



Delegated Decisions by Cabinet Member for Transport

***Monday, 11 October 2010 at 2.00 pm
County Hall***

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 19 October 2010 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public

A handwritten signature in black ink that reads "Tony Cloke".

Tony Cloke
Assistant Head of Legal & Democratic Services

September 2010

Contact Officer: **Graham Warrington**
Tel: (01865) 815321; E-Mail:
graham.warrington@oxfordshire.gov.uk

Note: Date of next meeting: 21 October 2010

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. **Declarations of Interest**
2. **Questions from County Councillors**

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. **Petitions and Public Address**
4. **Cogges Link Road: Approval to modifications to Compulsory Purchase and Side Roads Plans; Construction of the diverted section of Footpath No.15 (Witney); service of documents where land in 'unknown' ownership and update on land acquisition in advance of Compulsory Purchase Orders (CPO) (Pages 1 - 10)**

Forward Plan Ref: 2010/159

Contact: Julian Hartless, Principal Project Manager Tel: (01865) 815097

Report by Head of Highways & Transport (**CMDT4**).

Division(s): Witney West & Witney East

CABINET MEMBER FOR TRANSPORT - 11 OCTOBER 2010

COGGES LINK ROAD: APPROVAL TO MODIFICATIONS TO COMPULSORY PURCHASE AND SIDE ROADS PLANS; CONSTRUCTION OF THE DIVERTED SECTION OF FOOTPATH NO. 15 (WITNEY); SERVICE OF DOCUMENTS WHERE LAND IN 'UNKNOWN OWNERSHIP; UPDATE ON LAND ACQUISITION IN ADVANCE OF COMPULSORY PURCHASE ORDER (CPO).

Report by Head of Highways & Transport

Introduction

1. On 20 July 2010 Cabinet approved the exercise of statutory powers for the compulsory purchase of land required for Cogges Link Road, the making of a Side Roads Order (SRO) for the scheme and other related statutory procedures including the service, publication and display of notices. Since the Cabinet meeting the Council's consultant engineers advised minor modifications to the scheme design. These have been incorporated on the map which shows the land to be acquired and on the plan which shows details for the Side Roads Order. They are summarised as follows:
 - Revision to the extent of land to be acquired on the south east side of Witan Way by the Two Rivers Industrial Estate;
 - Extension to the land being acquired to the east of the River Windrush (West Branch) in the Witney Lake and Meadows Country Park;
 - Revision to the extent of land to be acquired at the northern end of the Witney Lake and Meadows Country Park;
 - Deletion of a plot west of the River Windrush (East Branch) in the Witney Lake and Meadows Country Park;
 - Deletion of multiple plots to the east of the proposed road, east of Blakes Avenue;
 - Revision to the extent of land to be acquired for exchange east of the Cogges Hill Road;
 - Revisions to the extent of highway to be improved at Witan Way and Station Lane;
 - Revision to the extent of highway to be stopped up, Footpath No. 15 (Witney).
2. The attached map, drawing number B0800100/B4501 Revision H shows the land requirements for Cogges Link Road.
3. The attached plan, drawing number B0800100/B4500 Revision G, will be used for making the Side Roads Order.

4. The scheme requires the stopping up and diversion of a section of Footpath No. 15 (Witney). These works will be included in the Side Roads Order, and were addressed in the resolution adopted by Cabinet on 20 July 2010. For clarification it is considered prudent to obtain express authorisation for the Side Roads Order to include the construction of the diverted section of Footpath No. 15 (Witney).
5. Investigations into ownership of the land for Cogges Link Road have revealed that in respect of some plots no owner or occupier could be found. The compulsory purchase procedure enables the Council to include these plots in the compulsory purchase order. Where land is found to be in 'unknown ownership' the Council may serve documents relating to the compulsory purchase of the plot by delivering them to a person on the land or if there is no such person by leaving them on or near the land (Acquisition of Land Act 1981 section 6(4)).
6. Officers have completed the purchase of one of the plots required for the scheme by private treaty. This plot will remain in the compulsory purchase order by virtue of section 260 of the Highways Act 1980 to overcome matters which burden the title to this plot. Officers together with the Council's property consultants are working to secure the acquisition of other plots of land required for Cogges Link Road by private treaty, and any which are purchased ahead of the making of the compulsory purchase order will be included in the order for the same reason.

Support for the Cogges Link Road

7. The Cogges Link Road is supported by both the West Oxfordshire District Council and the Witney Town Council. Council officers have met with senior officers and members of Oxfordshire County Council, West Oxfordshire District Council and Witney Town Council to explain the current position of the scheme.

Main Issues facing publishing the CPO Order

8. Much of the land on which the Cogges Link Road sits is in private ownership. It is necessary to use compulsory purchase powers to ensure that the land can be acquired in time for the scheme delivery. The Council must have contracted the main works before January 2013 otherwise it will lose the main section 106 contribution towards the scheme.

Financial and Staff Implications

9. There are no financial implications for these minor changes to the drawings.
10. The financial and staff implications were covered by Cabinet on 20 July 2010.

RECOMMENDATION

11. **The Cabinet Member for Transport is RECOMMENDED to approve:**
- (a) Drawing number B0800100/B4501 Revision H for use in connection with the exercise of the Council's statutory powers of compulsory purchase to enable the acquisition of all land requirements for the Cogges Link Road scheme.**
 - (b) Drawing number B0800100/B4500 Revision G for use in connection with the Side Roads Order which will be made for the Cogges Link Road scheme.**
 - (c) The inclusion in the Side Roads Order of the construction of a new length of highway for the diversion of Footpath No. 15 (Witney).**
 - (d) The service of documents in accordance with section 6(4) of the Acquisition of Land Act 1981 in connection with any plots of land required for the Cogges Link Road scheme that have 'unknown ownership'.**
 - (e) The inclusion in a compulsory purchase order of any plots of land that are acquired in advance by private treaty.**

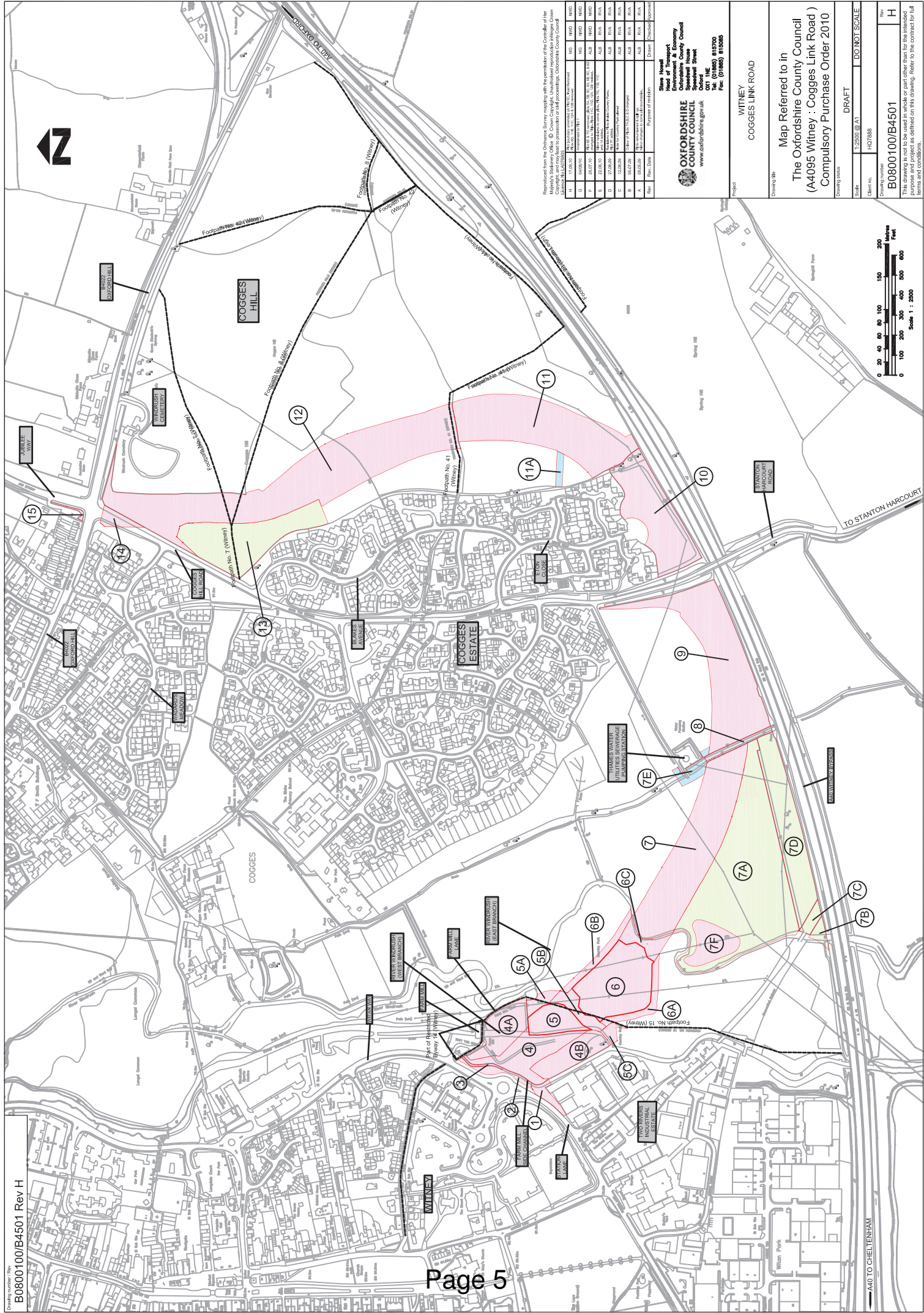
STEVE HOWELL
Head of Highways & Transport

Background papers: Nil

Contact Officer: Julian Hartless Tel: (01865) 815097

September 2010

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Item No.	Description	Rev.	Date
1	1:25000 (OS) 1:25000 (OS) 1:25000 (OS)	001	00/00
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OXFORDSHIRE COUNTY COUNCIL
www.oxfordshire.gov.uk

Steve Howell
Head of Transport & Economy
Oxfordshire County Council
Sharncliffe House
Sharncliffe Street
Oxford
OX1 1HS
Tel: (01865) 815700
Fax: (01865) 815245

Project: WITNEY COGGES LINK ROAD

County: 09

Map Referred to in
The Oxfordshire County Council
(A4095 Witney : Cogges Link Road)
Compulsory Purchase Order 2010

Drawing No: 0000

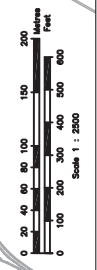
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Draft: H01688

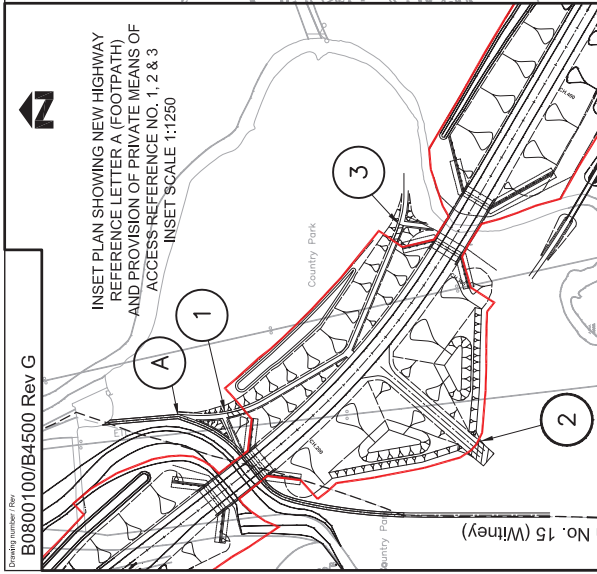
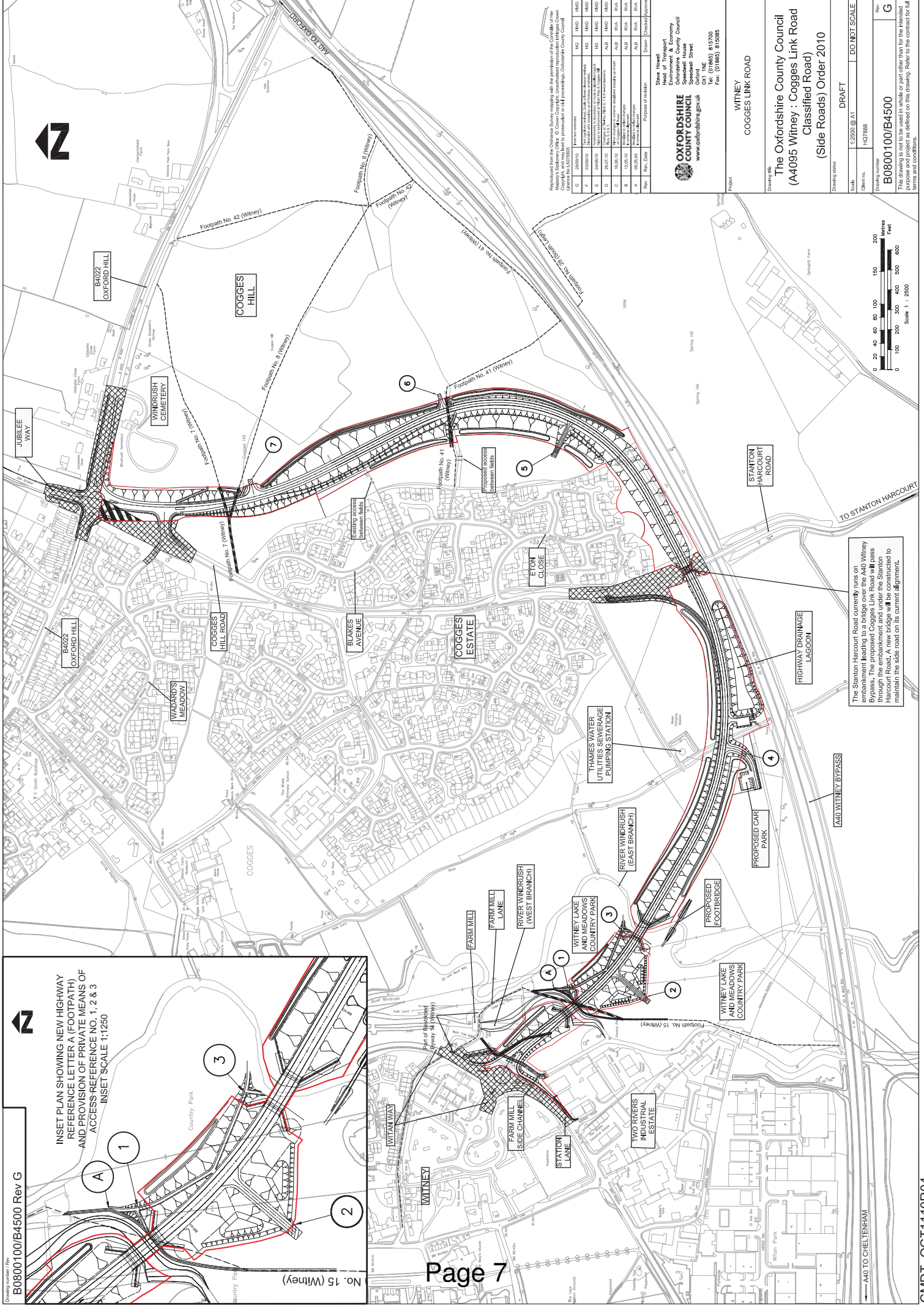
Drawing number: B0800100/B4501

Rev: H

This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.



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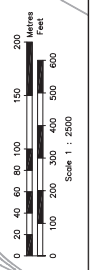
Prepared for: The Oxfordshire County Council
 Prepared by: Oxfordshire County Council
 Checked by: Oxfordshire County Council
 Drawn by: Oxfordshire County Council
 Date: 15/01/2010

Rev.	Rev. Date	Purpose of revision	Drawn	Checked	Approved
A.	10/05/09	Issue for consultation	MD	MD	MD
B.	10/05/09	Issue for consultation	MD	MD	MD
C.	10/05/09	Issue for consultation	MD	MD	MD
D.	26/07/09	Issue for consultation	MD	MD	MD
E.	10/09/09	Issue for consultation	MD	MD	MD
F.	10/09/09	Issue for consultation	MD	MD	MD
G.	26/09/09	Issue for consultation	MD	MD	MD

OXFORDSHIRE COUNTY COUNCIL
 www.oxfordshire.gov.uk
 Head of Transport
 Environment & Economy
 Oxfordshire County Council
 Speardell Street
 Oxford OX1 1BE
 Tel: (01865) 815700
 Fax: (01865) 815085

WITNEY
COGGES LINK ROAD
 The Oxfordshire County Council
 (A4095 Witney : Cogges Link Road
 Classified Road)
 (Side Roads) Order 2010

Drawing title: DRAFT
 Scale: 1:2500 @ A1
 Sheet no.: H07888
 Drawing number: B0800100/B4500
 Rev: G
 This drawing is to be used in conjunction with other plans for the project. Refer to the contract for full terms and conditions.



The Stanton Harcourt Road currently runs on an embankment leading to a bridge over the A40 Witney Bypass. The proposed Cogges Link Road will pass under the bridge and cross the embankment at Stanton Harcourt Road. A new bridge will be constructed to maintain the side road on its current alignment.

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