

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	11 July 2017
<b>Title:</b>	Stubbington Bypass – Enabling Work and Land Approvals
<b>Report From:</b>	Director of Economy, Transport and Environment

**Contact name:** Heather Walmsley

**Tel:** 01962 846089

**Email:** heather.walmsley@hants.gov.uk

#### 1. The decision:

- 1.1. That authority be delegated to the Director of Economy, Transport and Environment to progress all development work for the proposed Stubbington Bypass (“the Scheme”), including the completion of all necessary steps required to secure ‘Full Approval’ from the Department for Transport (DfT), and the progression of all enabling and environmental works for the scheme, to ensure that delivery can commence within agreed timescales.
- 1.2. That the Executive Member for Environment and Transport confirms the approved alignment of the Scheme, as detailed in **Appendix 1**.
- 1.3. That authority be delegated to the Director of Economy, Transport and Environment and the Head of Legal Services to progress any appropriate Orders, Notices, or Statutory procedures and obtain any consents, rights or easements that are necessary for the Scheme.
- 1.4. That the Executive Member for Environment and Transport recommends that the Executive Member for Policy and Resources provides authority to acquire all third party interests in any land and any necessary rights required for or to facilitate/enable the delivery of the proposed Scheme by agreement.
- 1.5. That, in order to ensure the delivery of the Scheme within agreed funding timescales, the Executive Member for Environment and Transport recommends to the Executive Member for Policy and Resources that a Compulsory Purchase Order is made for the land required to deliver the Scheme, as detailed in **Appendix 2**, to run in parallel with negotiations to acquire all third party land interests by agreement, on the basis that the areas of land identified in Appendix 2 will not be extended but may be revised or minimised.

## **2. Reasons for the decision:**

- 2.1. The decision is necessary to ensure that development and enabling works can be progressed to a point whereby 'Full Approval' can be secured and delivery can commence within agreed timescales.
- 2.2. The decision is required to progress the acquisition of all third party interests in land required to deliver the Scheme. This will enable a report to be prepared for the Executive Member for Policy and Resources, seeking authority to acquire all third party interests in land and to the making of a Compulsory Purchase Order so that the Scheme can be delivered in accordance with the delivery programme agreed with the Department for Transport and the Solent Local Enterprise Partnership.

## **3. Other options considered and rejected:**

- 3.1. Given that the alignment of the Scheme has already been confirmed by the Executive Member for Economy, Transport and Environment (now the Executive Member for Environment and Transport), the scheme has obtained Planning Permission, and funding has been secured subject to Full Approval, the alternatives to this decision are:

- not to progress with this Scheme, and
- not to acquire the necessary land for scheme delivery or to consider an alternative extent of land acquisition.

To not progress the Scheme is not supported as it is a Solent LEP and County Council priority. As the Scheme cannot go ahead without the acquisition of third party land, not to seek this land is also rejected as an option.

- 3.2. Another option would be to not seek authority to make a Compulsory Purchase Order (CPO). This option could present a high risk to Scheme delivery as a CPO will be necessary, if all third party land cannot be acquired by agreement, in order to meet the funding timescales and delivery programme agreed with the Department for Transport and the Solent Local Enterprise Partnership.

## **4. Conflicts of interest:**

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted:

## **5. Dispensation granted by the Conduct Advisory Panel: none.**

## **6. Reason(s) for the matter being dealt with if urgent: not applicable.**

## **7. Statement from the Decision Maker:**

I thank Councillor Chris Wood for attending my Decision Day and for his contribution to this item.

**Approved by:**

**Date:**

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**11 July 2017**

**Executive Member for Environment and Transport  
Councillor Rob Humby**