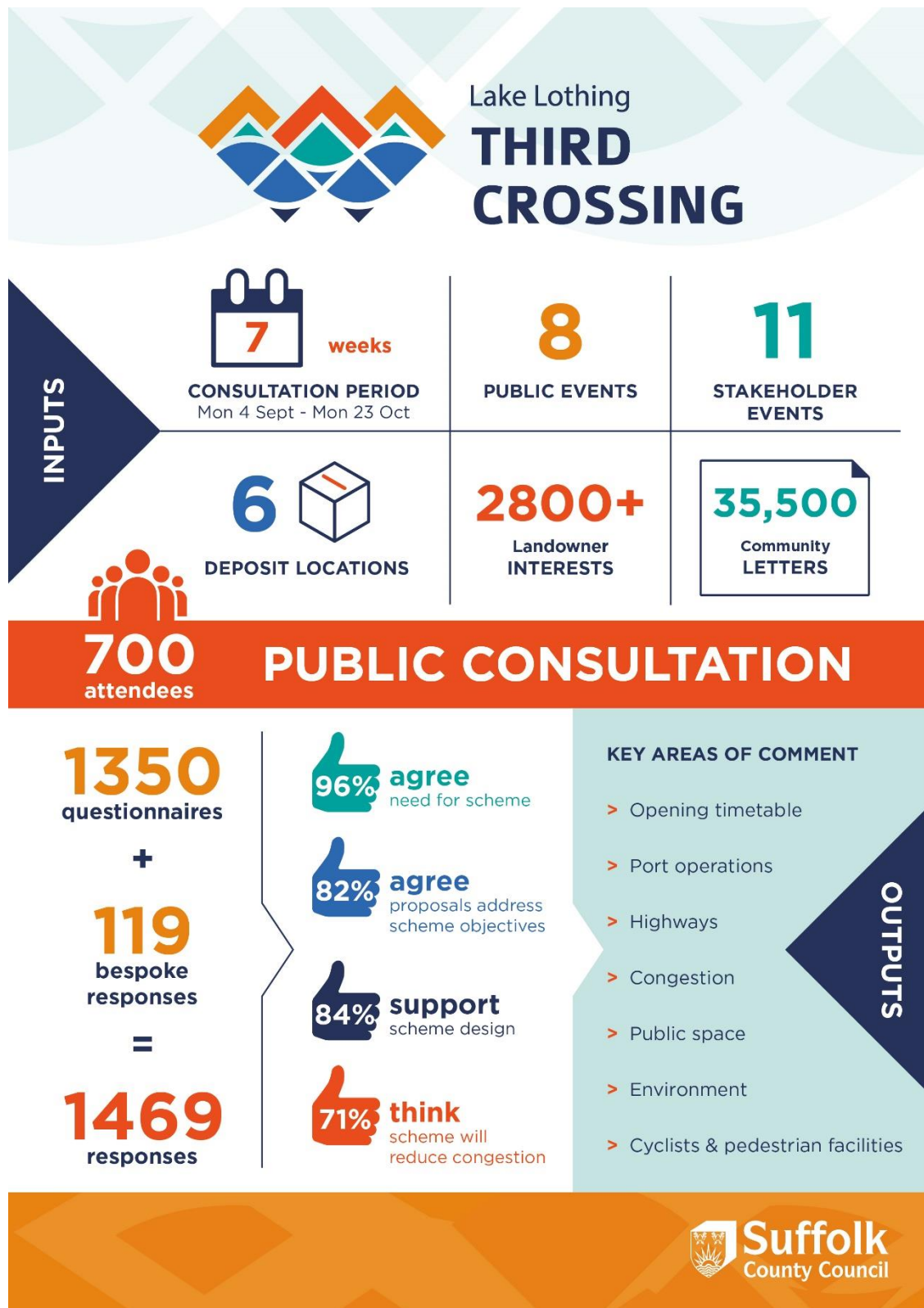


Figure 1: Infographic of the high-level statistics form the statutory consultation

39. In general consultees, especially within the local community, were very supportive of the need for a Lake Lothing Third Crossing, particularly to ease the congestion experienced by people travelling into and through the town. 71% of respondents felt the scheme would reduce congestion.
40. Whilst there were some comments on alternative options, namely a tunnel or flyover, which the County Council has shown are not feasible, the majority accepted why an opening bridge is required. No alternative was suggested which would fundamentally alter the design proposed.
41. Support for the design amongst those that completed the questionnaire was 84%, showing that people were positive about the potential to create a bridge that could become a focal point for the town.
42. The County Council received substantial detailed comments on the Preliminary Environmental Information Report (PEIR), particularly from prescribed bodies and the local authorities.
43. Key points raised from the consultation:
  - a) The opening schedule.
  - b) Impact on Port operations.
  - c) Highways layouts on the north and south.
  - d) Traffic modelling particularly around Tom Crisp Way, Rotterdam Road, Waveney Drive and Notley Road/Kimberley Road.
  - e) Pedestrian and cycling facilities.
  - f) Impact on land.
44. Several of the comments received from the consultation were matters for the detailed design phase. However, consultation feedback with users of Lake Lothing (although a majority could see the benefit) were concerned around the operation and co-ordination of openings with the existing bascule bridge. There was to some extent conflicting comments and suggestions of the mitigation being sought.
45. As a result of this, following the consultation period, a Navigation Working Group was set up which was chaired by an independent facilitator. The group was attended by a range of representatives including recreational users, commercial businesses and the harbour authority.
46. A consensus was reached on several the issues and points raised, particularly:
  - a) The need for a dedicated control tower for the Lake Lothing Third Crossing.
  - b) The need for a pontoon to assist recreational vessels waiting between the Lake Lothing Third Crossing and the A47 Bascule Bridge.
  - c) That the opening regime should mirror that in place for the A47 Bascule Bridge.
47. The pontoon was not a part of the original design and therefore will require additional ground investigation and design work prior to the submission of the application. The exact location will need to be agreed with the parties following its inclusion in the marine navigation model.

48. The opening schedule or arrangements are yet to be agreed with the port operator, the Association of British Ports (ABP), however surveys and scenarios have been tested within the modelling of the project, taking account of the impact on both marine and road traffic.
49. The closure of Durban Road was well received by some parties particularly around the removal of “rat running” however there were concerns raised by some residents and the Waveney Gymnastics Club around traffic movements in the area. Therefore, some investigation and design work is being carried out to ensure access by coaches visiting the area can be accommodated.
50. The project is predicted to result in an increase in traffic on Rotterdam Road which raised some concerns in the consultation. Work will be carried out with a view to a monitoring programme to be in place following the opening of the scheme.
51. The County Council has a duty to consider all the consultation feedback. Comments have been fed into the highways design, Environmental Statement (ES), Transport Assessment (TA) and Design and Access Statement (DAS) which will all be submitted alongside a draft DCO (the Development Consent Order which is the Statutory Instrument that authorises the scheme) as part of the application. Some of the issues raised will be addressed as part of the detailed design stage following the appointment of the design and build contractor.
52. Statements of Common Ground have been initiated pre-application and will be draft documents at the application stage. These will be updated during the pre-examination and examination stage to reflect on-going consultation and engagement.
53. In addition, engagement will continue to take place with key consultees through details design and with the wider community to maintain interest and support for the Scheme.

#### *Land*

54. The Development Consent Order application will include a request for compulsory purchase powers so that land and rights required for the construction, operation and maintenance of the crossing can be secured. The project team is working with all affected landowners to reach agreement over the terms of the acquisition of those properties.
55. Those discussions will continue for some months, as such the terms of these acquisitions are currently at an early stage and it is not possible to confirm the anticipated costs at this time. Equally, the compensation code provides for losses incurred because of the scheme. Consequently, claims may continue to arise post-construction for several years. The County Council is not yet able to accurately estimate these costs pending further discussions with potential claimants.
56. It was noted in the May 2016 report to the Cabinet that advance acquisitions of property would be considered. Consequently, in June 2017, the County Council acquired the proposed northern landing point for the scheme. An acquisition was completed at this time as the land in question benefited from consent for a retail park including drive-thru restaurant. Discussions with the landowner indicated it

was minded to commence development on the site, and, had this happened, a future acquisition could have been considerably costlier.

## Conclusion

57. The project remains on programme, with the procurement process to appoint the design and build contractor well under way. A further report will be submitted prior to contract award for the detail design phase in September 2018 and another report in Autumn 2019 to agree to award the construction contract based on the target price and any further budgetary consideration required.
58. The full consultation report once completed will be submitted with the DCO application and made available on the County Council's website.
59. There is a high level of public and stakeholder support for the scheme and the responses given have helped to shape the scheme further. Several points raised are suggestions which will be addressed at the detailed design stage prior to construction.

### Sources of further information

Report to Cabinet, 17 May 2016, *Wet Dock Crossing, Ipswich and Lake Lothing Third Crossing, Lowestoft*

[https://committeeminutes.suffolk.gov.uk/DocSetPage.aspx?MeetingTitle=\(17-05-2016\),%20The%20Cabinet](https://committeeminutes.suffolk.gov.uk/DocSetPage.aspx?MeetingTitle=(17-05-2016),%20The%20Cabinet)

An Initial Equality Impact Assessment has been undertaken and can be found via the following link: <https://pandp.suffolk.gov.uk/> (search under **Lake Lothing**).