

# Report to Cabinet

**9 February 2022**

<b>Subject:</b>	Revocation of Highway Improvement Lines – A41 Birmingham Road, West Bromwich
<b>Cabinet Member:</b>	Cabinet Member for Environment Councillor Ahmad Bostan
<b>Director:</b>	Director – Regeneration & Growth Tony McGovern
<b>Key Decision:</b>	No
<b>Contact Officer:</b>	Strategic Planning & Transportation Manager Andy Miller <a href="mailto:andy_miller@sandwell.gov.uk">andy_miller@sandwell.gov.uk</a>

## 1 Recommendations

- 1.1 That the highway improvement lines at A41 Birmingham Road/Park Lane, West Bromwich which are more particularly identified on Drawing No. SP0290SE/J (attached) be revoked.

## 2 Reasons for Recommendations

- 2.1 Following a review by both Sandwell and Birmingham Councils, the road widening scheme on the A41 between Park Lane and Island Road is no longer intended to be delivered. Therefore, the improvement lines which protect the land required for the scheme are no longer required.



### 3 How does this deliver objectives of the Corporate Plan?

	Highway improvements are only justified where they facilitate development or support active travel (walking and cycling) and bus priority as a means of reducing congestion and increasing connectivity. The proposals in this location are no longer considered to support these objectives.
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### 4 Context and Key Issues

#### Highway Improvement Lines

- 4.1 Under the Town & Country Planning Act 1990 (and its predecessor acts) local authorities have the power to protect from development land that it requires for future highway improvements. This is achieved by a resolution of the authority. The effect is to prevent the granting of planning permission for any development on, or which would affect, the land in question.
- 4.2 Colloquially, the lines that define these areas of land are known as Highway Improvement Lines. The presence of an improvement line on a parcel of land can result in the owner serving a blight notice on the authority which is in effect a compulsory purchase in reverse; where the presence of the improvement line means that the land owner can demonstrate that they cannot sell the site, or only at a reduced value, it can require the local authority to acquire it.
- 4.3 Sandwell is currently protecting land in this way for nine highway schemes across the borough ranging from major projects such as at Birchley Island to minor widening schemes affecting small areas of land.

#### The Scheme at Birmingham Road

- 4.4 The improvement lines on the A41 are all that remains of a scheme to widen the Birmingham Road/Holyhead Road between M5 Junction 1 and Island Road which lies within the boundary of the City of Birmingham. This scheme was originally proposed by the former West Midlands County Council in the early 1970s with the aim of creating a dual-carriageway with service roads to cater for industrial premises on either side of the road.



- 4.5 Funding was never made available for this project. The WMCC was abolished in 1986 and responsibility for the project passed to Sandwell and Birmingham. The dual carriageway scheme was abandoned by both councils in the early 1990s following a review of the principal road network in this part of the conurbation and a desire by Birmingham City council to downgrade the A41 corridor as far as M5 Junction 1 in favour of the A457 corridor through Smethwick. The improvement lines in Sandwell were revoked as a result. However, Birmingham retained the line in its area pending a revised scheme to address local traffic management and road safety issues at the junctions with Park Lane and with Middlemore Road.
- 4.6 Shortly after the wider proposal was dropped, the boundary between Birmingham and Sandwell was altered such that part of the retained Birmingham improvement line was now located in Sandwell. Birmingham City Council had actually acquired some of the affected land prior to the boundary change. The City Council requested that Sandwell retain the improvement line until such time as it reached a decision on its safety scheme.
- 4.7 The City Council has completed its review of the proposals in this location and has concluded that the improvement lines are no longer required. Therefore, it resolved to revoke the improvement line on its side of the boundary on 26<sup>th</sup> February 2021. Sandwell's Highway Services has carried out a similar review in this area and concluded that any improvements that may come forward in the future to address road safety would not require road widening into the land covered by the improvement line.
- 4.8 The City Council would like to market the land they acquired. However, the now superfluous improvement line on the Sandwell side will be a deterrent to potential purchasers. It is therefore proposed to formally remove the protection it provides and any resultant planning blight.

## 5 Alternative Options

- 5.1 The alternative course of action is to retain the improvement line. However, as the City Council no longer wishes to pursue road widening in this location, and Sandwell has no proposals of its own for the land affected, there is no justification to do so.



## 6 Implications

<b>Resources:</b>	There are no financial or resource implications arising from the course of action set out in this report.
<b>Legal and Governance:</b>	Pursuant to Para. 15, Schedule 13 of the Town & Country Planning Act 1990, land can be designated as “comprised within the sites of highways which it is proposed should be constructed, improved or altered”. These ‘improvement lines’ can cause affected land to become blighted in certain circumstances.
<b>Risk:</b>	The course of action set out in this report removes the risk of blight associated with land affected by the improvement line.
<b>Equality:</b>	There are no equality implications arising from the course of action set out in this report.
<b>Health and Wellbeing:</b>	There are no health and wellbeing implications arising from the course of action set out in this report.
<b>Social Value</b>	There are no social value implications arising from the course of action set out in this report.

## 7. Appendices

A - Drawing No. SP0290SE/J

## 8. Background Papers

Birmingham City Council: Report of Assistant Director Transport & Connectivity under Delegated Authority 26<sup>th</sup> February 2021

