

**The Birmingham City Council (Dudley Road Winson
Green/Spring Hill Ladywood) Compulsory Purchase
Order 2019**

Statement of Reasons for Making the Order

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The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood)
Compulsory Purchase Order 2019

Statement of Reasons for Making the Order

The Order is made under sections 239 and 240 of the Highways Act 1980 and will facilitate the acquisition of land to enable the implementation of highway and junction improvements at A457 Dudley Road, Birmingham. This document is Birmingham City Council's Statement of Reasons for making the Order. It has been prepared in compliance with the Ministry of Housing Communities and Local Government Guidance on Compulsory Purchase process and the Crichel Down Rules July 2019 and Department of Transport Circular 2/97. Within this Statement, Birmingham City Council is referred to as "the Council" and this compulsory purchase order is referred to as "the Order".

Authority to make the Order was given by Birmingham City Council's Cabinet on 14th May 2019.

The Order will allow the acquisition of all necessary outstanding interests to enable the implementation of the approved and conditionally funded highway improvements at Dudley Road.

1. Location and Description of the Order Lands

- 1.1 The highway scheme for which this Order is made is located on the A457 Dudley Road, in the Soho & Jewellery Quarter, Ladywood, and North Edgbaston wards to the west of Birmingham city centre. The A457 Dudley Road corridor is approximately 2km long and runs from Ladywood Middleway/Spring Hill junction on the city's inner ring road (A4540) to Cape Hill near the boundary with Sandwell Metropolitan Borough Council. The corridor at present is used by both local and through traffic and requires highway improvements to address factors which constrain economic stimulus and growth in the area and provide enhanced accessibility for businesses and developments along the route and in the wider area.
- 1.2 The area within which the Order land sits includes a wide mix of residential, retail, community and industrial uses. A Tesco Superstore is located to the East of the route alongside a number of other businesses including Enterprise Rent a Car. The City Hospital is located along the route and the western end of the route leads into Dudley Road local centre – an important centre that contains a range of shops, services and community facilities all of which provide local employment opportunities within the area. The scheme will complement and support the City's growth objectives within the Greater Icknield Area. These are set out in the Greater Icknield Masterplan (BCC11) and detailed at paragraph 4.5 of this Statement.
- 1.3 It also supports development in the Smethwick area of Sandwell including housing schemes at Grove Lane, Windmill Eye, and Brindley Canalside. Furthermore, upon the completion of the Midland Metropolitan Hospital in Sandwell, the majority of the former City Hospital Site will be used for residential development and bring forward local facilities and further employment opportunities within the area.

- 1.4 Running through the area are the Birmingham Old and New Canal Lines, which are important leisure and wildlife corridors, as well as the main Birmingham to Wolverhampton rail line. All these corridors pass at lower levels below Dudley Road.
- 1.5 The Order lands are identified on the Order plan and detailed in the accompanying schedule. The Order lands generally comprise:
- Garage, retail and residential premises at 201 Dudley Road
 - retail premises at 195 - 197 Dudley Road
 - the former Dudley Road police station premises 210 Dudley Road
 - garage premises at 192 and 193 Icknield Port Road
 - various plots including waste land, grass verge, passageway and highway land
 - advertisement hoardings along the route of the highway improvements
 - part hardstanding, part car park and part access at hospital premises known as City Hospital Dudley Road
 - land fronting and adjoining the premises known as the Old Windmill PH 84 Dudley Road
 - land fronting the proposed Soho Loop development at the junction of Dudley Road and Hooper Street
 - land at the junction of Spring Hill fronting 42-52 College Street
 - landscaping fronting commercial premises known as Spring Hill Industrial Estate and Forward Works
 - landscaping fronting premises known as Enterprise Rent a Car Spring Hill
 - paving/hardstanding area fronting Spring Hill and adjacent to the Tesco retail premises
- 1.6 The Council has cited within the Order the power of acquisition section 239(6) in connection with the development of frontage land. This relates to the following areas of land.
- 195-197, 199 and 201 Dudley Road will be demolished and landscaped by the Council. The land may then be appropriated to housing use, to construct new residential accommodation.
 - Former Dudley Road police station 210 Dudley Road and MOT/repair garage at 192 and 193 Icknield Port Road will be demolished and landscaped by the Council. In future the land may be appropriated to housing use for the construction of new residential accommodation.
 - Land adjacent to the Old Windmill Public house 84 Dudley Road is included to provide alternative access arrangements and parking at the public house premises.

2. **Scheme**

- 2.1 The A457 Dudley Road corridor runs west to east through west Birmingham. The corridor is approximately 2km long from Ladywood Middleway / Spring Hill junction on the Ring Road to Cape Hill near the boundary with Sandwell Metropolitan Borough Council. The A457 forms part of Birmingham's Strategic Highway Network and provides a key arterial route from the Black Country into Central Birmingham. The purpose of the proposed scheme is to remove constraints to economic growth by
- improved access to a number of employment sites, residential areas, and health centres in Birmingham City Council and Sandwell Metropolitan Borough Council areas.

- access to the new 'Midland Metropolitan Hospital' and other developments such as the Icknield Port Development Site/ Soho Loop Development Sites.
- improved access to areas targeted for regeneration specified within the Birmingham Development Plan (2017) such as Greater Icknield.
- improved access to development sites making such sites more attractive to the market and encourage their effective use.
- increased highway capacity.
- reduce the high levels of congestion and traffic queues.
- Improve journey times/reduce unreliable journey times that affect buses, cars and commercial vehicles.
- Bus priority detection measures at Traffic Signal Junctions.
- Promote connectivity for pedestrians when walking through the area.
- Encourage communities to engage in cycling through segregated/shared cycle routes along the A457 Dudley Road.

2.2 The section of the Dudley Road corridor which is the focus for improvement is approximately 1.3km in length from the Spring Hill junction to the Winson Green Road junction. The works to deliver the scheme comprise:

- Widening of the A457 to a dual carriageway between from a point 142 metres west of the junction of Dudley Road and Icknield Port Road to a point on Spring Hill 143 metres east of the junction of Ellen Street.
- Increased capacity at existing signalised junctions (Winson Green Road / Dudley Road and Western Road / Dudley Road).
- New signalised junction (Heath Street/ Dudley Road).
- Upgraded pedestrian crossings at all signalised junctions.
- Cycle and pedestrian facilities on wide footways along the entire route length and this will primarily be in the form of a segregated cycling route on the North side of the corridor and shared facilities where highway space is restricted.
- Toucan crossing facilities to accommodate cycling measures and create a link to the south side of the A457 corridor.
- Realignment of junctions to facilitate the interventions above.

2.3 The construction works are currently programmed to commence on site in October 2020 with a 15 month contract period.

3. The Case for Compulsory Purchase

3.1 Dudley Road is a four-lane single carriageway consisting of substandard lane widths and does not meet the requirements of the guidelines set out in the Design Manual for Roads and Bridges. The poor standard and inefficient operation of this section of the Dudley Road for most of the day together with associated environmental deterioration resulting in reduced air quality and poor accessibility for users emphasises the corridor as an unattractive route to and from the City.

- 3.2 The Dudley Road corridor also forms a part of the Strategic Highway Network and is classified as an arterial route as a result it attracts a high volume of traffic, it also forms one of the emergency routes and it is a diversion route for the motorway network acting as a relief should there be an incident. Delays as a result of congestion significantly add to business costs and discourage businesses from investing and locating in this area, as well as adversely impacting on access to employment opportunities for local residents. The existing sub-standard 4 lane single carriageway does not operate efficiently, as right turning traffic and parked vehicles, often stops the flow of straight-ahead traffic due to the narrow lane. The proposals include implementing junction improvements with intelligent traffic signal control, widening the highway at pinch-points and implementing parking/waiting restrictions to allow better through traffic flow along the corridor. This will not only alleviate existing congestion but will ensure the highway infrastructure can cope with the extra trips generated by additional housing and together with the proposed cycle infrastructure will also improve multi-modal access to housing sites.
- 3.3 The need for highway improvements has been recognised for a long time and have been set out in local planning policy – both in the Council’s Unitary Development Plan (adopted 1993 and revised 2005) and in the Birmingham Development Plan (BDP) which was adopted in 2017 and which replaces most of the UDP. The BDP also recognises the development potential of Dudley Road and the current proposals will complement future developments such as Icknield Port Loop/Soho Loop developments and the New Midlands Metropolitan Hospital.
- 3.4 The anticipated benefits to the area include:
- (a) Increased highway capacity
The widening of the route to dual carriageway standard and increased provision of traffic capacity at major junctions along the A457 Dudley Road route which forms an important part of the city’s Strategic Highway Network.
 - (b) Improve access to employment and commercial areas
To provide improved access to a number of large employment sites such as the Tesco Superstore, Birmingham HM Prison, the City Hospital, Dudley Road local centre, the city centre, as well as a wide range of other businesses across this part of the city.
 - (c) Improve access to regeneration areas
To provide improved access to areas targeted for regeneration outlined in the BDP such as the City Hospital, Greater Icknield, and Icknield Port Loop /Soho Loop Development Sites.
 - (d) Improved air quality
Air quality is expected to improve due to the reduced vehicle delays at junctions and as road users turn to alternative travel choices. Air quality monitoring is ongoing and any recommendations or issues arising from the assessment will be considered as part of the design development. In respect of the impact on existing trees, the intention is that wherever possible high and good quality trees will be retained. The removal of low-quality trees or vegetation may have an impact on the green cover in the first instance, however, the scheme presents a significant enhancement opportunity. The overall proposals would have no impact on the long-term amenity of the area and will allow for the selection of native species to enhance amenity and biodiversity, and ultimately improve air quality.

(e) Reduction in congestion

The increased highway capacity will help reduce congestion by increasing the throughput of traffic. This will increase the attractiveness of the area for investment in new housing, local businesses and jobs.

(f) Reduced journey times

Reducing congestion and the provision of bus priority detection measures will improve journey times made by public transport along the A457.

(g) Improved pedestrian / cycle links

The provision of new shared and segregated cycle footways together with the new toucan crossings will enhance active travel.

3.5 The Ministry of Housing Communities and Local Government (MHC&LG)

Guidance on Compulsory Purchase Process and the Crichel Down Rules July 2019 provides advice to acquiring authorities in the preparation and submission of compulsory purchase orders and the matters that the Secretary of State can be expected to take into consideration when reaching a decision on whether to confirm an order.

3.6 Paragraph 1 of the guidance sets out that "Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business- leading to improvements in quality of life".

3.7 To summarise, a compulsory purchase order should only be made where:

3.7.1 there is a compelling case in the public interest. This statement and the supporting documents provide comprehensive evidence as to the benefits for economic growth to be delivered by the highway and junction improvement scheme. The highway changes help lift the constraints on economic growth and include improvement in terms of highway capacity, reduction in congestion, improving journey times for all vehicles including key public transport bus routes, improving pedestrian and cycle facilities and permeability, providing improved accessibility to key employment areas as well as to areas targeted for regeneration and development sites. Together these factors will enhance the local economy. The Council considers all these factors demonstrate a compelling case in the public interest. Paragraph 2.1 above sets out more detail regarding the benefits of the scheme.

3.7.2 the Council is sure that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected. The Secretary of State confirming the order will take a balanced view between the intentions of the Council, the concerns of those with an interest in the land affected and the wider public interest. The Council considers that after reviewing and balancing these various interests, the Secretary of State can conclude that use of compulsory purchase powers in this case is justified.

3.7.3 the Council has a clear idea of how it intends to use the land which it is proposing to acquire – for this Order there is a specific scheme (approved by

BCC Cabinet on 14th May 2019 for the highway improvements see paragraph 2.2 above and documents BCC 15 and BCC 16

- 3.7.4 resources are likely to be available within a reasonable time-scale to deliver the proposals. Paragraph 5 of this statement of reasons and supporting documentation contain the necessary financial approvals and information to show funding exists for the Order process, acquisition of the land and delivery of the highway improvements.
- 3.7.5 the Council can show that the scheme is unlikely to be blocked by any impediments to implementation. Other orders such as the Side Roads Order or other consents necessary for the scheme are being sought alongside this Order to ensure they are confirmed at the same time and meet this requirement of the guidance. Planning consent is deemed granted under the provisions of Schedule 2 Part 9 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
All that is now required is the confirmation of the Order and Side Roads Order after which the Council will be in a position to deliver the junction improvement scheme.
- 3.7.6 Compulsory purchase as a last resort The Council has engaged with those landowners affected by the scheme and is making good progress in respect of agreeing terms for acquisition. Acquisition of all the land required however has not yet been completed and the Order will enable further progress to be made should terms not be agreed.
- 3.8 It should also be noted that the land assembly proposed is within a clear strategic policy framework. The context for the highway improvement and the order is provided by the Birmingham Development Plan and the Greater Icknield Masterplan. Additional context is provided by Movement for Growth – the West Midlands Strategic Transport Plan and the West Midlands Local Transport Plan 2011-2026. The purpose for which the land is being acquired fits with the adopted planning framework.
- 3.9 The scheme has the necessary City Council approvals, has been subject to significant consultation and has conditional funding agreed. There are not considered to be any impediments to implementation save for the confirmation of the Order and as such the scheme has a reasonable prospect of proceeding.
- 3.10 Alternative means to achieve the scheme have been considered. A number of alternative options were considered through the Project Definition Document which was agreed at Cabinet in June 2018, when the initial authority for the making of the Order was given. This included the review of the original highway proposals and five further alternatives ranging from do minimum to a range of options comprising works that could deliver either shared or segregated cycling facilities.
- 3.11 It should also be noted that the scheme requires less land than is currently protected by highway improvement lines.
- 3.12 The Council has considerable experience of successfully delivering highway schemes requiring compulsory purchase orders, including: removal of the

Masshouse Circus Gyratory, Selly Oak New Road, Northfield Relief Road, Iron Lane/Flaxley Road/Station Road Stechford Junction Improvement.

4. Planning Matters

4.1 Planning Permission

4.1.1 The Council does not consider that an express grant of planning permission is required for the scheme as it amounts to permitted development under Schedule 2 Part 9 Class A of the Town and Country Planning (General Permitted Development) (England) Order

Class A defines permitted development as the carrying out by a highway authority

(a) on land within the boundaries of a road, of any works required for the maintenance or improvement of the road, where such works involve development by virtue of section 55(2)(b) of the Town & Country Planning Act 1990; or

(b) On land outside but adjoining the boundary of an existing highway of works required for or incidental to the maintenance or improvement of the highway.

4.1.2 However, for the avoidance of doubt, an Environmental Impact Assessment (EIA) screening opinion will be sought. Should the scheme be considered EIA development, planning permission would be required. Given the policy compliant nature of the scheme there is sufficient certainty to conclude that planning permission is very likely to be granted. Should planning permission be required there is still sufficient time within the programme for the delivery of the scheme.

4.2 Planning Policy Context

4.2.1 The following sections summarise relevant planning and related policies at the national and local level. In particular it sets out how the proposals for the scheme are in accordance with policies both at the national and local level.

4.2.2 The proposals are also consistent with other local initiatives such as the Birmingham Cycle Revolution, Birmingham Connected, West Midlands Strategic Transport Plan and the objectives of the GBSLEP, Strategy for Growth and Strategic Economic Plan. Crucially, part funding for the proposals has been secured from the GBSLEP through the Local Growth Fund.

4.3 The National Planning Policy Framework BCC9

4.3.1 Development proposals accord with national guidance in the National Planning Policy Framework (NPPF) (Revised 2019).

4.3.2 Section 2 of the Framework confirms the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7).

- 4.3.3 Paragraph 8 sets out the three overarching and interrelated economic, social and environmental objectives of the planning system. The economic role includes ensuring that sufficient land of the right types is available and identifying and coordinating the provision of infrastructure.

Section 5 of the Framework deals with delivering a sufficient supply of homes and paragraph 59 sets out it is important that a sufficient amount and variety of land can come forward where it is needed.

The Council's highway proposals will help unlock residential development sites that have been identified through both the Council's Strategic Housing Land Availability Assessment (SHLAA) and the Birmingham Development Plan.

Section 6 of the Framework deals with building a strong, competitive economy and paragraph 80 sets out that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 83 goes on to outline that policies should c) seek to address potential barriers to investment such as inadequate infrastructure, services or housing, or a poor environment.

Section 8 of the Framework relates to promoting healthy and safe communities. Paragraph 91 a) refers to street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods and active street frontages.

Section 9 of the Framework covers promoting sustainable transport and paragraph 102 sets out that transport issues should be considered from the earliest stages of plan making and development proposals. In particular c) outlines that opportunities to promote walking, cycling and public transport use are identified and pursued. Paragraph 103 outlines that significant development should be focussed on locations which are or can be made sustainable.

Section 11 of the Framework deals with making effective use of land. Paragraph 117 outlines that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Reference is also made to using suitable brown field land for houses and other identified needs and promoting and supporting development of under-utilised land and buildings.

4.4 **The Birmingham Plan 2031(BDP) BCC10**

- 4.4.1 The Council's BDP was adopted on 10 January 2017. It has been subject to significant public consultation, examination in public, Inspectors report and modifications. It also replaces the majority of the original Unitary Development Plan (UDP). A number of design policies and city-wide policies within the UDP have, however, been retained pending the completion and adoption of the Planning Management Development Planning Document. The former UDP contained a number of policies regarding the definition and safeguarding of the Strategic

Highway Network and the identification of Dudley Road as a major link between the Black Country and the city centre and its improvement.

4.4.2 The BDP provides the key part of the Council's statutory planning framework guiding decisions on all development and regeneration activity in the city over the period to 2031. It responds to the projected increase in population of 156,000 over the period and supports the development of homes and jobs to cater for this rise as well as all the necessary infrastructure and services that will be required.

4.4.3 The BDP recognises the important role that transportation and improved connectivity plays in both helping Birmingham deliver its growth agenda and attract investment. Paragraph 3.37 recognises that:

"The provision of high-quality infrastructure will underpin the successful delivery of growth that is sustainable and long term."

Section 4 of the BDP deals with Planning for Growth and sets out the overall levels of growth proposed in the city. Policy PG1 refers to the delivery of 51,000 additional homes, Regional Investment Sites, the levels of land to be made available for employment use, as well as retail and office floor space targets.

Policy PG 3 deals with Place making and sets out how new development will be expected to demonstrate high design quality and contribute to a sense of place. The various measures set out in this policy includes providing attractive environments that encourage people to move around by cycling and walking. Other matters include ensuring private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long term, and the creation of sustainable neighbourhoods. This policy will guide the emerging proposals on the route that will contribute to the city's growth agenda.

4.4.4 Section 5 of the plan sets out proposals for the spatial delivery of growth across the city and how this will require focussing significant development into a number of locations which currently play an important role in providing homes, jobs and supporting facilities. A number of key locations are identified as Growth Areas including Greater Icknield which forms policy GA2 – an area which is bounded by City Road, Winson Green Road, Pitsford Street, Icknield Street and including part of the City Centre and City Hospital which is proposed to accommodate the delivery of 3,000 new homes. As part of the development local facilities and employment opportunities will be brought forward to support the delivery of a sustainable neighbourhood. The road improvement proposals are referred to within policy GA2 and therefore are a key element in reducing congestion and delivering growth as set out in the BDP.

Policy GA2 refers to a range of measures that will assist implementation of the policy including local and national funding, partnership working, the use of compulsory purchase powers and the role of local plans and regeneration frameworks.

- 4.4.5 The BDP also recognises that high quality transport connections are vital to the city's future economic prosperity and social inclusiveness. Section 9 of the BDP deals with connectivity and TP 38 deals with A Sustainable Transport Network. Paragraph 9.2 recognises that:
- “Transport is an enabler for economic growth and for the City to successfully deliver its sustainable growth agenda it will need to develop its existing transport networks ensuring that they provide an effective, efficient and comprehensive public transport system, high quality routes and environments for pedestrians and cyclists, an efficient road network and modern digital infrastructure.”
- 4.4.6 Paragraph 9.5 goes on to state that the Council will seek to ensure that transport initiatives promote;
- “Economic sustainability by providing effective and efficient connections between people and jobs, and between businesses and their suppliers and customers.
- Social sustainability by providing a comprehensive and fully accessible transport system which connects and serves all members of Birmingham's diverse communities.
- Environmental sustainability by supporting the development of a connected city whilst seeking to minimise the negative impacts on the current and future environment.”
- The proposal which is the subject of this order accords with all three of these objectives. It both provides better connectivity for businesses and communities in this part of the city; it facilitates the residential, industrial and other development and incorporates an enhanced environment for both cyclists and pedestrians.
- 4.4.7 TP 39 deals with walking and promotes the provision of safe and pleasant walking environments throughout Birmingham. Particular reference is made to improving pedestrian safety and providing crossing facilities where appropriate and ensuring footway surfaces are well maintained.
- 4.4.8 TP 40 deals with cycling and sets out that. “Cycling will be encouraged through a comprehensive city-wide programme of cycling infrastructure improvements (both routes and trip end facilities) supported by a programme of cycling promotion, accessible cycling opportunities, training and travel behavioural change initiatives.”
- The proposal incorporates cycling provision with dedicated or shared cycle lanes throughout the scheme.
- 4.4.9 The BDP also recognises the importance of public transport and policy TP 41 deals with various aspects of improving public transport facilities and infrastructure. This includes working to ensure road space is managed efficiently to support public transport through initiatives such as bus priority and infrastructure, and the development and extension

of metro/bus rapid transit to facilitate the improvement of the public transport offer on key corridors.

- 4.4.10 Most important of all, the proposal accords with policy TP 44 on traffic and congestion management which states that;

“The optimum use of existing highway infrastructure across all modes will be encouraged and priority investment in the highway network to support the city’s sustainable transport network and development agenda will be promoted.”

This policy identifies a number of Highway Improvement Lines across the city in order to protect land required for highway and public transport schemes from other developments. Dudley Road is listed as one of the city’s 14 key improvement schemes. The policy goes on to outline that limited elements of the Strategic Highway Network will need upgrading to meet the needs of the Birmingham Development Plan and that Highway Improvement Lines will continue to be reviewed to ensure that they reflect the transport needs of the BDP.

- 4.4.11 Section 10 of the BDP deals with Implementation and sets out details of the tools available to the Council in being able to deliver the policies and proposals set out in the plan.

Paragraph 10.3 sets out that the City Council will have an important role to play and will make use of all appropriate mechanisms including the use of government grants and European funding, working in partnership with landowners/developers, use of the Council’s compulsory purchase powers to assist with site assembly and the proactive use of the council’s land holdings to assist delivery.

Paragraph 10.24 also refers to the use of compulsory purchase powers and how these are an important tool to help deliver social and economic change. It sets out that the City Council has a strong track record in utilising these powers to support urban regeneration schemes and the delivery of infrastructure and will continue to do so to enable comprehensive schemes that will deliver economic, social and/or environmental benefits.

- 4.4.12 The BDP’s Policies Map highlights a number of proposals relating to the Dudley Road area.
Dudley Road is shown as part of the Strategic Highway Network.
The road is shown as a location of a proposed Highway Improvement Line.
The boundary of the City’s Growth Areas are indicated – including Greater Icknield.
Major residential development sites along Dudley Road are highlighted.
The Dudley Road local centre is shown.

4.5 **Greater Icknield Masterplan 2016 BCC11**

- 4.5.1 The Greater Icknield Masterplan was adopted by the City Council in February 2016. Its main proposals are reflected in policy GA2 of the BDP as outlined above.
- 4.5.2 The Masterplan sets out detailed proposals for the area to deliver transformational change in what is recognised as a significant area of north-west Birmingham in close proximity to the city centre. It sets out over 60 ha of new development opportunities, with potential for approximately 3000 new homes and 1000 new jobs, making this one of the largest brownfield housing-led redevelopment proposal within the city. A range of key development principles have been identified and broad development guidance is provided for six areas. A number of these are accessed off Dudley Road including Area 2 'City Hospital' (11.7 ha) and Area 3 'Spring Hill' (3.9ha) – both of which are residential development opportunities – and Area 6 'Western Road and Spring Hill' (sites totalling 10.4ha) which offers potential for employment regeneration within an improved urban environment. Reference is made in the Masterplan to the proposed road widening and improvement scheme which this Order will facilitate.
- 4.5.3 A number of development schemes are being brought forward in accordance with the Masterplan. Significant residential development is on site at Port Loop, which will deliver 1,400 homes. An application for 770 homes on the Soho Loop site has been submitted. An outline application has been submitted for the development of part of the City Hospital site for up to 700 dwellings with some ground floor commercial uses.
- 4.5.4 There are a number of windfall sites which will come forward in the area for residential or commercial development in line with the Masterplan. The capacity and viability of these sites will be enhanced by the CPO scheme.

4.6 The Birmingham Connected White Paper BCC13

- 4.6.1 The BDP sets out the Council's strategy for jobs and growth, meeting housing needs and sustainability. The Birmingham Connected "Moving our City Forward Birmingham Mobility Action Plan White Paper" 2014 is directly linked to the strategies and policies of the BDP. It sets out the agenda for investing in a radically improved integrated transport system that will realise the city's potential to support sustainable economic growth, job creation and linking communities. Its vision is to create a transport system which puts the user first and delivers the connectivity that people and businesses require. In particular people's daily lives will be improved by making travel more accessible, more reliable, safer and healthier and using investment in transport as a catalyst to improve the fabric of the city. In this way the transport system will be used as a way of reducing inequalities across the city by providing better access to jobs, training, healthcare and education as well as removing barriers to mobility.
- 4.6.2 The Birmingham Connected White Paper sets out the following five guiding principles for transportation in the city.

Efficient Birmingham – Birmingham Connected will facilitate the city's growth agenda in the most efficient and sustainable way possible, strengthening its economy and boosting jobs.

Equitable Birmingham – Birmingham Connected will facilitate a more equitable transport system; linking communities together and improving access to jobs and services.

Sustainable Birmingham – Birmingham Connected will specifically reduce the impacts of air and noise pollution, greenhouse gas emissions and energy consumption.

Healthy Birmingham – Birmingham Connected will contribute to a general raising of health standards across the city through the promotion of walking and cycling and the reduction of air pollution.

Attractive Birmingham – Birmingham Connected will contribute to enhancing the attractiveness and quality of the urban environment in local centres, key transport corridors and the city centre.

The proposal will contribute either directly or indirectly to all these objectives but particularly by helping to facilitate the city's growth agenda within Greater Icknield.

4.6.3 The Birmingham Connected White Paper also sets out the vision for Active Travel which will include the establishment of walking and cycling as default modes of travel across the city. People will choose these active modes because they will be safe, fast, healthy and affordable. The scheme has been developed and designed to help promote these active travel modes.

4.6.4 In particular the scheme has been designed to promote cycling and dedicated or shared cycle lanes are provided throughout the scheme which connect into the wider cycling network across the city. The proposal will therefore contribute to Birmingham Connected objective that cycling will become a mainstream form of transport over the next 20 years including the target for 5% of all trips in the city to be made by bike by 2023 and to double this again to 10% by 2033.

4.7 **Birmingham's Green Agenda**

4.7.1 The Council has an ambitious agenda to become a leading green city and reduce carbon dioxide emissions by 60% by 2027. A number of priorities have been identified to achieve this target as set out in 'The Green Commission Report' (2013). These include investment in combined heat and power schemes, energy efficiency in buildings and creating local renewable energy and sustainable travel systems.

4.7.2 Although the proposal is for a highway and junction improvements, it does have benefits for the local environment and has been designed with the principles of sustainability in mind. It will help to tackle traffic flow and congestion on the local and wider highway network. The design of the scheme also incorporates measures to promote sustainable transport including benefits for bus services and facilities for both cyclists and pedestrians, together with the proposal to implement a landscaping strategy by providing replacement trees and planting and bringing an uplift to identified areas.

- 4.7.3 Air quality is expected to improve due to the reduced vehicle delays at junctions and as road users turn to alternative travel choices. In respect of the impact on existing trees, a landscape strategy has been produced and wherever possible high and good quality trees will be retained. The removal of low-quality trees or vegetation may have an impact on the green cover in the first instance, however, the scheme presents a significant enhancement opportunity. The overall proposals would have no impact on the long-term amenity of the area and will allow for the selection of native species to enhance amenity and biodiversity, and ultimately improve air quality.

4.8 The Birmingham Growth Agenda

- 4.8.1 After a number of decades of decline, the population of Birmingham is increasing, with projections that the population of the city will increase by 156,000 by 2031. This level of growth brings with it increased demands for a whole range of services and facilities, as well as greater demands for jobs and training. Area based regeneration will become increasingly important in providing for a rising population.
- 4.8.2 The BDP BCC10 states at paragraph 4.8 that in order to provide employment for the City's growing population and reduce existing levels of unemployment and worklessness an additional 100,000 jobs need to be created.

4.9 Birmingham Cycle Revolution

- 4.9.1 Birmingham Cycle Revolution Birmingham Cycle Revolution is a 20 year initiative to make cycling an everyday way to travel in Birmingham over the next 20 years with 5% of all trips in the city to be made by bike by 2023 and to double this again to 10% by 2033. This will help to make the city healthier, greener, safer and less congested.
- 4.9.2 This initiative will start by improving cycling facilities within a 20-minute cycling time of Birmingham city centre, with 95km of improvements to existing routes and 115km of new cycle routes. It will also:
- Improve cycling conditions on popular routes into the city centre;
 - Provide quiet cycling routes and 20mph areas within residential areas;
 - Upgrade towpaths on canals;
 - Develop new cycling green routes through parks and open spaces;
 - Improve local links to cycle routes;
 - Provide new secure cycle parking hubs; and
 - Develop cycle loan and hire schemes to make it easier for people to get started.

4.9.3 It will be supported by the Big Birmingham Bikes programme of free bikes, cycle training, and activities with employers, schools and communities to encourage cycling and the Birmingham Cycle Rewards app to encourage individuals and the wider community to become involved.

4.9.4 The highway improvements have been designed to promote cycling and dedicated or shared cycle lanes are provided throughout the scheme which connect into the wider cycling network across the city. The proposal will therefore contribute to the objectives of Birmingham Cycle Revolution. A number of significant cycling facilities have been recently completed in the city including the A38 route from the city centre to Selly Oak and the A34 route from the city centre to Perry Barr. Canal towpaths across the city are another source of cycling routes. Adjacent to Dudley Road corridor the Birmingham to Wolverhampton canal route has recently been upgraded and forms part of the National Cycle Network (NCN5)

4.10 **Movement for Growth: The West Midlands Strategic Transport Plan (West Midlands Combined Authority) BCC17**

Movement for growth sets out a number of priorities for investment including making better use of existing road and rail capacity and investment in public transport, cycling and walking. It also deals with the need for behavioural change to ensure greater use of more sustainable modes of travel.

5. **Funding and Delivery**

5.1 A Major Scheme Business Case for the highway proposals was first completed in 2004 and revised in 2009, however the project was deferred as other major schemes such as the Northfield Relief Road, Selly Oak New Road and Chester Road Improvements were given higher priority.

5.2 The scheme cost is £29.464m including, works, statutory undertakers, land, fees and contingency provision. Through the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP), provisional approval to the outline business case was granted by the DfT as part of the GBSLEP local Growth Fund (LGF) programme of transport and connectivity projects in July 2014 with an allocation of £22.411m Local Growth Fund (LGF).

5.3 On 20th October 2015 a Cabinet Report was approved that enabled the City Council to act as the Accountable Body on behalf of the GBSLEP for £2.2m capital grant from the Department for Transport (DfT). It also gave approval for the Council to accept the offer of funding of £0.5m from the DfT for preparatory work and the development of the Major Scheme Business Case (to DfT).

5.4 On 26 June 2018 the Cabinet of the City Council approved a report of the Corporate Director Economy titled Dudley Road Improvement Project Definition Document BCC15. The report obtained approval for the Project Definition Document for the scheme and the preferred option for the Dudley Road improvement scheme and the progression of detailed designs, consultation and preparation of the Full Business Case. Cabinet also approved the submission of a funding bid to the Department of

Transport's Major Transport Schemes Portfolio, the making of a compulsory purchase order under the Highways Act 1980 as well as approval to the advertisement of open space land in accordance with Section 122 (2A) of the Local Government Act 1972.

- 5.5 On 14 May 2019 the Cabinet of the City Council considered and approved a further report of the Director of Inclusive Growth regarding Dudley Road Improvements - Land Requirements BCC16. The report outlined that following further design development work it was identified that small areas of additional land would be required to deliver enhanced cycling provision. The report obtained approval for a revised scheme layout along with a fresh authority to make the necessary compulsory purchase and side road orders.
- 5.6 As a condition of the DfT funding, a significant local contribution is required and the DfT's provisional approval was based on a local contribution of approximately 25% of the project cost. The DfT contribution is currently capped at £22.411m leaving a balance of £7.053m for the Council to fund from Prudential Borrowing £7.044m and Integrated Transport Block (ITB) allocation £0.009m.
- 5.7 The DfT will give final formal approval and release funds when i) the Council has secured full business case approval, ii) the Order has been confirmed iii) and the Council has tendered a contract for the works to obtain a final contract target price. The anticipated dates for the DfT approval are summer 2020.
- 5.8 The capital cost of this proposal is £29.464m (including, works, contingency, statutory undertakers, land costs and fees). The project is jointly funded by DfT a total of £22.411m and the City, a total of £7.044m via Prudential Borrowing and Integrated Transport Block (ITB) allocation of £0.009m. The following table summarises the funding sources and spend profile:

FUNDING PROFILE		2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	later years	Total
		£000s							
May 2017 PDD	DFT/LGF £22.4m		300	3,150	6,341	12,620			22,411
	PRU Borrowing £7.04m						7,044		7,044
	ITB £0.009m					9			9
Total			300	3,150	6,341	12,629	7,044		29,464
Current Spend Profile	DFT/LGF PREP £0.5m	200	64	236					500
	DFT/LGF £21.911m					8,270	9,000	4,641	21,911
	PRU Borrowing £7.04m			264	1,080	136	2,950	2,614	7,044
	ITB	9							9
Total		209	64	500	1,080	8,406	11,950	7,255	29,464

- 5.9 The highway works have been procured as a single contract through the Birmingham City Council Highways and Infrastructure Works Framework. Contractors on Lot 4 (over £0.5m) will be invited to tender under the National Engineering & Construction Contract. It is proposed to engage a Design and Build Contractor with Early Contractor Involvement (ECI), undertaking a value engineering exercise. Approval is already delegated through the PDD to appoint a Contractor to undertake ECI Stage 1 Design Development, Construction Planning

and to agree a target cost. The final assessment by a selection panel will make recommendations to the Council based upon the Quality (30%), Social Value (10%), and Financial (60%) submissions. Contract award is anticipated to have been made by the end of October 2019

- 5.10 The Council will be seeking to appoint a Contractor to deliver and support the Council and associated Agents to; improve team working, innovation & planning and deliver value for money. The approach of D&B is well suited to large & complex schemes as it allows for an integrated team to gain a good understanding of the requirement, develop innovative solutions, plan & mobilise resources, manage risks to accelerate delivery and reduce costs. For this scheme there will be 2 Key Stages to the process:

Stage 1 – Design development and construction planning, aimed at meeting objectives and leading to a notice to proceed. The Contractor Team's role will be to provide the expertise and take ownership of; developing & optimising the design (including buildability) as aligned to scheme & Employer's objectives, commence construction planning (including identifying opportunities for off-site manufacturing and supply chain engagement, as appropriate) and developing the post Construction Period works prices.

Stage 2 – Contractor to take responsibility for and completion of Detailed Design & Construction of the works.

- 5.11 The approval of the contractor to proceed to carry out the construction works would follow completion of the land acquisitions either by negotiation or CPO.
- 5.12 The landscaping works will be procured through the Council's Landscape Construction Framework Agreement 2015-2019.

6. Special Considerations

- 6.1 No part of the Order Lands falls within a Conservation Area nor are there any statutorily listed or locally listed buildings within the Order Lands. There are no tree preservation orders relating to the Order.
- 6.2 There are no scheduled Ancient Monuments within the Order Lands. There are however a number of sites along the route of the highway scheme that are listed on the Council's Historic Environment Record. These comprise the following:
- Spring Hill Library. Grade II* dating from 1893. Now adjoined by the Tesco Store – no implications arising from the highway scheme.
 - Warstone Moat. Potential site of moat. Area has been extensively redeveloped – no implications for the highway scheme.
 - St Peter's Church – locally listed church and grounds. Very minor land take from Dudley Road frontage which would not affect the setting of the church. Land in BCC ownership.
 - Site of Park Glasshouse – South side of Dudley Road, between canal and Heath Street South. Opened in 1788 by Isaac Hawker and operational to 1899 and since demolished. Frontage wall dates from later industrial use. An initial evaluation by developer has shown remains of the glass works are present

within the site. Further archaeological investigations, excavation, analysis and recording to take place as part of development of the site.

- Union Workhouse. The workhouse was located on the site of the now City hospital – all buildings have been demolished with the subsequent development of the hospital. The hospital is subject to separate redevelopment proposals and there are no implications arising from the highway scheme.
- St Patrick's Church. Grade II built between 1876 and 1895 red brick with stone dressings. No implications arising from the highway scheme.
- Dudley Road back to backs. Site of former back to back houses at 120 to 132 Dudley Road. Properties recorded prior to demolition and no implications arising from the highway scheme.
- Summerfield Community Centre. Grade II*. Built in 1878 for the Birmingham Schools Board. Red brick with terracotta and stone dressings and tiled roof. No implications arising from the highway scheme.

6.3 Currently Homes England (HE) have acquired the Birmingham City Hospital site and are working to deliver the relocation to the Metropolitan Hospital and then progress to redevelop the site for housing. Collaborative working between BCC and the HE for scheme proposals are being discussed and agreed. The proposals will provide a new segregated cycleway/footway on the land fronting the HE site which allows the retention of several mature established trees.

The Council will continue to liaise with a wide range of stakeholders as the scheme is implemented. This will include adjoining landowners, the local community and their elected representatives, as well as utility companies that may have services within the vicinity. The Council will also liaise with Network Rail and the Canal and River Trust regarding the locations where bridges that carry Dudley Road span railways and canals.

7. Views Expressed by Government Departments

- 7.1 Save for the announcements in connection with funding of the scheme, no views have been made by a government department
- 7.2 Collaborative working between BCC and the HE for scheme proposals are being discussed and agreed.
- 7.3 The DfT continue to support the project and the risk of the project not proceeding is considered low. In December 2018, the DfT announced that the project had received funding to complete legal and procurement processes BCC18.

8. What steps the acquiring authority has taken to negotiate for the acquisition of land

- 8.1 Land referencing has been undertaken and subsequently contact has been made by Birmingham City Council Property Services (BPS) with those owning interests affected by the scheme.
- 8.2 The following steps have been undertaken to acquire land; letter drops to businesses/owners, including Spring Hill Industrial Estate, Enterprise Rent a Car (ERAC), the Off Licence (D&B Drinkstop limited) and the Coral Racing Limited. Telephone calls and subsequent emails have been sent to Tesco, ERAC, Midland Heart, Admiral Taverns (owners of the Old Windmill PH) and the Soho Loop Development. Land negotiations with the owner for the premises known as Tara Motors Limited 192 – 193 Icknield Port Road are in progress with the agent, with the intention to acquire the garage premises and the adjacent old Police Station. BPS have made a subject to contract offer to the affected party.
- 8.3 BPS have notified the owners for the premises known as D&B Drinkstop Limited 201 Dudley Road and Coral Racing Limited 197 – 195 Dudley Road, of the proposal for the A457 Dudley Road Improvements Scheme, and Birmingham City Council's intention to acquire the property through voluntary acquisition of the necessary land and sought to open negotiations.
- 8.4 Colleagues in BPS and Highways are progressing dialogue with Admiral Taverns to determine a suitable way forward and we are awaiting further comments from Admiral Taverns of the viability of the proposed solution to service the PH.
- 8.5 Discussions and meetings have taken place with Homes England. A route for enhanced cycling provision for the scheme has been agreed.

9. Consultation

- 9.1 The proposals for Dudley Road are in accordance with policies set out in key Council documents including the UDP and more recently the BDP and the Greater Icknield Masterplan. Each of these documents has been subject to consultation and subsequent adoption.
- 9.2 A public consultation exercise regarding detailed proposals took place during September and October 2018 for a period of 4 weeks.

- 9.3 The MP, Ward Councillors, the Executive Members for Soho & Jewellery Quarter, Ladywood and North Edgbaston wards, Emergency Services, West Midlands Combined Authority, bus operators, cycling groups, other key stakeholders and residents were included in the consultation during this period.
- 9.4 Following on from the consultation exercise, 255 responses were received via online webpage (BeHeard), Email, and consultation events which included cycling groups and other key stakeholders:
- 34.1% are in full support
 - 28.2% are partially in support subject to minor amendments to the current proposal
 - 18.4% are not in support
 - 18.4% are neither for or against this proposal
- 9.5 It is planned to undertake a key stakeholder engagement event following detailed design development to inform all, of the latest proposals. This will provide an opportunity for all to view and discuss any issues or concerns to reach a final scheme layout.

10. Human Rights and Public Sector Equality Duty

- 10.1 Section 6 Human Rights 1998 Act prohibits public authorities from acting in a way that is incompatible with the European Convention on Human Rights ("The Convention.") There are 2 main articles of The Convention which are applicable to the making of the Order

ARTICLE 8

"Everyone has the right to respect for private and family life, his home and his correspondence."

"There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 1 of the FIRST PROTOCOL

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties. "

10.2 Guidance

Article 8 applies where a local authority is considering disturbing residents' private and family lives and removing them from their homes. It may also be relevant where residents who, although not directly affected by removal or dispossession, suffer significant disruption to their lives as a consequence of the authority's actions.

Article 1 of the First Protocol applies where a local authority is considering the use of Compulsory Purchase Order powers to acquire private interests, and where it is proposing to dispossess residents of their homes.

The approach to be taken to give effect to rights under The Convention is also reflected in paragraph 12 of MHCLG Guidance on Compulsory Purchase Process July 2019: "A Compulsory Purchase Order should only be made where there is a compelling case in the public interest. An acquiring authority should be sure that the purposes for which the Compulsory Purchase Order is made justify interfering with the human rights of those with an interest in the land affected. Particular consideration should be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of a dwelling, Article 8 of the Convention".

The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole", i.e. compulsory purchase must be proportionate. Both public and private interests are to be taken into account in the exercise of the Council's powers. Similarly, any interference with Article 8 rights must be "necessary in a democratic society" i.e. the proposed interference must be necessary. In pursuing the Order, the Council has to carefully consider the balance to be struck between individual rights and the wider public interest having regarded also to the availability of compensation for compulsory purchase.

10.3 **Consideration of Human Rights Issues**

Article 8(1) provides that everyone has the right to respect for his/her property, but Article 8(2) allows the State to restrict the rights to respect for the property to the extent necessary in a democratic society and for certain listed public interest purposes e.g. public safety, economic well-being, protection of health and protection of the rights of others.

In considering Articles 8 and Article 1 of the First Protocol of The Convention in the context of dispossession and compulsory purchase, it is necessary to answer the following:

- Does a right protected by these Articles apply?
- Is the interference in accordance with law?
- Does the interference pursue a legitimate aim?
- Is the interference necessary in a democratic society?

10.3.1 **Does a right protected by these Articles apply**

ARTICLE 1 of the FIRST PROTOCOL

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions..."

Clearly the dispossession of an owner of their property through the Order (and if relevant enforced rehousing) will impinge on this right. Also, as a tenancy is a possession under this provision, the rights of tenants must be taken into consideration. The Council must therefore consider all the possible justifications for this interference as detailed in considerations set out below.

ARTICLE 8

Article 8.1 provides that everyone has the right to respect for his/her private and family life, home and correspondence. Article 8.2 allows the State to restrict these rights to respect to the extent necessary in a democratic society and for certain listed public interest purposes.

The essence of this right lies in the concept of respect for the home as a right to privacy, in the same context as private and family life and correspondence. Article 8.1 does not concern itself with the person's right to the peaceful enjoyment of their home as a possession; this is dealt with under Article 1 of the First Protocol.

Clearly Article 8 does apply and therefore it is necessary for the Council to consider the possible justifications for the interference (Article 8(2)) as follows:

10.3.2 **Is the interference in accordance with law?**

There is a clear legal basis for making the Order under sections 239 and 240 of the Highways Act 1980

10.3.3 **Does the interference pursue a legitimate aim?**

The Order is necessary to implement a highway and junction improvement scheme to which there is no impediment to implementation (subject to the confirmation of the Order/SRO)

10.3.4 **Is the interference necessary in a democratic society?**

This requires a balanced judgement to be made between the public interest and the rights of individuals, and the rights and freedoms of others.

10.4 Conclusion – Human Rights.

The Council has considered the effect of the above articles of The Convention and decided that, on balance, it is in the general public interest and of benefit to the community to make the Order over and above the interest of the individuals affected.

Interference with Convention rights is considered by the Council to be justified. The Council in making this Order has noted a small number of residential properties are being acquired and therefore has had particular regard to meeting the alternative housing needs of the affected households. It has had regard to the rights of individuals to compensation in accordance with the Land Compensation Act 1973 (as amended.), the Land Compensation Act 1961 and the Compulsory Purchase Act 1965 and it is considered to be both necessary and proportionate in that the land to be acquired is the minimum to achieve this Scheme's objectives

10.5 Equalities duties

In addition, authorities must also have regard to the Public Sector Equalities Duty in determining whether to use compulsory purchase powers, and in particular the differential impacts on groups with protected characteristics. This has been considered as part of the reports to approve the making of the order.

With regards to removing/minimising disadvantages suffered by those with protected characteristics and steps that can be taken (as well as encouragement) as part of the compulsory purchase process, the Council can provide copies of the explanatory Statement of Reasons in braille, audio tape or in different languages. The Council has published all the Order core documents on its website to make them as accessible and available as early as possible. It will also provide hard copies of Order documents for those without access to the internet. Those affected by the Order are encouraged to seek professional advice and the Council will meet professional fees in appropriate circumstances. Before the compulsory purchase process, there was significant local consultation on both the emerging Development Plan and development proposals for the area.

As the Order progresses, should there be a need for a Public Local Inquiry, when choosing a venue, the Council will have regard to those with disabilities and will consider what other steps it can take in respect of eliminating/minimising discrimination for those with protected characteristics.

11. Inquiries Procedure Rules

This Statement of Reasons is not intended to be a Statement of Case in accordance with the Highways (Inquiries Procedure) Rules 1994, but a list of documents which may be referred to at an Inquiry is attached.

12. Other information of interest to persons affected.

12.1 For information about the highway proposals and the Order contact:

- | | | |
|-----|-----------------------|--|
| (a) | Engineering Enquiries | Mr Saaied Manzoor
Transport Delivery Specialist
Transport & Connectivity
Inclusive Growth Directorate
PO Box 16719
Birmingham B2 2GA
Telephone: 0121 675 6520
Email: Saaied.manzoora@birmingham.gov.uk |
| (b) | Legal Enquiries | Ms Linda Brown
Legal Services Department
PO Box 15992
Birmingham B2 2UQ
Telephone: 0121 303 3612
Email: Linda.brown@birmingham.gov.uk |

(c) Enquiries about rehousing

Carol Nicholls
Land and Property Team
Inclusive Growth Directorate
Birmingham City Council
P.O. Box 16579
Birmingham
B2 2GQ
Tel. 0121 303 1892
Email carol.nicholls@birmingham.gov.uk

Owners and occupiers affected by the order who wish to discuss a sale to the council should contact:

(c) Land Compensation,
Relocation and
Business Enquiries

Mr Azmat Mir
Birmingham Property Services
Inclusive Growth Directorate
PO Box 16255
Birmingham B2 2WT
Telephone: 0121 303 3298
Email: Azmat.mir@birmingham.gov.uk

12.2 Copies of the Order and plan and supporting documents can be inspected at the following locations during normal opening times:

12.3

Birmingham City Council
Infrastructure Projects
1 Lancaster Circus
Birmingham B4 7DQ

Tel 0121 675 6833

Between the hours of 08.45 and 17.15 Mon-Thurs and 08.45 and 16.15 Friday

OR

Summerfield Community Centre
Winson Green Road
Birmingham
B18 4EJ

Opening hours for Summerfield Community Centre:

Monday:	9.00 – 20.00
Tuesday:	9.00 – 21.00
Wednesday:	9.00 – 20.00
Thursday:	9.00 – 21.00
Friday:	9.00 – 18.00
Saturday:	9.30 – 13.00
Sunday:	Closed

12.4 **Further Advice and Assistance**

Those who own land within the Order, as well as those served with Notice of the Order by reason of a Table 2 interest, may wish to appoint a solicitor or a surveyor to help understand how the Order affects you and/or agree your compensation entitlement. It is recommended any solicitor or surveyor appointed has experience of compulsory purchase.

The Council will pay reasonable surveyor/legal fees relating to the acquisition of property of those affected. Appropriate surveyors can be found at

<http://www.rics.org/uk/>

<http://www.ricsfirms.com/>

Or suitable solicitors firms can be found at

<https://www.lawsociety.org.uk/>

<http://solicitors.lawsociety.org.uk/>

13. **Related Orders, applications or appeals which would require a coordinated decision by a confirming minister.**

The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019 has been submitted to the Secretary of State for Transport and should be considered as a related order.

Documents Supporting the Order

- BCC1 - Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019.
- BCC2 - Scheme Plan accompanying the Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019.
- BCC3 - Plan accompanying the Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019.
- BCC4 - Statement of Reasons for the Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019.
- BCC5 - The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019.
- BCC6 - Order Map accompanying the Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019.
- BCC7 - Statement of reasons accompanying the Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019.
- BCC8 - Location Plan.
- BCC9 - National Planning Policy Framework.
- BCC10 - Birmingham Development Plan – Extracts and Policies Map.
- BCC11 - The Greater Icknield Masterplan.
- BCC12 - Shopping and Local Centres SPD.
- BCC13 - Birmingham Connected "Moving our City Forward Birmingham Mobility Action Plan White Paper.
- BCC14A – West Midlands Local Cycling and Walking Infrastructure Plan 2019
- BCC14B – Birmingham Walking and Cycling Strategy Consultation Draft June 2019
- BCC15 - Cabinet report of the Corporate Director Economy: Dudley Road Improvement Project Definition Document 26 June 2018.
- BCC16 - Cabinet report of the Director of Inclusive Growth: Dudley Road Improvements Land Requirements 14 May 2019.
- BCC17 - Movement for Growth: The West Midlands Strategic Transport Plan (West Midlands Combined Authority)

BCC18 – Department for Transport funding approval for `A457 Dudley Road Improvement Scheme.

BCC 19 – Photographs