



31 July 2023

REPORT OF THE INTERIM CORPORATE DIRECTOR FOR PLACE

A614-A6097 MAJOR ROAD NETWORK - ACQUISITION OF LAND AND RIGHTS

Purpose of the Report

1. To seek approval for the acquisition of land and rights to enable construction of the A614/A6097 Major Road Network (MRN) Scheme.
2. This report contains Exempt Appendices which are not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). Information relating to any individual or the business affairs of a particular person (including the authority holding that information). Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position.

Information

Scheme background

3. The A614/A6097 MRN Scheme is a package of major junction improvements along the A614/A6097 corridor between Kirk Hill (East Bridgford) and Ollerton to support future growth and development within the county. The Council has the overall responsibility for land acquisition, design, procurement, construction, and delivery of this Scheme. Via East Midlands is responsible for managing the land acquisition process, design, and project management of the Scheme on behalf of the Council.
4. At the Communities and Place Committee meeting on 4th April 2019, it was resolved in principle that the Council would, if necessary, compulsorily acquire the land and rights required to deliver the Scheme and that the Council should progress the documents required to make a Compulsory Purchase Order (CPO). Approval was given for the Council to make, confirm, submit and implement the CPO by the Economic Development and Asset Management Committee on 8th March 2022. This included a commitment that the Council will seek to agree the purchase of all land parcels and rights through negotiation, as far as possible, and will only use the CPO process as a last resort if there is no reasonable prospect of the land and rights required for the delivery of the Scheme being acquired in a timely manner.

5. Planning Permission for the junction improvements was granted on 27th September 2022. The Council made the CPO and Side Roads Order for the scheme on the following day (28th September 2022). The making and confirmation of the CPO will enable the Council to acquire the land and rights necessary for the construction and maintenance of the Scheme and ensure the necessary improvements are made to the local highway network.
6. The Council commissioned a review of the projected scheme costs to take account of further design changes made in response to consultation feedback and to meet statutory Planning requirements and mitigate ongoing inflationary pressures. A revised programme and capital budget for the A614/A6097 MRN Scheme was approved by Cabinet on 22nd June 2023.

Land acquisition

7. Without acquiring the land and rights needed to construct and maintain the A614/A6097 junction improvements, the proposed works cannot be delivered. Previous Committee approvals stipulated that wherever possible land will be acquired by agreement and early access to the land could support earlier progression of enabling works at some junctions. In addition, compulsory purchase powers cannot be used to acquire land which is owned by The Crown Estate meaning that this can only be purchased by negotiation and agreement, as noted in Paragraph 16 of this report.
8. Negotiations to acquire the land and rights required to construct the Scheme are ongoing and will continue throughout the statutory CPO process. The Council has appointed Bruton Knowles LLP to conduct all negotiations on its behalf. This report seeks approval to acquire those land parcels and rights to land which have so far been agreed in principle with the relevant landowners. It is expected that further reports will be brought for approval in advance of the scheduled CPO inquiry subject to continuing negotiations with other landowners.
9. The Council proposes to permanently acquire eight separate plots of land totalling 0.533 hectares at Ollerton Roundabout to enable carriageway construction, landscaping and habitat provision, erect new signage and construct a new bus link. It is also proposed to acquire temporary rights to a further seven plots of land totalling 0.402 hectares to provide safe working access during construction.
10. It is proposed to permanently acquire four separate plots of land (0.37 hectares) at Kirk Hill Junction to enable the construction of a new Pegasus crossing for equestrians. It is also proposed to acquire temporary rights to a further five plots of land (1.042 hectares) to provide for soil storage and safe working access during construction.
11. The land and rights to be acquired are listed in Table 1 below. The plot numbers are noted in Appendix 1 (Compulsory Purchase Order Plan for Ollerton Roundabout) and Appendix 2 (Compulsory Purchase Order Plan for Kirk Hill Junction). The Heads of Terms under which it is proposed to acquire the land and rights shown in Table 1 are included in Exempt Appendix 3. Information specific to each landowner (valuation recommendations, draft memoranda of sale and other agreements) is included in Exempt Appendices 4-8.

Table 1: Land and rights to be purchased.

Plot Number	Land Size (Hectares)	Land Location	Type of Acquisition
4, 7a, 7c, 12a, 12c, 13a, 14a, 14c	0.533	Ollerton Roundabout	Permanent
6, 7b, 12b, 12d, 12e, 13b, 14b	0.402	Ollerton Roundabout	Temporary
40a, 43a, 44a, 46a	0.37	Kirk Hill Junction	Permanent
40b, 43b, 44b, 46b, 46c	1.042	Kirk Hill Junction	Temporary

Supporting the Nottinghamshire Plan/Annual Delivery Plan

12. The Council's 'Nottinghamshire Plan 2021-2031' sets out an ambitious future for Nottinghamshire which is stronger, more prosperous and greener. The A614/A6097 scheme supports the delivery of Ambition 7 (Attracting investment in infrastructure, the economy and green growth) and Ambition 8 (Improving transport and digital connections). The investment in large scale infrastructure projects such as the A614/A6097 scheme will improve local and regional connectivity and reduce congestion which are all key priorities for the Council. Improving the reliability of journey times and increasing junction capacity on this key corridor will also help attract inward investment and help facilitate economic growth in the area.
13. National policy also highlights the importance of effective transport infrastructure to connect people and places and support economic growth. Improving access to training and jobs, and helping businesses to move goods more efficiently, is central to Nottinghamshire's economic recovery and levelling up agenda.
14. The Council's Economic Transition Plan (ETP) identifies three priorities within the "infrastructure" theme:
- *To maximise opportunities for transport infrastructure improvements*
 - *To develop a pipeline of projects that are feasible, deliverable, and affordable*
 - *To proactively engage with and influence partner organisations to ensure maximum benefits.*
15. To help deliver these priorities, the Infrastructure and Transport Programme Delivery team work closely with a range of partners and stakeholders. This funding is an example of working in partnership with Midlands Connect to support growth and investment in Nottinghamshire.

Other Options Considered

16. An alternative to early acquisition of land would be to wait until the CPO has been confirmed before acquiring the land and rights required for the Scheme. This carries elements of risk and uncertainty as the CPO may not be confirmed if the Council (as the Acquiring Authority) cannot demonstrate that it has made meaningful attempts at

negotiation other than where the land is in unknown ownership. This would also add an element of uncertainty as to the level of compensation due to the landowner should the CPO be confirmed.

17. Early engagement with landowners aims to reduce the risk of objections to the CPO and ensures open communications with key stakeholders. The early acquisition of land, in advance of the use of CPO powers, can also potentially allow earlier access to land to progress the enabling works for the scheme.
18. There are no alternative means available by which to acquire land owned by The Crown Estate as this cannot legally be acquired under compulsory purchase powers and must be purchased through negotiation and agreement.

Reason for Recommendations

19. To secure the land necessary to deliver the A614/A6097 MRN Scheme in a timely and cost-effective manner.

Statutory and Policy Implications

20. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment 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

21. The purchases will be funded from the budget for the A614/A607 MRN Scheme approved by Cabinet on 22nd June 2023 which is sufficient to cover the total purchase cost.

Consultation

22. Initial public consultation on the A614/A6097 MRN Scheme took place in July and August 2019, followed by further consultation on design changes in November 2020 and May 2021. Statutory consultation was carried out on the Planning applications for each junction during March and April 2022 and during the making of the CPO in October and November 2022. There is a scheme webpage which provides information about the scheme and updates on progress along with dedicated bulletins for subscribers to the Council's 'Email Me' service. Local County Councillors have been kept informed of progress with the scheme.

Public Sector Equality Duty Implications

23. An Equalities Impact Assessment ("EqIA") has been carried out for the A614 / A6097 MRN Scheme. This considers the impact of the proposed works on those with protected characteristics in accordance with the Public Sector Equality Duty, set out in the Equality Act 2010. The EqIA assessment considers that the Scheme should provide a range of positive benefits for those with protected characteristics related to age, disability and

gender. Improved journey times will make it easier to reach job, education and training opportunities, and healthcare facilities. Improvements to road surfacing, lighting, signage, crossing facilities, and reductions in speed limits in some areas will improve road safety for all users and increase mobility and accessibility for those who are less mobile. No negative impacts on users with protected characteristics have been identified.

RECOMMENDATIONS

1. It is recommended that approval be given to purchase the land and rights detailed within the body of this report on the terms which are set out in the Exempt Appendices.

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Group Manager for Growth, Infrastructure and Development

For any enquiries about this report please contact: Kevin Sharman, 0300 500 8080.

Constitutional Comments (JL 21/07/2023)

24. The contents of this report fall within the remit of the Cabinet Member for Economic Development and Asset Management in accordance with the terms of reference set out in the Constitution of Nottinghamshire County Council

Financial Comments (GB 21/07/2023)

25. The financial implications are set out in the Exempt Appendix, and it is proposed that they will be funded from the A614 capital project which is already approved within the Transport and Environment portfolio capital programme.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Report to Policy Committee 12 September 2018 – Major Infrastructure Improvement Scheme
- Report to Policy Committee 17 October 2018 - A614/A6097 Major Infrastructure Improvement Scheme
- Report to Communities and Place Committee 4 April 2019 – A614 Major Route Network – Scheme Update, Compulsory Purchase Order and Side Roads Order
- Report to Policy Committee 22 May 2019 – A614/A6097 Major Route Network – Scheme Update and Funding Agreements
- Report to Communities and Place Committee January 2021

- Report to Economic Development and Asset Management Committee 2 November 2021 – A614/A6097 Major Road Network – Scheme Update
- Report to Economic Development and Asset Management Committee 8 March 2022 – A614/A6097 Major Road Network Compulsory Purchase Order and Side Roads Order
- Report to Cabinet 22 June 2023 – A614/A6097 Improvement Scheme Update

Electoral Division(s) and Member(s) Affected

- | | |
|--------------------------|---------------------------------|
| • Bingham East | Councillor Francis Purdue-Horan |
| • Bingham West | Councillor Neil Clarke |
| • Muskham and Farnsfield | Councillor Bruce Laughton |
| • Ollerton | Councillor Mike Pringle |
| • Sherwood Forest | Councillor Scott Carlton |
| • Southwell | Councillor Roger Jackson |