

Division(s):

CABINET – 21 JULY 2015

Compulsory Purchase Powers for acquisition of land required for delivery of a major infrastructure scheme – Harwell Oxford Entrance

Report by Director for Environment and Economy

Introduction

1. In order to progress with the delivery of an approved major infrastructure scheme, the use of Compulsory Purchase Order (CPO) Powers for the acquisition of land required for the construction work may have to be used.
2. This report requests the delegation by Cabinet to the Director of Environment and Economy, in consultation with the Executive Cabinet member, to exercise compulsory purchase powers for the purchase of land for this scheme, in the event that this land required cannot be purchased by negotiation with landowners.

Background

3. The Council is currently delivering a programme of major 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.
4. Cabinet has previously approved the delegation of the exercising of Compulsory Purchase Powers for City Deal schemes at the 27th January 2015 meeting.
5. It has now been identified that another City Deal Scheme 'Harwell Oxford Entrance' requires additional land for construction of the improvements. It was originally expected that all land required would be available within OCC or Harwell Campus, but this has not been possible to achieve.
6. The Council's land negotiator from Carillion is working with landowners and is continuing negotiations to agree land purchase. However, there may be issues reaching agreement to enable the scheme 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 powers to the Director of Environment and Economy, in consultation with the cabinet portfolio holder for this scheme would enable a swift response should land negotiations be proving to be unconstructive. Annex 1 shows the plan of the site, land requirements and an outline of the scheme.

Harwell Oxford Entrance

7. The scheme is part of the City Deal programme and will provide improved access to Harwell Campus supporting growth at the campus and surrounding area. Improvements will benefit both motorist and cyclists.

Compulsory Purchase Order Processes

8. The ability to use Compulsory Purchase Order powers should help support the land negotiations and provide a greater confidence in achieving earlier agreements without having to resort to actually having to use these Compulsory Purchase Order powers.
9. In the unlikely event that Compulsory Purchase Order powers are required, there will be the need to carry out the statutory requirements to give notice of the Compulsory Purchase Order to the land owner and to the public. If objections are received there may be a need for preparation and attendance at a Public Inquiry.
10. It should be noted that all necessary procedures, which includes legal, would be followed in the making of Compulsory Purchase Orders.

Financial and Staff Implications

11. The current scheme budget estimation does not have an allowance the additional costs likely to be needed for a full Compulsory Purchase Order process. Initial costs to start the process can be met through the schemes contingency allowance. If it looks likely that the full Compulsory Purchase Order process will be necessary then it is likely the scheme budget will need to be increased or scope or scheme reduced.
12. In the event of Compulsory Purchase Order powers being exercised, it is likely to delay scheme delivery for a significant period (up to 12 - 18 months). This may in itself increase project costs.
13. There is no direct impact on staffing.

Equalities Implications

14. There are no equality implications.

RECOMMENDATION

15. **Cabinet is RECOMMENDED to:**
 - (a) Approve delegation of the exercising of Compulsory Purchase Order Powers to the Director of Environment and Economy, in consultation with the Executive Cabinet member for the purchase of land required for the

delivery of the major infrastructure scheme 'Harwell Oxford Entrance' as outlined in this report, in the event that the land cannot be acquired by negotiation so as to keep to the scheme programme; and

- (b) note that in so far as the whole or any part or parts of land required is not acquired by negotiation, the making of a Compulsory Purchase Order under provisions contained in Part X11 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 Inquiry if required.

SUE SCANE

Director for Environment and Economy

Attachments:

Annex I – CPO Land Plan and Scheme Plan

Contact Officer Richard Warren, Strategic Manager – Project Delivery

Tel: 01865 241577

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