

Swindon Borough Council (Southern Connector Road, New Eastern Villages) Compulsory Purchase Order 2018

Cabinet

Date: 17th October 2018

Author:	Cabinet Member for Strategic Planning,
Wards:	Covingham and Dorcan, St Margaret and South Marston, and Ridgeway
Parishes Affected:	Stratton St Margaret, South Marston and Wanborough

1. Purpose and Reasons

- 1.1 Cabinet is requested to authorise an amendment to the area of land required for a Compulsory Purchase Order (CPO) to be made for the construction and delivery of the Southern Connector Road (SCR), to enable access to the New Eastern Villages (NEV).
- 1.2 Further to the Cabinet's decision on 14th March 2018 (details set out below), design work and negotiations with landowners have progressed. Ecological mitigation has been designed in more detail and landowners have requested amendments to the design of farm accesses and drainage infrastructure. As a result, a small amount of additional land is required to ensure that these features are contained within the Southern Connector Road improvement scheme red line boundary, where CPO's may need to be made to ensure that land is assembled..

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise extension of the land area approved by Cabinet in March 2018 for compulsory purchase relating to the New Eastern Villages Southern Connector Road scheme, as shown on the revised plan attached (Appendix A).

3. Detail

- 3.1 Cabinet resolved on 14th March 2018:

“That, in the event that purchase by private treaty is not achievable, the Director of Law and Democratic Services be authorised, in consultation with the Chief Executive, the Cabinet Member for Finance and the Cabinet Member for Strategic Planning and Sustainability, to take all steps necessary to secure the making and implementation of a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and/or any other enabling statutory provisions deemed appropriate by him, in order to acquire the areas of land shown shaded pink on the Order Map attached to this Report as Appendix 1 and marked “Map referred to in the Swindon Borough Council (Southern Connector Road, New Eastern Villages) Compulsory Purchase Order 2018”, (“the CPO Land”), including the publication and service of

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all statutory notices and the presentation of the Council's case at any public inquiry and courts (if necessary)."

- 3.2 Pursuant to the Cabinet resolution of 14th March 2018, scheme designs have been progressed and negotiations commenced with landowners. The scheme will require significant ecological mitigation, and as the design has progressed, the requirement has arisen to locate some elements of mitigation outside the original red line boundary of the areas approved for possible CPO's. Additionally, the location of drainage attenuation areas have been revised in light of negotiations with landowners to ensure that land they retain after scheme completion is not compromised. Some of these revised attenuation areas are located outside the original red line boundary.
- 3.3 At this stage it is envisaged that all the land within the red line area (Appendix A) will be required for the scheme. However, as the scheme evolves, if it becomes clear that any area of land within the CPO plan is no longer required, the Council will be required to not proceed with the compulsory acquisition of that particular area of land.

4. Implications

Financial and Procurement Implications

- 4.1 Cabinet approved a budget of £48.7m in February 2015 towards New Eastern Villages infrastructure, funded from a Local Growth Fund provisional award (Council minute 62 2014/15). £11.6m of this total relates to the Southern Connector Road and is anticipated to be sufficient to be able to fund the expected cost of the land and any other associated costs.

The current full estimated total cost of the scheme is £29.56m, with the remainder funded through S106 contributions. Approval for the full budget will be sought at a future Cabinet later in the year confirming the sources of funding, and will set out the full financial implications and risks of the scheme. This will then enable the planning application for the SCR to be submitted.

Legal Implications

- 4.2 The legal implications are as set out in the March 2018 Cabinet Report.

Alternative Options

- 4.3 Alternative Options are addressed in the March 2018 Cabinet Report.

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5. Consultees

- 5.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all Cabinet reports.

6. Appendices

- 6.1 Appendix A - Plan of the CPO Land showing additional areas

7. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 7.1 This is a Key Decision and is not included in the Cabinet Work Programme and Forward Plan for October 2018.