

Record of decision taken under delegated authority by a Council officer

Title:	Amendment to London Borough of Sutton (Land at Beddington Lane) Compulsory Purchase Order 2019.
Wards Affected:	Beddington North
Decision taken under delegated authority by virtue of:	6 November 2017, Strategy and Resources Committee

Summary

In November 2017, approval was sought from the Strategy and Resources Committee for the making of a Compulsory Purchase Order(s) (CPO) in respect of the land and interests needed to implement the Beddington North Transport for London Major Scheme (the Scheme) where the land and third party interests could not be acquired through private treaty negotiations by the Asset Management Team.

Members of the Strategy and Resources Committee resolved that:

“Pursuant to the Acquisition of Land Act 1981, a Compulsory Purchase Order(s) (CPO) be made under Sections 239, 240 246 and 260 of the Highways Act 1980 and Acquisition of Land Act 1981 to acquire all or part of the land identified edged red on map and numbered attached at Appendix A.”

Since the above resolution, a number of technical design factors, land referencing due diligence and negotiations with landowners have resulted in changes to the land acquisition boundaries.

The decision confirms the final CPO Maps and replaces the Appendix A approved at the Strategy and Resources Committee on 6th November 2017, as authorised by an express delegation of authority to the Group Manager, Highways and Transport, Kingston & Sutton Shared Environment Service.

Decision

That:

1. The Appendix A of the report “Resolution to use Compulsory Purchase Order (CPO) to acquire the land for the Beddington North Transport for London (TfL) Major Scheme” dated 6th November 2017 be replaced with “the Key Plan and Sheet Number 1 to 5” Maps referred to in the London Borough of

Sutton (Land at Beddington Lane) Compulsory Purchase Order 2019, the Highways Act 1980 and the Acquisition of Land Act 1981.

Reasons for Decision:

The following three main factors have resulted in revisions to the land acquisition boundaries that was previously approved by the Strategy and Resources Committee.

- Over the last year, the Council has engaged in negotiations with landowners to take into consideration site specific circumstances such as trees, site access and feedback from the highways contractors prior to finalising the detailed design.
- The scheme design has been updated for the side road entry treatments located within the industrial area to make them safer for cyclists when crossing a road, consider topographical issues and ecological mitigation.
- At some instances the Council can access the CPO land from a public highway but certain site constraints and the proposed mitigation measures make it essential that the additional private land is made available to enable works. Current CPO legislation does not allow temporary acquisition of private land and it is essential to include such land parcels within a CPO boundary. Following the completion, the surplus land outside the highway scheme design would be returned to the landowners and it is reflected in the Heads of Terms issued by the Council's agents.

Therefore it is necessary that the final Order Plans are approved under the delegated authority to record these changes prior to sealing and serving the CPO, as authorised by Strategy and Resources Committee:

“The Group Manager, Highways and Transport, Kingston & Sutton Shared Environment Service, be authorised to settle the final form and content of the CPO and all associated documentation and take all action needed to pursue the CPO and secure its confirmation”

Options, if any, considered and rejected

- The Council appointed agents to engage with all parties affected by the CPO. Following the completion of land re-ferencing, several attempts were made to negotiate all land interests by agreement, ahead of serving the CPO.
- The detailed design was modified to take into consideration needs of a businesses and balancing it against the highways safety to minimise the required land area. Therefore, the final form of the CPO and contents reflects the optimal scheme design, critical to the successful implementation of the scheme.

Decision taken by:	Mervyn Bartlett, Group Manager Highways and Transport Kingston & Sutton Shared Environment Service
Decision taken on:	21 March 2019
To be implemented on:	21 March 2019

Declarations of conflicts of interest

None

Background Documents

Exempt:

Maps referred to in the London Borough of Sutton (Land at Beddington Lane) Compulsory Purchase Order 2019, the Highways Act 1980 and the Acquisition of Land Act 1981. Key Plan and Sheets 1 to 5.	No
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