

# Birmingham City Council

## Report to Cabinet Member for Transport and Environment and Cabinet Member for Finance and Resources

23 April 2021



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**Subject:** Pershore Road/Priory Road  
– Pedestrian Cycle Safety Measures

**Report of:** Acting Director, Inclusive Growth and Interim Chief Finance Officer

**Relevant Cabinet Member(s):** Councillor Waseem Zaffar – Transport and Environment, Councillor Tristan Chatfield – Finance and Resources

**Relevant O and S Chair(s):** Councillor Liz Clements – Sustainability and Transport, Councillor Sir Albert Bore – Resources

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All
If yes, name(s) of ward(s): Edgbaston, Balsall Heath West, Moseley		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
The financial information is included in the attached Exempt Appendix B. This is covered under Exempt information – discretion to exclude public: information falling within the categories outlined in 12A of the Local Government Act 1972 (as amended): 3 Information relating to the financial or business affairs of any particular person (including the council).		

### 1 Executive Summary

- 1.1 The purpose of this report is to seek approval of the Full Business Case (FBC) for the Pershore Road/Priory Road scheme at an estimated capital cost of £2.246m

funded from a DfT Cycle City Ambition Grant (£1.300m), National Cycle Network Activation Programme (£0.415m), Integrated Transport Block (£0.365m), a reallocation from the Birmingham Cycle Revolution Phase 3 (£0.116m), and s106 funding (£0.050m)

- 1.2 An Options Appraisal report was approved by Cabinet on 5<sup>th</sup> March 2019, which approved an outline scheme at an estimated cost of £1.500m and the development of the FBC.
- 1.3 The scheme seeks to address the safety concerns on the Pershore Road/Priory Road junction (Edgbaston) by implementing controlled pedestrian crossings on all four arms of the crossroads as none currently exist and also includes the creation of a new cycleway connecting the Birmingham Cycle Revolution (“BCR”) scheme on A38 Bristol Road to the National Cycle Network (“NCN5”) at Cannon Hill Park. Various other highway alterations between A38 Bristol Road and Russell Road, to provide great continuity and provisions for pedestrians and cyclists, are also included.
- 1.4 With the incorporation of new technology, the operational efficiency of traffic signals at the Pershore Road/Priory Road junction will be improved and allow for remote control.
- 1.5 This is a ‘Named Capital Scheme’ in the Transportation and Highways Capital Programme 2022/23 to 2026/27. Update report, approved by Cabinet on 9<sup>th</sup> February 2021, which delegated approval for all Outline Business Cases (“OBC”), Full Business Cases (“FBC”) and related reports including revised financial appraisals for named projects and programmes for a report of Acting Director, Inclusive Growth and Interim Chief Finance Officer to the relevant Cabinet Member, up to a maximum value of £10m.

## **2 Recommendations**

- 2.1 Approves the FBC at an estimated capital cost of £2.246m as detailed in Appendix A, funded from a DfT Cycle City Ambition Grant (£1.300m), National Cycle Network Activation Programme (£0.415m), Integrated Transport Block (£0.365m), a reallocation from the Birmingham Cycle Revolution Phase 3 (£0.116m), and s106 funding (£0.050m).
- 2.2 Approves acceptance of funding of £0.415m from Sustrans and delegates authority to Assistant Director Transport and Connectivity, to enter into the associated Funding Agreement, subject to the terms and conditions of the final agreement being satisfactory to the City Council.
- 2.3 Approves the virement of £0.116m from the Birmingham Cycle Revolution Phase 3 match-funding from the Integrated Transport Block in 2021/22 to the Pershore Road/ Priory Road scheme. Noting that following completion of this scheme, any residual funds will be transferred back to the Birmingham Cycle Revolution Phase 3.

- 2.4 Notes that the commencement of the procurement activity was approved in the Planned Procurement Activity Report to Cabinet on 15<sup>th</sup> December 2020.
- 2.5 Notes that additional land acquired by the City Council and all highway works (new and alterations) and tree planting as part of the scheme form part of the City Council's Highway Maintainable at Public Expense (HMPE).
- 2.6 Authorises the City Solicitor (or their delegate) to negotiate and complete any documentation necessary to give effect to any of the above recommendations.

### **3 Background**

- 3.1 The A441 Pershore Road extends between the city centre and the southern city limits. It is a busy commuter and public transport corridor. The B4217 Priory Road/Edgbaston Road intersects Pershore Road and likewise is a busy east/west commuter and public transport corridor. The Pershore Road/Priory Road junction is currently a significant barrier for pedestrians, those with mobility issues, visual impairments and cyclists as no facilities exist at the junction for safe and controlled crossing between the residential properties, local amenities (including the supermarket, Cannon Hill Park and local shops) and the bus stops at the junction.
- 3.2 It is challenging for pedestrians and cyclists to move across the junction and adjoining roads (to and from bus stop and local amenities) as no means of support exists i.e. controlled crossing. There has been a call on Birmingham City Council (the "City Council") for many years from residents, ward councillors, and other stakeholders to address the lack of pedestrian crossing facilities/ road collision statistics at the busy Pershore Road/Priory Road junction. With Edgbaston Cricket Ground also located very close to the junction, spectators also struggle to cross the junction safely.
- 3.3 This scheme seeks to address the safety concerns raised about the Pershore Road/Priory Road junction, by implementing controlled pedestrian crossings on all four arms of the crossroads. The scope of the scheme has been extended to also include the creation of a new cycleway connecting the Birmingham Cycle Revolution (BCR) scheme on A38 Bristol Road to the National Cycle Network (NCN5) at Cannon Hill Park.
- 3.4 The City Council had also identified the need to improve operational efficiency of the traffic signals through the implementation of new technology to manage traffic flows and queue lengths at the junction (and wider highway network).
- 3.5 The scheme will improve the overall operational efficiency of the traffic signals at the Pershore Road/Priory Road junction and implement various other highway alterations between A38 Bristol Road and Russell Road to provide greater continuity and provisions for pedestrians and cyclists.

### **4 Options Considered and Recommended Proposal**

- 4.1 The following options were considered as part of the Options Appraisal and also revisited during the Design Stage, with Option 4 as the preferred option as it will

enable the City Council to meet safety concerns for pedestrians/cyclists and improve junction efficiency incorporating consideration of public/stakeholder consultation and traffic survey results/revised modelling.

#### **4.1.1 Option 1: Do Nothing.**

Advantages: Nil cost implication.

Disadvantages: Continuation of highway and junction lacking safe signalised crossing facilities for pedestrians and cyclists; loss of significant external funding streams; not meeting the City Council's policy objectives on modal shift and Clean Air and therefore risking both reputational damage and lack of viable connectivity between the Birmingham Cycle Revolution (BCR) scheme on A38 Bristol Road to the National Cycle Network (NCN5) at Cannon Hill Park.

#### **4.1.2 Option 2: Do Minimum (slight junction modifications only to improve safety).**

Advantages: Low cost implication and short works delivery programme.

Disadvantages: Limited connectivity of cycling provision; loss of some external funding streams; not meeting City Council's policy objectives on modal shift and Clean Air therefore reputational damage and ongoing inefficient traffic signals (with potential of further traffic delays and queue lengths given addition signal stages for new safety crossings).

#### **4.1.3 Option 3: Full Junction Re-Design and Cycleway (further/additional right turn lane from Edgbaston Road to Pershore Road – based on traffic modelling) and road space re-allocation from vehicles to cyclists.**

Advantages: Full complement of highway works providing additional vehicle capacity within highway as well as quality provision for other road users.

Disadvantages: Highest cost option (greater than current budget) as also involved significant full depth carriageway construction; high cost implication for diversion/ protection of underground utilities; additional tree loss and extensive works programme.

#### **4.1.4 Option 4: Junction Re-Design and Cycleway (no additional right turn lane from Edgbaston Road to Pershore Road) and road space re-allocation from vehicles to cyclists.**

Advantages: Appropriate level of highway works to cater for vehicle movements together with continuity of safety measure for pedestrians and cyclists to a high quality. Lower impact and costs associated with underground utilities and retention of some trees. Deliverable within budget and shorter works programme.

Disadvantages: All current funding streams required to meet costs, no additional road lane/ capacity created for vehicles turning right from Edgbaston Road to Priory Road.

## **5 Consultation**

5.1 Public consultation was undertaken in October/November 2018 via local roadshows and via the City Council's online consultation platform (BeHeard). A summary is outlined below:

5.1.1 Approximately 150 survey responses were received.

5.1.2 The majority of responses were generally in favour of proposals however concerns and objections were also raised. The broad themes of the feedback are as follows:

- Pedestrian controlled crossings at the Pershore Road/Priory Road Junction well received (*many stating long overdue*).
- Will make junction much safer for pedestrian and cyclists.
- Segregated cycleway connecting A38 and Rea Valley Route (NCN5) at Cannon Hill Park is good.
- Extend scheme further along Priory Road and towards Moseley/ include more cycle facilities.
- Various design suggestion on layout and facilities, including many seeking a change to existing 2 stage pedestrian crossing at The Ashes to single stage and greater continuity of cycleway.
- Reduction of vehicle lanes between Cricket Ground and Cannon Hill Park and signal alterations will result in additional congestion and delays for motorists at junction(s).
- Designs are too focused on motor vehicles by providing additional lanes at the crossroads.
- Loss of trees is disappointing.
- Should instead use funding for improving roads and provisions for driving.
- Lack of cycleway signage and waymarking.

5.1.3 Following consideration of the public consultation/feedback, numerous alterations to designs were made, some key elements being:

- Removal of proposed additional vehicle right turn lane from Edgbaston Road into Pershore Road.
- Retaining four trees originally marked for removal.
- Changing the two stage/staggered pedestrian crossing at The Ashes into a single stage Toucan Crossing (for cyclists and pedestrians).
- Greater continuity of cycleway.
- Improved/ additional waymarking and also inclusion of route as realigned National Cycle Network between Cannon Hill Park and City Centre.

5.2 The scheme also benefits from cross-party political support from the three wards it extends across. In addition to earlier engagement in 2018/19 with ward

councillors, direct engagement with all wards has now been undertaken. Ward councillors (Edgbaston x2, Balsall Heath West x1 and Moseley x1) received scheme layout designs presentation (meetings with 4 of the 5 councillors have been held, with a further extended to the remaining Moseley councillor). All four Councillors engaged are fully supportive of the scheme, including the re-allocation of road space on Edgbaston Road from vehicles to cyclists. All were also pleased to learn how the City Council has incorporated comments/views of the public and stakeholders provided during the consultation, as part of the detailed design stage.

## **6 Risk Management**

### **6.1 The key risks to this scheme are:**

- Reputational Damage as a result of not delivering a scheme that benefits cross party local political and stakeholder support
  - Mitigation: Implement scheme consulted upon currently designed.
- Not achieving completion in readiness for Commonwealth Games 2022 (Edgbaston Cricket Ground is one of the host venues)
  - Mitigation: Current programme seeks to achieve practical scheme completion in 2021 therefore avoiding construction and disruption close to the Commonwealth Games. The summer 2021 cricket fixtures at the Ground and other matters will be closely monitored to address potential delays.
- Loss of external funding (Sustrans)
  - Mitigation: The final version of the legal agreement has been reached in readiness for signing following approval of this Report (in April) and the current programme seeks to achieve practical completion in 2021 with final completion early 2022. These elements meet the external funding requirement of Sustrans as if the agreement not completed in April, funding will not be awarded to the City Council and the scheme will not have sufficient funds identified to cover the expenditure. This in turn could result in needing to return other external (DfT) funding and likewise not be able to draw upon the identified Section 106 monies allocated to delivery of this scheme. Ongoing matters will be closely monitored to address potential delays.
- Reduced highway capacity and delays/ congestion during events at Edgbaston Stadium
  - Mitigation: Traffic Management Protocol (TMP1) is already approved by the City Council's Highways Team, TMP2 (relating to the construction phase) will be progressed once a Contractor is appointed to consider temporary arrangements during the construction phase, furthermore, dialogue between the City Council and Stadium Safety Officer relating to this already initiated.
- Programme and Costs of Statutory Undertakers

- Mitigation: Various designs alterations incorporated to-date to reduce impact on equipment and liaison with Statutory Undertakers to consider works schedules and resources has commenced. An element of financial contingency is also included in scheme costs for ongoing matters which will be closely monitored.
- Availability of materials and resources due to BREXIT and Covid19
  - Mitigation: Assessment of materials and resources once contractor appointed and early order placement of materials.

6.2 The scheme will continue to undergo the rigours of the City Council's internal project management, oversight and governance procedures.

6.3 Updates and information supply to external funding partners will take place as required.

6.4 A Risk Workshop and related ongoing Risk Register will be maintained to track, highlight and manage risks.

## **7 Compliance Issues**

### **7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?**

7.1.1 The scheme supports the policy objectives outlined in the City Council Plan 2018-2022 (as updated in 2019) and supports the objectives of Birmingham Development Plan (BDP) 2031 together with the Additional Climate Change Commitments including the aspiration for the City Council to be net zero carbon by 2030. This will be achieved by creating a new cycleway connecting existing popular corridors (Rea Valley and A38 Bristol Road), via improving facilities to enable modal shift for local and longer journeys to be made by cycling and to encourage such, re-allocation of existing road space from vehicles to cyclists. The measures will also support the aspirations of Birmingham Connected Transport Strategy, the emerging Birmingham Transport Plan, and the Health and Wellbeing Strategy.

#### **7.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)**

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of this contract. Tenderers will be required to submit an action plan with their tender that will be evaluated in accordance with the procurement strategy and the action plan of the successful tenderer will be implemented and monitored during the contract period. The Social Value Rationale (Appendix H) will be included and form part of this process.

### **7.2 Legal Implications**

7.2.1 The City Council carries out transportation, highways and infrastructure related works under the relevant primary legislation including the Town and Country Planning Act 1990 (as amended); Highways Act 1980; Road Traffic

Regulation Act 1984; Traffic Management Act 2004, Transport Act 2000; Countryside and Rights of Way Act 2000 and other related regulations, instructions, directives and general guidance.

7.2.2 The City Council has the power to appropriate land under Section 122 of the Local Government Act 1972 where satisfied it is no longer required for the purpose for which it is held immediately before the appropriation. Section 122(2A) requires that where land is existing open space, notice of the intention to appropriate to other use must be advertised and any objections considered prior to the appropriation taking place.

### 7.3 Financial Implications

7.3.1 The cost of the scheme (between A38 Bristol Road and Russell Road) is £2.246m and is funded as detailed in the table below. A detailed breakdown is provided in Exempt Appendix B.

	Prior Years	2020/21	2021/22	Total
	£000	£000	£000	£000
Capital Expenditure	86.4	126.0	2,033.6	2,246.0
<b>Total capital expenditure</b>	<b>86.4</b>	<b>126.0</b>	<b>2033.6</b>	<b>2,246.0</b>
<b>CAPITAL FUNDING</b>				
Development costs funded by:				
Development Costs (ITB)	52.0	126.0	152.6	<b>330.6</b>
Land acquisition (ITB)	34.4			<b>34.4</b>
Other costs funded by:				
Works: DfT funding			1300.0	<b>1,300.0</b>
Works: Sustrans			415.0	<b>415.0</b>
Developer Section 106 Contribution			50.0	<b>50.0</b>
Virement from BCR Phase 3 (ITB)			116.0	<b>116.0</b>
<b>Total capital funding</b>	<b>86.4</b>	<b>126.0</b>	<b>2033.6</b>	<b>2,246.0</b>

7.3.2 The estimated cost of £2.246m referred to above is an increase of £0.746m from the cost of £1.500m approved by Cabinet in March 2019 in the Options Appraisal report which was funded from £1.300m Cycle City Ambition Grant and £0.200m of Integrated Transport Block (ITB). The additional cost is due to design alterations, more informed Statutory Undertakers costs and increased materials costs.

7.3.3 The funding to cover the additional cost of £0.746m is from an approved reallocation of Integrated Transport Block from Journey Time Reliability



(JTR) scheme (£0.165m ITB approved 10<sup>th</sup> May 2019 as below), grant funding from Sustrans (£0.415m), s106 funding (£0.050m) and reallocation Birmingham Cycle Revolution Phase 3 (£0.116m ITB).

- 7.3.4 The Journey Time Reliability funding was transferred to this scheme via Delegated Authority (National Productivity Investment Fund Journey Time Reliability to City Growth Areas report signed 10th May 2019). Approval for additional funding of £0.415m from the National Cycle Network Activation Programme via Sustrans is sought in this report as is the transfer of £0.116m from the Birmingham Cycle Revolution Phase 3. The use of s106 funding of £0.050m for this scheme is in line with the terms and conditions of the agreement (Planning Reference 2018/05638/PA). This funding can be drawn upon once the requisite Notice has been served and the funding deposited with the City Council expected in spring/ summer 2021.

### **Revenue Implications**

- 7.3.5 The scheme will both change and create assets that will form part of the highway upon completion of the project. As such they will need to be maintained within the overall highway maintenance programme. The net additional cost per annum of £1,304 (Basic Highway Assets +£6,745.69 per annum, Enhanced Highway Assets -£1,148.70 per annum and -£4,293.24 energy costs per annum) will be funded from the provision for highways maintenance held within Corporate Policy Contingency.

### **Tax Implications**

- 7.3.6 There are no adverse VAT implications for the City Council in delivering this scheme as the maintenance of highways is a statutory function of the City Council such that any VAT paid to contractors or on the acquisition of land for the delivery of highway schemes is reclaimable.

## **7.4 Procurement Implications**

- 7.4.1 Cabinet approved the commencement of the procurement activity for the works to use the Black Country Framework Agreement for Minor Works (Lot 3 £500,000+ Civils) in the Planned Procurement Activity Report on 15<sup>th</sup> December 2020.

## **7.5 Human Resources Implications (if required)**

- 7.5.1 Ongoing internal and external resourcing to deliver the scheme.

## **7.6 Public Sector Equality Duty**

- 7.6.1 An Equality Analysis was undertaken by the City Council in 2018, ref "EQUA83" which has been reviewed and is still valid for this project.

## **8 Appendices**

### **8.1 List of Appendices accompanying this report:**

#### **8.1.1 Appendix A – Full Business Case**

Exempt Appendix B

Appendix C – Scheme Plans

Appendix D – Overview Project Programme

Appendix E – Consultation Outcome

Appendix F – Risk Register

Appendix G – Equality Analysis

Appendix H – Social Value Rationale

## **9 Background Documents**

Updated Transportation and Highways Capital Programme 2021/22 to 2026/27  
Annual Programme Updated dated 9<sup>th</sup> February 2021.