

## STATEMENT OF COMMON GROUND BETWEEN

- 1 THE ARBURY ESTATE (Arbury)
2. TRENPORT INVESTMENTS LIMITED (Trenport)
3. NUNEATON AND BEDWORTH BOROUGH COUNCIL (the Council)

### CONCERNING PROPOSED AMENDMENTS TO POLICY EMP1 AND POLICY HSG3 OF THE EMERGING BOROUGH PLAN

1. This statement of common ground is a statement of common ground in relation to the proposed modifications to the Borough Plan published by the Council on 10<sup>th</sup> September 2018.
2. It relates to Main Modifications numbers MM100 relating to Policy EMP1 and to MM56 relating to Policy HSG3.
3. Following MM56 the text of criterion 10 of HSG3 would read:

*Enhancements to canal towpath and a provision for the crossing of the canal to facilitate cycle usage. Development proposals will investigate suitability of using the Turnover Bridge and, if appropriate, then financial contributions will be sought for its delivery. Where demonstrated that this would not be technically feasible, alternative bridge provision that respects the heritage asset of the canal will be secured.*

4. The reason for MM56 is given as “Agreement from Statement of Common Ground and to give clarity on sustainable transport connections”.
5. Following MM100 criterion 4 of EMP1 would read:

*A proportionate contribution toward enhancement of canal towpath and provision for the crossing of the canal to facilitate cycle usage. Investigate suitability of using the Turnover Bridge. If not technically feasible to use the turnover bridge, alternative bridge provision will be secured. Also creation of cycle path within development.*

6. The reason given for MM100 is “to give clarity”.
7. Criterion 10 of HSG3 and criterion 4 of EMP1 have the same purpose and the clarity of the Plan would be increased if they were worded in the same way.

8. The primary purpose of the two criteria is to ensure the provision of a pedestrian and cycle crossing over the Coventry Canal to link Bermuda Park station to the west of EMP1 and Maple Park to the east of HSG3. The interconnectivity of the two sites is also important.
9. The provision of cycleways within the two developments is dealt with in other policy criteria and in the interests of clarity should not be repeated (see MM99 for EMP1 and MM55 for HSG3).
10. At the time of writing the previous statement of common ground between Trenport and the Council (referred to in the reason for MM56) it was agreed that access between the two sites would be via the towpath and Turnover Bridge (Coventry Canal Turnover Bridge 18). In fact the configuration of Turnover Bridge is such that there would be no need to use the towpath for the purpose of access between HSG3 and EMP1. Consequently, there is no need to include in the proposed criteria any reference to the enhancement of towpaths which is not necessary in connection with the developments.
11. Turnover Bridge is not within the ownership of Trenport or Arbury so it would not be appropriate to place an obligation on them to secure the bridge crossing. All that can be expected of the developers of the two sites is that they make a proportionate contribution towards its provision and to the future maintenance of the cycleway across it. The Council and the County Council have statutory powers at their disposal to allow them to provide the link in the event that it cannot be provided with the cooperation of the bridge owner and in those circumstances it would be necessary and appropriate for those powers to be used.
12. It is appropriate that each development is required to contribute to the provision of the bridge crossing and to the future maintenance of the cycleway in a proportionate way. The crossing via Turnover Bridge is required for a wider purpose than to connect the two developments so it is reasonable to ask the developers for a financial contribution which is related to the degree of use which will be generated by each site in proportion to the total anticipated use.
13. A survey has shown that Turnover Bridge is sound subject to some relatively minor repairs and that it is structurally able to carry pedestrian and cycle traffic. Works will be needed to provide a barrier above the height of the existing parapets for the safety of cyclists, but there is nothing to suggest that its use for the proposed cycle crossing would be impractical or unviable.

14. It is agreed that the following wording should be used for both criteria (no. 10 of HSG3 and no. 4 of EMP1):

*Contribution towards the provision of a public bridge crossing over the Coventry Canal to provide an East West link for pedestrians and cyclists between Bermuda Park and Maple Park. The contribution is to be towards the works necessary to bring Turnover Bridge into a state of repair appropriate to its use for a public cycleway and towards the provision of a cycleway over the bridge as well as towards the future maintenance of the cycleway for an appropriate period and is to be commensurate with the proportion that the anticipated pedestrian and cycle use generated by the proposed development will bear to the total expected level of use.*

15. It would be appropriate for the explanatory memorandum to each policy to contain the following explanation:

*The Council has decided that a public foot/cycle link across the Coventry Canal to link Bermuda Park to Maple Park should be provided in the interests of enhanced sustainable travel. It is also important that there is interconnectivity for pedestrians and cyclists between EMP1 and HSG3.*

3/12/2018

Date

SIGNED

ADAM WENDEL

FOR THE ARBURY ESTATE

SIGNED

C. D. HALL

FOR TRFNPORT INVESTMENTS LIMITED

SIGNED

KATHERINE MORETON

FOR NUNEATON AND BEDWORTH BOROUGH COUNCIL