

# Cabinet Agenda

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**Date:** Tuesday, 7th July, 2020

**Time:** 1.00 pm

**Venue:** Virtual Meeting

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are audio recorded and the recordings are uploaded to the Council's website.

## **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session - Virtual Meetings**

In accordance with paragraph 3.33 of the Cabinet Procedure Rules, a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the Cabinet. Individual members of the public may speak for up to two minutes. The Chairman or person presiding will have discretion to vary this requirement where he/she considers it appropriate.

Members of the public wishing to ask a question or make a statement at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Questions to Cabinet Members - Virtual Meetings**

A period of 20 minutes is allocated for questions to be put to Cabinet Members by members of the Council. A maximum period of two minutes will be allowed for each member wishing to ask a question. The Leader will have discretion to vary this requirement where he considers it appropriate. Members wishing to ask a question at the meeting should register to do so in writing by not later than 4.00 pm on the Friday in the week preceding the meeting. Members should include the general topic their question will relate to and indicate if it relates to an item on the agenda. Questions must relate to the powers, duties or responsibilities of the Cabinet. Questions put to Cabinet Members must relate to their portfolio responsibilities.

Where a question relates to a matter which appears on the agenda, the Leader may allow the question to be asked at the beginning of consideration of that item.

5. **Minutes of Previous Meeting** (Pages 5 - 12)

To approve the minutes of the meeting held on 9<sup>th</sup> June 2020.

6. **Covid-19 - Update on Response and Recovery** (Pages 13 - 30)

To consider an update on the work undertaken in response to the current national and international public health emergency on COVID-19.

7. **Notice of Motion - Pavement Parking** (Pages 31 - 40)

To consider a report which responds to a notice of motion proposing the introduction of a Borough-wide policy on pavement parking.

8. **Wilmslow and Crewe Walking and Cycling Schemes** (Pages 41 - 50)

To consider a report which seeks authority to deliver walking and cycling schemes in Wilmslow and Crewe.

9. **Middlewich Eastern Bypass - Approval to Proceed with the Use of CPO Powers** (Pages 51 - 362)

To consider a report which seeks approval to proceed with the use of compulsory purchase powers in connection with the Middlewich Eastern Bypass.

10. **Appropriation for Planning Purposes of Land at the Garden Village, Handforth**  
(Pages 363 - 376)

To consider a report on the appropriation for planning purposes of land at the Garden Village, Handforth.

11. **Level Access Showers Framework** (Pages 377 - 384)

To consider a report on the procurement of level access showers on behalf of residents with disabilities.

**THERE ARE NO PART 2 ITEMS**

**Membership:** Councillors C Browne (Vice-Chairman), S Corcoran (Chairman), L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott and M Warren

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**CHESHIRE EAST COUNCIL**

Minutes of a virtual meeting of the **Cabinet**  
held on Tuesday, 9th June, 2020

**PRESENT**

Councillor S Corcoran (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors L Crane, K Flavell, T Fox, L Jeuda, N Mannion, J Rhodes, A Stott  
and M Warren

**Councillors in attendance**

Councillors S Akers Smith, R Bailey, J Buckley, J Clowes, T Dean,  
J P Findlow, R Fletcher, P Groves, G Hayes, S Hogben, A Kolker, J Nicholas,  
K Parkinson, J Parry, S Pochin, B Puddicombe, J Saunders, M Simon and  
L Wardlaw

**Officers in Attendance**

Lorraine O'Donnell, Chief Executive  
Frank Jordan, Executive Director Place  
Mark Palethorpe, Executive Director People  
Jane Burns, Executive Director Corporate Services  
Jan Bakewell, Director of Governance and Compliance  
Alex Thompson, Director of Finance and Customer Services  
Paul Mountford, Executive Democratic Services Officer  
Brian Reed, Head of Democratic Services and Governance

**1 DECLARATIONS OF INTEREST**

Councillor C Browne declared a personal and prejudicial interest in Item 9  
– Loan Facility to Cheshire and Warrington Local Enterprise Partnership,  
as the Council's representative on the LEP Board.

Councillor A Stott declared a personal and prejudicial interest in the same  
item as the Council's representative on the Cheshire Science Corridor  
Enterprise Zone.

Both Councillor Browne and Councillor Stott would leave the meeting  
when the item was considered.

Councillor R Bailey declared a personal interest in a matter she wished to  
raise under members' questions in relation to the involvement of partners  
and stakeholders in the delivery of the Council's Environment Strategy and  
Carbon Action Plan.

## **2 PUBLIC SPEAKING TIME/OPEN SESSION - VIRTUAL MEETINGS**

Richard Hamilton asked a question relating to VISSIM models commissioned to assess the traffic implications of a number of development proposals for Sandbach.

The Leader acknowledged Mr Hamilton's expertise on the matter and reiterated a previous offer to meet him when conditions allowed.

Jane Grime referred to public transport problems in Little Bollington, Agden and High Legh and asked when Cheshire East Council, Warrington Borough Council and Transport for Greater Manchester would sit down to agree a viable solution.

The Deputy Leader responded that he had recently attended a virtual meeting with the questioner and others at which proposals had been put to the Council. Whilst the Council's immediate priority was to reintroduce existing bus services after the lockdown, he was prepared to respond in writing to the proposals put to the Council in due course.

Sue Helliwell asked if the Council could ask the author of a draft report for the Alsager Arms planning application to write a draft report for the Radway Green North site.

The Portfolio Holder for Planning responded that application 19/4463 was still to be considered by the Planning Committee and the Cabinet could not comment on live planning applications. The application at Radway Green North had been the subject of a planning appeal which had been allowed at the end of March and there was no opportunity for further comments to be made on that application.

## **3 QUESTIONS TO CABINET MEMBERS - VIRTUAL MEETINGS**

Councillor S Akers Smith asked if highways and planning officers could work together to ensure that all outstanding S106 agreements were completed to ensure that cycling and pedestrian infrastructure was built, and that developers be made more accountable for its delivery. She also asked if the Parkgate, Knutsford roundabout and the new Kings School, Macclesfield roundabout could be re-designed to accommodate cycle and pedestrian safety.

The Portfolio Holder for Planning undertook to provide a written response.

Councillor R Bailey asked if stakeholders and partners, such as the NFU, would be involved in the delivery of the Council's Environment Strategy and Carbon Action Plan.

The Portfolio Holder for Environment and Regeneration responded that stakeholders and partners, such as the NFU, and landowners, would be involved in the implementation of the Strategy and Action Plan.

Councillor K Parkinson, on behalf of Councillor M Beanland, asked what measures the Council had in place to ensure the successful implementation of Track and Trace.

In responding, the Portfolio Holder for Public Health and Corporate Services stressed that the system would be operated by the NHS and that the Council was not responsible for it and had no control over it. The Council would have a supporting role. There were still unanswered questions as to how the system would work and how data would be shared with the Council. The Council's officers would continue to work closely with the regional branch of Public Health England.

Councillor J Buckley asked about progress with connecting the footpath between the Coppice Estate and the Poppy Fields Estate, Alsager, completion of which had been expected two years ago.

The Portfolio Holder for Planning responded that officers would discuss the matter with the developer to resolve any outstanding issues.

Councillor P Groves referred to changes to the town centre review format announced last week and asked if a full car parking review was still part of that agenda. He also referred to a Cheshire East bus strategy which was due to be published in the summer and asked when members would be consulted on the document prior to its publication.

The Portfolio Holder for Highways and Waste confirmed that the car parking review would still go ahead but had been delayed until later in the year, along with other reviews, because of the pandemic. The Deputy Leader confirmed that the bus strategy had been similarly delayed but that members would be consulted.

Councillor G Hayes asked what additional support the Council had provided to schools, and in particular to vulnerable children and their families, given the impact of Covid-19.

The Portfolio Holder for Children and Families referred to a report on the agenda relating to the Council's response to Covid-19 which addressed this question. She was happy to follow up with a written response if required.

Councillor B Puddicombe referred to the procurement of a housing development framework approved at the previous meeting and asked for confirmation that the framework only related to Council-owned sites, whether sites in the green belt could be developed within the framework, and when the Environment and Regeneration Overview and Scrutiny Committee would consider the framework.

The Portfolio Holder for Environment and Regeneration confirmed that the framework only related to land in the ownership of the Council. Sites which

were not allocated in the Local Plan for housing development would not be included in the framework. The matter was included on the agenda for the meeting of the Environment and Regeneration Overview and Scrutiny Committee on 15<sup>th</sup> June 2020. The Portfolio Holder for Planning added that a press release had been issued to clear up any confusion about the framework.

Councillor J Saunders asked why the return to school of Year 6 primary school children had been delayed until 29<sup>th</sup> June.

The Portfolio Holder for Children and Families responded that the view had been taken by schools that the youngest children would find it most difficult to adapt to the changed circumstances in the schools and that they should be allowed to settle in first and get used to the different routines before the other children were brought back. It was also felt that Year 6 children had already covered much of their curriculum and were getting ready to transition to secondary school.

Councillor L Wardlaw referred to the Government funded initiative 'Safer Public Places' and asked how much money would be available, what criteria would be applied, and how many schemes had been brought forward. She also asked if now was the right time to re-introduce car parking fees.

The Portfolio Holder for Highways and Waste responded that the funding allocated to the Council would be targeted at built-up areas to ensure social distancing, including cycling and walking routes into town centres. It was necessary to re-introduce car parking charges at this time as an important source of income for the Council.

Councillor J Parry referred to the People Helping People scheme providing support for vulnerable families and individuals during the pandemic and asked that the Council's thanks and recognition go out to all those involved in delivering the scheme.

The Portfolio Holder for Communities responded that he had already thanked volunteers in writing during Volunteer Week and agreed that it was appropriate to extend those thanks to everyone involved.

Councillor K Parkinson referred to the Government's guidance to local authorities on the reduction of public transport capacity, and felt that this had been misinterpreted by officers. She asked that it be reconsidered and that new proposals be brought forward for consideration.

Because the final part of Councillor Parkinson's question was obscured by audio interference, the Deputy Leader asked her to submit her question in writing and he would then provide a written response.

**4 MINUTES OF PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 5<sup>th</sup> May 2020 be approved as a correct record.

**5 RESPONDING TO COVID-19**

Cabinet considered a report providing a summary of the work undertaken in response to the current national and international public health emergency on Covid-19. The report also outlined how the Council was planning for the initial stages of the lockdown restrictions being lifted. A progress report would be presented to the next Cabinet meeting.

**RESOLVED**

That Cabinet

1. notes the issues outlined in this report;
2. notes the financial implications of COVID-19 to date and the ongoing lobbying to ensure that the Government fund the total financial impact of the pandemic on Cheshire East Council; and
3. will continue to lobby the Government and raise concerns as appropriate.

**6 COVID-19 - EMERGENCY TEMPORARY FINANCIAL SUPPORT TO THE SOCIAL CARE EXTERNAL MARKET**

Cabinet considered a report on temporary financial support to the social care external market to mitigate against the financial pressures arising from Covid-19.

**RESOLVED**

That Cabinet

1. notes and approves the actions and mitigations already taken as set out in paragraph 5.3 of the report;
2. approves the provision of a temporary financial supporting fund as set out in recommendations 3 and 4 below to providers delivering the services set out in the addendum of the report;
3. approves the one-off emergency funding payments to care homes set out in paragraph 5.4.1 of the report; and

4. approves the one-off emergency funding payments to domiciliary and Complex care providers set out in paragraph 5.4.2 of the report.

## **7 CHESHIRE EAST COUNCIL CORPORATE PEER CHALLENGE REPORT**

Cabinet considered a report on the outcome of the first Cheshire East Corporate Peer Challenge review which had been facilitated by the Local Government Association and had examined the Council's leadership, governance, financial planning and capacity to deliver its priorities.

The Chairman of the Corporate Overview and Scrutiny Committee, Councillor J Clowes, reported that the Committee had considered the Corporate Peer Challenge report at its meeting on 4<sup>th</sup> June 2020 and had asked that Cabinet acknowledge the review report's recommendation 8 and that overview and scrutiny should remain an important element in the Council's future political management arrangements.

At the Leader's request, the Head of Democratic Services and Governance advised that it was open to the Chairman of the Corporate Overview and Scrutiny Committee to attend meetings of the Governance Working Group and the Constitution Committee to discuss future arrangements for scrutiny.

In response to a question as to who would be the single point of contact for any ongoing external investigations into historic practice following the forthcoming departure of the Director of Governance and Compliance, the Director confirmed that this would be the Chief Executive.

The Leader emphasised the significant progress made with workforce culture as mentioned in the report.

### **RESOLVED**

That Cabinet

1. approves the Corporate Peer Challenge report for wider publication;
2. notes the progress to date, and the delivery of key actions since the informal feedback was received in January 2020;
3. agrees to take forward the further work identified on strategy and finance, governance, culture and partnerships and support the development of required action plans; and
4. will monitor progress on a six-monthly basis.

At this point, having declared personal and prejudicial interests in the following item earlier in the meeting, Councillors C Browne and A Stott left the meeting.

**8 LOAN FACILITY TO CHESHIRE & WARRINGTON LOCAL ENTERPRISE PARTNERSHIP**

Cabinet considered a proposal to enter into a facility agreement with the Cheshire and Warrington Local Enterprise Partnership with the aim of stimulating and accelerating economic growth through the provision of grants to developments in the Cheshire Science Corridor Enterprise Zone.

**RESOLVED**

That Cabinet

1. approves that the Council enter into a £10m Facility Agreement with the Cheshire and Warrington Local Enterprise Partnership;
2. delegates authority to the S151 Officer, in consultation with the Portfolio Holder for Environment and Regeneration and the Director of Governance and Compliance, to finalise the terms and conditions of the legal agreement between the Council and the LEP in respect of the loan and the associated governance processes;
3. delegates authority to the S151 Officer and the Director of Governance and Compliance for the preparation, negotiation and completion of all ancillary legal documents required to give effect to the loan, and to make arrangements to provide loan advances in accordance with the initiative as necessary; and
4. authorises Finance and Legal Officers to take all necessary actions to implement the proposals.

At the conclusion of this item, Councillors C Browne and A Stott were re-admitted to the meeting.

**9 2019/20 FINANCIAL OUTTURN**

Cabinet considered a report on the 2019/20 financial outturn.

The Chairman of the Corporate Overview and Scrutiny Committee, Councillor J Clowes, reported the comments and recommendations of the Committee which had considered the outturn report at its meeting on 4<sup>th</sup> June 2020.

**RESOLVED**

That Cabinet

1. notes that gross expenditure has been balanced to gross income with the appropriate allocation of reserves;

2. notes the financial impact of the COVID-19 emergency on the 2019/20 budget and the use of the emergency funding to cover this cost;
3. notes the debt management position;
4. notes the reserves position;
5. notes the achievements during the year;
6. approves the supplementary revenue estimate of £790,265 relating to the increase in Public Health grant received, this being additional to the estimated amount approved in the budget report; and
7. recommends to Council to approve a fully funded supplementary revenue estimate above £1,000,000 in accordance with Financial Procedure Rules as detailed in Appendix 2, Table 1 of the report.

## **10 RISK MANAGEMENT FRAMEWORK**

Cabinet considered a report on the Risk Management Framework.

Councillor R Fletcher spoke on this matter as Chairman of the Audit and Governance Committee which had considered the report at its meeting on 12<sup>th</sup> March 2020 and had recommended the Risk Management Framework for adoption.

### **RESOLVED**

That the Risk Management Framework be approved for adoption.

The meeting commenced at 1.00 pm and concluded at 4.00 pm

Councillor S Corcoran (Chairman)





*Working for a brighter future together*

Key Decision N Date First Published: N/A
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## **Cabinet**

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**Date of Meeting:** 7 July 2020

**Report Title:** Covid-19 – Update on Response and Recovery

**Portfolio Holder:** Cllr Sam Corcoran - Leader of the Council

Cllr Craig Browne - Deputy Leader of the Council

**Senior Officer:** Lorraine O'Donnell - Chief Executive

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### **1. Report Summary**

- 1.1. In June, Cabinet received a report regarding how the Council, working with its partners, continues to respond to the COVID-19 pandemic.
- 1.2. This report provides an update of the work that has been undertaken in response to this national and international public health emergency.
- 1.3. In addition, the report provides an update on the projected financial impact this will have on the Council.
- 1.4. Furthermore, this report outlines the work undertaken to support communities and businesses in the Borough as Government directed restrictions are being lifted and the plans the council is developing to support longer-term recovery from the pandemic.

## **2. Recommendations**

### **2.1. That Cabinet:**

- 2.1.1. Note the issues outlined in this report.
- 2.1.2. Note the financial implications of COVID-19 to date and the ongoing lobbying to press for the Government to fund the total financial impact of the pandemic on Cheshire East Council.
- 2.1.3. Note that a detailed report on the financial impact on the agreed budget for 2020/21 will be presented to a forthcoming Cabinet meeting.
- 2.1.4. Note the content of the Outbreak Plan for Cheshire East that was published on 30<sup>th</sup> June on the Council's website.

## **3. Reasons for Recommendations**

- 3.1. This report provides Members with a summary of the Council's response to date relating to the pandemic and its plans for recovery.
- 3.2. The report also provides Members with an updated summary on the projected financial impact that COVID-19 will have on the Council and the actions required to align the Council's Budget to match recent changes in funding associated with the COVID-19 response.

## **4. Other Options Considered**

- 4.1. Not applicable.

## **5. Background**

- 5.1. At its meeting of 9<sup>th</sup> June, Cabinet received a report regarding the Council's Response to the COVID-19 pandemic which provided a background to the coronavirus, the initial outbreak and the spread of the virus.
- 5.2. As at 21<sup>st</sup> June 2020, 216 countries/territories have been affected; there were 8,708,008 confirmed cases globally; and 461,715 confirmed deaths. (Source WHO)
- 5.3. In the UK, as at 20<sup>th</sup> June 2020, there were 304,331 confirmed cases and 42,632 confirmed deaths. In Cheshire East there were 1,332 confirmed cases and 462 registered deaths. (Source GOV.UK)

5.4. The daily confirmed case rate has continued to fall. The contingency plans that have been put in place across all public services including health and social care have enabled essential services to be able to continue throughout the period of this pandemic to date.

5.5. The latest international, national and local statistics are available from the following data dashboards:

5.5.1. <https://covid19.who.int/>

5.5.2. <https://coronavirus.data.gov.uk/>

5.5.3. <https://lginform.local.gov.uk/reports/view/lga-research/covid-19-case-tracker>

## 6. **Response**

### 6.1. **Sub-regional**

6.1.1. The sub-regional response continues to be led by the Cheshire Local Resilience Forum (LRF), which includes Cheshire East, Cheshire West and Chester, Halton and Warrington Councils, Cheshire Constabulary, Cheshire Fire and Rescue, Public Health England and the NHS.

6.1.2. The Council is a major LRF partner and has played a significant role at all levels of response – participating in the strategic coordinating groups (SCG) and tactical coordinating groups (TCG) and resourcing all the multi-agency support cells established to manage the sub-regional response to the pandemic.

### 6.2. **Council Response**

6.2.1. Cheshire East Council continues to respond to the Coronavirus pandemic. At the same time the Council has continued to:

- deliver essential local services
- protect our most vulnerable children, families and people
- support our communities and local businesses

6.2.2. The response phase is likely to continue for some time to come. In addition, the Council is planning for potential second waves of the pandemic and/or localised outbreaks. A summary of the actions that have continued to be delivered during the response since the last Cabinet meeting is provided below.

- 6.2.3. *Communities*- The People Helping People service has continued to provide vulnerable residents who do not have support networks available to them. To date we have had 1,369 volunteers recruited and 3,597 families and individuals have been supported. The People Helping People service is now looking at how we can support the individuals who have been shielding to help them to reconnect to their local communities.
- 6.2.4. *Adult Social Care*- Adult Social Care has been maintaining contact with all service users supporting their safety and wellbeing. The team have not had to enact any 'Care Act' easements. The hospital social work teams have continued to support hospital discharges and continue to see transfers of care operate very effectively. The social work team have also been supporting the individuals on the shielding patients list. A huge effort has been undertaken to support the adult social care market and, the care home sector. Following approval by Cabinet in June, payments have now been made to social care providers which has supported the longer-term resilience in the social care market. In addition to this all payments have been made to the care homes in relation to the infection prevention control fund.
- 6.2.5. *Shielding*- As part of the Government's response to shielding those people most at risk of need of hospital treatment if they catch Coronavirus and who have been asked to stay at home for at least 12 weeks, the Council set up a Community Shielding Hub and Distribution Centre. The Hub has engaged with over 3,105 residents and issued in excess of 270 emergency parcels of food and toiletries. Local companies and supermarkets have contributed through providing supplies which have been greatly appreciated. The Government has announced that the national shielding arrangements will cease as outlined in 6.2.3. above, the People Helping People service will support these individuals as lock down is eased.
- 6.2.6. *Children's Services*- Children's services have continued to operate to ensure our children and families are supported during this time and to ensure that children are effectively safeguarded and supported. Guidance has been changing rapidly, and services have needed to be responsive and flexible, working closely and supportively with our partners to implement changes.
- 6.2.7. *Children's Social Care*- All children open to Children's Social Care are receiving face to face visits unless it is not safe to do so, e.g. due to shielding. Face to face family time for cared for children is being cautiously reintroduced; this is taking place outdoors and is being individually risk assessed. To enable safe working practices, frontline teams will be working from offices in 'bubbles' for one day a week to support effective management oversight of practice. The Council is also exploring how Child Protection Conferences can take place with some people attending in person, for

example the Chair and family members, and all other attendees continuing to attend virtually, to support better engagement with families. This is just the beginning of planning with the aim to expand opportunities for children and parents to meet face to face. This will be prioritised depending on the vulnerability and complexity of individual children's and parents' circumstances.

- 6.2.8. Staff are working with the courts to progress effective court hearings. Despite the revised arrangements for courts, children and young people within the court process will experience significant delays, which will also impact on demand and costs to services. The number of cared for children is likely to increase over the next few months.
- 6.2.9. Short break services for parents of children with disabilities were suspended due to the significant risk of infection to this group. However, the council is working with short break commissioned providers, the Parent Carer Forum, and other local organisations to reintroduce an increased short breaks offer over the summer period to offer respite for families.
- 6.2.10. Families have coped exceptionally well during this time. However, lockdown has been a challenging time for some, and will have allowed issues to remain hidden, preventing early identification and prevention. An increase in the seriousness of harm being caused within families already known to services has been seen. A rise in referrals to Prevention and Children's Social Care over the next year is therefore expected.
- 6.2.11. *Prevention and Early Help-* The Council have supported early years and childcare settings to reopen in line with government guidance from 1 June. Over 200 settings are now open. The number of vulnerable children attending settings is continuing to increase due to concerted work with families. Cases open to the Cheshire East Family Service are increasingly becoming more complex. Lockdown has had an impact on the mental health of our children, young people and parents/ carers so our intervention and existing plans and priorities within them are changing as a result. The Youth Support Service is carrying out joint work with PCSOs in local communities targetting hot spots where young people are gathering. This has been positively received by young people and parents.
- 6.2.12. *Education-* The Council agreed a position on the opening of schools which was communicated to all parents and schools. The Council's priority has been to ensure pupils are safe. PPE has been delivered to all schools prior to reopening. All schools completed risk assessments before re-opening to ensure safe arrangements were in place for pupils. Risk assessments for all 68 maintained schools have been reviewed to ensure arrangements were compliant with the government guidance.

- 6.2.13. Primary schools re-opened from 15 June to all eligible nursery-aged pupils, and to all Reception and Year 1 pupils from 22 June. At the time of writing plans have been put in place for schools to reopen to Year 6 pupils from 29 June. Secondary schools and colleges started to offer some face to face support for Year 10 and Year 12\* pupils (\*Year 11 for alternative provision) from 15 June (in line with the government guidance). Schools have been asked to consider creating targeted provision for 'bubbles' of pupils who are vulnerable to underperformance or disengagement to help to support them in their education.
- 6.2.14. Pupils of special schools were encouraged to return to school based on a review of their individual risk assessment from 15 June. Priority has been given to increasing places to children of key workers and children who have a social worker. Special schools are using a phased approach to support a wider opening to children and young people, which enables small groups to adjust to changes where this is appropriate. Special schools will steadily increase pupil numbers, prioritising key transition groups.
- 6.2.15. For pupils who are not in school, schools have been asked to ensure that children who are due to transition between schools in September are supported while they remain at home. Schools have been asked to review their home learning arrangements and support for wellbeing of children and young people, ensuring they have regular contact with all children not invited back into school to encourage and support learning and wellbeing.
- 6.2.16. *Waste, Highways and Environmental Services*- Kerbside collection of waste has continued throughout the period. Unlike some councils, Cheshire East has continued to collect recycling materials, garden and food waste. All eight Household Waste and Recycling Centres are now open. Highways operations have all continued to function to ensure the road network remains safe and a core bus network has been maintained for essential travel. All activities have been assessed and adapted where necessary to ensure works can be delivered in line with the public health guidelines. Where it is possible roadworks are being progressed to take advantage of the lower levels of traffic on the road network.
- 6.2.17. *Bereavement Services*- Cemeteries and Crematoria have remained open throughout this period and capacity has been increased to support bereaved families and to enable funerals and ceremonies to continue.
- 6.2.18. *Libraries*- Following announcements regarding further easing of restrictions plans have been put in place to enable libraries to reopen on a phased basis from 6 July. A number of measures will be put in place to maintain social distancing such as limited entry to libraries, reduced opening hours, enhanced cleaning regimes, reducing the number of PCs available for public

by 50% to allow for spacing of 2m between each workstation and quarantining books for 72 hours before being reissued.

- 6.2.19. *Leisure Centres*- remain closed owing to Government directions that gyms and swimming pools are not to reopen. Plans for their reopening will be communicated once they are able to do so.
- 6.2.20. *Homelessness and Rough Sleepers*- The Council has been able to accommodate 118 households temporarily during the pandemic. The council is maintaining delivery of the Council's statutory duties towards homeless households in the borough and our Rough Sleeping Outreach workers are working with those who are currently sleeping rough to move them into more appropriate accommodation.
- 6.2.21. *Workforce* - COVID-19 related absences are being monitored on a regular basis, including the numbers of staff self-isolating and/or off sick. There are currently 106 staff self-isolating, 110 absent from work, and most of the workforce, 2260 working from home.
- 6.2.22. *Governance and Decision Making*- Cheshire East Council has now held ten virtual public meetings. Members and officers have worked well together to enable these to be successful. There have been a small number of technical and connection issues which have been resolved. Over 40 training sessions have now taken place with Members on Microsoft Teams and support will continue to be offered.

### 6.3. **Recovery- Sub-Regional Approach**

- 6.3.1. Cheshire East Council is leading and supporting the Local Resilience Forum in developing its future planning for the recovery from this pandemic. The Strategic Co-ordinating Group of the LRF has established a sub-group leading on this Recovery. This is chaired by the Chief Executive of Cheshire East Council and includes senior colleagues from local authorities, the NHS, Public Health, Police and Fire.
- 6.3.2. This group is focused on longer-term recovery with the strategic aims: to enable the sub-region to deliver its ambitions around delivering continued economic growth in a sustainable and inclusive way, to instil confidence and provide clarity to our communities and business in relation to recovery and to take advantage of the opportunities that the response to the pandemic has created.



6.3.3. The group has established a programme of work which includes

- Anticipating and managing future demands on public services as the lock down restrictions such as additional safeguarding referrals, increases in domestic abuse, increases demand on health services and social care.
- Ensuring robust plans are in place should there be second waves of the pandemic and/or localised outbreaks.
- Reviewing and managing any issues that arise in relation to community safety, crime and community cohesion.
- Developing a sub-regional strategy for economic recovery.
- Providing future support packages relating to mental health, skills development and employment support
- Developing appropriate plans to support the effective day to day running of the sub-region e.g. support for city and town centres public transport and traffic management.

#### 6.4. **Recovery - Council Approach, First Phase**

6.4.1. On 11 May 2020, the government published its COVID-19 recovery strategy “*Our Plan to Rebuild*” which outlined the potential stages of easing lock down restrictions. <https://www.gov.uk/government/publications/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy/our-plan-to-rebuild-the-uk-governments-covid-19-recovery-strategy>. The first of these phases was planned for 15 June.

6.4.2. The Council, working with its partners, has therefore been putting arrangements in place to enable towns, businesses and communities to operate safely.

6.4.3. *Schools*- It is important to note that schools have remained open throughout the pandemic to enable vulnerable children and the children of key workers to be able to be supported. Schools have re-opened using a phased approach to Nursery, Reception, Year 1 and Year 6. Secondary schools and colleges are offering face to face support to Year 10 and Year 12\* pupils (Year 11 for alternative provision settings). Special schools are also welcoming back additional children on a risk assessed basis, which takes account of health and care needs. This followed extensive consultation, engagement and planning with parents, school governors, headteachers, trade unions and transport providers. This engagement has enabled the successful reopening of schools for these pupils.



- 6.4.4. As plans continue for a full return to education from September, the government has announced a £1 billion one-off grant to support pupils to 'catch up' on education. This recognises that all young people have lost time in education as a result of the pandemic, regardless of their income or background. £650 million will be shared across state primary and secondary schools over the 2020/21 academic year. Head teachers will decide how the money is spent, but the government expects this to be used for small group tuition for the pupils that need it. £350 million will fund a National Tutoring Programme, which aims to increase access to high-quality tuition for the most disadvantaged young people over the 2020/21 academic year.
- 6.4.5. The Secretary of State for Education has announced that all pupils will return to school from September. Planning is taking place to prepare, including arrangements for safe home to school transport. The Council is awaiting guidance from the DfE and DfT on their plans to enable the return of all pupils to happen in a safe way. Social distancing will impact on the capacity of many schools to accommodate all pupils.
- 6.4.6. *Town Centres*- On 19 May the Council wrote to members and town and parish councils seeking ideas and proposals of how temporary measures could be introduced to enable towns and businesses to open safely. On 24 May, the Government supported its recovery strategy with publication of the *Reopening High Streets Safely* guidance.  
<https://www.gov.uk/government/publications/reopening-high-streets-safely-fund-guidance>.
- 6.4.7. This process has informed the design and implementation of a range of experimental and temporary adjustments such as temporary road closures, signage, footway markers, guidance to businesses etc to promote the safe opening and operation of businesses, facilitate safe queuing and to promote cycling. These are the first phase of measures and were implemented on 15 June.
- 6.4.8. These measures are temporary and experimental in nature. The Council has therefore made several changes to amend and refine them based on feedback received from members, town and parish councils and residents and local businesses.
- 6.4.9. In addition, the Council lifted the temporary suspension of car parking tariffs across the Borough on 15 June. As outlined in section 7.2, the Council is projecting a significant shortfall in its overall income as a result of the pandemic. The income from car parks forms part of this overall income which why the Council took the decision to remove this temporary

suspension. It is to be noted that the neighbouring councils in the sub-region are all now charging for car parking in their areas.

6.4.10. At the time of writing, the Council is now reviewing the first phase of measures and putting further plans in place to support the further easing of restrictions which are planned to be introduced from 4 July onwards. This includes provision of support to the hospitality and food sector including the provision of support to enable businesses to set up temporary al fresco facilities where this is safe and practicable to do so. Regulatory Services Officers have been monitoring how things are working in our town centres, identifying any problems and premises that would benefit from advice and guidance and if necessary, formal action to ensure that they are Covid-19 secure.

6.4.11. *Active Travel* – As outlined in paragraph 6.4.7 several measures have been introduced that support walking and cycling in town centres. This is the first phase of measures to be introduced, a range of other measures such as temporary 20mph zones, cycle lanes and safer walking routes are planned to be introduced over the coming weeks. Again, these have been informed by the proposals that have been submitted from colleagues in our town and parish councils and will also link with the work taking place on Home to School Transport.

## 6.5. **Longer Term Recovery**

6.5.1. In addition to supporting the initial stepping back of services from 15 June onwards the Council is also developing plans to support the longer term recovery from the pandemic.

6.5.2. *Test and Trace*- Having effective systems in place in relation to testing and tracing the virus will be essential to support long term recovery and to provide community and business confidence in the Borough.

6.5.3. On 23 April, the Government announced the establishment of a National Contact Tracing Service (NCTS) as part of a Test and Trace approach. Local Authorities will have a key role to play in delivering this service. The local element of the national contact tracing programme will be led by Cheshire East Council working with Public Health England when there is a local outbreak of COVID-19 requiring significant local action.

6.5.4. Local Authorities in England have been asked to develop Local Outbreak Plans by the end of June describing how they will tackle outbreaks in their areas. Local Directors of Public Health will provide a leadership role in local outbreak response. A Health Protection Board is being established to oversee the implementation of the local Outbreak Plan.

- 6.5.5. To enable a coordinated approach across Cheshire and Merseyside our public health team is working closely with Public Health England and the other Local Authorities. The Outbreak Plans will build on existing infection prevention and control systems and emergency response arrangements and incorporate the Government's new requirements for protecting local people from COVID 19.
- 6.5.6. The current Outbreak Plan for Cheshire East was published on the Council's website on 30<sup>th</sup> June 2020; it is to be noted that this plan is subject to review on an ongoing basis.
- 6.5.7. *Workforce and Workplace* - COVID-19 continues to have a significant impact on both the workforce and the workplace. In line with Government advice, those staff who can work from home are continuing to do so. The council is communicating with staff and Trade Unions on a regular basis. Advice and support regarding emotional wellbeing continues to be provided. Staff have continued to demonstrate their commitment to the Council and the Borough through their hard work and dedication throughout this pandemic.
- 6.5.8. The Council's planned recovery work in this regard is looking at the arrangements for IT, HR, facilities management, health and safety and risk, taking a phased approach. Phase 1 has been to start to step up front-line services, including car parking, household waste and recycling centres, site visits, home visits by social workers. Phase 2 is in process in terms of stepping back our front-line buildings, for example, face to face birth registrations are now available in Crewe. Phase 3 is designing how the Council will operate in the future.
- 6.5.9. The Council is not planning any significant return of staff to administrative buildings before 1 September 2020. Changes have been made at Westfields, Macclesfield Town Hall, Municipal Buildings and Delamere House in terms of ingress/egress, one-way systems, social distancing measures, hygiene and infection control.
- 6.5.10. All organisations must prepare and publish a COVID-SECURE Notice, agreed with the Trade Unions. Once the arrangements to do this have been finalised this will be reported to members.
- 6.5.11. *Community*- the Council anticipates that there will significant long-term impacts on communities in Cheshire East. For example, there is expected to be a significant increase in unemployment and reduction in household income. As outlined at paragraph 6.3.3. it is expected that services will see an increase in demand as referrals increase in relation to safeguarding, domestic abuse and social care support. The council, working with its

partners will be ensuring that it continues to support vulnerable people as well providing appropriate support in relation skills, employability, mental health and personal resilience.

- 6.5.12. *Economy* -Cheshire East Council continues to work with local businesses and business organisations (including Chambers of Commerce, Cheshire and Warrington Local Enterprise Partnership, Federation of Small Businesses and National Farmers Union) to channel business-based support to meet local need and to enable businesses to support each other.
- 6.5.13. To date, the Council has delivered over £80m to almost 6,600 small businesses in the last few weeks. On 1<sup>st</sup> June the Council launched an additional Discretionary Grant scheme to support small local business which have not been able to access other funding. This closed on 15<sup>th</sup> June with 462 applications being received. Based on the feedback received and review of this first phase the Discretionary Grant Policy was amended to enable the funds to be allocated to a wider range of businesses. This second phase was launched on 24 June.
- 6.5.14. In addition the Council and its partners are developing plans for the longer term economic recovery of the Borough. This approach will include:
- Support to businesses in the Borough including a focus on the sectors most likely to be impacted by the pandemic such as the hospitality sector. In addition support will continue to be provided to the key businesses and key sectors in the local economy.
  - Continuing to support our town centres and businesses that operate from them.
  - Developing a future pipeline of development and regeneration projects that can stimulate the local economy
  - Ensuring that the Borough has an effective place marketing approach so that it is able to promote itself for inward investment in the future.
- 6.5.15. *Environment*- As outlined elsewhere in this report some significant changes has been made to the way people travel and work in the Borough. This creates an opportunity for the Council and its partners to accelerate its aims as outlined in the Environment Strategy and Carbon Action Plan. For example, the council has significantly reduced the amount of physical building space being used on a daily basis, more people are working from home and are using active travel methods when they are commuting for work. The council will therefore be doing as much as it can to capitalise on

this to enable permanent changes to be made such as those relating to transport or the use of council buildings.

## **7 Implications of the Recommendations**

### **Legal Implications**

- 7.1 The Coronavirus Act 2020 received Royal Assent on 25 March. The Act has extensive schedules setting out a wide framework to life under lockdown. The Act has been followed with copious and frequent guidance notes, frequently with implementation dates ahead of what is practically possible, e.g. Household Waste and Recycling Centres, administration of School Admission Appeals, restrictions on and subsequent opening of certain business premises, Test and Trace.
- 7.2 The Coronavirus Act also set out a framework by which Local Authorities could reduce their statutory duties in relation to the Care Act 2014, for Adult Social Care. These Care Act Easements could be implemented should the capacity of Adult Social Care staff become so reduced that it could not continue to meet its duties. To date Cheshire East Council has not initiated any Care Act Easements.
- 7.3 This may mean actions have to be taken rapidly. Any urgent decisions will follow the process set out in the Constitution.

### **Finance Implications**

- 7.4 The Council's Medium-Term Financial Strategy (approved by Council on 20<sup>th</sup> February 2020) is under unprecedented pressure due to the response required to protect both the health and economic wellbeing of local people and businesses during the COVID-19 Pandemic. To date the Council has received funding related to an array of activities in response to the crisis. This funding includes both ringfenced and non-ringfenced allocations.
- 7.5 To ensure transparency for stakeholders it is important that the Council's budget is kept up to date with the latest funding received and the expenditure incurred to date. It is also important to recognise forecast risks to the Council's MTFS.

7.6 *Ringfenced Funding*- Table One below identifies allocations of ringfenced funding to Cheshire East Council at the time of writing.

<b>Table One : Summary of ring fenced funding allocations to Cheshire East Council</b>		
<b>Activity (National Total)</b>	<b>Allocation to Cheshire East Council</b>	<b>Notes</b>
Business Rate Holiday (£9.7bn)	£58,785,655	This benefit has been fully passed on to Local Businesses and does not support the costs of the Council
Council Tax Hardship (£500m)	£2,062,635	Although this funding has been allocated to support those facing hardship with council tax payments the financial impact of this for the Council is estimated to £2.5m. Therefore, the funding does not fully cover the costs to the Council
Business Grants (£12.3bn)	£95,514,000	This is to be distributed to be businesses in the Borough. Guidance is being sought from Government as whether any balance could be used to support other business support schemes at the Council's discretion in the future
Disc. Business Grants (£617m)		At present the Council is able to allocate £4.3m to businesses on the basis of a local policy. This is to be funded initially from the £95m outlined above. Therefore, if the £95m is fully allocated the council has the ability to claim for a further £4.3m at that point.
Test & Trace (£300m)	£1,533,331	This will contribute to the additional costs associated with the additional responsibilities that come with test and trace as outlined in the outbreak plan
Infection Control (£600m)	£5,320,292	This is ring fenced. To date 50% has been allocated to support infection control measures in care homes and other care settings.

Active Travel (£225m)	£774,000	This is an indicative allocation. A return for the first phase of this funding for £155k has been submitted and has been approved by DfT
Opening High Streets (£500m)	£339,533	This is an indicative allocation of share of the European Regional Development Fund which will require claims to be made retrospectively for measures taken to support the reopening of our town centres.
Local Bus Network (£167m)	£229,632	This funding has been allocated to bus companies and is not contributing to the costs of the Council.
Rough Sleeping (£32m)	£6,000	This has contributed to the additional costs associated with the additional responsibilities to find temporary accommodation for rough sleepers

7.7 *Non-Ringfenced Funding*- In addition the Council has also been allocated grant funding from MHCLG. The first payment, worth £9.15m to Cheshire East Council, was allocated nationally based on the relative needs of councils based on an Adult Social Care formula.

7.8 In calculating the second payment, worth £10.539m to the Council, MHCLG recognised that the financial impact on authorities was much wider. The second payment was therefore calculated on a much simpler basis of £28 per head of population.

7.9 The Council has complied with data gathering requests from MHCLG and has submitted financial returns in April, May and June. The June return to MHCLG estimated the financial impacts for the period April to July and an additional estimate for the full 2020/21 Financial Year.

7.10 Like many councils, Cheshire East continues to face increased costs and demand pressures at the same time as seeing a significant drop in income. The full year effect for 2020/21 is currently estimated to be £70m. The Cabinet report of June 9<sup>th</sup> outlined a potential financial impact of £60m. The main reasons for the variance in this projection is that an increased risk has been projected in relation to Home to School transport from September onwards.



- 7.11 In addition, the Collection Fund is facing significant shortfalls compared to the MTFS. The Collection Fund is a way to manage income from Local Taxation, and this is currently facing shortfalls due to low levels of growth in the tax base, increases in claimants as well as the deferral of payments and non-payments issues all related to the impact of the COVID-19. This issue has been reported to MHCLG, although deficits on the Collection Fund are normally only managed in subsequent financial years.
- 7.12 If there is a period where the financial impacts exceed the level of funding received from Central Government this would present a risk to the Council's existing MTFS.
- 7.13 A detailed report on the impacts of the pandemic on the existing MTFS and approved budget will be reported to a forthcoming meeting of Cabinet. Any appropriate approvals, if required, to amend the agreed budget will be sought through these papers.

## **8.1 Policy Implications**

COVID-19 is having a wide-ranging impact on many policies. Any significant implications for the council's policies are outlined in this report.

## **8.2 Equality Implications**

Implications of the changes will continue to be reviewed. There have been some positive benefits in terms of additional funding for vulnerable people. Public Health England published a report on 16 June 2020 "Understanding the impact of COVID-19 on BAME groups".

<https://www.gov.uk/government/publications/covid-19-understanding-the-impact-on-bame-communities>

It concluded that there is clear evidence that COVID-19 does not affect all population groups equally. Many analyses have shown that older age, ethnicity, male sex and geographical areas are associated with the risk of getting the infection, experiencing more severe symptoms and higher rates of death. Death rates from COVID-19 were higher for Black and Asian ethnic groups when compared to White ethnic groups. The report concludes that further national work is required to ensure that COVID-19 recovery strategies actively reduce inequalities caused by the wider determinants of health to create long term sustainable change which is appropriately funded. Further work is needed on local data to ensure that appropriate action can be taken.



### **8.3 Human Resources Implications**

Paragraphs 6.2.21 and 6.5.6 provide information in relation to the Council's workforce and workplace. Throughout the pandemic, there has been regular communication with staff and good co-operation with the Trade Unions. Most recently, discussions have taken place with a group of BAME employees to hear directly about their issues and concerns in the light of recent national and international developments.

### **8.4 Risk Management Implications**

Risk registers have been maintained as part of the Council's response to date and the plans for recovery. Business Continuity Plans are being kept under review and plans have been tested against concurrent risks.

### **8.5 Rural Communities Implications**

COVID-19 is having an impact across all communities, including rural communities. The support for small businesses will support rural business.

### **8.6 Implications for Children & Young People/Cared for Children**

There are implications for children and young people. There are implications for schools, early years and children's social care which are summarised in the report.

### **8.7 Public Health Implications**

COVID-19 is a global pandemic and public health emergency. There are implications for Cheshire East which are summarised in the report.

### **8.8 Climate Change Implications**

They have been positive benefits of fewer cars on the road. This includes most staff who have been working from home. There has also been lower demand for heating/lighting offices. This is outlined in paragraph 6.5.14.

## **9 Ward Members Affected**

All Members.

## **10 Consultation & Engagement**

Formal consultation activities have been paused due to the lockdown restrictions. The Council is considering how and when they can be restarted.

**11 Access to Information**

Comprehensive reports on COVID-19 can be found on the Council's and the Government's websites.

**12 Contact Information**

Any questions relating to this report should be directed to the following officer:

Frank Jordan

Deputy Chief Executive | Executive Director Place

[Frank.Jordan@Cheshireeast.gov.uk](mailto:Frank.Jordan@Cheshireeast.gov.uk)



Working for a brighter future together

Key Decision: No

Date First Published:  
N/A

## CABINET

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**Date of Meeting:** 7<sup>th</sup> July 2020

**Report Title:** Notice of Motion – Pavement Parking

**Portfolio Holder:** Cllr Laura Crane - Portfolio Holder Highways and Waste

**Senior Officer:** Frank Jordan - Executive Director Place

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### 1. Report Summary

- 1.1. At Council in October 2019, consideration was given to a Notice of Motion, as follows:

*“This Council requests that Cabinet give consideration to developing a borough wide policy on pavement parking and a separate borough wide policy on pavement obstruction, which should be sufficiently flexible to recognise the varied needs and demands within different areas of the Borough. Council further calls on the Cabinet to bring a draft policy on pavement parking to a future meeting of Full Council for debate.”*

- 1.2. Council resolved that the motion be referred to Cabinet. This report addresses the background to this matter and recommends a way forward.

### 2. Recommendations

- 2.1. That Cabinet

- 2.1.1. Agree that any new approach to restricting pavement parking in the Borough be informed by the Department for Transport’s review of current practice and the procedures for making and enforcing Traffic Regulation Orders.

- 2.1.2. Agree that Cheshire East Council respond to the forthcoming DfT consultation with evidence, including that provided as background to the Notice of Motion to Council. The details of this response are to be delegated to the Director of Highways and Infrastructure, in consultation with the Portfolio Holder for Highways Waste.

### **3. Reasons for Recommendations**

- 3.1. On 12th March 2020, the Secretary of State for Transport issued a media statement covering the Department's response to the Transport Committee's Report on Pavement Parking. This response included Government plans to consult on proposals for a national pavement parking ban in the summer 2020.
- 3.2. The 12-week consultation will include options such as allowing local authorities with civil parking enforcement powers to take action on unnecessary obstruction of the pavement. Currently, outside London, only police have this power.
- 3.3. This statement pre-dates the Coronavirus pandemic and we await further details from the DfT on the timing of this consultation.
- 3.4. Awaiting the national consultation will allow Cheshire East Council to consider and influence the proposed changes to statutory procedures being brought forward by Government. In addition, it will ensure that any subsequent proposals for a ban on pavement parking in Cheshire East have maximum opportunity to utilise the flexibilities and potential cost savings facilitated by the changes to regulations.

### **4. Other Options Considered**

- 4.1. The option of preparing to make orders for a borough-wide ban on pavement parking under current rules and responsibilities was considered. Given the prospect of imminent consultations on changes at the national level, this approach was considered to incur risks of abortive work, excessive costs and ultimately leading to an unenforceable set of legal orders. The option was discounted.
- 4.2. The option of doing nothing was considered. This approach does not meet the reasonable expectations of vulnerable road users that the impacts of inconsiderate and obstructive pavement parking will be effectively managed by the local highway authority.

### **5. Background**

- 5.1. The House of Commons Transport Committee published its report on Pavement Parking in September 2019. The Committee concluded that pavement parking can be significant blight on people's lives across the

country. It stops pedestrians being able to use footways safely and is particularly dangerous for people with sight loss and wheelchair users who can be forced into the road. There is no national prohibition of pavement parking, except in London and more widely in relation to heavy commercial vehicles. Instead enforcement against parking on pavements is a complex mix of local authority and Police responsibilities relating variously to driving on pavements, waiting restrictions and obstruction of the highway. It is generally accepted that the Police have insufficient resources to routinely enforce offences relating to pavement parking and that this could more effectively be undertaken by local authority Civil Enforcement Officers.

- 5.2. Traffic Regulation Orders (TROs) are a way that local authorities can tackle congestion, manage traffic flows and restrict parking, including pavement parking. The Committee concluded that Government should remove the onerous requirement of newspaper advertising from the TRO process whilst maintaining a commitment to ensure widespread consultation amongst those likely to be affected by an Order.
- 5.3. Local authorities and the Police may act to tackle pavement parking in various ways, such as under legislation governing obstruction and dangerous parking; designating limited areas of 'no pavement parking' through a Traffic Regulation Order (TRO); or establishing a special parking area.
- 5.4. Recently there have been campaigns to introduce a complete civil ban on pavement parking, enforceable by local authorities. Pavement parking causes an obstruction to pedestrians and particular difficulties for blind and partially-sighted people, wheelchair and mobility scooter users and those with pushchairs and prams.
- 5.5. For Cheshire East Council, the options available currently are:
  - 5.5.1. Waiting Restrictions – where orders operate for the full-width of the road with enforcement by the Councils Civil Enforcement Officers
  - 5.5.2. Permissive TROs for selective sites to enable pavement parking where is assist the working of the highways
  - 5.5.3. Police enforcement action where parking is deemed to be obstructive.

A Borough-wide ban on pavement parking would be difficult to implement under current powers.

5.6. The impacts of a comprehensive ban on pavement parking will need to take into account a number of areas of Council business, including the following:

- 5.6.1. Parking standards, as applied for planning new development can impact on the demand for on-street parking.
- 5.6.2. Policies relating to Houses in Multiple Occupation can influence the intensity of parking demands relative to the available kerb-space on street.
- 5.6.3. Employers Travel Plans can influence to reliance and impact on on-street parking close to places of work.
- 5.6.4. Disabled parking bays, which are provided on the highway to afford priority to people with impaired mobility
- 5.6.5. Household & Commercial Waste collection practices where collection from the pavement is routine practice
- 5.6.6. Sustainability policies designed to encourage greater reliance on walking, cycling, Public Transport.

Development of a borough-wide approach to pavement parking will need to consider the impact of any changes with regard to these wider policies and services.

5.7. Our local approach to pavement parking will need to take into account a large number of streets in our towns were built to have little, if any, off-street parking facilities. Vehicles may be parked on the footway with a mind to ensure that other vehicles can travel along the highway. There are risks that a restriction of pavement parking could displaced parked vehicles to other residential areas. Therefore, the Council's approach will need to develop criteria to assess the benefits and disbenefits arising from a restrictions to pavement parking, whilst enhancing movement for pedestrians especially people with disabilities and the elderly. In this way the Council can ensure it approach protects convenient and safe movement for all road users and meets the needs for residential parking facilities as far as is practical.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. Under Section 122(1) Road Traffic Regulation Act 1984 it is "the duty of every local authority upon whom functions are conferred by or under this Act, so to exercise the functions conferred on them by this Act, as (so far as practicable having regard to the matters specified in subsection (2) below) to secure the expeditious, convenient and safe

movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Section 122(1) requires a balancing of vehicular and pedestrian traffic.

6.1.2. The duty under Section 122(1) is also a qualified duty and is to be read with consideration to the factors in Section 122(2). The requirement to secure convenient and safe movement of pedestrians has to be balanced with the desirability of securing and maintaining reasonable access to premises. It may be an unreasonable exercise of powers to impose blanket bans to parking on footways if it leads to vehicles parking on neighbouring roads, thereby shifting the problem, or at an unreasonable distance from premises.

6.1.3. These considerations and others within this report should form part of the response to the DfT.

## **6.2. Finance Implications**

6.2.1. There are no immediate financial implications arising from the recommendations. The costs of responding to the DfT consultation will be negligible, and covered by normal staff time within existing staffing budgets in the Parking Service.

6.2.2. When DfT have completed consultation on pavement parking regulations and revised, as necessary, and statutory regulations it will be possible to prepare a business case for implementation across Cheshire East. At this time, the potential costs and benefits arising from a new pavement parking regime will be assessed in detail.

## **6.3. Policy Implications**

6.3.1. Adoption of a borough-wide approach to enhanced management and enforcement of pavement parking, particularly where parking is inconsiderate or obstructive is consistent with the Council's responsibilities for ensuring safe working of the local highway network.

6.3.2. Careful definition of any locations that may be exempt from an outright ban on pavement parking should enable the approach to be responsive to wider considerations such as access by emergency vehicles, public transport or other services such as refuse collection.

6.3.3. Management of pavement parking can make a positive contribution to policies aimed at influence travel choices in favour of more sustainable modes of travel, which is consistent with the Council's draft Environment Strategy. The policy development for pavement parking should also take into consideration car parking standards in the Local Plan and their application across the borough.

#### **6.4. Equality Implications**

- 6.4.1. The approach to manage better pavement parking is expected to benefit a number of vulnerable road user-groups including people who are mobility impaired, the blind and sight impaired, people accompanying prams and pushchairs, and children.
- 6.4.2. An Equalities Impact Assessment would be prepared for any proposed changes to policies in Cheshire East at that time.

#### **6.5. Human Resources Implications**

- 6.5.1. None at this time. The implications of any changes to national regulations for the Council's enforcement teams will be assessed at a later stage.

#### **6.6. Risk Management Implications**

- 6.6.1. There are no specific risk implications arising from the recommendations in this report.
- 6.6.2. When the DfT publishes its proposed revisions to current statutory procedures, a full risk assessment for the implementation of these changes will be prepared.

#### **6.7. Rural Communities Implications**

- 6.7.1. The approach to managing pavement parking applies equally to instances on inconsiderate or obstructive parking in rural areas.

#### **6.8. Implications for Children & Young People/Cared for Children**

- 6.8.1. Evidence given to the Transport Committee revealed that children and young people are especially vulnerable to the adverse impacts of pavement parking. Measures to better manage inconsiderate or obstructive parking on pavements are expected to be a benefit to children and young people using local roads.

#### **6.9. Public Health Implications**

- 6.9.1. Evidence given to the Transport Committee revealed that the adverse impacts of pavement parking included health consequences such as greater loneliness, stress and anxiety. Also, it is likely that there are instances where pavement parking contributed to road traffic collisions and injuries.
- 6.9.2. Measures to improve provisions to manage better inconsiderate or obstructive parking on pavements are expected to be a benefit to public health in Cheshire East.



## **6.10. Climate Change Implications**

- 6.10.1. Management of pavement parking can make a positive contribution to policies aimed at influence travel choices in favour of more sustainable modes of travel, which is consistent with the Council's draft Environment Strategy.
- 6.10.2. Where a ban on pavement parking is aligned with sustainability policies designed to encourage greater reliance on walking, cycling, Public Transport, it can contribute to reducing transport-related carbon emissions and so assist mitigating climate change.
- 6.10.3. Where pavement parking is permitted to aid traffic flow on densely used residential streets, with insufficient off-street parking spaces, the approach can reduce the impacts of traffic-idling and congestion caused by obstructions to traffic flow.

## **7. Ward Members Affected**

- 7.1. All Wards in Cheshire East

## **8. Consultation & Engagement**

- 8.1. Consultation is a legal requirement of the preparation of a Traffic Regulation Order. The requirements for consultation may be affected by any revision to statutory procedures arising from the DfT's review.
- 8.2. The requirements for consultation to put in place any new arrangements for managing parking in the Borough will be defined when the DfT publishes the outcomes of its review.

## **9. Access to Information**

- 9.1. All relevant material and background documents related to this decision can be obtained from the Contact Officer.
- 9.2. The House of Commons Transport Committee Report (5th September 2019) relating to this report can be found at [www.parliament.uk/transcom](http://www.parliament.uk/transcom).
- 9.3. The Department for Transport update (March 2020) can be found at [www.gov.uk/government/news/transport-secretary-acts-to-make-pavements-safer-for-pedestrians](http://www.gov.uk/government/news/transport-secretary-acts-to-make-pavements-safer-for-pedestrians)

## **10. Contact Information**

- 10.1. Any questions relating to this report should be directed to the following officer:  
Name: Richard Hibbert  
Job Title: Head of Strategic Transport & Parking Service  
Email: [Richard.Hibbert@cheshireeast.gov.uk](mailto:Richard.Hibbert@cheshireeast.gov.uk)

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**Notice of Motion to Council****Thursday 17th October 2019****Pavement Parking and Pavement Obstruction****Proposed by Cllr S Akers-Smith and Seconded by Cllr S Brookfield**

This Council requests that Cabinet give consideration to developing a borough wide policy on pavement parking and a separate borough wide policy on pavement obstruction, which should be sufficiently flexible to recognise the varied needs and demands within different areas of the Borough. Council further calls on the Cabinet to bring a draft policy on pavement parking to a future meeting of Full Council for debate.

**Background:**

In September the Department for Transport recommended to Parliament that a ban on pavement parking should be legislated for and enforced across England. The legal process for a countrywide ban is currently happening in Scotland and Wales and there has been a ban in London since 1974, 45 years ago.

In 2016 Cheshire East inspirationally were the first borough council to sign up to Cycling UK's Space for Cycling, which is about prioritising and protecting cyclists. A similar move to be the first borough in the UK to ban pavement parking not only sends out the message that we prioritise pedestrians over vehicles, it will improve the lives of all residents who want to be more active and walk more, pavement parking prevents this from happening and also has a significant effect on the mobility impaired and the partially sighted which causes them to feel even more vulnerable than they already are.

This one single borough wide act will enhance the lives of over 380,000 people especially vulnerable road users including wheelchair users, mobility scooter users, visually impaired, carers, children and families; everybody. If Cheshire East Council are serious about reducing carbon emissions and having a positive impact on climate change, passing this motion would make a significant contribution to making life safer for residents, protecting those that need our protection and encouraging people to use their cars less, which would have an impact on climate change.

Not everybody has a car, can't afford one and doesn't want one, but everybody has to get around, and protecting those who want to actively travel needs to be a priority. Everybody has to walk or be mobile, now more than ever, a ban on pavement parking will give people real choice to be more active. Pavement obstruction in addition to pavement parking has an impact on the ability of vulnerable pedestrians in particular to navigate and travel safely. Therefore a separate policy to look at pavement obstruction is to be considered

**RESOLVED AT COUNCIL:**

That the Motion be referred to Cabinet.

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Key Decision Y

Date First  
Published: 29/5/20

## Cabinet

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**Date of Meeting:** 07 July 2020

**Report Title:** Wilmslow and Crewe Walking and Cycling Schemes

**Portfolio Holder:** Cllr Laura Crane – Portfolio Holder for Highways and Waste  
Cllr Craig Browne – Deputy Leader

**Senior Officer:** Frank Jordan – Executive Director Place

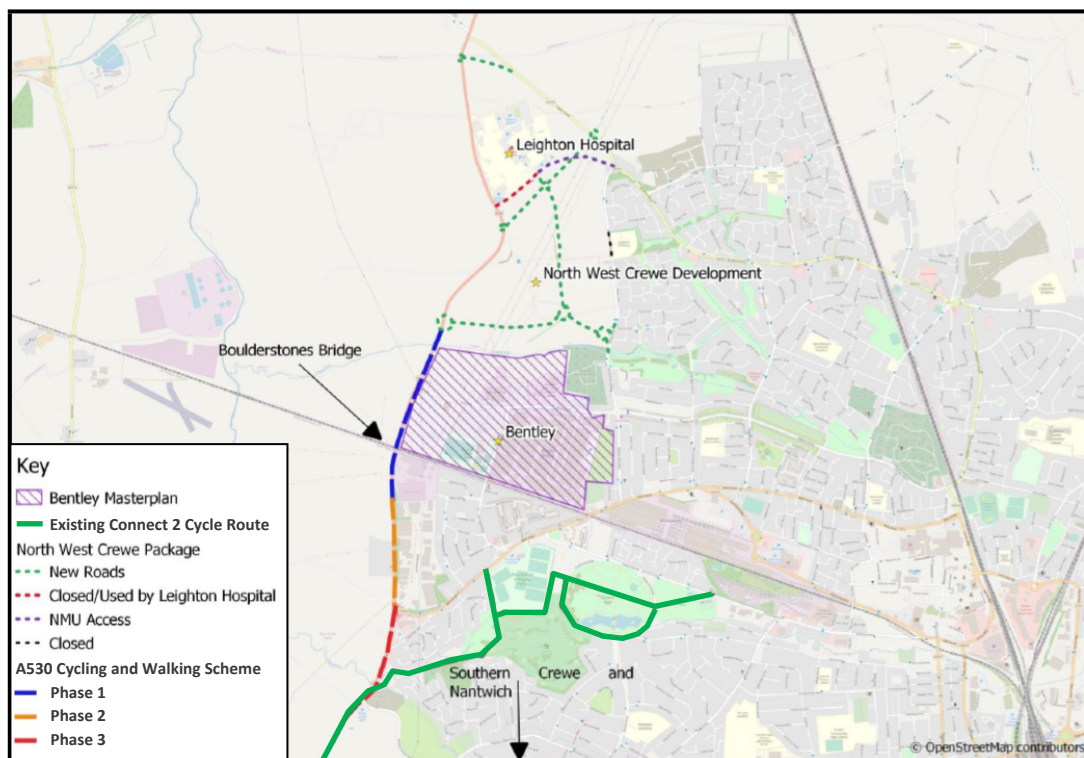
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### 1. Report Summary

- 1.1. The Council has clear ambitions for delivering sustainable and inclusive economic growth and environmental improvement. A key element of achieving these ambitions is delivering investment in transport infrastructure that supports cycling and walking. These schemes will support travel for everyday journeys, contributing to initiatives to promote active travel as part of the Covid-19 recovery.
- 1.2. The two schemes in this report are important elements of achieving the council's ambitions.
- 1.3. The first of these is the A530 Scheme in North West Crewe (Figure 1) which will provide improved walking and cycling links to Bentley Motors, Leighton Hospital, Leighton Academy, existing residential areas and the new homes to be constructed within the Local Plan Sites 4 and 5.
- 1.4. This paper seeks authority for the delivery of Phases 1 and 2 of the Crewe A530 Walking and Cycling Scheme that runs from the A530 / A532

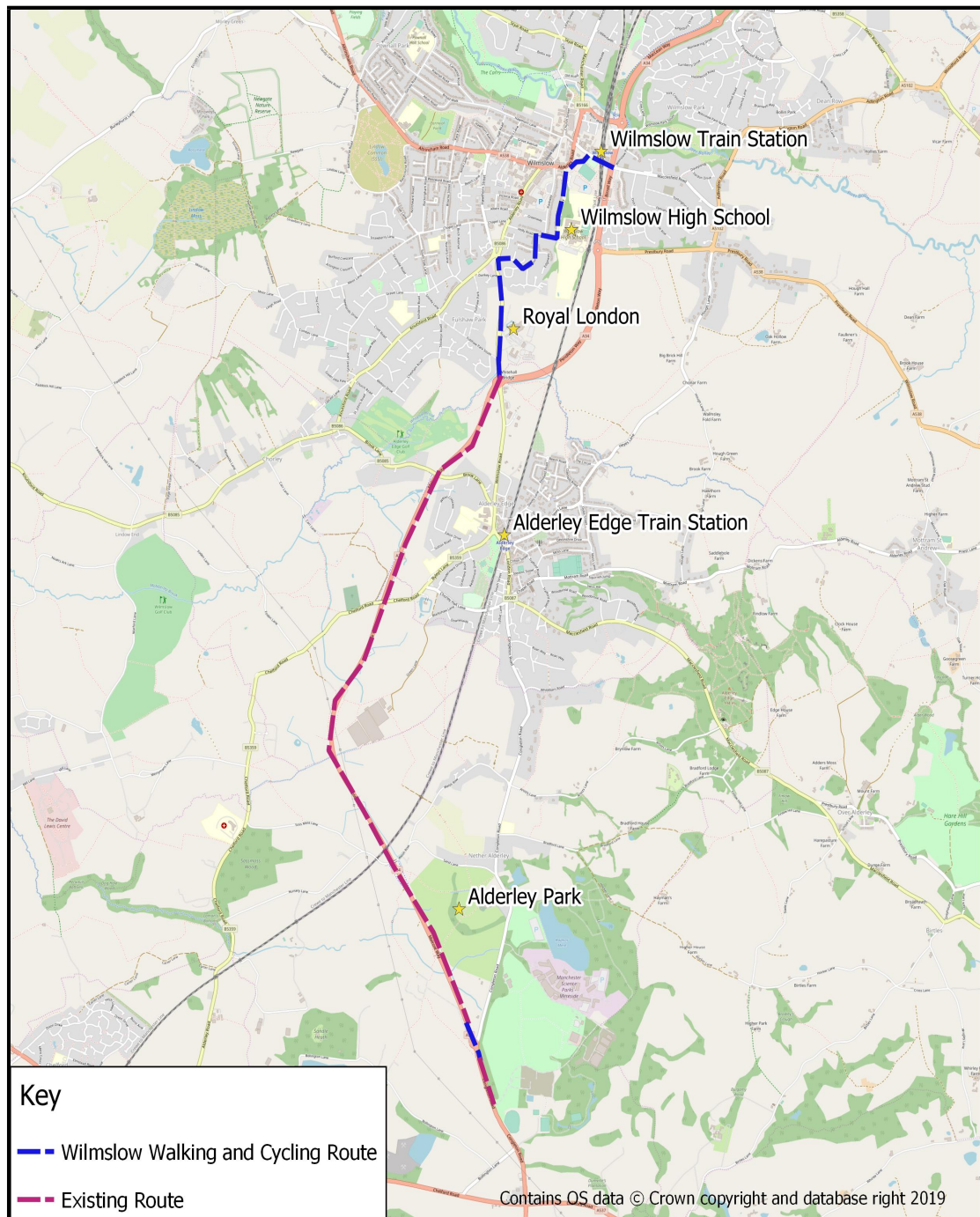
Coppenhall Lane roundabout northwards to the connection with Leighton Link Road. These phases are fully funded by LGF and CEC contributions.

- 1.5. The council is seeking further funding for Phase 3 of the scheme that is currently unfunded. This section runs from the A530 / A532 roundabout southwards to the Rising Sun.



*Figure 1 – Route of the A530 Scheme in Crewe*

- 1.6. The second is the Wilmslow Strategic Walking and Cycling Scheme (Figure 2) which will fill key gaps in the network to connect Wilmslow rail station and the town centre to Wilmslow High School, The Royal London Campus and further south to Alderley Park. The programme for the Wilmslow scheme is for construction to take place during Autumn 2020.



*Figure 2 – Route of the Wilmslow Scheme*

- 1.7. The purpose of this report is to recommend a procurement route through the Council's Highway design, maintenance and construction service contract 2018 (the Highway Service Contract), and seek authority for land assembly and purchase, preferably through negotiation with land owners, however the report also seeks approval to prepare a case for Compulsory Purchase Order should this be necessary.



## **2. Recommendations**

That Cabinet:

- 2.1. Approve the delivery of the A530 scheme in Crewe and the Wilmslow Strategic Walking and Cycling Scheme through the Highway Service Contract, subject to £1.6m of Local Growth Funding being received from Cheshire and Warrington Enterprise Partnership and that Ringway Jacobs target costs for the schemes satisfy the Council's best value requirements.
- 2.2. Authorise the Director of Highways and Infrastructure, in consultation with the Portfolio Holder for Strategic Transport and the Portfolio Holder for Highways & Waste, to take all necessary actions to implement the above two schemes.
- 2.3 Approve the preparation of a Compulsory Purchase Order (CPO) in respect of land and/or rights required to deliver the A530 Scheme, where such land and/or rights cannot be acquired by agreement. Should a CPO be required, Cabinet authority to make the Order will be sought at that stage.

## **3. Reasons for Recommendations**

- 3.1. The A530 and Wilmslow Schemes align with key policies of the Council and are consistent with the aims and objectives set out in the Council's current Corporate Plan, Local Plan, Local Transport Plan and Cycling Strategy. The schemes will improve travel for everyday journeys as part of the recovery from Covid-19, complementing a wider programme of recovery measures in Crewe and Wilmslow.
- 3.2. The A530 Scheme in Crewe and the Wilmslow Strategic Walking and Cycling Scheme are important elements of the Council's pipeline of walking and cycling infrastructure. The Cheshire and Warrington Local Enterprise Partnership have allocated £1.6m of Local Growth Funding (LGF) to these schemes.
- 3.3. The works for each of these schemes are within scope of the Council's Highway Service Contract in all respects, including geographic, work types and financial limits. The Contract is "open book" and Council staff have access to costs and supporting information, enabling checks and audits to ensure that the contract provides value for money and good financial management.



#### **4. Other Options Considered**

- 4.1. A cycle route could be delivered on the A530 utilising busy on road sections which would remove the requirement to secure land by negotiation or compulsory purchase. However, this would not achieve the scheme benefits of increasing levels of walking and cycling.
- 4.2. In the case of walking, no route would be provided, and for cycling, users would be sharing the carriageway with motorised vehicles on a 50mph road leading to safety concerns.
- 4.3. As noted, the Council has made and will continue to make every effort to contact all landowners affected by the proposed A530 Scheme in order to acquire land and rights by agreement where possible. The Council will continue to attempt to negotiate acquisition of the land required by agreement, however, if this is not possible a further report will be submitted to Cabinet recommending the use of compulsory purchase powers to secure delivery of the A530 Scheme.

#### **5. Background**

- 5.1. It is the Council's ambition to improve walking and cycling facilities within the Borough. Investing in good quality cycling and walking infrastructure to give people safe and attractive routes is an important factor in encouraging the uptake of walking and cycling for commuting and leisure.
- 5.2. The Cheshire East Cycling Strategy, adopted in 2017, outlines the target to "double the number of people cycling once per week for any journey purpose in Cheshire East by 2027", which also aligns to the Government's ambition.
- 5.3. The Council has been allocated £1.6m by the Cheshire and Warrington Enterprise Partnership to deliver two walking and cycling schemes by March 2021. Following a period of feasibility and options consideration, preferred options were selected and taken forward for further design. For the A530 Scheme ecology surveys were also undertaken in 2019/20 and a planning application was submitted in February 2020.
- 5.4. The programme for the A530 Scheme in Crewe (subject to planning and securing land) is for construction to be coordinated with Network Rail's delivery of the Boulderstones Bridge replacement in Autumn 2020. However, subject to the projected timescales associated with making a Compulsory Purchase Order (CPO) (if required) a further phase of construction may be required in 2021.

- 5.5. During the development of the A530 Scheme, the Council is making all reasonable efforts to contact all affected landowners and secure the land required for the A530 Scheme by negotiation. However, the Council has not been able to make contact with one of the landowners since the outset of the A530 Scheme. Recent progress has been made in this regard but, in order to ensure the delivery of the A530 Scheme, the Council may have to rely on its powers of compulsory purchase where land and rights cannot be acquired by agreement.
- 5.6. The delivery of all highway maintenance and improvement works on the public highway network in Cheshire East up to a limit of £5M (index linked) can be delivered through the Council's Highway Service Contract. In October 2018, the Council awarded the Highway Service Contract to Ringway Jacobs Limited after a competitive procurement process in compliance with the Council's Contract Procedure and the EU procurement rules.
- 5.7. If the Highway Service Contract cannot demonstrate best value, the Council will explore alternative delivery options through a separate procurement exercise. This would require a new authority to proceed on this basis.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. The Council has the power pursuant to Section 120 of the Local Government Act 1972 to acquire land by agreement in order to deliver the schemes.
- 6.1.2. The Council has a fiduciary duty at all times to the taxpayers and must fulfil this duty in a way which is accountable to local people and which demonstrates that public funds are not exposed to unnecessary or unquantified risk.
- 6.1.3. The proposed schemes are above £1m and, as such, under the Council's Constitution they are defined as Key Decisions. Key Decisions require advanced notice and the provisions concerning Key Decisions (as set out in the Constitution) must be complied with.
- 6.1.4. As set out in the body of this report, the schemes can be compliantly procured via the Highway Service Contract. If the Highway Service Contract is not used, further advice from Procurement and Legal Services will be required on the most appropriate procurement route and a new authority to proceed on the chosen route will be needed.

- 6.1.5. In the event that a Task Order is issued under the Highway Service Contract for the schemes, the Task Order will incorporate conditions of contract as set out in the Highway Service Contract.

## **6.2. Finance Implications**

- 6.2.1. The approved budget for the Schemes of £2.8m sits within the Medium-Term Financial Strategy 2020-24 under 'Sustainable Travel Access Programme'. Confirmation of the LGF grant funding to the value of £1.6m was received in December 2019 following acceptance of a Final Business Cases for the Schemes. The remaining funds comprise of a local contribution from Cheshire East Council and third-party developer sources.

- 6.2.2. Costs for the preparation of a Compulsory Purchase Order if required are included within the A530 Scheme's budget.

## **6.3. Policy Implications**

- 6.3.1. The Schemes are in line with the aims and objectives set out in the Council's current Corporate Plan, Local Plan, Local Transport Plan and Cycling Strategy.

## **6.4. Equality Implications**

- 6.4.1. An Equality Impact Assessment will be undertaken for each scheme during design. The schemes will be delivered in line with the Council's current policy and practise, taking account of the needs of all residents and users of the public highway. The Equality Impact Assessment and related consultation will report before construction of the schemes.

## **6.5. Human Resources Implications**

- 6.5.1. It shall be necessary to ensure that sufficient resource is allocated in Estates, Highways and Legal Services to support delivery of the two schemes. If additional temporary resources are required these will be met from the project budget.

## **6.6. Risk Management Implications**

- 6.6.1. All highways and infrastructure projects have inherent risks and these will vary for each scheme. The project team will deliver the schemes in full compliance with the Construction Design Management Regulations 2015. These seek to address and minimise risk from the early stage of design, through construction on site and subsequent whole life

maintenance requirements. A risk register is continuously monitored and updated as risks are identified, to mitigate their impact on safe scheme delivery. All risks have assigned owners who are responsible for managing them.

6.6.2. The Council is in advanced negotiations for the majority of the land required for the two schemes and the negotiations shall continue with the objective of securing binding legal agreements without recourse to use of compulsory purchase powers.

6.6.3. A planning application for the A530 Scheme was submitted with supporting information and is due for determination in June 2020.

6.6.4. Should the two schemes not be delivered, the £1.6m external funding from the Cheshire and Warrington LEP would be lost. Benefits related to increasing the numbers of people walking and cycling, and supporting the delivery of new development in the North West Crewe area would not be realised.

#### **6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

#### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. There are no direct implications for children and young people.

#### **6.9. Public Health Implications**

6.9.1. The Scheme will have public health benefits through encouraging sustainable forms of transport such as cycling and walking.

#### **6.10. Climate Change Implications**

6.10.1. The Council has committed to becoming Carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint. The schemes support modal shift towards methods of travel that support carbon reduction and contribute to improved air quality.

#### **6.11. Ward Members Affected**

6.11.1. Ward Members for the Crewe scheme were engaged prior to a public engagement exercise in October 2019. Ward Members for the Wilmslow

scheme will receive a detailed briefing in June 2020, before wider public engagement on scheme options.

- 6.11.2. For the A530 Scheme, the Wistaston ward is affected and the Councillors are Cllr Margaret Simon and Cllr Jacqueline Weatherill.
- 6.11.3. For the Wilmslow scheme, the Wilmslow East, Wilmslow West and Chorley, Alderley Edge, and Chelford wards are affected and the Councillors are Cllr David Jefferray, Cllr Mark Goldsmith, Cllr Craig Browne and Cllr Marc Asquith respectively.

## **7. Consultation & Engagement**

- 7.1. Recent consultations such as those for the Council's Local Transport Plan 4 (Summer 2018) showed strong support for active travel and walking and cycling as a mode of transport. Improving connectivity to areas of employment and housing growth is strongly supported by both the residential and business communities.
- 7.2. A consultation exercise for the A530 scheme was conducted in late 2019 with a range of stakeholders engaged including Parish Councils, local residents and walking / cycling community groups. Positive feedback was received that has informed the subsequent design and planning application. Engagement will continue as the scheme progresses.
- 7.3. Community consultation for the Wilmslow scheme is planned in June / July 2020 with the Town Council, Parish Councils, local residents / businesses, and walking / cycling community groups. This feedback will shape the scheme design and engagement will continue as the scheme progresses.

## **8. Access to Information**

- 8.1. The background papers relating to this report can be inspected by contacting the report writer.

## **9. Contact Information**

- 9.1. Any questions relating to this report should be directed to the following officer:

Name: Richard Hibbert, Head of Strategic Transport and Parking

Email: [Richard.hibbert@cheshireeast.gov.uk](mailto:Richard.hibbert@cheshireeast.gov.uk)

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Key Decision: Yes

Date First Published:  
13.02.2020

## **Cabinet**

**Date of Meeting:** 07 July 2020

**Report Title:** Middlewich Eastern Bypass – Approval to Proceed with the Use of CPO Powers

**Portfolio Holder:** Cllr Craig Browne – Deputy Leader

**Senior Officer:** Frank Jordan - Executive Director Place

### **1. Purpose of the Report**

- 1.1. The Middlewich Eastern Bypass (“the Scheme”) will deliver an improved highway network for Middlewich to relieve congestion in Middlewich town centre. The scheme also supports economic growth and housing delivery in the town and the surrounding area.
- 1.2. This report seeks Cabinet approval of the draft of the Statement of Reasons (“SoR”) and the Order Map (“the Order Map”) attached to this report for the purposes of the Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020 (“the CPO”).
- 1.3. This report also seeks authorisation to make the CPO in respect of the land identified in the Order Map (“the Order Land”) and to make The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads) Order 2020 (“the SRO”).

### **2. Report Summary**

- 2.1. The Middlewich Eastern Bypass is a proposed two-way single carriageway road scheme between the A54 (via Pochin Way) east of the town, connecting to Cledford Lane and the A533 to the south-east. It will create a total of 2.6km of new roads with street lighting and dual use footways and cycleways with appropriate crossing points to ensure safe crossing facilities.

- 2.2. The current programme (subject to DfT final funding approval) is for the main works award in 2021, with an estimated 22-month construction period.
- 2.3. Cabinet approved the use of powers of compulsory purchase based on the design and land take requirements identified in July 2019. Design development work has since established a revised extent of the land required as necessary to deliver the Scheme.
- 2.4. Accordingly, authority is sought again for use of powers of compulsory purchase in parallel with negotiations for the acquisition of land and new rights by agreement.
- 2.5. This report details the affected land owners and plots required to deliver the Scheme, so that Cabinet is able to make a fully informed decision on the use of powers of compulsory purchase.
- 2.6. The Council will continue to seek to negotiate the acquisition of all of the legal interests in the land required for the construction of the Scheme by agreement. However, the Council may need to rely on compulsory purchase powers in the event that it is not possible to agree terms for the acquisition of all the remaining interests in the land required to facilitate construction of the Scheme. The use of such powers would only ever be as a matter of last resort and would be in parallel to continued efforts to negotiate private acquisitions.

### **3. Recommendations**

That Cabinet:

- 3.1. Confirm that the acquisition of the land identified on the Order Map attached to the report is necessary for highway purposes.
- 3.2. Approve the draft Statement of Reasons and the draft Order Map both substantially in the form annexed to the report for the purposes of the Compulsory Purchase Order but delegates to the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance, authority to modify them as necessary.
- 3.3. Approve the draft SRO Plans substantially in the form annexed to the report for the purposes of the Side Roads Order and delegates to the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance, authority to modify them as necessary.



- 3.4. Authorise the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance to determine the form and contents of the Schedules (“the Schedules”) necessary as part of the CPO to identify the land contained within the Order Map.
- 3.5. Authorise the Director of Governance and Compliance to make The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020 (“the CPO”) pursuant to Section(s) 239, 240, 246, 250 and 260 of the Highways Act 1980, Schedule 3 to the Acquisition of Land Act 1981 and all other powers as appropriate for the purpose of acquiring the land and interests shown on the Order Map and described in the Schedules (or such lesser area of land should this in his opinion be appropriate) to facilitate the construction of the Scheme, and that the Common Seal of the Council be affixed to the CPO and to the Order Map.
- 3.6. Authorise the Director of Governance and Compliance to make The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads) Order 2020 (“the SRO”) under Sections 8, 14 and 125 of the Highways Act 1980 and all other necessary powers to improve, stop up existing highways, stop up and/or amend private means of access and provide replacement private means of access, and construct lengths of new highway as required to deliver the Scheme.
- 3.7. Authorise the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance to make any amendments necessary to the contemplated CPO and/or SRO (“the Orders”) arising as a result of further design work or negotiations with landowners or affected parties or for any connected reasons in order to enable delivery of the Scheme.
- 3.8. Authorise the Director of Governance and Compliance to advertise the making of the CPO and the SRO (“the Orders”) to comply with all associated requirements in respect of personal, press and site notices, and to take all other relevant action thereon to promote the confirmation of the Orders.
- 3.9. Agree that in the event that no objections are received to the CPO or if any objections made are subsequently withdrawn, or the Director of Governance and Compliance certifies that they may be legally disregarded, to authorise the Director of Governance and Compliance to obtain the appropriate Certificate under Section 14A

of the Acquisition of Land Act 1981 enabling the Council to confirm the CPO as made.

- 3.10. Agree that in the event that relevant objections are received to the Orders (or any of them) and are not withdrawn, or that modifications are made to the Orders, to authorise the Director of Governance and Compliance to submit the Orders to the Secretary of State with a request that it be confirmed in the required form.
- 3.11. Agree that in the event that any Public Inquiry is convened to consider objections to the Orders (or any of them), authorise the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance to prepare and submit such evidence as is necessary in support of the Orders including enlisting the assistance of outside consultants and Counsel to assist in the preparation and presentation of such evidence.
- 3.12. Agree that as soon as the Orders (or any of them) have been confirmed and become operative, authorise the Director of Governance and Compliance to comply with all associated requirements in respect of personal and press notices and to make and give notice of a General Vesting Declaration under the Compulsory Purchase (Vesting Declarations) Act 1981 and/or Notices to Treat and Notices of Entry in respect of those properties to be acquired compulsorily.
- 3.13. Authorise the Head of Estates to negotiate terms and to acquire land and rights required for the Scheme by agreement and to instruct the Director of Governance and Compliance to negotiate and enter into the legal agreements necessary to complete such acquisitions including but not limited to licences, transfers, easements, deeds of release, land management agreements, settlement agreements and agreements entered into pursuant to Section 253 of the Highways Act 1980 for the purpose of mitigating any adverse effect which the construction, improvement, existence or use of the highway has or will have on the surrounding of the highway.
- 3.14. Authorise the Head of Estates to negotiate and approve the payment of any compensation and any relevant and reasonable professional fees incurred by landowners and others with compensatable interests in taking professional advice in connection with the acquisition of their interests required for the Scheme and to negotiate, approve and document by way of settlement or other legal agreement payment of all related compensation claims in advancing the development or implementation of the Scheme, including the

settlement of any claims made pursuant to Part 1 of the Land Compensation Act 1973.

- 3.15. Agree that in the event that any question of compensation in respect of such interests or rights is referred to the Upper Tribunal (Lands Chamber) for determination, to authorise the Director of Governance and Compliance to take all necessary steps in relation thereto including settlement of such proceedings if appropriate, advising on the appropriate uses and compensation payable and issuing the appropriate certificates and appointing Counsel (where required) to represent the Council in respect of any such reference.
- 3.16. Authorise the Council to enter into an agreement with Cheshire West and Chester Council pursuant to section 8 of the Highways Act 1980 facilitating the transfer of functions of Cheshire West and Chester Council's highway powers and duties in relation to that land which falls within the administrative boundary of Cheshire West and Chester Council and as is required for delivery of the Scheme.

#### **4. Reasons for Recommendations**

- 4.1. The acquisition of the land enables the Council to proceed with the development and delivery of the Scheme.
- 4.2. Acquiring the necessary land and rights by negotiation is preferable and the Council must be able to demonstrate by the time of the Public Inquiry that it has made all reasonable efforts in this regard. However, it may not be possible to conclude voluntary acquisitions with all affected parties and for all land title issues to be dealt within the funding window for this Scheme. Accordingly, the renewed authorisation of compulsory purchase action is sought so that the project programme can be maintained and to demonstrate the Council's intention to proceed with the Scheme. The Council will continue to make every effort to acquire by negotiation all necessary interests that are needed to deliver the Scheme (and will continue to do so in parallel to the compulsory purchase process), but it recognises that it may not be possible to agree terms for the acquisition of all interests. Without the acquisition of all interests, the delivery of the Scheme will be compromised.
- 4.3. The Scheme will require the acquisition of the freehold title to approximately 57.3 hectares of land (or thereabouts) and a further approximately 3.7 hectares of land over which new rights are to be created. The interests of 21 freeholds, 13 leaseholds and 8 (Subsoil) owners are affected. The Order Map will be available for inspection

by members at the meeting and a reduced size version is annexed to this report (Appendix A).

- 4.4. The land to be acquired is predominantly agricultural land. The Scheme does require the acquisition of one residential property, however this has been negotiated by agreement. The Scheme does not require the acquisition of land in any of the categories where land has to be provided in exchange, such as common land or public open space.
- 4.5. Some of the areas where the freehold interest is to be acquired is needed for ecological mitigation works necessary as a result of the Scheme and, subject to negotiation, it may be possible for the freehold interest to be retained by the land owners subject to the land owners entering into binding legal obligations with the Council providing for pre-agreed maintenance works to be undertaken by the land owner following construction of the Scheme.
- 4.6. Some of the areas where the freehold title is to be acquired to ensure delivery of the Scheme will not be required for the permanent works and, subject to negotiation, may be offered back to the current owners along with the payment of compensation in due course in accordance with the Crichel Down rules that guide how public authorities should dispose of land previously acquired by compulsory acquisition, or land acquired under the threat of compulsory purchase.
- 4.7. The SRO will authorise the stopping-up, diversion and creation of new lengths of highway or reclassification of existing highways and the CPO will include land that is required to enable the works authorised by the SRO to be carried out (Appendix B and C).
- 4.8. In addition, the SRO makes provision for the stopping-up of a number of private means of access to premises and agricultural land and the CPO makes provision for the acquisition of land and new rights to enable new, replacement private means of access to be provided as part of the Scheme.
- 4.9. The plans of the works and alterations to be authorised by the SRO will be available for inspection by Members at the meeting.
- 4.10. The land that is proposed to be acquired is the minimum considered to be reasonably required to achieve the selected design option for the Scheme.
- 4.11. In the event that the Scheme is not completed, traffic levels within Middlewich are expected to increase, causing increased levels of

congestion and environmental impacts. These consequences will adversely impact on local businesses and residents in terms of deteriorating convenience and reliability of travel, reduced visitor attractiveness and a diminution of commercial viability.

## **5. Other Options Considered**

### **5.1. Land Acquisition by Negotiation**

Land acquisition could be attempted solely by negotiation and subsequent agreement. However, relying on land acquisition by agreement alone does not guarantee that the land required for the Scheme will be secured and may delay delivery of the Scheme. As indicated above, it is intended to acquire the land for the Scheme by agreement where possible and to only use compulsory purchase powers as a last resort to support deliverability of the Scheme.

### **5.2. Cancel the Scheme**

If a decision is made to cancel the Scheme there will be no benefit from the Local Contribution spent to date (£4.1m up to end December 2019). Furthermore, the benefits derived from the Scheme will not be delivered.

## **6. Background**

6.1. The Council has developed a detailed design and obtained full planning permission for an earlier iteration of the Scheme under planning application reference 18/5833C.

6.2. As a result of the development of the Scheme, some changes to the original design have affected the land required for the Scheme as outlined below:

6.2.1. The re-design of the vertical alignment has resulted in a net reduction in land take for the Scheme. However, there is a small movement of the highway boundary to the east of the road between Cledford Lane and Pochin Way and this has resulted in an increase in land take at that location;

6.2.2. The changes to the vertical alignment have also resulted in significant changes to the drainage of the Scheme and attenuation pond locations and sizes have changed;

6.2.3. The overall saving to the Scheme from the re-design of the vertical alignment is expected to be in the region of £3,500,000;

- 6.2.4. At the southern end of the Scheme, negotiations with Network Rail for a temporary rail crossing during construction has revealed a requirement for a minor change to land required during construction.
- 6.3. To achieve the Scheme's current programme the Council has:
  - 6.3.1. Carried out negotiations with affected land owners to secure land required for the Scheme by agreement;
  - 6.3.2. Submitted a S73 application to vary the planning consent for the Scheme to affect the changes set-out in Section 6.2;
  - 6.3.3. Carried out survey works and preliminary designs that will eventually form part of a market-tested cost estimate for the main works which is required for inclusion in the Final Business Case (FBC). The FBC is to be submitted to Department for Transport in 2021, following confirmation of the CPO and SRO and a market tested target cost of the main works for the scheme being received, to obtain the Large Local Majors scheme grant funding;
  - 6.3.4. Undertaken advanced works to ensure ecological mitigations and utilities diversions are sufficiently progressed to enable the main works to commence on time;
  - 6.3.5. Undertaken negotiations to develop a suitable supply chain, including local companies as far as is possible, to ensure timely commencement of the main works.
- 6.4. The Council has appointed external solicitors to advise on and undertake the necessary CPO work including drafting the Statutory Orders required to deliver the Scheme, to advise the Council throughout any Public Inquiry process and to draft the notices required to confirm the Order and acquire the land needed for the Scheme as a result of the CPO process. Chartered surveyors have also been appointed to deal with negotiations on land acquisition by agreement with a view to securing all land necessary to deliver the Scheme by agreement.
- 6.5. The majority of the land required for the Scheme is under the control of four land principal landowners and the Council's appointed agents have received positive feedback from these land owners as to acquiring their interests on a voluntary basis.
- 6.6. Whilst acquisition by agreement will be pursued, initiating the CPO process over the third party land holdings required for the Scheme

affords greater certainty that the Scheme will proceed in the event that negotiations break down. This is in line with national guidance on the use of CPO powers set out in “Guidance on Compulsory Purchase Process and the Crichel Down Rules” (July 2019) (The Guidance).

- 6.7. Mitigation against the adverse effects of the construction and subsequent operation of the new highway will be subject to S253 agreements with the owners of land in the vicinity of the highway. These will provide for mitigation areas which will result in a net gain in biodiversity and ensure that suitable habitat and foraging areas are provided for key species including barn owl, lesser silver water beetle, badgers, bats, reptiles, amphibians. Areas of tree and shrub planting will also be secured to provide landscape screening and visual amenity. The intention is that the areas will be managed by the land owners according to arrangements set out in the agreements which will include detailed maintenance schedules approved by the local planning authority.
- 6.8. The current timetable anticipates that the CPO is made in 2020 subject to approval of the Section 73 application. The Secretary of State for Transport will consider whether the CPO should be confirmed and such confirmation may be considered following a public inquiry to deal with objections.
- 6.9. At the north end of the Scheme, close to Pochin Way and the A54 Salt Cellar Roundabout there is part of the proposed highway infrastructure that lies within the Cheshire West and Chester Council (“CWAC”) area. An agreement under Section 8 of the Highways Act 1980 is required with CWAC. This will enable Cheshire East to promote the Scheme and progress the CPO and SRO on behalf of both authorities.
- 6.10. A SRO will also be required as existing public highways will be subject to realignment and other changes at the northern and southern ends of the scheme on Pochin Way and A533 Booth Lane respectively. At Booth Lane, the junction with Tetton Lane will also be subject to change, leading to a change of private access to a number of residential properties and interests.
- 6.11. The residual funding for the scheme is expected to come from a combination of developer funding and Council contributions. It is the intention that proposed developments in the local area that will benefit from the Scheme will provide a financial contribution in section 106 agreements to the overall cost of the Scheme. A Cabinet



report paper recommending that the Council, in principle, underwrites any funding gap for the scheme has been approved by Cabinet.

## **7. Implications of the Recommendations**

### **7.1. Legal Implications**

- 7.1.1. In resolving to make a Compulsory Purchase Order and a Side Roads Order for the Scheme the Council would be proceeding under powers contained in the Highways Act 1980 authorising the compulsory purchase of land and the rights required to deliver the Scheme, together with improvements, stopping up of highways, rights of way and private means of access and providing replacement of private means of access.
- 7.1.2. Part XII of the Highways Act 1980 includes a number of CPO powers to support the delivery of highways. These include the following:
- 7.1.3. Section 239 of the 1980 Act pursuant to which the highway authority for the area may acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense, as well as any land required for the improvement of a highway.
- 7.1.4. Section 240 of the 1980 Act, pursuant to which the highway authority may acquire land required for use in connection with construction or improvement of a highway and the carrying out of a diversion or other works to watercourses.
- 7.1.5. Section 246 of the 1980 Act pursuant to which the highway authority can acquire land for the purpose of mitigating any adverse effect which the existence or use of a highway constructed or improved by them has or will have on the surroundings of the highway.
- 7.1.6. Section 249 of the 1980 Act prescribes distance limits from the highway for the acquisition of land for certain purposes.
- 7.1.7. Section 250 of the 1980 Act allows the highway authority to acquire rights over land, both by acquisition of those that are already in existence, and by the creation of new rights.
- 7.1.8. Section 260 authorises the clearance of the title to land already held by the Council and required for the scheme and which



might otherwise interfere with the Council's activities in exercising its statutory powers to construct the works.

- 7.1.9. The delivery of the Scheme will require the Council to make a CPO using the powers set out above.
- 7.1.10. According to the Guidance, compulsory purchase order should only be made where there is a compelling case in the public interest. Compulsory purchase powers are only to be used as a last resort and that the land proposed to be acquired should be the minimum considered to be reasonably required to achieve the selected design option.
- 7.1.11. In submitting the CPO to the Secretary of State for Transport for confirmation, the Council must demonstrate that there are no impediments to implementation of the CPO. To do so, the Council must provide substantive information as to the sources of funding available for both acquiring the land and implementing the Scheme for which the land is required.
- 7.1.12. The Council must also show that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation; including any need for planning permission or any other consent or licence and completion of an Agreement with Cheshire West and Chester Council to ensure that Cheshire East Council can exercise highway functions within the specified land within their area (see paragraph 7.1.15 below). In addition to the Guidance, guidance included in Department of Transport Circular 2/97 is also relevant to CPOs made under Highways Act powers. This provides that the Secretary of State for Transport will not confirm a CPO unless he is satisfied that planning permission has been granted.
- 7.1.13. An order under section 14 of the 1980 Act authorises a highway authority to stop up, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road. It also provides for the construction of new highways for purposes concerned with any such alterations or related purposes. Section 125 of the 1980 Act provides that a SRO may authorise the highway authority to stop up private means of access to premises and to provide new means of access to premises. In all instances where stopping up of either highway or private means of access is proposed, the Secretary of State must be satisfied that either no access to premises is reasonably required or that other reasonably convenient means

of access to the premises are available to the premises or will be provided.

7.1.14. Included as Appendix D is the draft of the statement of reasons that provide a detailed justification for the Orders and sets out why officers believe there is a compelling case in the public interest for making the CPO. Cabinet is requested to take into account the matters set out in the draft statement in coming to a decision on whether to authorise the use of CPO powers and proceed with the SRO's.

7.1.15. Section 8 of the Highways Act 1980 provides that local highway authorities may enter into agreements with an adjoining highway authority to transfer the functions of one highway authority to another and this includes the power to acquire land compulsorily.

7.1.16. In order to mitigate the adverse effects on the surroundings of a highway of its construction, improvement or use, Section 253 of the Highways Act 1980 authorises the Council as highway authority to enter into agreements with landowners of land adjoining or in the vicinity of the highway, restricting or regulating the use of that land either permanently or for a specified period.

7.1.17. The Council has powers to purchase land by agreement pursuant to s120 of the Local Government Act 1972.

## **7.2. Finance Implications**

7.2.1. The scheme has a £60.2m approved budget in the main capital programme, subject to confirmation of DfT Local Majors grant funding to the value of £46.8m.

7.2.2. The total requested contribution from the DfT is £48.0m which includes £1.2m for Outline Business Case (OBC) development.

7.2.3. The total local contribution is £12.2m which includes £ 4.0m prior year's expenditure, including £1.8m on the OBC.

7.2.4. As the project proceeds, there is a requirement for the Council to continue to forward fund the Scheme pending successful completion of the DfT Final Business Case. The Council's Medium Term Financial Strategy, as agreed at Full Council in February 2019, makes provision for this expenditure pending completion of the final business case.

- 7.2.5. A detailed cost estimate has been prepared by specialist engineering and property consultants. The following table summarises the main cost elements for the Scheme.

<b>Scheme Element</b>	<b>Estimated Outturn Costs</b> (2017 Q1 prices)
Prior years expenditure to develop the OBC	£1.8m
Construction incl. Preliminary works	£33.1m
Supervision costs	£2.0m
Land acquisition & Part 1 Claims	£5.3m
Statutory utilities	£0.8m
Design Fees	£5.3m
Inflation allowance	£4.2m
Risk Allowance	£7.7m
<b>Total</b>	<b>£60.2m</b>

- 7.2.6. The Scheme funding relies on local funding sources, referred to as the Local Contribution, secured from both the Council and third party (developer) sources. The following table summarises the funding sources.

<b>Funding Source</b>	<b>Value £</b> (2017 Q1 prices)
DfT Grant  (Including £1.2m received for OBC development)	£48.0m
Whole scheme local contribution  (Including £1.7m prior years for OBC development)	£12.2m
<b>Total Scheme costs</b>	<b>£60.2m</b>

- 7.2.7. The revised land requirements outlined in Sections 4 of this report amount to a relatively small change in the overall area of

land required for the Scheme. It is expected that there will only be limited changes to land costs with no direct impact on the affordability of the Scheme. Some of the proposed land changes will support construction cost savings which are anticipated to have a net financial benefit for the Scheme.

- 7.2.8. At this stage, £4.7m of S106 developer contributions have been secured through a S106 agreement (to be paid during the implementation of the development), with a further £1.4m expected from other developer contributions under future S106 agreements. The Council will however be required to both forward fund and underwrite the estimated level of developer contributions to the Scheme.
- 7.2.9. The funding strategy for the Scheme is to maximise the value of S106 contributions however, there is no guarantee that the developments will come forward or even if they do, that all predicted funding will be collected.
- 7.2.10. In the scenario where a Full Business Case is submitted but grant funding is not approved by Department for Transport and the Scheme cannot progress, the Council will be exposed to funding all the costs associated with the pre-construction works (in the order of £14m) to that point of scheme development, excluding the £1.2m provided by Department for Transport to develop the Outline Business Case. This decision is made at the Full Business Case stage, which is currently anticipated to be spring 2021.

### **7.3. Policy Implications**

- 7.3.1. In making the CPO, the Council must have regard to national policy, the development plan and other relevant local policy and guidance.
- 7.3.2. The relevant national planning policy is contained the National Planning Policy Framework and the relevant Development Plan, which comprises the Cheshire East Local Plan Strategy ("The Local Plan"). There is strong alignment between the priorities that have been defined at the local and sub-regional level, and those that underpin the Government's transport policy at a national level. This includes the need to build a strong and competitive economy, enhance connectivity and access to employment opportunities.

- 7.3.3. The need for the Scheme is clearly established in the Local Plan, identifying from the outset the need to improve transport connections to deliver the Local Plan, including the Scheme. There is also acknowledgement of the key contribution that infrastructure schemes play in supporting employment and the need to develop the infrastructure to ensure the sustainability of Midpoint 18. It is clear that the Scheme development and appraisal is consistent with another of the Government's core objectives: to provide value for money in the provision of major transport infrastructure.
- 7.3.4. A detailed analysis and consideration of the policy context is set out in the Statement of Reasons.
- 7.3.5. By providing connectivity to new and existing areas of Middlewich and additional highway capacity to relieve existing congestion and cater for additional traffic from development, the Scheme would support the Local Plan Strategy. The Scheme is thus considered to be in line with local policy and essential for the delivery of the future economic growth plans of Cheshire East Council.
- 7.3.6. Although the Scheme recently secured full planning consent under planning application reference 18/5833C, it will also be necessary to secure planning permission pursuant to the Section 73 application for the revised design.

#### **7.4. Equality Implications**

- 7.4.1. All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. This means that they must have 'due regard' or think about the need to:
  - 7.4.1.1. eliminate unlawful discrimination
  - 7.4.1.2. advance equality of opportunity between people who share a protected characteristic and those who don't
  - 7.4.1.3. foster or encourage good relations between people who share a protected characteristic and those who don't
- 7.4.2. Having 'due regard' means public authorities must consciously consider or think about the need to do the three things set out in the public sector equality duty.

- 7.4.3. In exercising their compulsory purchase and related powers (e.g. powers of entry and powers to make side road orders) acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.
- 7.4.4. To date, equality implications have been considered in the options appraisal and are incorporated into the Outline Business Case. An Equalities Impact Assessment was prepared to accompany the planning application for the Scheme and was considered in determining to grant planning permission.
- 7.4.5. Turning to the exercise of compulsory purchase powers, it should be noted that a significant area of land close to, though not within, the CPO boundary is owned and occupied by members of the Gypsy & Traveller communities. In implementing this Scheme and exercising the powers necessary for delivery it is not considered that any group with protected characteristics are adversely affected when it comes to the application of the Equality Duty.
- 7.4.6. Having said this, in progressing the Orders and carrying out any further consultations the Council will take into account the needs of persons with protected characteristics and the requirements of the Equality Duty.

## **7.5. Human Rights Implications**

- 7.5.1. In deciding whether to proceed with the CPO and SRO, Members will need to consider the Human Rights Act 1998 and Article 1 of the First Protocol and Article 8 to the European Convention on Human Rights.
- 7.5.2. Article 1 protects the rights of everyone to the peaceful enjoyment of their possessions. No person can be deprived of their possessions except in the public interest and subject to national and international law.
- 7.5.3. Article 8 protects private and family life, the home and correspondence. No public authority can interfere with this interest except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of the country.
- 7.5.4. Members will need to balance whether the exercise of these powers are compatible with the European Convention on Human Rights. In weighing up the issues it is considered that

the acquisition of land which will bring benefits to the residents and businesses that could not be achieved by agreement and this outweighs the loss that will be suffered by existing landowners. The CPO and SRO will follow existing legislative procedures.

- 7.5.5. All parties have the right to object to the making of the Orders and attend a public inquiry arranged by the Secretary of State. Parties not included in the CPO may be afforded that right to make representations to the inquiry if the inspector agrees.
- 7.5.6. The decision of the Secretary of State can be challenged in the High Court, an independent tribunal, for legal defects. Those whose land is acquired will receive compensation based on the Land Compensation Code and should the quantum of compensation be in dispute the matter can be referred to the Upper Tribunal (Lands Chamber) for independent and impartial adjudication.
- 7.5.7. The Courts have held that this framework complies with the Convention on Human Rights. Accordingly, officers are of the view that a decision to proceed with the recommendation on the basis that there is a compelling case in the public interest would be compatible with the Human Rights Act 1998 and any interference with individual rights is justified having regard to the purposes of the acquisition.

#### **7.6. Human Resources Implications**

- 7.6.1. It shall be necessary to ensure that sufficient resource is allocated in Estates, Highways, Legal, and Planning Services to support delivery of the Scheme. If additional temporary resources are required these will be met from the project budget.

#### **7.7. Risk Management Implications**

- 7.7.1. Key risks to the Council continue to relate to the affordability of the Scheme and this will be addressed through the continued development of the funding strategy.
- 7.7.2. The Council will be required to accept all responsibility for cost increases beyond the cost envelope provided within Section 7.2 (Financial Implications).

- 7.7.3. Until the point at which Department for Transport make their final investment decision based on the Final Business Case, any Council funding of Scheme development is at risk.
- 7.7.4. A Planning Application made pursuant to Section 73 TCPA 1990 reflecting the revisions to scheme has been submitted and this is under consideration by the planning authority. As indicated in the Legal Implications Section above, the Secretary of State's policy is not to confirm the CPO before planning approval is granted.
- 7.7.5. Significant utility infrastructure crosses the Scheme, such as Scottish Power Energy Networks 33kV overhead lines. An initial cost estimate, including risk, is included in the overall Scheme Cost Estimate, but further work is required to confirm those estimates, and to understand the requirements of the utility companies as Statutory Undertakers.
- 7.7.6. The Council will be required to forward fund the whole of the local contribution and to underwrite third party contributions expected through S106 agreements, as developer contributions may take many years to collect. The current estimate of funding from S106 agreements is as stated in Paragraph 7.2.8, based on developments that could be released by the Scheme as set out in the Local Plan Strategy. The funding strategy for the Scheme is to maximise the value of S106 contributions however, there is no guarantee that these developments will come forward or even if they do, that all predicted funding will be collected.
- 7.7.7. Should the Scheme not be completed Middlewich will continue to be a congestion constraint for traffic travelling east to west between M6 and Chester and north to south between Northwich to Crewe. The development of employment site Mid-Point 18 will also be constrained with consequent impacts on economic development and job creation.

## **7.8. Rural Communities Implications**

- 7.8.1. As the Scheme is to be primarily constructed within the boundaries of Local Plan housing allocations, it will not introduce any new severance of existing farms or communities which would not occur in any event once the allocations are brought forward for development. There are limited requirements for land outside of the allocations and



negotiations are ongoing in respect to securing the affected land parcels on a voluntary negotiated basis.

- 7.8.2. The scheme would directly affect four Public Rights of Way (PRoW), one Regional Cycle Route and one Long Distance Path, as well as the wider road network resulting in a short-term disruption for non-motorised users (NMUs). The adverse effects on NMUs would be reduced with mitigation and once the scheme is operational, the overall effect of the scheme on NMUs would be insignificant beneficial as a result of the additional footway and cycleways included in the scheme design.
- 7.8.3. There may be some impact during the construction phase on the local road network as new roundabouts are constructed on Pochin Way and Booth Lane (A533). The Scheme shall be constructed 'offline' as much as possible to maintain connectivity during construction.
- 7.8.4. The scheme planning applications provide a comprehensive Environmental Assessment which takes into account the effect on the rural community. This assessment will include impacts such as noise, air quality, visual impact plus the Scheme's effects of Public Rights of Way and non-motorised users i.e. pedestrians, cyclists and equestrians.

#### **7.9. Implications for Children & Young People /Looked After Children**

- 7.9.1. The Delivery Agreement included a comprehensive framework to capture local Social and Community Value throughout the project. Opportunities to engage with local schools and colleges will arise as the Scheme progresses for education and training purposes. The means by which young people can be encouraged to participate in the consultation process will be considered as part of the Consultation and Engagement Plan.

#### **7.10. Public Health Implications**

- 7.10.1. The public health implications of the Scheme were considered during planning through preparation of an Environmental Assessment to accompany the planning application. Cheshire East Council's Environmental Health team were consulted and raised no objections in relation to Noise, Air Quality and Contaminated Land subject to conditions.

- 7.10.2. The Scheme will have environmental benefits, through reducing traffic congestion, improving travel times and reliability and encouraging multi modal forms of transport such as cycling and walking.

#### **7.11. Climate Change Implications**

- 7.11.1. The proposed scheme has been subject to a comprehensive Environmental Appraisal as part of the statutory planning process. This has demonstrated the wider environmental and ecological impact of the bypass and the actions, necessary steps and responsibilities for implementing mitigation.
- 7.11.2. Climate change implications are considered and reported upon in the Environmental Statement and apply particular focus to flood risk, biodiversity and ecological networks, and greenhouse gas emissions. The scheme maintains coherent ecological networks and generates biodiversity nett gain. Flood risk to properties is not made worse by the scheme, and the scheme is designed to not be impacted by floods with an annual probability of occurrence of 1% with additional allowances for more severe flooding consistent with nationally adopted guidance. The increase in carbon as a result of the scheme compared to UK National Emissions shows that overall it forms a very small contribution to carbon.
- 7.11.3. Cheshire East Council and Cheshire West & Chester Council, as the relevant local planning authorities will be required to consent to the S73 application to vary planning consent 18/5833C to affect the changes set-out in Section 6.2;
- 7.11.4. The proposed Scheme is embedded in the Local Plan Strategy, which has been subject to Examination in the Public by the Planning Inspectorate. The Local Plan has been deemed to be a robust plan for sustainable development across the borough. The scheme contributes to this overall plan for sustainable growth in Cheshire East by enabling growth through improved connectivity and reducing adverse impacts of traffic and travel.

#### **8. Ward Members Affected**

- 8.1. The strategic nature of the scheme will mean that journeys from multiple wards will be affected.
- 8.2. Middlewich and Brereton Rural wards are affected;
- Cllr M Hunter

- Cllr C Bulman
- Cllr J Parry
- Cllr J Wray

## **9. Consultation & Engagement**

- 9.1. The scheme currently has Planning Permission under planning permission reference 18/5833C and an Engagement Exercise was carried out as part of the pre-planning process.

## **10. Access to Information**

- 10.1. The background papers relating to this report can be inspected by contacting the report writer.

## **11. Contact Information**

- 11.1. Any questions relating to this report should be directed to the following officer:

Name: Chris Hindle

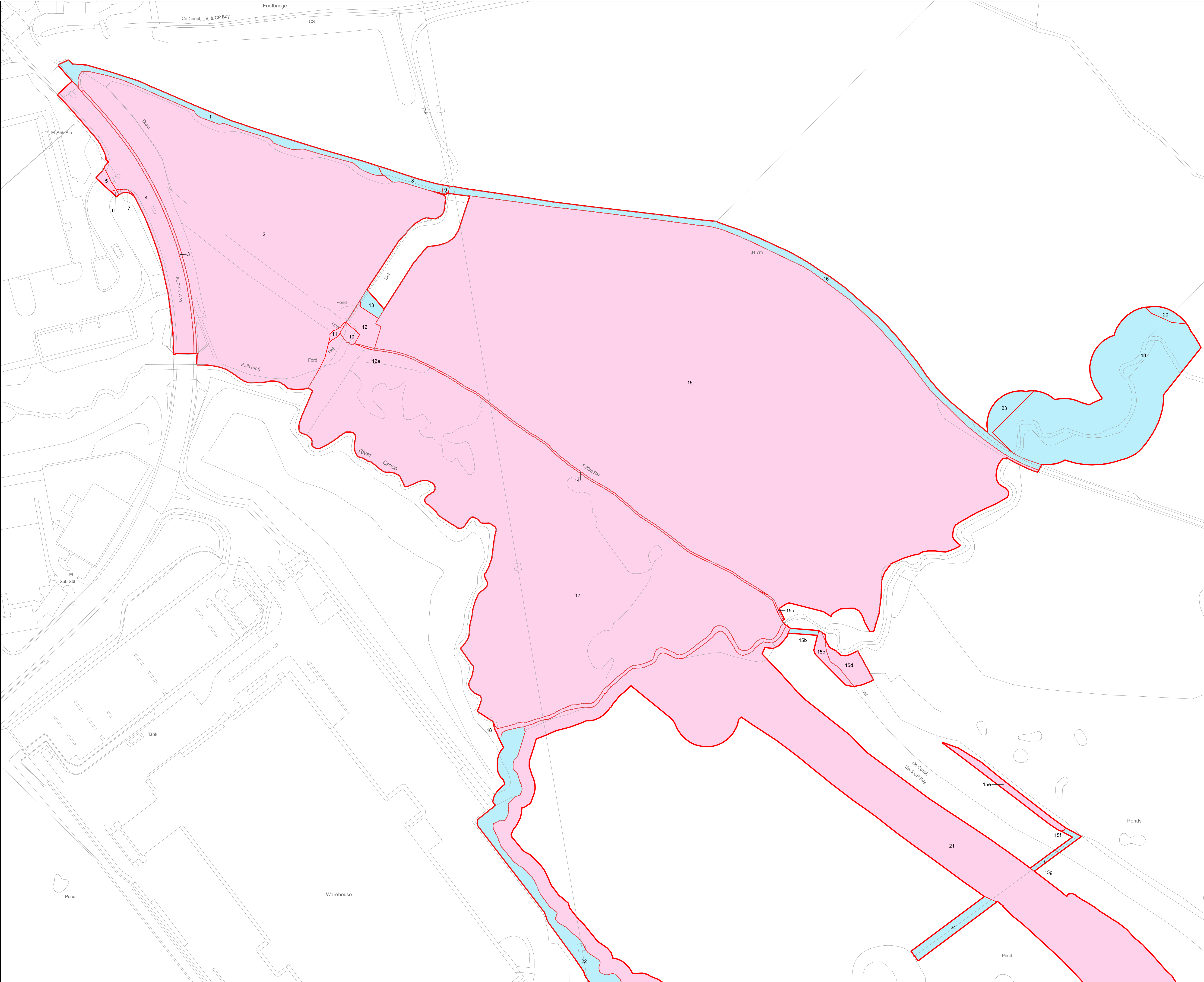
Job Title: Head of Infrastructure

Email: [chris.hindle@cheshireeast.gov.uk](mailto:chris.hindle@cheshireeast.gov.uk)

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**Designer**

**Project**

MIDDLEWICH EASTERN BYPASS

**Drawing Title**

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(MIDDLEWICH EASTERN BYPASS)  
COMPULSORY PURCHASE ORDER 2020  
SHEET 1 OF 6

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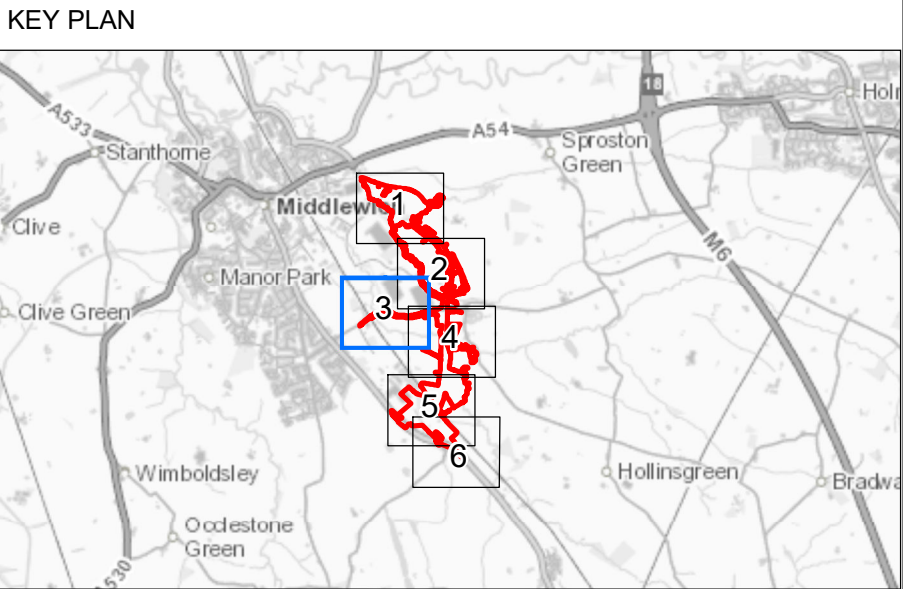
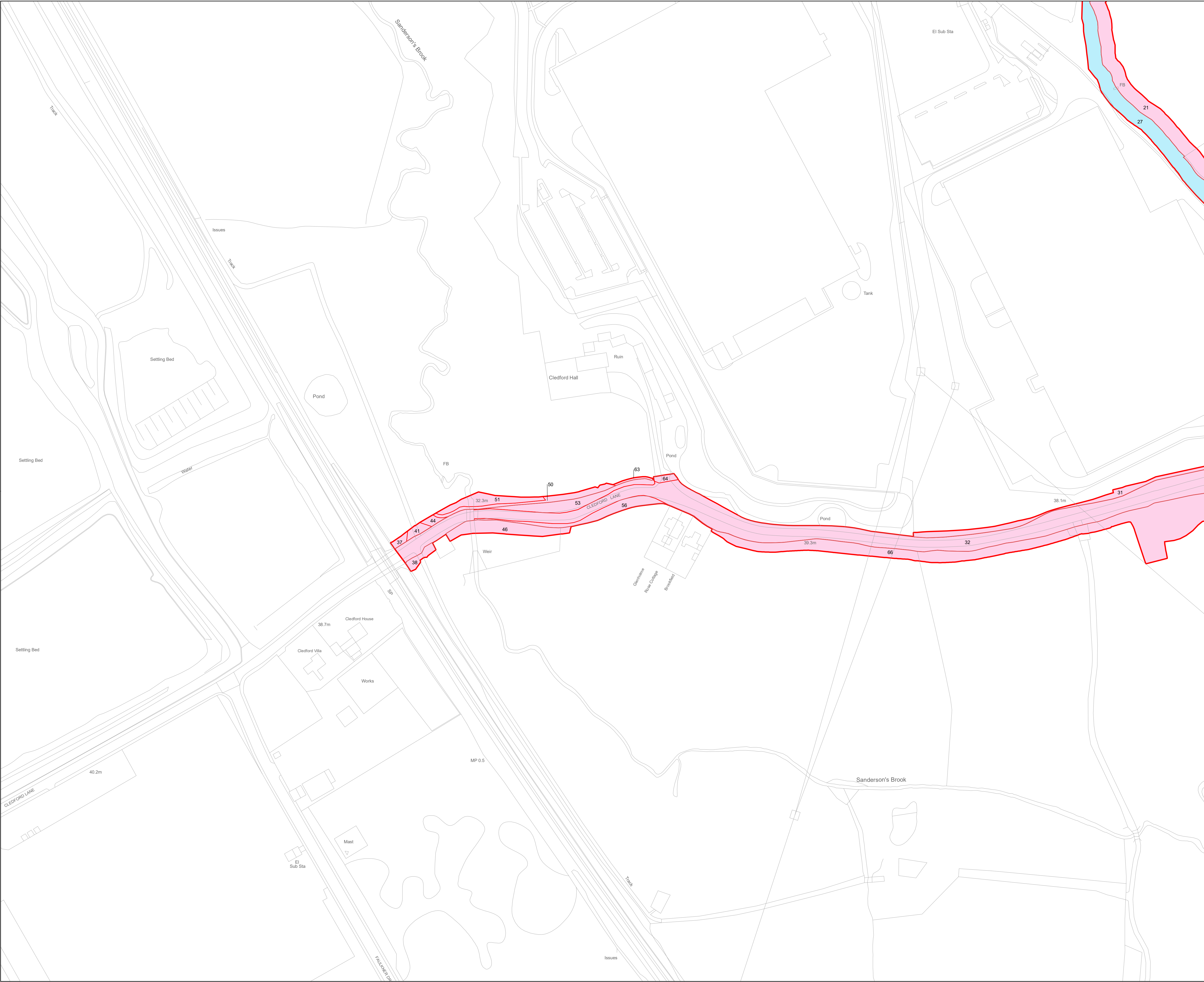
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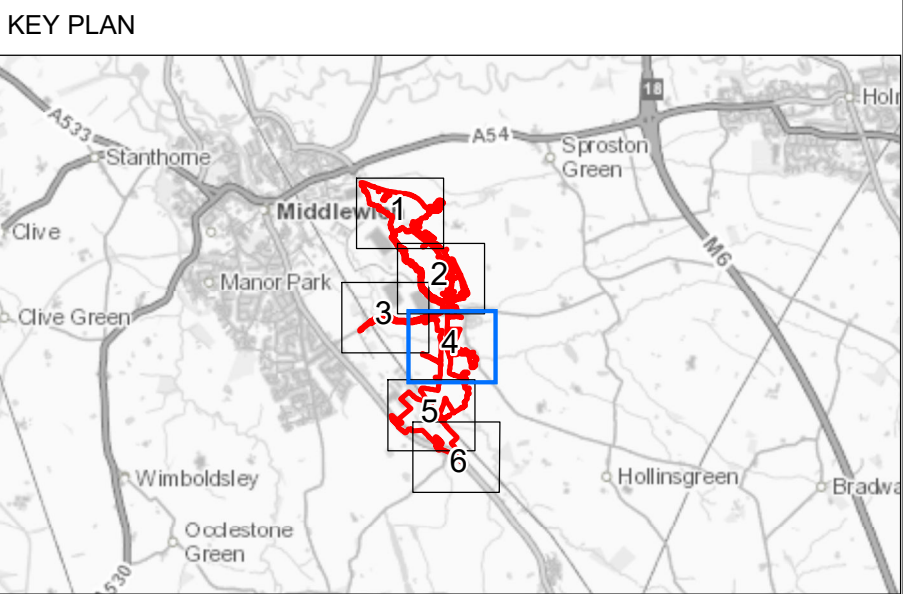
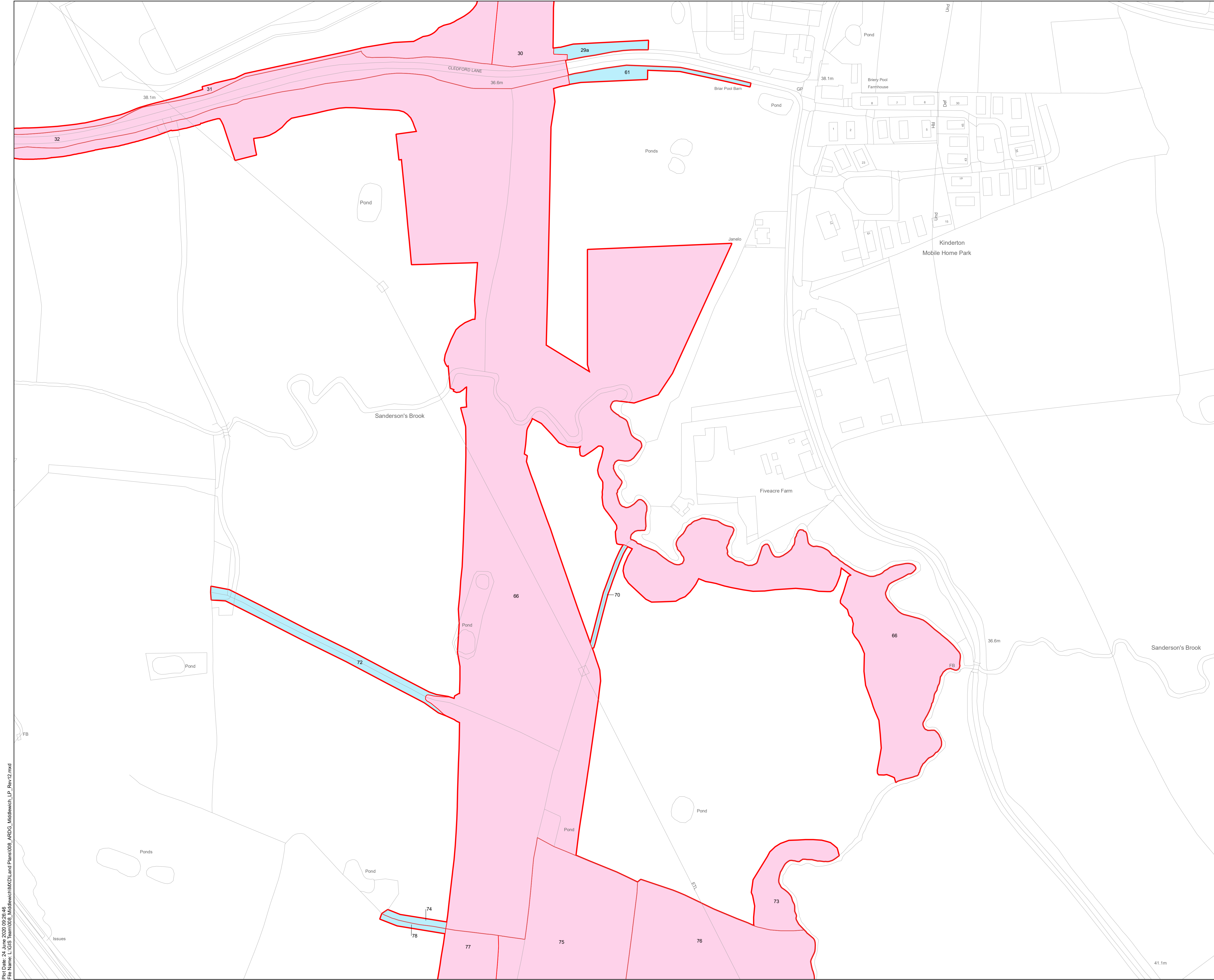
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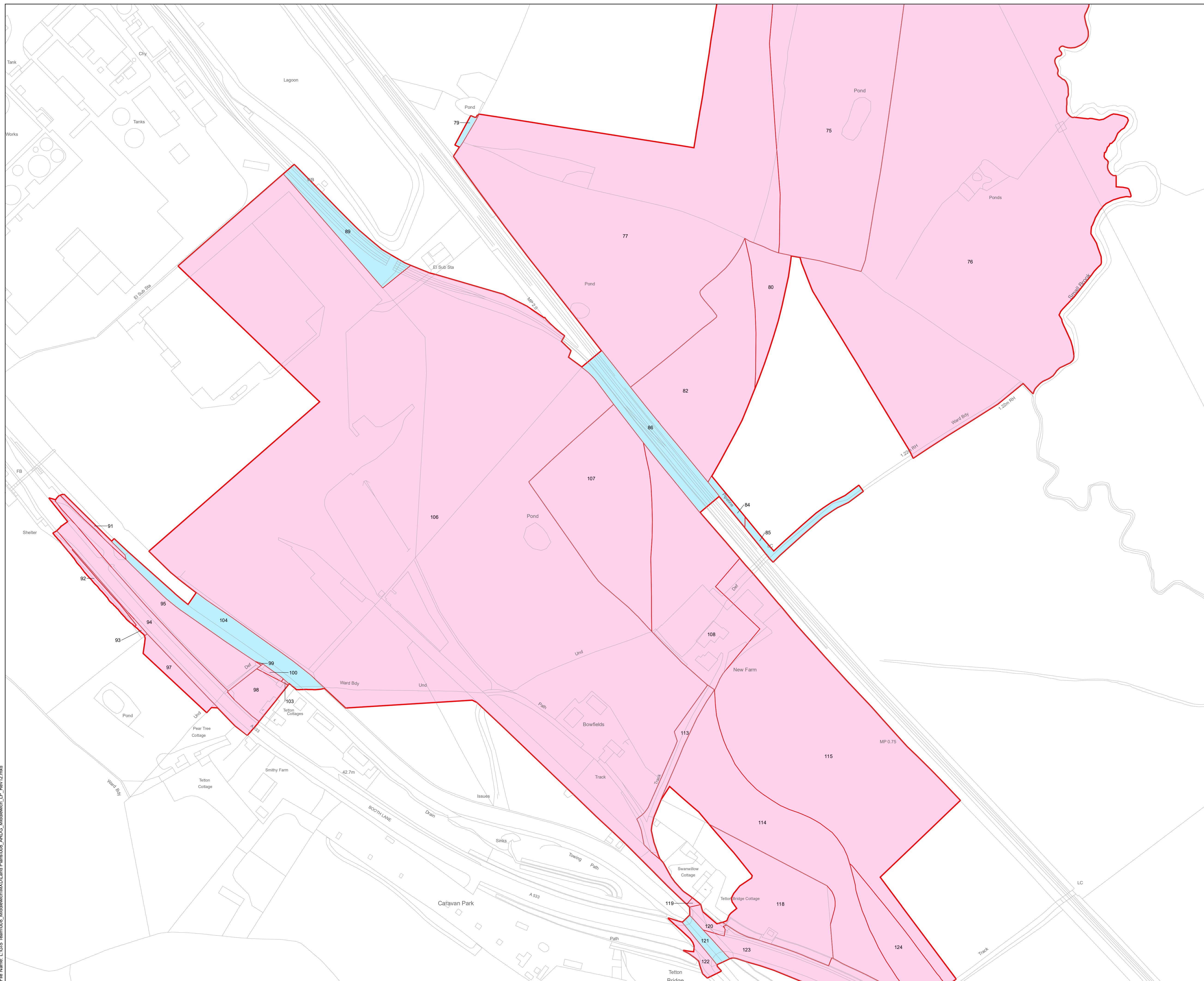
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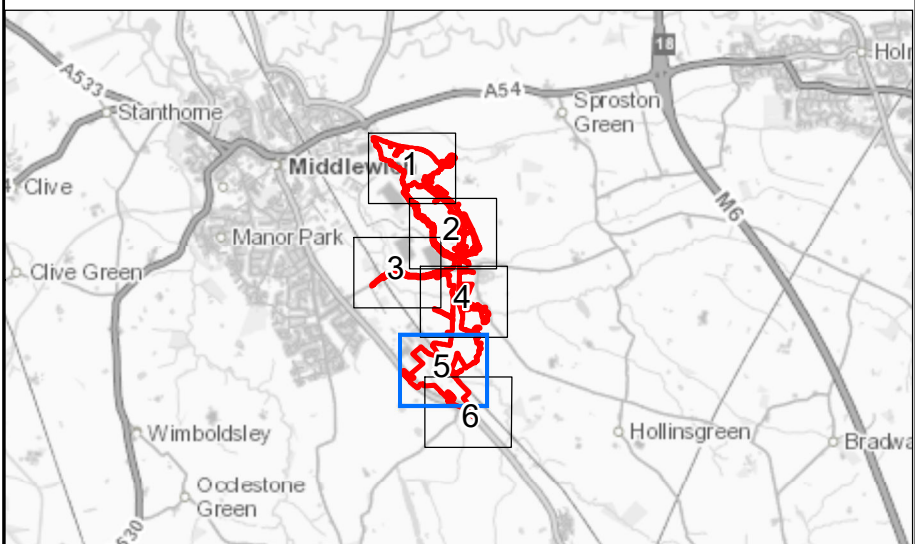
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Client



Designer



Project

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Drawing Title

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COMPULSORY PURCHASE ORDER 2020  
SHEET 5 OF 6

Status  
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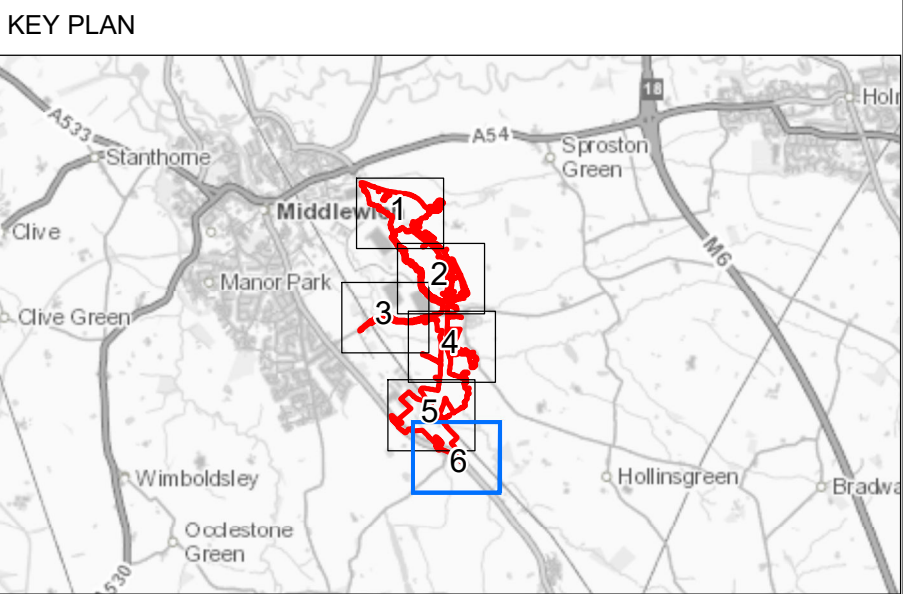
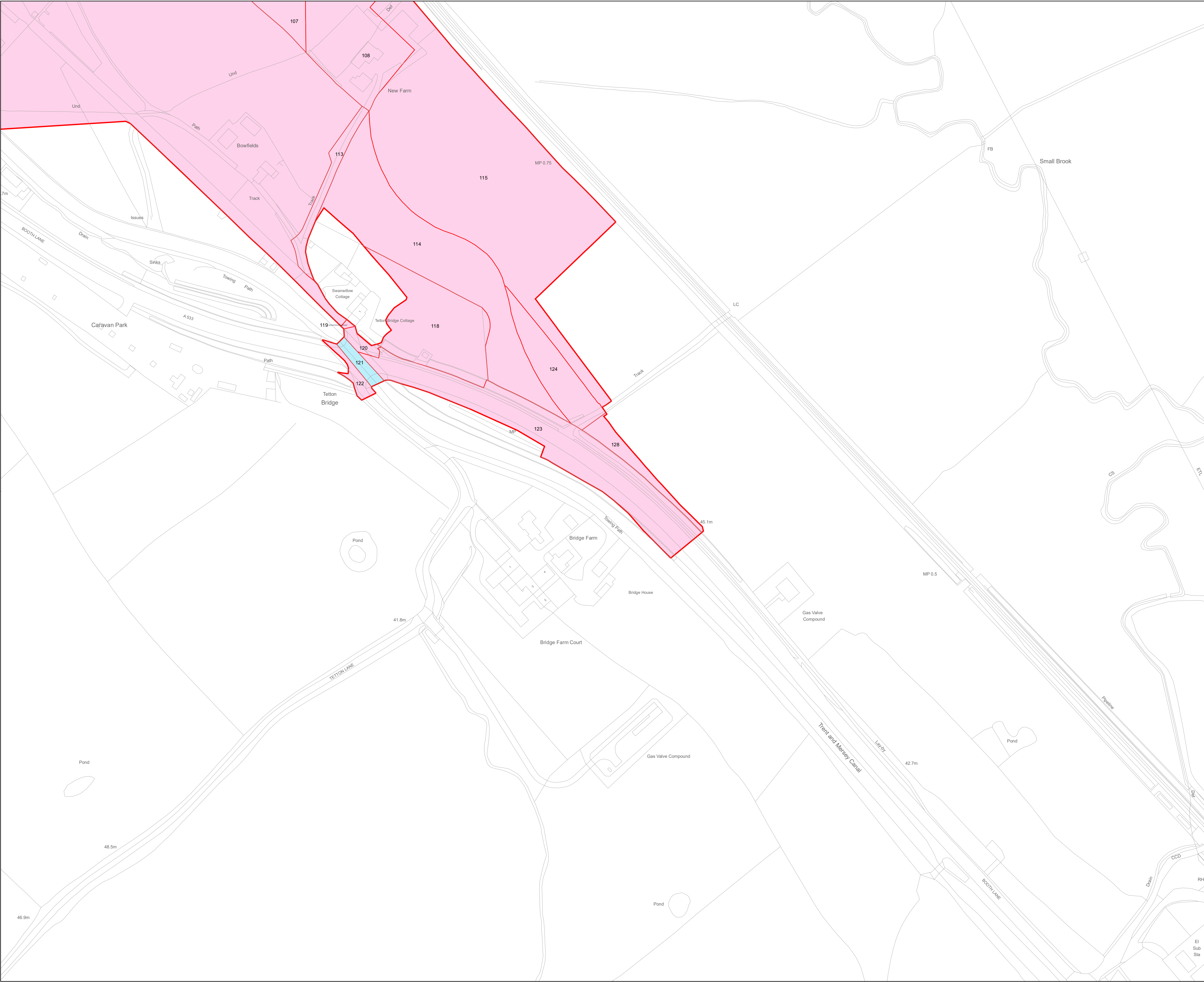
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Project

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SHEET 6 OF 6**

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# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
1	The right to <b>[insert right here]</b> over approximately 1065 square metres of private track; east of Pochin Way and south of Verity Court <i>Cheshire East Council</i>	Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH657349)</b> (excluding mines and minerals)  Unknown (in respect of mines and minerals)	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH658454)</b>	-	Unknown / Unoccupied
2	All interests in approximately 26246 square metres of agricultural land and public footpath (Middlewich 22); east of Pochin Way and south of Verity Court except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH657349)</b> (excluding mines and minerals over part)  Unknown (in respect of mines and minerals over part)	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH658454)</b>	-	Unknown / Unoccupied  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (in respect of public footpath (Middlewich 22))

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
3	All interests in approximately 386 square metres of public highway (Pochin Way) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH657349)</b>  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (as highway authority)	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH658454)</b>	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (as highway authority)
4	All interests in approximately 3206 square metres of public highway (Pochin Way) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH612129 and CH319319)</b> (excluding mines and minerals)	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (as highway authority)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
4 (cont'd)		<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>			

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
5	All interests in approximately 94 square metres of private access road (Pochin Way) <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH319319)</b> (excluding mines and minerals)</p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	-	-	<p>Optima Logistics Limited Pochin Way Middlewich CW10 0TE (Co. Reg. 07116811)</p> <p>The Optima Logistics Foundation Limited Pochin Way Middlewich CW10 0TE (Co. Reg. 07124248)</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
5 (cont'd)		Unknown <i>(in respect of mines and minerals)</i>			
6	All interests in approximately 14 square metres of private access road (Pochin Way) <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH319319)</b> <i>(excluding mines and minerals)</i></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p>	<p>Optima Logistics Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07116811)</i> <b>(CH637184)</b></p> <p>The Optima Logistics Foundation Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07124248)</i> <b>(CH637184)</b></p> <p>CIFV V – GB1B02 LLC C/O Savills LLP Innovation Court 121 Edmund Street Birmingham B3 2HJ <b>(CH459335)</b></p>	-	<p>Optima Logistics Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07116811)</i></p> <p>The Optima Logistics Foundation Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07124248)</i></p>



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
6 (cont'd)		<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>			
7	All interests in approximately 21 square metres of public highway (Pochin Way) except those owned by the Acquiring Authority Cheshire East Council	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH319319)</b> <i>(excluding mines and minerals)</i></p>	<p>Optima Logistics Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07116811)</i> <b>(CH637184)</b></p> <p>The Optima Logistics Foundation Limited Pochin Way Middlewich CW10 0TE <i>(Co. Reg. 07124248)</i> <b>(CH637184)</b></p>	-	<p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p>



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
7 (cont'd)		<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	<p>CIFV V – GB1B02 LLC C/O Savills LLP Innovation Court 121 Edmund Street Birmingham B3 2HJ <b>(CH459335)</b></p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
8	The right to <b>[insert right here]</b> over approximately 265 square metres of private track and verge; east of Pochin Way and south of Holmes Chapel Road, A54 <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP
9	The right to <b>[insert right here]</b> over approximately 24 square metres of private track and verge; east of Pochin Way and south of Holmes Chapel Road, A54 <i>Cheshire East Council</i>	Stephen Lea Kinderton Hall Byley Lane Middlewich CW10 9LH <b>(CH168886)</b> <i>(excluding mines and minerals)</i>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
9 (cont'd)		<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <i>(as reputed owner)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>			
10	<p>All interests in approximately 124 square metres of wooded areas and public footpath (Middlewich 22); east of Pochin Way and north of River Croco except those owned by the Acquiring Authority <i>Cheshire West and Chester Council</i></p>	<p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH339537)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	-	-	<p>Unknown / Unoccupied</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Middlewich 22))</i></p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
11	All interests in approximately 52 square metres of agricultural land; east of Pochin Way and north of River Croco <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH612129)</b> (excluding mines and minerals)</p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
11 (cont'd)		Unknown <i>(in respect of mines and minerals)</i>			
12	All interests in approximately 449 square metres of woodland; east of Pochin Way and north of River Croco <i>Cheshire West and Chester Council</i>	<p>Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 00740515)</i> <b>(In Administration)</b> <b>(CH351514)</b> <i>(excluding mines and minerals)</i></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
12 (cont'd)		Unknown <i>(in respect of mines and minerals)</i>			
12a	All interests in approximately 14 square metres of woodland; east of Pochin Way and north of River Croco <i>Cheshire East Council</i>	<p>Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 00740515)</i> <b>(In Administration)</b> <b>(CH351514)</b> <i>(excluding mines and minerals)</i></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
12a (cont'd)		Unknown <i>(in respect of mines and minerals)</i>			
13	The right to <b>[insert right here]</b> over approximately 179 square metres of woodland; east of Pochin Way and north of River Croco <i>Cheshire West and Chester Council</i>	<p>Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 00740515)</i> <b>(In Administration)</b> <b>(CH351514)</b> <i>(excluding mines and minerals)</i></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
13 (cont'd)		Unknown <i>(in respect of mines and minerals)</i>			
14	All interests in approximately 402 square metres of hedgerow; east of Pochin Way and west of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15	All interests in approximately 74856 square metres of agricultural land, hedgerows, public footpath (Sproston 4X), river (River Croco) and overhead electricity cables; east of Pochin Way and west of Kinderton Lodge except those owned by the Acquiring Authority <i>Cheshire West and Chester Council</i>	<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of River Croco)</i></p>	-	-	<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Sproston 4X))</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of River Croco)</i></p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of overhead electricity cables)</i></p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15a	All interests in approximately 32 square metres of hedgerow; east of Pochin Way and north of River Croco <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15b	The right to <b>[insert right here]</b> over approximately 63 square metres of agricultural land; south of River Croco and west of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15c	All interests in approximately 237 square metres of agricultural land; south of River Croco and west of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15d	All interests in approximately 460 square metres of agricultural land; south of River Croco and west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15e	All interests in approximately 433 square metres of agricultural land; south east of River Croco and south west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15f	The right to <b>[insert right here]</b> over approximately 85 square metres of agricultural land and hedgerow; south east of River Croco and south west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15g	The right to <b>[insert right here]</b> over approximately 67 square metres of hedgerow; south east of River Croco and south west of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15h	The right to <b>[insert right here]</b> over approximately 88 square metres of hedgerow; south east of River Croco and south of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15i	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15j	All interests in approximately 5572 square metres of agricultural land and hedgerow; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15k	All interests in approximately 70 square metres of agricultural land and hedgerow; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15l	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15m	The right to <b>[insert right here]</b> over approximately 241 square metres of hedgerow; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15n	The right to <b>[insert right here]</b> over approximately 28 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15o	All interests in approximately 1542 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15p	The right to <b>[insert right here]</b> over approximately 35 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15q	All interests in approximately 510 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
15r	The right to <b>[insert right here]</b> over approximately 30 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
15s	All interests in approximately 2329 square metres of agricultural land; south of Kinderton Lodge and north of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
16	The right to <b>[insert right here]</b> over approximately 2043 square metres of private track, river (River Croco) and overhead electricity cables; east of Pochin Way and west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of River Croco)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of River Croco)</i>  SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of overhead electricity cables)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
17	All interests in approximately 36330 square metres of agricultural land, wooded areas, public footpath (Middlewich 22), pylon and overhead electricity cables; east of Pochin Way and west of Kinderton Lodge except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH339537)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Unknown / Unoccupied  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Middlewich 22))</i>  SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of pylon and overhead electricity cables)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
18	All interests in approximately 694 square metres of river and overhead electricity cables (River Croco) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Environment Agency Horizon House Bristol BS1 5AH</p> <p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <i>(in respect of riparian rights)</i></p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of riparian rights)</i></p>	-	-	<p>Environment Agency Horizon House Bristol BS1 5AH</p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of overhead electricity cables)</i></p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
19	The right to <b>[insert right here]</b> over approximately 8114 square metres of agricultural land and river (River Croco); east of Pochin Way and north west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	<p>Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co. Reg. 04710984) <b>(CH577823)</b> (excluding mines and minerals)</p> <p>Unknown (in respect of mines and minerals)</p> <p>Environment Agency Horizon House Bristol BS1 5AH (in respect of River Croco)</p>	<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH579218)</b></p> <p>Andrew Michael Willis Briar Pool Farm Cledford Lane Middlewich CW10 0JS <b>(CH579218)</b></p> <p>Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co. Reg. 04710984) <b>(CH578828)</b></p> <p>Kinderton LLP c/o Cory Environmental (central) Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. OC318802) <b>(CH598137)</b></p>	-	<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ</p> <p>Andrew Michael Willis Briar Pool Farm Cledford Lane Middlewich CW10 0JS</p> <p>Environment Agency Horizon House Bristol BS1 5AH (in respect of River Croco)</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
20	The right to <b>[insert right here]</b> over approximately 158 square metres of agricultural land and hedgerow; east of Pochin Way and north west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
21	All interests in approximately 57179 square metres of agricultural land, hedgerows, public footpath (Middlewich 19), pylon and overhead electricity cables; north of Cledford Lane and east of Erf Way except those owned by the Acquiring Authority <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Middlewich 19))</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
21 (cont'd)					SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) (in respect of pylon and overhead electricity cables)
22	The right to <b>[insert right here]</b> over approximately 3410 square metres of woodland, pylon and overhead electricity cables; east of Erf Way and south west of Kinderton Lodge <i>Cheshire East Council</i>	Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 00740515) <b>(In Administration)</b> <b>(CH199752 and CH340791)</b> (excluding mines and minerals)  Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Developments Limited)	Tesco Stores Limited Tesco House Shire Park Kestrel Way Welwyn Garden City AL7 1GA (Co. Reg. 00519500) <b>(CH351536)</b>  Tesco Property (Nominees) (No. 3) Limited Tesco House Shire Park Kestrel Way Welwyn Garden City AL7 1GA (Co. Reg. 05349394) <b>(CH526307 and CH535950)</b>	B & M Retail Limited The Vault Dakota Drive Estuary Commerce Park Speke Liverpool L24 8RJ (Co. Reg. 01357507)	B & M Retail Limited The Vault Dakota Drive Estuary Commerce Park Speke Liverpool L24 8RJ (Co. Reg. 01357507)  SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) (in respect of pylon and overhead electricity cables)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
22 (cont'd)		<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Developments Limited)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	<p>Tesco Property (Nominees) (No. 4) Limited Tesco House Shire Park Kestrel Way Welwyn Garden City AL7 1GA <i>(Co. Reg. 05349395)</i> <b>(CH526307 and CH535950)</b></p> <p>Tesco Distribution Limited Tesco House Shire Park Kestrel Way Welwyn Garden City AL7 1GA <i>(Co. Reg. 02972724)</i> <b>(CH526308)</b></p>		
23	The right to <b>[insert right here]</b> over approximately 446 square metres of agricultural land; east of Pochin Way and west of Kinderton Lodge <i>Cheshire West and Chester Council</i>	<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
24	The right to <b>[insert right here]</b> over approximately 541 square metres of hedgerow; east of Pochin Way and south west of Kinderton Lodge <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ
25	The right to <b>[insert right here]</b> over approximately 94 square metres of hedgerow; east of Erf Way and north west of Briar Pool Farm <i>Cheshire East Council</i>	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH191605)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
26	The right to <b>[insert right here]</b> over approximately 2831 square metres of agricultural land; north of Erf Way and south west of Kinderton Lodge <i>Cheshire East Council</i>	Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH657975)</b>	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH658842)</b>	-	Unknown / Unoccupied
27	The right to <b>[insert right here]</b> over approximately 5167 square metres of agricultural land and public footpath (Middlewich 19); east of Erf Way and west of Briar Pool Farm except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH454459)</b>  Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Caprev Middlewich Limited 4th Floor St Paul's Gate 22-24 New Street St Helier Jersey JE1 4TR (Co. Reg. (Jersey) 114530) <b>(CH554068)</b>  Go Outdoors Limited Cuthbert House Arley Street Sheffield S2 4QP (Co. Reg. 03513318)	-	Caprev Middlewich Limited 4th Floor St Paul's Gate 22-24 New Street St Helier Jersey JE1 4TR (Co. Reg. (Jersey) 114530)  Go Outdoors Limited Cuthbert House Arley Street Sheffield S2 4QP (Co. Reg. 03513318)  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (in respect of public footpath (Middlewich 19))

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 1

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
		Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>			
28	All interests in approximately 12 square metres of hedgerows; north of Cledford Lane <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown
29	The right to <b>[insert right here]</b> over approximately 1211 square metres of agricultural land; south east of Erf Way and west of Briar Pool Farm <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
29a	The right to <b>[insert right here]</b> over approximately 482 square metres of agricultural land; south east of Erf Way and west of Briar Pool Farm <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Unknown / Unoccupied
30	All interests in approximately 4727 square metres of agricultural land and wooded area; south east of Erf Way and west of Briar Pool Farm <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
31	All interests in approximately 3716 square metres of agricultural land and overhead electricity cables; south east of Erf Way and west of Briar Pool Farm <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH454459)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Caprev Middlewich Limited 4th Floor St Paul's Gate 22-24 New Street St Helier Jersey JE1 4TR (Co. Reg. (Jersey) 114530) <b>(CH554068)</b></p> <p>Go Outdoors Limited Cuthbert House Arley Street Sheffield S2 4QP (Co. Reg. 03513318)</p>	-	<p>Caprev Middlewich Limited 4th Floor St Paul's Gate 22-24 New Street St Helier Jersey JE1 4TR (Co. Reg. (Jersey) 114530)</p> <p>Go Outdoors Limited Cuthbert House Arley Street Sheffield S2 4QP (Co. Reg. 03513318)</p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) (in respect of overhead electricity cables)</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
32	All interests in approximately 9810 square metres of public footpath (Middlewich 20), public highway and overhead electricity cables (Cledford Lane) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority and in respect of subsoil)</i></p> <p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <i>(in respect of subsoil fronting agricultural land)</i></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p>	-	-	<p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority and in respect of public footpath (Middlewich 20))</i></p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of overhead electricity cables)</i></p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
32 (cont'd)		<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <i>(in respect of subsoil fronting agricultural land)</i></p> <p>Gary Paul Norbury Broad Lane Farm Broad Lane Sproston Crewe CW4 7LT <i>(in respect of subsoil fronting Rose Cottage, Cledford Lane)</i></p>			

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
32 (cont'd)		<p>Carol Anne Norbury Broad Lane Farm Broad Lane Sproston Crewe CW4 7LT <i>(in respect of subsoil fronting Rose Cottage, Cledford Lane)</i></p> <p>Kenneth Sidney Roden Brookfield Cledford Lane Middlewich CW10 0HJ <i>(in respect of subsoil fronting Brookfield, Cladford Lane)</i></p> <p>Margaret Florence Roden Brookfield Cledford Lane Middlewich CW10 0JR <i>(in respect of subsoil fronting Brookfield, Cladford Lane)</i></p>			



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
32 (cont'd)		<p>Kenneth John Todd Edgefields Cledford Lane Middlewich CW10 0JR <i>(in respect of subsoil fronting Edgefields, Cledford Lane)</i></p> <p>Diane Peach Edgefields Cledford Lane Middlewich CW10 0JR <i>(in respect of subsoil fronting Edgefields, Cledford Lane)</i></p>			
33 to 36	Numbers Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
37	All interests in approximately 62 square metres of agricultural land; north of Cledford Lane and south west of Cledford Hall <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH454459)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Total Developments (NW) Ltd Unit 17 Alvaston Business Park Middlewich Road Nantwich CW5 6PF (Co. Reg. 09549665) <b>(CH634243)</b></p>	-	<p>Total Developments (NW) Ltd Unit 17 Alvaston Business Park Middlewich Road Nantwich CW5 6PF (Co. Reg. 09549665)</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
38	All interests in approximately 136 square metres of agricultural land; south of Cledford Lane and west of Rose Cottage <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP
39 to 40	Numbers Not Used				
41	All interests in approximately 99 square metres of agricultural land and track; north of Cledford Lane and south west of Cledford Hall <i>Cheshire East Council</i>	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH454459)</b>	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
41 (cont'd)		<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p>			
42 to 43	Numbers Not Used				
44	All interests in approximately 69 square metres of agricultural land; north of Cledford Lane and south west of Cledford Hall <i>Cheshire East Council</i>	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH454459)</b></p>	<p>Total Developments (NW) Ltd Unit 17 Alvaston Business Park Middlewich Road Nantwich CW5 6PF <i>(Co. Reg. 09549665)</i> <b>(CH634243)</b></p>	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
44 (cont'd)		<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p>			
45	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
46	All interests in approximately 659 square metres of agricultural land and brook (Sanderson's Brook); south of Cledford Lane and west of Rose Cottage <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i>
47 to 49	Numbers Not Used				
50	All interests in approximately 360 square metres of agricultural land and brook (Sanderson's Brook); south west of Cledford Hall and north of Cledford Lane <i>Cheshire East Council</i>	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH454459)</b>	-	-	Unknown / Unoccupied  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
50 (cont'd)		<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i></p>			

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
51	All interests in approximately 593 square metres of agricultural land and brook (Sanderson's Brook); south west of Cledford Hall and north of Cledford Lane <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i>	-	-	Unknown / Unoccupied  Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i>
52	Number Not Used				
53	All interests in approximately 593 square metres of public highway and verge (Cledford Lane) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH618098)</b>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i>
54 to 55	Numbers Not Used				



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
56	All interests in approximately 502 square metres of public highway and verge (Cledford Lane) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH618098)</b>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i>
57 to 60	Numbers Not Used				
61	The right to <b>[insert right here]</b> over approximately 672 square metres of agricultural land; south of Briar Pool Farm and west of Briery Pool Farmhouse <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP
62	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
63	All interests in approximately 34 square metres of agricultural land; south of Cledford Hall and north of Cledford Lane except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH639286)</b>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ
64	All interests in approximately 71 square metres of public highway (Cledford Lane) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH454459)</b>  Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (as highway authority)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
64 (cont'd)		<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p>			
65	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
66	All interests in approximately 76938 square metres of agricultural land, brook (Sanderson's Brook), hedgerows, pond, public footpath (Middlewich 20), pylon and overhead electricity cables; south of Cledford Lane and west of Fiveacre Farm except those owned by the Acquiring Authority Cheshire East Council	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i></p>	-	<p>Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP</p>	<p>Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Middlewich 20))</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i></p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of pylon and overhead electricity cables)</i></p>
67 to 69	Numbers Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
70	The right to <b>[insert right here]</b> over approximately 230 square metres of hedgerow; south of Sanderson's Brook and south west of Fiveacre Farm <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP
71	Number Not Used				
72	The right to <b>[insert right here]</b> over approximately 1427 square metres of agricultural land and hedgerows; south west of Fiveacre Farm and east of Faulkner Drive <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
73	The right to <b>[insert right here]</b> over approximately 1812 square metres of agricultural land; south of Sanderson's Brook and south east of Fiveacre Farm <i>Cheshire East Council</i>	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i></p>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	<p>Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP</p> <p>Environment Agency Horizon House Bristol BS1 5AH <i>(in respect of Sanderson's Brook)</i></p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
74	The right to <b>[insert right here]</b> over approximately 201 square metres of agricultural land and hedgerow; south west of Fiveacre Farm and east of Faulkner Drive <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP	Peter Cornes Bradshaw Park Devils Lane Longsdon Stoke-on-Trent ST9 9QP
75	All interests in approximately 19585 square metres of agricultural land and pond; south of Fiveacre Farm and east of Faulkner Drive <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY <i>(Co. Reg. 02594369)</i> <b>(CH578075)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY <i>(Co. Reg. 02594369)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
76	All interests in approximately 48588 square metres of agricultural land, ponds, pylon and overhead electricity cables; south of Fiveacre Farm and east of Faulkner Drive <i>Cheshire East Council</i>	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	-	-	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ</p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU</p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT</p> <p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of pylon and overhead electricity cables)</i></p>



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
77	All interests in approximately 30969 square metres of agricultural land and pond; south west of Fiveacre Farm and north of Booth Lane, A533 <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578075)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)
78	The right to <b>[insert right here]</b> over approximately 170 square metres of agricultural land and hedgerow; south west of Fiveacre Farm and north of Booth Lane, A533 <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578075)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
79	The right to <b>[insert right here]</b> over approximately 102 square metres of agricultural land; east of Shilton Close and north west of New Farm <i>Cheshire East Council</i>	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Unknown / Unoccupied
80	All interests in approximately 1634 square metres of agricultural land; north of New Farm and east of Kinderton Arms <i>Cheshire East Council</i>	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b> <i>(excluding mines and minerals)</i>  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b>	-	-	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU  Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
80 (cont'd)		Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b>  Unknown <i>(in respect of mines and minerals)</i>			
81	Number Not Used				
82	All interests in approximately 7336 square metres of agricultural land; north of New Farm and east of Kinderton Arms except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH551935)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ
83	Number Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
84	The right to <b>[insert right here]</b> over approximately 185 square metres of agricultural land; north of New Farm and east of Kinderton Arms except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH551935)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ
85	The right to <b>[insert right here]</b> over approximately 549 square metres of agricultural land; north of New Farm and east of Kinderton Arms <i>Cheshire East Council</i>	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b> <i>(excluding mines and minerals)</i>  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b> <i>(excluding mines and minerals)</i>	-	-	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU  Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
85 (cont'd)		<p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>			
86	The right to <b>[insert right here]</b> over approximately 2373 square metres of railway; north of Tetton Lane <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Network Rail Limited 1 Eversholt Street London NW1 2DN <i>(Co. Reg. 04402220)</i> <i>(in respect of railway)</i></p>	-	-	<p>Network Rail Limited 1 Eversholt Street London NW1 2DN <i>(Co. Reg. 04402220)</i></p>
87 to 88	Numbers Not Used				

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
89	The right to <b>[insert right here]</b> over approximately 1588 square metres of railway; north of Tetton Cottage and east of Kinderton Arms <i>Cheshire East Council</i>	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH292747)</b>	-	-	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227)  Network Rail Infrastructure Limited 1 Eversholt Street London NW1 2DN (Co. Reg. 02904587) (in respect of railway)
90	Number Not Used				
91	All interests in approximately 146 square metres of trees and shrubbery; north of Booth Lane, A533 and south of Trent and Mersey Canal <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown / Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
92	All interests in approximately 273 square metres of grassland; south of Booth Lane, A533 and north west of Pear Tree Cottage <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578074)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)
93	All interests in approximately 86 square metres of grassland; south of Booth Lane, A533 and north west of Pear Tree Cottage <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578074)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
94	All interests in approximately 2598 square metres of public highway (Booth Lane, A533) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority and in respect of subsoil fronting 1 East Tetton Cottages)</i></p> <p>Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY <i>(Co. Reg. 02594369)</i> <i>(in respect of subsoil fronting grassland, car park and lay-by)</i></p>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i>



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
95	All interests in approximately 2781 square metres of land and carpark; north of Booth Lane, A533 and west of Tetton Cottages <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578075)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)
96	Number Not Used				
97	All interests in approximately 661 square metres of agricultural land; south of Booth Lane, A533 and west of Pear Tree Cottage <i>Cheshire East Council</i>	Kenneth Jackson 22 Cygnus Way Brackley NN13 6GF <b>(CH160681)</b>	-	-	Kenneth Jackson 22 Cygnus Way Brackley NN13 6GF
98	All interests in approximately 835 square metres of land and premises, (1 East Tetton Cottages, Booth Lane, Middlewich, CW10 0HE) <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH373505)</b>	-	-	Unoccupied

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
99	All interests in approximately 5 square metres of land; east of Booth Lane, A533 and west of the Trent and Mersey Canal <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown
100	All interests in approximately 74 square metres of land and premises (1 East Tetton Cottages, Booth Lane, Middlewich, CW10 0HE) <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown
101 to 102	Number Not Used				
103	All interests in approximately 10 square metres of land and premises (1 East Tetton Cottages, Booth Lane, Middlewich, CW10 0HE) <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
104	The right to <b>[insert right here]</b> over approximately 2046 square metres of canal and towpath (Trent and Mersey Canal) <i>Cheshire East Council</i>	Canal & River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB (Co. Reg. 07807276) <b>(CH568388)</b> (excluding mines and minerals)  Unknown (in respect of mines and minerals)	-	-	Canal & River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB (Co. Reg. 07807276)
105	Number Not Used				
106	All interests in approximately 89397 square metres of private highway (Tetton Lane), pond, land and premises; north of Booth Lane, A533 and west of Tetton Bridge Cottage <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH578075)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)  Arthur Woodward 55 Warmingham Lane Middlewich CW10 0DJ (in respect of Farming Business Tenancy)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
107	All interests in approximately 7830 square metres of land (New Farm, Booth Lane, Moston, Middlewich, CW10 0HF) <i>Cheshire East Council</i>	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b> <i>(excluding mines and minerals)</i></p> <p>Unknown <i>(in respect of mines and minerals)</i></p>	-	-	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ</p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU</p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
108	All interests in approximately 7104 square metres of land (New Farm, Booth Lane, Moston, Middlewich, CW10 0HF) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH551935)</b> <i>(excluding mines and minerals)</i>  Unknown <i>(in respect of mines and minerals)</i>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ
109 to 112	Numbers Not Used				
113	All interests in approximately 899 square metres of land, private access track and overhead electricity cables; north of Swanwillow Cottage and south of New Farm <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown  SP Manweb PLC 3 Prenton Way Prenton CH43 3ET <i>(Co. Reg. 02366937)</i> <i>(in respect of overhead electricity cables)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
114	All interests in approximately 7933 square metres of land (New Farm, Booth Lane, Moston, Middlewich, CW10 0HF) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH551935)</b>	-	-	Ian Nicholas Holt New Farm Booth Lane Moston Middlewich CW10 0HF  Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ  Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
115	All interests in approximately 18553 square metres of land and premises (New Farm, Booth Lane, Moston, Middlewich, CW10 0HF) <i>Cheshire East Council</i>	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b>  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b>  Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b>	-	-	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU  Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT
116 to 117	Numbers Not Used				
118	All interests in approximately 4287 square metres of agricultural land and shrubbery; north of Booth Lane, A533 and east of Tetton Bridge Cottage <i>Cheshire East Council</i>	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) <b>(CH252166)</b>	-	-	Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
119	All interests in approximately 32 square metres of private access track; north of Tetton Lane and south of New Farm <i>Cheshire East Council</i>	Unregistered / Unknown	-	-	Unknown
120	All interests in approximately 253 square metres of public highway (Tetton Lane) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p> <p>Timothy Giles Hickson Tetton Bridge Cottage Booth Lane Moston Middlewich CW10 0HF <i>(in respect of subsoil fronting Tetton Bridge Cottage, Booth Lane)</i></p>	-	-	<p>Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p>



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
120 (cont'd)		Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369) (in respect of subsoil fronting agricultural land)			
121	The right to <b>[insert right here]</b> over approximately 341 square metres of canal, towpath (Trent and Mersey Canal) and public highway (Booth Lane, A533) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	Canal & River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB (Co. Reg. 07807276) <b>(CH568802)</b> (excluding mines and minerals)  Unknown (in respect of mines and minerals)	-	-	Canal & River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB (Co. Reg. 07807276) (in respect of canal)  Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ (in respect of public highway as highway authority)

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
122	All interests in approximately 325 square metres of public highways (Tetton Lane and Booth Lane, A533) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p> <p>Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY <i>(in respect of subsoil fronting agricultural land)</i></p> <p>Canal &amp; River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB <i>(Co. Reg. 07807276)</i> <i>(in respect of subsoil fronting canal towpath)</i></p>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
122 (cont'd)		<p>The Morris Family Partnership c/o Richard Nicholas Morris Baddington House Baddington Nantwich CW5 8AD <i>(in respect of subsoil fronting agricultural land)</i></p> <p>The Morris Family Partnership c/o Georgina Elizabeth Dutton Cheerbrook Farm Newcastle Road Willaston Nantwich CW5 7EL <i>(in respect of subsoil fronting agricultural land)</i></p>			

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
123	All interests in approximately 6274 square metres of private accessway and public highway (Booth Lane, A533) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Unregistered / Unknown</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i></p> <p>Canal &amp; River Trust Station House 500 Elder Gate Milton Keynes MK9 1BB <i>(Co. Reg. 07807276)</i> <i>(in respect of subsoil fronting canal towpath)</i></p> <p>Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY <i>(Co. Reg. 02594369)</i> <i>(in respect of subsoil fronting agricultural land)</i></p>	-	-	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(as highway authority)</i>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
123 (cont'd)		<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <i>(in respect of subsoil fronting access track)</i></p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <i>(in respect of subsoil fronting access track)</i></p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <i>(in respect of subsoil fronting access track)</i></p> <p>Robert John Sheffield 4 Birchin Lane Nantwich CW5 6JT <i>(in respect of subsoil fronting agricultural land)</i></p>			

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
123 (cont'd)		Elizabeth Anne Timmis 6 Colleys Lane Willaston Nantwich CW5 6NS <i>(in respect of subsoil fronting agricultural land)</i>			
124	All interests in approximately 2108 square metres of land, private track, public footpath (Moston 6) and premises (New Farm, Booth Lane, Moston, Middlewich, CW10 0HF) except those owned by the Acquiring Authority <i>Cheshire East Council</i>	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ <b>(CH354222)</b></p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b></p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b></p>	-	-	<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ</p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU</p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 1**

Number on Map	Extent, Description and Situation of the Land	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – Name and Address			
		Owners or Reputed Owners	Lessees or Reputed Lessees	Tenants or Reputed Tenants	Occupiers
124 (cont'd)					Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <i>(in respect of public footpath (Moston 6))</i>
125 to 127	Numbers Not Used				
128	All interests in approximately 785 square metres of agricultural land; north of Booth Lane, A533 and east of Tetton Bridge Cottage <i>Cheshire East Council</i>	Robert John Sheffield 4 Birchin Lane Nantwich CW5 6JT <b>(CH406515)</b>  Elizabeth Anne Timmis 6 Colleys Lane Willaston Nantwich CW5 6NS <b>(CH406515)</b>	-	William Nield Woodside Farm Sandbach Road Rode Heath Stoke-on-Trent ST7 3RW	Robert John Sheffield 4 Birchin Lane Nantwich CW5 6JT  Elizabeth Anne Timmis 6 Colleys Lane Willaston Nantwich CW5 6NS  William Nield Woodside Farm Sandbach Road Rode Heath Stoke-on-Trent ST7 3RW

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 2

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
1	DB Symmetry Properties (Middlewich) Co. Limited Craigmuir Chambers Road Town Tortola British Virgin Islands (Co. Reg. (British Virgin Islands) 1918715) <b>(CH658454)</b>	As mortgagee to Magnitude Land LLP in respect of a registered charge dated 19 May 2017	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ	Right of access appurtenant to Kinderton Lodge Farm
	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH657349)</b>	Right of way as contained in transfer dated 12 September 2001	Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co. Reg. 04710984)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH657349)</b>	Rights relating to electricity lines and electricity sub-station as contained in transfer dated 6 May 2005	Kinderton LLP c/o Cory Environmental (central) Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. OC318802)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
	Unknown <b>(CH657349)</b>	Rights and restrictive covenant relating to light and drainage as contained in conveyance dated 21 December 1957 for the benefit of unknown land	Enovert North Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. 02773558)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 2

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
2	DB Symmetry Properties (Middlewich) Co. Limited Craigmuir Chambers Road Town Tortola British Virgin Islands (Co. Reg. (British Virgin Islands) 1918715) <b>(CH658454)</b>	As mortgagee to Magnitude Land LLP in respect of a registered charge dated 19 May 2017		
	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH657349)</b>	Right of way as contained in transfer date 12 September 2001		
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH657349)</b>	Rights relating to electricity lines and electricity sub-station as contained in transfer dated 6 May 2005		
	Unknown <b>(CH658454)</b>	Rights and restrictive covenant relating to light and drainage as contained in conveyance date 21 December 1957 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 2

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
3	DB Symmetry Properties (Middlewich) Co. Limited Craigmuir Chambers Road Town Tortola British Virgin Islands (Co. Reg. (British Virgin Islands) 1918715) <b>(CH658454)</b>	As mortgagee to Magnitude Land LLP in respect of a registered charge dated 19 May 2017		
	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH657349)</b>	Right of way as contained in transfer date 12 September 2001		
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH657349)</b>	Rights relating to electricity lines and electricity sub-station as contained in transfer dated 6 May 2005		
	Unknown <b>(CH658454)</b>	Rights and restrictive covenant relating to light and drainage as contained in conveyance date 21 December 1957 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4	Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH612129)</b>	Right of way and easement as contained in transfer dated 31 October 2016		
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH612129)</b>	Rights relating to underground utility services as contained in deed dated 18 January 1957		
	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH612129)</b>	Right of way as contained in deed dated 24 April 1992		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH612129)</b>	Grant of easement appurtenant to undertakings as contained in deed dated 20 July 1992		
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH612129)</b>	Rights relating to electricity lines and electricity sub-station as contained in transfer dated 13 June 1997		
	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH612129)</b>	Right of way as contained in transfer date 12 September 2001		
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b>	Easement as contained in transfer dated 10 May 2017		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
4 (cont'd)	Unknown (CH426474)	Rights relating to drainage and water services as contained in conveyance dated 20 January 1981 for the benefit of unknown land		
8			<p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ</p> <p>Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co.Reg. 04710984)</p> <p>Kinderton LLP c/o Cory Environmental (central) Limited 20 Old Broad Street London EC2N 1DP (Co.Reg. OC318802)</p>	<p>Right of access appurtenant to Kinderton Lodge Farm</p> <p>Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development</p> <p>Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
8 (cont'd)			Enovert North Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. 02773558)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
9	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH168886)</b>	Rights of drainage and ancillary in respect of licence dated 27 September 1945 and 14 January 1948	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ	Right of access appurtenant to Kinderton Lodge Farm
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH168886)</b>	Rights relating to pipelines, electricity cables and ancillary contained in deed dated 18 January 1957	Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co.Reg. 04710984)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH168886)</b>	Restrictive covenant relating to maintaining and expensing drains, sewers, cesspools, septic tanks, soakways and ditches as contained within conveyance dated 20 January 1981	Kinderton LLP c/o Cory Environmental (central) Limited 20 Old Broad Street London EC2N 1DP (Co.Reg. OC318802)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
9 (cont'd)			Enovert North Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. 02773558)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
10	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH339537)</b>  David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH339537)</b>	Rights and restrictive covenant relating to electricity cables and ancillary as contained in deed dated 18 January 1957          Rights relating to underground utility services as contained in deed dated 18 January 1957		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
10 (cont'd)	Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 00740515) <b>(In Administration)</b> <b>(CH339537)</b>	Rights relating to underground utility services as contained in deed dated 18 January 1957		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Developments Limited)	Rights relating to underground utility services as contained in deed dated 18 January 1957		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Developments Limited)	Rights relating to underground utility services as contained in deed dated 18 January 1957		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11	<p>Pochin Midpoint Limited Unit 5 Brooklands Place Brooklands Road Sale M33 3SD (Co. Reg. 10250070) <b>(CH612129)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH612129)</b></p> <p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH612129)</b></p>	<p>Right of way and easement as contained in transfer dated 31 October 2016</p> <p>Rights relating to underground utility services as contained in deed dated 18 January 1957</p> <p>Right of way as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
11 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH612129)</b>	Grant of easement appurtenant to undertakings as contained in deed dated 20 July 1992		
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH612129)</b>	Rights relating to electricity lines and electricity sub-station as contained in transfer dated 13 June 1997		
	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH612129)</b>	Right of way as contained in transfer date 12 September 2001		
	Unknown <b>(CH612129)</b>	Rights relating to drainage and water services as contained in conveyance dated 20 January 1981 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
12	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH351514)</b>	Restrictive covenant relating to land use and the maintenance of fencing as contained in transfer dated 24 April 1992 and rights relating to the laying and maintaining of water or other pipes or mains as contained within conveyance dated 31 December 1951		
12a	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH351514)</b>	Restrictive covenant relating to land use and the maintenance of fencing as contained in transfer dated 24 April 1992 and rights relating to the laying and maintaining of water or other pipes or mains as contained within conveyance dated 31 December 1951		
13	David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH351514)</b>	Restrictive covenant relating to land use and the maintenance of fencing as contained in transfer dated 24 April 1992 and rights relating to the laying and maintaining of water or other pipes or mains as contained within conveyance dated 31 December 1951		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
14	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
14 (cont'd)	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA <i>(Co. Reg. OC412954)</i> <b>(CH191605)</b>	Option to purchase the land as contained in agreement dated 28 January 2020		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>	<p>United Utilities Water Limited Haweswater House Lingley Mere Business Park Lingley Green Avenue Warrington WA5 3LP (Co. Reg. 02366678)</p>	<p>Rights of way and rights in respect of utility services</p>
	<p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		
	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15 (cont'd)	<p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b></p> <p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH191605)</b></p>	<p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p> <p>Option to purchase the land as contained in agreement dated 28 January 2020</p>		
15a	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15a (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		



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Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15b	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15b (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
15c	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15c (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p>		
15d	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15d (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15e	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15e (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
15f	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15f (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p>		
15g	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15g (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		



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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15h	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15h (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
15j	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15j (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p>		
15k	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15k (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15m	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p> <p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15m (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
15n	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15n (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p>		
15o	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15o (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		



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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15p	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15p (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		
15q	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15q (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p> <p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p>		
15r	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15r (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15s	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
15s (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) (CH191605)	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
16	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992	Kinderton Developments Limited Inkerman House St. Johns Road Meadowfield Industrial Estate Durham DH7 8XL (Co.Reg. 04710984)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992	Kinderton LLP c/o Cory Environmental (central) Limited 20 Old Broad Street London EC2N 1DP (Co.Reg. OC318802)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992	Enovert North Limited 20 Old Broad Street London EC2N 1DP (Co. Reg. 02773558)	Rights of access appurtenant to Kinderton Lodge Farm and mineral landfill development

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
16 (cont'd)	<p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH191605)</b></p> <p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH191605)</b></p>	<p>Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993</p> <p>Option to purchase the land as contained in agreement dated 28 January 2020</p>		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
17	<p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH339537)</b></p> <p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH339537)</b></p>	<p>Rights and restrictive covenant relating to electricity cables and ancillary as contained in deed dated 18 January 1957</p> <p>Rights relating to underground utility services as contained in deed dated 18 January 1957</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
17 (cont'd)	Pochin Developments Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 00740515) <b>(In Administration)</b> <b>(CH339537)</b>	Rights relating to underground utility services as contained in deed dated 18 January 1957		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Developments Limited)	Rights relating to underground utility services as contained in deed dated 18 January 1957		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Developments Limited)	Rights relating to underground utility services as contained in deed dated 18 January 1957		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
19	<p>HSBC Bank Plc 8 Canade Square London E14 5HQ (Co. Reg. 00014259) <b>(CH577823)</b> <b>(CH578828)</b></p> <p>David Lovell Griffiths Kinderton Lodge Farm Pochin Way Middlewich CW10 0QQ <b>(CH577823)</b></p>	<p>As mortgagee to Kinderton Developments Limited in respect of a registered charge dated 6 January 2009</p> <p>Rights reserved by a transfer dated 9 July 2008</p>		
20	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
20 (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
21	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22	<p>Deutsche Trustee Company Limited Winchester House 1 Great Winchester Street London EC2N 2DB (Co Reg. 00338230) <b>(CH526307)</b> <b>(CH535950)</b></p> <p>The Tesco Property Limited Partnership Cirrus A Shire Park Kestrel Way Welwyn Garden City AL7 1GA (Co. Reg. LP009052) <b>(CH351536)</b></p>	<p>As mortgagee to Tesco Property (Nominees) (No. 3) Limited and Tesco Property (Nominees) (No. 4) Limited in respect of a registered charge dated 15 March 2005</p> <p>Restriction on the disposition of the registered estate – no disposition without a certificate confirming that provisions of clause 8.1 of an agreement for substation, alteration and adjoining land developments dated 15 March 2005 have been complied with</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH351536)</b> <b>(CH526307)</b> <b>(CH526308)</b> <b>(CH535950)</b></p> <p>Tesco Distribution Limited Cirrus A Shire Park Kestrel Way Welwyn Garden City AL7 1GA (Co. Reg. 02972724) <b>(CH526307)</b> <b>(CH535950)</b></p>	<p>Rights relating to the laying and maintaining of water or other pipes or mains as contained within conveyance dated 20 January 1981</p> <p>Option to purchase land as contained in property agreement date 15 March 2005</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH351536)</b> <b>(CH526307)</b> <b>(CH526308)</b> <b>(CH535950)</b>	Rights relating to pipelines, electricity cables and ancillary contained in deed dated 18 January 1957		
	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utilities as contained in deed dated 24 April 1992 and transfer dated 31 May 2012		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utilities as contained in deed dated 24 April 1992 and transfer dated 31 May 2012		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
22 (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ <b>(CH340791)</b></p>	<p>Rights of way and rights in respect of utilities as contained in deed dated 24 April 1992 and transfer dated 31 May 2012</p> <p>Rights relating to underground utility services as contained in deed dated 18 January 1957</p>		
23	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB <i>(Co. Reg. 05300153)</i> <b>(In Administration)</b> <b>(CH191605)</b></p>	<p>Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
23 (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH191605)</b>	Restrictive covenant relating to building regulations over gas mains and pipes and easement to maintain gas mains and pipes as contained in deed dated 26 October 1993		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
24	Pochin Land & Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH191605)</b>	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land & Development Limited)	Rights of way and rights in respect of utility services as contained in deed dated 24 April 1992		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
26	<p>DB Symmetry Properties (Middlewich) Co. Limited Craigmuir Chambers Road Town Tortola British Virgin Islands <b>(CH658842)</b></p> <p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH657975)</b></p>	<p>As mortgagee to Magnitude Land LLP in respect of a registered charge dated 19 May 2017</p> <p>Right of way and access as contained within transfer 12 September 2001</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
26 (cont'd)	Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Right of way and access as contained within transfer 12 September 2001		
	Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i>	Right of way and access as contained within transfer 12 September 2001		
	Unknown <b>(CH658842)</b>	Restrictive covenant relating to land use as contained in conveyance dated 20 September 1919 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
27	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b> <b>(CH554068)</b>	Unilateral notice in respect of an agreement for lease dated 17 May 2016 and rights relating to electricity lines, sub-station and ancillary as contained in lease dated 20 October 2005		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b>	Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016		
	Deutsche Pfandbriefbank AG 20 Fenchurch Street London EC3M 3BY (Co. Reg. BR010228) <b>(CH554068)</b>	As mortgagee to Caprev Middlewich Limited in respect of a registered charge dated 5 August 2014		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
27 (cont'd)	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH191605)</b></p> <p>British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH454459)</b></p>	<p>Option to purchase the land as contained in agreement dated 28 January 2020</p> <p>Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration</p> <p>Rights and easements relating to undertakings as contained in deed dated 20 April 1994</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
27 (cont'd)	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b></p> <p>United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b></p> <p>Unknown <b>(CH554068)</b></p>	<p>Easement as contained in transfer dated 10 May 2017</p> <p>Rights relating to utilities as contained in deed dated 1 July 2005</p> <p>Restrictive covenant relating to land us as contained in conveyance dated 20 September 1919 for the benefit of unknown land</p>		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
29	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b></p>	<p>Unilateral notice in respect of an option agreement dated 31 October 2016</p> <p>Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957</p> <p>Rights relating to undertakings as contained in deed dated 20 April 1994</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
29a	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b></p>	<p>Unilateral notice in respect of an option agreement dated 31 October 2016</p> <p>Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957</p> <p>Rights relating to undertakings as contained in deed dated 20 April 1994</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
30	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b></p>	<p>Unilateral notice in respect of an option agreement dated 31 October 2016</p> <p>Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957</p> <p>Rights relating to undertakings as contained in deed dated 20 April 1994</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 2

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
31	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b> <b>(CH554068)</b>	Unilateral notice in respect of an agreement for lease dated 17 May 2016 and rights relating to electricity lines and ancillary as contained within lease dated 30 October 2005		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b>	Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016		
	Deutsche Pfandbriefbank AG 20 Fenchurch Street London EC3M 3BY (Co. Reg. BR010228) <b>(CH554068)</b>	As mortgagee to Caprev Middlewich Limited in respect of a registered charge dated 5 August 2014		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b>	Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
31 (cont'd)	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b></p> <p>Unknown <b>(CH554068)</b></p>	<p>Easement as contained in transfer dated 10 May 2017</p> <p>Restrictive covenant as contained in conveyance dated 20 September 1919 for the benefit of unknown land</p>		
37	<p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b></p> <p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b></p>	<p>Unilateral notice in respect of an agreement for lease dated 17 May 2016</p> <p>Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
37 (cont'd)	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b>	Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH454459)</b>	Rights and easement relating to undertakings as contained in deed dated 20 April 1994		
	United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b>	Rights relating to utilities as contained in deed dated 1 July 2005		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
37 (cont'd)	<p>Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b></p> <p>Unknown <b>(CH454459)</b></p>	<p>Easement as contained in transfer dated 10 May 2017</p> <p>Restrictive covenant as contained in conveyance dated 20 September 1919 for the benefit of unknown land</p>		
38	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b></p>	<p>Unilateral notice in respect of an option agreement dated 31 October 2016</p> <p>Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
38 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		
41	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b>	Unilateral notice in respect of an agreement for lease dated 17 May 2016 and rights relating to electricity lines and ancillary as contained in lease dated 20 October 2005		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b>	Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b>	Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
41 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH454459)</b>	Rights and easement relating to undertakings as contained in deed dated 20 April 1994		
	United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b>	Rights relating to utilities as contained in deed dated 1 July 2005		
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b>	Easement as contained in transfer dated 10 May 2017		
	Unknown <b>(CH454459)</b>	Restrictive covenant as contained in conveyance dated 20 September 1919 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
44	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b>	Unilateral notice in respect of an agreement for lease dated 17 May 2016 and rights relating to electricity lines and ancillary as contained in lease dated 20 October 2005		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b>	Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b>	Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH454459)</b>	Rights and easement relating to undertakings as contained in deed dated 20 April 1994		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
44 (cont'd)	United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b>	Rights relating to utilities as contained in deed dated 1 July 2005		
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b>	Easement as contained in transfer dated 10 May 2017		
	Unknown <b>(CH454459)</b>	Restrictive covenant as contained in conveyance dated 20 September 1919 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
46	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016		
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

Table 2

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
50	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH454459)</b>	Unilateral notice in respect of an agreement for lease dated 17 May 2016 and rights relating to electricity lines and ancillary as contained in lease dated 20 October 2005		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH454459)</b>	Rights and easement relating to undertakings as contained in deed dated 20 April 1994		
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b>	Easement as contained in transfer dated 10 May 2017		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH454459)</b>	Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
50 (cont'd)	United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b>	Rights relating to utilities as contained in deed dated 1 July 2005		
	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH454459)</b>	Unilateral notice in respect of an option agreement to acquire lease dated 31 October 2016		
	Unknown <b>(CH454459)</b>	Restrictive covenant as contained in conveyance dated 20 September 1919		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
51	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016		
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		
	Unknown <b>(CH676981)</b>	Restrictive covenant as contained within conveyance dated 20 September 1919 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
53	Unknown <b>(CH618098)</b>	Restrictive covenant relating to land use as contained in conveyance dated 20 September 1919 for the benefit of unknown land		
61	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>  National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016          Rights relating to undertakings as contained in deed dated 20 April 1994		



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
63	<p>Pochin Land &amp; Development Limited 4 Hardman Square Spinningfields Manchester M3 3EB (Co. Reg. 05300153) <b>(In Administration)</b> <b>(CH639286)</b></p> <p>Sarah O'Toole 4 Hardman Square Spinningfields Manchester M3 3EB (as administrator of Pochin Land &amp; Development Limited)</p>	<p>Restriction on the disposition of the registered estate – no disposition without the written consent and easements relating to the provision excluding the operation of section 62 of the law and property act 1925 as contained in transfer dated 20 May 2015</p> <p>Restriction on the disposition of the registered estate – no disposition without the written consent and easements relating to the provision excluding the operation of section 62 of the law and property act 1925 as contained in transfer dated 20 May 2015</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
63 (cont'd)	<p>Jason Bell 4 Hardman Square Spinningfields Manchester M3 3EB <i>(as administrator of Pochin Land &amp; Development Limited)</i></p> <p>Unknown <b>(CH639286)</b></p>	<p>Restriction on the disposition of the registered estate – no disposition without the written consent and easements relating to the provision excluding the operation of section 62 of the law and property act 1925 as contained in transfer dated 20 May 2015</p> <p>Restrictive covenant relating to land use as contained in conveyance dated 20 September 1919 for the benefit of unknown land</p>		
64	<p>British Salt Limited Mond House Winnington Northwich CW8 4DT <i>(Co. Reg. 06398227)</i> <b>(CH454459)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH <i>(Co. Reg. 02006000)</i> <b>(CH454459)</b></p>	<p>Covenant contained in agreement dated 2 January 1890 - original agreement nor a certified copy or examined abstract thereof was produced on first registration</p> <p>Rights and easement relating to undertakings as contained in deed dated 20 April 1994</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
64 (cont'd)	United Utilities PLC Lingley Green Avenue Lingley Mere Business Park Great Sankey Warrington WA5 3LP (Co. Reg. 02366616) <b>(CH454459)</b>	Rights relating to utilities as contained in deed dated 1 July 2005		
	Kettley International Limited Second Floor Charles Bisson House 30-32 New Street St Helier Jersey JE2 3TE <b>(CH676981)</b>	Easement as contained in transfer dated 10 May 2017		
	Unknown <b>(CH454459)</b>	Restrictive covenant as contained in conveyance dated 20 September 1919 for the benefit of unknown land		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
66	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		
70	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
72	<p>Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b></p> <p>Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b></p> <p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b></p>	<p>Unilateral notice in respect of an option agreement dated 31 October 2016</p> <p>Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957</p> <p>Rights relating to undertakings as contained in deed dated 20 April 1994</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
73	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016		
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
74	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016		
	Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
75	National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH578075)</b>	As mortgagee to Willsgrove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578075)</b>	Right to lay and maintain a brine pipeline as contained in deed dated 21 July 1975		
	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH578075)</b>	Easement relating to gas undertakings as contained deed dated 17 February 1993		



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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
77	National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH578075)</b>	As mortgagee to Willsgrove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009		
	St. Mary's Church c/o The Vicar and Church Wardens of St. Mary's Parochial Church Council The Vicarage Offley Road Sandbach CW11 1GY <b>(CH578075)</b>	Rentcharge payable to the Churchwardens of the Parish of Sandbach		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578075)</b>	Right to lay and maintain a brine pipeline as contained in deed dated 21 July 1975		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
78	National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH578075)</b>	As mortgagee to Willsgrove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009		
	St. Mary's Church c/o The Vicar and Church Wardens of St. Mary's Parochial Church Council The Vicarage Offley Road Sandbach CW11 1GY <b>(CH578075)</b>	Rentcharge payable to the Churchwardens of the Parish of Sandbach		
	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578075)</b>	Right to lay and maintain a brine pipeline as contained in deed dated 21 July 1975		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
78 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH578075)</b>	Easement relating to gas undertakings as contained deed dated 17 February 1993		
79	Magnitude Land LLP Grange Park Court Roman Way Grange Park Northampton NN4 5EA (Co. Reg. OC412954) <b>(CH676981)</b>  Imperial Chemical Industries Limited The Akzonobel Building Wexham Road Slough SL2 5DS (Co. Reg. 00218019) <b>(CH676981)</b>	Unilateral notice in respect of an option agreement dated 31 October 2016          Rights relating to pipelines, electricity cable and ancillary as contained in deed dated 18 January 1957		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
79 (cont'd)	National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH676981)</b>	Rights relating to undertakings as contained in deed dated 20 April 1994		
92	National Asset Loan Management Limited Treasury Building Grand Canal Street Dublin 2 D02XN96 (Co. Reg. 480246) <b>(CH578074)</b>  British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578074)</b>	As mortgagee to Wills Grove Developments Limited in respect of a registered charge dated 29 May 2008  Right of access and easement relating to British Salt Limited undertakings as contained in deed dated 9 November and 25 July 2011		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
93	<p>National Asset Loan Management Limited Treasury Building Grand Canal Street Dublin 2 D02XN96 (Co. Reg. 480246) <b>(CH578074)</b></p> <p>British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578074)</b></p>	<p>As mortgagee to Wills Grove Developments Limited in respect of a registered charge dated 29 May 2008</p> <p>Right of access and easement relating to British Salt Limited undertakings as contained in deed dated 9 November and 25 July 2011</p>		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
95	National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH578075)</b>	As mortgagee to Wills Grove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009		
	St. Mary's Church c/o The Vicar and Church Wardens of St. Mary's Parochial Church Council The Vicarage Offley Road Sandbach CW11 1GY <b>(CH578075)</b>	Rentcharge payable to the Churchwardens of the Parish of Sandbach		
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH578075)</b>	Rights of access and support appurtenant to electricity sub-station as contained in lease dated 8 November 1996		
98	Unknown <b>(CH373505)</b>	Restrictive covenant relating to land use as contained within transfer dated 25 April 1994 for the benefit of unknown land		

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
104	Secretary of State for Environment, Food and Rural Affairs 2 Marsham Street London SW1P 4DF <b>(CH568388)</b>	Restriction on the disposition of the registered estate – no disposition without the provisions of clause 2.4.1 of a Trust Settlement dated 28 June 2012 and of article 7 of the British Waterways Board Transfer Scheme 2012 (as amended by the British Waterways Board Transfer Scheme 2012 Modification Agreement 2013) complied with		
106	National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH578075)</b>  St. Mary's Church c/o The Vicar and Church Wardens of St. Mary's Parochial Church Council The Vicarage Offley Road Sandbach CW11 1GY <b>(CH578075)</b>	As mortgagee to Willsgrove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009          Rentcharge payable to the Churchwardens of the Parish of Sandbach	Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ  Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ  Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU	Right of access appurtenant to New Farm          Right of access appurtenant to agricultural land adjacent to New Farm          Right of access appurtenant to agricultural land adjacent to New Farm

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

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	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
106 (cont'd)	British Salt Limited Mond House Winnington Northwich CW8 4DT (Co. Reg. 06398227) <b>(CH578075)</b>	Right of way, drainage and support as contained in transfer dated 4 March 1967 and right to lay and maintain a brine pipeline as contained in deed dated 21 July 1975	Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT	Right of access appurtenant to agricultural land adjacent to New Farm
	SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH578075)</b>	Rights of access and support appurtenant to electricity sub-station as contained in lease dated 8 November 1996	Patrick Joseph Cosnett Tetton Yard Booth Lane Moston Middlewich CW10 0HE	Right of access appurtenant to yard adjacent to 1 Tetton Cottages
			Thomas Shore Swanwillow Cottage Booth Lane Middlewich CW10 0HF	Right of access appurtenant to Swanwillow Cottage
			Jackie Shore Swanwillow Cottage Booth Lane Middlewich CW10 0HF	Right of access appurtenant to Swanwillow Cottage



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**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
106 (cont'd)			<p>Willsgrove Developments Limited  Martin Kaye LLP  The Foundry  Euston Way  Town Centre  Telford  TF3 4LY  <i>(Co. Reg. 02594369)</i></p> <p>Occupiers of caravan site</p>	<p>Rights of access appurtenant to agricultural land and Bowfields.</p> <p>Right of access appurtenant to caravan site</p>
113			<p>Cheshire East Council  Westfields  Middlewich Road  Sandbach  CW11 1HZ</p> <p>Lynda Holt  7 Alum Court  Holmes Chapel  Cheshire  CW4 7PJ</p> <p>Toby Holt  41 Crossland Road  Chorlton  Manchester  M21 9DU</p>	<p>Right of access appurtenant to New Farm</p> <p>Right of access appurtenant to agricultural land adjacent to New Farm</p> <p>Right of access appurtenant to agricultural land adjacent to New Farm</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
113 (cont'd)			<p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT</p> <p>Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)</p> <p>Occupiers of caravan site</p>	<p>Right of access appurtenant to agricultural land adjacent to New Farm</p> <p>Rights of access appurtenant to agricultural land and Bowfields.</p> <p>Right of access appurtenant to caravan site</p>
114	Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ (CH354222)	Right of way to access adjoining land as contained in transfer dated 5 June 2006		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
114 (cont'd)	<p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU <b>(CH354222)</b></p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT <b>(CH354222)</b></p> <p>Unknown <b>(CH551935)</b></p>	<p>Right of way to access adjoining land as contained in transfer dated 5 June 2006</p> <p>Right of way to access adjoining land as contained in transfer dated 5 June 2006</p> <p>Restrictive covenant relating to building restrictions as contained in conveyance dated 22 May 1925 for the benefit of unknown land</p>		
118	<p>National Asset Loan Management Limited Designated Activity Company Treasury Building Grand Canal Street Dublin 2 D02 XN96 (Co. Reg. 480246) <b>(CH252166)</b></p>	<p>As mortgagee to Willsgrrove Developments Limited in respect of registered charges dated 29 May 2008 and 14 September 2009</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
118 (cont'd)	<p>SP Manweb PLC 3 Prenton Way Prenton CH43 3ET (Co. Reg. 02366937) <b>(CH252166)</b></p> <p>Premier Foods Group Limited Premier House Griffiths Way St. Albans AL1 2RE (Co. Reg. 00281728) <b>(CH252166)</b></p>	<p>Wayleave as contained in agreement dated 19 January 1955</p> <p>Personal covenant as contained in transfer dated 29 May 2008</p>		
119			<p>Timothy Giles Hickson Tetton Bridge Cottage Booth Lane Moston Middlewich CW10 0HF</p> <p>Cheshire East Council Westfields Middlewich Road Sandbach CW11 1HZ</p>	<p>Right of access appurtenant to Tetton Bridge Cottage</p> <p>Right of access appurtenant to New Farm</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
119 (cont'd)			<p>Lynda Holt 7 Alum Court Holmes Chapel Cheshire CW4 7PJ</p> <p>Toby Holt 41 Crossland Road Chorlton Manchester M21 9DU</p> <p>Sophie Killey 4 Green Lane Davenham Northwich CW9 8HT</p> <p>Thomas Shore Swanwillow Cottage Booth Lane Middlewich CW10 0HF</p>	<p>Right of access appurtenant to agricultural land adjacent to New Farm</p> <p>Right of access appurtenant to agricultural land adjacent to New Farm</p> <p>Right of access appurtenant to agricultural land adjacent to New Farm</p> <p>Right of access appurtenant to Swanwillow Cottage</p>

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
119 (cont'd)			<p>Jackie Shore Swanwillow Cottage Booth Lane Middlewich CW10 0HF</p> <p>Willsgrove Developments Limited Martin Kaye LLP The Foundry Euston Way Town Centre Telford TF3 4LY (Co. Reg. 02594369)</p> <p>Occupiers of caravan site</p>	<p>Right of access appurtenant to Swanwillow Cottage</p> <p>Rights of access appurtenant to agricultural land and Bowfields.</p> <p>Right of access appurtenant to caravan site</p>
124	<p>Linda Barbara Kiddy 4 Park Close Glossop SK13 7RQ (CH446834)</p> <p>Margaret Ann Morgan 1 First Avenue Sandbach CW11 4NX (CH446834)</p>	<p>Rights of access appurtenant to agricultural land; north east of Swanwillow Cottage and north of Bridge Farm</p> <p>Rights of access appurtenant to agricultural land; north east of Swanwillow Cottage and north of Bridge Farm</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

**Table 2**

Number on Map	Other Qualifying Persons under Section 12(2A)(a) of the Acquisition of Land Act 1981		Other Qualifying Persons under Section 12(2A)(b) of the Acquisition of Land Act 1981 – Not otherwise shown in Tables 1 and 2	
	Name and Address	Description of Interest to be Acquired	Name and Address	Description of the land for which the person in adjoining column is likely to make a claim
128	<p>National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000) <b>(CH406515)</b></p> <p>Network Rail Limited 1 Eversholt Street London NW1 2DN (Co. Reg. 04402220) <b>(CH406515)</b></p>	<p>Grant of easement appurtenant to undertakings as contained in deed dated 20 July 1992</p> <p>Rights of access appurtenant to the railway as contained in transfer dated 31 May 2005</p>		

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

## General Entries Register

Name and Address	Capacity	Qualification
British Telecommunications plc 81 Newsgate Street London EC1A 7AJ	As licensed telecommunications operator	In respect of telecommunications facilities
BT Group Limited 81 Newsgate Street London EC1A 7AJ	As licensed telecommunications operator	In respect of telecommunications facilities
Cadent Gas Limited Ashbrook Court Prologis Park Central Boulevard Keresley End CV7 8PE (Co. Reg. 10080864)	As statutory gas distribution and transmission undertaker	In respect of gas mains, pipes and associated apparatus
CenturyLink Communications UK Limited 10 <sup>th</sup> Floor 10 Fleet Place London EC4M 7RB	As licensed telecommunications operator	In respect of telecommunications facilities
CityFibre Limited 15 Bedford Street London WC2E 9HE	As licensed telecommunications operator	In respect of telecommunications facilities



# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

## General Entries Register

Name and Address	Capacity	Qualification
Colt Technology Services Group Limited Colt House 20 Great Eastern Street London EC2A 3EH	As licensed telecommunications operator	In respect of telecommunications facilities
ENGIE Power Limited 26 Whitehall Road Leeds LS12 1BE	As statutory electricity undertaker	In respect of electricity transmission lines, cables, conduits and apparatus
GTC Infrastructure Limited Martello Court Elizabeth Avenue Admiral Park St. Peter Port Guernsey GY1 2HR	As statutory electricity undertaker	In respect of electricity transmission lines, cables, conduits and apparatus
KPN International 4 <sup>th</sup> Floor Regina House 1 Queen Street London EC4N 1SW	As licensed telecommunications operator	In respect of telecommunications facilities
Mobile Broadband Network Limited 6 <sup>th</sup> Floor Thames Tower Station Road Reading RG1 1LX	As licensed telecommunications operator	In respect of telecommunications facilities

# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

## General Entries Register

Name and Address	Capacity	Qualification
National Grid Electricity Transmission PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02366977)	As statutory electricity distribution undertaker	In respect of electricity transmission lines, underground cables and associated apparatus
National Grid Gas PLC 1-3 Strand London WC2N 5EH (Co. Reg. 02006000)	As statutory gas distribution and transmission undertaker	In respect of gas mains, pipes and associated apparatus
Severn Trent Water Limited Severn Trent Centre 2 St John's Street Coventry CV1 2LZ	As statutory water undertaker	In respect of clean and waste water pipes, infrastructure and other apparatus
Sky UK Limited Grant Way Isleworth TW7 5QD	As licensed telecommunications operator	In respect of telecommunications facilities
Sota Solutions Limited Unit 300 Cornforth Drive Kent Science Park Sittingbourne ME9 8PX	As licensed telecommunications operator	In respect of telecommunications facilities

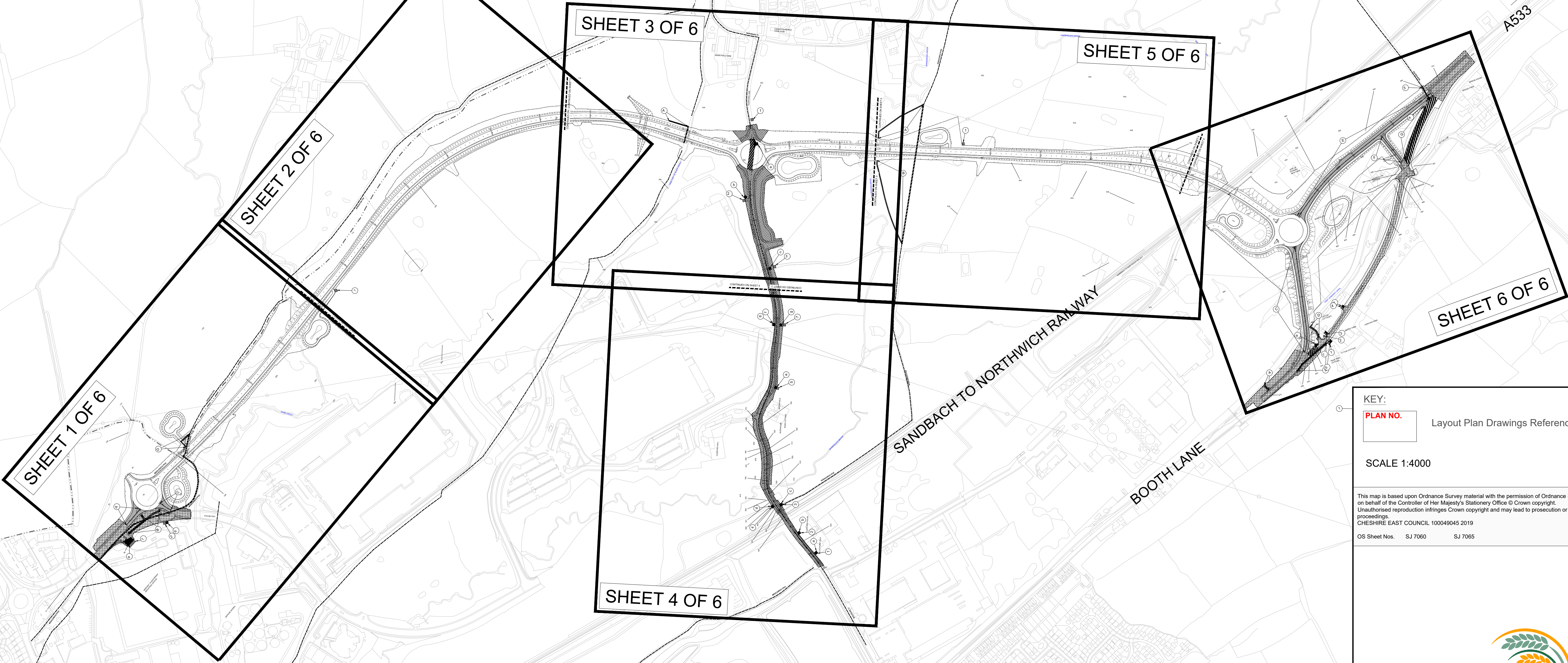
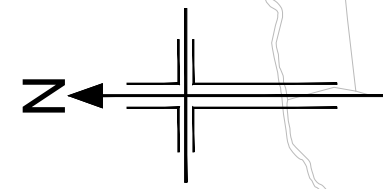
# The Cheshire East Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020

## General Entries Register

Name and Address	Capacity	Qualification
Utility Assets Limited 53 High Street Cheveley Newmarket CB8 9DQ	As statutory electricity undertaker	In respect of electricity transmission lines, cables, conduits and apparatus
Verizon Global Solutions U.K. Limited Reading International Business Park Reading RG2 6DA	As licensed telecommunications operator	In respect of telecommunications facilities
Virgin Media Limited 10-14 Bartley Wood Business Park Bartley Way Hook RG27 9UP	As licensed telecommunications operator	In respect of telecommunications facilities
Vodafone Vodafone House The Connection Newbury RG14 2FN	As licensed telecommunications operator	In respect of telecommunications facilities
Western Power Distribution plc Avonbank Feeder Road Bristol BS2 0TB	As statutory electricity undertaker	In respect of electricity transmission lines, cables, conduits and apparatus

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MIDDLEWICH

KINDERTON  
PARK

SANDBACH  
A533

SANDBACH TO NORTHWICH RAILWAY

BOOTH LANE

**KEY:**

**PLAN NO.** Layout Plan Drawings Reference

**SCALE 1:4000**

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CHESHIRE EAST COUNCIL 100049045 2019  
OS Sheet Nos. SJ 7060 SJ 7065



THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) (CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

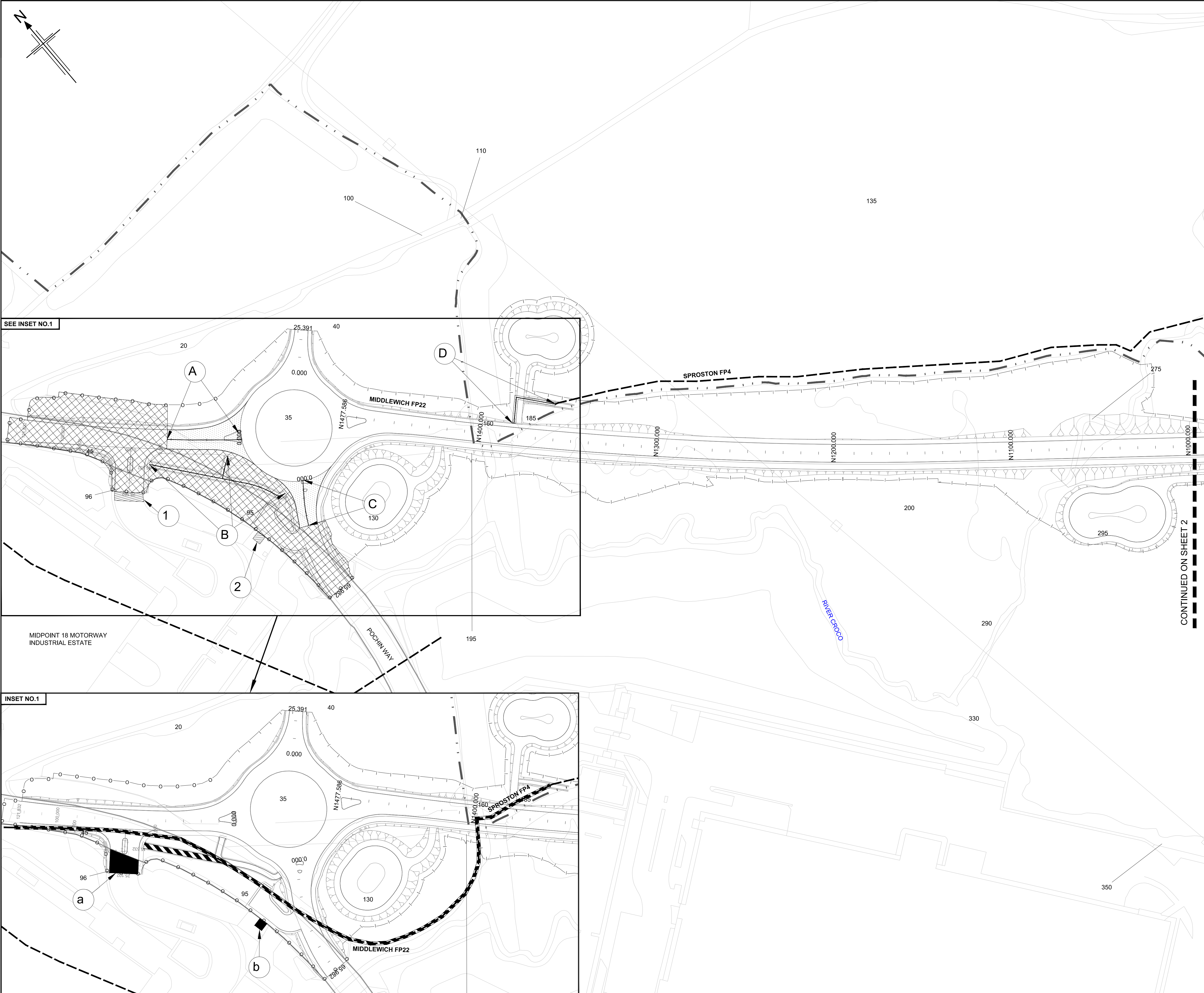
The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020





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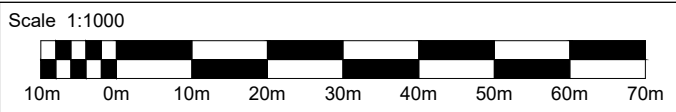


- NOTES:**
- Orders under section 8 and 14 of Highways Act.
  - This plan does not show widths or construction details.

- KEY:**
- New Highway
  - Highway to be improved
  - Highway to be stopped up
  - Private means of access to be stopped up
  - New private means of access
  - Classified road boundary
  - Side road boundary
  - Parish boundary
  - Public rights of way (labelled)
  - Existing highway boundary
  - 0038 Ordnance Survey field numbers
  - CL01 Reference given to un-numbered fields
  - (a) Private means of access to be stopped up reference label
  - (1) New private means of access reference label
  - (A) New side road reference label

The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020



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THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) (CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

POCHIN WAY AND PUBLIC  
RIGHT OF WAY  
ALTERATIONS  
PLAN NO. 1

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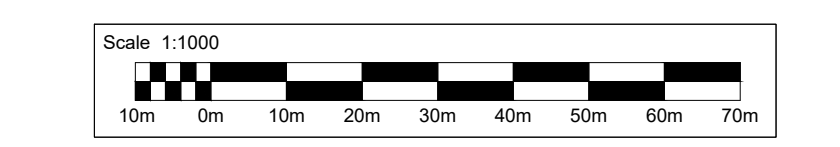


- NOTES:**
- 1. Orders under section 8 and 14 of Highways Act.
  - 2. This plan does not show widths or construction details.

- KEY:**
- New Highway
  - Highway to be improved
  - Highway to be stopped up
  - Private means of access to be stopped up
  - New private means of access
  - Classified road boundary
  - Side road boundary
  - Parish boundary
  - Public rights of way (labelled)
  - Existing highway boundary
  - 0038 Ordnance Survey field numbers
  - CL01 Reference given to un-numbered fields
  - Private means of access to be stopped up reference label
  - New private means of access reference label
  - New side road reference label

The Common Seal of  
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was hereunto affixed  
in the presence of

Dated this      day of      2020



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CHESHIRE EAST COUNCIL 100049045 2019

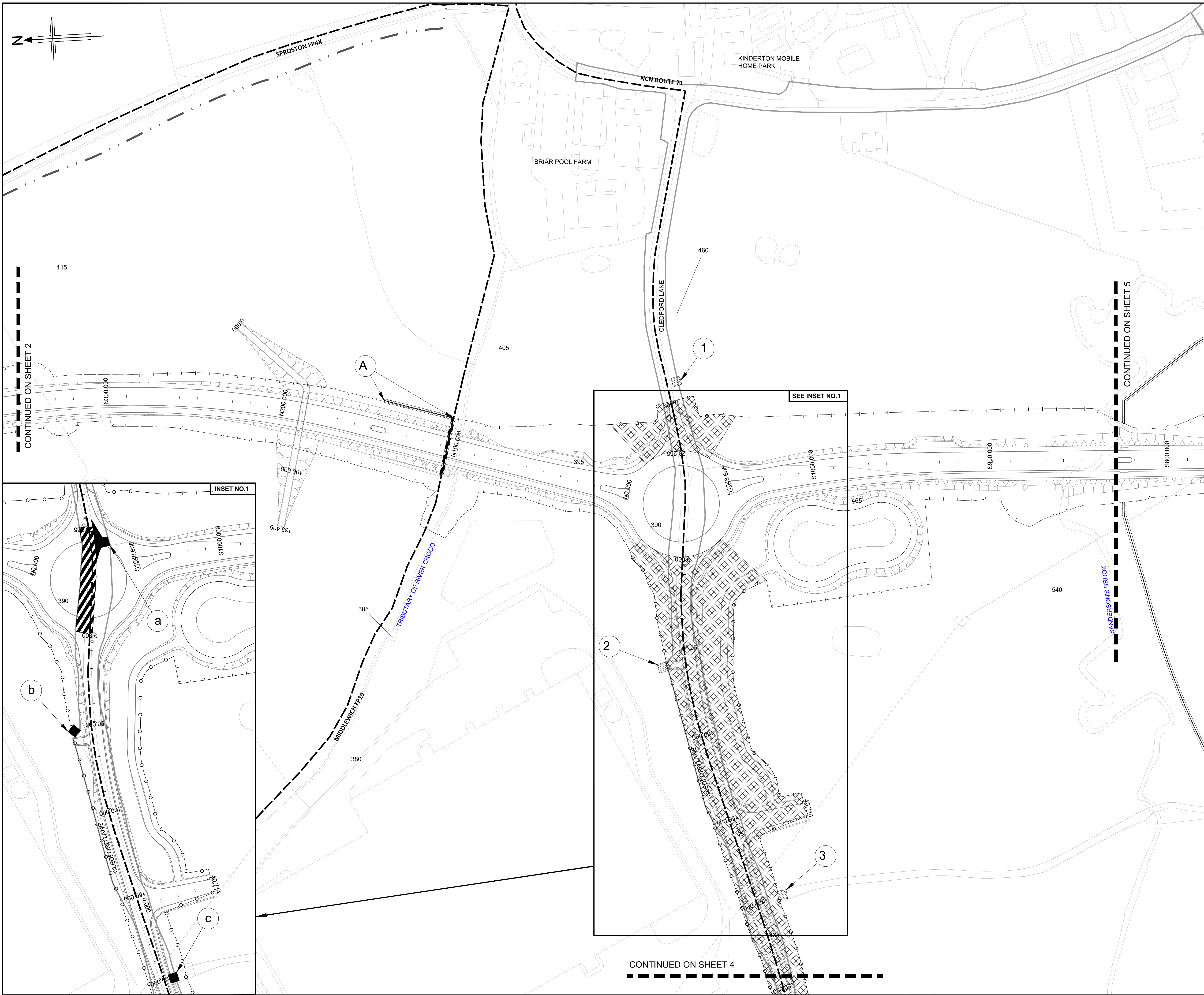


THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

PRIVATE MEANS OF  
ACCESS ALTERATIONS  
PLAN NO. 2

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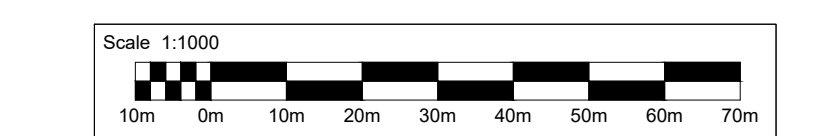




- NOTES:**
- Orders under section 8 and 14 of Highways Act.
  - This plan does not show widths or construction details.
- KEY:**
- New Highway
  - Highway to be improved
  - Highway to be stopped up
  - Private means of access to be stopped up
  - New private means of access
  - Classified road boundary
  - Side road boundary
  - Parish boundary
  - Public rights of way (labelled)
  - Existing highway boundary
  - Ordnance Survey field numbers
  - Reference given to un-numbered fields
  - Private means of access to be stopped up reference label
  - New private means of access reference label
  - New side road reference label

The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020



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CHESHIRE EAST COUNCIL 100049045 2019

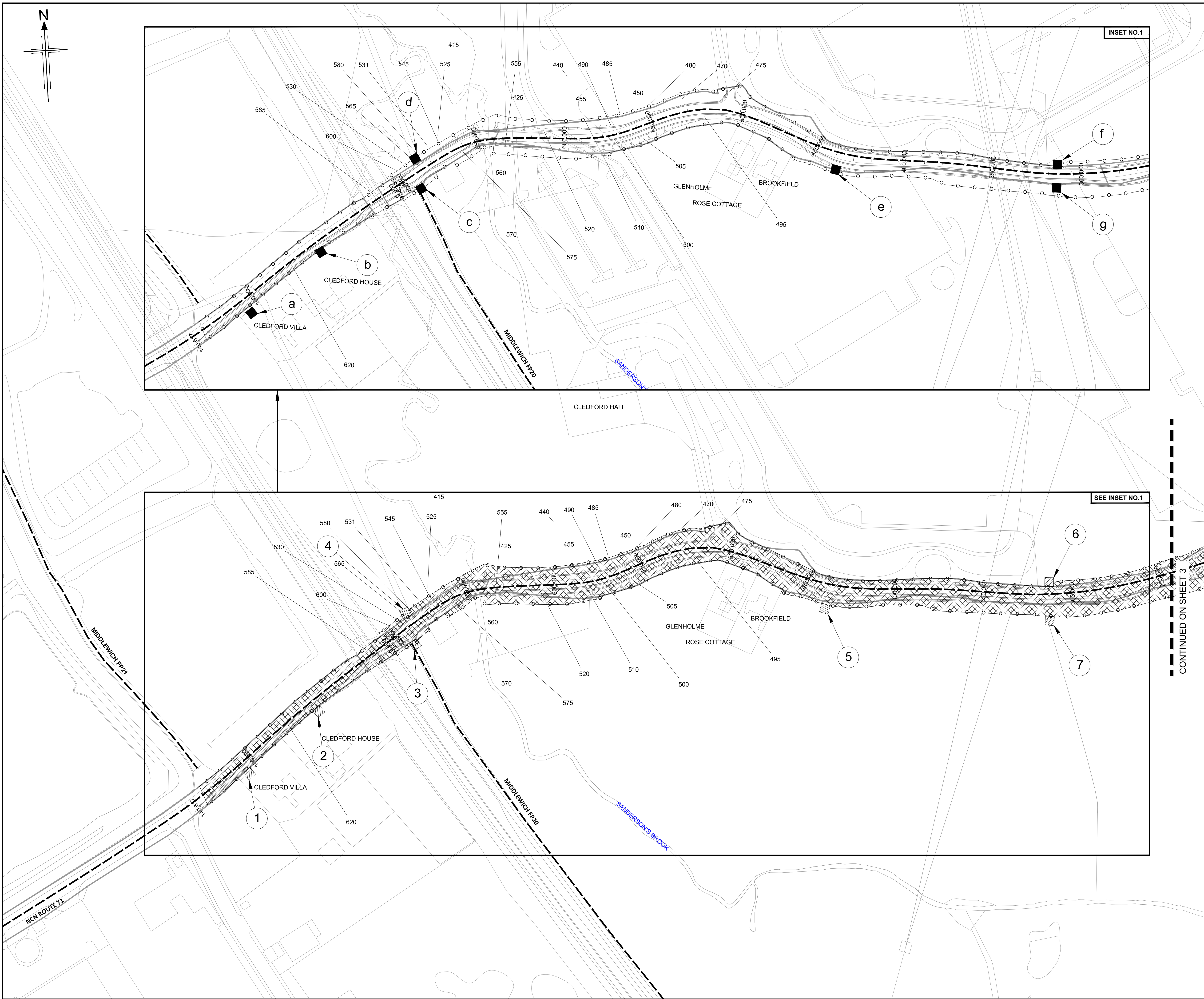


THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) (CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

CLEDFORD LANE AND  
PUBLIC RIGHT OF WAY  
ALTERATIONS  
PLAN NO. 3

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**NOTES:**

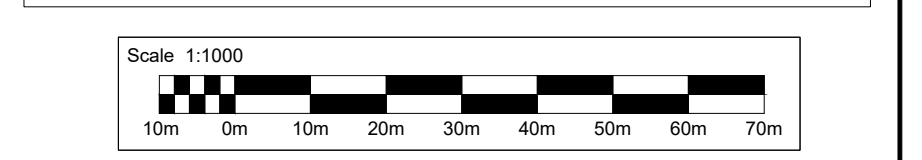
- Orders under section 8 and 14 of Highways Act.
- This plan does not show widths or construction details.

**KEY:**

- New Highway
- Highway to be improved
- Highway to be stopped up
- Private means of access to be stopped up
- New private means of access
- Classified road boundary
- Side road boundary
- Parish boundary
- Public rights of way (labelled)
- Existing highway boundary
- Ordnance Survey field numbers
- Reference given to un-numbered fields
- Private means of access to be stopped up reference label
- New private means of access reference label
- New side road reference label

The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020



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CHESHIRE EAST COUNCIL 100049045 2019

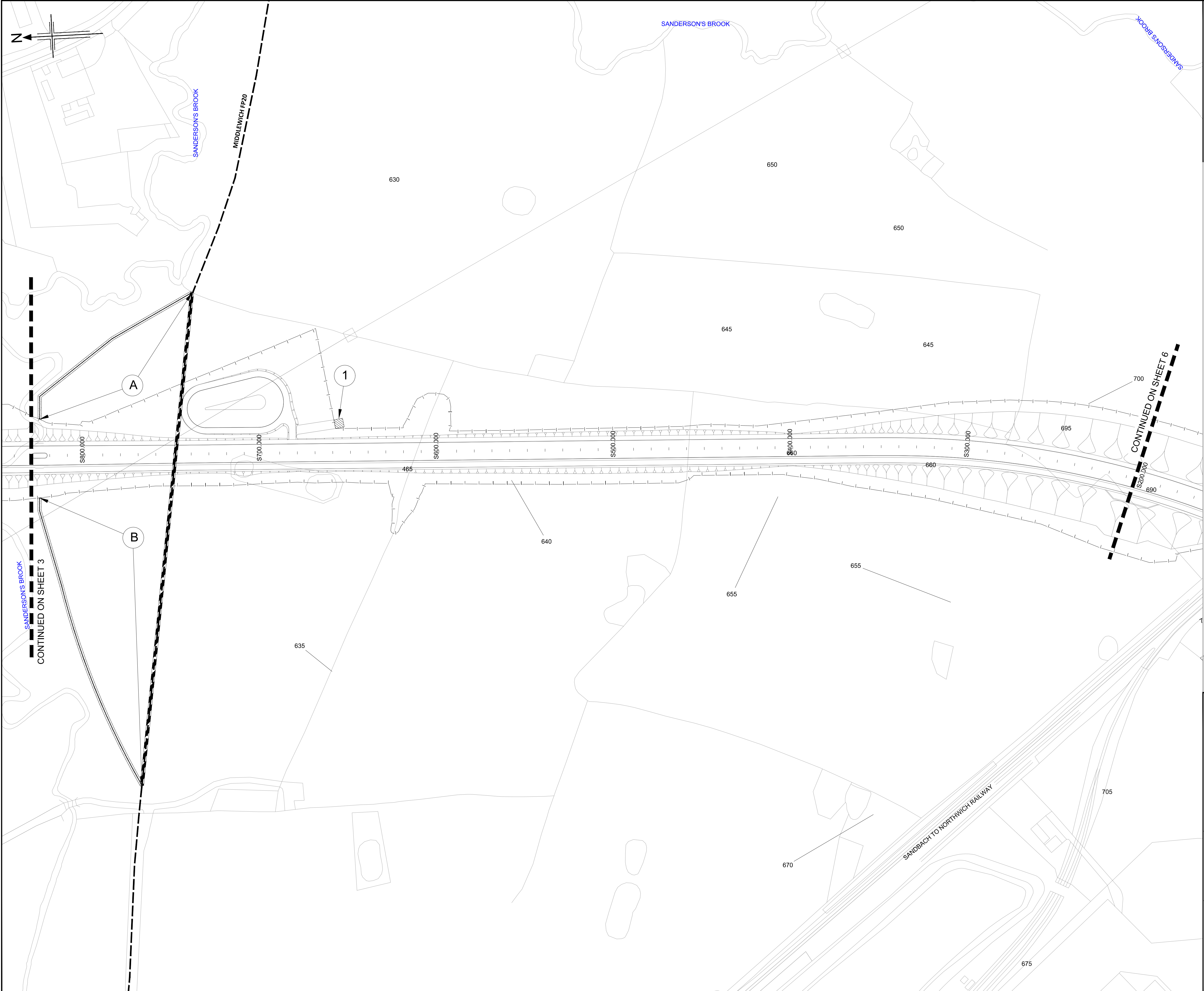
**Cheshire East Council**

THE CHESHIRE EAST BOROUGH COUNCIL AND CHESHIRE WEST AND CHESTER BOROUGH COUNCIL (MIDDLEWICH EASTERN BYPASS) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2020

**CLEDFORD LANE AND PRIVATE MEANS OF ACCESS ALTERATIONS PLAN NO. 4**



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**NOTES:**

- Orders under section 8 and 14 of Highways Act.
- This plan does not show widths or construction details.

**KEY:**

	New Highway
	Highway to be improved
	Highway to be stopped up
	Private means of access to be stopped up
	New private means of access
	Classified road boundary
	Side road boundary
	Parish boundary
	Public rights of way (labelled)
	Existing highway boundary
0038	Ordnance Survey field numbers
CL01	Reference given to un-numbered fields
(a)	Private means of access to be stopped up reference label
(1)	New private means of access reference label
(A)	New side road reference label

The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020

Scale 1:1000

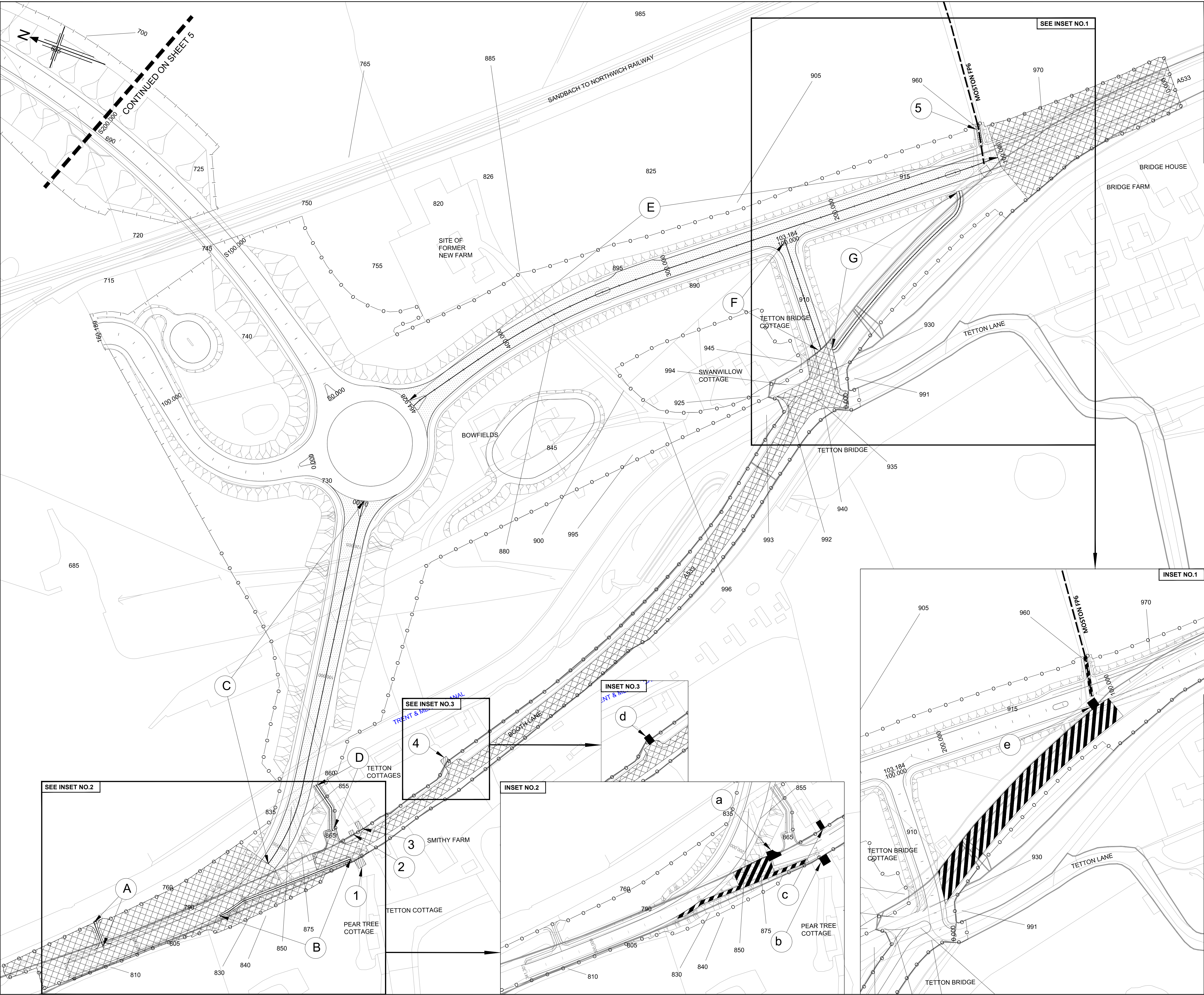
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CHESHIRE EAST COUNCIL 100049045 2019

THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) (CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

PUBLIC RIGHT OF WAY AND  
PRIVATE MEANS OF  
ACCESS ALTERATIONS  
PLAN NO. 5

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- NOTES:**
- Orders under section 8 and 14 of Highways Act.
  - This plan does not show widths or construction details.
- KEY:**
- New Highway
  - Highway to be improved
  - Highway to be stopped up
  - Private means of access to be stopped up
  - New private means of access
  - Classified road boundary
  - Side road boundary
  - Parish boundary
  - Public rights of way (labelled)
  - Existing highway boundary
  - Ordnance Survey field numbers
  - Reference given to un-numbered fields
  - Private means of access to be stopped up reference label
  - New private means of access reference label
  - New side road reference label

The Common Seal of  
CHESHIRE EAST BOROUGH COUNCIL  
was hereunto affixed  
in the presence of

Dated this      day of      2020

Scale 1:1000

10m 0m 10m 20m 30m 40m 50m 60m 70m

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CHESHIRE EAST COUNCIL 100049045 2019

**Cheshire East Council**

THE CHESHIRE EAST BOROUGH COUNCIL  
AND CHESHIRE WEST AND CHESTER  
BOROUGH COUNCIL (MIDDLEWICH  
EASTERN BYPASS) (CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020

**BOOTH LANE ALTERATIONS  
PLAN NO. 6**



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Dated

2020

Highways Act 1980

**THE CHESHIRE EAST BOROUGH COUNCIL AND  
CHESHIRE WEST AND CHESTER BOROUGH COUNCIL(MIDDLEWICH EASTERN  
BYPASS)  
(CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2020**

Asif Ibrahim  
Head of Legal  
Cheshire East Council  
Westfields  
Middlewich Road  
Sandbach  
Cheshire  
CW12 4SL

HIGHWAYS ACT 1980

CHESHIRE EAST BOROUGH COUNCIL AND  
CHESHIRE WEST AND CHESTER BOROUGH COUNCIL  
(MIDDLEWICH EASTERN BYPASS)  
(CLASSIFIED ROAD)  
(SIDE ROADS ORDER) 2020

The Cheshire East Borough Council (“the Council”) makes this Order in exercise of powers conferred by sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf: -

1. (1) The Council is authorised in relation to the new classified road in the Parishes of Middlewich, and Moston in the Borough of Cheshire East and (pursuant to an agreement under section 8 of the Highways Act 1980) in the Parish of Sproston in the Borough of Cheshire West and Chester to carry out the following works:
  - (a) improve, divert, raise, lower or otherwise alter the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching (Section 14);
  - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching (Section 14);
  - (c) construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple (Section 14);
  - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band (Section 125); and
  - (e) provide new private means of access to premises at each location shown on a Site Plan by thin diagonal hatching (Section 125).
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word “bridleway”, “footpath” or “restricted byway” appears beneath its reference letter in that Schedule, in which case it will be a bridleway, footpath or restricted byway. Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in the said Schedule opposite the description of that length.

- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road is shown in relation to the works shown on each Site Plan.
2. The Council is satisfied –
    - (a) as respects each length of highway the stopping up of which is authorised by this Order, that another reasonably convenient route is available or will be provided before that length is stopped up, and
    - (b) as respects each length of private means of access the stopping up of which is authorised by this Order, that other reasonably convenient means of access to the relevant premises are available or will be provided before that length is stopped up.
  3. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall continue to have the same rights as respects that apparatus as they had immediately before the stopping up took place.
  4. In this Order:
    - (a) all measurements of distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
    - (b) a reference to a Schedule or Site Plan number is a reference to the Schedule or Site Plan so numbered;
    - (c) “the classified road” - means the highway which the Council propose to:  
  
construct from 300m south east of A54 / B5309 roundabout southwards for a distance of 2.6km to Tetton Bridge tying in to the A533 Booth Lane.  
  
and which  
  
is a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;
    - “the Council” - means Cheshire East Borough Council;
    - “improvement” - in relation to a highway includes diverting, raising, lowering or otherwise altering that highway, and “improved” shall be construed accordingly;
    - “new access” - means a means of access to premises authorised by this Order to be provided;
    - “new highway” - means a new highway authorised by this

Order to be constructed and “new highways” shall be construed accordingly;

“Schedule”

- means a Schedule to this Order, and “Schedules” shall be construed accordingly;

“Site Plan”

- means one of the plans numbered 1, 2, 3, 4, 5 or 6 contained in the Plan Folio marked “Cheshire East Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads Order) 2020” sealed with the Common Seal of the Council and deposited at:

Main Reception  
Cheshire East Council  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

duplicates have also been deposited at:

Middlewich Library  
22 Lewin Street  
Middlewich  
CW10 9AS

and at the offices of the Secretary of State for Transport, and may be viewed online at:

<http://www.cheshireeast.gov.uk/MEB>

**SCHEDULE 1**

Locality – Middlewich and Sproston

Plan title – Pochin Way and Public Right of Way Alterations (Plan No. 1)

<b><u>Highways to be improved</u></b>
Pochin Way over a distance of approximately 210m between access to Kinderton Lodge Farm and the bridge over the River Croco.

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways Reference Letter</u></b>
Middlewich FP22 and Sproston FP4 Public Right of Way to be stopped up over length of 370m	
	A
	B
	C

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
a	Access to Optima Logistics (Plot xxx).	1
b	Access to United Utilities Pumping Station (Plot xxx).	2

A 210m section of Pochin Way between the access to Kinderton Lodge Farm and the bridge over the River Croco incorporating Private Means of Access to Optima Logistics (Plot xxx) and a surface water pumping station owned by United Utilities (Plot xxx) will be improved.

Within the improvements the access to Optima Logistics will be maintained with alterations to the central pedestrian refuge, the access to the United Utilities pumping stations will be maintained, and the alignment of the combined footway/cycleway will be altered to separate it from the edge of carriageway.

New lengths of highway shown as A & B on the plan will be constructed to tie Pochin Way into the new northern roundabout forming the start of the Middlewich Eastern Bypass.

A 370m long section of Middlewich FP22 and Sproston FP4 Public Rights of Way will be stopped up and replaced by new / improved footpaths provided as part of the highway in the improvements described above, 290m of new footpath on the new bypass and 40m of new Public Right of Way shown as C on the plan.

**SCHEDULE 2**

Locality – Middlewich

Plan title – Private Means of Access Alterations (Plan No. 2)

<b><u>Highways to be improved</u></b>
N/A

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways</u> <u>Reference Letter</u></b>
N/A	

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
	N/A	
		1 (new private means of access to be created).

A new Private Means of Access to the western section of Plot xxx which will be severed by the bypass will be provided as shown as 1 on the plan. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.



**SCHEDULE 3**

Locality – Middlewich

Plan title – Cledford Lane and Public Right of Way Alterations (Plan No. 3)

**Highways to be improved**

Cledford Lane to be improved 80m east and 245m west of new roundabout junction with the bypass
--

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways Reference Letter</u></b>
Middlewich FP19 Public Right of Way to be stopped up over a distance of 35m.	A and B
Cledford Lane to be stopped up over a distance of 60m in a westerly direction from a point 195m from junction with Bradwall Lane	

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
a	Field access to Plot xxx.	1
b	Access to non-operational area of Plot xxx	2
c	Field access to Plot xxx	3

A 35m long section of Middlewich FP19 Public Right of Way will be stopped up and replaced by 80m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A 60m section of Cledford Lane including Private Means of Access a will be stopped up to enable construction of the new roundabout junction between Cledford Lane and the bypass. Private Means of Access a will be replaced by a new PMA to the same field shown as 1 on the plan.

Private Means of Access b and c will be stopped up and recreated in altered locations as 2 and 3 as shown on the plan to accommodate a scheme of improvement to Cledford Lane which includes incorporation of a segregated footway / cycleway, improvements to drainage, and improvements to the carriageway.

The line of National Cycle Network Route 71 will be diverted around the new roundabout.

**SCHEDULE 4**

Locality – Middlewich

Plan title – Cledford Lane and Private Means of Access Alterations (Plan No. 4)

<b><u>Highways to be improved</u></b>
Cledford Lane to be improved over a distance of 595m eastwards commencing from 18m east of junction with Faulkner Drive

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways</u> <u>Reference Letter</u></b>
N/A	N/A

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
a	Access to Cledford Villa to be stopped up and recreated in the same location to new levels.	1
b	Access to Cledford House to be stopped up and recreated in the same location to new levels.	2
c	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	3
d	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	4
e	Field access to Plot xxx to be stopped up and recreated 5m south of current location.	5
f	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	6
g	Field access to Plot xxx to be stopped up and recreated 5m south of current location.	7

Improvements to Cledford Lane consisting of incorporation of segregated footway / cycleway, carriageway improvements, drainage improvements, and introduction of passing places impacts on 7 Private Means of Access as described below:

PMA a providing access to Cledford Villa is stopped up and recreated in the same location shown as 1.

PMA b providing access to Cledford House is stopped up and recreated in the same location shown as 2.

PMA c providing access to fields (Plot xxx) and Middlewich FP20 is stopped up and recreated in the same location shown as 3.

PMA d providing access to fields (Plot xxx) is stopped up and recreated in the same location shown as 4.

PMA e providing access to fields (Plot xxx) is stopped up and recreated 5m from it's current location shown as 5.

PMA f providing access to fields (Plot xxx) is stopped up and recreated in the same location shown as 6.

PMA g providing access to fields (Plot xxx) is stopped up and recreated 5m from it's current location shown as 7.

Access to the Cledford Hall site is unaffected by the proposals and subject only to minor tying in alterations within the highway boundary.

**SCHEDULE 5**

Locality – Middlewich

Plan title – Public Right of Way and Private Means of Access Alterations (Plan No. 5)

<b><u>Highways to be improved</u></b>
N/A

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways Reference Letter</u></b>
Middlewich FP19 Public Right of Way to be stopped up over a distance of 35m.	A and B

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
	N/A	
		1 (new private means of access to be created)

A 275m long section of Middlewich FP20 Public Right of Way will be stopped up and replaced by 275m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A new Private Means of Access to the eastern section of Plot xxx which will be severed by the bypass will be provided as shown as 1 on the plan. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.

**SCHEDULE 6**

Locality – Moston

Plan title – Booth Lane Alterations (Plan No. 6)

<b><u>Highways to be improved</u></b>
A533 Booth Lane to be improved over a distance of 570m in a north-westerly direction from Tetton Bridge.
A533 Booth Lane to be improved over a distance of 110m in a south-easterly direction commencing 160m south east of Tetton Bridge.

<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways Reference Letter</u></b>
A533 Booth Lane to be stopped up over a distance of 140m commencing 15m south east of Tetton Bridge	F (new highway access to Tetton Lane)  G (new footway / cycleway)
A533 Booth Lane to be stopped up over a distance of 22m commencing 395m north west of Tetton Bridge	B (Footway / cycleway)  A and D (new accesses to Trent and Mersey Canal Towpath)  C
	E

	<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>
a	Field access to Plot xxx to be stopped up and recreated 25m north east	1
b	Access to No. 1 East Tetton Cottage to be stopped up and recreated 25m South east	2

Booth Lane south of Tetton Bridge will be stopped up over a length of 145m and Public Right of Way Moston FP6 will be stopped up over a length of 23m as shown in Inset 1.

Booth Lane north of Tetton Bridge will be stopped up over a length of 80m as shown in Inset 2.

Private Means of Access a to Plot xxx will be stopped up and recreated 25m northeast shown as 1 on the plan.

Private Means of Access b to No. 1 East Tetton Cottages will be stopped up and recreated 25m south shown as 2 on the plan.

80m of new cycleway / footway will be formed on the stopped up section of Booth Lane shown as B on the plan.

New pedestrian accesses to the towpath of the Trent and Mersey Canal of 43m total length will be formed shown as A and D on the plan.

210m of new highway will be formed between the roundabout forming the end of the bypass and Booth Lane heading towards Middlewich, shown as C on the plan.

360m of new highway will be formed between the roundabout forming the end of the bypass and Booth Lane heading towards Sandbach, shown as E on the plan.

65m of new highway will be formed between the realigned Booth Lane and Tetton Bridge shown as F on the plan.

115m of new cycleway / footway will be form on the stopped up section of booth Lane shown as G on the plan.

Given under the Common Seal of the Cheshire East Borough Council on the  
Day of [    ] 2020

THE COMMON SEAL OF

**CHESHIRE EAST BOROUGH COUNCIL**

was affixed in the presence of:

Authorised Signatory

## **Combined Statement of Reasons**

Highways Act 1980

Acquisition of Land Act 1981

**The Cheshire East Borough Council and  
Cheshire West and Chester Borough Council  
(Middlewich Eastern Bypass) (Classified  
Road) Compulsory Purchase Order 2020**

**The Cheshire East Borough Council and  
Cheshire West and Chester Borough Council  
(Middlewich Eastern Bypass) (Side Roads)  
Order 2020**

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**THE CHESHIRE EAST BOROUGH COUNCIL AND CHESHIRE WEST AND CHESTER BOROUGH COUNCIL (MIDDLEWICH EASTERN BYPASS) (CLASSIFIED ROAD) COMPULSORY PURCHASE ORDER 2020**

**THE CHESHIRE EAST BOROUGH COUNCIL AND CHESHIRE WEST AND CHESTER BOROUGH COUNCIL (MIDDLEWICH EASTERN BYPASS) (SIDE ROADS) ORDER 2020**

**JOINT STATEMENT OF REASONS FOR MAKING THE COMPULSORY PURCHASE ORDER AND THE SIDE ROADS ORDER**

**1 INTRODUCTION**

**1.1** Under the provisions of the Highways Act 1980 ("1980 Act") Cheshire East Council ("Council") has made the following statutory orders in accordance with the powers contained in the 1980 Act:

- The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Classified Road) Compulsory Purchase Order 2020 ("**The CPO**")
- The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Side Roads) Order 2020 ("**The SRO**")

In this Statement the SRO and the CPO are together referred to as "**the Orders**".

**1.2** The Council is seeking confirmation of the Orders from the Secretary of State for Transport.

**1.3** This Statement has been prepared to support the Orders by describing the aim and purpose of the proposals for the Middlewich Eastern Bypass Scheme ("**Scheme**") and to explain the reasons, the deliverability and purposes for making the Orders on the basis of the satisfaction following principles:

- the justification and need for the Scheme;
- the consultation process and how third-party interests have been considered;
- the status of associated consents;
- the availability of all necessary funding;
- the availability of all the land required and the reasons why all the land identified is necessary;
- the statutory requirements that must be satisfied before construction can start; and
- confirmation that there are no legal impediments to the Scheme being implemented.

**1.4** This Statement is provided in accordance with the guidance set out in:

- Department for Communities and Local Government “Guidance on Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion” (July 2019);
- Department of Transport Circular 1/97 “Highways Act 1980: Orders Under Section 14 of the Highways Act 1980 and Opposed Orders Under Section 124 of that Act” (June 1997); and
- Department of Transport Circular 2/97 “Notes on the Preparation, Drafting and Submission of Compulsory Purchase Orders for Highway Schemes and Car Parks for which the Secretary of State for Transport is the Confirming Authority” (June 1997).

## **Executive Summary**

To be completed

## **2 STATUTORY POWERS UNDER WHICH THE ORDER IS MADE**

- 2.1** The SROs are made under section 14 of the 1980 Act (powers of highway authorities as respects roads that cross or join classified roads), section 125 of the 1980 Act (further powers to stop up private access to premises), and in accordance with Schedule 1, of the 1980 Act.
- 2.2** The making and confirmation of the SROs will enable the Council to improve, raise, lower, divert or otherwise alter highways; stop up highways; construct new highways; stop up private means of access to premises required as a consequence of the construction of the Scheme and to provide new private means of access to premises.
- 2.3** The CPO is made under the following provisions of the Highways Act 1980: sections 239 and 240 (general powers of highway authorities to acquire land for the construction and improvement of highways), section 246 (power to acquire land for mitigating adverse effects of constructing or improving highways), section 250 (land acquisition powers to extend to creation as well as acquisition of rights) and section 260 (clearance of title to land acquired for statutory purposes).Section 249 prescribes the distance limits within which compulsory purchase acquisition powers can be exercised by the Council as local highway authority and these have not been exceeded.
- 2.4** Confirmation of Orders  
The making and confirmation of the Orders 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.

### 3 BACKGROUND AND SCHEME DEVELOPMENT

#### 3.1 Introduction

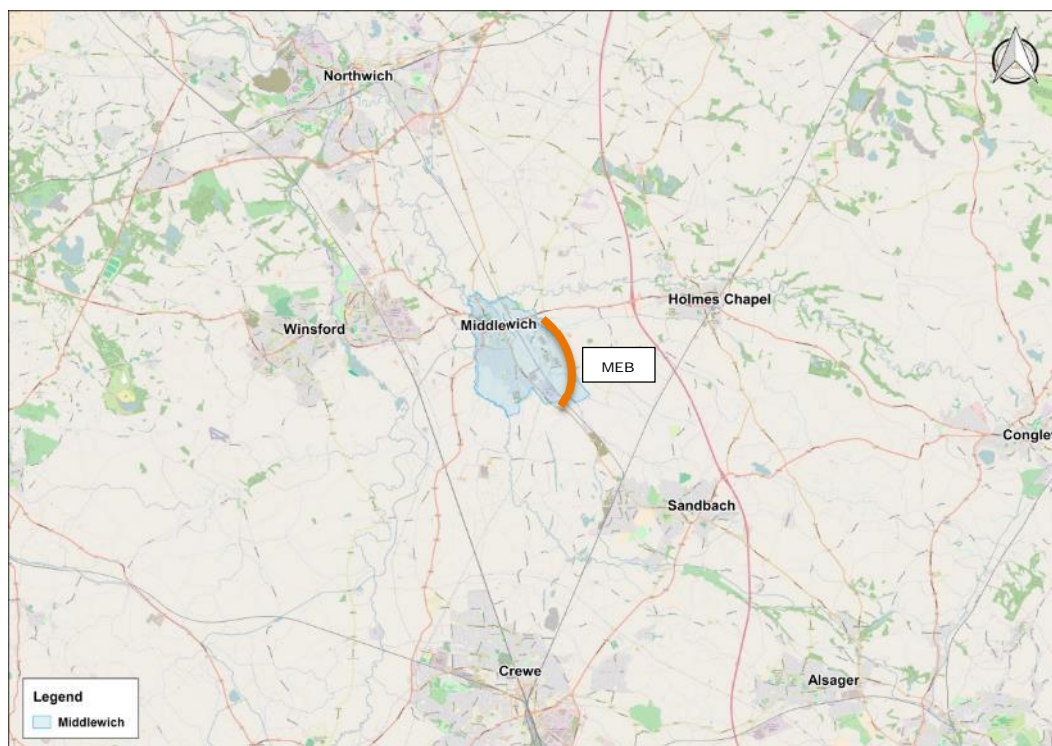
The Scheme involves the construction of a new single carriageway road, known as the Middlewich Eastern Bypass (MEB). The proposed route of the bypass follows a north-south alignment to the east of Middlewich, providing a new route between the A54 Holmes Chapel Road and the A533 Booth Lane to the south of Middlewich. It is located within Cheshire East, with the exception of a small area of the northern section of the road, which extends into the borough of Cheshire West & Chester.

A Scheme Plan is appended to this Statement at Appendix 1.

Middlewich is located in the North West region of England, 30km east of the city of Chester, 10km north of Crewe, 4.6km east of Winsford, 8.5km southeast of Northwich and 7.5km northwest of Sandbach.

It has been identified as one of the Key Service Centres for Cheshire East, and as such the vitality and growth of the town contributes to the prosperity of the Borough as a whole

The Scheme is located immediately to the east of Middlewich as shown in Figure 1.



*Figure 1: Location of Middlewich & Middlewich Eastern Bypass*

The Scheme sits on the eastern edge of the Middlewich Settlement Zone and will provide traffic routes to avoid Middlewich town centre, relieving congestion and contributing strongly to the delivery of objectives within the Cheshire East Local Plan Strategy of supporting the economic growth agenda for Middlewich and the sub-region, with aims for up to 1,950 new dwellings and c.6,500 additional jobs in the town.

Delivery of the Scheme is noted in the Local Plan Strategy as paragraph 15.491 states: *'The timely delivery of the Middlewich Eastern Bypass is key to ensuring that Middlewich realises its full sustainable growth potential as a Key Service Centre and also contributes to the prosperity of the borough as a whole'.*

Paragraph 15.510 of the Local Plan Strategy then states that the bypass is: *'a key piece of infrastructure vital to the future prosperity of Middlewich, Cheshire East and the wider region'.*

Figure 2 shows the Local Plan Strategy allocated sites and locations for Middlewich.

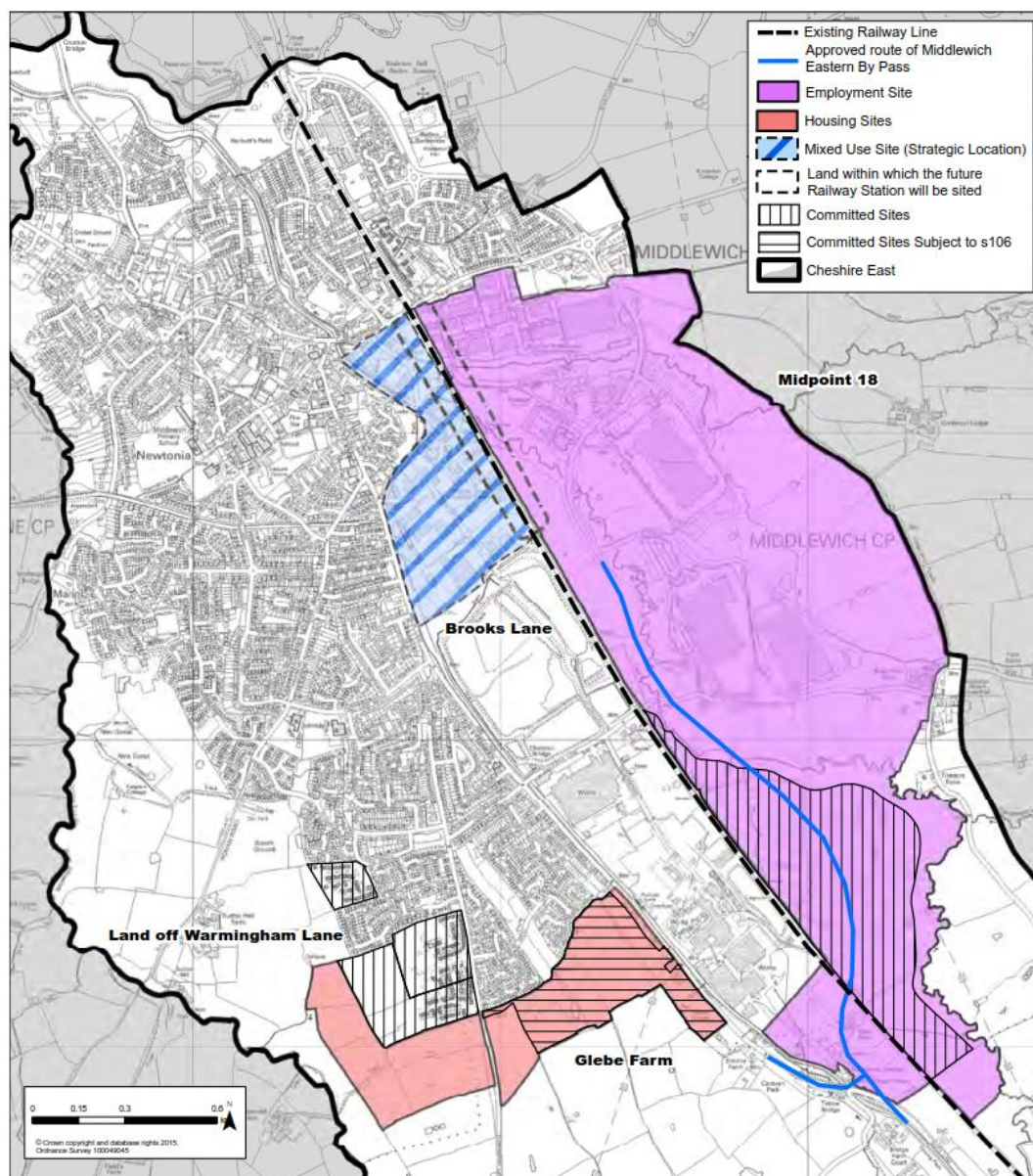


Figure 2: Local Plan Strategy Sites in Middlewich (excerpt from CEC LPS)

The allocations associated with the sites are:

- Glebe Farm (Site LPS 42) – 525 new homes
- Brooks Lane (Site LPS 43) – employment and mixed use likely to include: 200 homes; leisure and community facilities; retail facilities; green infrastructure,

- a potential marina, and; a new railway station
- Midpoint 18 (Site LPS44) – 70Ha of employment land
- Land off Warmingham Lane (Site LPS 45) – 235 new homes

Within the Local Plan Strategy The Scheme is linked specifically to the Midpoint 18 site, providing suitable means of access to significant inaccessible areas of the allocated site. An approved route for Middlewich Eastern Bypass is shown in the Local Plan Strategy, though it should be noted that this route is based upon a previously consented scheme as described in Section 3.3 and which formed the proposed bypass at the time that the Local Plan Strategy was adopted. A new preferred scheme following a different route has subsequently been developed and was granted Planning Permissions (by the two corresponding Local Planning Authorities) in 2019 and is described in Section 8.

The Scheme also is safeguarded under Policy INF 6 in the 2019 Publication Draft Site Allocations and Development Policies Document (DPD) produced by the Council to support the policies and proposals of the Local Plan Strategy. The draft plan was subject to public consultation during August and September 2019 and the Consultation Report was published in May 2020. If this consultation results in any proposed significant changes to the DPD, then a further round of public consultation would be required, prior to its submission to the Secretary of State, and it is anticipated that this further consultation would happen in the Autumn of 2020.

Cheshire East Borough Council (CEC) is the main Local Planning Authority (LPA) responsible for granting planning consent for the Scheme, but Cheshire West and Chester Council (CWACC) are also responsible for planning consent for the works associated with the Scheme within their administrative area.

CEC are the Local Highway Authority (LHA) responsible for maintaining the public highway in the borough and they will also maintain the scheme where it lies within CWACC via a Section 8 Agreement under the Highways Act 1980.

### 3.2 Local Context

The majority of the land required for the scheme is pasture farmland with gently rolling topography, subdivided into fourteen field parcels by mature hedgerows.

The land is used predominantly for grazing of sheep and fodder production (hay/haylage/silage) with occasional use for grazing of dairy cattle.

All but a small section of the land required lies within the Midpoint18 Strategic Development Site and is thus allocated as employment land.

A small number of minor land parcels which do not comprise pasture farmland are also required for the scheme. These parcels variously comprise:

- existing adopted highway (in respect of subsoil for subterranean works)
- previous industrial development (former RHM Foods 'Bisto' site)
- marginal (non-operational) areas of two existing logistics developments.
- Minor residual parcels of land left over from prior development activity and associated land transfers with no specific current use.



Title to 57.3ha is required to deliver the Scheme of which 49.6ha is in Cheshire East and 7.6ha is in Cheshire West and Chester. An additional 3.7ha of land over which rights are required is also needed of which 2.6ha is in Cheshire East and 1.1ha is in Cheshire West and Chester.

The location of Scheme and land requirements are shown in Figure 3, with the land required in Cheshire West and Chester shown in Figure 4.

Further information relating to land is given in Section 12.

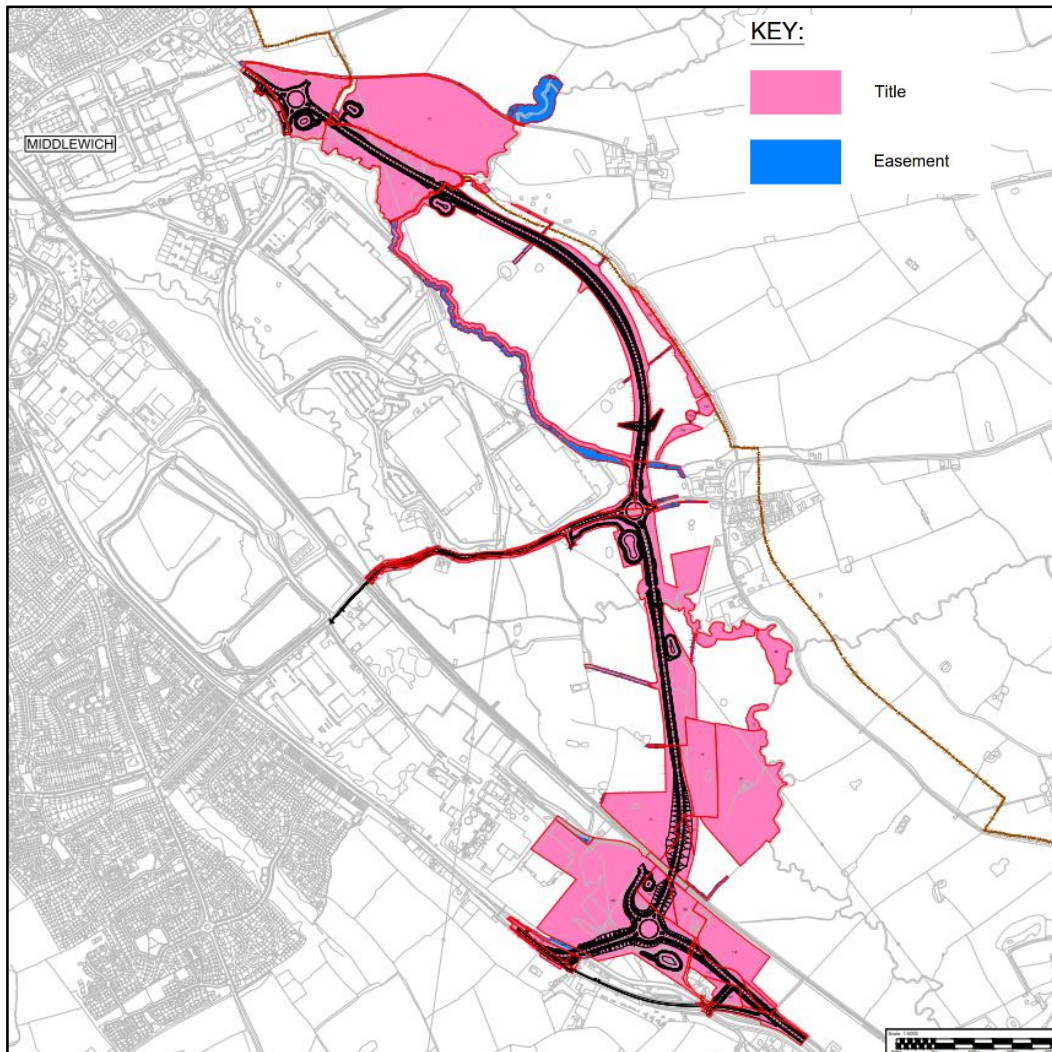
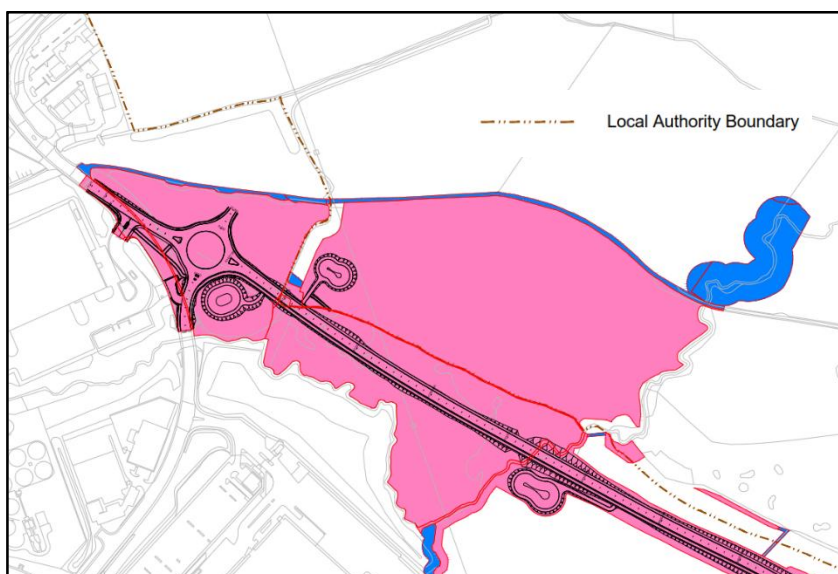


Figure 3: Middlewich Eastern Bypass Land Requirements



*Figure 4: MEB Extents Within Cheshire West and Chester*

### 3.3 Scheme History

The need for an eastern bypass of Middlewich has been acknowledged for many years and a Middlewich Eastern Bypass was first proposed around 40 years ago by the then Cheshire County Council to deliver objectives which were broadly similar to those of the current Scheme.

The Council worked in collaboration with private sector developers (Pochin) to deliver the bypass in conjunction with the construction of major logistics facilities on the Midpoint 18 site, with the scheme being effectively developer lead and financed.

The previous bypass scheme was partially completed in the late 1990's and currently extends from the A54 into the Midpoint 18 Business Park. The partially completed route, called Pochin Way, currently serves several commercial units but does not connect with any other highways and terminates in a dead end.

In 2008, planning permission was granted for the final section of the previous Middlewich Bypass, which would connect Pochin Way to the A533 at Tetton Bridge. The consent included several commercial units in the southern section of the Midpoint 18 site, but was conditioned such that further development could not take place until the completion of the bypass. A five-year extension to the planning permission was granted in July 2011.

The route of the final section of the bypass was an approved Cheshire County Council scheme identified in the County Council's LTP and was safeguarded in the Congleton Local Plan under Policy DP10, and has been carried forward as saved policy in Appendix B: Saved Policies, of the CEC Local Plan Strategy.

Following a long period of stagnation in the development market, during which funding opportunities for completion of the bypass were severely limited, Cheshire



East Council assumed responsibility for the delivery of the bypass from Pochin in 2015 and commenced a strategic review, with needs having changed significantly since the original bypass was conceived.

In June 2016, consent was granted for an application made under Section 73 of the Town & Country Planning Act to vary planning conditions that were attached to the 2011 planning consent. This effectively extended the consent for a further three years enabling it to be retained as an implementable option whilst the strategic review was being undertaken and completed

All former consents for the previous scheme have now lapsed.

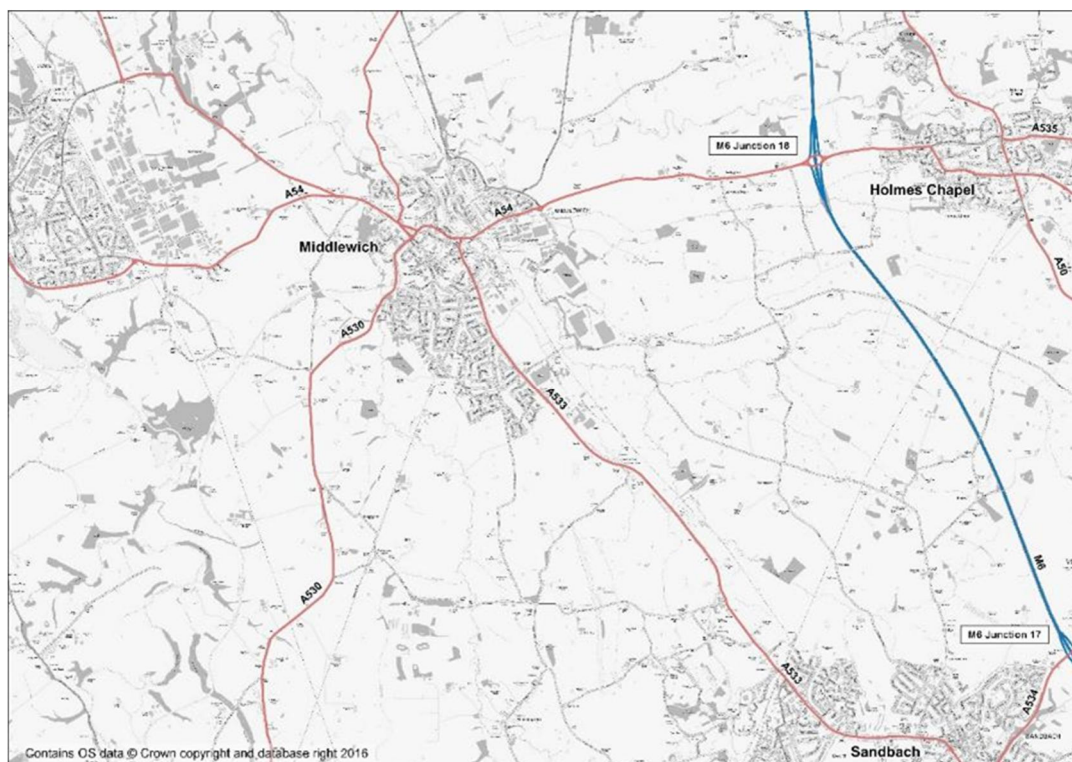
## 4 EXISTING AND FUTURE CONDITIONS

### 4.1 Strategic Road Links

Middlewich connects with the M6 at Junction 18 via the single carriageway A54 which runs in an east – west orientation between Chester and Congleton. The town centre is 3.8km from Junction 18.

### 4.2 Existing Road Network

The existing road network in the vicinity of Middlewich is shown in Figure 5 below.



*Figure 5: The Existing Highway Network*

Two major highways, the A530 and the A54, converge in Middlewich town centre. The roads through the town centre carry both local traffic and strategic traffic, which is passing through the town in order to travel to destinations further afield such as the M6, Winsford, Northwich, and Crewe. A further road, the A533 passes through Middlewich town centre, from Northwich to Sandbach.

The A530 Nantwich Road is a single-carriageway situated to the west of the proposed Scheme route. The road is subject to a 30mph speed limit with a national speed limit in place from Brynlow Drive to the south of Middlewich Road. The road provides connections to a number of urban centres including Crewe (circa 11 kilometres) and Nantwich (circa 14 kilometres) to the south but has a height restriction of 3.5m where it passes beneath the Shropshire Union Canal Branch south of the town centre restricting the use of the road by large vehicles. The road converges with the A54 close to the centre of Middlewich, which offers a connection to Junction 18 of the M6 east of Middlewich.

The A54 is a 30mph single carriageway route in the vicinity of Middlewich town centre. Away from the town centre the speed limit varies according to surroundings and context but is typically 50mph. The A54 extends through a significant area of Cheshire East, with close connections to Chester to the west. To the east there is a direct link to Junction 18 of the M6, and onwards towards Congleton.

The A533 is a single carriageway, with speed limits similar to the A54. The A533 forms the southern arm of the A54 Kinderton Street/A533 Leadsmithy Street signalised junction which suffers acute congestion in peak hours. Vehicles which cannot use the A530 due to the height restriction typically use the A533 as a suitable north-south route.

### 4.3 Traffic

The 2011 Census indicated that car ownership in Cheshire East was high with 83.9% of households having access to at least one vehicle and 10% of households having access to three or more vehicles. It also identifies that the most common mode of transport to employment was the private car.

Within Middlewich the corresponding ownerships are 86.6% and 11.2%, compared with respective averages of 74.3% and 7.4% in England.

The Census also shows that 77% of workers residing in Middlewich drive to their place of work compared to 60% in Cheshire East and 57% nationally.

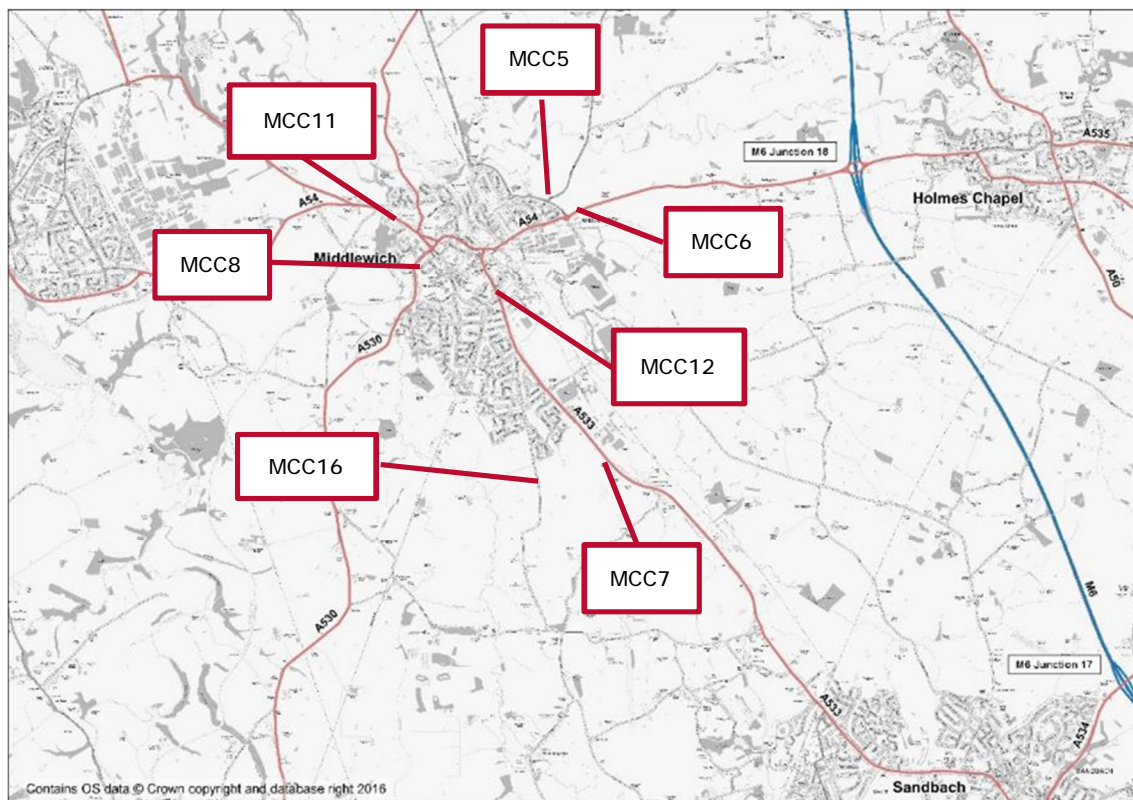
The proximity of Middlewich to urban centres such as Northwich, Crewe, Winsford and Manchester, as well as other major employment locations in the region indicates that much of the workforce use Middlewich as a base to commute to work in these urban centres, with 40% of Middlewich residents travelling between 5km and 20km to work.

Traffic surveys undertaken for the development of the Winsford and Middlewich Traffic Model in November 2014 show that the road network in Middlewich carries a higher proportion of HGV's than the national average for roads of a similar type. Table 1 below shows proportions derived from Manual Classified Counts (MCC) for key roads in the vicinity of the scheme compared with annual averages, with locations of the counts shown on Figure 6.

Road / Link	Observed Proportion of HGV's	Class of Road	Annual Average Proportion of HGV's by Class of Road (from COBA manual)
B5081 Byley Lane (MCC 5)	6.9%	Non-Built Up Principal	5.3%
A54 Holmes Chapel Road (MCC 6)	15.5%	Non-Built Up Principal	5.3%

A533 Booth Lane (MCC 7)	7.2%	Non-Built Up Principal	5.3%
A530 Nantwich Road (MCC 8)	4.0%	Built Up Principal	3.2%
A54 Chester Road (MCC 11)	9.1%	Built Up Principal	3.2%
A533 Lewin Street (MCC 12)	7.4%	Built Up Principal	3.2%
Warmingham Lane (MCC 16)	2.4%	Non-Built Up Principal	5.3%

*Table 1: Comparison of Observed HGV proportions (Nov 2014) to the Annual Average Category*



*Figure 6: Manual Classified Count locations*

The A54 Holmes Chapel Road between M6 Junction 18 and Middlewich carries a particularly high proportion of HGVs and examination of the DfT rolling ATC national data base indicates that this is the highest proportion of Heavy Goods Vehicles for its road class in England. Six of the main routes in Middlewich have significantly higher than average levels of HGVs for the type of carriageway.

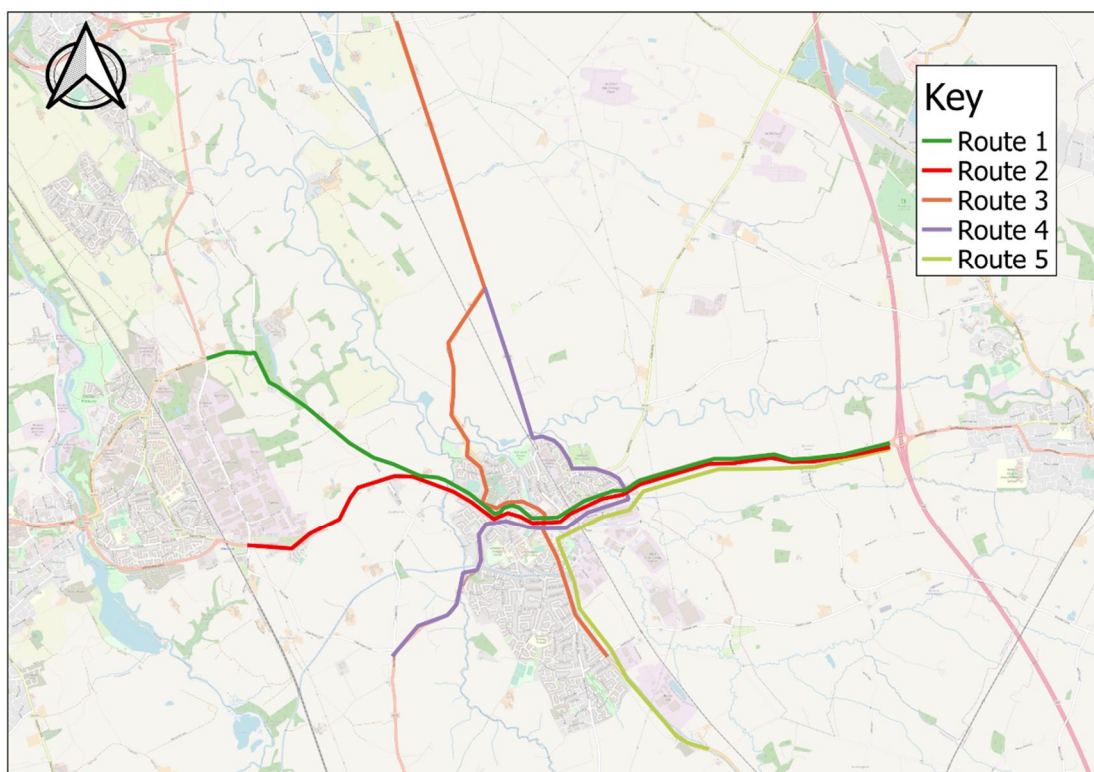
The combination of these factors results in Middlewich experiencing slow moving traffic on the A54, A530, & A533 during peak hours and significant congestion and delay at key junctions during the morning and evening peak hours.

#### Observed travel time and speed

TrafficMaster 2016 data sets have been used to gain an understanding of the average traffic conditions on keys roads around Middlewich, with more detailed modelling of the network and key junctions on the networks undertaken as part of the scheme development.

Traffic data for the AM and PM peak periods have been analysed and during the AM peak the A54 Chester Road and the A54 Kinderton Street and Holmes Chapel Road are the most congested with traffic moving slowly on the approaches to Middlewich. In the PM peak all approaches to Middlewich are medium to slow speed with congestion and frequent delays.

Delays on five key routes through Middlewich have been calculated comparing TrafficMaster 2016 for AM, PM and inter-peak data to journey times calculated for free flow conditions as shown in Figure 7.



*Figure 7: Routes Through Middlewich*

Observed delays for each route are given in Table 2 below:

Route	Route 1		Route 2		Route 3		Route 4		Route 5	
Length (miles)	5		4.5		4.8		3.7		4.2	
Direction	EB	WB	EB	WB	NB	SB	NB	SB	NB	SB
AM PEAK										
Observed Delay (secs)	60	196	86	178	-5	-33	27	176	113	172
Average speed without traffic (mph)	33	33	34	30	32	32	28	32	32	32
TM 2016 average speed (mph)	30	24	29	23	32	34	26	22	25	23
INTER-PEAK										
Observed Delay (secs)	34	116	56	101	-9	-27	14	122	201	276
Average speed without traffic (mph)	33	33	34	30	32	32	28	32	32	32
TM 2016 average speed (mph)	31	27	30	25	33	34	27	25	22	20
PM PEAK										
Observed Delay (secs)	34	116	56	101	-9	-27	14	122	212	198
Average speed without traffic (mph)	33	33	34	30	32	32	28	32	32	32
TM 2016 average speed (mph)	31	27	30	25	33	34	27	25	22	22

*Table 2: Observed delays on traffic routes through Middlewich*

Significant delays are noted on westbound journeys on the A54 between the M6 and Winsford and journeys in both directions between the M6 and the A533 south of Middlewich.

Delays are attributable to congestion in Middlewich Town Centre, with the principal cause of congestion being the signal-controlled junction at A54 Kinderton Street / A533 Leadsmithy Street / A54 St Michael's Way shown in Figure 8 below.



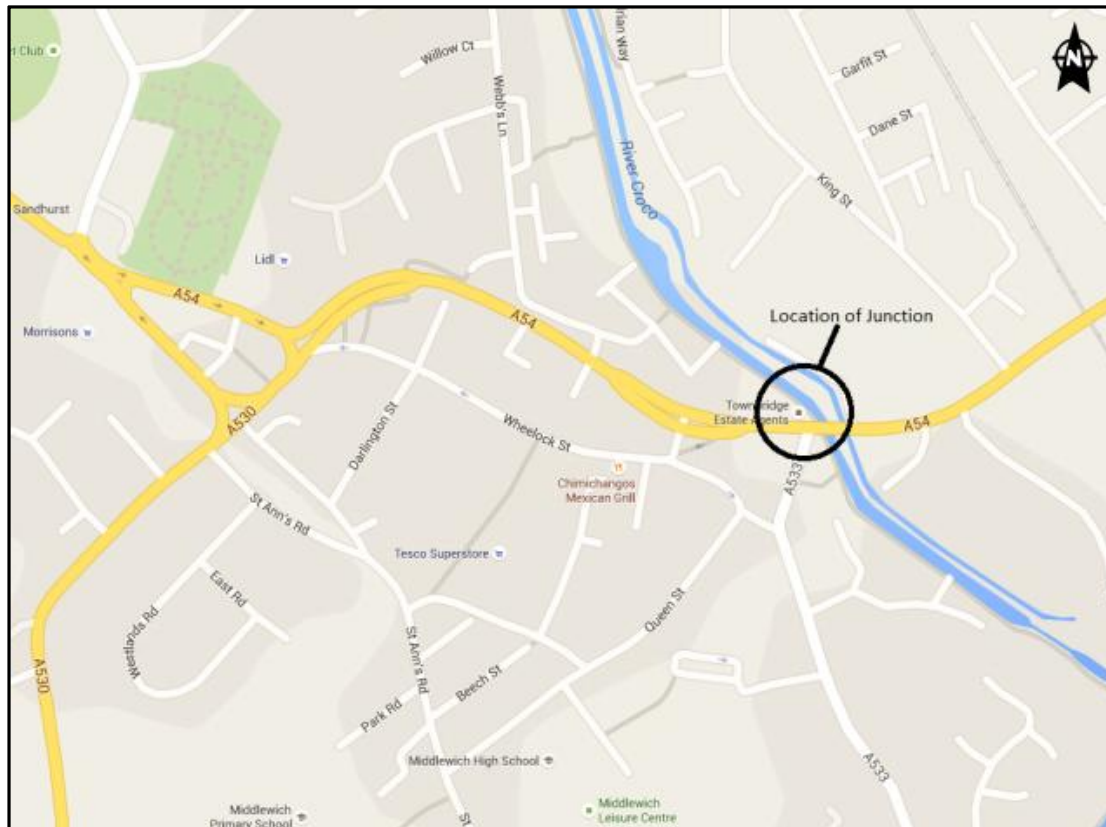


Figure 8: Location of the A54 Kinderton Street / A533 Leadsmithy Street Junction

Queue lengths recorded in surveys in 2016 showed extensive queuing at the junction as shown in Table 3 with queues and slow-moving traffic affecting key side roads in the vicinity of the junction:

Maximum recorded queue length (m)		
	AM Peak	PM Peak
<b>A54 Kinderton Street</b>	102	114
<b>A533 Leadsmithy Street</b>	90	96
<b>A54 St Michael's Way</b>	60	78

Table 3: Surveyed Queue Lengths

Table 4 shows modelled queue lengths and delays for the junction (from CEC Middlewich A54 St Michael's Way / A533 Leadsmithy Street (Town Bridge) Traffic Signal Junction Study December 2015):

	Mean Maximum Queue (m)	Delays per PCU (seconds)
<b>A54 Kinderton Street</b>	133.2	427.9
<b>A533 Leadsmithy Street</b>	116.3	435.5
<b>A54 St Michael's Way (Nearside)</b>	10.3	14.7
<b>St Michael's Way (Offside)</b>	52.3	391.8

*Table 4: Modelled Queue Lengths and Delays*

Additional traffic generated by developments or through general growth will cause delays to increase in future years.

Traffic modelling undertaken in 2018 during scheme development indicates heavy congestion at this and other junctions.

#### **4.4 Bus Services**

Bus services were subject to review by CEC in 2017 with changes to subsidised services approved at Cabinet in November 2017 and implemented in April 2018.

Two main bus routes pass through Middlewich:

- The 37/37A/37E operates between Northwich and Crewe and runs twice an hour Monday to Saturday.
- The 42 operates between Crewe and Congleton on an hourly service Monday to Saturday.

There are no bus services on Sundays.

Bus services are not segregated from other traffic on any routes and journeys subject to the same effects of congestion as other traffic.

#### **4.5 Train Services**

There are no passenger rail services available from Middlewich. Rails users must travel out of town to access rails services from network stations at Winsford, Sandbach, or Crewe. Winsford and Sandbach stations are 4km and 6km from Middlewich respectively and both stations have limited car parking facilities.

Paragraph 2.63 of The Local Plan Strategy states:

*'There is no railway station or passenger rail service within the town [Middlewich]; during the development of the Site Allocations and Development Policies Document, an area of land will be safeguarded to explore the potential delivery of a new train station.'*

The proposed new railway station in Middlewich is identified for a site off Brooks Lane, but there is currently no clear timeline for its construction.



## 4.6 Transport Related Environmental Issues

### Air Quality and Noise

HGV's are a key source of noise, vibration and air pollutant emissions. Traffic counts show that 6 out of 7 of the sites in Middlewich have higher levels of HGVs than the national average for their type of road.

### Existing Situation – Air Quality

There are currently 19 Air Quality Management Areas (AQMA) within the administrative boundary of CEC, declared for exceedance of the Air Quality Objective for Nitrogen Dioxide (NO<sub>2</sub>). Two are within close proximity to The Scheme: Chester Road Middlewich which was declared in 2017, and; Lewin Street Middlewich which was declared in 2019.

Locations are shown on Figure 9 below.

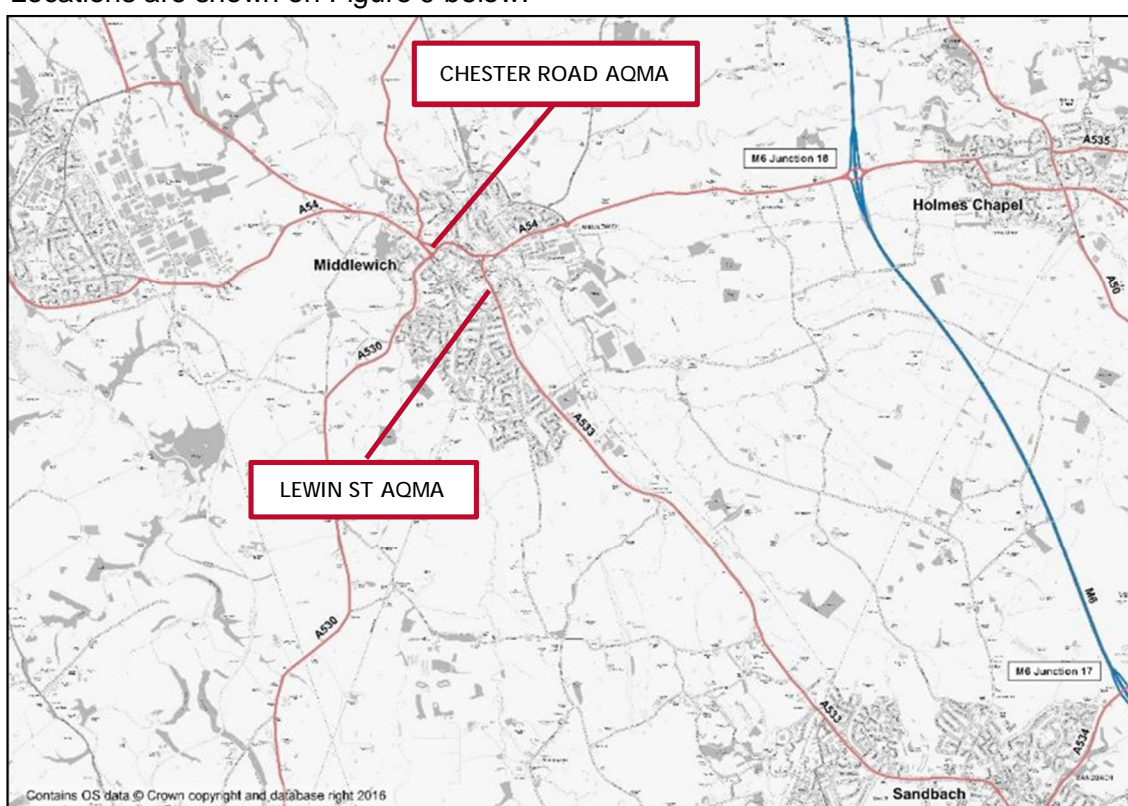


Figure 9: Locations of Air Quality Management Areas

### Existing Situation – Noise

There are five designated Noise Important Areas (NIAs) within the vicinity of The Scheme. NIAs are designated by DEFRA to detail those areas within England that are currently exposed to the highest noise levels as a result of road, rail or aircraft noise in order to aid the noise management of those areas.

The sections of roads that are highlighted as NIAs are:

- ID – 10863, A530 Nantwich Road at its junction with Chester Road and St Michael's Way. CEC are the noise making authority;
- ID – 7157, A54 Kinderton Street. CEC are the noise making authority;
- ID – 10864, A54 Holmes Chapel Road. CEC are the noise making authority;
- ID – 7159, A54 Holmes Chapel Road. CEC are the noise making authority;

and,

- ID – 10862, A533 Lewin Street. CEC are the noise making authority.

The NIAs are shown on Figure 10 below:

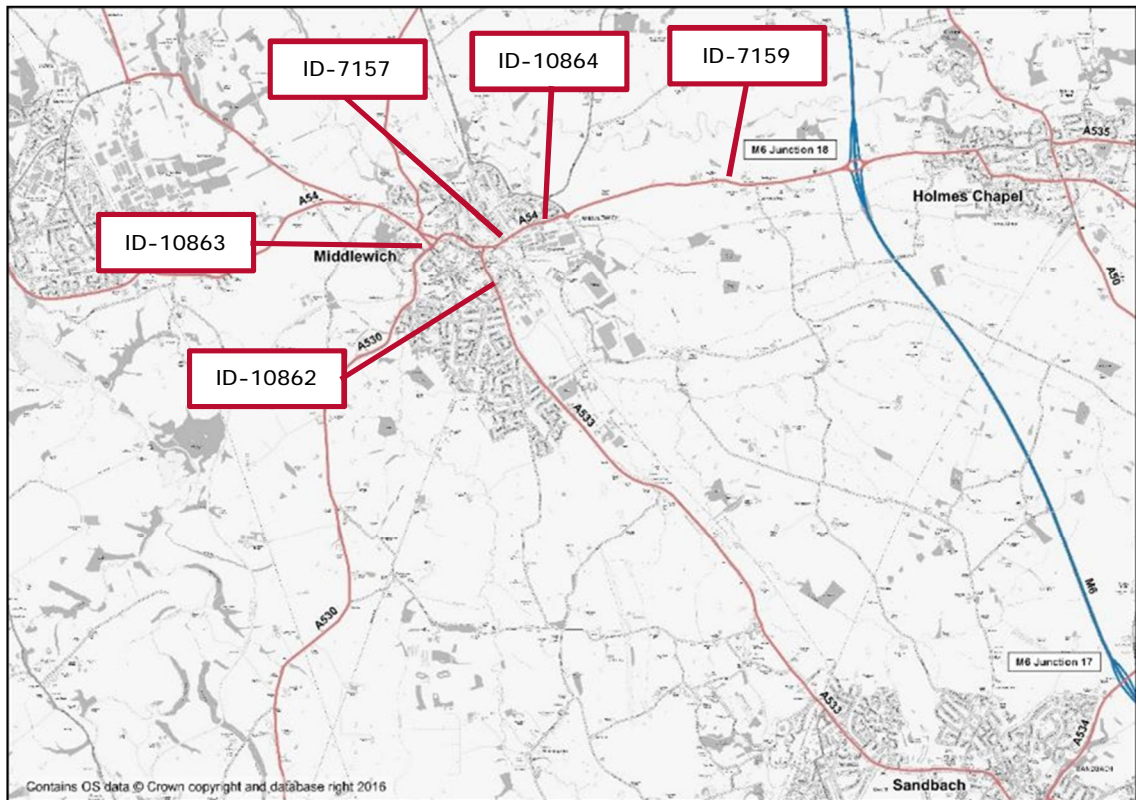


Figure 10: Locations of Noise Important Areas

#### 4.7 Road Safety

Personal Injury Accident data for a five year period between May 2012 and December 2017 shows a total of 66 accidents of which a large proportion were on or around the M6 at Junction 18. Of the 66 accidents, 54 were slight, 11 were serious, and there was 1 fatality. The fatal accident occurred in 2015 at the roundabout junction on the A54 Holmes Chapel Road and Pochin Way, and was the result of a motorcyclist hitting the central kerb on exiting the roundabout causing the driver to lose control. The accident does not appear to be the result of the roundabout arrangement. Locations of recorded accidents are shown on Figure 11 below and no significant accident sites or areas are noted.



Figure 11: Locations of Recorded Accidents

A more significant highway safety concern relates to a section of Lewin Street which forms part of the A533 approximately 250m south of Middlewich town centre, where there is a narrow section of road with narrow footways constrained by buildings fronting straight onto the street.

High proportions of HGVs using the road (7.4% of the total traffic at MCC12 as shown in Table 1 above) combined with the restricted carriageway and footway widths create significant potential hazards for pedestrians as illustrated in Figure 12 below which combines photographs taken from a study undertaken by the Council in 2015.







*Figure 12: Photographs Illustrating Lewin Street Hazards*

## 5 NEED FOR THE SCHEME

- 5.1** The Scheme is being promoted by the Council as a means of relieving congestion in Middlewich, improving journey time reliability on the existing wider highway network, directly facilitating the development of the Midpoint 18 strategic employment site, and indirectly facilitating other developments in the Local Plan Strategy, as discussed in Section 3, through improvements to the wider highway network.

Additional connectivity benefits from the Scheme are realised by mitigating traffic congestion in the town and relieving delays on strategic roads linking the mid-Cheshire towns, especially Middlewich, Winsford and Northwich via the A54 to the national motorway network at M6 Junction 18.

As mentioned, paragraph 15.510 of the Local Plan Strategy states that The Scheme is: *‘a key piece of infrastructure vital to the future prosperity of Middlewich, Cheshire East and the wider region’*

The Cheshire East Local Plan Strategy states that Middlewich has been identified as one of the Key Service Centres for Cheshire East, and as such the vitality and growth of the town contributes to the prosperity of the borough as a whole.

As highlighted in Section 3, the timely delivery of The Scheme is identified in the Local Plan Strategy as key to ensuring that Middlewich realises its full sustainable growth potential as a Key Service Centre and also contributes to the prosperity of the Borough.

The Middlewich Eastern Bypass is referred to in Transport for the North’s Major Roads Report first published in 2017 and updated in 2018. It is noted as a scheme which will help deliver the Manchester Airport HS2 to North Wales Arc which is one of the thirteen Pan-Northern Connectivity Priorities identified by TfN for the north of England.

The Manchester Airport HS2 to North Wales Arc would create an enhanced east-west corridor of movement which capitalises on the major opportunities provided by HS2 at Manchester Airport and Crewe to benefit Greater Manchester, Cheshire and Warrington, the North Midlands, and North Wales. The scheme will contribute to the growth ambitions of the North by improving connections within Cheshire.

The Scheme also contributes to the HS2 Growth Strategy for the Northern Constellation Partnership which is an alliance of 7 major local authorities and 2 Local Enterprise Partnerships (LEPs), including Cheshire East Council and the Cheshire & Warrington LEP.

HS2 is expected to strengthen the national and international reach of the Constellation enabling the area to become a leading economic powerhouse in the UK and helping to rebalance the economy.

Middlewich sits within the core growth area of the Constellation due to its proximity to the key HS2 rail hub at Crewe, and the development of the Midpoint 18 employment and logistics site is an example of the constellation towns potential for future growth.

[could insert good graphics from HS2 growth strategy here but maybe over-playing the significance]

The Scheme also offers particular advantages for access to the proposed HS2 Crewe North Rolling Stock Depot at Wimboldsley by creating the opportunity for a future highway link from the southern end of the Scheme to the A530 which combined with the Scheme would form a high standard route between the M6 at Junction 18 and the Crewe North Rolling Stock Depot as shown in Figure 13 below.

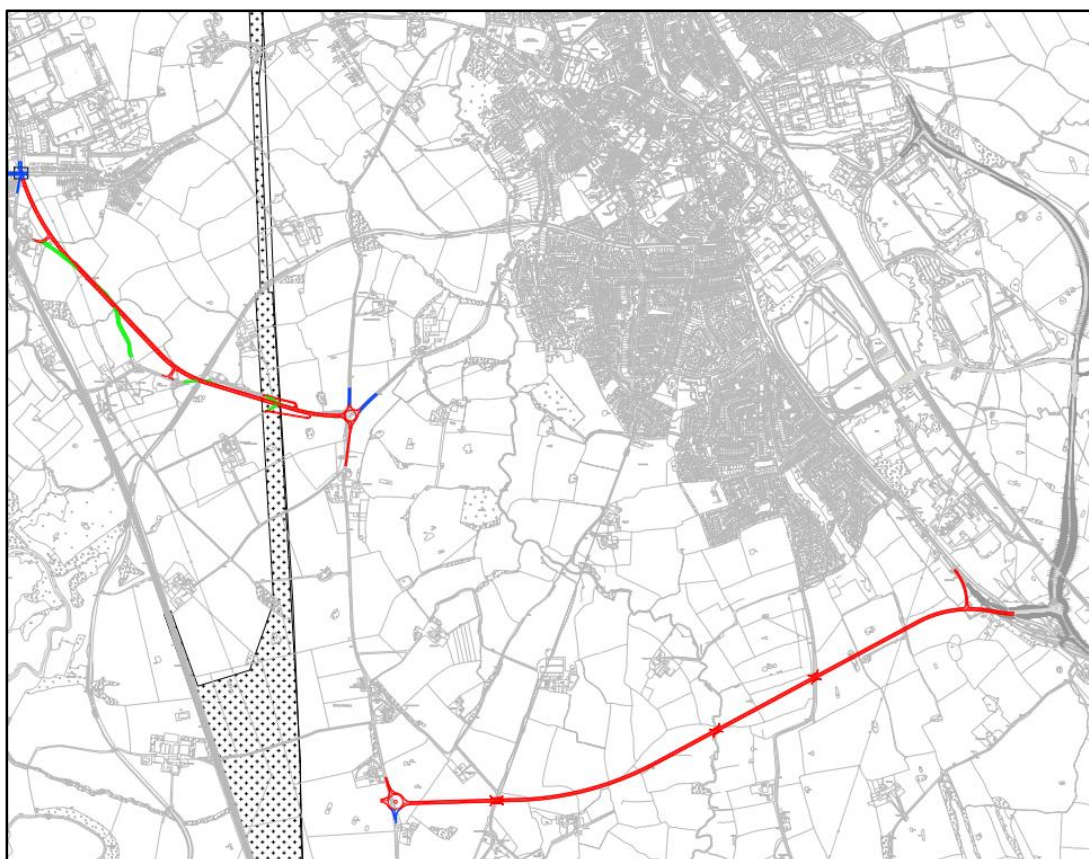


Figure 13: Potential Southern Link from MEB to A530 & HS2

## 5.2 Traffic Problems and Issues

### Congestion and Delay:

The volume of traffic at peak times causes the road traffic to be slow in Middlewich town centre, especially on the A54 Chester Road, A54 St Michael's way, A54 Kinderton St and A54 Holmes Chapel Road. The A530 and the A533 which both enter Middlewich are also heavily congested at peak times. Section 4 provides information on the existing conditions giving journey time delays observed from collected data for key trips through Middlewich.

Traffic modelling undertaken for the development of the scheme has shown that with background growth in traffic and the inclusion of traffic from planned development for Middlewich, the traffic levels in future will be significantly higher than existing, leading to increased congestion.

Increased congestion would exacerbate all current traffic related problems within the

town described in Section 4, with the key junction at A54 Kinderton Road / A533 Leadsmithy Street operating over operational threshold capacity in the AM peak and significantly beyond maximum capacity in the PM peak.

Impacts on through routes have been analysed and further increases in journey times (delays) are predicted. The most heavily affected route is northbound from A533 Booth Lane to M6 J18 which increases by 5 minutes and 43 seconds in the short term and by 16 minutes and 15 seconds in the long term.

#### Bus Services:

Increased congestion and delay will directly impact bus services as there are no segregation or prioritisation opportunities on the existing road network.

#### Traffic Related Environmental Issues:

Increases in traffic are forecast on all routes which are currently designated AQMAs or NIAs. Traffic increases will cause a worsening of air quality and an increase in noise.

#### Safety:

If no improvements are made, the increase in traffic levels on the A54, A530 and A533 within Middlewich will cause key junctions to operate over capacity creating long delays. There is a risk that to avoid the congestion, drivers will increasingly use residential streets between A533 Booth Lane and A530 Nantwich Road and unclassified roads between A533 Booth Lane and A54 Holmes Chapel Road as alternative routes to mitigate delays. Re-assignment of traffic to roads that are not suitable would be expected to lead to a reduction in road safety for all categories of users.

The specific safety hazards for pedestrians and other non-motorised users associated with the narrow section of Lewin Street would be made worse with increases in traffic.

### 5.3 Employment

Local Plan Strategic Sites at Midpoint 18 and Brooks Lane, as described in Section 3, will provide employment opportunities through the development of a range of uses including logistics, manufacturing, leisure and retail facilities. However, these sites cannot be fully developed without measures to enhance the road network.

The Midpoint 18 site is approaching the current limits of development capacity. Recent and current planning applications and consents leave no opportunities for significant further development on the accessible part of the site to the north of Cledford Lane. Without the Scheme the area of site south of Cledford Lane is inaccessible to anything other than light vehicles from existing roads and will remain undeveloped.

The Brooks Lane site is land-locked by the Trent and Mersey Canal, the Sandbach to Northwich Rail Line and the Cledford Lime Beds which are a Site of Biological Importance. Access to and from the site is constrained to be from the A54 Kinderton Street which suffers from significant congestion and is a cause of traffic queuing to leave the site. A worsening of existing traffic conditions will reduce the appeal of the site to developers.

## 6 OBJECTIVES OF THE SCHEME

### 6.1 Scheme Objectives

On commencement as Scheme Promoter for the bypass the Council analysed and reviewed the strategic aims and objectives for the bypass with key stakeholders. This was informed by new and updated information and took account of all the requirements for Middlewich.

The result was a Strategic Case for the Middlewich Eastern Bypass which was adopted by the Council in May 2016.

### 6.2 The Strategic Case

The Cheshire East Council primary aim in developing the Middlewich Eastern Bypass is stated simply in the Strategic Case approved by Cabinet in May 2016 as:

*‘To deliver a scheme which functions as a bypass and delivers a long-term sustainable traffic solution for Middlewich’*

Implicit within the primary aim are considerations relating to:

- The quality of the provision and route standards;
- Alleviation of traffic congestion on the local highway network;
- Alleviation of road safety concerns on the local highway network;
- Impacts on non-peak journeys in terms of distance travelled and time taken.

In addition to functioning as a bypass, the scheme was required to deliver positive outcomes with respect to 10 key requirements that were identified through internal consultations within Cheshire East Council.

The requirements are listed below with additional narrative to give context:

#### *Fulfilling delivery of the Local Plan*

The bypass needs to be capable of enabling the delivery of the Local Plan with particular emphasis on the creation of employment through development of Midpoint 18 and other strategic sites, and housing commitments to support growth of the area.

#### *Delivery of further development opportunities*

It is desirable for the bypass to be capable of delivering or enabling development opportunities beyond those contained in the local plan thereby providing longer term benefits to Middlewich

#### *Facilitation of High Growth City objectives associated with HS2 (Northern Gateway)*

High Growth City objectives associated with HS2 include the Northern Gateway which requires improved highway access to Crewe from M6 J18 to the north. The bypass options will be assessed and ranked based upon their potential to be a key component of the Northern Gateway.

#### *Facilitation of an east to west bypass (future strategic highway development)*

Whilst an east – west route is not current Council Policy, a more direct route from M6 J18 to Winsford Middlewich Road in the future may be desirable or even



essential. The bypass should route should preferably facilitate, and in any event not hinder the future development of a strategic east-west link providing improved linkage between M6 J18 and Winsford. Future-proofing opportunities associated with the options will be considered.

#### *Connectivity with Cledford Lane*

Cledford Lane provides access to a number of properties to the east and west of the bypass, and whilst minor and non-strategic in nature, the potential for connectivity in each direction between the bypass and Cledford Lane will be assessed.

#### *Delivery of a new railway station site for Middlewich*

A new railway station for Middlewich anticipated either within Midpoint 18 or in the Brooks Lane regeneration area will require highway access and the bypass shall be capable of delivering a suitable standard of access taking into consideration demands for park and ride and linkage for other modes of transport.

#### *Facilitating further rail opportunities*

Further rail opportunities associated with the chord line running from Sandbach to Northwich on the boundary of the Midpoint 18 site, associated with HS2 facilities (freight services relocation from Crewe), rail based manufacturing, and multi-modal facilities development will be considered by virtue of the ability of the bypass to support any or all opportunities. The potential for effective highway linkage to the bypass is an essential enabler for rail based development opportunities.

#### *Speed of delivery*

Speed of delivery of the scheme will be of fundamental importance in relieving traffic congestion, alleviating road safety concerns and generating the benefits for Middlewich and Cheshire East associated with the Local Plan. Options will be ranked based upon the scale and complexity of works required and anticipated time for implementation.

#### *Environmental impacts*

Environmental impacts may vary significantly between the route options and will form a consideration in the overall evaluation of options.

Cumulative impacts from habitats & species (including a nationally-significant population of lesser silver diving beetles) may potentially rule out some options. Those options which do not appear to be at risk of such cumulative impact will be assessed by species / habitat based upon: Population; Level of Protection (statutory); and Impact of the scheme on the resource.

Environmental ranking will be provisional at this stage (consistent with scoping) as ecology surveys are incomplete and EIA works will be undertaken in the next phase.

#### *Cost and effectiveness of environmental mitigation*

Closely linked to environmental impacts are the mitigation works required and their cost effectiveness. Key determinants to be considered include:

- Number of watercourse crossings and adjacencies of the options to the watercourses
- Number of ponds impacted and degree of severance of species communities

by the options

Hedgerow impacts based upon measurement of hedgerows lost and potential significance

Scheme objectives have evolved from this initial set of strategic objectives for route selection studies approved at the May 2016 Cabinet, through to the development of the current objectives defined for the development stage and stated in the planning application for the Scheme, with some of the initial objectives only being relevant as differentiators between options and no longer appropriate for scheme development and delivery.

### 6.3 The Current Scheme Objectives

The Scheme Objectives as listed below address the needs for the scheme as presented in Section 5, broad objectives of the Local Transport Plan, and specific access opportunities to maximise the benefits of The Scheme to Middlewich.

- Relieve traffic congestion and reduce road safety concerns in the town centre,
- Help deliver the Local Plan, to create opportunities for new business and employment in Middlewich,
- Help deliver the Local Plan sites for new housing in Middlewich,
- Help unlock more development opportunities in the future,
- Provide suitable access to Cledford Lane and Booth Lane from the bypass,
- Reduce any negative environmental impacts of the scheme,
- Provide facilities for pedestrians and cyclists.

### 6.4 How the Scheme Objectives are met

- Relieve traffic congestion and reduce road safety concerns in the town centre:  
By providing a new route between the A54 Holmes Chapel Road east of Middlewich and A533 Booth Lane south of Middlewich, congestion through the town centre would be reduced by removing the proportion of traffic that currently uses the A533 to travel south towards Sandbach and Crewe or north from Crewe and Sandbach. This is estimated from modelling outputs to be circa 30% of the total traffic.  
The traffic will divert onto the bypass which will form a quicker and more direct route with fewer junctions and higher speed limits.  
Removal of this traffic from the total passing through the town centre will enable existing junctions to operate within capacity removing the causes of congestion.  
The bypass will provide a suitable route for HGV traffic enabling it to avoid the narrow sections of road on Lewin Street improving safety for all road users, but particularly for pedestrians.
- Help deliver the Local Plan, to create opportunities for new business and employment in Middlewich  
Completion of the bypass would:  
Provide access to the remaining areas of Midpoint18 Strategic Employment site south of Cledford Lane enabling development of the full site allocation, and;

Reduce congestion on A54 Kinderton Street in the vicinity of the junction with Brooks Lane releasing capacity in the highway network to support the redevelopment of the Brooks Lane Strategic Location.  
Provide access to the former RHM Foods 'Bisto' Site for redevelopment.

- Help deliver the Local Plan sites for new housing in Middlewich  
The Local Plan Housing sites in Middlewich are at Glebe Farm and Warmingham Lane and are located to the south of Middlewich as shown in Section 3 Figure 2.  
Delivery of the bypass would reduce traffic congestion on the adjacent section of A533 Booth Lane and provide the sites with easy access to a high standard route to the M6. Traffic wishing to head west towards Winsford and Chester would benefit from improved journey times through Middlewich town centre resulting from reduced congestion.  
Whilst both sites have planning consent, the improvement in the highway network is expected to lead to the consents being implemented earlier than would otherwise be the case.  
The creation of employment at Midpoint 18 and Brooks Lane would increase the demand for new housing in Middlewich.
- Help unlock more development opportunities in the future  
Key features of the bypass have been designed to maximise the potential for future connectivity with the A530 facilitating via a southern link and the creation of an alternative route to Winsford (avoiding Middlewich town centre).  
A southern link would provide high standard highway access to land which is currently inaccessible and would promote the possibility of further development to the south of Middlewich beyond the current Local Plan.  
Development of a southern link is currently at Strategic Outline Business Case stage and is being studied collaboratively by Cheshire East and Cheshire West and Chester Councils.
- Provide suitable access to Cledford Lane and Booth Lane from the bypass  
The bypass would connect with Cledford Lane via a roundabout junction enabling access to the bypass from the east and the west. Access from the west will enable a large proportion of traffic from the ANSA Environmental Hub site and from the TATA (British Salt) site on Cledford Lane to access the bypass further reducing traffic on the A533 and through the town centre.  
Booth Lane would connect with the bypass via a roundabout junction, providing a high standard of connectivity. A new bridge would be constructed over the Trent and Mersey Canal future proofing the route against long term structural deterioration of the existing bridge over the canal at Tetton.
- Reduce any negative environmental impacts of the scheme  
Whilst it is more of a key requirement than an objective in the truest sense, the environmental impacts have been carefully assessed and following initial screening and scoping a full Environmental Impact Assessment was undertaken for the scheme with the production of an Environmental Statement as part of the planning application.

Where significant impacts to ecological features have been identified,

additional mitigation measures to avoid, reduce or compensate for significant impacts have been identified and would be implemented to address these impacts. The effects of habitat loss and direct mortality on these species would be mitigated by:

Creation of alternative habitat areas, including new ponds for Lesser Silver Water Beetle and toads;

Creation of barn owl foraging areas remote from the scheme;

Creation of bat hop overs;

Creation of a reptile connectivity corridor;

Mammal tunnels installed under the road;

Inclusion of mammal ledges within culverts;

The installation of bat boxes;

The installation of nest boxes for Kingfisher; and

The installation of temporary and permanent badger fencing in key locations.

The areas of habitat creation and enhancement would be subject to continued monitoring and management to ensure they are successful. After 15 years it is anticipated that residual impacts to all the important ecological features identified above would be neutral once habitat creation works have had time to establish and mature.

The proposed Scheme has been designed to ensure no net loss of habitat and provide a net biodiversity gain through mitigation.

Other environmental mitigation that would be included in the scheme includes extensive landscaping to reduce visual impacts, and discrete lengths of acoustic fencing to mitigate noise impacts.

- Provide facilities for pedestrians and cyclists

A 3m wide dual use cycleway footway would be created on the western side of the bypass over its full length and carefully connected to existing facilities at each end of the scheme to provide a high standard of facility for pedestrians and cyclists.

Improvements would also be undertaken on Cledford Lane to segregate pedestrians and cyclists from vehicular traffic.

## 7 POLICY CONSIDERATIONS

### 7.1 Introduction

A review of relevant policy documents has been undertaken to identify how the Scheme fits with national, sub-regional and local policy.

### 7.2 National and Strategic Policy

The following National policy documents include relevant guidance:

- *National Planning Policy Framework, 2019 (includes minor clarifications to the revised version published in July 2018)*
- *Investing in Britain's Future, 2013*
- *Actions for Roads, A Network for the 21st Century, 2013*
- *National Infrastructure Plan, 2013*
- *HS2: Engine for Growth*
- *DfT's Strategic Vision, 2014*

#### · National Planning Policy Framework (NPPF)

The NPPF sets out the government's planning policies for England.

Paragraph 11 of the NPPF identifies a presumption in favour of sustainable development as being at the heart of the planning system, and also that development which is sustainable should be approved without delay.

Paragraph 8 of the NPPF sets out that there are three overarching objectives to achieving sustainable development:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

These objectives are interdependent and need to be pursued in mutually supportive ways.

The Scheme accords with the overarching objectives of the NPPF by providing key infrastructure to support economic development and provide environmental and access improvements to residential areas whilst increasing biodiversity and minimising environmental impacts.

- Investing in Britain's Future, 2013  
This document outlines how the UK will invest in infrastructure to 2015 and beyond. There are 4 elements:
  - *A pipeline of public investment in infrastructure worth over £100 billion to 2020;*
  - *Policy reforms to stimulate new private sector investment in energy generation, building on the UK's world-leading track record in attracting investment;*
  - *Transforming the financing of major projects by the further roll-out and extension of the UK guarantees scheme; and*
  - *Strengthening public sector delivery of major projects and programmes, learning from successful approaches taken in the Olympics and elsewhere.*

The policy committed the Government to the biggest programme of investment in roads since the 1970s. It is to treble annual investment in major road schemes by 2020 – 2021. It has also committed to build HS2 with trains travelling at up to 400 km/h, which is to travel through Cheshire East with a stop at Manchester Piccadilly and Crewe Rail Station, providing faster, more regular connections between Cheshire East and London.

The Scheme contributes to the delivery of key infrastructure by the public sector and supports development of HS2 through improved access to key construction areas.

- Action for Roads, A Network for the 21<sup>st</sup> Century  
This document highlights that the local highway network is the country's most valuable asset and that without action, there is a risk that the condition of the highway network will deteriorate, leading to more road casualties, road closures, weight or width restrictions and longer journey times leading to having a negative effect on the economy and growth. Thus, the document states that Central Government have provided significant funding for major road schemes promoted by local authorities and the document announced that they are to free up longer term investment funding so that local authorities are better able to tackle transport problems in the area. It also announced that funding for local highway authority schemes is to be via the Single Local Growth Fund and Pinch Point funding.

The Scheme achieved programme entry for the Department for Transport Large Local Major Infrastructure Projects in November 2017 and assists the Government in the delivery of the key ambition.

- National Infrastructure Plan  
The National Infrastructure Plan announced that the North West region would be allocated £630 million to upgrade their roads, a significant proportion of which would be through the Local Growth Fund, of which the spending will be devolved to 39 Local Enterprise Partnerships who would be responsible for determining local priorities with delivery of the projects remaining through local authorities.

The Scheme has been developed and promoted with the full support of the Cheshire and Warrington Local Enterprise Partnership.

- High Speed 2 (HS2)

The delivery of HS2 with a new central hub in Crewe is fundamental to the delivery of the Northern Gateway Development Zone (NGDZ) programme, which aims to capitalise on the investment of HS2 in Cheshire East, Cheshire West and Staffordshire.

The bypass is an initial part of HS2 growth strategy for the area, and it will better link Middleswich to the HS2 growth area. Construction of phase 2b of the HS2 line north of Crewe where the line diverges from the West Coast Mainline will create large traffic movements in Cheshire. The bypass would provide a key access route from the M6 and strategic roads to construction sites, following restrictions, such as height restriction on the A530 in the existing network in the area.

HS2's published plans for the proposed North Crewe Rolling Stock Depot at Wimboldsley show a network-significant facility located less than 3km west of Middleswich. The depot is connected to the national motorway network at M6 Junction 18 via A530/A54 through Middleswich town centre. Both construction and operational traffic associated with the depot is highly likely to experience delays and congestion within the town centre, leading to sub-optimal performance at the facility. Therefore, the opportunities to alleviate congestion in Middleswich can be an important influence on the successful delivery of plans for HS2 in Cheshire East.

This transformational change would play a key role in delivering the Government's vision of a Northern Powerhouse to revitalise the north and rebalance the UK economy. The NGDZ programme will also play a key role in linking the Northern Powerhouse with the Midlands Engine, bridging the gap between the two areas.

- DfT Strategic Vision

The DfT has eight performance areas and each area has a long-term aspiration. The eight performance areas are:

- *Making the network safer*
- *Improving user satisfaction*
- *Supporting the smooth flow of traffic*
- *Encouraging economic growth*
- *Delivering better environmental outcomes*
- *Helping cyclists, walkers and other vulnerable users of the network*
- *Achieving real efficiency*
- *Keeping the network in good condition*

The Scheme contributes to all performance areas within its local context.

### 7.3 Sub-Regional Policy

The following sub-regional documents are relevant:

- *Strategic Economic Plan and Growth Plan for Cheshire and Warrington*
- *Cheshire East Local Transport Plan*

- A Strategic and Economic Plan for Cheshire and Warrington

The aim of the Cheshire and Warrington Local Enterprise Partnership (LEP) is to make Cheshire and Warrington the best place to do business in the UK by creating the ideal environment for businesses to grow, providing access to the right skills,

delivering supportive and efficient public services, infrastructure and utilities and maintaining the sub region as a beautiful part of the country to enjoy.

The LEP produced a Strategic Economic Plan (SEP) in March 2014 which outlines how this aim is to be achieved. The SEP outlines three priority areas:

- *Atlantic Gateway*
- *Cheshire Science Corridor*
- *Crewe High Growth City*

A Middlewich Eastern bypass is identified as an enabler to maximize growth assets (property and place), and attract and retain talent. In Cheshire and Warrington. Delivery of the bypass is also critical in the delivery of housing and employment also as part of Crewe High Growth City, accelerating growth and potential for the Cheshire areas to be linked and grow together. Other development projects may be hindered without the bypass as a result of current congestion. The Cheshire and Warrington LEP Transport Strategy notes that Middlewich and Winsford will experience the highest growth in demand for movement (+31% to 2030) in the sub-region, which is likely to exacerbate congestion problems in the future.

The Middlewich Eastern Bypass, as a constituent part of a more significant solution to deliver improved connectivity across the Cheshire and Warrington area is critical to the delivery of the SEP, both in terms of strategic economic benefits associated with journey time savings, but also locally in terms of unlocking and improving the attractiveness of significant development aspirations around Middlewich, Winsford, and north west Crewe. The central location of Middlewich and its strategic proximity to the M6 means that an improvement to the highway network will support the three priority areas of the SEP.

#### Cheshire East Local Transport Plan

In 2011 Cheshire East Council published a Local Transport Plan (LTP) in accordance to guidance produced by the Department for Transport (DFT). It is a strategic plan for the development of transport within Cheshire East over the next 15 years, outlining how transport will contribute to and support the longer-term aspirations of the borough.

Key objectives outlined in the plan are below:

- *Objective 1 (Congestion): Minimise congestion and improve the overall efficiency of the highway network.*
- *Objective 2 (Accessibility): Improve accessibility to key services (employment, education, health, shopping and leisure) and reduce the need to travel.*
- *Objective 3 (Maintenance): Improve maintenance of the highway and transport network.*
- *Objective 4 (Community): Support community involvement and decision-making.*
- *Objective 5 (Health): Support active and healthy lifestyles.*
- *Objective 6 (Environment): Protect and enhance the local and global natural environment (including environmental assets such as biodiversity, geodiversity, soils and protected landscapes).*
- *Objective 7 (Safety): Improve road safety for all users and increase personal and community safety.*



The proposed Middlewich Eastern Bypass scheme would align positively with the key objectives of Cheshire East Council's Local Transport Plan.

#### 7.4 Local Planning Policy Context

The Scheme extends over two Local Planning Authorities, which both have a Statutory Local Development Plan.

For Cheshire East this Plan is made up of:

- Cheshire East Council - Local Plan Strategy 2010-2030 (adopted on 27<sup>th</sup> July 2017;
- Congleton Local Plan, Saved Policies (January 2015)

For Cheshire West and Chester, this Plan is made up of:

- Cheshire West and Chester Local Plan - Parts One and Two (adopted on 29<sup>th</sup> January 2015 and 18<sup>th</sup> July 2019 respectively). and
- Vale Royal Borough Local Plan – Saved Policies (from 29<sup>th</sup> January 2015)

#### • Cheshire East Local Plan

The adopted Local Plan Strategy is underpinned by a need to improve transport connections across the Authority area. Completion of the Middlewich Eastern Bypass is identified as one of the projects which are planned to address congestion issues in the area, in addition to Congleton Link Road and improvements on the A51, A530 and the A500 Barthomley Link, and as such it is explicitly listed in the Infrastructure Delivery Plan.

The Local Plan Strategy also sets out the overall vision and planning strategy for development in the borough and contains planning policies to ensure that new development addresses the economic, environmental and social needs of the area. It also identifies 50 strategic sites and three strategic locations that will accommodate most of the new development needed for the borough's growth predictions.

The Local Plan identifies Middlewich as an area of high-quality employment led growth to accommodate the expansion of existing businesses and attract new investment in to the town, as well as new housing. Delivery of the Bypass would increase connectivity, and relieve current congestion in Middlewich.

The Local Plan states that the delivery of The Scheme should take place alongside new Local Plan developments to ensure its full growth potential.

Of the proposed new homes, a significant amount are located to the south of the town at Glebe Farm and Warmingham Lane as shown in Section 3 Figure 2, and will therefore have good access to the southern end of the Bypass route.

The employment opportunity within Midpoint 18 will be accessed directly off the Bypass and the opportunity is severely limited without The Scheme.

Should The Scheme not be completed, delivery of all future development sites may be hindered due to access limitations and existing traffic issues in the town centre.

## Cheshire West and Chester Local Plan

The Cheshire West and Chester Local Plan (Part One) includes strategic objectives to provide efficient transport networks that support sustainable growth, whilst improve accessibility to jobs and services. In addition, it includes objectives to ensure development is supported by the necessary infrastructure and services.

Although within Cheshire East, Middlewich is enclosed to the east, west and north by the boundary of Cheshire West and Chester (CW&CC). Therefore, the growth of Middlewich and surrounding transport improvements are of importance to CW&CC.

## 7.5 Planning Policy

### Local Level:

The need for supporting infrastructure is set out in the 'Vision for Cheshire East' in 2030, from the Local Plan:

*"Well designed new employment and housing development will have been developed to fully meet identified needs in locations that reduce the need to travel. The infrastructure to support this growth will have been delivered in partnership with other organisations, whilst maximising and enhancing those built and natural features most valued across the borough."*

In order to achieve the vision CEC have developed four strategic priorities; Strategic Priority 4 is:

*"Reducing the need to travel, managing car use and promoting more sustainable modes of transport and improving the road network", which will be delivered by measures including "...Providing additional transport infrastructure to improve connectivity".*

In terms of planning policies in the Local Plan, Policy IN 1 (Infrastructure), states that:

*"Infrastructure delivery will take place in a phased co-ordinated manner guided by the Infrastructure Delivery Plan".*

Policy CO2 (Enabling Business Growth Through Transport Infrastructure) of the Local Plan, specifies that support will be given for schemes identified within the CEC Infrastructure Delivery Plan. The Scheme is included in the current Infrastructure Delivery Plan (July 2016), and is also identified in the supporting text to Policy CO2, as a major highway scheme that the policy will support.

CEC's Infrastructure Delivery Plan identifies the importance of Middlewich Eastern Bypass. The Scheme is also identified in the emerging Draft Transport Strategy of the Strategic Economic Plan (SEP) for the Cheshire and Warrington LEP.

The support for The Scheme is also reflected in CW&CC Local Plan Policy STRAT 7 Middlewich, which states its support for working with Cheshire East Council:

*“Cheshire West and Chester Council will continue to work closely and effectively with Cheshire East Council to plan for sustainable development in and around the town of Middlewich. This will include, if justified, allocating land in Cheshire West on the edge of the town through the Local Plan (Part Two) Land Allocations and Detailed Policies Plan.*

*The councils will also investigate the longer-term potential for further sustainable growth in the mid-Cheshire towns of Northwich, Winsford and Middlewich coupled with journey time improvements along the A54 between Junction 18 of the M6 and Winsford, particularly around Middlewich.”*

National Level:

Paragraph 8 of the National Planning Policy Framework (NPPF) (2019), describes the roles of the three dimensions of sustainable development: economic, social and environmental. The description of each objective includes:

*“a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

Within CEC the proposed Scheme will contribute to achieving the economic, social and environmental objectives of the NPPF through the following:

- By improving the efficiency and reliability of the highway network, the Scheme will contribute to CEC’s economy by reducing congestion and enhancing connectivity, improving business efficiency and productivity, as well as supporting future growth by assisting the delivery of key employment sites and HS2;
- The Scheme will contribute to achieving social objectives by supporting the delivery of housing allocations, improving journey times and improving the reliability of public transport; and

- The Scheme will support environmental objectives by reducing congestion, minimising amenity impacts through improved landscaping and acoustic fencing and providing a net gain in biodiversity.

## 8 DEVELOPMENT OF THE SCHEME

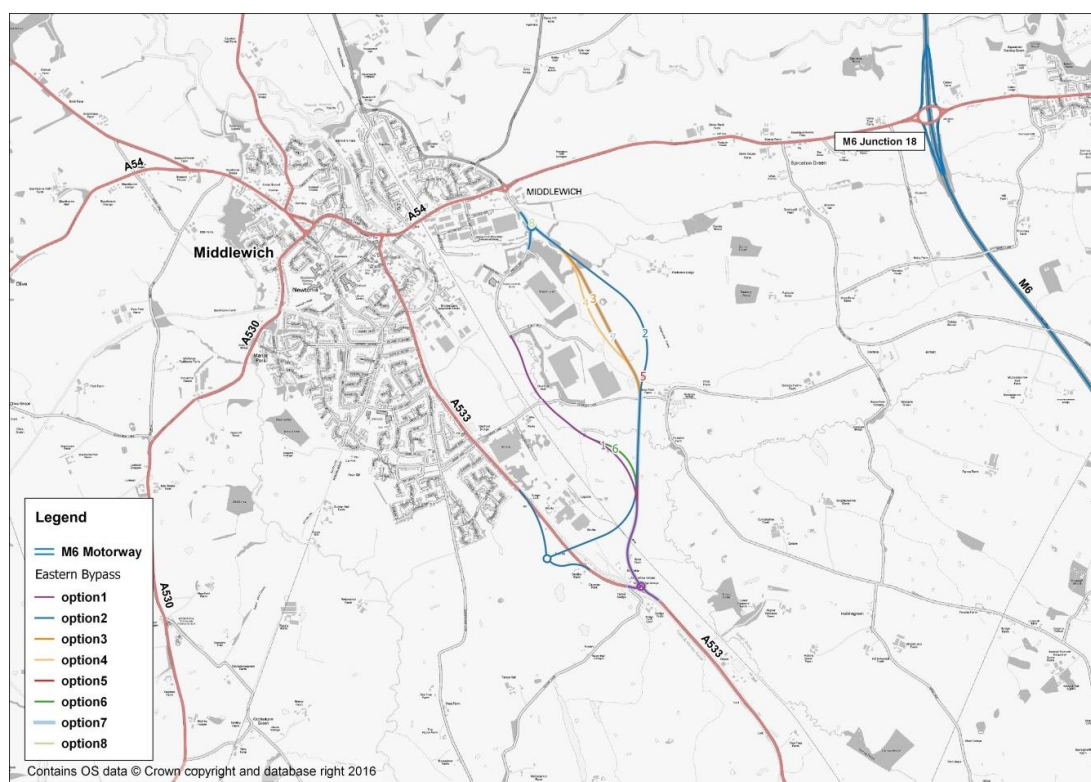
In line with best practice contained within DfT guidance, the Council has considered a broad range of options to reduce traffic congestion affecting the town, including improvements to the existing road network and public transport alternatives.

The Council's assessments showed that these options performed poorly, when compared to the benefits of a bypass.

The Council's Options Assessment studies undertaken for the bypass in 2015/16 considered 8 potential routes, all creating a new road between the A54 (Salt Cellar Roundabout), passing to the east of Middlewich to the A533 Booth Lane close to Tetton Bridge.

The original scheme that was partially implemented was included in the Council's assessments as Option 1, and several of the other options shared common sections with the original scheme.

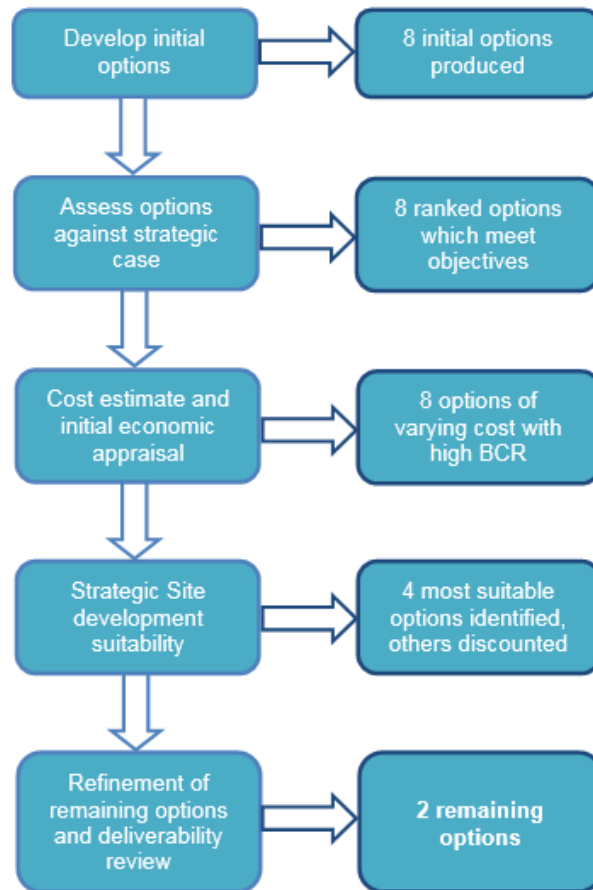
The 8 options identified are shown below in Figure 14.



*Figure 14: Middlewich Eastern Bypass Route Options*

Individual General Arrangements for each option are shown in Appendix 4.

The Council compared each of the options against the strategic case objectives for the scheme given in Section 6.2.1, which led to a ranking of the options. The following process was followed:



An Options Assessment Report (OAR) was produced which covered the initial sifting of options and identified two options (Options 1 & 5) to be taken forward for further study and assessment.

The historic option (Option1, with planning permission) formed the low-cost option.

Option 5 followed a new alignment, connecting at its northernmost extent to Pochin Way, passing through open largely farmland, and connecting into the existing A533 in the south formed the preferred option on the strength of high-level assessments as reported in the OAR.

The two options were subject to further design and assessment in 2016 and 2017 culminating in the submission of an Outline Business Case (OBC) to the Department for Transport on March 2017 with a Preferred Option based on Option 5 and an Alternative (Low-Cost) Option based on Option 1. The two route options were independently assessed on the strategic case objectives, costs and economic benefits, and assessed environmental impacts for the OBC.

The two options presented in the OBC are included in Appendix 4.

The Preferred Option had a number of significant benefits compared with the Low-

Cost Option including higher design speed and reduced journey times, lower flood risk impacts, and improved connectivity potential with Cledford Lane.

Despite being the higher cost option, the OBC was approved by DfT in November 2017 with the Preferred Option as the preferred scheme due to its broader benefits.

The Preferred Option was subsequently adopted as The Scheme and was subject to further design and development and Public Consultation in advance of planning applications to the Cheshire East Council and Cheshire West and Chester Council Local Planning Authorities in November 2018.

## 8.1 Public Consultation

- Consultation Background  
Comprehensive engagement with the public has been undertaken during the development of The Scheme and through the planning application process with the opportunity being given for interested parties to make representations regarding the proposals. The process and its outcomes were summarised in Statement of Community Involvement (SCI) that was submitted to support the planning application for the scheme and the main events are highlighted in the following paragraphs.

Further representations can also be made in the context of any public inquiry which the Secretary of State decides to hold in connection with the Order.

- Middlewich Transport Consultation  
Cheshire East Council engaged local residents and businesses in a wide-ranging consultation exercise for transportation in Middlewich, which was undertaken during August and September 2016. The purpose of the consultation was to further understand the transport issues affecting the residents of Middlewich. Whilst the primary focus was on other wider issues particularly; congestion; traffic associated with the waste depot; safety; public transport; absence of rail services; highway condition; walking; cycling and parking, the consultation elicited comments on the Scheme.

Consultation materials were available to view in Middlewich Library between 15th August and 16th September 2016.

A public engagement event was held between 25th August and 13th September 2016 at St Mary's Parish Hall, New King Street in Middlewich.

In total, 516 completed questionnaires were received – 389 online and 125 from the staffed events.

The key messages that respondents reported during the consultation can be summarised as follows:

- 79% respondents agreed that there are severe issues on the roads in Middlewich, with a further fifteen percent identifying less severe, but still significant issues. No respondents believed there to be no issue or very few

issues with the roads in Middlewich;

- Respondents were keen to see traffic, particularly HGVs, given alternative routes which would pass through Middlewich, with a bypass being requested by a large number of respondents. The most popular suggestion (61%) for a bypass route was an Eastern Bypass. Suggestions were from Booth Lane to the A54 at the Salt Cellar roundabout;
- 48% respondents thought that there were severe problems with public transport in Middlewich. A further twenty two percent responded that there were significant issues. Only 5% expressed a view that there were no or very few issues with public transport;
- For rail, the overwhelming response was that a railway station and reintroduction of passenger rail services would benefit the town, giving access to places across the wider region; including Manchester, Chester, Liverpool, and Crewe;
- With regard to buses, respondents called for bus services that link to train services from Sandbach, Holmes Chapel and Gadbrook Park stations, enabling commuters to access work more easily;
- 39% respondents considered there to be severe issues for pedestrians in Middlewich, and a further twenty percent reported significant issues. Only 5% of respondents thought there were no problems for pedestrians in the town;
- The condition of pavements was referred to in many responses, citing unevenness and a need for repairs to make them safer for pedestrians, especially for people with prams or wheelchair-users;
- 37% respondents reported that they considered there were severe issues for cyclists in Middlewich, and a further twenty percent thought there were significant issues. Only 7% of respondents saw no issues for cyclists;
- Roads were reported to be in poor condition, with numerous potholes and crumbling kerbs making them unsuitable for cyclists.

Responses that identified priorities for transport improvements, showed that an eastern bypass was the highest priority. Other stated priorities were a new rail station, improvements to the existing roads and more reliable public transport. Responses demonstrated a general preference for current road issues to be addressed before the impacts of planning development is considered. There was concern that more housing would lead to greater pressures on existing transport provision with a negative impact on local residents. Respondents were seeking measures to remove bottlenecks in the town centre; most requesting a bypass. Respondents indicated that growth would be more acceptable in Middlewich if they were confident these improvements would be delivered.

- **Public Consultation during Development of the Scheme**  
A further Public Consultation was undertaken by CEC during the development of the Scheme to inform the planning application process between 19 March and 29



April 2018.

The Council held a public engagement in March and April 2018 to present the recommended route and request feedback on the Scheme. In total, 482 responses were received: 274 paper and 180 online, and a further 28 emails and letters.

Responses were received from across Middlewich, the majority (247) were received from the CW10 0 postcode area which is where the Eastern Bypass is proposed to be located. Based on analysis of the demographic questions included in the consultation questionnaire responses were received from a range of residents.

Almost all respondents (97%, 434 respondents) travel into or through Middlewich on a weekly basis, with nearly three quarters (74%, 331 respondents) travelling at least 5 days per week. The majority (93%, 422 respondents) of respondents said they drove through Middlewich and most respondents (91%, 412 respondents) said they lived in the local area.

Most respondents (95%, 433 respondents) agree that Middlewich needs a bypass and 87% of respondents (397 respondents) agree with the Council's proposed route. The need for the Scheme to reduce traffic and congestion was mentioned frequently.

The majority of respondents (88%, 400 respondents) agreed that the proposals would relieve congestion in the town centre and reduce road safety concerns in the town (83%, 377 respondents).

The majority of residents agreed with the proposals for all three junctions: 84% (380 respondents) agreed with the proposals for Roundabout 1 joining Pochin Way to the bypass, 77% (349 respondents) agreed with Roundabout 2 linking Booth Lane with the bypass, and 69% (313 respondents) agreed with the Cledford Lane junction crossing the bypass.

Comments were made at consultation events and in responses relating to safety concerns for a proposed staggered T junction with Cledford Lane.

Just under three quarters of respondents (71%, 322 respondents) agreed that the proposals will minimise impacts of the Scheme on the local environment. Seven out of ten respondents (70%, 318 respondents) agreed that the Environmental Impact Assessment covers all relevant topics. Three out of four respondents (75%, 341 respondents) agreed with the proposals for pedestrian and cyclist provision.

#### Other Consultations during the Development of The Scheme

Consultations during the development of The Scheme were undertaken with key bodies including:

- Statutory Undertakers
- Environment Agency

- Countryside Access Forum
  - Cheshire East Highways
  - Local Lead Flood Authority
  - Natural England
  - Historic England
  - Network Rail
  - Canal and River Trust
- 
- Planning Application Consultation  
In addition, as part of the formal planning process all statutory consultees, affected landowners, and interest groups were contacted by the Local Planning Authorities and invited to make comments and representations of the scheme.  
A small number of objections to the scheme were received.

## 9 DESCRIPTION OF THE PROPOSED ROUTE

### 9.1 Scheme Description

The proposed Middlewich Eastern Bypass is 2.6 km long from a new roundabout off Pochin Way to the north, to a new roundabout junction at its southern end where it ties into Booth Lane (A533). Approximately 750m of Booth Lane (A533) would be realigned to connect with the bypass and this includes a new bridge over the Trent and Mersey Canal.

The Scheme would be a 10m wide single carriageway throughout its length, kerbed on both sides and connecting with single carriageway highways of the same width at each end of the scheme. It would be partly formed in cuttings and partly formed on embankments. At the southern end of the Scheme, where the route crosses the Northwich to Sandbach railway, embankments would be formed over approximately 600m to achieve the necessary grade separation.

On the western side of the carriageway, a 3m wide dual-use footway/cycleway would be formed and would tie into existing footways, cycle routes and Public Rights of Way at each end of the scheme, at Cledford Lane and at two locations where Public Rights of Way cross the bypass route.

The proposed Scheme would connect with Cledford Lane via a new roundabout junction, and Cledford Lane is proposed to be improved to provide access to the southern areas of Midpoint 18 and an alternative route to the bypass for low height commercial vehicles predominantly from the CEC Environmental Hub (ANSA).

The proposed Scheme would include four watercourse crossings. The River Croco and also its unnamed tributary, Sanderson's Brook and also its unnamed tributary would all be culverted beneath the proposed scheme using reinforced concrete box culverts sized to convey flood flows associated with events with an annual exceedance probability of 1% with additional allowances for increased rainfall associated with climate change.

The southernmost extent of the proposed Scheme would cross the Sandbach to Northwich railway line and the Trent and Mersey Canal, and a single span bridge is proposed for each crossing. The bridges will both be constructed with reinforced concrete abutments and wingwalls, with precast concrete beams and insitu concrete decks. The rail bridge will have concrete parapets on each side to provide protection to the railway below. The canal bridge will have standard aluminium parapet on the northern side and a concrete parapet on the southern side providing an environmental barrier for nearby residential properties.

The Scheme would include extensive planting adjacent to and remote from the scheme and environmental mitigation measures to mitigate impacts on protected species, enhance biodiversity, ensure risks of flooding aren't increased, reduce noise impacts, and address visual impacts on sensitive receptors.

The Scheme would be illuminated at each roundabout junction and for a distance of

approximately 100m on each approach to the roundabouts.

Drainage of the scheme would be provided by traditional gully and piped systems with discharges to watercourses restricted to be no greater than existing greenfield drainage rates through seven separate attenuation ponds.

Pochin Way would become an estate road serving current and future development of the northern section of the Midpoint18 Strategic Site.

## **9.2 Design Standards**

The design of The Scheme and two side roads will be in accordance with the Highways England Design Manual for Roads and Bridges (DMRB).

The following speed limits are applicable to the Scheme:

- MEB Mainline = 50mph
- Cledford Lane Improvements = 30mph
- A533 Booth Lane = 40mph

The geometry associated with each element of the Scheme has been developed based on corresponding design speeds.

The design complies with the geometric requirements set out in the DMRB however, due to some of the existing constraints, some departures have been designed into the Scheme. All such departures have been reviewed to ensure that they do not create safety risks.

## 10 SIDE ROADS ORDER

### 10.1 The Need for a Side Roads Order (SRO)

The SRO is required to enable the Council to stop up existing side roads and private means of access affected by the construction of The Scheme, to improve existing side roads, and to create new side roads and private means of access required as a consequence of the main works. These are summarised below.

Impacts on Private Means of Access are summarised in table form in Appendix XX

In this section the Middlewich Eastern Bypass is referred to as “the Classified Road”.

### 10.2 Pochin Way and Public Right of Way Alterations (Plan No. 1)

A 210m section of Pochin Way between the access to Kinderton Lodge Farm and the bridge over the River Croco incorporating Private Means of Access to Optima Logistics (Plot 5) and a surface water pumping station owned by United Utilities will be improved.

Within the improvements the access to Optima Logistics will be maintained with alterations to the central pedestrian refuge, the access to the United Utilities pumping stations will be maintained, and the alignment of the combined footway/cycleway will be altered to separate it from the edge of carriageway.

New lengths of highway shown as A & B on the plan will be constructed to tie Pochin Way into the new northern roundabout forming the start of the Middlewich Eastern Bypass.

A 370m long section of Middlewich FP22 and Sproston FP4 Public Rights of Way will be stopped up and replaced by new / improved footpaths provided as part of the highway in the improvements described above, 290m of new footpath on the new bypass and 40m of new Public Right of Way shown as C on the plan.

### 10.3 Private Means of Access Alterations (Plan No. 2)

A new Private Means of Access to the west of Plot 21 will be provided as shown as 1 on the plan due to severance of land by the bypass. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.

### 10.4 Cledford Lane and Public Right of Way Alterations (Plan No. 3)

A 35m long section of Middlewich FP19 Public Right of Way will be stopped up and replaced by 80m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A 60m section of Cledford Lane including Private Means of Access a will be stopped up to enable construction of the new roundabout junction between Cledford Lane and the bypass. Private Means of Access a will be replaced by a new PMA to the same field shown as 1 on the plan.

Private Means of Access b and c will be stopped up and recreated in altered locations as 2 and 3 as shown on the plan to accommodate a scheme of improvement to Cledford Lane which includes incorporation of a segregated footway / cycleway, improvements to drainage, and improvements to the carriageway.

The line of National Cycle Network Route 71 will be diverted around the new

roundabout.

**10.5 Cledford Lane and Private Means of Access Alterations (Plan No. 4)**

Improvements to Cledford Lane consisting of incorporation of segregated footway / cycleway, carriageway improvements, drainage improvements, and introduction of passing places impacts on 7 Private Means of Access as described below:

PMA a providing access to Cledford Villa is stopped up and recreated in the same location shown as 1.

PMA b providing access to Cledford House is stopped up and recreated in the same location shown as 2.

PMA c providing access to fields (Plot 38) and Middlewich FP20 is stopped up and recreated in the same location shown as 3.

PMA d providing access to fields (Plot 41) is stopped up and recreated in the same location shown as 4.

PMA e providing access to fields (Plot 66) is stopped up and recreated 5m from its current location shown as 5.

PMA f providing access to fields (Plot 31) is stopped up and recreated in the same location shown as 6.

PMA g providing access to fields (Plot 66) is stopped up and recreated 5m from its current location shown as 7.

Access to the Cledford Hall site is unaffected by the proposals and subject only to minor tying in alterations within the highway boundary.

**10.6 Public Right of Way and Private Means of Access Alterations (Plan No. 5)**

A 275m long section of Middlewich FP20 Public Right of Way will be stopped up and replaced by 275m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A new Private Means of Access to the east of Plot 66 will be provided as shown as 1 on the plan due to severance of land by the bypass. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.

**10.7 Booth Lane Alterations (Plan No. 6)**

Booth Lane south of Tetton Bridge will be stopped up over a length of 145m and Public Right of Way Moston FP6 will be stopped up over a length of 23m as shown in Inset 1.

Booth Lane north of Tetton Bridge will be stopped up over a length of 80m as shown in Inset 2.

Private Means of Access a to Plot 115 will be stopped up and recreated 25m northeast shown as 1 on the plan.

Private Means of Access b to No. 1 East Tetton Cottages will be stopped up and recreated 25m south shown as 2 on the plan.

80m of new cycleway / footway will be formed on the stopped up section of Booth Lane shown as B on the plan.

New pedestrian accesses to the towpath of the Trent and Mersey Canal of 43m total length will be formed shown as A and D on the plan.

210m of new highway will be formed between the roundabout forming the end of the

bypass and Booth Lane heading towards Middlewich, shown as C on the plan.

360m of new highway will be formed between the roundabout forming the end of the bypass and Booth Lane heading towards Sandbach, shown as E on the plan.

65m of new highway will be formed between the realigned Booth Lane and Tetton Bridge shown as F on the plan.

115m of new cycleway / footway will be form on the stopped up section of booth Lane shown as G on the plan.

## 11 THE COMPULSORY PURCHASE ORDER

### 11.1 Introduction

The Scheme requires the acquisition of land for which the CPO has been made. The Council, will continue to negotiate with the owners of affected land to arrange for transfer by agreement, but it is necessary to proceed with the CPO to ensure that all land required for the Scheme is available at the appropriate time.

Land is currently in the ownership of the Council, [xxx], private owners [etc]. The Council is currently negotiating with private owners [insert details of negotiations with third parties etc].

### 11.2 Consultation with Land Interests

### 11.3 The CPO

The CPO has been made and is about to be submitted to the Secretary of State for confirmation pursuant to the 1980 Act (sections 239, 240, 246, 249 and 250) and the Acquisition of Land Act 1981.

The full title to the Order is:

CHESHIRE EAST COUNCIL BOROUGH COUNCIL AND CHESHIRE WEST  
AND CHESTER BOROUGH COUNCIL (MIDDLEWICH EASTERN BYPASS)  
(CLASSIFIED ROAD) COMPULSORY PURCHASE ORDER 2020

### 11.4 The Need for the Order Land

The need for the Scheme and the Scheme objectives are set out in Chapters 5 and 6.

A description of the Scheme proposals, the effects of the Scheme and how it addresses the established objectives are detailed in Chapters 6 and 9.

Under the powers contained in section 239, 240, 246, 249 and 250 of the 1980 Act, the Council are acquiring land and rights for the purposes of:

- construction and maintenance of a new public highway;
- diversion and extinguishment of drainage/carrying out of drainage works;
- mitigating the adverse effect that the existence or use of the highways will have on the surroundings thereof by the provision of landscaping and habitat creation.

### 11.5 The Order Land

The Order Land has a total area of [xxxha]. This comprises [xxxha] for which title to the land is required and [xxxha] for which Rights over land for [maintaining/cleansing watercourses] are required.

The Order Plans detail the specific plots within area for Title shaded pink and areas for Rights shaded blue.

The majority of land required for the Scheme is agricultural.

The breakdown of land by existing use is set out in Table 5, below.



Existing Land Use	Area Required by Scheme	%
Agricultural Land	Xxx Ha permanently required	Xx%
	Xxx Ha temporarily required	Xx%
Non-Agricultural Land	Xxx Ha permanently required	Xx%
	Xxx Ha temporarily required	Xx%
Industrial Land	Xxx Ha permanently required	Xx%
	Xxx Ha temporarily required	Xx%
Existing Highway	Xxx Ha permanently required	Xx%
	Xxx Ha temporarily required	Xx%

*Table 5: Breakdown of existing land use*

#### **11.6 Description of Land Required for Title by Plot Reference**

[insert after completion of land referencing]

#### **11.7 Description of Land Required for Rights by Plot Reference**

[insert after completion of land referencing]

#### **11.8 Special Consideration affecting the Order Land**

There are no listing or locally listed buildings, monuments or areas of historical significance within the Order Land.

There are no buildings in a conservation area that will be demolished as a result of the Scheme being delivered.

The Scheme does not require any common land.

#### **11.9 Property Demolition**

Demolition of the following properties will be required to deliver the Scheme:

- Three agricultural buildings (open sided barns) of no historical or conservation interest in the vicinity of the former New Farm at Tetton
- A free-standing garage building associated with the residential property No 1 East Tetton Cottages.

All property for demolition is in the ownership of Cheshire East Council having been acquired for the purposes of delivering the scheme.

#### **11.10 Related Order**

Other than the SRO, which is being submitted to the Secretary of State for confirmation at the same time as the CPO there are no other orders associated with these proposals.]

#### **11.11 Order Summary**

This document demonstrates how the Council justify their proposals for the

compulsory acquisition of land required to deliver the Scheme.

Sections 3, 4 and 5 of this document have demonstrated that there is a compelling case in the public interest for the compulsory purchase to be made, and regard has been had to the provisions of Article 1 of the First Protocol to the Convention.

The document has also demonstrated that, subject to confirmation of the Orders, all land required in order to construct the Scheme will be available to the Council.

The funding and planning approvals are also in place and there are no other impediments to the progression of the Scheme.

Accordingly, on confirmation of the Order all elements will be in place to enable the Scheme to proceed to construction.

## 12 EFFECTS ON LAND USE AND AGRICULTURE

Agriculture is the dominant existing land use of the land included in the Orders, comprising predominantly arable land, livestock grazing, and grazing for dairy farming.

The Scheme will affect five principal agricultural land freehold interests due to permanent and temporary land take. Leasehold interests are more complex and extensive due to historical land transactions associated with development. The total land take for the Scheme is 60.9ha, of which 3.7ha is temporary land take, affecting four farm interests. This comprises the temporary loss of 1.5ha of grade 2 land, 0.33ha grade 3a land, 0.68ha grade 3b land. No grade 4 land would be required for temporary land take. The remaining 0.16ha of land required for temporary land take is non-agricultural land.

The total permanent agricultural land take totals 57.3ha, affecting seven land interests. This comprises the permanent loss of 13.1ha of the best and most versatile quality land, of which 6.23ha is grade 2 and 5.10ha is grade 3a and 0.87ha is grade 3b. The remaining permanent land take totals 6.43ha, which consists of 0.57ha of grade 4 agricultural land and 5.86ha of non-agricultural land.

This land is required in order to undertake the construction of The Scheme, as well as associated embankments and cuttings, drainage ponds, new access tracks and essential environmental mitigation. Farm units and land holdings will be affected by severance issues, including loss of access to land/fields, severance of fields and severance of land drainage systems. The Orders authorise the provision of new field accesses and accesses to farmsteads. Further accommodation works are proposed to mitigate the effects of severance, in agreement with the landowners as part of their overall entitlement to compensation.

All of the farming interests affected by the Orders would have to adjust their operations as a consequence of the Scheme, but none of those adjustments would be of such a scale as to materially alter the functioning of the holding or its operational sustainability. The majority of the changes relate to issues of revised accesses to land and increased journey times between areas of operational interest and can be addressed through accommodation works or the land compensation code. In the longer term, the majority of the farming interests are expected to be redundant due to the allocation of the land for employment purposes in the Local Plan.

The impacts on the agricultural land interests due to land take have been assessed as insignificant adverse.

The loss of agricultural land classified as best and most versatile is significantly outweighed by the benefits of the Scheme which is the product of a robust option and route selection process.

### **13 SPECIAL CATEGORIES OF LAND**

The Order Land does not contain land that is special category land within the meaning of the Acquisition of Land Act 1981 (open space, common land, allotments or field gardens), land held inalienably by the National Trust, consecrated ground, land in a general improvement area or land in a housing action area.

## 14 THE PLANNING POSITION

### 14.1 Introduction

This chapter sets out the planning status and other material considerations for the Scheme that were identified during the planning process and refers to the conclusions that the LPA reached in the determination of the application.

National, sub-regional, and local policy and planning policy considerations are given in Section 7.

### 14.2 Planning Applications

Two separate full planning applications were originally submitted for the Scheme in November 2018. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 an Environmental Impact Assessment was required and the Environmental Statement was produced for the whole scheme.

The main application was to Cheshire East Council and covered the majority of the scheme.

The other application was to Cheshire West and Chester and related only to the elements of the scheme and environmental mitigation that fell within that Borough. The application to Cheshire West and Chester consisted of selected parts of the main application as relevant to the scope within Cheshire West and Chester.

### 14.3 Other Planning Considerations

Assessments of the proposed Scheme's effect on the surrounding environment (in terms of landscape, ecology, cultural heritage, air quality, noise and vibration, soils, geology, hydrogeology and materials, drainage, people and communities and traffic) have demonstrated that through careful design, appropriate mitigation and enhancement, the proposed Scheme does not conflict with national and local planning policy and the public benefits of the scheme outweigh any harm or potential harm arising from the scheme.

### 14.4 The Planning Application Determinations

The original CEC application was the subject of a full consultation programme and was reported to the CEC Strategic Planning Board on 24th April 2019 with a recommendation for approval. The Planning Case Officer report stated:

*'The proposed scheme would contribute to achieving the objectives of local and national planning policy in terms of enabling the delivery of housing and employment sites in Middlewich, including Midpoint 18, and helping to boost business productivity in the local area through improving the efficiency and reliability of the highway network. It would also enhance connectivity by providing an improved route for freight and business travel'.*

The report also stated that:

*'The nature of the scheme and its location, within areas of open land, would result in some adverse effects on the environment, particularly in terms of the landscape and visual impacts during construction and flood risk once operational. The Environmental Statement that accompanies this application identifies the impacts,*

*assesses them and describes any proposed mitigations. Where possible, mitigation has been proposed, but not all effects can be mitigated.*

*The proposals will have landscape, tree and ecological impacts, but it is considered they can be mitigated through the measures proposed.*

*In addition there will be some harm to the Canal Conservation Area, but this 'less than substantial harm' and the public benefits of the road outweigh any harm. Other issues are neutral while there are clear highway and economic benefits to the scheme'.*

The Strategic Planning Board resolved that for the reasons set out in the report and in the verbal update given to the Board, power be delegated to the Head of Planning (Regulatory) to approve the application unless further consultation responses raising new issues are received by Monday 29th April 2019 and subject to 32 stated planning conditions.

A Decision Notice for the Planning Permission was issued on 19<sup>th</sup> July 2019.

The separate application to the Local Planning Authority of Cheshire West & Chester Council was submitted and determined under Delegated Powers with the scope of The Scheme being minor within that Borough.

A Decision Notice for the Planning Permission was issued on 3<sup>rd</sup> September 2019.

#### **14.5 Changes to The Consented Scheme**

Following the original planning permissions, a number of amendments to the Consented Scheme were identified along with an additional area required for environmental mitigation works. The changes were considered necessary to improve the deliverability of The Scheme by reducing costs of construction, and consisted of changes to the vertical alignment, relocation of ecological mitigation areas based upon early negotiations with land owners and alternative mitigation proposals for Great Crested Newts, and detailed changes to the scope of improvements on Cledford Lane.

Given the scale and extent of the changes, it was agreed with the Local Planning Authorities that further applications would be made as follows:

- 1) Cheshire East Council
  - a) An application (ref 20/2064C) under Section 73 of the Town & Country Planning Act for minor material amendments to the existing consent
  - b) A new application (ref 20/2162C) for additional areas for environmental mitigation
- 2) Cheshire West and Chester Council – An application (ref 20/01758/NMA) for a non-material amendment to the existing consent

Planning applications were submitted in May 2020 to secure planning permission for these changes, and the Cheshire East applications are currently under determination with a target decision date of 28<sup>th</sup> August 2020. Both Cheshire East applications are expected to be determined by the LPA under Delegated Powers.

The Cheshire West and Chester non-material amendment application was approved on 16<sup>th</sup> June 2020.

A full list of current documents under the consented and pending applications is included as Appendix xx.

#### **14.6 The Planning Application Implementation**

The Planning Permissions granted to date, and specifically the associated planning conditions have been reviewed by the technical specialists involved with the Planning Applications and, based on this review, it is considered that the Planning Conditions attached to the permissions are reasonable and can be complied with. A number of pre-commencement conditions have already been discharged.

Conditions associated with new permissions when received are expected to be similar in nature and detailed requirements to those previously imposed.

Overall, there are not known to be any planning impediments that would prevent the Scheme proceeding.

#### **14.7 Planning Summary and Conclusion**

The Scheme is identified as a planning and infrastructure policy priority in the CEC local development plan and would assist the delivery on numerous economic and social benefits in this part of Cheshire East. It is also supported in principle in the Cheshire West and Chester Local Development Plan. It has limited impact upon its surroundings, and any such impacts are limited by the proposed mitigation measures and outweighed by the public benefits of the scheme.

Whilst determining the scheme's Planning Applications, the LPAs considered all the aspects and potential impacts of the scheme including impacts on, residential amenity, landscape and trees, design, ecology, historic environment, air quality, noise and vibration, contaminated land, flood risk, public rights of way, traffic and highways, and economic sustainability.

Finally, it is considered that the remaining associated planning conditions (partially discharged or otherwise) can reasonably be complied with and that there are no other planning impediments that could prevent the scheme progressing.

## 15 SCHEME FUNDING

### 15.1 Scheme Approval and Financial Provision

- In June 2018 CEC Cabinet resolved to undertake all necessary preparatory works in advance of the Department for Transport (DfT) final funding decision in relation to the Middlewich Eastern Bypass.
- In January 2019 Cabinet resolved that:
  - i. The Executive Director Place will in accordance with the approved processes, draw down on the budget allocation within the Capital Programme Addendum in order to deliver the Scheme, reverting to Cabinet only in the event that the Executive Director Place or the Portfolio Holder for Communication and Finance identifies a material shift in the costs and/or risks associated with the Scheme;
  - ii. delegates to the Executive Director Place (insofar as such delegations are required), in consultation with the Portfolio Holder for Communication and Finance, authority to take all steps the Executive Director Place considers to be necessary or expedient to deliver the Scheme which, for the avoidance of doubt, shall include (but not be limited to):
    - a) taking all necessary steps to secure DfT Grant Funding;
    - b) exercising all statutory planning and highways powers, including the service of notices and the making, confirmation and implementation of all orders, including Compulsory Purchase Orders and Side Road Orders; and
    - c) entering into any contracts, licences, undertakings or other agreements, including Phase 1 (pre-construction) and Phase 2 (main construction) contracts under the SCAPE framework, to secure all services needed to deliver the Scheme.
- In July 2019 Cabinet resolved to approve to proceed with the Compulsory Purchase of land required to deliver the Scheme.

### 15.2 Scheme Cost

The Councils overall expenditure on Middlewich Eastern Bypass is expected to be £60.25m, which includes an approved budget of £1.8m for prior years which pre-dates the current proposed scheme and associated Outline Business Case.

As the project proceeds, there is a requirement for the Council to continue to forward fund the scheme pending successful completion of the Final Business Case (FBC).

The Council's Medium-Term Financial Strategy, as reported to Cabinet in February 2019, makes provision for this expenditure pending completion of the FBC.

### 15.3 Funding

The approved budget for Middlewich Eastern Bypass is £58.48m, subject to



confirmation of DfT Local Majors grant funding to the value of £46.78m. The Council is in receipt of confirmation from Government of this capital grant, pending acceptance of a Full Business Case for the scheme. A pre-requisite for the FBC is confirmation that all necessary land is available for construction.

At this stage, £6m of S106 developer contributions have been secured by signed S106 agreements with developers, with a further £1.4m expected from other developer contributions under S106 agreements.

This leaves a requirement of £4.3m payable by the Council. The council will however be required to both forward fund and underwrite the estimated level of developer contributions to the scheme. As signed letter from the Council's S151 Officer guaranteeing the Council's contribution was submitted to the DfT as part of the Outline Business Case.

#### **15.4 Economic Benefits of the Scheme**

The economic benefits of the scheme were assessed in detail as part of the Outline Business Case in full compliance with DfT and Treasury guidance.

The value for money calculation for the scheme expressed as the Benefit to Cost Ratio (BCR) was 2.7 which represents high value for money.

It should be noted that the OBC was produced and submitted prior to adoption of the CEC Local Plan, and the core scenario considered in the calculation did not include all Local Plan developments. A high growth scenario including all Local Plan developments generates a BCR of 3.5.

#### **15.5 Programme**

The current programme (subject to planning, confirmation of CPO, and final funding approvals) is for the main construction works to start in Spring 2022, with an estimated 24-month construction period.

The Council has engaged Balfour Beatty under a two-stage agreement for pre-construction and construction services. The delivery programme has been developed by Balfour Beatty under the pre-construction services agreement and has been fully reviewed and tested. It is considered to be both realistic and achievable.

Subject to approval of the foregoing and agreement of a target cost for the works the second stage of the contract will be executed on receipt of funding confirmation.

## **16 RELATED WORKS, CONSENTS ~~ORDERS~~ AND PROCEDURES**

### **16.1 Planning Permissions and Other Consents**

Planning Permissions have been secured from the two Local Planning Authorities within whose domain the scheme and its environmental mitigation lies as detailed in Section 14.

Consents for the diversion of three Public Rights of Way will be secured via the Side Roads Orders.

Other consents such as are required for implementation of the scheme (eg environmental consents) will be secured as part of the delivery stage following confirmation of the Order.

### **16.2 Mitigation Licence**

Due to the impacts of the Scheme European Protected Species (EPS) licences will be required for a number of species including bats, badgers, and lesser silver water beetles. Great Crested Newt (GCN) mitigation will be implemented through the Natural England District Level Licensing scheme.

The proposed extent of the ecological mitigation measures has been agreed with the relevant statutory nature consultees, and full planning permission has been granted. As a consequence it is considered that, for the robust ecological mitigation prepared, the EPS Licences would be granted by Natural England without any difficulty.

Discussions with Natural England relating to the District Level Licensing scheme for GCN are at an advanced stage and are expected to be concluded shortly after making the CPO.

### **16.3 Water Discharge Consents**

The consent of the Environment Agency under the Water Resources Act 1991 will be required for the discharge of highway drainage into controlled waters. For this the Council will apply and obtain an environmental permit. Consequently, the Council and its advisers have been in constant consultation with the Environment Agency during the design of the Scheme to date, and the Agency's comments and views have been taken into account in the design process to date.

### **16.4 Works Affecting Watercourses**

Diversions and alterations will be required to watercourses of both Main River and Ordinary Watercourse designation, all of which will be subject to environmental permitting. The Council and its advisers have consulted with the Environment Agency during the design of the Scheme and the Views and requirements of the Agency have been taken into account.

## 17 PUBLIC SECTOR EQUALITY DUTY AND HUMAN RIGHTS ASSESSMENT

### 17.1 Public Sector Equality Duty

All public sector acquiring authorities are bound by the Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010. This means that they must have 'due regard' or think about the need to:

- eliminate unlawful discrimination
- advance equality of opportunity between people who share a protected characteristic and those who don't
- foster or encourage good relations between people who share a protected characteristic and those who don't

Having 'due regard' means public authorities must consciously consider or think about the need to do the three things set out in the public sector equality duty. In exercising their compulsory purchase and related powers (e.g. powers of entry and powers to make side road orders) acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.

To date, equality implications have been considered in the options appraisal and are incorporated into the Outline Business Case. An Equalities Impact Assessment was prepared to accompany the planning application for the Scheme and was considered in determining to grant planning permission. The PSED was also considered when the decision was made by the Council to proceed to make the Orders.

Turning to the exercise of compulsory purchase powers, it should be noted that a significant area of land close to, though not within, the CPO boundary is owned and occupied by members of the Gypsy & Traveller communities. In implementing this Scheme and exercising the powers necessary for delivery it is not considered that any group with protected characteristics are adversely affected when it comes to the application of the PSED.

Having said this, in progressing the Scheme and carrying out any further consultations the Council will take into account the needs of persons with protected characteristics and the requirements of the PSED.

### 17.2 Human Rights

In deciding whether to proceed with the Orders the Council has considered the application of the Human Rights Act 1998 and Article 1 of the First Protocol and Article 8 to the European Convention on Human Rights.

Article 1 protects the rights of everyone to the peaceful enjoyment of their possessions. No person can be deprived of their possessions except in the public interest and subject to national and international law.

Article 8 protects private and family life, the home and correspondence. No public authority can interfere with this interest except if it is in accordance with the law and is necessary in the interests of national security, public safety or the economic well-being of the country.

In deciding to make the Orders the Council carried out a balancing exercise and considered whether the exercise of these powers are compatible with the European Convention on Human Rights. In weighing up the issues it is considered that the acquisition of land will bring benefits to the residents and businesses that could not be achieved by agreement and this outweighs any loss that will be suffered by existing landowners. The making of the Orders will follow existing legislative procedures and are therefore in accordance with the law. The decisions of the Secretary of State on the Orders can be challenged in the High Court, an independent tribunal, for legal defects. Those whose land is acquired through the CPO process will receive compensation based on the Land Compensation Code and should the quantum of compensation be in dispute the matter can be referred to the Upper Tribunal (Lands Chamber) for independent and impartial adjudication.

The Courts have held that this legal framework complies with the Convention on Human Rights.

Overall, the Council is of the view that there is a compelling case in the public interest and any interference with individual rights is justified having regard to the purposes of the acquisition.

## 18 PUBLIC INQUIRY

This Statement is not intended to discharge the Council's obligations to serve a Statement of Case under the Compulsory Purchase (Inquiries Procedure) Rules 2007 in the event that a public inquiry is held.

In the event of a public inquiry being held the Council will give evidence in support of the reasons for making the Orders and to further demonstrate that there is a compelling case in the public interest that this Scheme should proceed and that the Orders should be confirmed.

The Council may wish to refer to or put in as evidence at any public inquiry that may be held, the documents listed below.

The documents listed below are also available at the deposit locations listed in Section 19.1 of this Statement.

### List of Documents:

- The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads Order) 2020
- The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads Order) 2020 – Site Plan
- The Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020
- Map referred to in the Cheshire East Borough Council and Cheshire West and Chester Borough Council (Middlewich Eastern Bypass) Compulsory Purchase Order 2020
- Cheshire East Council Strategic Planning Board Report on 24 April 2019
- Middlewich Eastern Bypass Planning Decision Notice – Cheshire East Council
- The approved planning drawings, Environmental Statement, Planning and Design Access Statement, and Environmental Assessment Report highlighted in Appendix 8.

The Council reserves the right to add other documents to this list.

## 19 FURTHER INFORMATION

### 19.1 Access to Documents

The Order documents can be inspected at

Cheshire East Council  
Municipal Buildings  
Earle Street  
Crewe  
CW1 2BJ

*Or*

Middlewich Library  
22 Lewin Street  
Middlewich  
CW10 9AS

Alternatively, the documents can be inspected on the Cheshire East Council website at: <http://www.cheshireeast.gov.uk/MEB>

Specific queries relating to the Council's proposals should be sent by email to xxxxxxx

### 19.2 Compensation

Provision is made by statute with regard to compensation for the compulsory purchase of land and depreciation in value of affected properties. More information is given in the series of booklets published by the Department for Communities and Local Government entitled "Compulsory Purchase and Compensation". These Booklets are listed below:

- Booklet No.1 - Compulsory Purchase Procedure;
- Booklet No.2 – Compensation to Business Owners and Occupiers;
- Booklet No.3 – Compensation to Agricultural Owners and Occupiers;
- Booklet No.4 – Compensation to Residential Owners and Occupiers; and
- Booklet No.5 – Reducing the Effect of Public Development: Mitigation Works

Copies of these booklets are available free of charge online and also from:

Communities and Local Government Publications  
Cambertown House  
Goldthorpe Industrial Estate  
Rotherham  
S63 9BL

Tel: 0300 123 1124

The Booklets can be downloaded directly from:

[www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase](http://www.communities.gov.uk/publications/planningandbuilding/compulsorypurchase)

Any person who does not have facilities to download these booklets should contact the Council for assistance at Cheshire East Borough Council, Westfields, Middlewich Road, Sandbach CW11 1HZ (Tel: 01270 686353).

**20 APPENDICES**

APPENDIX 1	SCHEME PLAN
APPENDIX 2	ORDER MAP
APPENDIX 3	ORDER MAP SCHEDULE
APPENDIX 4	ROUTE OPTIONS GENERAL LAYOUTS
APPENDIX 5	STATEMENT OF COMMUNITY INVOLVEMENT
APPENDIX 6	SIDE ROAD ORDER PLANS
APPENDIX 7	LETTERS OF SUPPORT
APPENDIX 8	LIST OF SUPPORTING DOCUMENTS



**APPENDIX 1**

SCHEME PLAN

**APPENDIX 2**

ORDER MAP

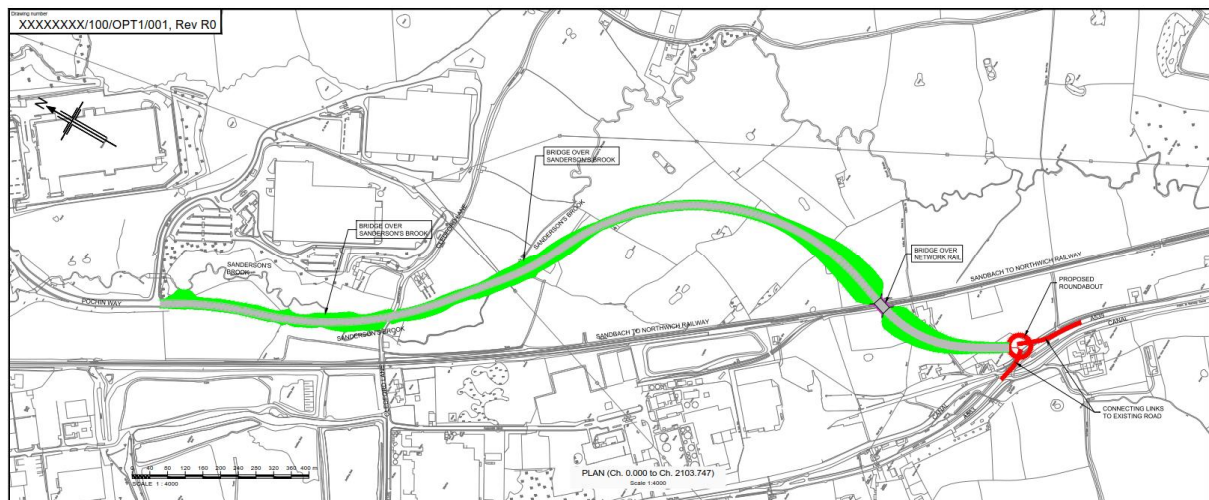
**APPENDIX 3**

ORDER MAP SCHEDULE

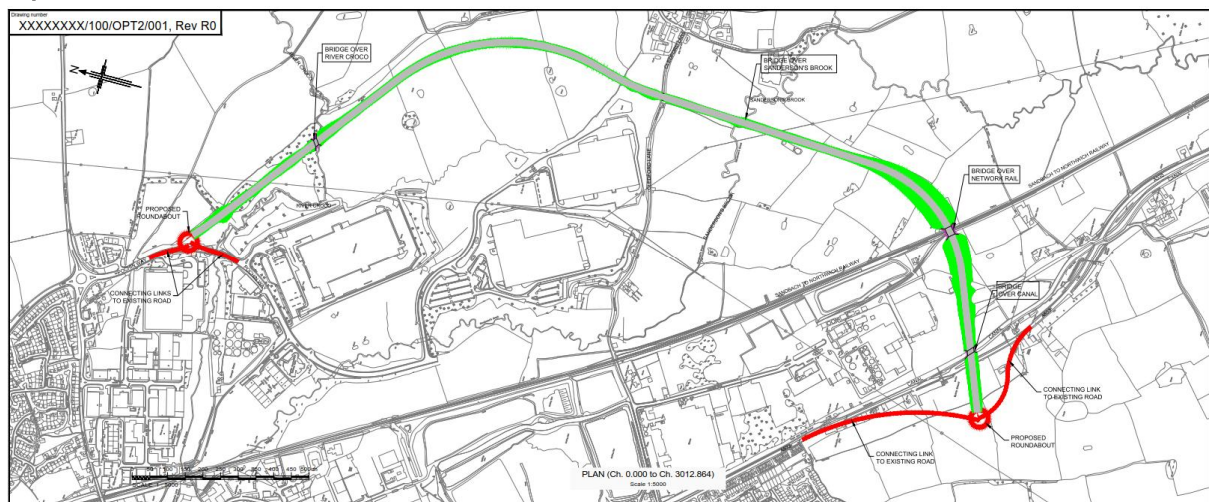
**APPENDIX 4**

ROUTE OPTIONS PLANS

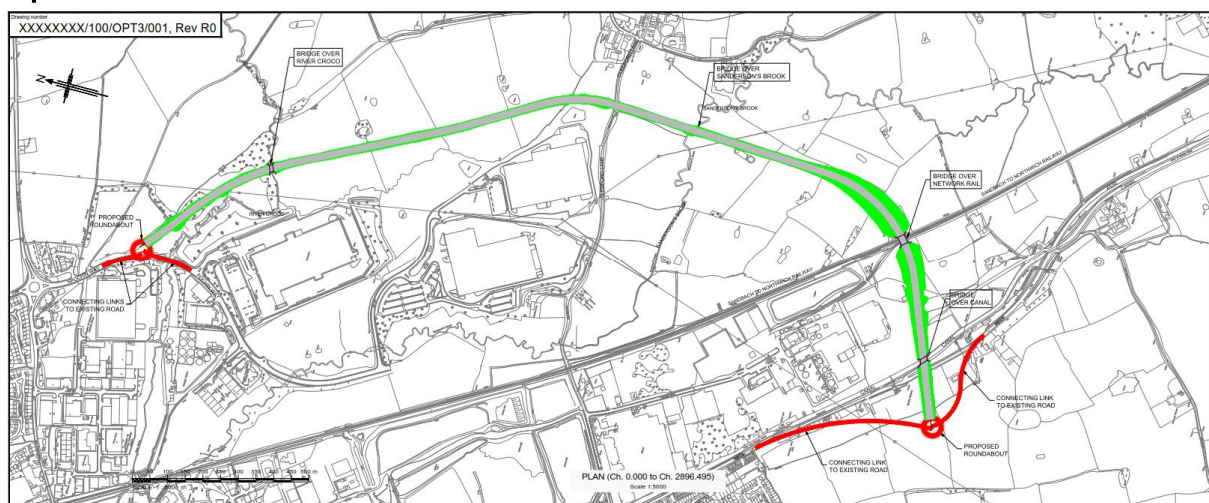
### Option 1



### Option 2

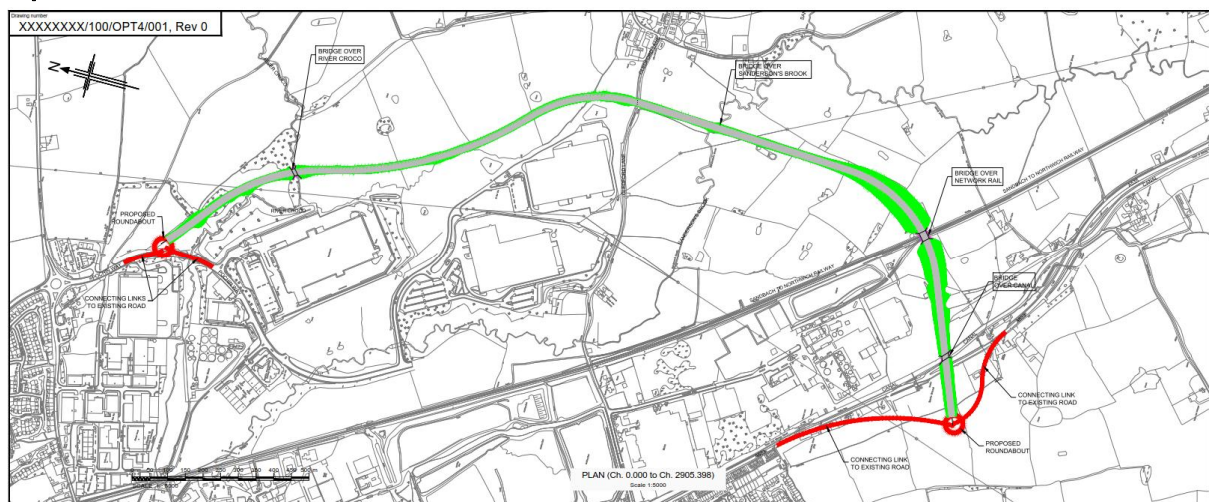


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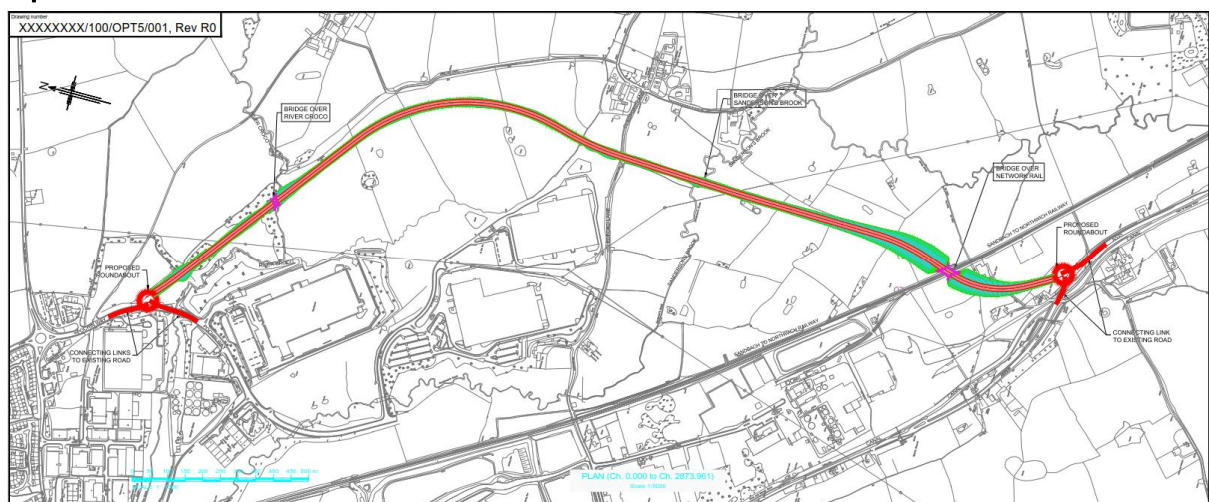




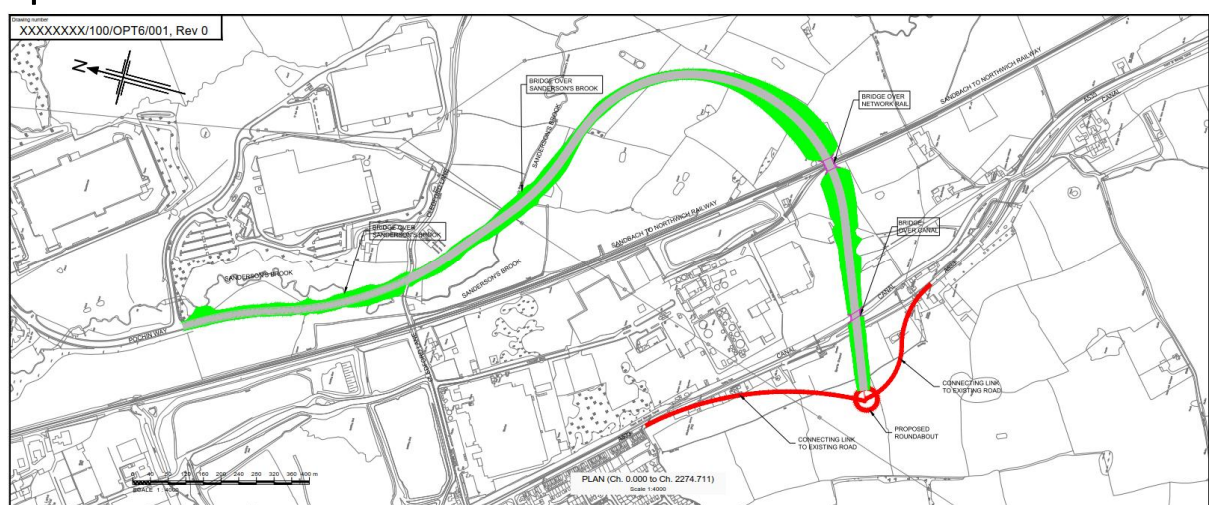
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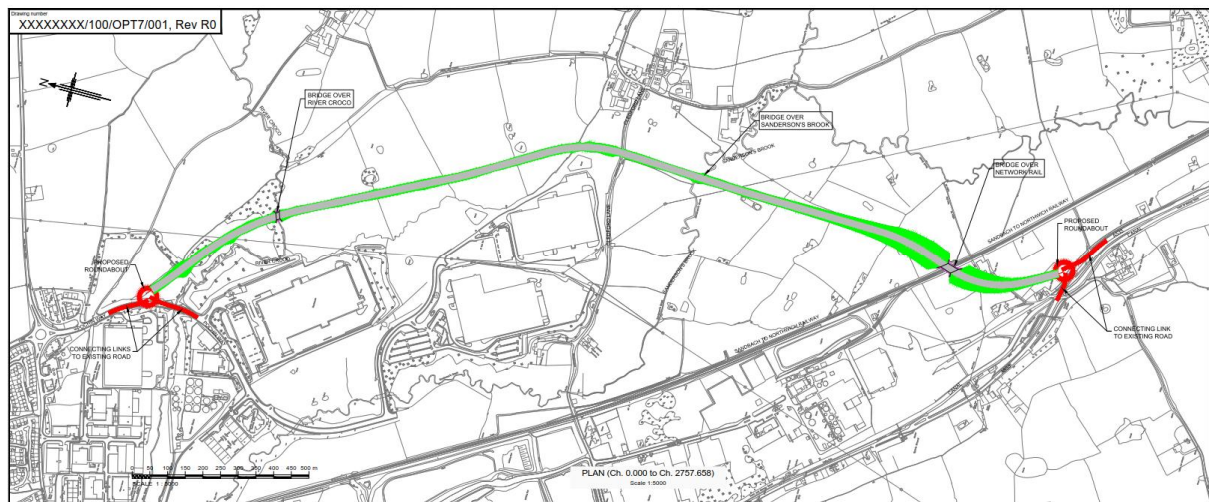
### Option 5



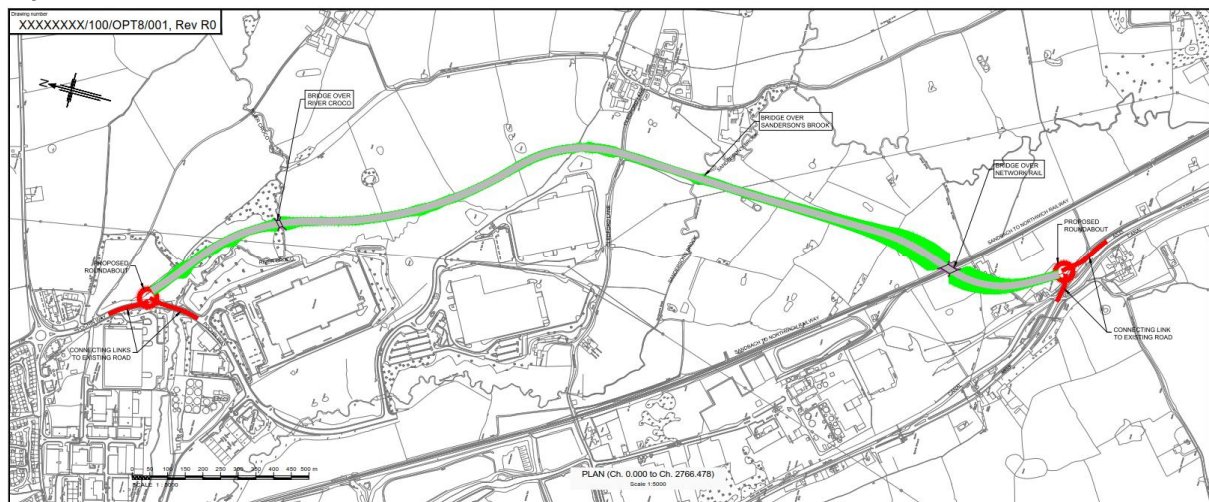
### Option 6



### Option 7

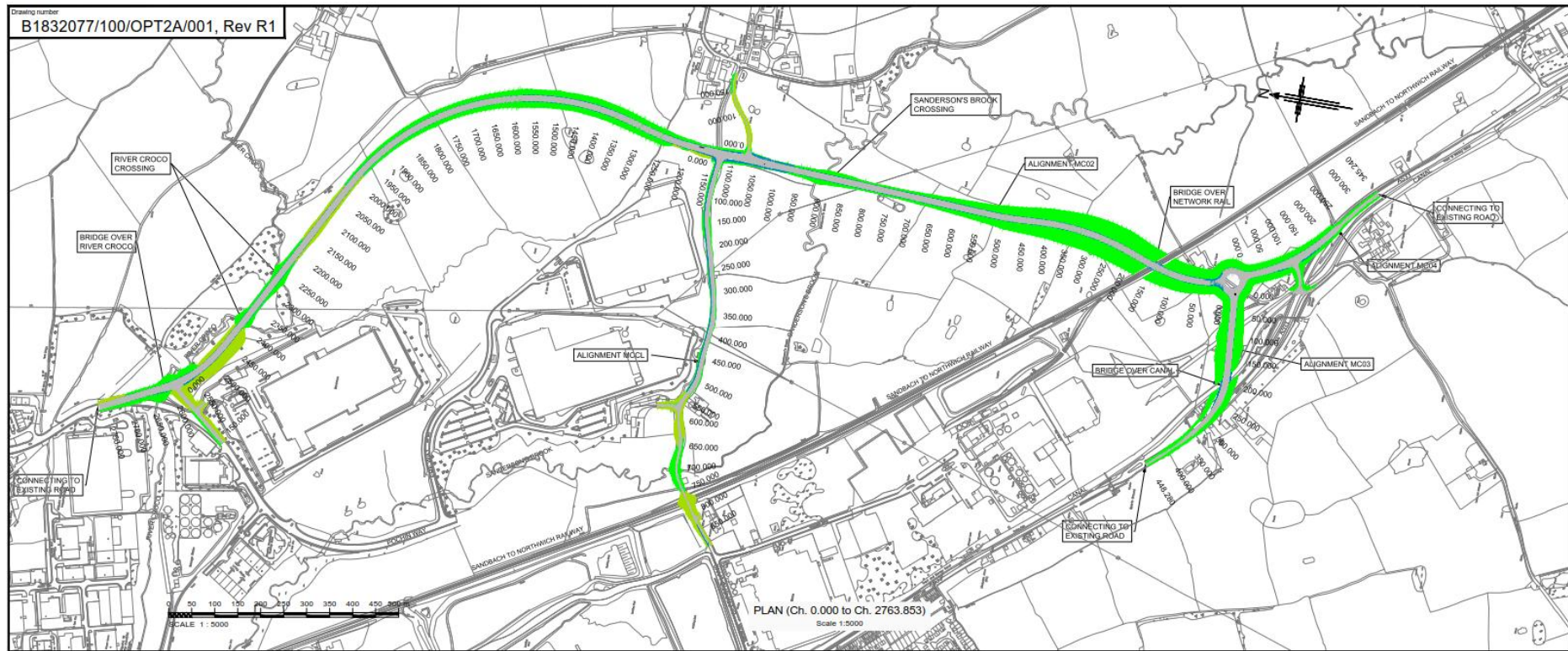


### Option 8



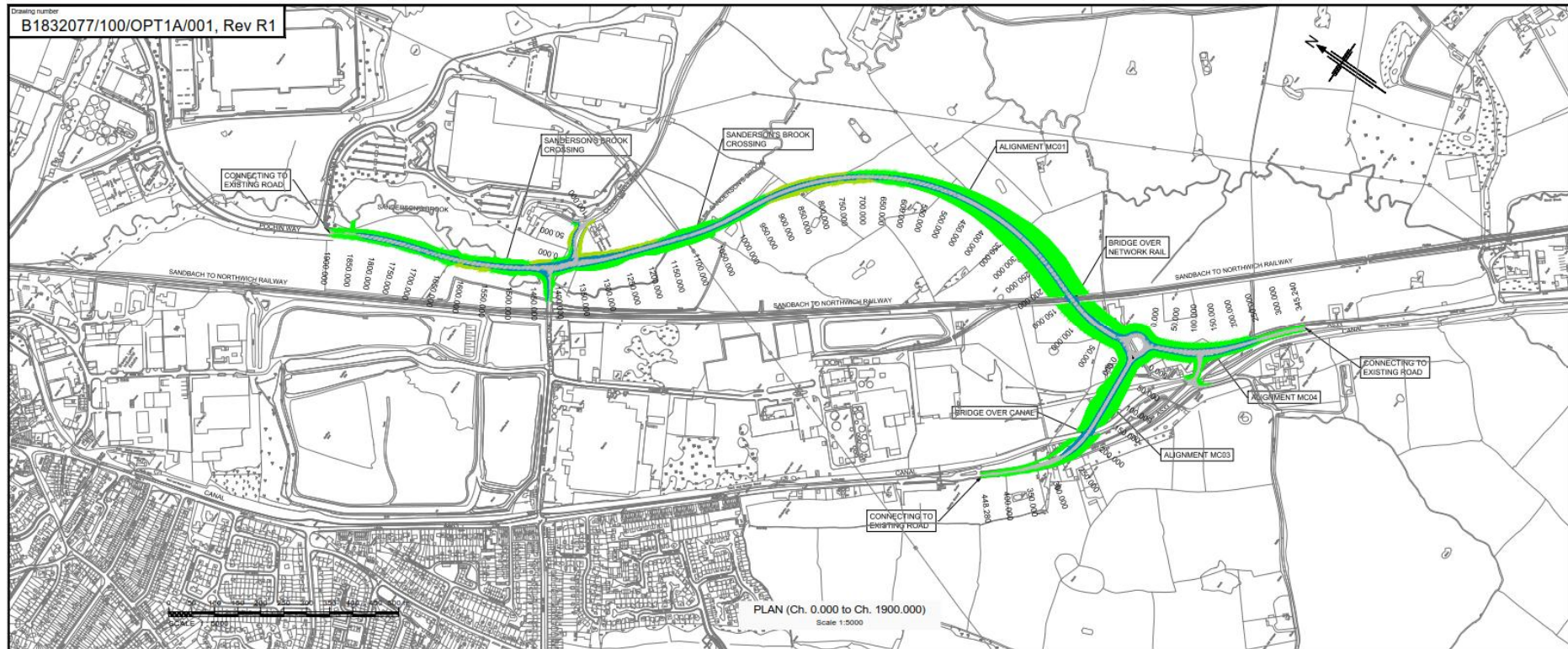


## Preferred Option





## Alternative Option



**APPENDIX 5**

STATEMENT OF COMMUNITY INVOLVEMENT

DRAFT

**APPENDIX 6**

**SIDE ROAD ORDER PLANS**

**APPENDIX 7**

LETTERS OF SUPPORT

## **APPENDIX 8**

### **LIST OF SUPPORTING DOCUMENTS**

- Environmental Statement;
- Application for Original Permission, including Application Form, Supporting Information and Scheme Layout plans;
- Transport Assessment; and
- [xxx]

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*Working for a brighter future together*

Key Decision: Yes

Date First Published:  
16/01/2020

## Cabinet

**Date of Meeting:** 07 July 2020

**Report Title:** Appropriation for Planning Purposes of Land at the Garden Village, Handforth

**Portfolio Holder:** Cllr Nick Mannion - Environment and Regeneration

**Senior Officer:** Frank Jordan - Executive Director Place

### 1. Report Summary

- 1.1. The Garden Village at Handforth Scheme will create a new village community in the north of the Borough. The aim is to create a village that has housing of a high-quality design together with high levels of environmental performance. It will include 1,500 new homes, up to 12 hectares of employment land, a new local centre, a new school and extensive open space.
- 1.2. The Council is the lead developer for the Scheme and the delivery strategy and programme for the project were approved by Cabinet in September 2018.
- 1.3. Around 70% of the land allocated for the Garden Village is owned by the Council (the "Council Land"). This land is shown shaded pink on the plan at Appendix 1. The remaining 30%, which is shown shaded blue on the plan, is in third party ownership (the "Third Party Land").

The Council Land is subject to a large number of rights and interests, including but not limited to private rights of way and easements, most of which provide for access to the Third Party Land, as well as for services ("the Rights"). The beneficiaries of the Rights (the "Beneficiaries") are, for the most part, owners of the Third Party Land.

- 1.4. Where exercise of the Rights will impede or obstruct development of the Garden Village, they will need to be modified or released, with new rights being

granted as appropriate. The necessary alterations to the Rights will be sought by negotiation, but agreement may not be achievable in all cases, or negotiations may become protracted, causing delaying and putting at risk the delivery of the Garden Village.

- 1.5. The Rights therefore present a risk to the delivery of the Garden Village. This risk is however eliminated if the Council Land is appropriated and the overriding power is engaged.
- 1.6. Accordingly, this report seeks Cabinet approval to advertise the Council's intention to appropriate the Open Space Land for planning purposes and to delegate authority to the Director of Growth and Enterprise to consider any objections that may be received.
- 1.7. Subject to consideration of all objections received and if deemed appropriate following such consideration, Cabinet approval is also sought to proceed with the appropriation of the Council Land (which includes the Open Space Land) for planning purposes.

## **2. Recommendations**

### **2.1. That Cabinet:**

- 2.1.1. Authorise the advertising of the Council's intention to appropriate for planning purposes any part of the Open Space Land in accordance with the requirements of section 122(2A), LGA 1972.
- 2.1.2. Authorise the Director of Growth and Enterprise to consider any objections which may be received and to make a recommendation as to whether or not appropriation of any part of the Open Space Land should proceed;
- 2.1.3. Subject to the proper consideration by the Director of Growth and Enterprise of any objections received in response to the advertising of the Open Space Land in 2.1.1 above, authorise the Council to proceed with the appropriation of the Council Land pursuant to section 122(1), LGA 1972;
- 2.1.4. Delegate authority to the Director of Growth and Enterprise, in consultation with the Director of Governance and Compliance and the Section 151 Officer, to negotiate and enter into agreements with third parties in order to secure the modification or release of the Rights (and the grant of new rights) which may otherwise be an impediment to the development of the Garden Village; and
- 2.1.5. Failing such agreements being reached, delegates authority to the Director of Growth and Enterprise, in consultation with the Director of Governance and Compliance and the Section 151 Officer, to deal with the settlement of any claims for compensation made pursuant to section 204, HPA 2016 that may



arise by virtue of the operation of the overriding power contained in section 203, HPA 2016.

### **3. Reasons for Recommendations**

- 3.1. To bring forward development throughout the Garden Village it is necessary to ensure that there are sufficient rights of access and provision for service routes across the Council Land.
- 3.2. In some cases, the existing Rights will be sufficient and can be exercised without giving rise to a conflict with the Council's development proposals. However, in other cases, the Rights will need to be modified or released in return for the grant of new rights. In the main, the necessary alterations to the Rights are expected to be achieved by agreement with the Beneficiaries but there is no guarantee that agreement will be achieved in every case or within a reasonable timeframe.
- 3.3. When development is carried out which interferes with the Rights, the Council will become liable to pay compensation. The measure of compensation is the diminution / reduction in the value of the land with the benefit of the Rights) that results from the Rights being interfered with. The calculation of compensation cannot include any ransom value. However, it can take into account any mitigation, such as the grant of alternative rights, as well as any betterment in land value which is attributable to the development proposals for the Garden Village, which will be facilitated by the interference with the Rights.
- 3.4. Furthermore, it is anticipated that appropriation of the Council Land will help to facilitate discussions between the Council and the Beneficiaries by removing the injunction risk and setting clear parameters for the calculation of any consideration to be offered to the Beneficiaries in exchange for a modification or release of the Rights and it will provide an increased level of certainty that the Council Land can be developed as proposed.

### **4. Other Options Considered**

- 4.1. The option of working around the Rights to masterplan and construct the Garden Village has been considered but would be practically impossible.
- 4.2. Securing the necessary modification or release of the Rights by agreement is something the Council is actively pursuing but there is no guarantee that negotiations will succeed in every case, that this can be done within a reasonable timeframe nor at an acceptable cost (as this would be a negotiation).

## **5. Background**

### Planning Policy

- 5.1. The Garden Village is a site of approximately 120 hectares allocated in the Local Plan Strategy as a Strategic Site (LPS 33). The aspiration is to deliver a new exemplar sustainable community that will include:
- 1,500 new homes;
  - Up to 12 hectares of employment land;
  - A mixed-use local centre with retail, public house, hotel, children's day nursery and sports and leisure facilities;
  - A new primary school; and
  - High quality open spaces
- 5.2. In December 2018, the Council adopted The Garden Village at Handforth Supplementary Planning Document ("the SPD") to guide the development of the Garden Village. The SPD sets out a comprehensive masterplan, design guide and delivery programme for the project.
- 5.3. In May 2019, a hybrid planning application was submitted (ref. 19/0623M) seeking outline consent for a new village settlement and detailed consent for preparatory site and infrastructure works, including highway improvements to create new access routes into the Garden Village.
- 5.4. The development of the Garden Village in accordance with the hybrid planning permission will give rise to a range of public benefits, each with a social, economic and / or environmental dimension, the details of which are summarised later in this report.

### Considerations

- 5.5. In approving the recommendations contained in this report, the following matters should be taken into account by Cabinet:
- the Rights and the extent of any interference with them;
  - whether interference with the Rights is necessary in order to allow the development proposals for the Garden Village to be carried out and, whether agreement can be reached for the modification or release of the Rights, on what terms and within what timescale;
  - whether the development of the Garden Village will contribute to the promotion or improvement of the economic, social or environmental well-being of the Borough or any part of it;
  - whether the benefits which the development of the Garden Village will give rise to could be achieved without interference with the Rights; and

- whether the benefits are proportionate to any infringement that will occur, particularly with regard to interference with rights guaranteed by the European Convention on Human Rights.

5.6. These matters fall to be considered alongside the objectives of the proposals for the Garden Village and the following public benefits:

- The development of the Garden Village is a long held policy objective of the Council. It represents an opportunity to create a new village settlement that will provide more than 1,500 new homes in part of the Borough where land available for development is scarce and housing demand is high;
- The proposals presented in the hybrid planning application accord with the land use requirements and site specific principles of development set out in the Local Plan Strategy (allocation LPS 33);
- Social objectives, which include: the creation of a sustainable, inclusive, diverse village, with 1,500 new homes (4% of the housing target for the Borough over the Local Plan Strategy period 2010-2030), providing a range of housing types and tenures for a wide cross section of the community that will improve housing choice and affordability;
- Environmental objectives, which include: the creation of a network of green infrastructure containing a diverse range of assets including: green corridors, children's play areas, arts and heritage trails, heritage assets, amenity green space, community food production, allotments and orchards, outdoor sports facilities, street trees, boundary treatments, parking courts and edge / buffer development landscaping; and
- Economic objectives, which include: the creation of employment opportunities with over 300 construction and 470 supply chain jobs during the delivery phase and a further 600 direct and 150 supported jobs from the new commercial and community uses to be delivered as part of the Garden Village and by increasing the level of expenditure in the local area and providing housing for workers to support forecast economic growth in the north of the Borough and beyond.

5.7. The benefits arising from the delivery of the Garden Village must be balanced against the likely impact caused by interference with the Rights.

5.8. It is not practically possible to plan and deliver the new settlement around the need to avoid conflict between the construction of the Garden Village and the Rights. Furthermore, where a conflict arises, the Rights affected will generally be capable of being modified or released with little or no impact on the Beneficiaries. Any losses which may be suffered can be compensated.

5.9. From the perspective of the Council and the wider community, the benefits of securing the timely delivery of the Garden Village are considerable and will

outweigh any adverse impact upon the Beneficiaries of the Rights. Any detriment suffered by the Beneficiaries is considered capable of being mitigated through the modification or release of the Rights and the grant of new equivalent rights. Any residual adverse impacts which may be experienced, notwithstanding the Council's proposed mitigation measures, can be compensated.

- 5.10. Accordingly, proceeding to appropriate the Council Land in order, where necessary, to engage the overriding power is considered to be proportionate and justified in the circumstances.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1 The Council has commissioned detailed advice on the appropriation of the Council Land from external legal advisors and a summary of that advice is set out in Appendix 2 to this Report.
- 6.1.2 The Council has statutory powers which enable the appropriation of Council owned land for planning purposes pursuant to section 122(1) of the Local Government Act 1972 ("LGA 1972"). This is a statutory process which may assist in situations such as this in order to secure the development of Council owned land. This is because where land is appropriated in this way, easements and other rights and interests in the land can be interfered with (pursuant to section 203 of the Housing and Planning Act 2016 ("HPA 2016")) and overridden where they would otherwise be an impediment to development. At the point the rights are overridden they are converted into a right to compensation (which can be claimed under section 204, HPA 2016). This paper seeks Cabinet approval to appropriate for planning purposes the Council Land pursuant to section 122 of the LGA 1972. (In this paper, all references to "appropriation" and "appropriated" mean appropriation and appropriated for planning purposes pursuant to the 1972 Act and all references to "overriding power" and "overriding" refer to the power granted in the S203 HPA 2016).
- 6.1.3 Some of the Council Land is presently in use as open space ("the Open Space Land"). The law requires that before appropriating land which is open space, a council must advertise its intention to appropriate it and give consideration to any objections that are received (section 122(2A), LGA 1972).

## **6.2 Finance Implications**

- 6.2.1 The delivery of the Garden Village will necessitate interference with the Rights.
- 6.2.2. Most of the Beneficiaries of the Rights are in dialogue with the Council regarding the delivery of the Garden Village. A key element of the Council's delivery strategy is to ensure that all parcels of development land have the necessary rights for access and services. As such, where the exercise of an existing right is in conflict with the development proposals for the Garden Village, the Council is committed to either modifying that right or to releasing and replacing it with a new alternative right.
- 6.2.3. Therefore, regardless of whether the above-mentioned re-provision occurs as a consequence of a privately negotiated agreement with the Beneficiary or within the context of an existing right being overridden and converted into a right to compensation (via the appropriation process), the financial implications for the Council are anticipated to be minimal.
- 6.2.4. It is not possible at this stage to fully assess the amount of consideration or compensation that might become payable. However, for the reasons given earlier in this report, it is anticipated that the sums to be paid will be small and capable of being authorised via existing delegated authorities using already allocated budgets.

## **6.3. Policy Implications**

- 6.3.1. Adoption of the recommendations contained in this report will facilitate the timely and cost effective delivery of the Garden Village and thereby contribute towards the achievement of the policy objectives of the Local Plan Strategy and, in particular, allocation LPS 33.

## **6.4. Equality Implications**

- 6.4.1. Under s.149 of the Equality Act 2010 ("the 2010 Act"), a public authority (which includes a council) must, in exercise of its functions, have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.4.2. In this regard, Cabinet must consider whether a decision in line with this report's recommendations will or could have a differential impact on persons or groups with protected characteristics, which include age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

6.4.3. The integrated approach to the appraisal and assessment of the Local Plan Strategy (Local Plan Strategy Submission Sustainability (Integrated) Appraisal (May 2014)) incorporated an Equality Impact Assessment. The assessment undertaken concluded that there would be no disproportionate impact on groups with protected characteristics.

6.4.4. Accordingly, full regard has been had to the Council's statutory obligations under the 2010 Act and, in particular, its duty under s.149.

#### **6.5. Human Resources Implications**

6.5.1 No human resources implications have been identified.

#### **6.6 Risk Management Implications**

6.6.1. Appropriating the Council Land for planning purposes addresses the current risk of the Council being unable to deliver the Garden Village in a timely and cost effective manner due to the existence of the Rights and the conflict this gives rise to.

6.6.2. Having appropriated the Council Land for planning purposes, the main residual risk relates to the amount of consideration or compensation that may become payable to the Beneficiaries should interference with the Rights be necessitated in order to deliver the Garden Village. In order to manage this risk, opportunities to modify and / or release and re-grant the Rights so that the Beneficiaries are put in no worse a position will be fully explored and evaluated.

#### **6.7 Climate Change Implications**

6.7.1 No climate change implications have been identified.

#### **6.8 Human Rights Implications**

6.1.1. In considering the recommendations of this report, Cabinet must be satisfied that the purposes for which the Council Land is to be appropriated and for which the Rights are to be overridden sufficiently justify interfering with the human rights of the Beneficiaries.

6.1.2. Under the Human Rights Act 1998, the Council is required to act in accordance with the European Convention on Human Rights ("ECHR") in

deciding whether or not to engage section 203 of the HPA 2016. Article 1 of the First Protocol of the ECHR provides that every natural or legal person is entitled to peaceful enjoyment of their possessions.

- 6.1.3. The appropriation of the Council Land for planning purposes, in order to engage section 203 of the HPA 2016 and to permit infringement of the Rights, will involve interference with a person's rights under the above-mentioned Article. However, the right to peaceful enjoyment of possessions is qualified. The deprivation of a person's possessions is authorised where it is prescribed by law, is pursuant to a legitimate aim, is necessary in a democratic society and is proportionate.
- 6.1.4. The interference with an individual's private rights must be necessary and proportionate to the public interest of facilitating the development scheme for the Garden Village. In this context, "proportionate" means that the interference must be no more than is necessary to achieve the identified legitimate aim of such interference. A fair balance is required to be struck between the rights of the individual and the rights of the community as a whole.
- 6.1.5. In light of the significant public benefits arising from the development of the Garden Village (set out in Section 5 above), the public interest in facilitating the development outweighs the private interests identified, and the proposed engagement of section 203, HPA 2016 will amount to a proportionate interference with the Rights in all the circumstances. In this regard, the grant of alternative rights, and the availability of statutory compensation to those who are deprived of the benefit of an existing right or interest, is of relevance to the issue of proportionality.

## **7. Ward Members Affected**

- 7.1. The ward councillors for Handforth are Cllr B Burkhill and Cllr J Smith. Both members are aware of the proposals for the Garden Village.

## **8. Consultation & Engagement**

- 8.1. Public consultation exercises were undertaken in respect of the original Allocation in the Local Plan, the SPD prior to its adoption in December 2018 and the Hybrid Planning Application during 2019.
- 8.2. Furthermore, the Beneficiaries are aware of the Council's proposals for the Garden Village and the delivery programme in place for its development.

## **9. Access to Information**

- 9.1. All supporting documents are included within the appendices to this report.

## **10. Contact Information**

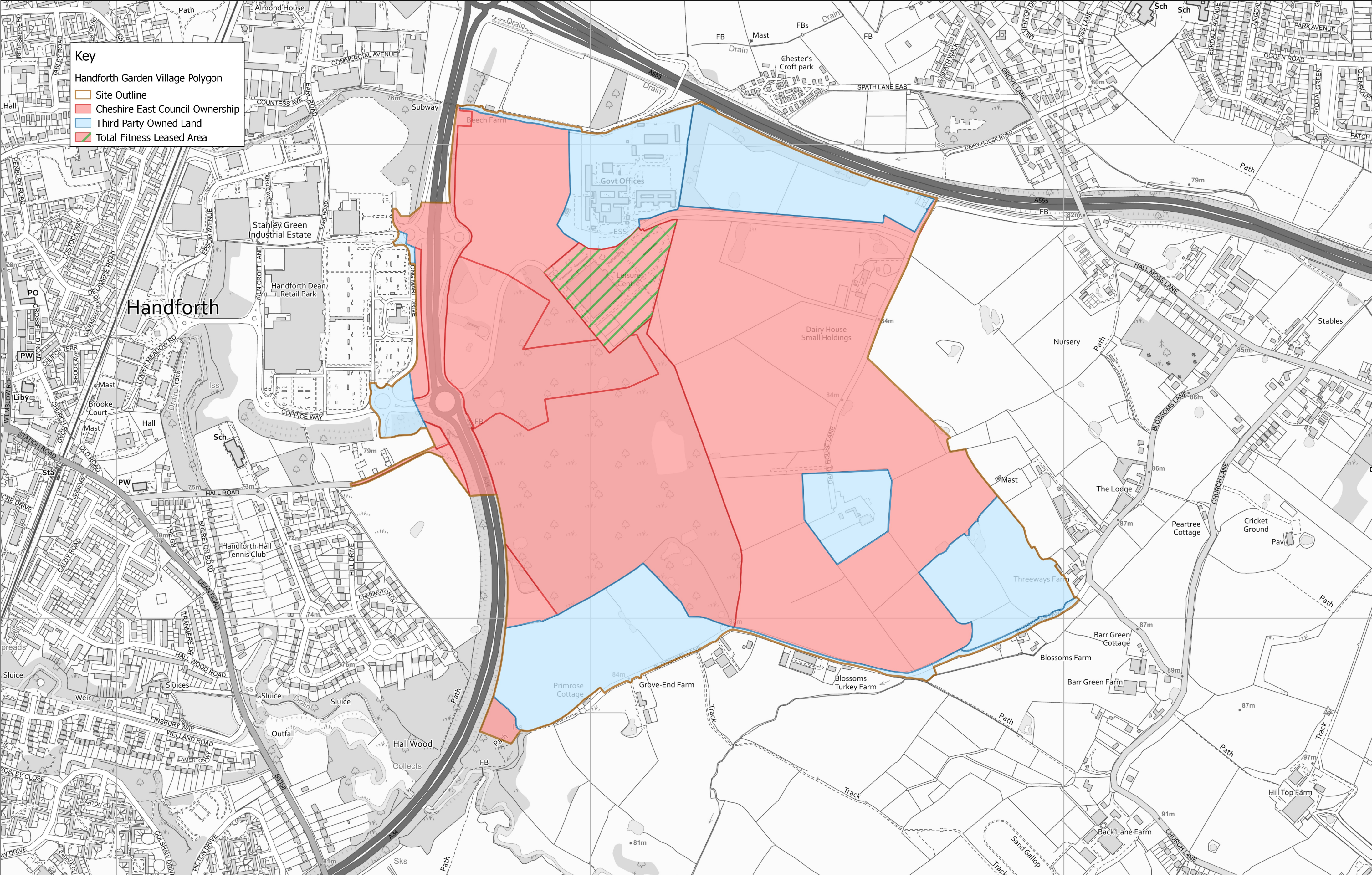
10.1. Any questions relating to this report should be directed to the following officer:

10.2. Name: Frank Jordan

Job Title: Executive Director of Place

Email: [Frank.Jordan@cheshireeast.gov.uk](mailto:Frank.Jordan@cheshireeast.gov.uk)







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### General Power of Appropriation

A general power to appropriate land is conferred on principal councils under section 122 of the Local Government Act 1972 ("LGA 1972"). A principal council may appropriate land belonging to that council that is no longer required for the purpose for which it is held for any other purpose for which it is authorised by statute to acquire land.

Therefore, a principal council can only appropriate land under section 122(1) of the LGA 1972 if the land is no longer required for the purpose for which it is currently held. In reaching this decision, the council must consider the public need within the area for the existing use.

It is for the principal council to determine whether the land is no longer required for the purpose for which it is held – the council is the sole judge of this.

There is no statutory requirement to advertise or consult on a proposal or decision to appropriate land under the general power contained in section 122 of the LGA 1972, unless the appropriation relates to special categories of land – open space land is one such category. Before appropriating open space land, a council must (i) advertise its intention to appropriate the open space land for two consecutive weeks in a newspaper circulating in the local area; and (ii) consider any objections of the proposed appropriation (section 122(2A), LGA 1972).

If a principal council appropriates open space land under section 122(2A) of the LGA 1972, it is released from any trust for the enjoyment of the public imposed by section 164 of the Public Health Act 1875 or section 10 of the Open Spaces Act 1996 (section 122(2B), LGA 1972).

The land at the Garden Village which is owned by the Council includes land which is currently used as open space. As such the Council will be required to observe the requirements of section 122(2A) of the LGA 1972 should a decision be taken to proceed with the proposal to appropriate it.

### Appropriation for Planning Purposes

Land can be appropriated for planning purposes pursuant to section 122 of the LGA 1972.

The phrase – "*the appropriation of land for planning purposes*" – is defined by section 246(1) of the Town and County Planning Act 1990 ("TCPA 1990") as a reference to the appropriation of land for purposes for which land can be (or, as the case may be, could have been) acquired under section 226 or section 227 of the TCPA 1990. Acquisition under these sections is permitted (whether by compulsion or by agreement) where such acquisition facilitates the carrying out of development, re-development or improvement on or in relation to the land, provided that such development, re-development or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the relevant local authority's area.

When considering appropriation, the Council needs to have regard to the same issues, and take the same approach, as if they were seeking to promote a compulsory purchase order. The same degree of "requirement" or "necessity" is to apply.

### Power to Override

The appropriation of land for planning purposes engages the power to override easements and other rights contained in section 203 of the Housing and Planning Act 2016 ("HPA 2016") and, in doing so, can be used to facilitate development.

Section 203 of the HPA 2016 enables a person to interfere with easements and other rights when undertaking building or maintenance works on, or using, land which is vested in or acquired by a "specified authority" or which has been appropriated by a local authority for planning purposes provided that the following conditions are satisfied:

- a. The land has become vested in or acquired by a specified authority on or after 13 July 2016 (or appropriated by a local authority for planning purposes) or the land is "other qualifying land" as defined in section 205(1);

- b. There is a planning consent for the building or maintenance work or use;
- c. The specified authority could acquire the land compulsorily for the purposes of the building or maintenance work or for the purposes of erecting or constructing a building or carrying out any works, or for the use; and
- d. The building or maintenance work or use is for purposes related to the purposes for which the land was vested in or acquired by the specified authority (or appropriated by the local authority).

The satisfaction of condition (a) is a matter of fact to be determined in each case. The same is true of condition (b). Condition (b) will be satisfied in the case of the Garden Village upon the grant of permission for planning application reference ref. 19/0623M.

Turning to condition (c), at the time the relevant building or maintenance work is carried out, or the use instituted, the specified authority must be able (having the necessary “enabling powers” in legislation) to acquire the land compulsorily, in the sense that it could exercise its powers of compulsory acquisition in relation to the land. In circumstances where the specified authority owns the land, the land is to be treated as if it were not currently owned by the authority.

Finally, condition (d): it should be noted that the building or maintenance work or use does not have to be for the same purpose as that for which the land was vested or required (or appropriated), but for a related purpose, and as a result, there is a degree of flexibility which can be applied in securing the satisfaction of this condition.

#### Payment of Compensation

Section 204 of the HPA 2016 sets out the provisions governing the payment of compensation when easements and other rights are overridden in reliance upon section 203.

Section 204(1) states that *“a person is liable to pay compensation for any interference with a relevant right or interest or breach of a restrictions that is authorised by s.203”*.

Section 204(2) goes on to confirm that *“the compensation is to be calculated on the same basis as compensation payable under sections 7 and 10 of the Compulsory Purchase Act 1965”*. Sections 7 and 10 of the Compulsory Purchase Act 1965 are concerned with compensation payable in respect of injurious affection, where legal rights held over land are interfered with, but no interest is acquired from the beneficiary of the right (“the claimant”). The measure of compensation is the reduction in value of the claimant’s land as a result of the aforesaid interference with the right.

The obligation to pay compensation lies with the person who undertakes the relevant building and maintenance works in breach of the relevant right or restriction. However, if that person fails to discharge their liability, the liability becomes enforceable against the local authority (see section 204(3)). In the case of the Garden Village, any compensation liability will rest with the Council.

However, it is considered that the compensation due for any interference with / breach of the easements and other rights affecting the land at the Garden Village which is owned by the Council is likely to be minimal having regard to the relevant legal principles (details of which have been provided to the Council as part of the external legal advice commissioned).

It is possible that betterment attributable to the development proposals for the Garden Village could outweigh any diminution in value attributable to the interference with the Rights.



*Working for a brighter future together*

Key Decision	Y
Date First Published:	13/05/2020

## Cabinet

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**Date of Meeting:** 07 July 2020

**Report Title:** Level Access Showers Framework

**Portfolio Holder:** Councillor Nick Mannion - Environment and Regeneration

**Senior Officer:** Frank Jordan - Executive Director Place

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### 1. Report Summary

- 1.1. This report sets out how Cheshire East Council will secure value for money in the procurement of level access showers (wet rooms) on behalf of disabled residents.
- 1.2. Housing adaptations are provided in the discharge of the Council's statutory duty to meet the needs of disabled adults and children. Adaptations are designed to enable disabled people to live independently in the home of their choice, reducing or delaying the need for formal social care. Major adaptations are funded using the mandatory means-tested Disabled Facilities Grant provided by the Council. These works must be procured in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.
- 1.3. It is recommended that a Framework would be put in place to enable the Council to commission level access shower works on behalf of disabled people from a single supplier. The Framework would form part of a wider suite of frameworks to enable the Council to provide a comprehensive domestic repairs and adaptations service to vulnerable residents.
- 1.4. The Framework value would be between £1.5million and £3 million over the period of the Framework, which would be between 2 and 4 years. The Framework would enable the Council to place an order for each level access shower that is required. It would not provide a guarantee of the volume or value of work that would be awarded.

## **2. Recommendations**

### **2.1. That Cabinet**

- 2.1.1. Approve the procurement and establishment of a Framework to commission level access shower works on behalf of disabled residents.
- 2.1.2. Delegate authority to the Executive Director Place in consultation with the Portfolio Holder for Environment and Regeneration to award and enter into a Framework Agreement with a single supplier who meets the procurement criteria and requirements of the Framework.

## **3. Reasons for Recommendations**

- 3.1. Housing is a key determinant of health, with the condition and suitability of a person's home being closely linked to their health, care and ability to participate in social networks. Addressing housing conditions and enabling people to stay in their own homes and remain as active and independent as possible delivers outcomes for residents aligned with Outcome 5 in the Council's three year plan: 'People live well and for longer'.
- 3.2. There is a need to achieve best value for the services that the Council directly commissions and provides, whilst at the same time maintaining the best possible service for its residents in line with the Council's three year plan. A Framework would enable us to secure a supplier who meets our quality standards and delivers value for money.

## **4. Other Options Considered**

- 4.1. A bespoke in-house Framework appointing three suppliers with subsequent mini competitions for each scheme of works would create delivery delays and would not generate the economies of scale that could be achieved by appointing a single supplier.
- 4.2. Carrying out an individual procurement exercise for each scheme of works would be time consuming and would increase the Council's operational costs.
- 4.3. Frameworks set up by external consortia are not tailored to the Council's operational requirements and could restrict opportunities for local supply chains.
- 4.4. The Council's low value construction services framework is intended for council buildings and assets and isn't tailored for use in domestic properties occupied by vulnerable residents; the differences between commercial and residential projects cannot be easily bridged.

## **5. Background**

- 5.1. The Council delivers services to support people to live independently at home in a number of ways, including the provision of equipment, minor adaptations under £1,000 such as hand rails and grab rails, and major home adaptations costing over £1,000. Major home adaptations are funded by Disabled Facilities Grants and are commissioned by the Council to achieve best value for money and to support people who are unable to organise building works themselves. In 2019-20, major home adaptations were provided for 370 disabled residents living in their own homes and in rented properties.
- 5.2. There is an existing suite of frameworks in place for a range of home adaptations, including stair lifts, step lifts, vertical lifts, ceiling track hoists and major building works for extensions.
- 5.3. The existing bespoke Framework Agreement that enables us to commission level access showers expires on 7 December 2020. The Framework enables us to make direct awards to a single supplier for individual major adaptations schemes without providing a guarantee of the volume or value of orders called-off from the Framework, enabling us to respond to fluctuations in service demand. Our experience of delivering the existing Framework has shown us that some simple building works such as level access showers are well suited to being provided by a single appointed supplier using an agreed pricing structure, delivering greater efficiency for the Council.
- 5.4. In order to comply with public sector procurement regulations and with the Council's Finance and Contract Procedure Rules, works must be procured in a fair and transparent manner whilst ensuring best value. This is also critical to achieve economies of scale and to consistently manage the quality of the works carried out in the homes of vulnerable residents.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

- 6.1.1. There are various statutory provisions and guidance under the Care Act 2014, the Chronically Sick and Disabled Persons Act 1970 and the Housing Grants, Construction and Regeneration Act 1996 under which the Council must provide or arrange for the provision of services that contribute towards preventing, reducing or delaying the needs for care and support or arrange any works of adaptation or the provision of additional facilities and grant aid.

6.1.2. A Framework enables the Council to meet its need for a service, supply of goods or works for a set period of time in order to obviate the need to undertake a wide competitive procurement process for each individual scheme. It complies with the Public Contracts Regulations 2015 (“the Regulations”) and the Council’s Contract Procedure Rules.

6.1.3. The Strategic Housing service will engage with Legal Services to ensure that the Framework Agreement contains provisions so that it can be terminated in the event that the works cannot be provided on terms which remain acceptable to the Council or after the initial two year term. The Framework Agreement would not contain any guarantees of work volumes to the appointed supplier and could be utilised with other options.

6.1.4. The Strategic Housing service has been advised and will engage with Legal Services to ensure that the duties under the Public Services Social Values Act, as it applies to framework agreements, are fulfilled. The Act requires the Council to consider:

6.1.4.1. How what is proposed to be procured might improve the social economic and environmental well-being of the relevant area;

6.1.4.2. How in conducting a procurement process it may act with a view to securing that improvement; and

6.1.4.3. Whether to undertake any community engagement on their proposals.

## **6.2. Finance Implications**

6.2.1. The value of the Framework (£750,000 per annum, for up to four years) can be met within the annual Disabled Facilities Grant capital allocation received from the Ministry for Housing, Communities and Local Government. The capital allocation will be used to deliver all types of major adaptations including lifts, specialist equipment and major building works such as extensions, as well as the level access showers in this Framework.

6.2.2. In 2020/21 the Disabled Facilities Grant allocation is £2,064,279, however it should be noted that the future allocation of capital grant is not guaranteed. The statutory duty placed on local authorities to award Disabled Facilities Grants determines that should the Government decide not to allocate capital grant for this purpose in the future, funding would need to be provided from the Council’s own resources or through prudential borrowing.



6.2.3. A Framework would enable the Council to call-off contracts as required, and does not provide a guarantee of the volume or value of work that the Contractor would be awarded. In the event that the statutory obligation and/or the funding for housing adaptations works ceases, the Council has no contractual obligations beyond any orders that have been called-off.

### **6.3. Policy Implications**

6.3.1. People need health, social care, housing and other public services to work seamlessly together to deliver better quality care. More joined up services help improve the health and care of local populations and may make more efficient use of available resources.

6.3.2. The Better Care Fund brings together health and social care funding, and this policy framework aligns with NHS plans and gives areas the opportunity to plan more strategically. The Disabled Facilities Grant is a part of the Better Care Fund and is very much in-keeping with the whole system approach of working with our colleagues on the local transformation plans. The Joint Health and Wellbeing Strategy sets out how we will create a place that supports health and wellbeing for everyone in Cheshire East, including ensuring that everyone is equipped to live independently, and enabling more people to live well and for longer.

### **6.4. Equality Implications**

6.4.1. The proposed Framework would enable the Strategic Housing service to deliver efficient and effective services to groups with protected characteristics who are vulnerable, in particular but not limited to older people and people with a disability. Equality and diversity would form part of the evaluation criteria and the contractual obligations of the provider, ensuring that equality is at the forefront of service delivery.

### **6.5. Human Resources Implications**

6.5.1. There are no direct implications for human resources.

### **6.6. Risk Management Implications**

6.6.1. Failure to procure works in accordance with the Public Contracts Regulations 2015 and the Council's Finance and Contract Procedure Rules would leave the Council open to challenge and in breach of regulations, with a subsequent reputational impact. The contract would be advertised on the Council's e-tendering portal 'ProContract' (The Chest), and all companies expressing an interest in the framework would

be invited to tender. The tenders would be evaluated using a range of published criteria based on quality, delivery, customer care, safeguarding and social value that can be secured for residents, as well as price, in order to establish the most economically advantageous tender.

6.6.2. A failure to establish a Framework for which level access shower works can be commissioned would mean that each scheme would need to be procured individually. This is prohibitive both in terms of time and cost.

6.6.3. The Council is keen to achieve social, economic and environmental benefits, whether that be local subcontracting and purchasing, job creation, social/community initiatives and environmental responsibility. The Council would not have a specific target in relation to social value for this tender so as not to stifle innovation, although a question would be asked in the tender documents as to what social value can be secured by suppliers should they be successful. The social value policy would also be appended to the tender documents so that the outcomes that the Council is seeking to achieve can be clearly understood by suppliers.

#### **6.7. Rural Communities Implications**

6.7.1. The provision of adaptations to keep people living independently in their own home supports the sustainability of rural communities.

#### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. The Framework would provide opportunities for disabled children and young people to live in suitable housing, and protect the health of children and young people in low income vulnerable families through improved living conditions.

#### **6.9. Public Health Implications**

6.9.1. The Framework would enable the Strategic Housing service to provide services which directly impact on public health. Housing improvements would benefit vulnerable residents' mental and physical wellbeing and reduce demand on health and social care services.

#### **6.10. Climate Change Implications**

6.10.1. The Council has committed to becoming carbon neutral by 2025 and to encourage all businesses, residents and organisations in Cheshire East to reduce their carbon footprint. Building sustainability is a consideration in the specification and design of level access shower works, ensuring that every opportunity to reduce building operating costs

are evaluated in order to tackle fuel poverty for vulnerable residents and tackle climate change.

## **7. Ward Members Affected**

7.1. All wards.

## **8. Contact Information**

8.1. Any questions relating to this report should be directed to the following officer:

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Job Title: Housing Standards and Adaptations Manager

Email: [karen.whitehead@cheshireeast.gov.uk](mailto:karen.whitehead@cheshireeast.gov.uk)

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