

**Report title: Cooper Bridge delegation of executive functions from Calderdale Council to Kirklees Council**

<b>Meeting</b>	<b>Cabinet</b>
<b>Date</b>	<b>24 March 2026</b>
<b>Cabinet Member</b>	<b>Councillor Crook, Deputy Leader of the Council - Transport and Housing</b>
<b>Key Decision Eligible for Call In</b>	<b>No Yes</b>

**Purpose of Report:**

The purpose of the report is to seek Cabinet approval for the acceptance of executive functions which have been delegated by Calderdale Council (CMBC) to Kirklees Council (KMBC) (together the Authorities) to support the ongoing development and delivery of the Cooper Bridge improvement scheme (the Scheme). The specific executive functions are those within the Town and Country Planning Act 1990 (TCPA 1990), the Highways Act 1980 (HA 1980), and the Road Traffic Regulation Act (1984) (RTRA 1984).

**Recommendations:**

It is recommended that Cabinet:

1. Note the contents of this report and the attached appendices which include:  
 Appendix A: Executive and non-executive functions  
 Appendix B: Preferred option  
 Appendix C: Cabinet Report 23 January 2024
2. Provide approval for all executive functions under the TCPA 1990, the HA 1980 and the RTRA 1984 required to deliver the Scheme to be accepted by KMBC which have been delegated from CMBC.
3. Delegate authority to the Executive Director for Place, in consultation with the Service Director for Legal, Governance & Commissioning and the Portfolio Holder for Transport, to negotiate and agree the terms of the Agreement with CMBC to enable the delegation of the executive functions under the TCPA 1990, the HA 1980 and the RTRA 1984 as set out in Appendix A.
4. Delegate authority to the Service Director for Legal, Governance & Commissioning to seal and complete the Agreement and enter into any and all additional legal documents necessary to accept the delegation of the specific executive functions under the TCPA 1990, the HA 1980 and the RTRA 1984 as set out in Appendix A.
5. Delegate authority to the Executive Director for Place, in consultation with the Cabinet Member for Transport & Housing, and the Service Director for Legal, Governance & Commissioning, to accept the delegation of any specific additional executive functions not listed at Appendix A

from CMBC should such functions become necessary to enable KMBC to deliver the Scheme and to negotiate and agree the terms of any such delegation of executive functions.

6. Delegate authority to the Service Director for Legal, Governance & Commissioning to seal and complete any supplemental or additional legal documents necessary to accept the delegation pursuant to the recommendation 5, above.

**Reasons for Recommendations**

To enable Kirklees Council (KMBC) to enter into Calderdale Council’s (CMBC’s) land so that it may lawfully implement and deliver the Scheme. KMBC requires particular powers and functions to be delegated or transferred to it from CMBC. If Cabinet is so minded, it must approve the transfer and delegation of the executive powers set out in full at Appendix A and any additional executive powers or functions which become necessary as the Scheme is progressed.

As discussed later within this report, having considered the options available to deliver the Scheme in an efficient and timely manner, both Authorities agree that it will be more efficient for KMBC to carry out particular statutory functions on behalf of both Authorities, including acquiring third party land for the Scheme and carrying out works on land within both Authorities’ boundaries. KMBC would effectively take on the role of CMBC and deliver the Scheme on CMBC’s land. Without the approval to accept the delegation of executive functions, there would remain a significant risk of the Authorities taking inconsistent approaches to the delivery of the Scheme, which may be compromised. The associated risks are detailed within Section 3.5.

**Resource Implication:**

KMBC are the lead Council for the Scheme and responsible for progressing the various stages in the process, including preparing the business case, the joint planning application and the design, securing funding, and managing all associated costs. The additional resources required for the delegation of executive functions from CMBC to KMBC includes time spent by the Authorities in appointing and instructing external solicitors for the provision of legal advice and the drafting and negotiation of the Agreement. KMBC will cover CMBC’s professional costs in connection with negotiation and completion of the Agreement.

It should also be noted that the Scheme will fully be funded up to a defined amount by the West Yorkshire Combined Authority (WYCA). If the costs of the Scheme exceed this defined amount, there is a risk that WYCA will not fund the shortfall. As KMBC are the contracting party with WYCA, the financial risk falls entirely to KMBC. However, there are measures in place to ensure the risk of exceeding the funding allocation is minimised through the use of Early Contractor Involvement (ECI) and the WYCA assurance process (see Figure 3) as detailed within the Financial Implications section of this report (section 3.2).

<b>Date signed off by the Executive Director for Place</b>	<b>David Shepherd, 16.03.26</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Kevin Mulvaney, 16.03.26</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Samantha Lawton, 16.03.26</b>

**Electoral wards affected:**

Liversedge and Gomersal, Mirfield and Ashbrow.

**Ward councillors consulted:**

Ward Councillors have been consulted at previous stages of the Scheme during November and December 2024.

**Public or private**

Public.

**Has GDPR been considered?**

This report contains no information that is considered as being personal data nor does it identify any individuals.

**1. Executive Summary**

It is intended that the delivery of the Scheme will provide highway benefits by improving bus journey times and reliability, supporting future bus franchising, in alignment with regional growth priorities and WYCA’s LTP4 ambitions for a more efficient, sustainable transport network. The successful delivery of the Scheme will also unlock new housing and employment land in accordance with KMBC’s Local Plan. The Scheme’s extent (Figure 1 below) spans the administrative boundaries of both Authorities.

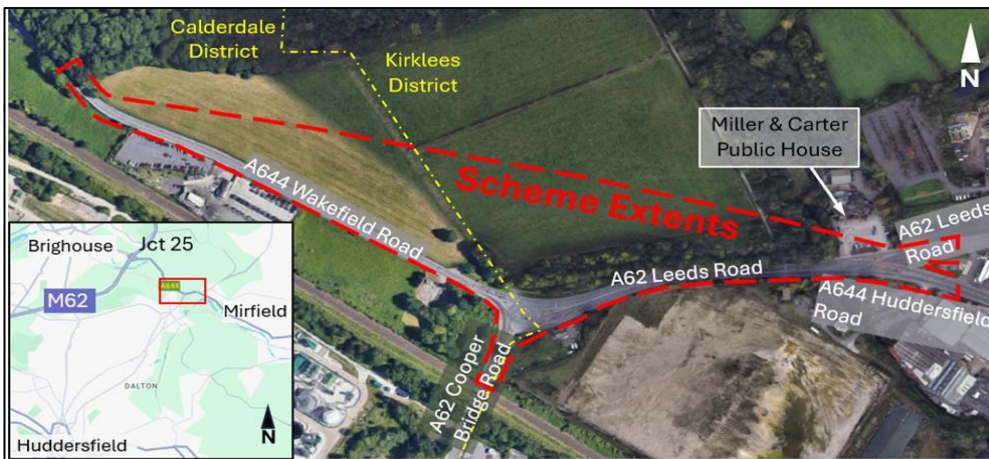


Figure 1: Scheme extent

Although the Scheme is jointly promoted by KMBC, CMBC and WYCA, the majority of the Scheme lies within KMBC’s administrative area and, as such, is led by KMBC. The Authorities have agreed in principle, subject to the necessary delegation of powers, that KMBC shall have the ability to determine the planning application, implement the planning consent and monitor compliance with its conditions or obligations within its own and CMBC’s boundaries.

The executive powers to be delegated by CMBC to KMBC are limited to specific powers within the TCPA 1990 the HA 1980 and the RTRA 1984 being those powers required to deliver the Scheme. Following the delegation of the requisite functions, KMBC may only exercise those powers within the defined boundary of the Scheme permitted by the planning consent.

The delegation of powers is effected by the Authorities entering into the Agreement. The Authorities have agreed many of the principles of the Agreement and are in the process of

finalising a Heads of Terms (HOTs) capturing these. The draft HOTs shall then inform the drafting of the terms of the Agreement.

This report relates solely to the acceptance of the delegation of executive functions from CMBC to KMBC under the HA 1980, the TCPA 1990 and the RTRA 1984. The receipt of such powers will enable KMBC to deliver the entirety of the Scheme by using the powers delegated to it by CMBC to do so. A full list of the specific executive functions is set out at Appendix A. Due to the Cabinet's status as an executive body, it may only make decisions concerning the executive functions of KMBC. A separate report went to Full Council on 11/03/26 where the transfer of non-executive powers in respect to decisions under the TCPA 1990 and the HA 1980 required to deliver the Scheme was approved.

## **2. Information required to take a decision**

### **Background**

The existing A62/A644 Cooper Bridge junction operates as a signalised three arm roundabout linking the A62 Cooper Bridge Road to the south, the A644 Wakefield Road to the west, and the A62 Leeds Road to the east. The junction forms one of the busiest corridors in the district and currently experiences significant congestion during both morning and evening peak periods, contributing to slow journey times and poor air quality.

The area is constrained, with protected trees located to the north and several key transport structures, including railway, river, and canal bridges, immediately to the south.

To achieve the Schemes objectives the proposed improvements are to:

- Increase the junction's capacity and improve traffic flow for all vehicles through targeted highway upgrades and optimised signal timings to help relieve congestion and improve journey time reliability.
- Deliver segregated cycling infrastructure around the Cooper Bridge junction to encourage safer and more attractive active travel options.
- Improve walking and shared use routes by upgrading footways and providing enhanced pedestrian and cyclist environments.
- Introduce new and improved signal-controlled crossings to support safer and more accessible movements for both pedestrians and cyclists throughout the junction area
- Contribute to public transport improvements across the wider corridor.

Further detail on the preferred option for the improvements is provided in Appendix B.

These improvements will require additional land in third party ownership to the north of the existing highway boundary. KMBC are negotiating with landowners to purchase this land by agreement. The land requirements are highlighted within Figure 2 and include:

- Land 1: land in third party ownership which crosses the CMBC and KMBC administrative area boundary line.
- Lands 2, 3 and 4: land in third party ownership which is wholly within the KMBC boundary.

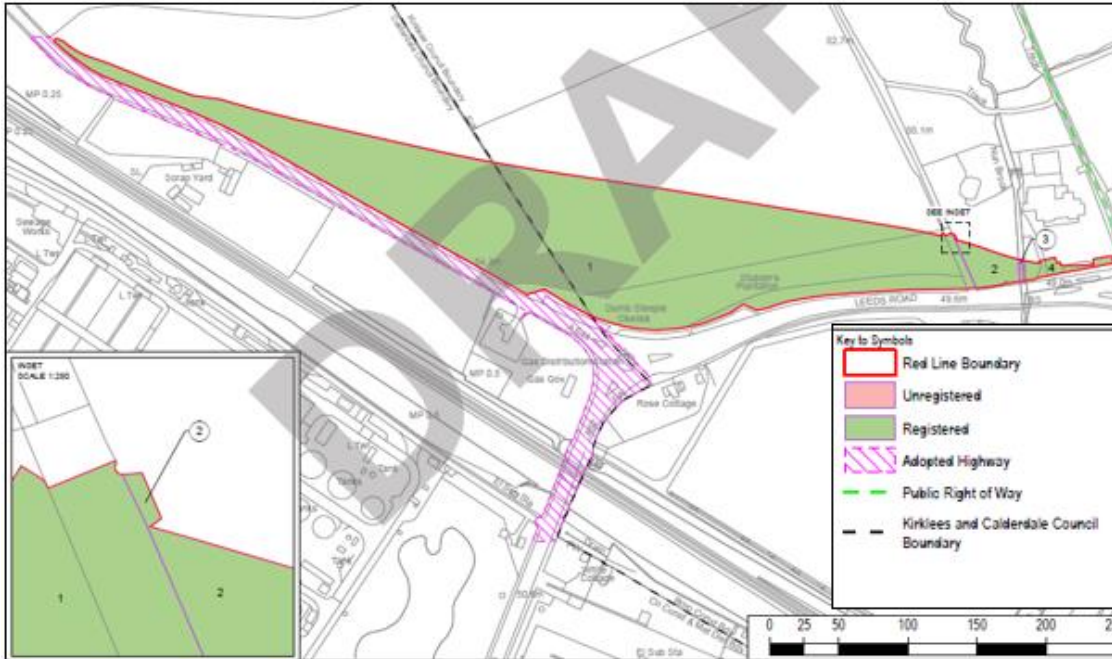


Figure 2: Landownership plan

The Scheme will be subject to the grant of planning permission for the Scheme. The planning application is being prepared by and will be submitted on behalf of KMBC. The Authorities agree (subject to obtaining the necessary Cabinet approvals) that KMBC shall then determine the application, grant the planning consent, if minded to do so, and then implement and monitor the Scheme within both Authority's areas.

### **Cost Breakdown**

The Scheme is projected to cost in the region of £53.5 million which shall be funded by WYCA. KMBC is the lead Authority and therefore shall incur the costs associated with the delivery of each element of the Scheme, from start to finish. In addition to the costs associated with the preparation of the planning application, KMBC has met the cost of preparing the business case to secure funding, designing the Scheme, carrying out stakeholder and public consultations, and negotiating the sale of land required for the Scheme currently in third party ownership. KMBC will meet all future costs associated with the determination of the planning application and monitoring its implementation.

The Scheme is currently at the Outline Business Case (OBC) stage (Activity 3) of the WYCA Assurance process (see Figure 3).

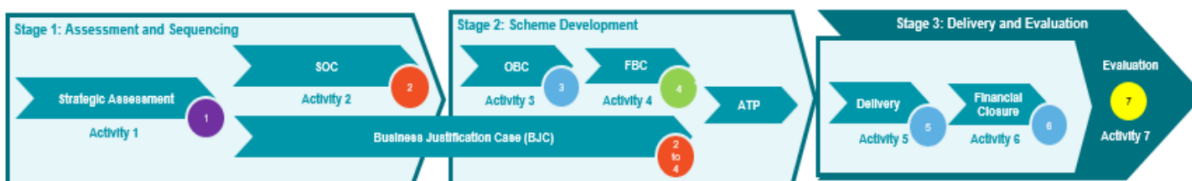


Figure 3: Overview of the WYCA assurance process

The costs associated with the delegation of the required executive functions detailed in this report are included within the overall cost of the Scheme. The costs associated with the lawful delegation of powers and functions from CMBC to KMBC include the cost of officer time, of appointing and instructing external solicitors for the provision of legal advice and for the drafting and negotiation

of the HOT and the Agreement. KMBC will also cover CMBC's its professional costs in connection with the Agreement.

### **Timescales**

Subject to receiving CMBC and KMBC Cabinet and Full Council approval to delegate executive and non-executive functions the Scheme shall be progressed in accordance with the following timeline:

- Consultation: Summer 2026
- Submission of planning application: Autumn 2026
- Approval to proceed to Full Business Case: Early 2027
- Construction: Early 2028 to late 2029 (subject to WYCA approval through the assurance process – see Figure 3 above).

### **Expected impacts, outcomes, benefits and risk management**

As highlighted within Section 6, two options have been considered.

- Option one proposed the delivery of the Scheme without a delegation of functions to KMBC.
- Option two proposed the delivery of the Scheme following the delegation of functions to KMBC.

Option two was determined to be the most effective and efficient use of public funds and allowed the delivery of the Scheme in an expedient manner. It is anticipated that option two would avoid the duplication of both work and costs by the Authorities, reduce any confusion as to which Authority is responsible for discrete elements or phases of the Scheme and remove any inconsistency of approach between the two Authorities. It would provide reassurance to the residents of both Authorities, WYCA and the third-party landowners that the Scheme can be delivered (or the Secretary of State in the event a compulsory purchase of land is required).

Risks associated with the delegation of executive functions have been highlighted within Section 3.5 of this report. All associated risks have been logged within the risk register and all risks will be managed by KMBC.

The risks of the Scheme are captured, assessed, and reported upon on a continual basis. The topic of 'Risk' is a standing agenda item at all Cooper Bridge Board meetings, which take place at six weekly intervals and are chaired by the Service Director for Skills and Regeneration for KMBC and attended by KMBC's Head of Risk, who sits as a board member. Reassurance should be taken from the continuous monitoring and reporting of risks to the board, which enables risks to be addressed, and mitigated where possible, at an early stage.

### **Services and agencies involved**

The Scheme is a complex, multi-disciplinary project involving a number of KMBC's services and the appointment of external professional and construction services from the following:

- KMBC Major Projects
- KMBC Highways
- KMBC Legal

- Professional external consultants from disciplines such as planning, land strategy and acquisition, surveying, and legal.

CMBC officers attend the Cooper Bridge Board meetings and have been involved in reviewing and approving designs produced by the lead designers at KMBC.

Should Cabinet decide not to approve KMBC’s acceptance of the delegation of the executive functions from CMBC, there could be an appreciable impact upon the agreed timeline for the delivery of the Scheme. Should the necessary executive functions not be delegated to KMBC, CMBC would be required to play a far greater role and incur additional time and costs. CMBC would also need to provide additional resources to carry out its statutory functions. Without the benefit of executive powers being delegated to KMBC, the delivery of the Scheme would be far more complex and risk being delayed, which may also affect its funding by WYCA.

### 3. Implications for the Council

Approval by Cabinet of KMBC’s acceptance of the delegation of executive functions from CMBC would allow for the most cost effective and efficient delivery of the entire Scheme by KMBC in both Authorities’ administrative areas.

The delivery of the Scheme will support the objectives for development and infrastructure set out in KMBC’s adopted Local Plan, which is currently being revised and updated, including the target of delivering 31,140 new homes during the current Local Plan period. This is highlighted within Figure 4 and 5 below which shows Cooper Bridges location in relation to KMBC’s site allocation within the Local Plan and a table showing the location and size of the site allocations near Cooper Bridge. In addition to Figures 3 and 4 is site HS61 ‘land south of Ravensthorpe Road / Leeds Road, Dewsbury’ which is also known as Dewsbury Riverside. This includes 1,869 dwellings over the existing Local Plan and a further 2,131 dwellings beyond the plan.

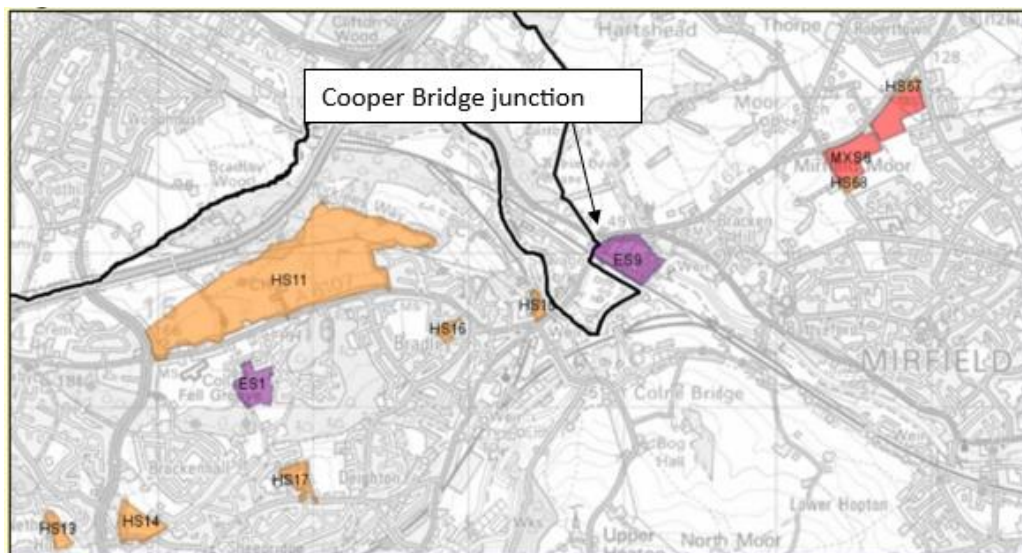


Figure 4: Site allocation map within the Local Plan

Ref:	Site Description	Size & Site Allocation
ES9	Site of former Cooper Bridge Waste Water Treatment Works	8.49 hectares 14,910m <sup>2</sup> employment space
ES1	Land south of Bradley Business Park, Dyson Wood Park, Bradley	4.76 hectares 15,155m <sup>2</sup> employment space
HS11	Land north of Bradley Road, Bradley	68.32 hectares Housing capacity 1,958No.
H16	Land south of St Thomas Gardens, Bradley	0.95 hectares Housing capacity 18No.
H10	Land west of Lower Quarry Road, Bradley	0.87 hectares Housing capacity 30No.
MXS6	Land at Slipper Lane, Leeds Road	12.26 hectares mixed use 21,528m <sup>2</sup> employment space and 166No. housing capacity
HS67	Former allotments, Leeds Road, Mirfield	0.65 hectares Housing capacity 22No
HS68	Land to the east of Slipper Lane, Mirfield	0.69 hectares Housing Capacity 21No

Figure 5: Table showing site allocation within the Local Plan

The Local Plan references Cooper Bridge within Allocations and Designation document, Policy Site TS1- A62:

***‘Improved access to the M62 will provide wider connectivity improvements. The scheme also supports employment growth in the Cooper Bridge area and general development growth along Leeds Road corridor by providing better access to and from existing and new housing in Huddersfield, Dewsbury, North Kirklees, and parts of Calderdale, in particularly South Dewsbury and Bradley’.***

Without Cabinet approval for the acceptance of the delegation of executive functions from CMBC to KMBC, the deliverability of the Scheme would be compromised. This would further impact KMBC’s ability to achieve the objectives of its adopted Local Plan.

### 3.1 Council Plan

The A62 Cooper Bridge junction is the primary link between Huddersfield and North Kirklees as well as linking Huddersfield with Leeds (via the M62). Current and future congestion and its impact at Cooper Bridge, as well as the relatively poor public transport services result in a significant constraint in the labour market, future job opportunities and capacity to facilitate the transformational growth opportunities identified in the Local Plan. Delivery of the Scheme will facilitate transformational growth and in doing so support the Council Plan.

The Scheme supports Council Plan priorities such as promoting sustainable and inclusive economic growth and development and delivering an effective road network.

Without the delegation of executive functions from CMBC to KMBC, delivering the Scheme and the associated objectives of the Local Plan will be more difficult.

### 3.2 Financial Implications

Without Cabinet approval for the acceptance of the delegation of executive functions from CMBC to KMBC both Authorities would need to progress and implement the Scheme within their own land. Both Authorities would have to resource procuring contractors and professional services, resulting in additional costs and a less efficient use of public funds. In addition to the risk of cost escalation, this approach may risk uncertainty or inconsistencies in timings due to potential delays in the Authorities being able to resource the additional work required.

It should be noted that this Scheme is funded by WYCA under a contract with KMBC alone. The Scheme does not currently include any requirement for borrowing. Should Scheme costs escalate and exceed the funding allocation there is no guarantee that WYCA would fund any shortfall.

Various measures are in place to ensure the risk of exceeding the funding allocation is minimised. This includes:

- The appointment of ECI at the Outline Business Case stage to provide a greater level of cost assurance during the development phase which minimises the chance of high-cost fluctuations.
- The business case is subject to the WYCA assurance framework (see Figure 3). This ensures that if any cost shortfalls are identified they can be reviewed at the Gateways.

### **3.3 Legal Implications**

The relevant legal provisions regarding delegation of functions between local authorities are Section 101 of the Local Government Act 1972 and Section 9EA of the Local Government Act 2000 (LGA 2000).

When dealing with the issue of delegation of functions between local authorities, it is important to distinguish which of the functions to be delegated are executive functions (i.e. responsibility of Cabinet) and which are non-executive functions (i.e. responsibility of Full Council). In this regard, Section 9D of the LGA 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the 2000 Regulations) provide clarity on this point. The 2000 Regulations set out a list of functions which cannot be executive functions and provide that, as a starting point, any function which is not expressly set out in the 2000 Regulations as a non-executive function can (subject to a small number of exceptions) be considered as an executive function.

The Parts and Sections of the legislation set out at Appendix A of this Cabinet report have been considered against the provisions of Section 9D of the LGA 2000 and the 2000 Regulations to ascertain the classification of each power or function. This ensures that the delegation of such functions is subject to the proper scrutiny and approval of the appropriate committees and persons within the Authorities (i.e. Cabinet or Full Council).

Depending on the terms of the Agreement it might also be necessary to utilise the powers under Section 8 of the HA 1980. This section empowers local highway authorities to enter into a legal agreement to carry out works upon another highway authority's highway. Each of the Authorities is a local highway authority.

Article 11.4(b) of CMBC's Constitution, which provides for delegation of executive functions to other local authorities, permits CMBC to delegate all executive functions set out in Appendix A to KMBC. Article 11.4(c) of KMBC's Constitution enables KMBC to accept the delegation of executive functions from another local authority.

### **3.4 Climate Change and Air Quality**

A Cabinet decision to approve the acceptance of the delegation of executive functions would not have a direct impact on climate change and air quality.

### **3.5 Risk, Integrated Impact Assessment (IIA) or Human Resources**

#### **Risk**

The executive functions delegated from CMBC to KMBC which this Cabinet report seeks approval for will enable KMBC to deliver the Scheme. Discrete activities KMBC must undertake include designing the Scheme, undertaking surveys, submitting the planning application, discharging planning conditions, progressing the business case through the WYCA assurance process, procurement for construction, overseeing construction, managing finance and monitoring compliance with ongoing planning obligations and conditions, for example.

Should the Agreement not be entered into by the Authorities and all executive functions not be delegated to KMBC, the Scheme would not be deliverable without significant additional resources required.

As KMBC is the contracting party it will be taking the financial risks associated with the project. It should also be noted that the Scheme will fully be funded by WYCA from a defined amount. If the project should exceed the defined amount, then there is a risk that WYCA will not fund the shortfall. However, this risk has been mitigated against as explained in section 3.2 Financial Implications.

High level risks associated with not delegating executive functions for the Scheme are summarised within Figure 6.

Figure 6: Risk assessment

Category	Risk	Impact	RAG
Design	KMBC will not have the right to enter on to CMBC land to conduct surveys or investigations necessary to inform the design of the Scheme	As KMBC is the lead designer this will compromise our ability to complete the detailed design.	Red
Design	KMBC and CMBC to employ separate companies to conduct surveys or investigations within their respective boundaries to inform the design of the scheme	This will require additional resources from Calderdale for procurement and Kirklees as we would be required to obtain information from two separate companies to inform the design. It could potentially lead to delays due to surveys being undertaken at different times or additional complexities as the survey companies within each authority boundary may use different methodologies which may not be compatible with each other.	Amber
Design	KMBC and CMBC to ensure the same companies are appointed to conduct surveys or investigations across both boundaries to inform the design of the scheme	This will require additional resources when appointing services and an agreed procurement approach between both Authorities. This could potentially lead to delays due to requiring CMBC input into the procurement process.	Green
Construction / finance	CMBC procure separate contractors to build the scheme within their boundary	Increased cost due to an additional procurement exercise required by CMBC. There is also potential for delays if CMBC were to delay the appointment of a contractor meaning start on site within CMBC would be later than the contractor for KMBC. Additional, the two contractors would have to co-ordinate and work in close proximity which may increase costs due to the complexity of it. Finally the mechanism for payment will have to be agreed as funding from WYCA currently goes to KMBC only.	Amber
Construction / finance	CMBC to work with KMBC to ensure the same contractor is undertaking the construction	Additional resources required to ensure the contract with the contractor meets the needs of both KMBC and CMBC. Other legal matters such as who will assess compensation events will need to be agreed along with agreeing how payment structures will be set up. This leads to additional work at the contract stage and through out delivery when monitoring the works.	Green
Public perception	If each Authority is responsible for delivering the scheme within their own boundary this could confuse the public on who is delivering the scheme.	Public not sure who to contact for scheme progress and updates. The public may also receive different dates on scheme completion depending if it is in the KMBC or CMBC boundary leading to confusion and negative press.	Amber

## Integrated Impact Assessment

The decision for KMBC to accept delegated executive functions from CMBC has no impact on protected characteristic groups as defined in the Public Sector Equality Duty, under the Equality Impact Act 2010. As such an IIA has not been included with this Cabinet report.

## 4 Consultation

There has been no public or external stakeholder consultation in respect of the delegation of executive functions from CMBC to KMBC. The decision would have no direct impact on the public or external stakeholders and is an agreement between CMBC and KMBC.

The previous iteration of the scheme was subject to two public engagement exercises the first being in 2019 and the second 2021. However, in September 2024 there was a change request approval to phase the works with the funding being reduced from £75.1m to £53.5m.

As part of the reduced scope three designs were put forwards which included option A (roundabout), option B (gyratory), and option C (T-junction). From 28 October to 8 December 2024 these three options were consulted on with the consultation being hosted on the YourVoice webpage ([A62 to Cooper Bridge Corridor Improvement Scheme - second consultation | Your Voice](#)). The consultation also included two face-to-face events held at Battyeford Sporting Club on 13<sup>th</sup> and 19<sup>th</sup> November 2024.

During the consultation period 1,725 visits were made to the YourVoice page and 123 survey responses were submitted. The consultation outcome report concluded that there was support for each of the three options.

In addition to the public consultation two stakeholder workshops were held which helped inform the optioneering process. The workshops were held on 28<sup>th</sup> October 2024 and 11<sup>th</sup> December 2024.

The feedback received from the 2024 public consultation and stakeholder engagement was used as part of a sifting exercise to help determine the preferred option. The preferred option is presented as Appendix B.

A further consultation is planned during summer 2026 on the preferred option (Appendix B). The consultation is a requirement for a planning application which will be submitted late summer 2026.

## **5 Engagement**

There has been no wider stakeholder engagement in respect of the delegation of non-executive functions from CMBC to KMBC, as the decision is an operational matter between CMBC and KMBC.

As highlighted above, public consultation and stakeholder engagement were undertaken most recently in 2024, with the stakeholder engagement element occurring over two workshops on the 28<sup>th</sup> October 2024 and 11<sup>th</sup> December 2024. The feedback was used as part of a sifting exercise to help determine the preferred option. The preferred option is presented as Appendix B.

## **6 Options**

### **6.1 Options Considered**

Two options for the delivery of the Scheme were considered:

- Option 1: following the grant of planning permission for the Scheme, each Authority shall implement and carry out the works required to deliver those elements of the Scheme situated within the red line boundary of the planning consent and its own administrative boundary.

- Option 2: KMBC delivering the Scheme in its entirety within both Authority's boundaries using delegated powers and functions transferred by CMBC.

## 6.2 Reasons for recommended Option

Option 1 was considered and dismissed. KMBC wish to deliver the Scheme in an efficient, cohesive, and expedient manner using grant funding to meet only those costs reasonably and properly incurred. KMBC consider that the risk of duplication of work and consequent increased cost is high and may lead to the confusion of stakeholders and residents of each Authority's role.

If both Authorities implemented the Scheme on their own land, both Authorities would have to resource the time and cost of procuring contractors and professional services and carrying out the highway works. In addition to the potential increased cost, this approach may risk uncertainty or inconsistencies in timing, especially if one Authority is delayed in being able to resource the undertaking or inspecting of the works or contractors being unavailable.

Option 2 was determined to be the most efficient use of public funds and the most expedient way the Scheme could be delivered. As noted above, this would avoid duplication of work, reduce any confusion as to which Authority is responsible for discrete elements or phases of the Scheme and remove any inconsistency of approach between the two Authorities. It would provide reassurance to the residents of both Authorities, WYCA and the third-party landowners that the Scheme can be delivered.

The functions transferred or delegated to KMBC shall enable it to deliver the Scheme. Discrete activities KMBC must undertake include designing the Scheme, undertaking surveys, submitting the planning application, discharging planning conditions, progressing the business case through the WYCA assurance process, procurement for construction, overseeing construction, managing finance and monitoring compliance with ongoing planning obligations and conditions, for example.

Should the Agreement not be entered into by the Authorities and all executive powers and functions not be delegated or transferred to KMBC, it would increase the risk of the scheme not being deliverable.

## 7 Next steps and timelines

The delegation and acceptance of non-executive functions have been approved by both authorities. The delegation of executive functions has been approved by CMBC. Should the acceptance of those executive functions be approved by KMBC Cabinet, the Authorities shall progress the drafting, negotiation, and completion of the Agreement, subject to the terms of the Agreement being approved by the respective Executive Directors for each Authority.

This report is intended for the Cabinet for a decision concerning the approval to accept the delegation of executive functions under the TCPA 1990, the RTRA 1984 and the HA 1980 which are required to deliver the Scheme.

As mentioned above, a separate report went to Full Council on 11<sup>th</sup> March 2026 where it received an approval to accept the delegation of non-executive functions under the TCPA 1990 and the HA 1980 which are required to deliver the Scheme.

Subject to receiving KMBC Cabinet approval to transfer executive functions (as listed in Appendix A) the following timelines apply:

- Submission of planning application: Autumn 2026
- Approval to proceed to Full Business Case: Early 2027
- Construction: Early 2028 to late 2029 (subject to relevant approvals).

## **8 Contact officer**

Farhad Rahman, Project Manager, Major Project  
Ilyas Ramjan, Head of Major Projects

## **9 Background Papers and History of Decisions**

Cabinet report 23 January 2024 has been attached (Appendix C). The key decisions the Cabinet report approves include:

- To phase Cooper Bridge Scheme due to escalating cost. The report states '*to make Phase 1 the Coper Bridge roundabout element only. Subsequent phases could then look to address widening under the rail bridge and improvements to Bradley junction at a later date if traffic modelling demonstrated the need still existed and other funding sources were available.*'
- To allocate £53.5m to Cooper Bridge Phase 1. The previous allocation from the WYTF programme was £75.1m. The difference is to be allocated to other projects within the WYTF which had a shortfall.

## **10 Appendices**

Appendix A: Executive and non-executive functions

Appendix B: Preferred option

Appendix C: Cabinet Report 23 January 2024 (error with the date on the Cabinet Report)

## **11 Service Director responsible**

David Wildman, Service Director for Skills & Regeneration.