

Key Decision: Yes

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Cabinet

Date of Meeting: 05 May 2020

Report Title: A500 – Approval to Proceed with Compulsory Purchase Order Powers to Acquire Revised Land Take for the Scheme

Portfolio Holder: Cllr Craig Browne – Deputy Leader

Senior Officer: Frank Jordan - Executive Director - Place

1. Report Summary

- 1.1. The Dualling of the A500 is a key component of the Council's overall plan to support the regeneration and development of Crewe. The scheme supports the aim to deliver environmental, social and economic benefits to residents of the Town.
- 1.2. The A500 is a key route which connects Crewe and Nantwich to the M6 at Junction 16; and to Stoke and Staffordshire. The section of the A500 between Junction 16 and the junction with the A531 and B5472 at Meremoor Moss Roundabout is single carriageway and is the only section of the A500 corridor that isn't built to dual carriageway standard.
- 1.3. The A500 will serve as the main route from the M6 to the centre of Crewe and the Hub Station. Without dualling there would be significant congestion on this part of the road network. The dualling therefore facilitates the council's plans for Crewe, will reduce congestion and improve air quality as a result.
- 1.4. This report seeks approval for Cabinet to authorise the use of powers of Compulsory Purchase to undertake the acquisition of land and new rights required for the construction of the Scheme reflecting the revised land requirement that has now been established as being necessary to deliver the Scheme.

- 1.5. The factors referred to in paragraphs 1.1 to 1.3 demonstrate that it is in the public interest to make the CPO (see also Legal Implications in paragraph 6.1).
- 1.6. The current programme (subject to DfT final funding approval) is for the main works to start in 2021, with an estimated construction period of 27 months.
- 1.7. Cabinet approved a report regarding this scheme in July 2019. Since that meeting the design development work has established that a revision of the extent of the works is required for the Scheme.
- 1.8. There is therefore a need to acquire additional land. Accordingly, it is necessary to seek Cabinet authority to authorise the acquisition of the required land for the Scheme.

2. Recommendations

That Cabinet:-

- 2.1. Authorises 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. Authorises 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. Authorises the Director – Infrastructure and Highways in consultation with the Director of Governance and Compliance Services 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.
- 2.4. Authorises the Director – Infrastructure and Highways 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 Orders including the publication and service of all relevant notices and the finalisation

of the Statement of Reasons 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 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. In the event that any question of compensation is referred to the Upper Tribunal (Lands Chamber) the Director of Governance and Compliance is authorised to take all necessary steps in connection with the conduct and, if appropriate, settlement of such proceedings;
- 2.4.4. Authorises 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. Authorises 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 to negotiate and enter into the agreements necessary to complete such acquisitions.
- 2.6. Authorises the Head of Estates to negotiate and approve the payment of relevant and reasonable professional fees incurred by landowners and others with compensable 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 the land enables the Council to proceed with the development and delivery of the Scheme. This is a vital road connection as it provides a key strategic transport link between Crewe and Nantwich to the M6 at Junction 16.
- 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. However, it is not realistic to assume that voluntary acquisitions could be concluded 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 intent to proceed with the Scheme.
- 3.3. The Scheme CPO will include a total of c46 hectares of land. This includes c11 hectares for full title for the new road and environmental mitigation areas, and a further c1 hectare of land over which new rights are to be created. C15ha of the land is the existing highway land, currently registered to Highways England, plus a small parcel of land that is already owned by CEC. The remaining 19 hectares is required for site compounds, temporary haul routes, and proposed private means of accesses, and the intention would be to return this land to the pre-existing landowner on completion of the scheme. The interests of 6 owners, including the Duchy of Lancaster, are affected. The plan to accompany the CPO will be available for inspection by members at the meeting and a reduced size version is annexed to this report (Appendix A).
- 3.4. The land over which full title is to be acquired is predominantly agricultural land and the Scheme does not require the acquisition of any residential property (save for part of the garden at Bluemire Farm). 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.
- 3.5. 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, orange and yellow on the non-statutory land acquisition plans which will be available for inspection by members at the meeting.

- 3.6. 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.
- 3.7. In addition, the SRO makes provision for the stopping-up of numerous 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.
- 3.8. The plans of the proposed highway and alterations to be authorised by the Side Roads Order will be available for inspection by Members at the meeting (Appendix B).
- 3.9. The land that is proposed to be acquired is the minimum considered to be reasonably required to achieve the selected design option. 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.
- 3.10. In the event that the Scheme is not completed, the A500 will continue to be a congestion constraint for traffic travelling between the south of Crewe and the M6 and the wider Cheshire East, Stoke and Staffordshire region.

4. Other Options Considered

4.1. Land Acquisition by Negotiation

Land acquisition could be pursued 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. Although the freehold of the Duchy of Lancaster land can only be acquired by agreement, due to Crown Immunity, there are other land interests that can be subject to CPO; including other private holdings and the Duchy of Lancaster tenancies (subject to Duchy of Lancaster agreement). It is intended to acquire all the land for the Scheme by agreement where possible and to only use the powers under the Highway Act to compulsory purchase land and interests (where these powers are applicable) that cannot be acquired through agreement beforehand to support deliverability of the scheme.

4.2. Cancel the Scheme

If a decision is made to cancel the Scheme there will be no benefit from the Local Contribution spent to date (£4.7m up to March 2020).

Furthermore, the benefits attributed to the scheme will not be delivered and the Council's reputation with the DfT and TfN will be seriously compromised.

5. Background

5.1. 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.

5.1.1. The re-design of Meremoor Moss Roundabout has resulted in a net reduction in land take for the Scheme. However, there is a small movement of the highway boundary to the north east of the roundabout and this has resulted in a small increase in land take at that location. The overall saving to the Scheme from the re-design of the roundabout is expected to be in the region of £1,000,000.

5.1.2. At the cutting near Bluemire Farm the detail has been re-designed to the earthworks solution, removing the need for piling operations. This is expected to provide a saving of approximately £650,000; however additional land take is required for this change.

5.2. To meet the programme for the Scheme, the Council will need to undertake further work i.e.:

5.2.1. Negotiations with affected land owners to secure land required for the Scheme by agreement whilst proceeding with the making of a CPO and SRO should agreements fail and statutory powers of acquisition need to be used ;

5.2.2. A market-tested cost estimate for the main works is required for inclusion in the Full Business Case to be submitted to DfT to obtain the Large Local Majors scheme grant funding;

5.2.3. Advance works are required to be completed in sufficient time to ensure ecological mitigations and utilities diversions are sufficiently progressed to enable the main works to commence on time;

5.2.4. A suitable supply chain is required, including local companies as far as is possible, to ensure timely commencement of the main works.

5.3. The majority of the land required for the Scheme is in the ownership of the Duchy of Lancaster. The Council cannot rely on powers of compulsory purchase to acquire crown land and must secure this land

by agreement. The following arrangement has been agreed with the Duchy. The Duchy has agreed to the inclusion in the CPO of the land interests of any of its tenants that are within the A500 CPO boundary and to the Council exercising its powers of compulsory acquisition to acquire new rights and/or other interests in this land.

- 5.4. The remainder of the land required to deliver the Scheme can be acquired compulsorily but the Council is required to demonstrate that it has sought to engage with landholders to agree acquisition only relying on CPO powers as a last resort.
- 5.5. The Council has appointed external solicitors to undertake preparatory work including drafting the Statutory Orders required to deliver the Scheme. 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. However, voluntary acquisitions of all of the land affected and rights required may not be possible.
- 5.6. 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).
- 5.7. If a CPO is required it is expected that it will be made in May 2020 subject to funding from DfT. 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.
- 5.8. At the east end of the Scheme, close to the M6 Junction 16 roundabout there is part of the proposed highway infrastructure (part of a permanent drainage attenuation pond and part of a proposed temporary site compound) that lie within the Staffordshire County Council (SCC) area. An agreement under Section 8 of the Highways Act 1980 has been entered into with SCC. This will enable Cheshire East to promote the Scheme and progress the CPO and SRO on behalf of both authorities
- 5.9. A Side Roads Order (SRO) will also be required as existing accesses directly onto the A500 will be stopped up on safety grounds. Alternative, replacement means of access will be provided and where existing public rights of way cross the A500, those rights of way will be diverted to maintain connectivity.

- 5.10. It is the intention that proposed developments in the local area that will benefit from the Scheme will provide a financial contribution to the overall cost of the Scheme. For example, the South Cheshire Growth Village, which is on Duchy of Lancaster land, is a strategic development which has been allocated in the Council's recently adopted Local Plan Strategy. The Local Plan Strategy contains a policy for the development to contribute to the improvement of the A500. It is therefore expected that contributions will be made to this Scheme (and others) by way of planning obligations secured in section 106 agreements if the associated development is consented.
- 5.11. The Duchy of Lancaster is major owner of the land required for the Scheme. The Duchy has submitted a letter of support for the Scheme and has said that they will be a supportive partner as the Scheme takes shape. Accordingly, there is every prospect that the land that is not capable of being acquired compulsorily will be made available for the Scheme from the Duchy.

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 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.
- 6.1.2. Part XII of the Highways Act 1980 includes a number of CPO powers to support the delivery of highways. These include the following:
- 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 249 of the 1980 Act prescribes distance limits from the highway for the acquisition of land for certain purposes.
- 6.1.7. 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.
- 6.1.8. 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.
- 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. 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.
- 6.1.11. 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.
- 6.1.12. 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 Staffordshire County Council to ensure that Cheshire East Council can exercise highway functions within the specified land within their area. 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.
- 6.1.13. 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.

6.1.14. Included as Appendix C 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.

6.1.15. 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.

6.2. Finance Implications

6.2.1. The scheme has a £6.8m approved budget in the main capital programme which has been secured from £5.0m local contributions and £1.8m DfT contributions.

6.2.2. This budget covers the costs of the project up to May 2020. If DfT decide not to include the scheme in the programme at any point during that period, expenditure can be stopped immediately and the contract with the delivery team through the SCAPE framework can be terminated at any time.

6.2.3. The revised Outline Business Case submitted to DfT in May 2019 is based on a total scheme cost of £68.7m. The total requested contribution from the DfT is £55.1m and the total local contribution is £13.6m.

6.2.4. In addition to the approved budget of £6.8m in the main programme, a budget of £61.9m is held in the addendum to the capital programme to cover the total scheme cost.

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

Scheme Element	Estimated Outturn Costs (2018 Q1 prices)
Scheme expenditure up to end May 2019	£4.50m
Construction incl. Preliminary works	£38.60m
Supervision costs	£3.70m
Land acquisition	£2.40m
Part 1 Claims	£0.46
Statutory utilities	£6.50m
Preparation costs	£2.30m
Inflation allowance	£6.54m
Risk Allowance	£3.70m
Total	£68.7m

6.2.6. 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.

Funding Source	Value £ (2018 Q1 prices)
DfT Grant (including £1.8m already received for scheme development and the future contribution £53.3m))	£55.1m
Whole scheme local contribution This figure includes the end Oct 2019 sunk costs local contribution £2.9m and the future expected local contribution £10.7m	£13.6m
Total Scheme costs	£68.7m

- 6.2.7. The revised land requirements outlined in Section 5.1 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 will have a net financial benefit for the scheme.
- 6.2.8. At this stage, the current estimate of funding from S106 developer contributions is in the range of £2.2m to £6.5m based on developments that may 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.
- 6.2.9. Officers are continuing to pursue alternative funding sources, including developer contributions, which could be used towards the Local Contribution. This approach will be retained, ensuring that the call on Council resources is minimised. The total scheme cost will be revised in the Capital Programme in a future report to Cabinet following the outcome of the revised OBC submission to the DfT.
- 6.2.10. In the scenario where a Full Business Case is submitted but grant funding is not approved by DfT and the Scheme cannot progress, the Council will be exposed to funding all the costs to that point of scheme development, excluding the £1.8m provided by DfT to develop the 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 Scheme.
- 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 Council.

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 (e.g. powers of entry) these acquiring authorities must have regard to the effect of any differential impacts on groups with protected characteristics.
- 6.4.2. 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 considered in determining to grant planning permission.
- 6.4.3. In progressing the Orders and carrying out consultations the Council will take into account the needs of persons with protected characteristics as set out in equalities legislation.

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. 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.
- 6.5.3. 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.
- 6.5.4. 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.

- 6.5.5. 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.
- 6.5.6. 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 Lands Tribunal for independent and impartial adjudication.
- 6.5.7. 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. 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.
- 6.7.2. A revised Outline Business Case was submitted to the DfT in May 2019 and the scheme has not yet been granted DfT programme entry. Although DfT programme entry is expected, it is not yet certain.
- 6.7.3. 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 to be early 2021.
- 6.7.4. For the purposes of the Financial Case, optimism bias has not been included due to the fact that the scheme costs have been derived based upon a well developed highways design and are inclusive of a risk allowance of £3.7m. For the purposes of economic appraisal, a level of Optimism Bias is applied to uplift

estimated costs by 15%, in accordance with DfT guidance, to ensure that the value-for-money of the Scheme is not overstated.

- 6.7.5. Until the point at which DfT make their final investment decision based on the Full Business Case, any council funding of Scheme development is at risk, although this risk decreases significantly once the DfT approve the Outline Business Case.
- 6.7.6. The majority of land that would be required to widen the A500 is owned by the Duchy of Lancaster. The land cannot be subject to a CPO unless the Duchy agrees to it. Alternatively an agreement would have to be negotiated for the acquisition of their land. The Duchy has however submitted a letter of support for the Scheme and has said that they will be a supportive partner as the Scheme takes shape.
- 6.7.7. A Planning Application 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.
- 6.7.8. There are some significant services that cross the Scheme, such as a Mainline Fuels oil pipeline, and high pressure gas mains. 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.
- 6.7.9. The Council will be required to forward fund the whole of the local contribution and to underwrite 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 £2.2m to £6.5m, 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.
- 6.7.10. Should the Scheme not be completed the A500 will continue to be a congestion constraint for traffic travelling between the south of Crewe and the M6 and the wider Cheshire East, Stoke and Staffordshire region.

6.8. Rural Communities Implications

- 6.8.1. As the Scheme is a widening of an existing road, it will not introduce any new severance of existing farms or communities. There are some existing field gates that access directly on to the A500 and these will have to be closed once the road becomes a dual carriageway on safety grounds. However, the farm tenants have said that they already no longer use the gates because of the high volume of traffic on the A500. Appropriate alternative accesses will be provided, as required, as part of the Scheme.
- 6.8.2. Similarly, there are crossing points for public rights of way that will be closed. The Scheme includes diversions for these footpaths to maintain connectivity, and the stopping up of paths where they lead directly to the road.
- 6.8.3. There may be some impact during the construction phase, because the two bridges over the A500 will need to be demolished and replaced. Consideration will be given to how connectivity can be maintained during construction.
- 6.8.4. 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.

6.9. Implications for Children & Young People / Looked After 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 and Engagement Plan.

6.10. Public Health Implications

- 6.10.1. The recommendations have no immediate impact on public health. Issues associated with noise and air quality will be assessed as part of the programme of works associated with preparing an Environmental Assessment to accompany the planning application.

6.10.2. 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.

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 impact of the bypass. The Council has 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 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.

6.11.3. The existing habitat affected by the scheme is of limited ecological value with the largest areas comprising broad-leaved plantation woodland created during the original construction of this stretch of the A500 in the 1980s. The impact of the scheme has been determined through the planning approval process and the planning conditions include the provision of a commuted lump sum to offset the ecological impact.

7. Ward Members Affected

7.1. The strategic nature of the Scheme will mean that journeys from multiple wards will be affected.

7.2. The Scheme itself is situated in Haslington Ward. The local ward members for Haslington are Cllr Mary Addison and Cllr Steven Edgar.

8. Consultation & Engagement

8.1. The Pre-Planning Application Consultation has been undertaken; the consultation report is available on request.

9. Access to Information

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

9.2. For this scheme reports have previously been submitted to Cabinet as follows:

- 9th May 2017 A500 Dualling
- 12th Jun 2018 A500 dualling Scheme
- 15th Jan 2019 A500 Dualling Funding & Delivery Strategy
- 9th July 2019 A500 Approval to Acquire Land

10. Contact Information

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

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Job Title: Head of Infrastructure

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