

Division(s):

CABINET – 23 APRIL 2019

COMPULSORY PURCHASE POWERS FOR THE ACQUISITION OF LAND REQUIRED FOR THE DELIVERY OF SCHEMES

Report by Director of Planning and Place

Recommendation

1. The Cabinet is RECOMMENDED to:
 - (a) Approve delegation of the exercising of Compulsory Purchase Powers to the Director of Planning and Place, in consultation with the Cabinet Member responsible for Transport, for the purchase of land required for the delivery of the major infrastructure schemes outlined in paragraphs 8 and 10 of this report, in the event that the land cannot be acquired by negotiation; and
 - (b) Note that should the whole or any part of lands required are not acquired by negotiation, the making of a Compulsory Purchase Order under provisions contained in Part XII of the Highways Act 1980 for the acquisition of the land, will be progressed. This could include providing the necessary attendance, expert witness provision, etc. at a Public Enquiry if required.

Executive Summary

2. In order to progress with the delivery of proposed major transport infrastructure schemes, the use of Compulsory Purchase Powers may have to be used for the acquisition of land required for the construction, maintenance and operation of new transport infrastructure.
3. Cabinet is requested to approve delegation to the Director of Planning and Place, in consultation with the Cabinet Member responsible for Transport, to exercise Compulsory Purchase Powers for the purchase of land required for schemes detailed in this report, in the event that the land cannot be purchased through negotiation with landowners.
4. The schemes are set out at paragraph 9.

Background

5. The Council is proposing to deliver a programme of major transport infrastructure projects, to support and enable housing and economic growth in Oxfordshire. The transport network needs to operate safely and be fit for

purpose, delivering the Transport Strategy set out within the Council's Local Transport Plan.

6. With funding being secured through both the Housing and Growth Deal and the Housing Infrastructure Fund (HIF), both of which have delivery time constraints, it is now possible to progress with a number of schemes.
7. Cabinet has previously approved the delegation of the exercising of Compulsory Purchase Powers for major transport schemes at the January 2016 and December 2018 Cabinet meetings.
8. It has now been identified that other proposed major schemes being developed require additional land for the construction of the planned improvements, and due to the funding constraints mentioned above it will be imperative that the schemes can be delivered within the required delivery timeframe.
9. The Council's land agent will work with landowners and continue negotiations to purchase the required land through agreement in the first instance. However, in some cases there may be issues reaching agreement to enable the schemes to progress to the construction phase and achieve programme delivery. With this in mind, the ability to delegate the decision to use Compulsory Purchase Order (CPO) powers to the Director of Planning and Place in consultation with the Cabinet Member responsible for Transport, would enable a swift response should land negotiations be proving to be unconstructive.

Proposed Schemes

10. Schemes within or that are anticipated to be proposed to be in the Council's committed capital programme for which delegated CPO powers are requested are:
 - a) **A4130 Widening** – provision of dual carriageway (both east and west) between Milton Interchange and the A4130/ B4493 roundabout in Didcot.
 - b) **Science Bridge** – creation of a new bridge over Milton Road, the A4130 and the railway line, linking Great Western Park with the future development of land currently occupied by Didcot Power Station.
 - c) **Culham River Crossing** – creation of a new road linking the A415 Abingdon Road heading south whilst following alongside the railway line to join the A4130 in North Didcot. Scheme includes construction of a new River Thames crossing north of Appleford.
 - d) **Clifton Hampden Bypass** – bypass road connecting the B4015 Oxford Road from the North to the A415 Abingdon Road in the West to relieve congestion at the existing 4-way traffic light-controlled junction in Clifton Hampden.

- e) **A422 Hennef Way** – to provide north-facing slip roads onto the M40 at Southam Road plus junction improvements on Hennef Way to relieve congestion and improve accessibility to the business and retail parks.
 - f) **Access to Witney at Shores Green** – delivery of west facing slip roads at the existing A40/ Shores Green junction to relieve traffic pressure and improve air quality on Bridge Street by encouraging journeys into Witney centre to use the A40/ Ducklington Lane and A40/ Downs Road junctions.
 - g) **Former RAF Upper Heyford Phase 2** - reduce the impact on Middleton Stoney to enable the current Local Plan allocation for Heyford Park to build out without the need for a Grampion condition. Junction work and traffic management under consideration as part of this project, as well as HGV restrictions in the area.
 - h) **NW Bicester A4095 Howes Lane/ Lords Lane Realignment** – proposal to deliver a new road crossing under the railway to realign the A4095 junction at Howes Lane to the Bucknell Road and Lords Lane roundabout with the aim of improve movements around the Bicester ring road and into the town centre. Scheme also includes the provision of a new tunnel to facilitate connectivity by walking and cycling.
11. The programme of improvements for each of the routes will consist of a mixture of new highways infrastructure and upgrades to existing public rights of way. Land purchase will be required where new highways infrastructure cannot be fitted into the existing highway boundary and for the creation of new paths.
12. Further details of the schemes and wider transport strategies they relate to can be found within the County Council's Local Transport Plan 2015 – 2031.

CPO Processes

13. The ability to use CPO powers should help support the land negotiations and provide a greater confidence in achieving earlier agreements without having to resort to actually using the CPO powers sought.
14. In the event that CPO powers are required, there will be the need to carry out the statutory requirements to give notice of the CPO to the land owner and to the public. If objections are received, there may be a need for preparation and attendance at a public enquiry.
15. All necessary processes and procedure would be followed in the making of any Compulsory Purchase Orders.

Financial and Staff Implications

16. Scheme cost estimates currently do not have an allowance for the additional costs likely to be needed for a full CPO process. Initial costs to start the process can be met through the contingency allowance. If it looks likely that

the full CPO process will be necessary, then it is probable that the scheme cost estimate will need to be increased or scope of the project reduced.

17. In the event of CPO being exercised, it is likely to cause impacts on the delivery timetable of schemes, with an estimated delay of 6 – 8 months. Should a public enquiry be required, delays could be significantly longer estimated between 12 – 18 months. This may also increase project costs.
18. There is no direct impact on staffing.

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Background papers Local Transport Plan (4) 2015 – 2031
Available online at www.oxfordshire.gov.uk

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