

Individual Executive Decision Notice

Report title	Stopping Up Order - Broadway, Bushbury.		
Decision designation	GREEN		
Cabinet member with lead responsibility	Councillor Bhupinder Gakhal		
Wards affected	Bushbury North;		
Accountable Director	Ross Cook, Director of City Housing and Environment		
Originating service	Housing		
Accountable employee	Karen Beasley	Housing Enabling Manager	
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Report to be/has been considered by	City Housing and Environment Leadership Team		3 August 2021
	Cabinet Member Briefing – City Assets and Housing		11 August 2021

Summary

An application will be submitted to the Department of Transport to progress the closure of the existing public highway on Broadway to support the development of the site for a new medical facility.

Recommendation(s) for action or decision:

That the Cabinet Member for City Assets and Housing, in consultation with the Director of City Housing and Environment:

1. Approve the progression of the application for the closure of the existing public highway on Broadway as shown in Appendix 1 – Plan of Site.

Signature
Name of Cabinet Member

Date:

Signature
Name of Director

Date:

1.0 Background

- 1.1 In December 2020, approval was given in an Individual Executive Decision Notice to declare housing land at Broadway surplus to requirements and to dispose of the land for the development of a new medical facility, subject to the agreement of Heads of Terms and sale conditions. The land is designated as open space and an existing public highway – See Appendix 1 – Plan of Site.

2.0 Progress

- 2.1 The draft Heads of Terms for the disposal of the site have been agreed with the developer and they are currently preparing an application to submit to the Local Planning Authority where further statutory public consultation will be carried out prior to the application being determined.
- 2.2 The proposed development will see two existing medical surgeries relocated to a new location into one fit for purpose surgery and extend the existing Primary Care Services.
- 2.3 In order to facilitate the proposed new development, an application to the Department of Transport will need to be submitted to formally cease the land to be a public highway. Subject to approval, notices advertising the proposed closure will be posted on site and in a local newspaper. Any person wishing to object to the closure will have 28 days to do so. If no objections are received the closure will be confirmed by the Department of Transport.

3.0 Evaluation of alternative options

- 3.1 If a formal application to the Department of Transport was not submitted, then the public highway could not be formally closed, and the proposed development would not be possible.

4.0 Reasons for decision

- 4.1 The Stopping Up of the adopted highway will support the proposed new medical facility development (subject to Planning approval) on this site.

5.0 Financial implications

- 5.1 There will be advertising costs and legal fees associated with processing the Stopping Up Order.
- 5.2 The disposal of this housing site will generate a capital receipt which will be available as future funding for the Housing Revenue Account capital programme. There will also be savings to Wolverhampton Homes to the cost of the grounds maintenance charges when the land is sold.
- 5.3 There is therefore sufficient funding to cover the cost implications of this process.

[JM/29072021/J]

6.0 Legal implications

- 6.1 An application form will be submitted to the Department of Transport for extinguishment of the existing public highway at Broadway in consultation with Transportation colleagues, using the Town and Country Planning Act 1990 – Section 247, to enable the proposed development to be fully developed, subject to Planning approval.

[TC/28072021/T]

7.0 Equalities implications

- 7.1 There are no direct equalities implications.

8.0 All other Implications

8.1 Climate change and environmental implications

The closure of this public highway will allow the development of a new medical facility in a high quality, accessible, thermal efficient building.

8.2 Human Resources

The processing of the Stopping Up Order will be managed within the Housing Services Team.

8.3 Corporate Landlord

The disposal of this site has been processed following advice from Corporate Landlord Team to ensure it is in line with the Corporate disposal's governance procedure.

8.4 Health and Wellbeing

The closure of the public highway and proposed development of the site (subject to Planning approval) would allow enhanced GP services in line with NHS England's vision.

8.5 Covid-19 Pandemic

The outbreak of Coronavirus (COVID-19) declared by the World Health Organisation as a 'Global Pandemic' on 11 March 2020 has impacted on the world. There are no direct Covid-19 implications on the application for the Stopping Up Order as the required notification of the proposed closure will be advertised in the media and site notices displayed and does not require any face to face consultation.

9.0 Schedule of background papers

- 9.1 Individual Executive Decision Notice – Housing Land at Broadway/Northwood Park Road – Disposal. Approved 1 December 2020.

10.0 Appendices

10.1 Appendix 1: Broadway – Site Plan.