

East Witney Land Consortium

COGGES LINK ROAD FUNDING

EWLC STATEMENT

1. Purpose

- 1.1 This Statement aims to clarify the position in relation to funding for the Cogges Link Road. It identifies the principal issues that will affect delivery of this proposed scheme and considers the opportunities to divert held funds to other transport projects (including the A40 Shores Green Junction upgrade).

2. Current Position - Funding

- 2.1 The County Council's understanding of the position in relation to funding for the Cogges Link Road is set out in OCC Document 1. The relevant figures are summarised below.

	Costs and Funding	Comments
Estimated Cost	£14.2m	Range from £12.8 to £17m
Funding Held	£10.3m	Developer Contributions from West Witney and North East Witney
Funding Secured	£100,000	
Funding Shortfall	£6.7m	Up to £6.7m

- 2.2 The County Council acknowledges that approximately £2.7m of the funding held against the Cogges Link Road could be reallocated to other transport schemes, if the Cogges Link Road is not progressed (OCC Document 1).

North East Witney S106 Agreement

- 2.3 The majority of funding held for the Cogges Link Road relates to developer contributions from the North East Witney Development Area. The S106 Agreement signed on 29th June 2000 makes provision for payments towards the Cogges Link Road totalling some £7.2m (WODC Note – 8th November 2004).
- 2.4 Approximately £3.5m is held for the Cogges Link Road, triggered by housing completions at North East Witney. With interest payments, this fund now totals some £4.2m. A further £3.7m is held by the Developers for payments relating to compensation claims arising from the acquisition of land and the construction of the Cogges Link Road. OCC may call on the Developers to provide this money to meet such costs when they arise. Once the land acquisition process has been undertaken any remaining monies are returned immediately to the Developers. The Developers will then return 75.6% to the Mawle Trusts.

- 2.5 The parties to the Agreement are set out in the WODC Note (8th November 2004). In summary, these are:
- West Oxfordshire District Council
 - Oxfordshire County Council
 - Mawle Will Trustees
 - The Developers (Beazer Homes Limited, Ideal Homes Limited, Wimpey Homes Holdings Limited, Beazer Homes Redditch Limited, Beazer Homes Yateley Limited, Ideal Homes Central Limited)
 - Northfield Settlement Trustees
- 2.6 WODC acknowledges that elements of the funding are restricted to certain uses (for example, the diversion of services and contingencies relating to construction of the Cogges Link Road). If these figures are not expended or only partially expended, they would be deducted from the capital contribution. In consequence, there may be a discrepancy between the funding held and that, which can be used for delivery of the Cogges Link Road.
- 2.7 Funding secured for the Cogges Link Road through the North East Witney S106 can only be used for delivery of this scheme (defined as a road linking Oxford Hill with Witan Way). Should the Cogges Link Road be abandoned, for whatever reason, all monies would be returned on 22nd October 2013 (or before) to the Developers, in accordance with the terms of the S.106 Agreement (unless a contract has been entered into for the road's construction). Under the related sale document 75.6% of any monies returned would then be passed on to the Mawle Trusts. The remaining 24.4% would remain with the Developers.
- 2.8 WODC acknowledges the significant uncertainties associated with provision of the Cogges Link Road. The scheme previously benefited from planning permission, the land agreements were in place and the principal funding was in place. The road was not constructed. There is now no planning permission, the Environment Agency has an outstanding objection to the proposed scheme, there are no land purchase agreements in place and the cost of the scheme (and the funding shortfall) have grown considerably.
- 2.9 Real and careful consideration should be given to the prospect that the Cogges Link Road will not be delivered.

3. Shores Green Junction

- 3.1 The EWLC is promoting replacement of the Cogges Link Road with the A40 Shores Green Junction upgrade. OCC Document 1 estimates the cost of providing this junction as £4.1M. However Richard Hutchins in his evidence (Vol 1 page 41) believes this cost to be over estimated. He estimates total scheme costs of £2.15M to be reasonable. This figure excludes land acquisition costs.
- 3.2 OCC is now holding some £4.2M from the North East Witney s106 ringfenced for construction of Cogges Link.

- 3.3 As a principal signatory of the North East Witney s106 the Mawle Trustees have indicated their willingness for this funding to be redirected towards a Shores Green Upgrade as a replacement for Cogges Link.(letter to WODC June 2003).
- 3.4 Land required for a Shores Green Upgrade lies in three ownerships. Land to the North of the A40 is owned outright by the Mawle Trustees. Land required to the South of the A40 is in 2 parcels (Walker and Kearns) of less than 1 acre each. Walker is a member of the East Witney Land Consortium and this land would become available on the granting of planning permission for residential development on EWLC land. Kearns land is available on a straight option agreement that is triggered by the granting of planning permission for a Shores Green Upgrade. Both agreements guarantee a minimum payment of £100,000 for the first acre or part thereof indexed linked to 1999. Both agreements run to March 2005. Discussions are ongoing to extend both agreements on a straight Option basis.
- 3.5 OCC can call upon £3.7M to cover land acquisition and compensation costs for the Cogges Link.
- 3.6 As a principal signatory of the North East Witney s106 the Mawle Trustees indicate their willingness for this funding to be redirected towards land acquisition and compensation for a Shores Green Upgrade as a replacement for Cogges Link.
- 3.7 Were the North East s106 monies to be reallocated as outlined above The Shores Green Upgrade could be delivered as a replacement for Cogges Link with in the funding available.
- 3.8 The Local Transport Plan would be relieved of a funding liability of up to £6.7M.
- 3.9 Up to £2.7M would be released for use elsewhere in Witney, for example the Downes Road Junction.

End.