

Cabinet

Date of Meeting: 09 July 2019

Report Title: Middlewich Eastern Bypass – Approval to Proceed with the Acquisition of Land Required to Deliver the Scheme

Portfolio Holder: Cllr Craig Browne - Deputy Leader

Senior Officer: Frank Jordan - Executive Director Place

1. Report Summary

- 1.1. It has been a long held ambition of the Council and Middlewich residents to secure the delivery of a bypass to relieve traffic congestion in Middlewich town centre.
- 1.2. Middlewich is identified in the Local Plan Strategy as a key service centre hosting four strategic sites for employment and housing. The Scheme supports economic growth and housing delivery in Middlewich and surrounding area, as well as relieving traffic congestion in Middlewich town centre.
- 1.3. Following a Cabinet resolution on 15th January 2019, the Council has entered into a 2-stage Delivery Agreement with Balfour Beatty Limited through the SCAPE Civil Engineering and Infrastructure framework to procure the Scheme. This Agreement is framed to allow the Council to commission Stage 1 (Pre-construction) without incurring a commitment to carry out Stage 2 (Construction).
- 1.4. The current programme (subject to planning and final funding approvals) is for the main works to start in 2021, with an estimated 30-month construction period.
- 1.5. This report seeks approval to authorise the use of the powers of compulsory purchase to undertake the acquisition of land and new rights required for the construction of Middlewich Eastern Bypass (“the Scheme”).

2. Recommendations

That Cabinet

- 2.1. Authorise the making of an Order (or Orders) under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and all other powers as appropriate for the compulsory purchase of land and rights required for the construction of the Scheme as shown on the CPO Plan (Appendix A).
- 2.2. Authorise the making of a Side Roads Order (or Orders) under Sections 8, 14 and 125 of the Highways Act 1980 and all other necessary powers to improve, stop up existing highways, construct lengths of new highway and stop up and provide replacement private means of access as required to deliver the Scheme;
- 2.3. Authorise the Executive Director Place, in consultation with the Director of Governance and Compliance Services, to make any amendments necessary to the contemplated 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.
- 2.4. Authorise the Executive Director Place, in consultation with the Director of Governance and Compliance Services, to take all appropriate actions to secure the confirmation of the contemplated orders including:
 - 2.4.1. Authority to take all necessary action to secure the making, submission to the Secretary of State for confirmation and (if confirmed) implementation, of the SRO and the CPO including the publication and service of all relevant notices and for the Director of Governance and Compliance to secure the presentation of the Council's case at any public inquiry and the subsequent service of Notices to Treat and Notices of Entry or, as the case may be the execution of General Vesting Declarations;
 - 2.4.2. Authority to negotiate and enter into agreements and undertakings with the owners of any interest in the required land under the CPO and/or the SRO ("the Orders") and any objectors to the confirmation of the Orders setting out the terms for the withdrawal of objections to the Orders including where appropriate, the inclusion in and/or exclusion from the CPO of land or new rights or the amendments of the SRO and to authorise the Director of Governance and Compliance to agree, draw up, and to sign all necessary legal documents to record such agreements and undertakings;
 - 2.4.3. Authorise in the event that any question of compensation is referred to the Upper Tribunal (Lands Chamber) the Director of Governance and

Compliance Services to take all necessary steps in connection with the conduct and, if appropriate, settlement of such proceedings;

2.4.4. Authorise the Director of Governance and Compliance Services to appoint suitable counsel to advise and represent the Council at any Public Inquiry held in respect of the Orders and to provide legal support to the team through the process;

2.5. Authorise the Head of Estates to seek to acquire the land and rights (or extinguish the same) required for the Scheme by agreement and to instruct the Director of Governance and Compliance Services to negotiate and enter into the agreements necessary to complete such acquisitions.

2.6. Authorise the Head of Estates to negotiate and approve the payment of 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 related compensation claims and also in advancing the development or implementation of the Scheme.

3. Reasons for Recommendations

3.1. The acquisition of this land enables the Council to proceed with the development and delivery of the Middlewich Eastern Bypass (the Scheme). This new road connection would provide a key strategic transport link to relieve congestion, and address road safety and air quality issues in Middlewich. The road is a strategic infrastructure project identified in the Council's adopted Local Plan strategy and Infrastructure Delivery Plan.

3.2. 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 reasonable efforts in this regard. Accordingly, negotiations with landowners have commenced and will continue through to any eventual CPO Inquiry date.

3.3. In addition to facilitating the eventual delivery of this scheme, initiating the CPO process over the entire land holding that is required to implement the scheme provides the legal framework for the compulsory acquisition of land necessary to deliver the scheme and requires that acquisition by agreement should be pursued as the use of compulsory purchase powers should be a last resort.

3.4. In resolving to make a Compulsory Purchase Order for the Scheme the Council would be proceeding under its powers under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 for the compulsory purchase of land and rights required. The principal power in the act is Section 239(1),

which provides that a highway authority may acquire land required for the construction of a highway which is to be a highway maintainable at the public expense and Section 239(3) which allows a highway authority to acquire land for the improvement of a highway being an improvement which the authority is authorised to make under the Act. Section 246 authorises the acquisition of land for the purpose of mitigating the adverse effects of the construction or improvement of highways. Section 250 authorises the compulsory acquisition of new rights over land and 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.

- 3.5. The scheme will require the acquisition of full title to 12 hectares of land (or thereabouts) and a further 20 hectares of land over which new rights are to be created. The interests of some 8 owners and occupiers are affected. The map to accompany the CPO will be available for inspection by members at the meeting and a reduced size version is annexed to this report.
- 3.6. The land over which full title is to be acquired is predominantly agricultural land; it 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.
- 3.7. Some of the areas over which full title is to be acquired 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. The areas that may be subject to offers back to the owners are shown shaded green on the non-statutory land acquisition plans which will be available for inspection by members at the meeting.
- 3.8. 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.
- 3.9. In addition, the SRO makes provision for the stopping-up of any private means of access to premises and agricultural land that are affected by the Scheme. Where necessary, the CPO will make 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.
- 3.10. The plans of the works and alterations to be authorised by the Side Roads Order will be available for inspection by members at the meeting.

- 3.11. The land proposed to be acquired is the minimum considered to be reasonably required to achieve the selected design. Discussions are proceeding with the Statutory Undertakers and these may disclose additional requirements for service diversions for which land or rights may require to be obtained under the CPO.

4. Other Options Considered

- 4.1. Whilst negotiations with affected landowners have commenced, it may not be possible for voluntary acquisitions to be concluded with all affected parties and for all land title issues to be dealt within the funding window for this scheme. Accordingly, the authorisation of compulsory purchase action is sought at this stage to maintain the project programme and to demonstrate the Council's intent to proceed with the scheme subject to final confirmation of programme entry by the Department for Transport.

5. Background

- 5.1. At the meeting on 12 September 2017, Cabinet resolved to prepare a planning application for the Preferred Route option. Following the Cabinet resolution in September, technical work to prepare the planning application was completed, including;
- a) Detailed designs for the highway
 - b) Environmental surveys, impact assessments and proposed mitigation plans
 - c) Production of a transport assessment
 - d) Flood risk assessments and development of a drainage strategy
 - e) Geotechnical and ground condition studies
 - f) Engagement with Network Rail, Environmental Agency and the Canals & Rivers Trust
 - g) Pre-application discussions with Cheshire East and Cheshire West & Chester Council planning officers
 - h) Engagement with affected landholders and occupiers
- 5.2. In November 2018, a planning application for the bypass was submitted to both Cheshire East Council and Cheshire West & Chester Council, as the relevant local planning authorities, as a small part of the Scheme straddles the administrative boundary. Both planning authorities have now considered this application and have resolved to consent the scheme subject to conditions.

- 5.3. Development of the Scheme has proceeded through close engagement with the land interests and wider stakeholders. A full Statement of Community Engagement has been prepared to accompany the planning applications. In addition, the Council has appointed specialist land agents to proceed with landowner engagement with a view to acquiring all necessary land and rights by negotiation.
- 5.4. To continue to proceed with the project programme, the Council will need to undertake further work to ensure that the following matters are addressed:
 - 5.4.1. A market-tested cost estimate for the main works to be included in the Final Business Case to be submitted to DfT in order to draw down capital grant funding
 - 5.4.2. Necessary advance works are completed in sufficient time to ensure ecological mitigations and utilities diversions are completed without undue delays
 - 5.4.3. A suitably-qualified supply chain is put in place, including local companies as far as is possible, to ensure timely commencement of the main works.
- 5.5. The current programme (subject to planning and final funding approvals) is for the main works to start in 2021, with an estimated 30-month construction period.

6. Implications of the Recommendations

6.1. Legal Implications

- 6.1.1. In resolving to make a Compulsory Purchase Order and a Side Roads Order for the Scheme the Council would be proceeding under its powers under 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.
- 6.1.2. Part XII of the Highways Act 1980 includes a number of CPO powers to support the delivery of highways. These include:
- 6.1.3. 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.

- 6.1.4. 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
- 6.1.5. 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.
- 6.1.6. Section 248 of the 1980 Act pursuant to which the highway authority can acquire land in advance of requirements
- 6.1.7. Section 249 of the 1980 Act prescribes distance limits from the highway for the acquisition of land for certain purposes.
- 6.1.8. Section 250 of the 1980 Act allows the highway authority to acquire rights over land, both by acquisition of those already in existence, and by the creation of new rights.
- 6.1.9. The delivery of the Scheme will require the Council to make a CPO using the powers set out above.
- 6.1.10. A 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 must be the minimum considered to be reasonably required to achieve the selected design option.
- 6.1.11. In summary, the key public benefits are as follows:-
 - 6.1.11.1. Improved connectivity between Middlewich and the wider local economy, through reduced travel times
 - 6.1.11.2. Enhanced access for Non Motorised Users through the creation of new footpaths and cycleways
 - 6.1.11.3. Improved road safety and reduced environmental impacts of traffic as a result of traffic being required to use less suitable roads through the town centre
- 6.1.12. 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.

- 6.1.13. 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 other consent or licence.
- 6.1.14. 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 an 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.
- 6.1.15. Section 8 of the Highways Act 1980 gives a general power to local highway authorities to enter into agreements with each other providing for the specified functions of one authority to be exercised by another. in respect to the construction, reconstruction, alteration, maintenance or improvement of a highway for which any party to the Agreement are the Highway Authority . A Section 8 legal agreement would need to be drawn up between the authorities of Cheshire West and Chester Council and Cheshire East Borough Council to authorise Cheshire East Borough Council to exercise on its behalf all its functions as Highway Authority insofar as required for the purpose of the carrying out the Works to deliver the Middlewich Eastern Bypass.

6.2. Finance Implications

- 6.2.1. 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 that this capital grant, pending acceptance of a Final Business Case for the scheme. A pre-requisite for the final business case is confirmation that all necessary land is available for construction. Accordingly, this report makes provision to achieve this through reliance on CPO powers should this be necessary.
- 6.2.2. 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. The Council's Medium Term Financial

Strategy, as reported to Cabinet in February 2019, makes provision for this expenditure pending completion of the final business case.

- 6.2.3. As set out in the Outline Business Case approved by DfT the programme maximises reliance on local funding sources, referred to as the Local Contribution, from both Cheshire East Council and third party (developer) sources. To ensure that these funding sources are viable and to avoid adversely impacting on future development, the local funding contribution was set at 20% of total Scheme costs. Therefore, the funding mix, as endorsed by Cabinet in April 2017, is as follows.

- 6.2.4.

Funding Source	Value £ (2017 Q1 prices)
DfT Grant	£46.78m
Local Contribution	£11.70m
Total Scheme costs	£58.48m

- 6.2.5. At this stage, £4.7m of S106 developer contributions have been secured by a signed S106 agreement, with a further £1.4m expected from other developer contributions under S106 agreements. This leaves a requirement of £5.6m 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.
- 6.2.6. In September 2017, it was agreed that the Council would continue to seek additional funding sources including developer contributions, which could be used towards the local contribution of £11.7million. This approach will be retained, ensuring that any call on Council resources is minimised.
- 6.2.7. The Councils overall expenditure on Middlewich Eastern Bypass is expected to be £60.25m, which includes an approved budget of £5.8m for prior years which pre-dates the current proposed scheme and associated Outline Business Case.

6.3. Policy Implications

- 6.3.1. The need for the Scheme is clearly established in the Cheshire East Local Plan Strategy, identifying from the outset the need to improve transport connections to deliver the Plan, including the proposed Middlewich Eastern Bypass.
- 6.3.2. By providing additional highway capacity to cater for additional traffic from development, the Scheme would support the Local Plan Strategy and the objectives of the Constellation Partnership. 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.

6.4. Equality Implications

- 6.4.1. All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. In exercising their compulsory purchase and related powers (eg powers of entry) these acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.
- 6.4.2. In deciding to proceed with the CPO and SRO the Council must pay due regard to its Public Sector Equality Duty (PSED) as set out in section 149 of the Equality Act 2010.
- 6.4.3. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - (b) advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) foster good relations between people who share a protected characteristic and those who do not.
- 6.4.4. The protected characteristics are:
 - (d) Age
 - (e) Disability
 - (f) Gender reassignment
 - (g) Marriage and civil partnership
 - (h) Pregnancy and maternity
 - (i) Race
 - (j) Religion/belief (including non-belief)
 - (k) Sex
 - (l) Sexual orientation

- 6.4.5. 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 under the Equality Duty. An Equalities Impact Assessment was prepared and has been considered by both Local Planning Authorities during their consideration of the planning application.

6.5. Human Rights Implications

- 6.5.1. In deciding whether to proceed with a Compulsory Purchase Order (CPO) and a Side Roads Order (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.
- 6.5.2. There is a small area of garden relating to a property within the proposed CPO land. The Council is at an advanced stage of negotiations to acquire this property by voluntary agreement and it is not expected that CPO powers will be relied upon for this acquisition.
- 6.5.3. 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.
- 6.5.4. 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.
- 6.5.5. 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.
- 6.5.6. 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.

- 6.5.7. 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 Lands Tribunal for independent and impartial adjudication.
- 6.5.8. The Courts have held that this framework complies with the Convention on Human Rights. Accordingly, 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.

6.6. Human Resources Implications

- 6.6.1. It shall be necessary to ensure that sufficient resource is allocated in Assets, 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.

6.7. Risk Management Implications

- 6.7.1. Robust governance arrangements for the Scheme have been operating within the Strategic Infrastructure project management framework and a risk register and issues log are in place, which include monitoring and effective control of identified risks and issues. Key risks to the Council relate to the affordability of the Scheme and this will be addressed through the continued development of the funding strategy.
- 6.7.2. The Council will be required to accept all responsibility for cost increases beyond the cost envelope stated in the Business Case that is approved for funding by DfT. This decision is at the Full Business Case stage, which is currently anticipated in late 2019 following confirmation of all statutory consents, land acquisition and definition of an affordable Target Cost for construction.
- 6.7.3. A risk register has been produced and is maintained through regular reviews during the pre-construction stage. This will continue to be reviewed and updated through the works programme. Capital cost risks are informed by a comprehensive Quantitative Risk Assessment, with a risk allowance of £7.7million included in the Scheme costs. For appraisal purposes, a level of Optimism Bias is applied to uplift estimated costs by 44%, in accordance with DfT guidance, to ensure that the value-for-money of the Scheme is not overstated.

6.7.4. This Scheme is close to the Cheshire Brine Compensation Board area and as such will need to be subject to additional Ground Investigations works than are typical for a Scheme of this nature. A programme of additional ground investigations has been included in the pre-construction delivery stage of the SCAPE contract.

6.7.5. A major risk for any highway scheme is land assembly. Any substantive delay to this is likely to adversely impact on the project programme and costs. A resolution to proceed with CPO preparations will act to mitigate this risk and provide the Council with further certainty on programme and costs.

6.7.6. The Council will be required to forward fund the whole of the local contribution and to underwrite all third party contributions expected through Section 106 (S106) agreements, as developer contributions may take many years to collect. The current estimate of funding from S106 agreements is in the range £3million to £6million, based on developments that could be released by Middlewich Eastern Bypass 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.

6.8. Rural Communities Implications

6.8.1. The planning application provides a comprehensive Environmental Assessment which will take 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. Delivery of the Scheme will take full account of any conditions or licenses deemed necessary by the planning process.

6.9. Implications for Children & Young People / Cared for Children

6.9.1. 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 & Engagement Plan.

6.10. Public Health Implications

6.10.1. The public health implication 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.

6.10.2. The noise assessment addressed both the construction phase and operational aspect in support of the application. Assessment has been completed in Department of Transport's (1988) Calculation of Road Traffic Noise (CRTN). This is an agreed methodology for assessing noise of this nature. The following planning conditions relate to noise impacts associated with the scheme;

- The mitigation recommended in the acoustic report shall be implemented in full prior to completion.
- The agreed mitigation scheme shall be maintained for the purpose originally intended throughout the use of the development.
- Appointed construction contractor will be required to undertake an updated construction assessment, once working methods, the plant and equipment to be used and the construction programme have been sufficiently finalised.

6.10.3. When assessing the impact of a development on Local Air Quality regard is had to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017). Air Quality Impacts were considered within the Air Quality Assessment submitted in support of the planning application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment considered 106 sensitive receptors which may be impacted by the scheme. Of these receptors, 83 are predicted to experience either no perceptible change or an actual improvement in nitrogen dioxide (NO₂) levels, whilst 76 are predicted to experience an improvement in PM₁₀ concentrations. For those receptors predicted to experience an increase in concentrations the magnitude of change is stated as being either imperceptible or small. Based on the information submitted in the air quality assessment, there were no concerns regarding the development of the scheme, subject to the

correct procedures surrounding dust being followed during construction.

6.10.4. The Council's Contaminated Land team were consulted and raised no objections to the planning application. As part of the Environmental Statement, submitted in support of the planning application, a Phase I Preliminary Risk Assessment for land contamination was appended (Report Ref: BRJ10403, 12 October 2018). A Phase II ground investigation has been proposed in order to further assess identified contaminant linkages. The proposal is acceptable to the planning authorities and appropriate sampling/monitoring will be undertaken. This could be undertaken once the Phase II ground investigation has been completed, and more information is known.

6.10.5. All on-site ground investigation works will be planned and completed with reference to a comprehensive Risk Assessment and Mitigation Strategy, which will take full account of potential impacts on residents, road users and the general public.

6.10.6. 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.

6.11. Climate Change Implications

6.11.1. 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 impacts of the bypass. Both Cheshire East Council and Cheshire West & Chester Council, as the relevant local planning authorities, have resolved to consent the scheme subject to conditions.

6.11.2. The proposed scheme is embedded in the Local Plan Strategy, which has been subject to Examination in Public by the Planning Inspectorate. The Local Plan has been deemed to be robust plan for sustainable development across the borough. Middlewich Eastern Bypass contributes to this overall plan for sustainable growth in Cheshire East by enabling growth through improved connectivity and reducing the adverse impacts of traffic and travel.

7. Ward Members Affected

7.1. Middlewich and Brereton Rural wards are affected;

- Cllr Mike Hunter

- Cllr Carol Bulman
- Cllr Jonathan Parry
- Cllr John Wray

7.2 In addition, the project team have provided periodic updates to both Middlewich Town Council and Moston Parish Council during development of the proposals.

8. Consultation & Engagement

- 8.1. Public consultation on the Preferred Option for the Scheme has taken place between 19th March and 29th April 2018. A comprehensive report on the outcomes of this consultation has been prepared to support both the Planning Application and the Full Business Case to Government.
- 8.2. Statutory consultations with affected parties were completed early in 2019 as part of the planning determination by both Cheshire East and Cheshire West & Chester local planning authorities.

9. Access to Information

- 9.1. The background papers relating to this report can be inspected by contacting the report writer.
- Appendix A – CPO Plan

10. Contact Information

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

Name: Chris Hindle

Job Title: Head of Strategic Infrastructure

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