

## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 23 September 2013  
**Report for:** Decision  
**Report of:** Executive Member for Highways and Environment / Executive Member for Economic Growth and Prosperity

### Report Title

**A56 / Park Road Junction Improvement – Proposed Compulsory Purchase Order**

### Summary

**This report requests Members to approve the making of a Compulsory Purchase Order to facilitate major improvements to the road junction at Park Road / A56 Manchester Road, Timperley.**

### Recommendation(s)

- 1) That in order to facilitate the carrying out of junction improvements at Park Road / Manchester Road, Timperley the land and properties identified on the attached plan be compulsorily acquired under the Highways Act 1980.
- 2) That a Compulsory Purchase Order known as “The Borough of Trafford (Manchester Road / Park Road, Timperley) Compulsory Purchase Order 2013” be made under sections 239 and 240 of the Highways Act 1980 in respect of the land and properties delineated and shown edged black on the attached Plan No 5136/RLOO Rev B.
- 3) That the Director of Legal and Democratic Services be authorised to do all things necessary to prepare and make the said Order and to submit the same to the Secretary of State, for confirmation in accordance with the provisions of the said Act.
- 4) That as soon as the Compulsory Purchase Order has been confirmed and is operative, the Director of Legal and Democratic Services be authorised to comply with all statutory requirements in respect of the Order, and to make a General Vesting Declaration under the Compulsory Purchase Act (Vesting Declarations) Act 1981, or to take any other action to vest ownership in the Council in respect of those properties which are to be acquired compulsorily.
- 5) That the Corporate Director of Economic Growth and Prosperity continue to be authorised to proceed with purchase of the land and property required for the development, as if the Order had been confirmed.

Contact person for access to background papers and further information:

Name: Jane Le Fevre  
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Name: Peter Townsend  
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**Background papers:**

None.

**Implications:**

Relationship to Policy Framework/Corporate Priorities	The proposed scheme is an essential element to the continued improvements of the Borough of Trafford and to the Greater Manchester economy, and lies well with local and regional objectives. The A56 is an important access route to the local area and the regional centre and is currently suffering from major congestion problems. Park Road junction is a bottle neck on the route, which can be significantly improved by this scheme.
Financial	The estimated capital cost of the scheme is £2.16m, including land acquisition costs and can be financed from S106 developers contributions from the Stamford Brook development, grant from TfGM and specific capital receipts.
Legal Implications:	Compulsory Acquisition will transfer freehold and leasehold interests affected to the Council to enable the scheme to proceed. Should there be any formal objections to the CPO it may be necessary for a Public Local Inquiry to be held, which will result in additional resources and expenses being incurred. Human Rights implications have been considered in this report.
Equality/Diversity Implications	None
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	The CPO will be carried out within existing resources together with any necessary external resources. There are no e-government implications. There is a small increase in carriageway area to maintain. Any increased maintenance area liability will be countered by significant improvement of existing carriageway and reduced stress on the junction from improved traffic flow.
Risk Management Implications	The risk of purchase via a CPO; is the timescale and costs should a public enquiry be required

	following objections. This has been mitigated by purchase or agreement in principle to purchase most of the plots required. There is also the operational risk as if the scheme is delayed the construction costs could increase.
Health & Wellbeing Implications	None
Health and Safety Implications	Improved junction alignment should improve road safety.

## 1.0 Background

- 1.1 The purpose of this report is to update Members on the progress of the A56 / Park Road Junction Improvement scheme, with particular reference to the original report to Members dated 30<sup>th</sup> June 2008, which was approved on 28<sup>th</sup> July 2008, regarding Compulsory Purchase of land and property to facilitate the scheme.
- 1.2 The recommendations in this report remain unchanged from the approved 2008 report with the exception of; the revision updating the Compulsory Purchase Order, the plan number and the change in delegation.
- 1.3 Delays have occurred following approval of the 2008 report due to difficulties in obtaining the funding from the Stamford Brook developer in accordance with the S106 Agreement and amendments to the TfGM Quality Bus Corridor funding. In addition there have been difficulties in purchasing the required land and property by agreement. The reasons and justification for the scheme and the considerations in relation to human rights remain the same as outlined in the 2008 report.
- 1.4 Since 2008 there have been a number of changes in ownership, and one plot has been purchased by the Authority by agreement hence the need to change the CPO plan.
- 1.5 Attempts to purchase by agreement have progressed; one plot has been purchased and Legal have received instructions to proceed in connection with the purchase of all plots to the north of Woodcote Road. Two interests remain to be acquired and whilst negotiations are continuing the acquisitions are proving difficult to conclude.

## 2.0 Other Options

- 2.1 The alternative to the Compulsory Purchase Order is to continue the attempt to "Purchase by agreement" without the support of a CPO. However it is considered that the CPO is required to support bringing negotiation by agreement to a final conclusion and to provide a mechanism for purchase if "purchase by agreement" cannot be achieved.

## 3.0 Consultation

- 3.1 Consultation regarding the scheme has taken place as outlined in the 2008 report.
- 3.2 Land purchase negotiations are currently underway.

**4.0 Recommendation**

- 4.1 In order to facilitate the carrying out of junction improvements at Park Road / Manchester Road, Timperley the land and properties identified on the attached plan be compulsorily acquired under the Highways Act 1980.
- 4.2 That a Compulsory Purchase Order known as “The Borough of Trafford (Manchester Road / Park Road, Timperley) Compulsory Purchase Order 2013” be made under sections 239 and 240 of the Highways Act 1980 in respect of the land and properties delineated and shown edged black on the attached Plan No 5136/RLOO Rev B.
- 4.3 That the Director of Legal and Democratic Services be authorised to do all things necessary to prepare and make the said Order and to submit the same to the Secretary of State, for confirmation in accordance with the provisions of the said Act.
- 4.4 As soon as the Compulsory Purchase Order has been confirmed and is operative, the Director of Legal and Democratic Services be authorised to comply with all statutory requirements in respect of the Order, and to make a General Vesting Declaration under the Compulsory Purchase Act (Vesting Declarations) Act 1981, or to take any other action to vest ownership in the Council in respect of those properties which are to be acquired compulsorily.
- 4.5 That the Corporate Director of Economic Growth and Prosperity continue to be authorised to proceed with purchase of the land and property required for the development, as if the Order had been confirmed.

**5.0 Reasons for Recommendation**

- 5.1 In order to purchase the land and property required to carry out the scheme it is considered that the CPO is the only option.

**Key Decision** Yes  
**If Key Decision, has 28-day notice been given?** Yes

*Reports will not be accepted without completion of the following section - THE EXECUTIVE MEMBER AND DIRECTOR MUST CLEAR ALL REPORTS before they are sent to Democratic Services.*

**Finance Officer Clearance** (type in initials).....EO.....  
**Legal Officer Clearance** (type in initials).....GB.....



**CORPORATE DIRECTOR’S SIGNATURE** (electronic).....  
 To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.