

Public Document Pack



Executive (Transmodal Implementation) Sub Board

Thursday, 20 October 2005 2.00 p.m.
Marketing Suite, Municipal Building

Chief Executive

COMMITTEE MEMBERSHIP

| | |
|-----------------------------------|------------------|
| Councillor Polhill (Chairman) | Labour |
| Councillor McDermott (or nominee) | Labour |
| Councillor Nyland | Labour |
| Councillor Wright | Labour |
| Councillor M. Hodgkinson | Liberal Democrat |

Please contact Lynn Cairns, Committee Services Manager, on 0151 471 7389 or e-mail lynn.cairns@halton.gov.uk for further information.

The next meeting of the Board will be on 2 February 2006.

**ITEMS TO BE DEALT WITH
IN THE PRESENCE OF THE PRESS AND PUBLIC**

Part I

| Item No. | Page No. |
|--|-----------------|
| 1. MINUTES | |
| 2. DECLARATION OF INTERESTS | |
| Members are reminded of their responsibility to declare any personal or prejudicial interest which they have in any item of business on the agenda no later than when that item is reached and (subject to certain exceptions in the Code of Conduct for Members) to leave the meeting prior to discussion and voting on the item. | |
| 3. PLANNING, TRANSPORTATION & REGENERATION PORTFOLIO | |
| (A) LANDSCAPE INFRASTRUCTURE, HALTON BOROUGH COUNCIL FIELDS SITE, DITTON STRATEGIC RAIL FREIGHT PARK | 1 - 4 |
| (B) DRAFT SUPPLEMENTARY PLANNING DOCUMENTS FOR DITTON STRATEGIC RAIL FREIGHT PARK AND HALEBANK ACTION AREA | 5 - 14 |
| (C) COMPULSORY PURCHASE ORDER | 15 - 18 |

PART II

ITEMS CONTAINING 'EXEMPT' INFORMATION FALLING WITHIN SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

In these cases the Sub-Board has a discretion to exclude the press and public, but in view of the nature of the business to be transacted it is **RECOMMENDED** that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 13 of Part I of Schedule 12A of the Act.

| | |
|---|----------------|
| 4. PLANNING, TRANSPORTATION AND REGENERATION PORTFOLIO | |
| (A) HBC FIELDS | 19 - 21 |

In accordance with the Health and Safety at Work Act the Council is required to notify those attending meetings of the fire evacuation procedures. A copy has previously been circulated to Members and instructions are located in all rooms within the Civic block.

REPORT TO: Executive (Transmodal Implementation)
Sub-Board

DATE: 20th October 2005

REPORTING OFFICER: Executive Director - Environment

SUBJECT: Landscape Infrastructure, Halton B.C.
Fields Site, Ditton Strategic Rail Freight
Park

WARDS: Ditton

1.0 PURPOSE OF THE REPORT

- 1.1 To seek Member's approval to progress the detailed design, planning application and implementation of the structural landscape around the area proposed for development on the 'Halton Fields' site.

2.0 RECOMMENDATION: That

- (1) Members approve the Landscape Masterplan**
- (2) The Executive Director – Environment be authorised to submit a Planning Application for the works.**
- (3) Subject to Planning Approval for the scheme, the Executive Director – Environment be authorised to commence implementation of the landscape works, in accordance with Standing Orders Relating to Contracts.**

3.0 SUPPORTING INFORMATION

- 3.1 The structural landscape around the proposed Ditton Rail Freight development on the 'Halton Fields' site is essential to help to screen the development, improve the environment for the local community, and increase the biodiversity of the area. In order for the landscape (in particular the tree and woodland planting) to establish and start acting as a screen, it is essential that these works are implemented as early as possible.
- 3.2 Landscape Proposals have been drawn up accordingly and are shown on the attached plan ([Appendix 1 \(LINK\)](#)).
- 3.3 A key feature of the scheme is to create a gently rising landform around the periphery of the site, which when combined with native woodland planting, will help to screen the development. The earth for this mounding would best be obtained from the levelling and

excavations required on the main development site, both in terms of cost and sustainability.

- 3.4 Another important feature of the scheme is to create a system of linked water-bodies, such as ponds, reedbeds and swales, which will assist in catching the run-off from the proposed development site. This will form a Sustainable Urban Drainage System (or SUDS), which is a very important technique in contemporary sustainable development. It will also create a series of important wildlife habitats, and help to give character to the landscape.
- 3.5 To the north-west of the proposed development site, is an important archaeological moated site, Lovel's Hall. It is intended as part of the overall development of the area, that this site should be incorporated into the landscape infrastructure, and improved in terms of access, interpretation etc. Due to its archaeological importance and its listing as a Scheduled Monument, it is intended to work closely with English Heritage and Cheshire County Council's Environmental Planning Service to draw up detailed proposals.
- 3.6 The landscape proposals also include a network of footpaths / cycleways, linking different access points with other facilities and landmarks, such as Halebank Rec., The Beehive pub, Lovel's Hall etc. A fence is also included to screen the proposed development site.

4.0 POLICY IMPLICATIONS

- 4.1 The Council adopted the DSRFP Masterplan in December 2004. The DSRFP is heralded in the Council's Corporate Plan and LSP and HBC Urban Renewal Strategy and Action Plan, and supports the Council's Urban Renewal corporate priority.
- 4.2 The proposals will help towards the achievement of Halton's Biodiversity Action Plan by the creation of new reedbeds and wildlife corridors, and providing habitats for certain key species.

5.0 OTHER IMPLICATIONS

- 5.1 Funding for the Landscape Infrastructure is available through the Council's Capital Programme for Ditton Strategic Railfreight Park.
- 5.2 The project is environmentally sustainable by creating a series of different habitats for wildlife, including wetlands, reedbeds, meadows and woodland.

6.0 RISK ANALYSIS

- 6.1 Landscape Scheme doesn't go ahead: unacceptable environmental and visual effect on Halebank
- 6.2 Delay in approval progress of scheme: planting does not have time to mature before the building is constructed – screening is less effective. Hence the proposal to implement the scheme in advance.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 The proposed landscape scheme will provide free access to informal recreational opportunities for all the local community.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

| Document | Place of Inspection | Contact Officer |
|--|----------------------------|------------------------|
| Ditton Strategic Rail Freight Park – Landscape Masterplan | Picow Farm Depot | Phil Esseen |

- Planning Application Boundary
- Future development site
- Amenity grassland
- Grassland meadow
- Woodland
- Individual / specimen trees
- Waterbodies
- Swales / ditches
- Culvert / pipe
- 3.2m Footpath / cycleway
- Acoustic green barrier / hedge
- Existing hedgerow to be retained
- Hedgerow to be removed
- 2.5m security fence

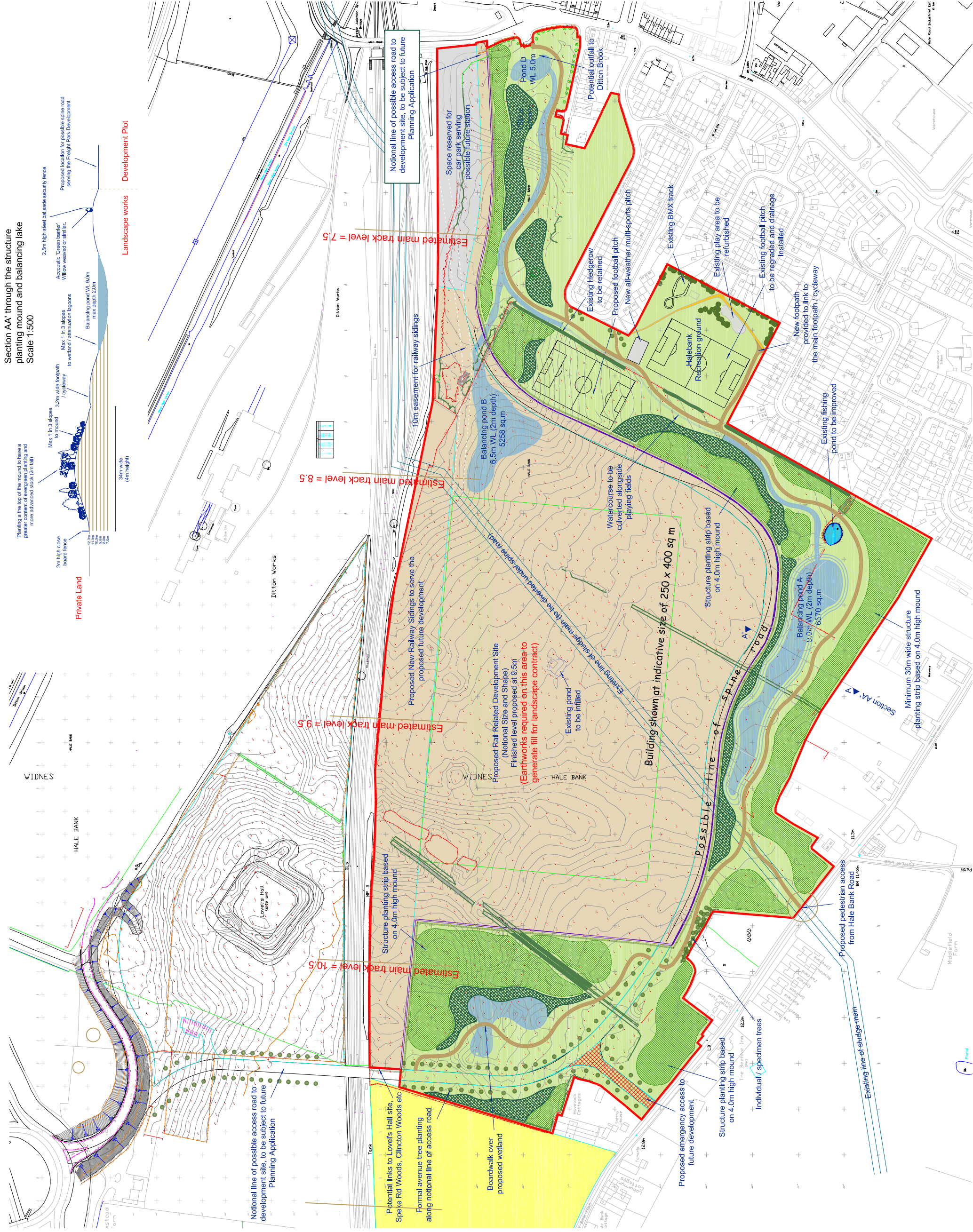
Detailed design of ponds / swales / readbeds / culverts etc to be worked up in detail as a reserved matter

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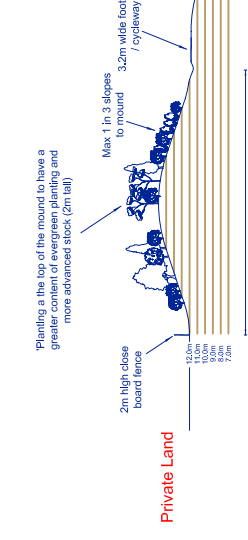
| Rev | Description | Drawn | Approved | Date |
|-----|---|-------|----------|----------|
| B | Changes to water boundary and removal of related landscape proposals. Note added regarding pond filling | CR | GDA | 30/09/05 |
| A | Changes in annotation | GDA | DS | 27/05/05 |

TEP
 Genesis Centre
 Birchwood Science Park Warrington
 Tel: 01925 844004
 Fax: 01925 844002
 e-mail: tep@tep.uk.com

| | | |
|----------|--------------|------------------------------------|
| Project | | Ditton Strategic Rail Freight Park |
| Title | | Landscape Masterplan |
| Drawn | GDA | Checked ER |
| Scale | 1:2000 @ A1 | |
| Date | 13/09/05 | |
| Approved | DS | |
| Rev B | D1058.01.001 | |



Section AA' through the structure planting mound and balancing lake
 Scale 1:500



Private Land

Planting at the top of the mound to have a greater content of evergreen planting and more advanced stock (2m tall)

Max 1 in 3 slopes to mound

Max 1 in 3 slopes to wallside / drainage lagoons

2.5m high steel palisade security fence

Acoustic 'Green barrier' Willow weaved or similar

Proposed location for possible access road serving the Freight Park Development

Balancing pond WL 5.0m max depth 2.0m

3.4m wide (4m height)

2m high close board fence

12.0m 10.0m 9.0m 7.0m

Development Plot

Landscape works

Notional line of possible access road to development site, to be subject to future Planning Application

Space reserved for car park serving possible future station

Potential outfall to Ditton Brook

Existing Hedgerow to be retained

Proposed football pitch

New all-weather multi-sports pitch

Existing BMX track

Existing play area to be refurbished

Existing football pitch to be regraded and drainage installed

New footpath provided to link to the main footpath / cycleway

Existing fishing pond to be improved

Watercourse to be culverted alongside playing fields

Structure planting strip based on 4.0m high mound

Balancing pond A 3.0m WL (2m depth) 6570 sq.m

Balancing pond B 6.5m WL (2m depth) 5258 sq.m

Pond D 5.0m WL

Building shown at indicative size of 250 x 400 sq.m

Structure planting strip based on 4.0m high mound

Minimum 30m wide structure planting strip based on 4.0m high mound

Existing line of sludge main

Proposed pedestrian access from Hale Bank Road BM 11.45m

Proposed emergency access to future development

Structure planting strip based on 4.0m high mound

Individual / specimen trees

Boardwalk over proposed wetland

Formal avenue tree planting along notional line of access road

Potential links to Lovell's Hall site, Spelie Rd Woods, Clinton Woods etc

10m easement for railway sidings

Proposed New Railway Sidings to serve the proposed future development

Proposed Rail Related Development Site (Notional Size and Shape) Finished level proposed at 9.5m (Earthworks required on this area to generate fill for landscape contract)

Existing pond to be infilled

Estimated main track level = 9.5

Estimated main track level = 8.5

Estimated main track level = 7.5

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REPORT TO: Executive (Transmodal Implementation) Sub-Board

DATE: 20th October 2005

REPORTING OFFICER: Strategic Director – Environment

SUBJECT: Draft Supplementary Planning Documents for
Ditton Strategic Rail Freight Park and Halebank
Action Area.

WARDS: Riverside and Ditton

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek comments on the above documents that are subject to a six week period of consultation in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004.
- 1.2 The draft documents were approved for public consultation by the Executive Board on the 22nd December 2005. The six week period for public consultation is expected to be between 3rd November and the 15th September. The Executive Board agreed that the public consultation timetable, procedures and any appropriate amendments to the consultation drafts be made by the Operational Director – Environmental Health and Planning in consultation with the Executive Board Member for Planning, Transportation and Regeneration.
- 1.3 The results of the public consultation exercises and proposed revisions to the Supplementary Planning Documents will be reported back to the Executive Board and final versions of the SPDs proposed for adoption.
- 1.4 The report describes the purpose and content of the draft documents and the history of their preparation to date, it describes the Sustainability Appraisal that accompanies them and the role this has in their preparation. Lastly the next steps towards adoption are described including how the consultation response will be considered before final versions of the documents are prepared and put before the Executive Board for consideration. These draft SPDs are being sent out separately to members. The sustainability appraisals are available as background papers.

2.0 RECOMMENDATION: That

- 1) the Draft Supplementary Planning Documents for Ditton Strategic Rail Freight Park and the Halebank Action Area be noted and commented upon.

3.0 SUPPORTING INFORMATION
UDP Policy

- 3.1 The purpose of these two SPD's is to supplement and provide more detail as to how the relevant policies of the adopted Halton Unitary Development Plan should be applied to development proposals within their areas.
- 3.2 Halebank is identified within the Halton UDP as an Action Area (Policy RG5) where regeneration and redevelopment will make the existing community more sustainable and reduce the conflict between residential amenity and the adjoining industrial area.
- 3.3 The Ditton Strategic Rail Freight Park is the subject of Policy E7 which states that a phased strategic inter-modal rail freight park will be developed on land at Ditton, Widnes in accordance with an overall master plan to be approved as a Supplementary Planning Document. The policy allocates sites 253, 255 and 256 for development and sets out a number of criteria by which development will be judged. Site 253, being a greenfield site on the edge of the criteria area is subject to a separate set of criteria.

Halebank SPD

- 3.4 The Draft Halebank SPD was first published for 'partnership' or 'stakeholder' consultation in March 2005 to enable a limited number of people and organisations to comment as part of the new system of 'front loading' public consultation on planning documents under the new system introduced by the 2004 Planning Act.
- 3.5 Meetings were held with businesses and residents. The main issues were those arising from the proposals to build housing on the former ASDA supermarket site and 'Golden Triangle' industrial complex, bringing housing and existing industry in closer proximity, and the proposals for a new heavy goods vehicle route, avoiding the existing residential areas, shown as a diagram in the document.
- 3.6 In order to clarify the route for heavy goods vehicles, minimise blighting effects on existing property and design suitable traffic management measures to complement the route, consultants Atkins were commissioned to carry out the necessary traffic survey, analysis and design work.
- 3.7 This work has now been completed and a report prepared that identifies the maximum land take for the proposed road links that should be reserved and remain undeveloped. These road links will enable a new connection between Mersey View Road and Pickering Road through existing industrial premises and a new road link between the end of

Foundry Lane and Hale Road to the north of the existing 'Golden Triangle' industrial complex. This corridor will also have to be wide enough to accommodate an east-west freight vehicle link to serve the greenfield and brownfield elements of the Ditton Strategic Rail Freight Park. This allows the extent of land available to be shown for redevelopment for housing and expansion or other works to existing industrial premises. The Atkins report also analyses the impact of the proposed route on the movement of heavy goods vehicles on existing loads and the extent of the improvement.

- 3.8 Meanwhile planning permission has been granted for housing development on the former ASDA site, that allows access for additional housing on adjoining sites, as proposed by the Draft SPD.
- 3.9 The issue that will need to be addressed is how the proposed road works will be paid for. A workable formula for calculating developer contributions using 'planning obligations' has got to be agreed. Work will continue on this issue during public consultation.
- 3.10 Changes have now been made to the 'stakeholder' draft version of the Halebank SPD to do the following:
- Include a plan showing land to be safeguarded for future road connections.
 - Add a section entitled 'overall strategy for the Regeneration Action Area' so that the aims of the SPD are clear.
 - Add a section listing the issues that the SPD will address.
- 3.11 The revised consultation draft of the SPD is circulated separately from this agenda.

Ditton Strategic Rail Freight Park SPD

- 3.12 The process of preparing a detailed plan for the development of this area began with the preparation of a masterplan and landscape strategy and design guide by consultants Atkins. This was finally approved by the Council in December 2004. This masterplan needed to be converted into an SPD in accordance with the regulations of the new 2004 Planning Act if it was to be of weight in development control decisions and to supplement the UDP as required by Policy E7, described above.
- 3.13 In order to ensure consistency with the masterplan consultants Atkins were commissioned to prepare the SPD.
- 3.14 A 'partnership' consultation version of the Draft SPD was prepared in July for a short period of consultation with a small number of 'partners' whose views were necessary to be considered before the formal public consultation stage now being recommended.

- 3.15 A summary of the consultation replies and the response in the revised SPD is given in the Appendix . These have not resulted in any fundamental changes to the document.
- 3.16 A number of features of the content of the draft SPD are worth mentioning.
- 3.17 The boundary of the SPD is wider than the land identified in the UDP. This is because it needs to take account of and control development on adjoining sites that may have an impact on the operation and possible expansion of the rail freight park. The policy of the SPD affecting adjoining land currently in industrial use is careful to point out that the existing use is expected to continue and would only apply if the existing use was to cease and be redeveloped.
- 3.18 The SPD also points out that it needs to be read together with the masterplan and the landscape and design strategy. This sets out in more detail how the rail freight park is expected to work and gives more detail on landscape and design matters that need not be repeated in the SPD.
- 3.19 The routes of the proposed east – west link road, across Hale Road and the ongoing link through the 'greenfield' site 253 to the A562 Speke Road and Knowsley Expressway junction are described in the text but not shown in detail on the plans in the SPD. This is because, unlike the proposed heavy goods vehicle route at Halebank, no design has been completed on the routes of these proposed roads, so no land can be shown as safeguarded in the SPD at this stage. However in order for the SPD to give proper guidance to developers, it is essential that this design work is done sufficient to show safeguarded routes in the final version of the SPD.
- 3.20 The SPD area is divided up into a series of sub areas where the constraints to and opportunities for development are described together with site specific requirements on suitable uses, landscaping and design. Some areas are expected to remain in their existing use such as residential, open space and existing industrial. Opportunities for enhancement for open space are proposed.
- 3.21 Meanwhile planning permission has been granted for development of site 255 (the Inovis site) for rail freight and warehousing purposes on behalf of Drawbridge Securities (Ditton) Ltd, in line with the relevant UDP policies and the masterplan.
- 3.22 General principles for design of new development, layout and landscaping are set out to ensure that the proposed rail freight development is of the highest quality that will transform the image, appearance and economy of the area.

Sustainability Appraisal

- 3.23 A joint sustainability appraisal has been carried out for both SPD's. This has been a complex process that has had to meet the requirements of a European Directive on 'strategic environmental assessment' as well as Government requirements that all supplementary plan documents have to be subject to a 'sustainability appraisal'.
- 3.24 This began with public consultation on a 'scoping report' , which essentially set out the framework to assess how the implementation of the SPD policies might impact upon seeking to achieve sustainable development within Halton.
- 3.25 The SA has to take account of social and economic impacts as well as environment effects and has to measure potential impacts against a baseline of data about social, economic and environmental conditions in the area.
- 3.26 A final version of the sustainability appraisal has now been prepared and is available separately from this report. It will be put 'on deposit' with the draft SPD's for consultation so that people can see what impacts the SPD policies are likely to have on social, economic and environmental conditions, and whether these are acceptable.
- 3.27 The SA is an ongoing process that will involve monitoring of the effects of policies as they are implemented in the area. This will ensure that the development at Halebank and the Rail Freight Park are carried out in a sustainable manner as possible.

Public Consultation

- 3.28 A joint public consultation exercise for both the Ditton SRFP SPD and the Halebank Action Area SPD is planned because many of the issues arising from development in these areas overlap particularly the potential conflict between residential amenity and industrial operations. That is also why a joint sustainability appraisal has been done.
- 3.29 It is essential that public consultation enables as many as possible of those who live and work in the area have a chance to examine and understand the content of these SPD's. The statement of Community Involvement, which is also being considered on this agenda, describes the methods by which consultation will be carried out.
- 3.30 However, it will be made clear during consultation that the principles of development established in the UDP, such as the allocation of land at site 253 for rail freight warehousing is not open for debate, only the principles of how it should be development, not whether it should.

- 3.31 A period of 6 weeks will be set aside for representations to be made. At the end of this period all comments and opinions will be collated and analysed, proposed amendments to the documents will be drafted and a further report be made to the Executive Board with a recommendation that the SPD's be formally adopted.
- 3.32 Agreement on the timetable and procedures for public consultation is recommended for delegation to the Operational Director of Environmental Health and Planning in consultation with the Executive Board Member for Planning, Transportation and Regeneration.

4.0 POLICY IMPLICATIONS

- 4.1 Until these SPD's are adopted in their final version following public consultation they cannot be used with much weight for development control purposes. However once adopted, although it does not have statutory development plan status like the Halton UDP, as defined in Section 38(b) of the 2004 Planning Act, it does constitute a material consideration in respect of decision making on planning applications.

5.0 OTHER IMPLICATIONS

- 5.1 None at this stage.

6.0 RISK ANALYSIS

- 6.1 The risks associated with these draft SPD's are potentially legal and environmental. There should be no legal risks to the Council from the preparation of these documents so long as the statutory procedures for their preparation are met. Environmental risks are considered as part of the Sustainability Appraisal. These evaluate the impact of the policies and proposals on social, economic and environmental factors according to European Union and Government regulations. Where appropriate planning applications for development will also be subject to risk analysis through transport impact analysis, environmental impact analysis, flood risk assessments, risk assessment for development within the consultation zones of sites designated under the control of Major Accident Hazards (Planning) Regulations 1999 (COMAH).
- 6.2 The impact of development will also be closely monitored through the sustainability appraisal and the Local Development Framework Annual Monitoring Report. A list of indicators will be measured to judge the achievement and impact of the objectives and policies of the proposed Supplementary Planning Guidance.

7.0 EQUALITY AND DIVERSITY ISSUES

- 7.1 The consequences of the implementation of the development proposed

by these SPD's on a variety of social factors is dealt with by the Sustainability Appraisal published alongside the draft SPD's.

8.0 REASONS OF DECISION

8.1 These are set out in the Section 3, Supporting Information

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 This has been covered by the preparation process of the Halton Unitary Development Plan and the Sustainability Appraisal.

10.0 IMPLEMENTATION DATE

11.0 The SPD will be effective for development control purposes from the date of adoption by the Council's Executive Board, which has yet to be fixed.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

| Document | Place of Inspection | Contact Officer |
|---|----------------------------|------------------------|
| Halton Unitary Development Plan | Rutland House, Halton Lea | Andrew Pannell |
| Halebank Regeneration Action Area - Draft Supplementary Planning Document September 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Ditton Strategic Rail Freight Park – Draft Supplementary Planning Document September 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Sustainability Appraisal Scoping Report June 2005 | Rutland House, Halton Lea | Andrew Pannell |
| Sustainability Appraisal Final Report September 2005 | Rutland House, Halton Lea | Andrew Pannell |

Appendix
Ditton SRFP – Partnership Consultation Response

| Organisation/ Name of consultee | Summary of suggested changes | Response in SPD |
|---------------------------------------|---|--|
| Halton Friends of the Earth | <ul style="list-style-type: none"> • Change of wording from ‘expected’ to ‘required’ section 4.0 (Planning Policy Context) • Section 6.0 (Development Constraints) suggested inclusion of light and noise pollution as a major constraint to development. • Paragraph 6.6 (Flood Risk) to be linked to paragraph 6.2. • Section 6.0 to include the need for a full Health Impact Assessment. • Section 7.0 (Design Guide – General Principles) – paragraph 7.5 established hedgerow protection to be addressed in a different section/policy/document. • Landscape Strategy and Design Guide – Changes to text. | <p>Text within PR14 (section 4.0) was changed from ‘expected’ to ‘required’.</p> <p>Comments Light & noise pollution not considered a constraint as such. Landscape Strategy & Design Guide not part of SPD.</p> |
| Environment Agency | <ul style="list-style-type: none"> • EA have suggested that site investigations be carried out before an application is determined in paragraph 6.2. • An additional landfill site has been identified within 250 metres of the rail freight park. • Paragraph 6.6 the site is at risk from flooding, as such a flood risk assessment will be required for all developments shown within the flood plain. • Written consent of the Agency is required for any proposed works or structure in, under, over or within 8 metres of the top of the bank of a main river. • Chapter 7 the inclusion of sustainable Urban Drainage Systems (SUDS). | <ul style="list-style-type: none"> • Site investigation has been included within paragraph 6.2. • Additional landfill site noted. • Flood risk assessment noted and added in paragraph 6.6. • Paragraph 6.12 ‘written consent of the Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the main river’. • Chapter 7 footnote regarding further information on SUDS included. |
| English Heritage | <ul style="list-style-type: none"> • With regards to identified nationally important Schedule Monuments, check there are no other undesignated areas of archaeology within the area. • Contact English Heritage with regard to landscaping works and creation of access to the site. • Long term management of scheduled site and surrounding area needs to be properly addressed to ensure sustainability. | <ul style="list-style-type: none"> • English Heritage will be contacted regarding landscaping works and the creation of access to the site. |

| | | |
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| | <ul style="list-style-type: none"> • Treatment of Lovell's Hall and its boundaries, as well as wider sitting, needs to be carefully considered. | |
| M Wright | No suggested changes | No changes. |
| North West Development Agency | <ul style="list-style-type: none"> • Amend paragraph 3.1 • Changes to text in policies GE5, PR14, GE18, S13 (Section 4). • Section 6 – Notation in Figure 5 changed from 'English Nature Site' to 'English Nature Consultation Zone'. • Paragraph 7.6 sites added and deleted from list. • Section 8 – General comments on sites B, O, P, Q, R, S & T. | <ul style="list-style-type: none"> • Paragraph 3.1 amended. • Text changed to noted policies in section 4. • Figure 5 (Section 6) notation changed. • Paragraph 7.6 sites added and deleted from list. • Section 8 – Comments noted and changed regarding sites B, O, P, Q, R, S & T. |
| United Utilities | <ul style="list-style-type: none"> • Section 4 – Within policy PR14 the development of Brownfield sites requires careful attention to existing. Drainage works can mobilise groundwater movement. • BE1 – bullet points supported. • Section 6 – paragraph 6.8 – recommended that developers give early consideration in project design as it is better value than traditional methods of data gathering. • Section 7 – bullet points supported. | <ul style="list-style-type: none"> • Section 6 – paragraph 6.8 – recommended that developers give early consideration in project design as it is better value than traditional methods of data gathering. Telephone number is given in paragraph 6.11. |
| Halton Borough Council - Highways | <ul style="list-style-type: none"> • Some highway pavement may not be acceptable for adoption. | <ul style="list-style-type: none"> • Access roads unlikely to be adopted |
| Tessengerlo Group | <ul style="list-style-type: none"> • Safety for the workforce, the local community and for people passing through and using the area. • Concern over the sale of Tessengerlo UK Ltd land and the potential impacts on our operations. • Concern regarding the presentation of this plan under public consultation. | <ul style="list-style-type: none"> • Paragraph added to Development Opportunities affecting existing industrial operators to the effect that the principles only be applied if site becomes available for redevelopment. |
| Highways Agency | <ul style="list-style-type: none"> • Pleased with the reference to Transport Assessments and Travel Plans under policy E7 and the principles of development for RG5 (RG6) Action Area 1 Halebank encourage alternative forms of transport to the car. | <ul style="list-style-type: none"> • No changes |

REPORT TO: Executive (Transmodal Implementation)
Sub-Board

DATE: 20th October 2005

REPORTING OFFICER: Operational Director – Major Projects

SUBJECT: Compulsory Purchase Order

WARDS: Ditton and Riverside

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to describe the purpose and process for the preparation of the 'Compulsory Purchase Order' (CPO) for the Ditton Strategic Rail Freight Park (DSRFP).

2.0 RECOMMENDATION: That

- (1) The indicative timetable be approved.

3.0 SUPPORTING INFORMATION

- 3.1 The Executive Board on 9th December 2004 (EXB162) agreed in principal to make a Compulsory Purchase Order for any land required to implement the Ditton Strategic Rail Freight Park scheme; and the Executive Director for Resources & Corporate Services was authorised to commence negotiations for the necessary acquisitions and disposals of land to bring the scheme about as envisaged in the Draft Masterplan.
- 3.2 The area of the CPO shown in [appendix 1 \(LINK\)](#), is the maximum area which will be required for the DSRFP. As ownerships and the future of individual sites are clarified, some land will be removed from the CPO schedule, before being formally submitted. Care will be taken, not to include any land, which is not required for the purposes of DSRFP.
- 3.3 Negotiations will continue with land owners and interested parties, and every effort will be made to acquire land by agreement and before the CPO takes affect. However, to secure DSRFP within the timetable set out in the Masterplan, it is essential that the CPO process commences and is subsequently in place for the Council to use as a 'last resort'.
- 3.4 The CPO Consultation will not commence until the Council has concluded the consultation on the Supplementary Planning Documents (SPDs) for DSRFP and Halebank.

- 3.5 The indicative CPO timetable shown in [appendix 2 \(LINK\)](#), is based on a start date of January 2006; following the completion of the consultation on the SPD.
- 3.6 A further report will be presented to Executive Board seeking a formal resolution for the making of the CPO in accordance with CPO legislation, at the appropriate time.

4.0 POLICY IMPLICATIONS

- 4.1 The Council adopted the DSRFP Masterplan in December 2004. The DSRFP is heralded in the Council's Corporate Plan and LSP and HBC Urban Renewal Strategy and Action Plan, and supports the Council's Urban Renewal corporate priority.

5.0 OTHER IMPLICATIONS

- 5.1 Resource implications are to be considered as part of the CPO process. The Council must demonstrate the ability to financially acquire all the land included within the CPO. This may result in the Council being selective as to which land parcels are included in the CPO, weighted up against the requirements for the scheme and affordability.

6.0 RISK ANALYSIS

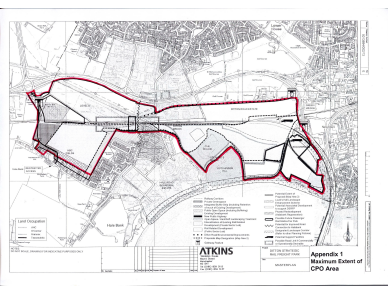
- 6.1 The main risk would be the Secretary of State (SOS) rejecting the CPO, resulting in the viability of the scheme being affected. To minimise this risk, the draft CPO will be shared with the SOS prior to submission and comments from the SOS will be responded to, accordingly.

7.0 EQUALITY AND DIVERSITY ISSUES

None.

8.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

| Document | Place of Inspection | Contact Officer |
|-----------------|----------------------------|------------------------|
|-----------------|----------------------------|------------------------|



Compulsory Purchase Order Indicative Timetable

Ditton Strategic Rail Freight Park

| Tasks | Duration | 2 0 0 6 | | | | | | | | | | | | 2 0 0 7 | | | | | | | | | | | | 2 0 0 8 | | | | | | | | | | | | 2 0 0 9 | | | | | |
|--|-----------|---------|---|---|---|---|---|---|---|---|---|---|---|---------|---|---|---|---|---|---|---|---|---|---|---|---------|---|---|---|---|---|---|---|---|---|---|---|---------|---|---|---|---|---|
| | | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J | J | A | S | O | N | D | J | F | M | A | M | J |
| 1) Site investigation and unequivocal identification of all land interests including serving notices of land interest on occupiers of land. | 3 months | █ | █ | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2) Draw up schedule of property and plan coinciding with cohesive case for landtake in line with empowering legislation. Draw Statement of Reasons, assessment of Human Rights Act implications built in. Resources identified. Show exhaustive history of having attempted to purchase voluntarily. | 3 months | | | | █ | █ | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3) Decision by Executive Board approved by full council. | 1 month | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4) Instruct planners to ensure that when they reply to our questions about local land charges searches that the project is revealed. | 1 month | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5) Make CPO. | 1 month | | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6) Advertise for objections. | 6 wks | | | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7) Objections received. | 1 month | | | | | | | | | | | █ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8) Draw up proofs of evidence, lists of documents, decide who represents council at hearing and attend meeting. | 12 months | | | | | | | | | | | | █ | █ | █ | █ | █ | █ | █ | █ | █ | █ | █ | █ | | | | | | | | | | | | | | | | | | | |
| 9) Secretary of State decision. | 6 months | | | | | | | | | | | | | | | | | | | | | | | | █ | █ | █ | █ | █ | █ | | | | | | | | | | | | | |
| 10) General Vesting declaration (becomes council land). | 2 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Unless 11 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11) Any Severance Notices served on us where we take part only of an individual's land - either (1) purchase whole land or (2) ready to go to Lands Tribunal to reject suggestion that remainder of land left with landowner is capable of beneficial use. | 12 months | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | █ | █ | █ | █ | █ | █ | |

Appendix 2
CPO Indicative Timetable

By virtue of paragraph(s) 13 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted