

**The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022**

**Statement of Reasons for Making the Order**

**This Statement of Reasons can be made available in large print, on audiotape and computer disc. The Council can provide versions in Braille on request, normally within 10 days. The Council can also provide versions in community languages on request, again normally within 10 days.**

**Please telephone 0121 675 6520 for any of these alternative formats.**

**If you are hearing impaired, please call us on  
Typetalk on 18001 0121 675 6520**

**The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022**

**Statement of Reasons for Making the Order**

The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022 has been made as a supplementary order to The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019 Order made on 4 November 2019.

The impact of Covid and the adoption of the Birmingham Emergency Transport Plan, meant the Dudley Road original improvement scheme was no longer deliverable and funding could not be secured to deliver the scheme as the Major Scheme Business Case (MSBC) could not be submitted within the required timescale. As such, a revised scheme has been developed, which incorporates numerous key elements of the original scheme. A full public consultation on the revised scheme, including stakeholders, was undertaken between 17th November 2020 and 15th December 2020. As part of further consultation, the revised Dudley Road

Improvement Scheme was presented to the Leader of the Council, Ward Councillors, the Cabinet Member for Transport and Environment and the NHS on the 6<sup>th</sup> July 2020.

A Levelling Up Fund (LUF) bid totaling £19.941m was submitted in June 2021 to provide capital funding to deliver the Revised Main Scheme. Approval of funding was received in October 2021.

Under the revised scheme the proposals to provide new segregated cycleways to maintain social distancing and a new bus lane will require additional land. As a result, a new Compulsory Purchase Order/Side Roads Order are required in respect of revised land requirements.

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 Department for Levelling Up, Housing and Communities Guidance on Compulsory Purchase Process and the Criche Down Rules (Updated 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 22<sup>nd</sup> March 2022

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 / Spring Hill.

This Order follows the making of The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019 on 4<sup>th</sup> November 2019 ('the First Order'). The Order includes additional land not included within the First Order but required to implement the scheme following revisions to the scheme made in 2020. The revised scheme improves facilities for walking, cycling and public transport. The Order does not replace the First Order which continues to stand. Objections made to the First Order will be considered alongside any received to the new Order.

## **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.
- 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 Car Rental. City Hospital is located at the mid-point of the scheme 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.

- 1.3 Following the completion of the Midland Metropolitan Hospital in Sandwell, the majority of the former City Hospital Site will be used for residential development and bringing forward local facilities and further employment opportunities within the area.
- 1.4 Both the Birmingham Mainline and Old Line Canals pass through the area and constitute important leisure and wildlife corridors, in addition to the West Coast Main Line 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;
  - highway known as Northbrook Street between its junction with Willow Gardens to its junction with Dudley Road
  - footway at surface level known as Northbrook Street by its junction with Dudley Road
  - land at the front of City Hospital Treatment Centre, Dudley Road together with a pedestrian access to the Treatment Centre
  - former pedestrian accessway adjacent to Najran Building and Fencing Supplies, 194 - 196 Spring Hill, Birmingham
  - corner of storage yard of Najran Building and Fencing Supplies, 194-196 Spring Hill, Birmingham

## 2. **Scheme**

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.

- 2.1 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 Icknield Port Road junction. The works to deliver the scheme comprise:
  - Realignment of the A457 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.
  - New bus lanes
  - 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.
  - Improved 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.

## 3. **The Case for Compulsory Purchase**

145969/07382024

- 3.1 Dudley Road is a four-lane single carriageway consisting of substandard lane widths. It forms a part of the Strategic Highway Network and is classified as an arterial route, attracting a high volume of traffic. Dudley Road also forms one of the emergency routes and is a diversion route for the motorway network acting as a relief should there be an incident. The existing sub-standard 4 lane single carriageway does not operate efficiently, as right turning traffic and parked vehicles often stop the flow of straight-ahead traffic due to the narrow lane.
- 3.2 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. Congestion also affects the reliability and attractiveness of bus services, while reducing the quality of the local environment for local residents and businesses.
- 3.3 At present Dudley Road has no dedicated cycle infrastructure and this, combined with high traffic volumes, parked vehicles and narrow lanes, results in very poor conditions for cycling.
- 3.4 The need for highway improvements has been recognised for a long time and has 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 replaced most of the UDP. The BDP also recognises the development potential of the Dudley Road area and the current proposals will complement developments such as Icknield Port Loop, Soho Loop, the redevelopment of City Hospital and the New Midlands Metropolitan Hospital.
- 3.5 The proposed junction improvements with intelligent traffic signal control, realigned highway at pinch-points and parking/waiting restrictions would allow better through traffic flow along the corridor. This should not only help to alleviate existing congestion but will ensure the highway infrastructure can cope with the extra trips generated by additional housing. Alongside this, new bus lanes and the installation of dedicated cycle infrastructure, mean the scheme will improve multi-modal access along the corridor.
- 3.6 The anticipated benefits to the area include:
  - (a) Improved pedestrian and cycle links  
The provision of new shared and segregated cycle ways together with the new toucan crossings will enhance active travel.
  - (b) Increased highway capacity and bus lanes  
The realignment of the carriageway and introducing standard lane widths to accommodate bus lane provision and improved capacity at major junctions along the A457 Dudley Road route which forms an important part of the city’s Strategic Highway Network. Bus lanes which will improve bus service reliability.
  - (c) 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 Birmingham Treatment Centre, the new Midland Metropolitan University Hospital, Dudley Road local centre, the city centre, as well as a wide range of other businesses across this part of the city.
  - (d) Improve access to regeneration areas

To provide improved access to and within the Greater Icknield area which is targeted for regeneration in the BDP and for the City Hospital, Icknield Port Loop and Soho Loop development sites. Access will also be improved to the Grove Lane development area in Sandwell which lies immediately to the west.

(e) Local environment enhancements

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 ongoing project delivery. In respect of the impact on existing trees, the intention is that wherever possible good quality trees will be retained. For example, the routing of the proposed cycle track on the City Hospital frontage ensures that existing trees, which are now subject to a tree protection order (see below) are retained. Elsewhere, 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 and several packages of landscaping improvements along the route are being designed. 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.

(f) Improved efficiency for all road users

The scheme improves sustainable transport facilities and better manages vehicular traffic, with the objective of allowing all road users to move more efficiently along the corridor

(g) Reduced journey times

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

3.7 The Department for Levelling Up, Housing and Communities (DLUHC)

Guidance on Compulsory Purchase Process and the Crichel Down Rules (Updated 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.

3.8 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”.

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

3.9.1 there is a compelling case in the public interest. This statement and the supporting documents provide comprehensive evidence as to the economic, social and environmental benefits that the scheme would deliver. The scheme will support economic growth by reducing congestion and improving journey times for all vehicles including important bus routes, improving pedestrian and cycle facilities and improving accessibility to key employment areas, regeneration areas and development sites. Together these factors will enhance the local economy. Social and environmental benefits would also result in terms

of improved air quality and a higher quality walking and cycling environment on Dudley Road. The Council considers all these factors demonstrate a compelling case in the public interest. Paragraph 3.6 above sets out more detail regarding the benefits of the scheme.

- 3.9.2 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.
- 3.9.3 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 22 March 2022) for the highway improvements see paragraph 2.2 above and document BCC 3.
- 3.9.4 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.
- 3.9.5 the Council can show that the scheme is unlikely to be blocked by any impediments to implementation. Other orders such as the Side Roads Orders and 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 (as amended).  
All that is now required is the confirmation of the Order alongside the First Order together with confirmation of Side Roads Orders after which the Council will be in a position to deliver the junction improvement scheme.
- 3.9.6 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.
- 3.10 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. Additional context is provided by Movement for Growth – the West Midlands Strategic Transport Plan and the West Midlands Local Transport Plan 2011-2026 and other policies of the council as detailed in section 4 below. The purpose for which the land is being acquired fits within this clear strategic policy framework.
- 3.11 The scheme has the necessary City Council approvals, has been subject to significant consultation and has a funding bid for delivery of the revised main scheme approved from the Levelling Up Fund. 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.

- 3.12 Alternative means to achieve the scheme have also been considered. In light of the unprecedented impact of the Covid-19 pandemic, delivery of the scheme was delayed. Furthermore, as a result of the need to introduce social distancing measures to combat the spread of the virus, the approval of the associated Emergency Transport Plan (ETP) and guidance from central government, a decision was made to undertake a review of the original scheme. A study to assess the feasibility of making significant changes to the scheme in-line with the ETP has been undertaken and following discussions with the Department for Transport (DfT) a Revised Scheme has been agreed. This review responds to the Birmingham Emergency Transport Plan published in May 2020 that has identified new challenges and opportunities for travel that the Covid-19 pandemic has presented. New data indicates that during this period many of us are choosing to travel by walking and cycling, this has reduced congestion on the highway network and provides an opportunity to consider the reconfiguration of road space for new walking and cycling provisions in accordance with the DfT's LTN 1/20 design guidance alongside public transport travel as Birmingham builds on the recovery.
- 3.13 The Council has considerable experience of successfully delivering highway schemes requiring compulsory purchase orders, including: removal of the Masshouse Circus Gyrotory, Selly Oak New Road, Northfield Relief Road, Iron Lane/Flaxley Road/Station Road Stechford Junction Improvement.

#### 4. **Policy Framework**

##### 4.1 **Planning Permission**

- 4.2 The Council does not consider that an express grant of planning permission is required for the scheme as it would be permitted development under Schedule 2 Part 9 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 4.3 Class A defines permitted development as the carrying out by a highway authority
- 4.4 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
- 4.5 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.

##### 4.6 **Strategic Policy Framework**

- 4.6.1 The following sections summarise relevant planning and transport policies at the national and local level which together provide the strategic policy framework for the making of the Order. In particular it sets out how the proposals for the scheme are in accordance with policies both at the national and local level.

##### 4.7 **The National Planning Policy Framework BCC9**

- 4.7.1 Development proposals accord with national guidance in the National Planning Policy Framework (NPPF) (Revised 2021).
- 4.7.2 Section 2 of the Framework confirms the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7).

- 4.7.3 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
- 4.7.4 Section 5 of the Framework deals with delivering a sufficient supply of homes and paragraph 60 sets out it is important that a sufficient amount and variety of land can come forward where it is needed. The scheme will help unlock residential development sites that have been identified through both the Council's Strategic Housing Land Availability Assessment and the Birmingham Development Plan.
- 4.7.5 Section 6 of the Framework deals with building a strong, competitive economy and paragraph 81 sets out that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 82 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.
- 4.7.6 Section 8 of the Framework relates to promoting healthy and safe communities. Paragraph 92 a) refers to street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods.
- 4.7.7 Section 9 of the Framework covers promoting sustainable transport and paragraph 104 sets out that transport issues should be considered from the earliest stages of plan making and development proposals. In particular sub-paragraph c) outlines that opportunities to promote walking, cycling and public transport use should be identified and pursued.
- 4.7.8 Section 11 of the Framework deals with making effective use of land. Paragraph 119 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.

#### **4.8 The Birmingham Development Plan 2031(BDP) BCC10**

- 4.8.1 The Council's BDP was adopted on 10 January 2017. It was subject to significant public consultation, examination in public, Inspector's report and modifications. It replaced the majority of the Unitary Development Plan (UDP). A number of design policies and city-wide policies within the UDP were retained pending the adoption of the Development Management in Birmingham Development Planning Document. The Development Management in Birmingham DPD was adopted on 7 December 2021.
- 4.8.2 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.

- 4.8.3 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 is titled 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 Place making 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 include 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 has guided the development of the scheme that will contribute to the city’s growth agenda.

- 4.8.4 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 at a number of growth areas which will play an important role in providing homes, jobs and supporting facilities. The Growth Areas include Greater Icknield– an area which is bounded by City Road, Winson Green Road, Pitsford Street, Icknield Street and includes part of the city centre and City Hospital – which is the subject of policy GA2 and which is proposed to accommodate the delivery of 3,000 new homes. As one of the 10 main growth areas in the city, Greater Icknield is vital to delivering the BDP’s development strategy.

- 4.8.5 Policy GA2 states that as part of the developments in the growth area local facilities and employment opportunities will be brought forward to support the delivery of a sustainable neighbourhood. The supporting text to Policy GA2 identifies that improvements to the road (the Dudley Road) between City Road and the Ring Road will be needed as part of future proposals for the area.

- 4.8.6 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.

- 4.8.7 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 policy TP 38 is titled A

Sustainable Transport Network. Paragraph 9.2 of the supporting text to this policy 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.”

4.8.8 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 Dudley Road scheme accords with all three of these objectives. It provides better connectivity for businesses and communities in this part of the city; it facilitates residential, industrial and other development and incorporates an enhanced environment for both cyclists and pedestrians.

4.8.9 Policy 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.

4.8.10 Policy 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.”

4.8.11 The proposal incorporates cycling provision with dedicated or shared cycle lanes throughout the scheme.

4.8.12 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 measures and infrastructure, and the development and extension of metro/bus rapid transit to facilitate the improvement of the public transport offer on key corridors. The scheme supports this through its introduction of bus lanes.

- 4.8.13 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.
- 4.8.14 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.
- 4.8.15 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.
- 4.8.16 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.
- 4.8.17 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 at Port Loop, Soho Loop and City Hospital. The Dudley Road local centre is shown.
- 4.8.18 A number of development schemes are being brought forward in accordance with the BDP. Significant residential development is on site at Port Loop, which will deliver 1,400 homes and at Soho Loop, which will deliver 770 homes. The parts of the City Hospital site that will be redeveloped following the opening of the Midland Metropolitan University Hospital have been acquired by Homes England. Homes England is preparing an outline planning application for the site which has potential to deliver up to 1,000 homes.

- 4.8.19 Finally, work has commenced on the review and updating of the BDP, through preparation of the new Birmingham Plan. The new Birmingham Plan, which will eventually replace the BDP as the local plan for Birmingham, is at an early stage of the plan-making process. The June 2021 Local Development Scheme for Birmingham sets out the timetable for plan-making with an issues and options consultation in 2022 leading to a preferred options consultation in 2023, submission for examination in 2024 and plan adoption in 2025.

4.9 **Greater Icknield Masterplan 2016 BCC27 and the Smethwick to Birmingham Corridor Framework Supplementary Planning Document 2022 BCC34**

- 4.9.1 The Greater Icknield Masterplan was approved by the City Council in February 2016. Its main proposals supported the preparation of and are reflected in policy GA2 of the BDP and the adopted BDP policies map, as outlined above.
- 4.9.2 Reference is made in the Masterplan to the proposed road improvement scheme which the Order will facilitate.
- 4.9.3 The Smethwick to Birmingham Corridor Framework Supplementary Planning Document was adopted on 8 February 2022. The Corridor Framework was prepared jointly by Birmingham City Council and Sandwell Council working with The West Midlands Combined Authority, Homes England, Sandwell and West Birmingham Hospitals NHS Trust and the Canal & River Trust. The Corridor overlaps part of the area covered by the Greater Icknield Masterplan, including the City Hospital redevelopment site. The Corridor Framework SPD updates the guidance in the Greater Icknield Masterplan for the corridor area.
- 4.9.4 The Corridor Development Framework sets a vision and guiding principles for development in the corridor of the A457 Dudley Road/Soho Way between Ladywood Middleway and Smethwick Galton Bridge Station. One of the guiding principles identified is ‘An active travel exemplar’. This principle states “With thriving local centres, mixed land uses and public transport links the corridor has many of the ingredients for 15-minute neighbourhoods in which residents can access most of the facilities they need within 15 minutes’ walk. The missing elements currently are walkability and cycling infrastructure. This framework set the way forward to addressing that.”. The Dudley Road scheme supports this guiding principle through providing improved walking and cycling facilities.

The Corridor Framework also includes a transport strategy for the corridor (chapter 5). That transport strategy identifies “numerous challenges in respect of the current operation of the transport network in the corridor” including “Significant peak period congestion on the principal highway network”, “Bus journey times and reliability are adversely affected by general traffic congestion and the lack of priority”, “Conditions for cycling on-street are generally very poor across the core and wider areas, with little to no separation from motor traffic” and “walking conditions (...) are similarly poor”. The Dudley Road scheme is a critical step to addressing these issues. This is recognised in the Corridor Framework by the inclusion of the Dudley Road scheme in the

list of corridor transport schemes at Table 1 and in Plan 41 which shows how the cycling scheme will fit into a wider corridor-long cycling route.

- 4.9.5 The Corridor Framework also illustrates that the Dudley Road scheme is an important piece of a wider cross-boundary regeneration corridor which is described as “one of the most significant areas of brownfield renewal in Europe, with potential to deliver 4,000 new homes”. The renewal sites include the Grove Lane area around the new Midland Metropolitan University Hospital, which lies immediately to the north of Dudley Road and is subject to a separate masterplan (jointly prepared by Birmingham City Council and Sandwell Council) which was approved by both councils’ cabinets alongside the Corridor Framework.

#### **4.10 Birmingham Transport Plan 2031 BCC14**

- 4.10.1 The Birmingham Transport Plan (BTP) was adopted by the council in October 2021.
- 4.10.2 The BTP identifies four principles which include: reallocating road space away from prioritising private cars towards public transport and active travel; prioritising active travel in local neighbourhoods; and managing demand through parking measures.
- 4.10.3 These principles support the BTP’s objectives to support a healthy and just society, economic success and a better environment with reduced carbon emissions.
- 4.10.4 Key delivery components of the reallocating road space principle are identified as including the introduction of cross city buses and new segregated cycle routes along main commuter corridors. The Dudley Road scheme provides bus priority to support the cross city bus route. It also provides a segregated cycle route along a main commuter corridor.
- 4.10.5 Similarly, future steps in support of the ‘prioritising active travel in local neighbourhoods’ principle are identified as including a pedestrian crossing improvements programme. The Dudley Road scheme will deliver improved pedestrian crossings.
- 4.10.6 Finally, the ‘managing demand through parking measures’ principle will be supported by prioritising public transport and cycling provision over car parking provision. The Dudley Road scheme support this through its proposed parking/waiting restrictions.

#### **4.11 Birmingham’s Green Agenda**

- 4.11.1 On 11 June 2019 the Council declared a climate emergency and set an ambition to become net zero by 2030, or as soon as possible thereafter as a ‘just transition’ allows. On 25 June 2019 the Council’s Cabinet agreed to add a new priority to the Council Plan which states that Birmingham will be “a city that take a leading role in tackling climate change”. The new carbon reduction target replaces the original target to

reduce carbon dioxide emissions by 60% by 2027 which was supported by 'Birmingham's Green Commission Carbon Roadmap' (2013).

- 4.11.2 The Dudley Road scheme's improvement of facilities for sustainable transport and bus travel will play an important role in realising the Council's net zero ambitions. The proposals will also implement a landscaping strategy by retaining good quality trees where possible, providing replacement trees and planting and bringing an uplift to identified areas.
- 4.11.3 Air quality is expected to improve due to the reduced vehicle delays at junctions and as road users turn to alternative travel choices.

#### 4.12 **Birmingham Walking and Cycling Strategy and Infrastructure Plan 2020 BCC31**

- 4.12.1 The Strategy included as its Policy 5 'Walking and Cycling Infrastructure' the design, development and promotion of places to walk and cycle that are safe, convenient, comfortable, direct and coherent. Actions to support this policy include focussing high-quality design including protected infrastructure for cycling on main corridors.
- 4.12.2 The infrastructure plan identifies Icknield as a proposed core walking zone – a priority area for walking improvements.
- 4.12.3 The Dudley Road 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. Similarly, the scheme will provide improved conditions for walking. The proposal will therefore contribute to the objectives of the Strategy. 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. Adjacent to Dudley Road corridor the Birmingham to Wolverhampton canal route has recently been upgraded and forms part of the National Cycle Network (NCN5)

#### 4.13 **Movement for Growth: The West Midlands Strategic Transport Plan (West Midlands Combined Authority) BCC18**

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. Annex 1 to Movement for Growth identifies the Dudley Road as part of Corridor G (Stourbridge-Halesowen-West Bromwich-Birmingham). The Annex identifies that the corridor has much new housing planned and that transport issues include peak congestion on the A457 and bus reliability with bus 87 on the Dudley Road a core bus route. The Dudley Road improvement scheme is identified as among planned and proposed schemes in the corridor.

## 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 £32.135m including, works, statutory undertakers, land, fees and contingency provision. Through the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP), provisional approval of the outline business case was granted as part of the GBSLEP Local Growth Fund (LGF) programme of transport and connectivity projects in November 2020 with an allocation of £5.043m for scheme development.

On 20<sup>th</sup> 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).

- 5.3 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.
- 5.4 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 BCC37 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 relating to the First Order.
- 5.5 A review to align the scheme to the BCC Emergency Travel Plan following the
- 5.6 Covid-19 pandemic was undertaken in June 2020, with the BCC outline business case approved in November 2020. The revised scheme improves facilities for walking, cycling and public transport.
- 5.7 The scheme changes require additional land not included within the First Order and there is consequently a need for the new Order.
- 5.8 A bid to the Central Government's Levelling Up Fund (LUF) was made in June 2021, with a financial contribution of £19.941m requested to undertake the Revised Main Scheme Delivery.
- 5.9 The Revised Main Scheme Full Business Case was approved by BCC Cabinet in March 2022 to enable delivery of the revised scheme.

- 5.10 The capital cost of the scheme is £32.135m (including, works, contingency, statutory undertakers, land costs and fees). The project is jointly funded by the GBSLEP, BCC, s278 Agreement and the Levelling Up Fund:

<b>CAPITAL FUNDING</b>	<b>Prior Years</b>	<b>2020/2021</b>	<b>2021/2022</b>	<b>2022/2023</b>	<b>Future Years</b>	<b>Total</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
DfT	500					500
GBSLEP		3,193	1,850			5,043
BCC	1,033	(82)	761	1,789	2,000	5,501
Section 278			1,150			1,150
Levelling Up Fund			645	5,241	14,055	19,941
<b>Total Capital Funding</b>	<b>1,533</b>	<b>3,111</b>	<b>4,406</b>	<b>7,030</b>	<b>16,055</b>	<b>32,135</b>

- 5.11 The highway infrastructure works were tendered as a single procurement exercise to include, Phase 1 (including Stage 1 - ECI and Stage 2 - Detail Design) and Phase 2 (Stage 3 - Works), under the terms and conditions of contract of the NEC3 ECC (dated April 2013), Main Option C – Target Contract with Activity Schedule, through Council's Highways and Infrastructure Works Framework 2014 to 2018 (extended until 31st March 2020), Lot 4 (£500,000+). The procurement process consisted of Part 1 Expression of Interest (Eoi) and Pre-Selection followed by Part 2 - Further Competition. A contract for Stages 1 and 2 was approved by the Assistant Director of Transport and Connectivity under delegated approval given by Cabinet on 26th June 2018. Following completion of the detailed design, Stage 3 will be awarded to McPhillips (Wellington) Ltd to deliver the Revised Main Scheme as per the previously approved procurement process (subject to agreement of contract price).
- 5.12 In the event of the failure to agree a contract price with McPhillips (Wellington) Ltd, a procurement exercise(s) will be undertaken for the delivery of future phases of the Revised Main Scheme. This may result in up to 6 procurement exercises for individual work packages. The procurement route will be to advertise the opportunity on Find a Tender, Contracts Finder and [www.finditinbirmingham.com](http://www.finditinbirmingham.com). The evaluation criteria for each work package will be set based on its complexity with a higher quality weighting over price for more complex schemes with social value having a minimum weighting of 20%.

## 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.
- 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 On 17 February 2022 Birmingham City Council made The Birmingham (Birmingham City Hospital, Dudley Road, Birmingham) Tree Preservation Order 2022 (BCC36). This tree preservation order will continue in force for a period of up to 6 months from the date it was made, or until the TPO is confirmed by the Council, whichever occurs first. At the time of writing landowners and other interested parties have an opportunity to make representations on the TPO and following consideration of those representations the Council will decide whether the TPO should be confirmed. The TPO covers the trees on the City Hospital and Birmingham Treatment Centre frontage. The scheme has been designed to avoid those trees which will be retained. However, the scheme will involve the removal of up to three trees which are subject to the TPO.

6.4 Therefore, an application will be made under section 16 of The Town and Country Planning (Tree Preservation) (England) Regulations 2012 for consent to remove the trees required to implement the scheme. In deciding to grant consent for the cutting down of trees pursuant to an application, the Planning Practice Guidance (PPG) advises:

“In considering an application, the local planning authority should assess the impact of the proposal on the amenity of the area and whether the proposal is justified, having regard to the reasons and additional information put forward in support of it.” (Paragraph: 089 Reference ID: 36-089-20140306)

- 6.5 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 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.
- 7.3 In October 2021 the Department for Levelling Up, Housing and Communities announced that the scheme had been awarded £19,941,000 from the Levelling Up Fund.

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

- 8.1 Land referencing and comprehensive negotiations have been undertaken by Birmingham City Council Property Services (BPS) with those owning interests affected by the scheme since 2019.
- 8.2 Over the last three years, the following steps have been undertaken to acquire land; letter drops to businesses/owners, telephone calls, emails and numerous meetings have been organised with respective land owners. To date, the council has been successful in securing the majority of land required for the scheme by negotiated settlement in all but four cases.
- 8.3 There have been ongoing weekly meetings between the Council and the Sandwell & West Birmingham Hospitals NHS Trust's operational representatives concerning delivery of the Western Road Junction works and the development of the revised scheme cycle track proposals with additional email correspondence on a regular basis through most of 2021 and 2022. Although progress is being made with respect to the potential acquisition, it is considered that the use of compulsory purchase powers is now required should the voluntary negotiations not be completed or if they cannot be completed withing a reasonable timeframe.
- 8.4 The Council have notified the owners for the premises known as Najran Building and Fencing Supplies, of the proposal for the A457 Dudley Road Improvements Scheme, and the Council's intention to acquire the property through voluntary acquisition of the necessary land and progressed negotiations to reach an acceptable settlement.

## 9. **Consultation**

- 9.1 The proposals for Dudley Road are, as outlined above, in accordance with policies set out in key Council documents including the Birmingham Development Plan and Smethwick to Birmingham Corridor Framework SPD. Each of these documents has been subject to consultation and subsequent adoption.
- 9.2 A public consultation exercise regarding detailed proposals took place during November and December 2020 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, 104 responses were received via online webpage (BeHeard), Email, and consultation events which included cycling groups and other key stakeholders.
- 9.5 Analysis of the responses provided indicates strong support from key stakeholders for the proposed improvements along the entire length of the scheme. Members of the public and stakeholders indicated that the proposed improvements meet the schemes objectives. The analysis shows that 61% of the members of the public either fully support or partially supported the scheme.

## 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

### 10.2 **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. “

### 10.3 **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 DLUHC Guidance on Compulsory Purchase Process (Updated 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.

### 10.4 **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?

10.4.1 **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:

10.4.2 **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

10.4.3 **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)

10.4.4 **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.

10.5 **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

## 10.6 **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 set out below. The Council reserves the right to introduce such other additional documents as may be relevant to any public inquiry.

## 12. **Other information of interest to persons affected.**

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

- (a) Engineering Enquiries      Mr Robert Warner  
Principal Transport Delivery Officer  
Transport & Connectivity  
Inclusive Growth Directorate  
PO Box 16719  
Birmingham B2 2GA  
Email: [robert.warner@birmingham.gov.uk](mailto:robert.warner@birmingham.gov.uk)
- (b) Legal Enquiries      Ms Linda Brown  
Legal Services Department  
PO Box 15992  
Birmingham B2 2UQ  
Email: [Linda.brown@birmingham.gov.uk](mailto:Linda.brown@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  
Email: [Azmat.mir@birmingham.gov.uk](mailto: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:

Birmingham City Council  
10 Woodcock Street  
Aston  
B7 4BL

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

### 12.3 **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 [Rics- Royal Institution of Chartered Surveyors](#)  
[Rics Firms](#)

Or suitable solicitors firms can be found at  
[Law Society.org.uk](#)  
[Solicitors Law Society](#)

### 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

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

The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order (No.2) 2022



## **Documents Supporting the Order**

- BCC1 The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and Other Works) Order (No.2) 2022.
- BCC2 Plan accompanying The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood (A457 Classified Road) (Side Roads and Other Works) Order (No.2) 2022.
- BCC3 Scheme Plan accompanying The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and Other Works) Order (No.2) 2022.
- 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 (No.2) 2022.
- BCC5 The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019.
- BCC6 Plans accompanying The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order 2019.
- BCC7 Statement of Reasons for 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
- BCC11 Birmingham Cycle Revolution.
- BCC12 Consultation Schedule/letters and consultation area map Summary
- BCC13 Birmingham Emergency Transport Plan
- BCC14 Birmingham Transport Plan
- BCC15 Dudley Road Improvement Project Definition Document (PDD)
- BCC16 Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) Strategy for Growth
- BCC17 Strategic Economic Plan
- BCC18 Movement for Growth 2026 Delivery Plan for Transport
- BCC19 Birmingham Connected Transport Strategy

- BCC20 Birmingham Clean Air Strategy - Brum Breathes 2022
- BCC21 Cabinet Reported dated 22<sup>nd</sup> March 2022
- BCC22 The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022
- BCC23 Plans accompanying The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022.
- BCC24 Statement of Reasons for The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) Compulsory Purchase Order (No.2) 2022.
- BCC25 The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood) (A457 Classified Road) (Side Roads and other Works) Order 2019
- BCC26 Modified Plan accompanying The Birmingham City Council (Dudley Road Winson Green/Spring Hill Ladywood (A457 Classified Road) (Side Roads and other Works) Order 2019
- BCC27 The Greater Icknield Masterplan
- BCC28 Shopping and Local Centres SPD
- BCC29 -
- BCC30 West Midlands Local Cycling and Walking Infrastructure Plan 2019
- BCC31 Birmingham Walking and Cycling Strategy and Infrastructure Plan 2020
- BCC32 LUF/Department for Transport approval for A457 Dudley Road Improvement Scheme.
- BCC 33 Photographs
- BCC 34 Smethwick to Birmingham Corridor Framework Supplementary Planning Document
- BCC 35 Department for Transport Circular Highways Act 1980 Orders under section 14 of the Highways Act 1980 SROs
- BCC 36 The Birmingham (Birmingham City Hospital, Dudley Road, Birmingham) Tree Preservation Order 2022
- BCC 37 Cabinet report of the Director of Inclusive Growth, Dudley Road Improvement - Land Requirements