

**Name of meeting:** Cabinet  
**Date:** 19<sup>th</sup> February 2019  
**Title of report:** Consideration of Improvement Line 179, Drinker Lane at Royd House, Kirkburton, Huddersfield

**Purpose of report**

To consider the Improvement Line 179 on Drinker Lane, Royd House, Kirkburton (near Bell House Court and the Three Acres, Restaurant).

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports?)</u>	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name  Is it also signed off by the Service Director for Finance?  Is it also signed off by the Service Director for Legal Governance and Commissioning?	Karl Battersby - 6.02.2019  Eamonn Croston - 8.02.2019  Julie Muscroft - 7.02.2019
Cabinet member Economy	Councillor Peter McBride

**Electoral wards affected:** Kirkburton.

**Ward councillors consulted:** Cllrs J. Taylor, B. Armer and R. Smith

**Public or private:** Public

**GDPR** This report does not contain information that is not publicly available.

## **1. Summary**

- 1.1. An "Improvement Line" No 179 Drinker Lane, Royd House, Kirkburton was approved by the West Yorkshire Metropolitan County Council, Kirklees Area Committee on 28th July 1976.
- 1.2. Improvement Line comprises the re-alignment of Drinker Lane by creating a new length of highway to by-pass a number of severe bends in and around the hamlet of Royd House, Kirkburton. (See plan A enclosed).
- 1.3. The Council has received a request to sell back land purchased in 1976/77, originally bought to allow the construction of the new highway on the alignment of the Improvement Line.

## **2. Information required to take a decision**

- 2.1. A resolution to undertake Compulsory purchase of the land required for the Improvement Line was made on 12th September 1977 and planning permission for the new highway was also secured on 20th November 1977.
- 2.2. Negotiations for the 3 plots of land needed to construct the new highway also commenced with land owners around that same time.
- 2.3. These negotiations proved partly successful and the two plots of land labelled 8439 and 8442 (plan B enclosed) were purchased by agreement. The negotiations for the remaining plot proved difficult and ultimately proved unsuccessful. The compulsory purchase order was never made by the Council.
- 2.4. The scheme has therefore been held in abeyance since 1977.
- 2.5. Recently the Council was approached by solicitors acting on behalf of the owners of Bell House Court asking if the Council would sell back to them the land the Council purchased from the former owners of their property.
- 2.6. Officers have considered this request and in particular the following points :-
  - there are no recorded injury accidents in the last 10 year period on this stretch of road and current road safety policy is to prioritise areas/lengths of road where clusters of accidents are occurring.
  - implementation of the Improvement Line would require the Council to acquire the remaining plot of land and the Council's scarce transport budgets are currently focused on maintenance issues or transport improvements that will boost the economy and provide new housing opportunities.
- 2.7. Officers view is therefore that Improvement Line 179 could be removed completely and plots 8439 and 8442 be offered for sale to the owners of Bellhouse Court.

### **3. Implications for the Council**

#### **3.1 Working with People**

- 3.1.1. On the basis that the advice from Officers' is that the scheme is no longer required, it is considered fair to offer the land back to the current property owner at a price to be negotiated at a later date.

#### **3.2. Working with Partners**

- 3.2.1. It has not been necessary to work in partnership with any external organisations during this process. There will be no impact.

#### **3.3. Place Based Working**

- 3.3.1. The analytical and evidence based approach taken by Kirklees to direct resources for transport improvements where there is an identified need in terms of accident reduction, promoting sustainable transport, improving air quality or, more strategically, facilitating development or improving strategic district-wide connectivity has been applied here. It has been determined that removing the Improvement Line will have no impact.

#### **3.4. Improving outcomes for children**

- 3.4.1. There will be no impact.

#### **3.5. Other (e.g. Legal/Financial or Human Resources)**

- 3.5.1 The sale of plots 8439 and 8442 could generate a very modest capital receipt for the Council which will contribute to the future implementation of the Council's future capital plan.

### **4. Consultees and their opinions**

- 4.1. Local Ward Members have been consulted on the requirement for Improvement Line 179 and all 3 wards members (Cllrs Armer, Smith and Taylor) are in agreement that there is little point in holding on to the Improvement Line in current circumstances.

### **5. Next steps and timelines**

- 5.1. If Cabinet approve removal of the Improvement Line, it will be removed from the Council's Register and the Land Registry team will be instructed to desist from declaring the line on searches associated with land or property acquisition.
- 5.2. The Council's Strategic Assets team will also be instructed to commence negotiations with the owners of Bellhouse Court to sell them plots 8439 and 8442 at Drinker Lane, Kirkburton. This will involve negotiating sale price and terms for the land, which in turn will determine the timescales going forward.

### **6. Officer recommendations and reasons**

- 6.1. That Improvement Line 179 is removed from the Council's Improvement Line Register on the basis that it is no longer required.

## **7. Cabinet portfolio holder's recommendations**

- 7.1. I agree with Officers that it is unlikely that this scheme, as protected by Improvement Line 179, will be built because it does not fit with the Council's road safety policy which is to prioritise areas where clusters of accidents are occurring now. Furthermore as a result of severely reduced budgets for local authorities, I cannot foresee in the current climate that this scheme would be of a priority such that Kirklees Council would consider allocating funding for it. Therefore I agree that Improvement Line 179 can be removed from the Council's Register of Improvement Lines.

## **8. Contact officer**

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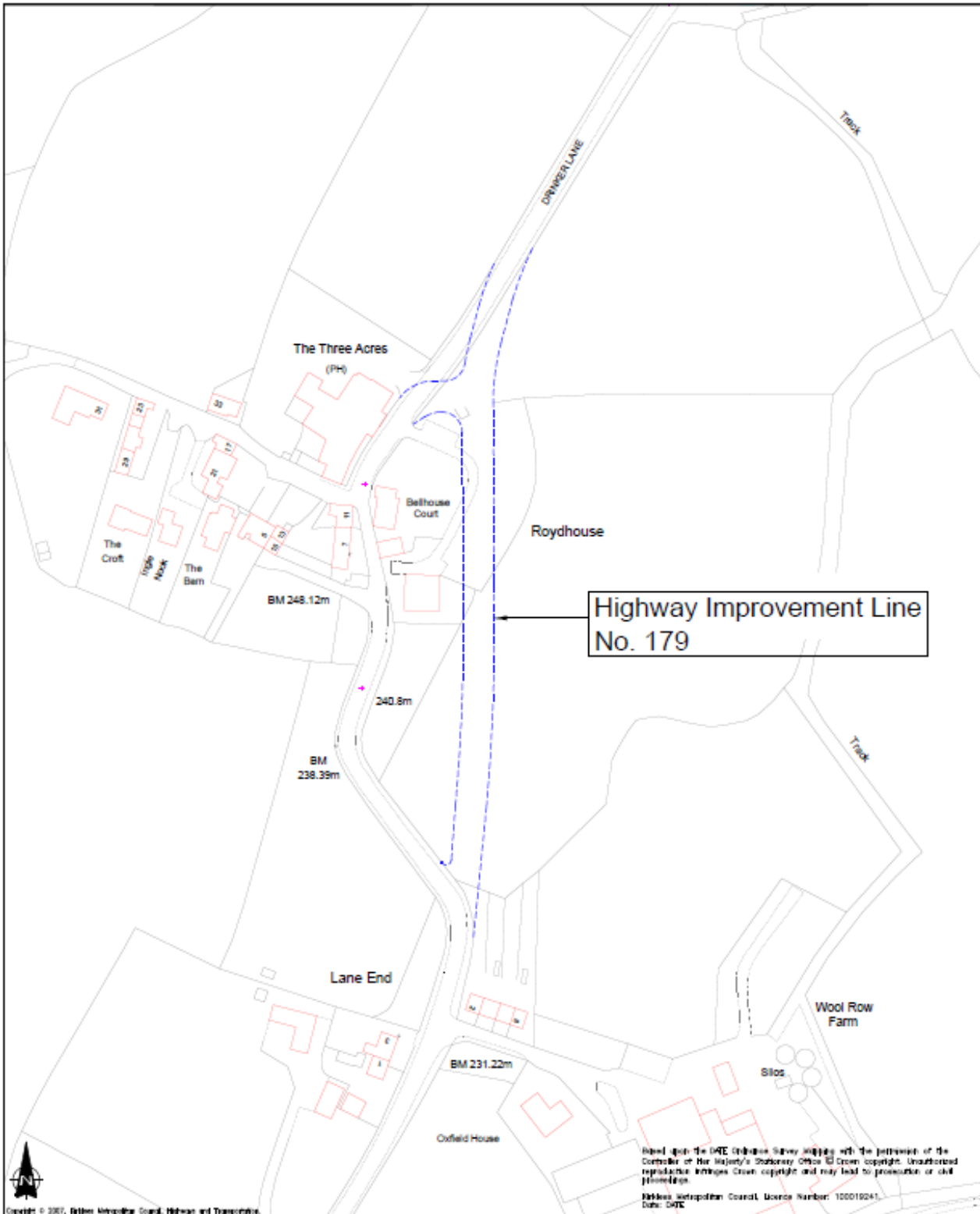
## **9. Background Papers and History of Decisions**

- Kirklees Area Committee 28/07/76: "Improvement of Drinker Lane at Royd House, Kirkburton"
- Kirklees Area Committee 19/01/77: "Improvement of Drinker Lane at Royd House, Kirkburton"

## **10. Director responsible**

Karl Battersby - Strategic Director -  
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Plan A: Improvement Line 179



Highway Improvement Line No. 179

**Kirklees COUNCIL**

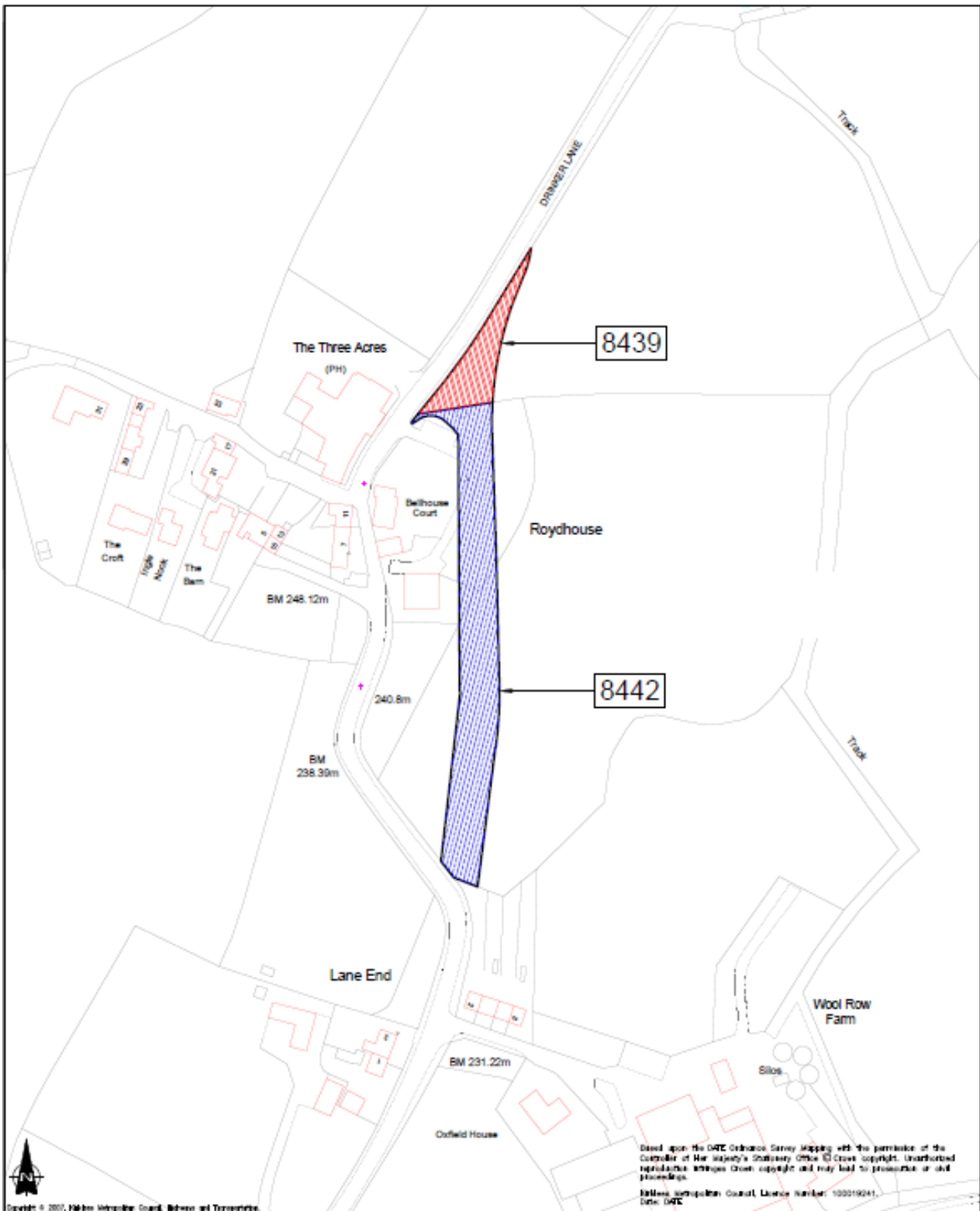
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**Drinker Lane, Royd House,  
Kirkburton, Huddersfield**

**Highway Improvement Line  
No. 179**

Scale: 1:2000 @ A0	
Drawn: HM	Checked: RH
Section:	Date: 14/2/2018
Drawing No. CADNO	Plan A

Plan B: Plots 8439 and 8442 bought by the Council



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COUNCIL

Streetscene & Housing Service  
Highways & Operations  
Queensgate Market, Princess Alexandra Walk,  
Huddersfield, HD1 2UJ

**Drinker Lane, Royd House,  
Kirkburton, Huddersfield**

**Plots 8439 & 8442  
Currently Owned by the  
Council**

Scale: 1:2000 @ A0	
Drawn: HM	Checked: RH
Section:	Date: 14/2/2018
Drawing No.	Plan B
CADNO	