

To: Infrastructure, Land & Environment Policy Board

On: 30 August 2017

Report by: Director of Development and Housing Services and Director of Finance & Resource

Heading: City Deal Glasgow Airport Investment Area Cycleway: Compulsory Purchase Order

1. Summary

- 1.1 To submit details for land required to implement this Project and to be included in a Compulsory Purchase Order (CPO) to facilitate the proposed City Deal infrastructure development.
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2. Recommendations

- 2.1 The Board is asked to approve the making of a Compulsory Purchase Order to acquire the titles and interests in the land shown on Plans GAIA Cycleway CPO Plans 1,2,3 and 4 required to implement this Project where voluntary acquisition has not been achieved. A list of owners and interests currently identified is included in the GAIA Cycleway CPO Land Schedule.
- 2.2 Note that voluntary acquisition discussions will continue with all affected parties concurrently with the publication of the Compulsory Purchase Order and voluntary acquisition will be progressed wherever practicable.

3. Background

- 3.1 Scottish Ministers encourage authorities to recognise that in some cases acquiring all interests by agreement will not be possible or practicable in a reasonable time or at a reasonable cost. Ministers encourage authorities to use CPO proactively and positively to promote sustainable economic growth, improve the quality of life and bring real benefits to Scotland's Communities¹
- 3.2 The Glasgow Airport Investment Area (GAIA) project comprises the realignment of Abbotsinch Road between Arran Avenue and Greenock Road / Inchinnan Road; a new bridge across the White Cart and improved facilities for cyclists and pedestrians, all aimed at improving connections between the Westway, Inchinnan and Airport Business Parks and as an enabler for the delivery of a world class business and commercial offering located around the airport.
- 3.3 The Leadership Board approved the Outline Business Case (OBC) for the Glasgow Airport Investment Area (GAIA) on 30 November 2016. The City Region Cabinet approved the OBC on 12 December 2016 and authorised further funding of £6.64m to progress the Project and develop the Final Business Case (£2.720m was previously authorised to develop the OBC), including funding for land acquisition.
- 3.4 Two planning applications were submitted for the GAIA Project in July 2017. The first comprises the Abbotsinch Road Realignment, a new bridge over the White Cart at Wright Street (the Wright Street Link) together with associated walking and cycling infrastructure improvements, including the Abbotsinch Cycleway and is the subject of a separate paper. The other application to which this report relates comprises the Inchinnan Cycleway which includes a new pedestrian / cycle bridge over the Black Cart.
- 3.5 The two planning applications were preceded by the submission of 'Proposal of Application Notices' (PAN) in March 2017. This was followed by a statutory engagement process involving public exhibitions and presentations to community councils. This third phase of public engagement followed two previous phases of non-statutory engagement held in May and December 2016, outcomes of which will be reflected in the published CPO.
- 3.6 The main public benefits that the GAIA project will deliver include the following:
- investment in road infrastructure enabling the development of additional key business sites in the vicinity of the airport

¹ Circular 6/2011 compulsory Purchase Orders,

- the continued growth of Glasgow Airport
 - improved conditions for existing businesses
 - improvements to walking and cycling links will be incorporated in to the project to promote active travel
 - it is estimated that the implementation of the long term vision for the Airport Investment Area has the potential to deliver up to 10,600 new jobs and an additional 365 construction jobs.
- 3.7 The application for the Inchinnan Cycleway comprises a segregated cycleway / footway, that will run parallel to Greenock Road between Abbotsinch Road and Inchinnan Business Park, and a new pedestrian / cycle bridge over the Black Cart. It will link with the other GAIA active travel infrastructure and with new and improved infrastructure being provided by the complementary City Deal Project, Clyde Waterfront Renfrew Riverside.
- 3.8 In order to further progress the Project it is necessary to progress land assembly. Voluntary negotiations are ongoing with the owners where possible.

Compulsory Purchase Powers

- 4.1 Scottish Government guidance (Planning Circular 6/2011) recommends a “twin track” approach to land acquisition in order to provide a greater degree of certainty on programme should voluntary negotiations falter and to resolve any defects in the title in the land to be acquired and the Infrastructure, Land and Environment Board approved the use of CPO in Principle on 6 June 2017. The Council therefore continues to adopt this approach i.e. pursuing acquisition of land required on a voluntary basis while at the same time progressing with the preparation of a compulsory purchase order (“CPO”). The CPO would be used as a fall back in the event of failure to reach agreement with the affected parties. Authority to proceed with voluntary acquisition of a key site for this Project is the subject of a separate report.
- 4.2 The use of CPO powers is considered appropriate for this Project on the basis that the land interests to be acquired are restricted in nature (as can be seen from the accompanying Plans) and the Project, once completed, will provide significant improvements to walking and cycling links and relieve the “bottleneck” at the junction of Abbotsinch Road / Inchinnan Road. As such the public benefits outweigh these remaining interests.
- 4.3 The Council, as Roads Authority, will use powers of compulsory purchase under the Roads (Scotland) Act 1984 in order to assemble the land required

for this Project. As the land being acquired is solely to construct the infrastructure this is the appropriate power for the Council to use.

- 4.4 The planned infrastructure referred to in 3.7 above requires the acquisition of property, titles and interests, identified on the attached schedule.
- 4.5 It is likely that not all of these interests will need to be acquired using CPO powers and the Council will continue, where possible, to reach agreement with these parties. It may also be the case that as the Council proceeds with the CPO and voluntary discussions other, as yet, unidentified, titles or interests may come to light which are not listed within the schedule which would form part of the CPO.

Implications of the Report

1. **Financial** –The Project team are looking externally for funding for the GAIA Cycleway.
2. **HR & Organisational Development** – N/A
3. **Community Planning** –
 - Children and Young People** – The Cycleway encourages children, young people as well as adults to use active travel
 - Community Care, Health & Well-being** - The overall GAIA development will facilitate new development opportunities and business growth with both projects improving educational and health opportunities for people within the local communities as well as aiding employees to access these major existing and new employment centres.
 - Empowering our Communities** – N/A
 - Greener** - The completed infrastructure will provide segregated provision for walking and cycling. The cycle ways will link west between both Glasgow Airport Investment Area and Clyde Waterfront and Renfrew Riverside City Deal projects.
 - Jobs and the Economy** - The completed infrastructure of GAIA will provide connectivity and access to new and existing jobs for people in our communities. During the project construction period 365 new jobs will be created and as a result of new business creation it is estimated that up to 10,600 additional new permanent jobs will be created.
 - Safer and Stronger** – N/A

4. **Legal** - Acquisition of the affected land as outlined in the body of the report.
 5. **Property/Assets** – As per this report
 6. **Information Technology** - none
 7. **Equality & Human Rights**
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
 8. **Health & Safety** - None
 9. **Procurement** -None
 10. **Risk** - Should planning, overall land assembly and other statutory consents not be granted timeously then this would delay Project delivery and realisation of Project benefits.
 11. **Privacy Impact** - None
 12. **Cosla Policy Position** – N/A
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Land Interest		Land Owner	
Reference	Acquisition Type	Owner Name	Owner Address
1A	Land to be acquired	Scottish Enterprise	Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ
1B	Servitude right to be acquired	Scottish Enterprise	Atrium Court, 50 Waterloo St, Glasgow, G2 6HQ
2A	Land to be acquired	Hugh Holmes	Town Of Inchinnan Farm, Greenock Road, Inchinnan, Renfrew PA4 9LB
2B	Servitude right to be acquired (Temporary)	Hugh Holmes	Town Of Inchinnan Farm, Greenock Road, Inchinnan, Renfrew PA4 9LB
2C	Servitude right to be acquired	Hugh Holmes	Town Of Inchinnan Farm, Greenock Road, Inchinnan, Renfrew PA4 9LB
3A	Land to be acquired	David Johnston	Chalk Autos, Inchinnan, Renfrew, PA4 9NH
3B	Servitude right to be acquired	David Johnston	Chalk Autos, Inchinnan, Renfrew, PA4 9NH
4A	Land to be acquired	John Ritchie	Old Mains Farm, Greenock Road, Inchinnan, PA4 9PB
4B	Servitude right to be acquired	John Ritchie	Old Mains Farm, Greenock Road, Inchinnan, PA4 9PB
5A	Land to be acquired	Peter Johnson	38 Cloch Road, Gourock, PA19 1AT
5B	Servitude right to be acquired	Peter Johnson	39 Cloch Road, Gourock, PA19 1AT
6A	Land to be acquired	Glasgow Airport	Glasgow Airport, Paisley, Renfrewshire, PA3 2SW

Land Interest		Land Owner	
Reference	Acquisition Type	Owner Name	Owner Address
6B	Servitude right to be acquired (Temporary)	Glasgow Airport	Glasgow Airport, Paisley, Renfrewshire, PA3 2SW
6C	Servitude right to be acquired	Glasgow Airport	Glasgow Airport, Paisley, Renfrewshire, PA3 2SW
8	Servitude right to be acquired	Church of Scotland	121 George Street Edinburgh EH2 4YN
8	Land to be acquired	Blythswood Estates	Blythswood Estates 160 West George Street Glasgow G2 2HQ