

**Cabinet**

**10 October 2012**



**A167/B6300 Sunderland Bridge  
Junction Improvement**

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**Report of Corporate Management Team  
Ian Thompson, Corporate Director, Regeneration and  
Economic Development  
Councillor Neil Foster, Cabinet Portfolio Member for  
Economic Regeneration**

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**Purpose of the Report**

- 1 (a) To seek authority to make a Compulsory Purchase Order under the provisions of sections 239 and 240 of the Highways Act 1980 and Acquisition of Land Act 1981 in order to acquire the land required for the construction of a new roundabout at the A167/B6300 Sunderland Bridge junction.
- (b) To seek authority to make a Side Roads Order under section 14 of the Highways Act 1980 in order to stop up sections of Highway cross or enter the new highway layout.

**Background**

2. Within Local Transport Plan 3 a selection of important Economic / Transport Corridors are identified on which the significant key junctions have been highlighted as requiring improvement. A number of these junctions suffer from congestion, affecting their economic performance and resulting in a lack of reliable and predictable journey times. One such location on the A167 corridor is the junction of the A167 and B6300 at Sunderland Bridge which serves Meadowfield Industrial Estate and links through to the A690. A scheme to improve the junction was ranked as second priority in the minor schemes review.
3. The current T-junction arrangement can cause delays accessing the B6300 from the north, and more significantly vehicles exiting from the B6300 south onto the A167. This can have a negative impact on businesses wishing to locate at Meadowfield Industrial Estate due to congestion and unpredictability of journey times.

4. A number of accidents have taken place at this junction with investigation reports over the last 5 years indicating that of the 12 incidents that occurred in the vicinity of the junction, 6 involved vehicles turning right from the B6300 to head south on the A167 (5 slight and 1 serious) and 6 involved vehicles turning right from the A167 to head west on the B6300 towards Meadowfield (5 slight and 1 serious).
5. Current traffic flow data shows approximately 20,000 vehicles a day using the A167 at this location and around 5,230 vehicles per day using the junction with the B6300.
6. Initial improvements focussed on the introduction of traffic signals, as it was considered that this could be achieved largely within the footprint of the existing junction. However, due to the physical constraints of the River Browney and flood defence features associated with the Honest Lawyer, the resultant signal controlled junction would have been difficult to construct and would have had limited capacity, causing significant delays on the A167.
7. An alternative design of a roundabout was therefore considered and even though this would appear more costly to construct, it addresses the concerns which have arisen regarding the introduction of a signal controlled junction (see attached plan 1149621/WD/04). As a roundabout can be built slightly off-line the issues of interference with flood defences can be avoided. The location of a roundabout would also reduce potential utility diversions and hence reduce overall costs and risk.
8. Funding for the cost of scheme together with land costs of £1.75m has been secured and will be provided by the Durham County Council Corporate Capital Programme. The scheme was identified under the LTP3 Economic Transport Corridor theme.
9. In order to construct the revised junction several small areas of land will be required to form part of the new Highway together with a licence area which will form a compound and working area, as shown on the attached plan (1149621/LP/02). Negotiations with the two adjacent landowners have unfortunately not proved to be successful thus far and therefore, it is necessary for the County Council to acquire the land using powers under the provisions of Highways Act 1980 and the Acquisition of Land Act 1981 and other enabling powers. Negotiations to purchase by agreement will continue alongside the compulsory purchase powers if granted.
10. There are no special categories of land and therefore there is no requirement for special procedures
11. Of particular concern to the landowners are the issues of severance, viability of the retained holding and accommodation works to minimise disturbance. The provisions of Protocol 1 Article 1 and 8 of the Human

Rights Act 1998 have been taken into consideration in relation to the acquisition of land. The areas of land involved are not extensive and can be adequately compensated for under the provisions of the Land Compensation Act 1973. The acquisition is therefore considered proportionate and reasonable and in the circumstances it is considered that the impact on the landowners affected will be outweighed by the overall benefits of the scheme for the residents of County Durham and others users. Therefore it is considered that the interference with individual property rights is proportionate to the public interest benefit.

12. The scheme has permitted development rights and therefore no express planning permission is required
13. It will be necessary to stop up existing sections of highway which enter or cross the route of the improved highway (see attached plan 1149621/CPO/1/0/Draft). Any changes which are brought about due to the small areas of stopping up will not affect negatively the use of the highway network. The new highway layout will cater for all existing highway requirements

### **Recommendations**

14. It is recommended that Members authorise the use of Compulsory Purchase powers for the purpose of acquiring the land shown on the attached plan for the roundabout at Sunderland Bridge as set out above in the report.

That the Head of Legal Services be authorised to:-

- Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order under the provisions of section 239 and 240 of the Highways Act 1980 and the Acquisition of Land Act 1981, including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry.
- Acquire interest in land and new rights within the compulsory purchase order either by agreement or compulsorily.
- Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land rights from the Order.
- Confirm the order, if unopposed, when referred to the authority by the Department for Transport.
- To take all necessary steps to secure the making confirmation and implementation of a Side Roads Order.

**Background Papers:** None

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## **Appendix 1: Implications**

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**Finance** – funding for the scheme (£1.75m) has been approved as part of the Durham County Council Corporate Capital Programme, the scheme has been identified under the LTP 3 Economic Transport Corridor theme.

**Staffing** – no effect

**Risk** – scheme programme delayed due to CPO procedures / potential public inquiry

**Equality and Diversity** – no effect

**Accommodation** - no effect

**Crime and Disorder** - no effect

**Human Rights** – The acquisition of land is considered proportionate and reasonable and it is considered that the impact on the landowners affected will be outweighed by the overall benefits of the scheme for the residents of County Durham and others users. Landowners will be compensated under the provisions of the Land Compensation Act 1973

**Consultation** – all statutory procedures eg Planning Application, Compulsory Purchase Order and Side Roads Order will allow individuals to register their objections or support for proposals.

**Procurement** – Assets involved in land purchase

**Disability Discrimination Act** – no effect

**Legal Implications** – Legal services involved in statutory orders