



REPORT OF SERVICE DIRECTOR, HIGHWAYS

HUCKNALL TOWN CENTRE IMPROVEMENT SCHEME – UPDATE AND COMPULSORY PURCHASE ORDERS (HIGHWAYS ACT 1980)

Purpose of the Report

1. To seek approval to compulsorily acquire land and property to deliver the Hucknall Town Centre Improvement Scheme under sections 239, 240 and 246 of the Highways Act 1980, section 40 of the Road Traffic Regulation Act (RTRA) 1984, and the Acquisition of Land Act 1981.
2. To provide an update on recent progress on the scheme and to set out the next steps.

Reason for the Report

3. On January 9th 2014, Transport and Highways Committee gave approval to *'compulsorily acquire land and properties under section 239 of the Highways Act 1980 in order to deliver the Hucknall Town Centre Scheme'*.
4. The orders for the scheme have now been prepared, however it has been confirmed that the land will need to be acquired under sections 240 and 246 of the Highways Act 1980, as well as section 239. This report therefore seeks approval to acquire under all these sections of the Highways Act 1980 in addition to section 40 of the RTRA 1984 and the Acquisition of Land Act 1981.
5. In addition this report will provide an update to the Committee on recent progress on the scheme and the next steps being completed by highways.

Scheme Details

6. A scheme to construct a new road between Station Road and Annesley Road has been safeguarded for a number of years. The new road will enable part of the High Street (Baker Street to Watnall Road) to be pedestrianised and with improved junctions will reduce traffic congestion in the town and accommodate vehicular trips from proposed housing developments in and around the town. Pedestrianising the High Street will help to stimulate and regenerate the town by attracting inward investment.
7. The new road is 450m in length and has a design speed of 30mph. It lies approximately 90m to the north-east of the High Street and the layout is shown

on drawing H/JH13379/28 Rev A (Appendix 1). The road has been designed by the County Council's in-house Highway Design and Landscape Design teams.

8. Numerous alternative options for the road alignment have been tested and rejected and these have been the subject of previous reports. The current alignment is considered to be the best arrangement to deliver the stated objectives whilst minimising land take.

Update on Land Acquisition

9. Several plots of land required to deliver the road scheme have been acquired via negotiation over a number of years. A further four plots were acquired in 2013, with the acquisition of one more plot expected to complete in the near future.
10. There are six further plots to be acquired and discussions are advanced with most of the land owners (see Appendix 2). Whilst every endeavour will be made to acquire lands via negotiation, in order to ensure scheme delivery it is standard practice that Compulsory Purchase Order (CPO) powers are progressed simultaneously with land acquisition.
11. The land acquired will be for highway purposes to construct the new road and its connections, to divert watercourses and provide parking space and landscaping. Plots 1, 2 and 3 are required to provide a new connecting road from Albert Street to the new road and to provide a short diversion to the Baker Lane brook. Plots 4 and 5 are required to provide the bus link which will connect from the new road to the High Street. Plot 6 is required to provide the new road and areas of associated landscaping.

Update On Scheme Design

12. As Members will be aware flood events in the area have been subject of much concern and were subject to representation at the Planning and Licensing Committee on 10th December 2013 where approval for the scheme was granted.
13. The scheme submitted to the planning authority proved that the new road did not make flooding worse; however a commitment was given that during the detailed design stage, every effort would be made to incorporate suggestions from the ongoing Flood Study for the town to provide an improvement. As a result, and since planning approval was granted, the County Council's design group have progressed the drainage design working closely with the Flood Risk Management team and also in partnership with the Environment Agency and Severn Trent Water. Subject to further modelling tests, the design group are confident that a scheme can be designed that will now offer an improvement to the flooding issues experienced in the Thoresby Dale area.
14. In order to offer improvement to the flooding issues it is proposed that a series of oversized pipes under the new road are installed, that will act to divert flood waters away from the Thoresby Dale area. These pipes will have connections to the existing Severn Trent system and Baker Lane Brook and will enable highway surface water and flood waters to be contained and released at a slower rate into

the brook downstream of Thoresby Dale at a point adjacent to the tram / train car park. This proposal is subject to further modelling tests and agreements from the Environment Agency and Severn Trent and necessary planning approvals. The flooding improvements in the town centre (of which the scheme forms a part) have been estimated to cost in the order of £0.76m and a bid has been made by County Council's Flood Risk Management Team to the Environment Agency for Flood and Coastal Risk Management Grant in Aid (GiA), with a decision expected in December 2014. This information was included as part of a more detailed report titled 'Flood Risk Management Update April 2014' that was approved at Transport and Highways Committee on 24th April 2014.

15. In order to progress the design of the road scheme it is necessary to include these flood mitigation improvements into the design so that additional funding can be sought. The new road scheme offers a unique opportunity to combine works, and therefore the designs will be progressed in tandem and generate significant economies of scale.
16. Vegetation clearance works have recently been undertaken to the scrub land bordered by Baker Street, Mill Yard, Baker Brook and Titchfield Street. This has removed trees and scrub vegetation allowing a better appreciation of the site and the chance to undertake further surveys including archaeological investigations.

Finance

17. The estimated cost of the scheme is £12.4m. Department for Transport (DfT) have provisionally allocated £8.49m. Ashfield District Council has allocated £1.35m and NCC the remainder (which is largely the value of the land acquired before 2013). The DfT allocation is provisional and as such all costs incurred prior to Full Approval are done so at risk. For clarification, the scheme estimate does not include the costs of the additional flood alleviation works referred to in paragraphs 9 and 10 above, which it is anticipated will be funded separately from the external Flood Defence Grant funding pot.
18. A contractor will be appointed shortly from the Midlands Highway Alliance Framework and a target price will be prepared. A report to explain any variance from the estimate will be taken to Transport and Highway Committee later in the year if required.
19. The costs of acquiring land are contained within the scheme budget, including provision for legal costs associated with the CPO process.

Next Steps

20. Archaeological investigation work will be carried out in May / June 2014. This is being undertaken early in order to plan and programme for any mitigation measures identified following the study.
21. A set of terraced houses (27-33 Titchfield Street) that were acquired some years ago are structurally unsound and will be demolished later this year.

22. Negotiations to acquire land will continue and the CPO will be processed in tandem.
23. Detailed design of the full road scheme will continue, including drainage and flood alleviation design.
24. County Council officers recently attended a very encouraging meeting held with the 'I Love Hucknall' group. This meeting proposed an idea to remove traffic on the High Street on one Saturday in August to promote the group, the scheme and demonstrate how this section of road may operate once the new road is open and a section of High Street pedestrianised. This will be progressed with the group and Ashfield District Council in order to promote the town. The County Council will process the necessary orders and liaise with bus operators and police. In addition, the intention is for officers from the County Council to attend the day to provide information / advice and promote the scheme and benefits for the town.
25. A contractor will be allocated via the Midlands Highway Alliance - Medium Scheme Framework (2) in June 2014 to allow early contractor involvement and to work up a target price for the scheme.
26. A Major Scheme Business Case submission will be prepared and submitted to the DfT later in 2014 in order to seek Full Approval sign off (this will be subject to land acquisition and/or an uncontested CPO).

Other Options Considered

27. Alternative options and alignments for the proposed scheme have been considered and rejected. These options have been assessed and reported to the Department for Transport as part of the Major Scheme Business Case process. In addition, they have more recently been submitted as part of the planning application for the scheme which was approved in December 2013.
28. Additional design work undertaken in 2012 further reduced the amount of third party land required for the scheme. The scheme is now considered to be the best available option to deliver the pedestrianisation of the High Street and provide the new road for the town, whilst minimising land take.

Environmental and Sustainability Implications

29. The new road will assist with attempts to reduce traffic congestion within the town centre and the associated noise and air pollution from vehicles. New and amended cycle and walking facilities are to be provided as part of the scheme offering alternative transport modes. Dedicated bus links with quality shelters will offer improve facilities for bus passengers in the town. Walk and cycle routes between the town centre and the tram/ rail stop will be significantly improved as a result of the proposed scheme.

Reasons for Recommendation

30. In order to deliver the scheme within DfT funding deadlines it is prudent to seek compulsory purchase of land and properties in addition to seeking to reach agreement via negotiation. The benefits of delivering the improvement scheme are considered to outweigh the impacts on individual property owners.

Statutory and Policy Implications

31. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

32. The costs of acquiring land either via negotiation or via compulsory purchase are contained within the scheme budget.

Crime and Disorder implications

33. Nottinghamshire Police has raised no objection to the planning application for the Hucknall Town Centre Improvement Scheme.

RECOMMENDATIONS

It is RECOMMENDED that Committee confirms its approval to:

Compulsorily acquire land, properties and businesses to deliver the Hucknall Town Centre Improvement Scheme under sections 239, 240 and 246 of the Highways Act 1980 and section 40 of the Road Traffic Regulation Act 1984, and the Acquisition of Land Act 1981.

Andrew Warrington
Service Director (Highways)

Name of Report Author

Mike Barnett

Title of Report Author

Team Manager (Major Projects and Improvements)

For any enquiries about this report please contact:

Paul Horn – Principal Project Manager Tel: 0115 9774281

Constitutional Comments (SLB 30/04/14)

34. Committee have the power to decide the Recommendation

Financial Comments (GB 30/04/14)

35. The financial implications are set out in paragraph 32 of the report.

Electoral Division(s) and Member(s) Affected

Hucknall Councillors Alice Grice, John Wilmott and John Wilkinson