

**Record of
Executive
Decisions
published
02/Dec/2011**



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Civic Centre
Sunderland

2 December 2011

Record of Executive Decisions Published: 02/Dec/2011

Decision Taker: Cabinet

Appropriate Scrutiny Committee:

Environment and Attractive City Scrutiny Committee

Date decision in force:

12/Dec/2011

Date of decision:

02/Dec/2011

Full description of decision:

To approve making of supplemental side roads order pursuant to s14 & 125 of Highways Act 1980 to be known as Sunderland City Council (SSTC - new Wear bridge A1231 & B1405 Classified Roads)(Side Roads)(Supplemental) Order 2011 in order to stop up highways described in schedule & identified on plan attached to report; approve making of a supplemental CPO pursuant to S239 & 240 of Highways Act 1980 to be known as Sunderland City Council (Sunderland Strategic Transport Corridor - new Wear bridge) (Supplemental No. 2) CPO 2011 in order to acquire land on south side of Pallion New Road described in Schedule & identified on plan attached to report; authorise any of following officers: CX/Exec Director of Commercial & Corporate Services/Head of Law & Governance to make minor amendments/modifications/deletions to schedules & plans should this be necessary & to finalise and make supplemental orders; authorise DCX & Head of Law & Governance to take all necessary action to achieve confirmation of supplemental orders.

Reasons for decision:

Highways ceased to serve purpose of access to no.s 39-41 Woodbine Tce but still highways & public right to use them. Should right be exercised traffic would be attempting to enter & leave Pallion New Rd close to traffic signal controlled junction resulting in road safety risk. When highway on unregistered land stopped up ownership of land passes to land owners whose land abuts highway. Results in areas of land with no access to highway & would prevent stopping up works being carried out under Highways Act so it is proposed that Council acquires affected land. Cabinet recognised that there is a compelling case in public interest to justify use of the council's CPO powers to secure land interests & rights required for Scheme given established need for & public benefits of Scheme to city. There is a compelling case in public interest to justify further use of Council's CPO powers as second supplemental CPO is also required to secure essential highway improvement works which are required to the B1405.

Alternative options considered and rejected:

In that the redundant highways have existed for many years and have not apparently been used as highways it would be possible to leave things unchanged. However to do so would leave open the possibility for a landowner at some time in the future to seek to bring his land back into productive use and make use of the highway rights that exist. This would result in traffic seeking to use inappropriate and unsafe accesses to the main road and can not be recommended.

Title and author(s) of written report:

Sunderland Strategic Transport Corridor - New Wear Bridge Acquisition of Additional Land and Supplemental Side Roads Order - Joint report of the Executive Director of City Services, Deputy Chief Executive and Executive Director of Commercial and Corporate Services

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Is this a key decision: Yes

Does the Decision contain Confidential/Exempt Information: No

Declarations of Interest and Dispensations:

None