

**DOCUMENT 3**

**CABINET REPORT 30 JANUARY 2019**

**GLOUCESTER SOUTH WEST BYPASS (GSWB)  
LLANTHONY ROAD IMPROVEMENTS  
COMPULSORY PURCHASE ORDER AND ANCILLARY ORDERS**

<b>Cabinet Date</b>	30 January 2019
<b>Environment and Planning</b>	Cllr Nigel Moor
<b>Key Decision</b>	Yes
<b>Background Documents</b>	<ul style="list-style-type: none"> <li>• Adopted Local Transport Plan (LTP 3 2015-31)</li> <li>• GSWB Full Business Case</li> <li>• Gloucester South West Bypass April 2018 Cabinet paper</li> <li>• Gloucester South West Bypass February 2017 Cabinet Paper</li> </ul>
<b>Location/Contact for inspection of Background Documents</b>	<p>The LTP documents can be viewed by clicking on the link below. <a href="http://www.gloucestershire.gov.uk/ltp3">http://www.gloucestershire.gov.uk/ltp3</a></p> <p>The GSWB Full Business Case can be viewed by clicking on the link below; <a href="https://www.gloucestershire.gov.uk/roads-parking-and-rights-of-way/major-projects/gloucester-south-west-bypass-gswb-llanthony-road-widening/">https://www.gloucestershire.gov.uk/roads-parking-and-rights-of-way/major-projects/gloucester-south-west-bypass-gswb-llanthony-road-widening/</a></p> <p>The April 2018 Cabinet Paper and decision can be viewed on the link below: <a href="http://glostext.gloucestershire.gov.uk/ielListDocuments.aspx?CId=117&amp;MId=8898&amp;Ver=4">http://glostext.gloucestershire.gov.uk/ielListDocuments.aspx?CId=117&amp;MId=8898&amp;Ver=4</a></p> <p>The February 2017 Cabinet Paper can be viewed on the link below: <a href="http://glostext.gloucestershire.gov.uk/documents/s35422/Item%208%20-%20GSWB%20Llanthony%20Road%20Improvements.pdf">http://glostext.gloucestershire.gov.uk/documents/s35422/Item%208%20-%20GSWB%20Llanthony%20Road%20Improvements.pdf</a></p>
<b>Main Consultees</b>	<ul style="list-style-type: none"> <li>• Local Member (Cllr Tracey)</li> <li>• Gloucester City Council</li> <li>• Land owners in respect of land acquisition and businesses</li> </ul>
<b>Planned Dates</b>	<ul style="list-style-type: none"> <li>• Decision on proposed planning permission January 2019</li> <li>• Completion of CPO process and land acquisition negotiations with all affected parties – Spring 2020</li> <li>• Site preparation and demolition – June 2020</li> <li>• Main scheme start – 2020/21</li> <li>• Scheme complete and open to the public – 2021/22</li> </ul>
<b>Divisional Councillor</b>	Cllr Pam Tracey

<b>Officer</b>	<p>Simon Excell, Lead Commissioner; Strategic Infrastructure  <u><a href="mailto:Simon.excell@gloucestershire.gov.uk">Simon.excell@gloucestershire.gov.uk</a></u></p> <p>Scott Macaulay-Lowe, Team Leader; Major Schemes. Highways Commissioning  <u><a href="mailto:scott.macaulay-lowel@gloucestershire.gov.uk">scott.macaulay-lowel@gloucestershire.gov.uk</a></u></p>
<b>Purpose of Report</b>	<p>Further to Cabinet agreeing the commencement of land acquisition via Compulsory Purchase Order (CPO) alongside any negotiated settlement for the Llanthony Road widening scheme (as set out in the 1<sup>st</sup> Feb 2017 cabinet report) this report is seeking Cabinet approval to continue land acquisition in line with the updated land plan that now provides specific land interest details.</p>
<b>Recommendations</b>	<p>That Cabinet:</p> <p>(1) Authorise the making and submission of a CPO to the Secretary of State to compulsorily acquire all land and rights shown coloured pink on the plan for plot numbers 1 to 14 and shown in Appendix A, required for the Gloucester South West Bypass (GSWB) Llanthony Road Improvement Scheme</p> <p>(2) Delegate authority to the Lead Commissioner; Highway Authority, in consultation with the Cabinet Member for Environment and Planning to:</p> <ul style="list-style-type: none"> <li>• If required, authorise the making and submission of a Side Road Order to the Secretary of State (SoS) to make the necessary alterations to the public highways and private means of access affected by the GSWB Llanthony Road Improvement Scheme; and</li> <li>• Make any other ancillary orders that might be required to successfully implement the scheme and to undertake the steps necessary to enable the orders identified above to be confirmed and implemented</li> </ul>
<b>Reasons for recommendations</b>	<p>The decision will enable the County Council to acquire the land required for the scheme within the GFirst LEP funding period (end of March 2021) which will, in turn, enable the approved County Council funded widening scheme to be delivered.</p>
<b>Resource Implications</b>	<p>Cabinet is advised that there is no change to the Resource Implications detailed in the agreed 18<sup>th</sup> April 2018 Cabinet paper.</p> <p>The total scheme cost estimate is £7.449M;</p>

**Funding & Revised Cost summary**

**Funding  
source in  
millions**

£	2.000	Growth Deal Capital Grant now approved by Gfirst LEP Board
£	5.449	GCC Highways Capital Grant from existing allocations
<b>£</b>	<b>7.449</b>	

The land costs include land purchase and demolition of existing buildings and making good of adjacent buildings and land as well as costs associated with utility diversions, licences, permits, planning permission and design works required for CPO purposes. The budget figure also includes the cost of compensation for businesses and land owners as well as contract procurement and delivery of the road widening and improvement scheme.

## **MAIN REPORT CONTENTS**

### **Background**

The Llanthony section of the GSWB is the only section on the A430 GSWB which has yet to be improved. The road is single carriageway which creates a bottleneck between Llanthony Road and St Anne Way. The proposed scheme will see the widening of this section, optimisation and refurbishment of traffic signals to maximise traffic flows and improvements to the side road junctions and provision of an alternative access to the Llanthony Priory. The scheme will also include improvements to pedestrian crossing facilities as well as the widening of pedestrian and cycle facilities to link with existing facilities at either end of the scheme.

The scheme is included in the County Council's adopted Local Transport Plan (LTP) 3 (2015-2031).

The scheme will involve the acquisition of third party land to enable the improvements to take place. The land in question is currently in the ownership of various owners with the land take requiring the demolition of a number of commercial buildings which are currently in use. The land acquisition is proposed to be progressed via a negotiated settlement route in parallel to a CPO route. The purpose of this approach will be to allow the flexibility of a mutually agreed settlement package for the businesses/property owners, but with the assurance of the CPO route in the event that Officers are unable to resolve the acquisition via the negotiated route.

In February 2017, Cabinet approved the recommendation for the County Council to underwrite the risk of the County Council not receiving all of the committed Growth Deal funding scheduled for 2018/19 thereby allowing the land acquisition to be brought forward from 2018/19 to 2017/18. Cabinet also approved the recommendation to commence land acquisition via CPO in addition to negotiated settlement route allowing the land acquisition to commence in financial year 2017/18. The Head of Property Services will authorise the acquisition of the required interests under the existing scheme of delegation.

In April 2018, Cabinet approved the recommendation for the County Council to increase the costs of delivering the GSWB Llanthony Road Improvements Scheme. The Cabinet Member also presented details of the Gloucestershire Growth Deal Capital Grant approved by the Gfirst LEP Board, before seeking approval for the Council to increase the Council's capital contribution to the scheme, following increased land purchase costs and the cost of delivering road improvements. Cabinet resolved to note the confirmation that the County Council will receive Growth Deal Funding of £2 million from the GFirst LEP and increase the GCC Capital contribution to the GSWB Llanthony Road Improvements scheme by £2.475 million to a total of £5.449 million to be funded from the Highways Capital grant.

The decision on planning permission for the scheme is expected to be determined in January 2019. Through GCC's land agents, engagement work has continued with land owners and businesses, which has enabled the development of more accurate

estimates of the value of the land and impact on businesses. This work continues to inform scheme programme and appraise scheme budgets.

### **Funding breakdown 2018**

Cabinet is advised that there is no change to the total GCC highways capital grant allocation for the scheme detailed in the agreed 18<sup>th</sup> April 2018 Cabinet paper.

The land costs include land purchase and demolition of existing buildings and making good of adjacent buildings and land as well as costs associated with utility diversions, licences, permits, planning permission and design works required for CPO purposes. The budget figure also includes the cost of compensation for businesses and land owners as well as contract procurement and delivery of the road widening and improvement scheme.

### **GCC funding breakdown:**

Year	Funding allocation (Highways Capital Grant)
Actual previous financial years spend to March 2018	£540,000
2018/19	£409,000
2019/20	£2,000,000
2020/21	£2,000,000
2021/22	£500,000
<b>Total</b>	<b>£5,449,000</b>

Please note; GFirst LEP Grant of £2 million is expected to be spent during 2019-2020

### **Review of Current Budget Cost Estimate**

Current budget estimates are based on updated preliminary designs (Amey) and updated land cost estimates (GCC Asset Management Property Services).

### **Options**

The options for Cabinet are as follows:

- Option A: To authorise the Lead Commissioner; Highway Authority to progress the scheme as set out in this report's recommendations; or
- Option B: To decline this authorisation to the Lead Commissioner; Highway Authority and suggest an alternative approach.

## **Risk Assessment**

A risk register for the scheme exists and has been regularly updated in line with the GCC Risk Management process, in order to investigate, manage and mitigate key risks.

The key risks can be summarised as follows:

- 1) Funding – the GFirst LEP funding must be spent within the allocated funding period which ends in March 2021. In the case of CPO, whilst the land ownership may be resolved when the Order is made, it is not uncommon for financial settlements to continue to be in dispute after that time. Payments for land which are outstanding after March 2021 will not be eligible to be paid for by the Growth Fund and will instead have to be funded by the County Council. This is one of the main drivers for this aspect of the scheme to be brought forward; and
- 2) Design/construction issues – timetable slippage and unforeseen delivery issues could result in associated scheme cost increases (which would fall to the County Council).
- 3) Statutory utility diversions – there is the potential for additional costs and programme delays concerning the presence and type of underground utilities (further work with the utility companies is on-going)

Overall, the risks are well understood and are being eliminated or mitigated as the project moves forward. There are, however, a number of risks open that could have an impact on the design and cost of the project. Securing the required land is the next critical step in managing the project's risk profile down. Risks will continue to be actively monitored and any significant changes affecting the scope of the project will be reported to the Lead Cabinet Member.

## **Officer Advice**

That Cabinet approve the recommendation set out in this report to enable the progression of land acquisition through a CPO and the making of any necessary side road orders and other ancillary orders required for the scheme to be implemented.

## **Equalities considerations**

This scheme is included in the County Council's adopted LTP which includes analysis of data in regard to user needs. The detailed design of the final scheme (as with all major transport schemes) will be undertaken in accordance with relevant guidance in relation to equalities and safety.

## **Consultation feedback**

The Council has carried out an extensive consultation on the adopted LTP in which this scheme is listed. Public share events were held at venues local to the scheme in July 2017 and were very well attended by local businesses, residents and other network users.

The scheme was largely supported by those who attend the public share events. Consultation has commenced with relevant land owners and businesses and continues to be an ongoing process.

### **Performance Management/Follow-up**

GCC have set up a clear and robust structure to provide accountability and an effectual decision making process for the management of the Gfirst LEP funded transport schemes. Each scheme will have a designated project manager who will be an appropriately trained and experienced member of GCC staff.

Scheme costs and delivery will continue to be managed in accordance with business case objectives and the monthly meetings of the LTP Management Board, attended by the relevant Lead Commissioner. Updates will also be provided to the strategic transport and infrastructure board.



<b>Report Title</b>	Gloucester South West Bypass – Llanthony Road improvements
<b>Statutory Authority</b>	Highways Act 1980 Traffic Management Act 2004 Local Transport Act 2008 Acquisition of Land Act 1981
<b>Relevant County Council policy</b>	Adopted Local Transport Plan (LTP 3 2015-31)
<b>Sustainability checklist:</b>	
Decision Making and Involvement	During the scheme delivery phase, Gloucestershire County Council retains governance and control of the delivery of the Contract. Gloucestershire County Council will act as the client under the contract with a Contractor appointed via a competitive tender process. Representatives from Gloucestershire County Council or their highways maintenance contractor will be appointed to undertake the project management and supervision roles and will be responsible for managing the Contract during the works.
Economy and Employment	The proposed scheme will significantly improve productivity by reducing travel time for the users of this corridor. Through the economic calculations, this equates to a present value benefit of £64,270,000 to the local economy over a 60 year appraisal period, with a Benefit Cost Ratio (BCR) of 12. The scheme is therefore considered to represent very high value for money (also taking in to account other non-monetised factors).
Social Value	The pedestrian crossings involved in the scheme will alter some of the pedestrian paths along the corridor. This could affect some pedestrians positively albeit without increasing/decreasing the number of pedestrians. The pedestrian crossing facilities are included as part of the traffic signal regime at the St Ann Way junction. This is expected to improve the facility by making crossing safer and easier. This scheme will also help encourage bus services to use the entire route in the future and may allow provision for new bus routes to be established in the future also.
Built Environment	The proposed scheme is expected to have a positive impact on the surrounding area, and has the potential to have a major impact upon existing and planned developments. Improved journey times along the corridor will have a positive impact upon local business and future development adjacent to the route and the surrounding areas. The scheme will also help facilitate future developments such

<p>Natural Environment' including Ecology (Biodiversity)</p> <p>Education and Information</p>	<p>as 'Bakers Quay' and 'Gloucester City Football Club' which will increase demand on the corridor. The GSWB currently has several developments existing or planned which are situated adjacent to the route or within close proximity to the scheme which rely heavily on the route for access.</p> <p>An ecological walkover was undertaken in February 2015 and recorded relevant habitats, including those that are formally designated for nature conservation, and to highlight the potential for legally-protected or otherwise notable species. There are no sites of international or national environmental importance that will be impacted directly or indirectly through the scheme.</p> <p>As part of any quality tender evaluation, the successful Contractor will need to outline their strategy for community engagement, (school visits/weekly site bulletins/social media and comms plan).</p>
<p><b>Tackling Climate Change</b></p>	<p>Carbon Emissions Implications? <del>Positive</del>/ Neutral/<del>Negative</del></p> <p>Vulnerable to climate change? <del>Yes</del>/ No/ <del>Maybe</del></p>
<p><b>Due Regard Statement</b></p>	<p>Has a Due Regard Statement been completed?</p> <p>No - This scheme is included in the County Council's adopted Local Transport Plan (2016) which includes analysis of data in regard to user needs and was subject to a Due Regard Statement. The detailed design of the final scheme will be undertaken in accordance with relevant guidance in relation to equalities and safety.</p>
<p><b>Human rights Implications</b></p>	<p>None</p>
<p><b>Consultation Arrangements</b></p>	<p>Two separate public share events were held for the proposed GSWB improvement scheme. One was held at Sainsbury's on St Ann's Way on 5<sup>th</sup> July 2017 and the second at Gordon League Rugby Football Club, Hempsted on 11<sup>th</sup> July 2017. Over the two events there was an estimated 250 attendees, of which we received 44 comment sheets. Presentation boards were provided with large scale plans and graphics together with scheme introduction, background and FAQs.</p> <p>Pre-consultation included engagement with key stakeholders and interest parties including the Local member, Gloucester City Council, access and rights of way groups, scheme users and emergency services and local land owners.</p> <p>Views on the LTP were sought from the public during an 11 week consultation period which lasted between 20<sup>th</sup> November 2015 and 5<sup>th</sup> February 2016. This was the fourth and final stage of the public engagement process. Previous stages of public engagement included stakeholder events, public workshops and a public consultation on a draft strategy document.</p>

**Cabinet Decision Statement (Decisions made 30 January 2019)  
Published Wednesday 30 January 2019**

**GLOUCESTER SOUTH WEST BYPASS – LLANTHONY  
ROAD IMPROVEMENTS; COMPULSORY PURCHASE  
ORDER AND ANCILLARY ORDERS**

Having considered all of the information, including known proposals, alternative options and reasons for the recommendations, Cabinet noted the report and

**RESOLVED to: -**

*(1) Authorise the making and submission of a CPO to the Secretary of State to compulsorily acquire all land and rights shown coloured pink on the plan for plot numbers 1 to 14 and shown in Appendix A, required for the Gloucester South West Bypass (GSWB) Llanthony Road Improvement Scheme*

*(2) Delegate authority to the Lead Commissioner; Highway Authority, in consultation with the Cabinet Member for Environment and Planning to:*

- If required, authorise the making and submission of a Side Road Order to the Secretary of State (SoS) to make the necessary alterations to the public highways and private means of access affected by the GSWB Llanthony Road Improvement Scheme; and*
- Make any other ancillary orders that might be required to successfully implement the scheme and to undertake the steps necessary to enable the orders identified above to be confirmed and implemented*