

STATEMENT OF REASONS

relating to

**The Wigan Borough Council (M58 Orrell – Pemberton Link Road, Wigan)
Compulsory Purchase Order 2018**

**Wigan Borough Council
Town Hall
Library Street
Wigan Council
WN1 1YN**

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STATEMENT OF REASONS

1. Introduction

- 1.1 This document is the Statement of Reasons of Wigan Borough Council (Acquiring Authority) for the making of a compulsory purchase order entitled Wigan Borough Council (M58 Orrell - Pemberton Link Road, Wigan) Compulsory Purchase Order 2018 ("the CPO"). In this Statement of reasons the land included in the CPO is referred to as "the Order Land".
- 1.2 This Statement of Reasons has been prepared in compliance with paragraphs 35 and 36 Appendix R of the OPDM Circular 06/2004: 'Compulsory Purchase and the Crichel Down Rules' and the Local Authority Circular 2/97 (Department of Transport)'.
- 1.3 Wigan Borough Council of Town Hall, Library Street, Wigan WN1 1YN (Acquiring Authority) has made the CPO under sections 239 and 240 of the Highway Act 1980.
- 1.4 The purpose of the CPO is to facilitate the construction and improvement of a highway on the Order Land.
- 1.5 If confirmed by the Secretary of State for Transport the Order will enable the Acquiring Authority to acquire compulsorily the land included in the Order ("the Order Land") to facilitate the Scheme described in paragraph 3.1 of this Statement of Reasons.

2. Description of the Order Land

- 2.1 The Order map identifies the interests to be acquired (coloured pink). The result of enquiries, title checks and the service and placing of notices has identified various freehold and leasehold interests along with land in unknown ownership. The schedule to the Order also lists those parties who may have a qualifying interest. Save where expressly excluded, the Acquiring Authority seeks to acquire all relevant interests in the Order Land.
- 2.2 The extent of the Order Land is shown coloured pink on the CPO map appended to the CPO. Individual plot boundaries and numbers on the CPO map correspond with the Schedule to the CPO.
- 2.3 The Order Land follows a route from J26 M6 to connect in with the A49 at Goose Green, Wigan. The Scheme includes grazing land, acquired residential properties, scrub land and a development site. A section of the Order Land is adopted highway.
- 2.4 The route begins at J26 M6 on what was initially unregistered land. Following ongoing discussions Highways England is in the process of registering the

plot with a view to formally agreeing dedication of the land to the Acquiring Authority for the Scheme.

- 2.5 A small section of a sports field is required to facilitate the connection of new highway with J26 M6 and formal agreement is to be signed to facilitate the replacement sports pitch within the owners existing boundary along with additional improvements to facilities on the site. It is deemed this does not require Section 19 Acquisition of Land Act 1981 consent as the sports facilities are within private ownership and the owners will receive better facilities as a result of land take in accordance with the requirements of Sport England.
- 2.6 A residential property acquired in 2015 known as 133 Brook Lane, will require demolition.
- 2.7 There are areas of the route, along Leopold Street and Billinge Road, which are bounded by residential properties and businesses. The Scheme does not require any land take from these adjoining properties.
- 2.8 There are improvements to be made to the junction at Billinge Road and Enfield Street. This section of the adopted highway and adjoining land runs over an operational rail tunnel. Discussions are ongoing with Network Rail to formalise an agreement.
- 2.9 A new highway will be constructed on the former Pemberton Colliery site. This site is in private ownership and the Acquiring Authority and land owners have been in discussions for some years to progress development of the site.

3. Purpose of the CPO and the CPO scheme

3.1 Purpose of the CPO

- 3.1.1 The purpose of the CPO is to secure the assembly of the land which is required for use by the Acquiring Authority in connection with the construction of a classified road (M58 Link Road) and associated accommodation works and improvement of the highway.
- 3.1.2 The link road will provide a new high-profile gateway into Wigan town centre from the M58/M6, linking the Lamberhead Industrial Estate, the Pemberton Colliery site and the new Westwood Park employment site to the strategic highway network. The scheme includes improvements at junction 26 of the M6, which will accommodate the change in traffic flows and mitigate the impact on the strategic route network (SRN) once the link road is constructed.
- 3.1.3 The M58 link will create a completely new road from junction 26 of the M6, crossing Brook Lane and connecting onto the western end of

Leopold Street. Leopold Street itself will be widened along its southern side, and a new section of road constructed near to the eastern end of Leopold Street connecting through to Billinge Road. New traffic signalled controlled junctions will be constructed at Kilshaw Street/Leopold Street and Billinge Road / Pemberton Structure with the new road continuing eastwards connecting to Smithy Brook Road.

3.1.4 A new shared use path along its entire length will provide enhanced sustainable transport connections for local trips between communities and to the town centre. The connection to the new A49 link road will provide a continuation with sustainable travel links to the local facilities along the Poolstock corridor, the canal towpath, Wigan Flashes and interfaces with the proposed Cycle City Ambition Grant 2 funded works.

3.1.5 The Joint Strategic Needs Assessment identifies cardiovascular disease, chronic obstructive pulmonary disease, Cancer and Obesity as key health issues for the Borough. These health issues affect residents in all parts of the borough but are more prevalent in the most deprived areas. The main causes of death for both men and women are circulatory diseases, respiratory diseases, cancer and digestive conditions. Promoting more active lifestyles, including active travel modes can fundamentally improve the health of our residents. Whilst the M58 Link is primarily a new highway connection to the M6/M58 Centre, as part of the wider scheme, improved cycling measures will be provided alongside the new road to complement those alongside the A49 link road. Furthermore, the new Westwood Flashes visitor centre proposed as part of the Westwood Park development will open up the Wigan Flashes and the wider Greenheart Regional Park to more residents and visitors, promoting walking and cycling as a leisure pursuit.

3.2 The CPO Scheme

The three main scheme objectives are:

- Enhanced Connectivity;
- Reduced Congestion; and
- Economic Growth

3.2.1 The CPO scheme (also known as the M58 Link Road, or "M58LR") consists of a 2.3km, 30mph single carriageway connecting Junction 6 of

the M58 & Junction 26 of the M6 to the southern part of Wigan Town Centre, via the A49 at Smithy Brook Road.

The M58 LR scheme is split into three sections:

Section 1 – Upgrade of existing M6 junction 26

Upgrade works are required to the two roundabouts under the M6 to mitigate the effects of the proposed M58 LR on the SRN.

These works will include:

- Full signalisation of the eastern roundabout
- Additional lane gain at critical points
- Flare length extension on southbound slip entry approach
- Construction of a new arm on the eastern roundabout to provide access for the proposed M58 Link Road
- Additional lane gains at critical points within the junction.

The current eastern motorway roundabout junction (M6 J26) and slip road to the A577 Orrell Road is to be de-specialised to allow all vehicle classifications the ability to negotiate.

Section 2 – Construction of a new link road from the M6 junction 26 to Billinge Road

These works will include:

- Creation of new road across land currently used for ad-hoc grazing
- Widening along the southern side of Leopold Street (existing carriageway)
- Widening works and bridge parapets at Network Rail's Pemberton Bridge on Billinge Road, with potential refurbishment works of the structure
- Introduction of pedestrian and cycling facilities
- Installation of controlled pedestrian crossing facilities

Section 3 – Construction of a link road through the Pemberton Colliery development site, connecting Billinge Road to Smithy Brook Road

These works will include:

- Creation of a new road across brownfield land
- Introduction of pedestrian and cycling facilities
- Installation of controlled pedestrian crossing facilities

3.2.2 There are no listed buildings or special category land affected by the Scheme.

3.2.2 Existing problems

3.2.2.1 Congestion

- The A577 Ormskirk Road is a highly-congested local road with a large number of side roads accessing onto the route. It is a historic link which was not designed to cater for the level of traffic currently using it and provides a particularly poor connection for freight wishing to access the Motorways, but for which there is currently no other viable option.
- The result is significant amounts of congestion along the A577 which impacts adversely on the quality of the environment for the local residents.
- Department for Transport (DfT) Trafficmaster data for 2017 identifies the worst congestion hotspots in the borough with the A577 Ormskirk Road Orrell Post junction being one of the worst (GMTU Wigan Congestion Study Sept 2010, Report 1579).
- Traffic approaching the Orrell Post junction is recorded to have some of the lowest morning and evening peak period speeds of less than 10mph. In contrast general average speeds in the morning peak on the roads around the centre of Wigan and those approaching from Aspull, Ince-in-Makerfield and Worsley Mesnes are between 15 and 30mph.
- The relatively low capacity in relation to traffic volumes, allied with terraced residential frontages and local amenities and number of side roads, results in peak and some off peak congestion and queuing. As a major route for traffic accessing the Town Centre from the west of the Borough and the M6, congestion issues that are currently present act as a constraint to Wigan Town Centre access and increase journey times. Interventions to alleviate congestion on the A577 within the remit of the existing infrastructure have been assessed; however this is limited to Traffic Regulation Orders to ban on street parking to assist flow and traffic signal software updates and is not therefore considered to provide the required level of impact.
- The congestion issues along the A577 corridor can on occasions impact on bus journey reliability, to the detriment of bus passengers and local residents. The removal of through traffic will assist bus services in maintaining timetables.
- The A577 passes through Pemberton Shopping Centre, which is a vibrant local facility with many shops and services provided to local people. The congestion and number of goods vehicles in particular can on occasions be detrimental to shoppers and visitors to the local centre. The removal of some

through traffic will make Pemberton centre a better place for shoppers, increasing the viability and vitality of the centre.

3.2.2.2 Connectivity

- Accessibility and connectivity, in particular to strategic networks, is a key factor for economic growth and attracting investment. Although strategically located at the heart of the North West's road and rail transport networks there is a perception that Wigan is less well regarded as a location to do business due to access constraints. This factor has significance both in terms of attracting investment and for the performance of businesses located in the Borough.
- Poor highway access is one of the key factors hindering investment in the borough resulting in "supply constrained demand" employment land. This issue is particularly pertinent to the west of Wigan where, despite proximity to the M6, poor access to the motorway and also into the town centre weakens the case for investment.
- The Acquiring Authority has recently delivered improvements to the Saddle junction including a new link road between Wallgate / Pottery Road and the Saddle junction (previously one of the worst congestion areas in the borough). This successful scheme provides enhanced connections to the town centre from the west, but does not provide the wider accessibility and connectivity improvements to the motorway network required to unlock opportunities for economic growth and development at Pemberton Business Park and areas to the east of the town.
- The M58 Link Road and subsequent connection through to Pemberton Colliery will provide a much-needed catalyst to bring about the development of sites, by improving accessibility and investment potential.
- The combination of the M58 Link Road and the A49 Link Road (a new, strategic 40mph dual carriageway, connecting the A49 Warrington road to Westwood Park and Wigan Town Centre); as well as the already constructed Saddle Relief Scheme will substantially assist in bringing forward new employment opportunities whilst protecting and enhancing existing sites such as Lamberhead Industrial Estate.

Economic Growth

- The Acquiring Authority has a vision to create an east-west multi-modal corridor across the borough, providing enhanced motorway connectivity from

the M6 across to the M61 and unlocking key development sites for housing and employment use.

- The development of an east to west link road proposed through the Housing Infrastructure Fund (HIF), from the M6 J26 in the west to M61 J5 in the east, aims to promote economic growth. It will unlock over 50 hectares of employment land and facilitate the building of more than 11,000 new homes, and will relieve traffic congestion and the associated environmental impacts of traffic generated by this growth.
- The provision of fully connected infrastructure is a vital part of the Council's economic growth strategy, supporting future growth and regeneration of the borough as a place to live, work and do businesses. Improved access to national networks will help attract investment and businesses to Greater Manchester and make existing businesses more competitive, creating new high quality jobs and opportunities.
- The M58 LR forms a major piece in the jigsaw to improve the east-west connections across the borough, however the scheme is viable and beneficial as a stand alone scheme, providing high value for money.
- The M58 LR is a crucial element in improving the Borough's accessibility and will boost the economic performance and profile of Wigan by regenerating existing employment sites, facilitating the development of new employment sites and assisting in establishing new residential developments. This supports plans for improving skills, creating an environment for business growth and giving our communities the opportunity to access jobs.

4. Third party interests the Order Land

4.1 The Schedule to the CPO lists all parties with a qualifying interest in the Order Land as defined by section 12(2) of the ALA 1981 including:

- Owners, lessees, tenants and occupiers of the Order Land.
- Those with the benefit of rights within the Order Land or restrictive covenants that affect titles that make up the Order Land.
- All other parties with a power to sell, convey or release an interest or right over the Order Land and any parties entitled to make a compensation claim under section 10 of the Compulsory Purchase Act 1965.

4.2 The CPO Schedule has been prepared following extensive inquiry by the Acquiring Authority based upon information gathered through inspection of the Land Registry Title documents, site inspections and enquiries and the responses to notices issued under section 16 of the LG(MP)A 1976 and notices published on site for unknown land owners.

- 4.3 The CPO Schedule also identifies any land acquired by a statutory undertaker or a local authority.
- 4.4 There is no land within the Order Land that is owned by another local authority, by the National Trust or which forms part of a common, open space land or field garden allotment.
- 4.5 Of the 36 plots making up the scheme, ownership can be identified as follows:-

| | | |
|----------|-----------------------|--|
| 5 plots | Private ownership | Agreement in principle |
| 6 plots | Private ownership | Negotiations ongoing |
| 6 plots | Unknown | Unknown owner |
| 19 plots | Wigan Borough Council | Council Ownership (predominately adopted highway) |

5. Negotiations for the acquisition of interests

- 5.1 The Acquiring Authority is seeking to negotiate with each qualifying person to acquire their interests in the Order Land, in order that compulsory acquisition can be avoided. Attempts to acquire interests are ongoing and will continue alongside and throughout the CPO process, up to possession should the CPO be confirmed.
- 5.2 In respect of land in known ownership:
 - 5.2.1 Highways England is in the process of registering title at H.M. Land Registry to formalise a Dedication Agreement with the Acquiring Authority to dedicate the land for new highway.
 - 5.2.2 Agreements to be finalised in respect of the sports pitch and grazing land.
 - 5.2.3 Agreement to be finalised with Electricity North West for land only. This will not require changes to any services, sub stations or equipment.
 - 5.2.4 Negotiations with Fairhold (Huddersfield) Limited are ongoing in relation to their freehold reversionary and rent charge interests.
 - 5.2.5 Negotiations with Network Rail are ongoing to formalise the required permissions for works.
 - 5.2.6 The Acquiring Authority has been in discussions with Peel Investments (North Limited) for a number of years in relation to the development of the former Pemberton Colliery site. Negotiations are ongoing to formalise an agreement to facilitate construction of the new highway. A recent publication issued by Peel Investments

(North Limited) details proposals for their development identifying the route of the new highway on their illustration.

- 5.3 It is intended that a General vesting Declaration (GVD) or a number of GVD's will be made by the Acquiring Authority where applicable in respect of the Order Land if the Order is confirmed by Secretary of State.
- 5.4 The Acquiring Authority has identified all the statutory undertakers affected by the CPO in order to enter into agreements to protect or, if necessary, relocate their equipment or services. Discussions are progressing with them. The Acquiring Authority has commissioned Cadent Gas to undertake a feasibility study.

6. Justification for CPO

- 6.1 The Acquiring Authority has made the CPO under sections 239 and 240 of the Highways Act 1980.
- 6.2 The use proposed for the CPO scheme means that no other specific compulsory purchase power would be appropriate.
- 6.3 The Acquiring Authority has given careful consideration to the need to include each parcel of land within the Order Land. Without ownership and control of the entire Order Land it is not possible to deliver the comprehensive CPO scheme as currently proposed and permitted. Land ownership and progressing negotiations to acquire are detailed above (paragraph 4.)
- 6.4 There are no suitable viable or available alternative sites. The development of an east to west link road proposed through the Housing Infrastructure Fund (HIF), from the M6 J26 in the west to M61 J5 in the east, aims to promote economic growth. It will unlock over 50 hectares of employment land and facilitate the building of more than 11,000 new homes, and will relieve traffic congestion and the associated environmental impacts of traffic generated by this growth.
- 6.5 Given that there is no certainty that all interests can be acquired by negotiation, the CPO is necessary to ensure the Order Land can be assembled to deliver the CPO scheme in line with funding timetable.
- 6.6 Given the time frame involved in obtaining a CPO, the Acquiring Authority is planning for and initiating the formal CPO procedures in parallel with negotiations.
- 6.7 Planning policy:-

The CPO scheme was granted planning permission on 25th May 2018 under reference number A/17/84615/MAJOR further to Planning Committee held on 24th May 2018.

6.7.1 Regional Planning Policy

Wigan Council is working with the nine other council's in Greater Manchester, through the Greater Manchester Combined Authority, to produce the Greater Manchester Spatial Framework (GMSF). The draft GMSF published for consultation in October 2016 included Policy 9 on Accessibility. One of the key interventions identified in that policy, under 'Highways' is "Improved east-west highway links between the M58 and the M61, in Wigan and Bolton". A further draft of the GMSF is scheduled to be consulted on in Autumn 2018.

6.7.2 Local Planning Policy

In 2013 Wigan Council adopted a new comprehensive transport strategy (Wigan Borough Future Transport Network Strategy) which was developed in partnership with key stakeholders (including Transport for Greater Manchester (TfGM), Highways England (HE), Network Rail (NR)) and with support from the Department for Transport (DfT). The transport strategy highlights the importance of good transport connectivity into and through the borough to underpin the economic prosperity of the area, and provides the evidence and the framework to bring about transformational change in transport in Wigan over the next 15 years.

The Council published its Economic Prospectus, in 2014 which sets out its ambitions and key objectives to deliver economic growth over the next 10 years.

The provision of fully Connected Infrastructure - both physical and digital - is a key strand of the Economic Prospectus, and the M58 Link forms one component of a complete growth package of transport and highway improvement schemes to stimulate economic growth, reduce congestion and enhance east to west connectivity across the entire borough.

The spatial strategy of the borough through to 2026 is set out in the Wigan Local Plan Core Strategy adopted in September 2013. The key objectives of the Core strategy include:

- Creating a thriving and prosperous Borough which capitalises on its strategic location including the M6 corridor, the West Coast mainline and proximity to the Manchester and Liverpool city regions; and its assets
- Improve the supply of good quality housing across the borough to ensure a balanced housing market offer and choice, and improve access to affordable housings
- Ensure new development provides a catalyst to uplift communities in the east-west core traditionally suffering from social, economic and environmental deprivation
- Improve the ease and attractiveness of travelling within the borough and outside of it to neighbouring places
- Improve the quality of our built and natural environment to help change the image and perception of the borough

7.5 There are a number of policies relevant to the M58 Link, the Pemberton Park site or employment including:

- Policy CP2 – Open Space, sport and recreation
- Policy CP5 – Economy and Employment
- Policy CP7 - Accessibility
- Policy CP9 – Strategic landscape and green infrastructure
- Policy CP10 - Design
- Policy CP11 – Historic environment
- Policy CP12 – Wildlife habitats and species
- Policy CP16 - Flooding
- Policy CP17 – Environmental protection

In particular policies CP5 and CP7 are of key importance and are summarised in further detail below:

7.5.1 Policy CP 5: Economy and employment

We will help create sustainable economic growth; boost our economic performance and profile; and provide a wider range of job opportunities, by:

Bringing forward a range of employment sites of the right quality in terms of location, accommodation provision and supporting infrastructure, to attract, maintain and grow businesses, especially within the east-west core of the borough. The range of sites will focus on providing opportunities for the following key employment sectors in particular:

- i) Manufacturing and engineering, including food and drink processing
- ii) Logistics / distribution
- iii) Digital information and communications technology
- iv) Creative/digital/new media
- v) Financial and professional services
- vi) Environmental technologies
- vii) Construction sector businesses.

7.5.1 Policy CP 7: Accessibility

We will improve accessibility to key destinations for people and goods and connect people to opportunities both within and outside the borough by:

- Promoting and seeking the delivery of the following major transport infrastructure interventions
- Promoting accessibility improvements across the borough especially within our town centres and to/from key cross boundary locations such as Manchester, Bolton, St Helens, Warrington, Liverpool and Preston, particularly by public transport.
- Maximising the capacity, efficiency and safety of the road network, reducing, as far as is practicable, the adverse impact of transport on our communities, town centres and the wider environment.
- Developing and enhancing our on and off-road networks for walking and cycling, to connect local residents to employment and community facilities as well as for leisure purposes.
- Achieving these improvements through developing and implementing a Transport Strategy for the borough.

Policy A1 (A1.1) of the Draft Allocations and Development Management Local Plan identifies the M58 LR as a committed road scheme and seeks to safeguard land to allow the construction of such to promote east to west connectivity across the borough. East-west connectivity remains a challenge, with the main routes, notably the A577, constrained by on-street parking,

narrow roads and poor interaction between general traffic and public transport, giving rise to congestion at key locations at peak times.

Delivery of this major transport scheme will address many of these deficiencies, helping to improve accessibility to key destinations and assist in delivering the level and pattern of growth anticipated within the borough by 2026. In particular, east to west connectivity will be enhanced, resulting in socio-economic benefits and increased regeneration opportunities where it is needed most.

7.6 Links to Greater Manchester, regional, national policy and strategies

Greater Manchester's Transport Strategy 2040 (February 2017) emphasises the importance of transport in supporting aspirations for regenerating Town Centres. The aim is to establish a fully integrated high capacity transport system for greater Manchester, with travelling customers at its heart. Transport is crucial to supporting the ambitious plans, and growth will need and be driven by new connectivity.

Travelling customers - residents, businesses and visitors - sit at the heart of the strategy, whilst the vision emphasises the importance to have "World class connections that support long-term, sustainable economic growth and access to opportunity for all." The transport system needs to help the economy to prosper and allow residents to more fully contribute to and benefit from that prosperity.

The four key elements of the vision are set out below:

- **To support sustainable economic growth** we need to: tackle congestion; improve access to skills and markets; make road journeys more reliable; ensure that transport networks are well maintained; and create the sort of efficient, seamless public transport system and attractive walking and cycling environments that are found in leading European cities.
- **To improve the quality of life** we need to: improve access to jobs, training, education, healthcare, shopping and recreation; improve health through more active travel; and improve safety and security on the network.
- **To protect the environment** we need to: increase the use of sustainable transport, to reduce emissions; make the best use of existing infrastructure; and protect the natural and built environment.

- **To develop an innovative city region** we need to: embrace the potential of technology to improve performance and wellbeing; reduce costs and resource consumption; and improve the customer experience.

The 2040 Vision for Transport, published in 2017, sets the scene for the start of a radical, and ambitious, new approach to planning the transport system in support of long-term needs and aspirations. The Transport Strategy builds on the Vision, highlighting the priority interventions needed to achieve it and supported by a 5-year plan, which identified the first steps towards its delivery. This section summarises these plans and priorities and demonstrates how the M58 LR aligns with the 2040 Transport Strategy.

The new link road would play a significant role in enhancing accessibility to the Town Centre by reducing congestion and improving journey time reliability. Supporting access to key development opportunities in Wigan Town Centre is also emphasised with the M58 link highlighted as being crucial to the Town's economic development. Improving access to the Town Centre would also support central regeneration opportunities such as the Pier Quarter.

The A577 has been designated as an Air Quality Management Area (AQMA) with Monitoring Sites. AQMAs are established to monitor pollution and help move towards national objectives for air quality. Reducing congestion along this corridor will be essential for improving air quality along this corridor.

The scheme would include a parallel walking and cycling route adjacent to the highway. This complementary measure would help promote more sustainable travel through the provision of a high quality and direct link further supporting modal transfer from vehicles and helping to reduce pollution.

7. Human Rights

- 7.1 In pursuing this CPO the Acquiring Authority has carefully considered the balance to be struck between individual rights and the wider public interest. Regard has been taken, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights (First Protocol). The Acquiring Authority has also given regard to Articles 6 and 8 of the First Protocol.
- 7.2 The CPO will affect the Article 1 rights of the present owner/occupiers if confirmed by the Secretary of State. However, there will be no violation of

those rights as the Acquiring Authority is content that the steps taken are in the public interest and lawful as required by Article 1 of the First Protocol. Those owners/occupiers directly affected by the CPO will be entitled to compensation as provided by law, such compensation to be settled in the absence of agreement by the Upper Tribunal of the Lands Tribunal.

- 7.3 The Scheme proposals have been extensively publicised including the service of over 2000 planning notices as well as consultations taking place with communities that will be affected by the Scheme and the CPO in November/December 2015.
- 7.4 All those affected by the CPO have been notified and will have the opportunity to make objections and to be heard at a public inquiry before a decision is made on whether or not the CPO should be confirmed. A right of legal challenge exists to this process in accordance with section 23 of the ALA 1981. Any dispute as to compensation payable will be determined by the Upper Tribunal of the Lands Tribunal.
- 7.5 The Acquiring Authority is satisfied for the reasons set out below that the CPO can lawfully be made.
- 7.6 The Acquiring Authority considers that the many benefits that the Scheme will bring provide a compelling case in the public interest for the use of compulsory purchase powers and outweigh the impact on existing owners and occupiers. In these circumstances, the compulsory acquisition of the Order Land will not conflict with Article 8 of the First Protocol.

8. Deliverability

- 8.1 The Acquiring Authority intends to acquire all the interests in the Order Land (unless already within the ownership of the Acquiring Authority or expressly stated in the CPO Schedule) either by agreement or by exercising its compulsory purchase powers as set out in this Statement of Reasons.
- 8.2 The Acquiring Authority will pursue the acquisition of all qualifying interests in accordance with the ALA 1981 in order to secure the implementation of the CPO Scheme. The Acquiring Authority considers that the interests in the Order Land do not present an impediment to the deliverability of the CPO Scheme if the correct statutory procedures are followed.
- 8.3 The scheme cost is estimated up to £32m (this figure includes construction costs, acquisition of interests, compensation and associated claims). Funding is available through a combination of the Council's capital programme and third party external funding.

- 8.4 As full planning permission with associated conditions, has been obtained for the CPO Scheme it is not anticipated that there will be any planning impediments to the scheme proceeding. Associated planning conditions will be discharged prior to construction works commencing on site.
- 8.5 It is intended that if objections to the Side Roads Order are made, any inquiry will be co-joined with the inquiry relating to the CPO.
- 8.6 Also required are:-
- **Side Road Order (SRO)** - There are various points along the scheme which require support of a SRO. The Council seek to use SRO powers to ensure the land will become or remain highway (where required) or where land is no longer required as highway, the land ceases to be so both in status and in use.
 - **De-specialisation** – The eastern M6 junction 26 roundabout and service road up to the A577 Ormskirk Road will need to be de-specialised to allow all vehicle types the ability to circulate and negotiate the roundabout to access the wider highway network, excluding the motorway.
 - **Traffic Regulation Orders (TRO's)** – Will be required to ensure the free flow of traffic to minimise congestion and maintain road safety at key locations. The extents of the TRO's will be developed during detailed designs.
 - **Road Classification/Key Route Network (KRN)/Road Name** – Due to its strategic nature and direct links to the motorway the M58 Link Road will be incorporated in to the KRN. The road will need to be classified and numbered following the Department for Transport and Geoplaces process.
 - **Public Rights of Way (PRoW)** – The existing PRoW along Brook Lane will require officially diverting and including on the definitive map.
- 8.7 The Local Growth Deal and Highways England Growth and Housing Fund have a requirement for the spend to be committed by March 2021.
- 8.8 The present intention is for construction to commence in 2020 with an anticipated build of around 1 year.
- 8.9 In summary, the Acquiring Authority is satisfied that there are no financial, physical, planning or legal impediments to the CPO scheme proceeding and that there is a reasonable prospect that it will proceed.

9. Conclusion

- 9.1 The M58 Link Road has been identified as a priority scheme within the Greater Manchester Growth Fund transport schemes for implementation and compliments the proposed dual carriageway link between the A49 and

the Westwood Park Development (the A49 Link Road). Both schemes are complimentary in terms of enhancing connectivity to the strategic road network and in their support for economic development and regeneration.

- 9.2 By construction the M58 Link Road the Council submits that the proposed Scheme will provide considerable benefits for the Borough and to users of the highway, motorists, cyclists, public transport and pedestrian by:
- Improving existing highway capacity
 - Reducing congestion on the A577 between the M6 and Wigan town centre
 - Providing strategic highway links to development sites
 - Maintaining highway safety by the provision of controlled and uncontrolled pedestrian / cycling crossing points
 - Promoting sustainable transport as an alternative means of travel
- 9.3 There are no financial or planning impediments to the Scheme.
- 9.4 Compulsory acquisition is required in order to deliver the Scheme within timescales permitted in line with funding and construction.
- 9.5 The Acquiring Authority considers there is a compelling case in the public interest for compulsory powers to be sought in order to secure the construction and improvement of the Order Land by the delivery of the Scheme.
- 9.6 Confirmation of the Order is sought on this basis.

10. Additional information

10.1 Contacts

For any enquiries related to the CPO the first point of contact at the Acquiring Authority is:-

- Ms Claire Foster, Legal Services, Town Hall, Library Street, Wigan WN1 1YN Telephone 01942 827005 (contactable Tuesday – Friday).

Owners and tenants of properties affected by the CPO who wish to negotiate a sale or discuss matters of compensation should contact:-

- Mr Terry Redding, Property Team, Town Hall, Library Street, Wigan WN1 1YN Telephone 01942 827355.

For technical information or details of scheme itself please contact:-

- Mike Orrell, Project Delivery Manager, Economy & Skills, Wigan Life Centre (South site), College Avenue, Wigan WN1 1NJ.
Telephone number 01942 489361

10.2 Objections

Any letter of objection, comment or support should be addressed to:

Department for Transport

National Transport Casework Team

Tyneside House,

Skinnerburn Road, Newcastle Business Park,

Newcastle upon Tyne,

NE4 7AR

or via email to nationalcasework@dft.gov.uk

Objections are to be made in writing and received by the Secretary of State by the date referred to in the Notice of Making.

In submitting an objection it should be noted that your personal data and correspondence will be passed to the County to enable your objection to be considered. If you do not wish your personal data to be forwarded, please state your reasons when submitting your objection and the Secretary of State will copy your representations, with your name and address removed to the County, and if there is to be a Public Local Inquiry they will be seen by the Inspector who may give them less weight as a result.

11. Documents

- 11.1 This Statement of Reasons is not intended to be a statement required under Rule 7 of the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990.
- 11.2 Documents in connection with the Order have been deposited at the Acquiring Authority's Offices at Town Hall, Library Street, Wigan WN1 1YN and can be viewed during normal working hours.
- 11.3 The following is a list of documents the Acquiring Authority intends to refer to should there be a public inquiry albeit this list is not exhaustive and should there be a public inquiry the Acquiring Authority may put forward further documents:-

- 11.3.1 CPO (including CPO Schedule).
- 11.3.2 CPO maps.
- 11.3.3 Relevant reports to and resolutions/decisions of the Cabinet and Council
- 11.3.4 Planning Application, supporting documents and related committee reports
- 11.3.5 Wigan M58 Link Road – Outline Business Case – December 2017
- 11.3.6 AECOM M58 Link Road Transport Assessment – December 2017
- 11.3.7 Wigan Local Plan Core Strategy (2013)
- 11.3.8 Wigan Allocations and Development Management Local Plan: Draft for Consultation – October 2015
- 11.3.9 Wigan Borough Future Transport Network Strategy 2013
- 11.3.10 Wigan Council Economic Prospectus 2014
- 11.3.11 Greater Manchester's Transport Strategy 2040 (February 2017)