

STOCKPORT COUNCIL

REPORT TO CABINET– SUMMARY SHEET

Subject: Town Centre Access Package (TCAP) Compulsory Purchase Order - Project 601

Report to Cabinet

Date: 19th December 2017

Report of: (a) Cabinet Member for Economy & Regeneration

Key Decision: (b) Y

Forward Plan ☒

General Exception ☐

Special Urgency ☐

(Mark with a Y
if applicable)

Summary:

The 601 scheme forms part of the Stockport Town Centre Access Plan ("TCAP"), an extensive package of integrated highway improvements aimed at tackling congestion and barriers to movement and transforming accessibility and connectivity to and around Stockport town centre.

Scheme 601 is located on New Bridge Lane outside of Units 1-3, which are let to various tenants including Crown Paints and Plumbase. The scheme will provide a much needed 'missing link', linking together cycle paths across the borough, by widening an existing shared use path. Locally, the scheme will provide safety benefits to pedestrians and cyclists at an existing pinch-point by reducing pedestrian/ cycle conflicts.

Negotiations to acquire land in 3rd party ownership have thus far not concluded and therefore, in order to ensure certainty of the Council's ability to assemble the land required to implement the Scheme within a reasonable timeframe, and to deliver the significant public benefits which the Scheme will give rise to, the Council considers that a Compulsory Purchase Order must be made.

In light of this, the Cabinet are recommended to support the making of a Compulsory Purchase Order to deliver this scheme.

Comments/Views of the Cabinet Member: (c)

I support the making of the Compulsory Purchase Order for TCAP scheme 601.

Recommendation(s) of Cabinet Member: (d)

Agree the contents of this report, together with the drafts of the Order front sheet, the Order Schedule, the Order Map and the Statement of Reasons provided herewith, and having done so, to resolve to make the Order (under the Highways Act 1980 and the Road Traffic Regulation Act 1984) for the reasons set out in the draft Statement of Reasons and to assemble the land and secure the rights required to deliver the TCAP 601 Scheme, and to submit the Order to the Secretary of State for Transport for confirmation.

- Delegate to the Corporate Director for Place Management and Regeneration authority to:
 - a) make minor amendments and/or modifications, as required, to the Order front sheet, the Order Schedule, the Order Map and the Statement of Reasons, and to approve the said documents, prior to the Order being made and submitted to the Secretary of State for Transport for confirmation;

- b) if authorised by the Secretary of State, to confirm the Order;
- c) continue to engage in negotiations and, where possible, to agree terms for the Council to acquire by voluntary means all of the land and interests comprised within the Order Land where such land and interests are in third party ownership;
- d) in the event that objections are made to the Order, take all necessary steps to address and, where possible, resolve those objections and, if necessary, to prepare for and participate in any public inquiry convened by the Secretary of State for Transport to consider the Order.

• Delegate to the Head of Legal and Democratic Governance authority to:

- a) provided the Order is confirmed by the Secretary of State, take all necessary steps to bring the Order into operation such that the Council's powers of compulsory acquisition, as secured by the Order, are exercised, and possession of the Order Land taken (including the making and service of one or more General Vesting Declarations and, where necessary, the preparation and service of Notices to Treat and Notices of Entry);
- b) approve agreements with affected parties setting out the terms of any withdrawals of objections to the Order, including, where appropriate, the exclusion of land from the Order; if considered acceptable having regard to scheme delivery, seek the consent of the Secretary of State for Transport to make modifications to the Order (including the Order Schedule and the Order Map); and, where appropriate, agree to refrain from compulsorily acquiring/vesting any land and/or interests included within the Order;
- c) defend any third party proceedings challenging the confirmation of the Order by the Secretary of State for Transport;
- d) commence or defend any proceedings in the Upper Tribunal (Lands Chamber) concerning the determination of the compensation to which affected parties whose land and/or interests are acquired pursuant to the Order may be entitled, and to take all necessary steps to deal with, settle and/or dispose of those proceedings (as the case may be);
- e) do all things necessary or incidental to the implementation of the above-mentioned resolutions.

Relevant Scrutiny Committee (if decision called in): **(e)**
Economy & Regeneration

Background Papers (if report for publication): **(f)**

There are none

Contact person for accessing
background papers and discussing the report

Officer: Sue Stevenson

Tel: 0161-474-4351

'Urgent Business': **(g)**

Yes/ No (Please circle)

Certification (if applicable)

This report should be considered as 'urgent business' and the decision exempted from 'call-in' for the following reason(s):

The written consent of Councillor _____ and the Chief Executive/Monitoring Officer/ Borough Treasurer for the decision to be treated as 'urgent business' was obtained on /will be obtained before the decision is implemented.
