

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E3583

Somer Valley Enterprise Zone Side Roads Order

Date of Meeting	14-Nov-24
The Issue	Authority required to promote a Side Roads Order under the Highways Act 1980 to secure consent from the Secretary of State for Transport. The Order is required for the alterations and improvements to the existing highway and public rights of way network to support the delivery of the Somer Valley Enterprise Zone.
The decision	<p>(1) To authorise the making of a Side Roads Order (SRO) pursuant to sections 14 and 125 of the Highways Act 1980 to secure authority for the SRO Works (as defined at para 5.8 of the report) which are required to enable implementation of the Highway Works (as defined at para 5.5 of the report).</p> <p>(2) To authorise the making of a Traffic Regulation Order(s) (TRO) pursuant to the Road Traffic Regulations Act 1984 to enable the TRO Measures which are required to govern the use of the highways network required to accommodate the Somer Valley Enterprise Zone (SVEZ).</p> <p>(3) To authorise all necessary steps to be taken to secure the making, confirmation and implementation of the SRO and any TROs including the publication and service of all notices, requisitions for information, statement of reasons and the preparation and presentation of the Council’s case at any public inquiry required to secure confirmation of the SRO by the Secretary of State for Transport.</p> <p>(4) To note and give due regard in determining whether or not to authorise the promotion of the SRO and any TROs, the public sector equality duty contained in section 149 of the Equality Act 2010 (“PSED”) and the requirements of the Human Rights Act 1998, as detailed further in section 11 of the report.</p> <p>(5) To delegate authority to the Executive Director of Sustainable Communities to (i) approve any changes to the SRO Works and (ii) make any necessary amendments to the SRO which may be required to enable the delivery of the Highway Works, including as detailed design of the SVEZ progresses.</p> <p>(6) To delegate authority to the Executive Director of Sustainable Communities to authorise the final requirements of the TRO(s) which are required to facilitate the delivery of the SVEZ.</p> <p>(7) To authorise the instruction of the SVEZ Project Team and its legal advisers, Burges Salmon LLP, to prepare and serve such</p>

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	<p>documentation as may be required for the SRO and any TRO(s).</p> <p>(8) To note the ongoing progress which has been made towards the acquisition of land required to develop the SVEZ Scheme and the previous decisions outlined in the report.</p>
Rationale for decision	<p>Whilst the Local Development Order (LDO) removes the need for planning permission in relation to the authorised works it does not remove the need to obtain other statutory consents and as such an SRO and any TRO(s) are needed.</p> <p>The use of an SRO allows for a single consenting process. This will increase efficiency, provide a comprehensive overview of all necessary works, ensure independent scrutiny from the Secretary of State for Transport and is expected to improve public awareness and engagement with the process.</p> <p>The SRO serves as a mechanism to support the LDO and the Compulsory Purchase Order (CPO) and does not change the scheme which has already been approved by Cabinet by authorising the LDO and CPO.</p> <p>The SRO is required to authorise the Highway Works, and more specifically following alterations and improvements to the existing highway and public rights of way network.</p> <p>A TRO(s) will be required to govern any necessary changes to the use of the existing highway and new highways elements.</p>
Other options considered	<p>The options available to the Council and the decision to deliver the SVEZ (at a project level) are explored in further detail in Decision E3557.</p> <p>The Council must secure all necessary highways orders and consents to authorise the Highways Works (through one means or other) to deliver the SVEZ. Failure to address these consents at an early stage could result in an impediment to the CPO, increasing the risk that the CPO is not confirmed by the Secretary of State.</p> <p>Proceeding with an SRO is considered by the Council to be the most efficient and expeditious ways to deliver the SVEZ. As explained in relation to risk mitigation, the alternative is the promotion of a range of connected orders and consents which carries more risk and would be less efficient.</p>
The Decision is subject to Call-In within 5 working days of publication of the decision	