

Division(s):

CABINET– 26 JANUARY 2016

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

Report by Director of Environment and Economy

Introduction

1. In order to progress with the delivery of proposed major infrastructure schemes, the use of Compulsory Purchase Powers for the acquisition of land required for the construction work may have to be used.
2. Cabinet is requested to approve delegation 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 schemes detailed in this report, in the event that the land required cannot be purchased by negotiation with landowners.

Background

3. The Council is proposing to deliver 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 major transport schemes at the January and July 2015 Cabinet meetings.
5. It has now been identified that other proposed major schemes being developed require additional land for the construction of the planned improvements.
6. The Council's land agent from Carillion will work with landowners and continue negotiations to purchase land through agreement in the first instance. However, 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 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.

Proposed Schemes

7. Schemes within the Council's committed capital programme for which delegated CPO powers are requested are:

- (a) **Loop Farm, north Oxford (City Deal)** – New A40/A44 strategic link road as part of the Northern Gateway package of schemes.
- (b) **London Road pedestrian / cycle bridge, Bicester (Local Growth Fund)** - to help maintain connectivity into the town centre as the level crossing down-time increases with the delivery of East West Rail.
- (c) **Science Vale Cycle enhancement project (Local Growth Fund)** - A series of eight routes connecting the main residential areas to the station and main employment sites of Culham Science Centre, Harwell Campus and Milton Park.

The programme of improvements for each of the routes will consist of a mixture of new highway infrastructure (for example new shared use paths alongside roads), upgrades of existing public rights of way, and in a small amount of locations the creation of new paths. Land purchase will be required where new highway infrastructure cannot be fitted into the existing highway boundary and for the creation of new paths.

8. In addition, there are schemes being developed on the forward capital programme which are waiting for future funding opportunities to enable implementation. In order to be able to progress promptly should funding be made available delegated CPO powers are requested for these schemes too:

- (a) **Didcot, Northern Perimeter Road (phase 3)** – New road which Extends the A4130 from junction with B4016 (Abingdon Rd/Lady Grove) to Hadden Hill (immediately west of golf course). Required to take through traffic around Didcot, reducing traffic through the centre of Didcot.
- (b) **A34 Lodge Hill Interchange (southbound slip roads)** – Provision of new south bound slip roads, to help relieve Abingdon traffic and congestion at A34 Marcham junction along with providing connectivity from Abingdon to the Science Vale Enterprise Zone.
- (c) **Access to Culham Science Centre, phase 1 – (B4015 to A415 link)** - New road improving connectivity to/from Culham Science Centre from Oxford.
- (d) **Science Bridge, Didcot** - Provision of a new bridge across the railway line (A4130 to Purchase Rd roundabout) to improve connectivity across the area and enable planned growth, in particularly Valley Park and the former Power Station site.

- (e) **Worcester Street, Oxford City Centre** - Required for a bus turning area to enable the pedestrianisation of Queen Street and longer term bus routeing changes as part of the City Centre Transport Strategy.
 - (f) **Charbridge Lane level crossing, Bicester** – Part of Network Rail's East-West rail project. Their proposal is to provide a like for like bridge replacement in place of the existing level crossing on London Rd. The council intends to try and secure betterment funding to future proof infrastructure investment here. This is needed to support the planned growth and deliver the transport strategy, which has demonstrated dualing over the bridge and on the approaches will be required to support the planned growth. The enhanced scheme will require additional land to deliver.
9. As the programme of improvement schemes progress, additional requests for delegated CPOs will be required. In order to manage programmes, the number of requesting reports will be packaged up if possible.
10. 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.

Network Rail Electrification – Steventon

11. As part of the electrification upgrade work at Steventon, Network Rail is proposing to close the Stocks Lane level crossing. This will require the re-routing of traffic along Mill Street/Castle Street. A section of highway that traffic will be re-routed along, which includes a bridge of unknown ownership, requires upgrading and highway dedication. If ownership cannot be determined CPO will be required to acquire land in unknown ownership.
12. Network Rail will be funding all the necessary costs to facilitate the re-routing resulting from the closure of the Stocks Lane crossing.

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 having to use these CPO powers.
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 Inquiry.
15. All necessary processes and procedures 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 scheme reduced.

17. In the event of CPO being exercised, it is likely to delay the scheme's delivery estimated at 6 - 8 months, or for a significantly longer period estimated up to 12 - 18 months if a full public inquiry is required. This may in itself increase project costs.
18. There is no direct impact on staffing.

Cabinet is RECOMMENDED to:

(a) Approve delegation of the exercising of Compulsory Purchase 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 schemes outlined in paragraphs 7, 8 and 11 of this report, in the event that the land cannot be acquired by negotiation so as to keep to the programme of the schemes.

(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 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 Inquiry if required.

SUE SCANE

Director, Environment and Economy

Background Papers: Local Transport Plan (4) 2015-2031

Available online www.oxfordshire.gov.uk/ltp

Contact Officer: Richard Warren
Strategic Manager for Project Delivery
Tel: 07748 112169