

# Agenda

## Cabinet

**Date: Thursday 18 December 2025**

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**Time: 2.30 pm**

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**Place: Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE**

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**Notes:** Please note the time, date and venue of the meeting.

For any further information please contact:

**Samantha Gregory, Democratic Services Officer**

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If you would like help to understand this document, or would like it in another format, please call Samantha Gregory, Democratic Services Officer on (01432) 260176 or e-mail [samantha.gregory@herefordshire.gov.uk](mailto:samantha.gregory@herefordshire.gov.uk) in advance of the meeting.

# **Agenda for the meeting of Cabinet**

## **Membership**

<b>Chairperson</b>	<b>Councillor Jonathan Lester, Leader of the Council</b>
<b>Vice-Chairperson</b>	<b>Councillor Elissa Swinglehurst, Deputy Leader of the Council</b>
	<b>Councillor Graham Biggs</b>
	<b>Councillor Harry Bramer</b>
	<b>Councillor Barry Durkin</b>
	<b>Councillor Carole Gandy</b>
	<b>Councillor Dan Hurcomb</b>
	<b>Councillor Ivan Powell</b>
	<b>Councillor Philip Price</b>
	<b>Councillor Pete Stoddart</b>

## Agenda

### Pages

#### 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

#### 2. DECLARATIONS OF INTEREST

To receive declarations of interests in respect of Table A, Table B or Other Interests from members of the committee in respect of items on the agenda.

#### 3. MINUTES

To approve and sign the minutes of the meeting held on 20 November 2025.

#### HOW TO SUBMIT QUESTIONS

*The deadline for submission of questions for this meeting is:*

*5pm on Friday 12<sup>th</sup> December 2025.*

*Questions must be submitted to [councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk). Questions sent to any other address may not be accepted.*

*Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at <https://www.herefordshire.gov.uk/getinvolved>*

#### 4. QUESTIONS FROM MEMBERS OF THE PUBLIC

To receive questions from members of the public.

#### 5. QUESTIONS FROM COUNCILLORS

To receive questions from councillors.

#### 6. REPORTS FROM SCRUTINY COMMITTEES

To receive reports from the Council's scrutiny committees on any recommendations to the Cabinet arising from recent scrutiny committee meetings.

#### 7. THE NEW PUBLIC REALM SERVICE

To inform Cabinet of the outcome of the competitive procurement process carried out in accordance with the Cabinet report approved on 28 November 2024 and the updated Public Realm Services model as set out in Appendix 1; and seek Cabinet approval to award the contract for the provision of the Public Realm Services to the successful bidder.

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#### 8. HEREFORD WESTERN BYPASS PHASE ONE LAND ACQUISITION CPO

To seek approval from Cabinet to make a Compulsory Purchase Order (CPO) and Side Roads Order (SRO) for the acquisition of land and rights required to construct, operate, facilitate and maintain the first phase of the Hereford Western Bypass.

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## The Public's Rights to Information and Attendance at Meetings

Please take time to read the latest guidance on the council website by following the link at [www.herefordshire.gov.uk/meetings](http://www.herefordshire.gov.uk/meetings) and support us in promoting a safe environment for everyone. If you have any queries please contact the Governance Support Team on 01432 261699 or at [governancesupportteam@herefordshire.gov.uk](mailto:governancesupportteam@herefordshire.gov.uk)

### You have a right to:

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting. Agenda and reports (relating to items to be considered in public) are available at [www.herefordshire.gov.uk/meetings](http://www.herefordshire.gov.uk/meetings)
- Inspect minutes of the Council and all committees and sub-committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees. Information about councillors is available at [www.herefordshire.gov.uk/councillors](http://www.herefordshire.gov.uk/councillors)
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title. Information about councillors is available at [www.herefordshire.gov.uk/councillors](http://www.herefordshire.gov.uk/councillors)
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Recording of meetings**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make a recording of this public meeting or stream it live to the council's website. Such recordings form part of the record of the meeting and are made available for members of the public via the council's web-site.

## **Public transport links**

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station.

The location of the office and details of city bus services can be viewed at:

<http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services->

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## Guide to Cabinet

The Executive or Cabinet of the Herefordshire Council consists of a Leader and Deputy Leader and eight other Cabinet Members each with their own individual programme area responsibilities. The current Cabinet membership is:

Cllr Jonathan Lester (Leader)	Corporate Strategy and Budget
Cllr Elissa Swinglehurst (Deputy Leader)	Environment
Cllr Ivan Powell	Children and Young People
Cllr Harry Bramer	Community Services and Assets
Cllr Pete Stoddart	Finance and Corporate Services
Cllr Carole Gandy	Adults, Health and Wellbeing
Cllr Graham Biggs	Economy and Growth
Cllr Barry Durkin	Roads and Regulatory Services
Cllr Philip Price	Transport and Infrastructure
Cllr Dan Hurcomb	Local Engagement and Community Resilience

The Cabinet's roles are:

- To consider the overall management and direction of the Council. Directed by the Leader of the Council, it will work with senior managers to ensure the policies of Herefordshire are clear and carried through effectively;
- To propose to Council a strategic policy framework and individual strategic policies;
- To identify priorities and recommend them to Council;
- To propose to Council the Council's budget and levels of Council Tax;
- To give guidance in relation to: policy co-ordination; implementation of policy; management of the Council; senior employees in relation to day to day implementation issues;
- To receive reports from Cabinet Members on significant matters requiring consideration and proposals for new or amended policies and initiatives;
- To consider and determine policy issues within the policy framework covering more than one programme area and issues relating to the implementation of the outcomes of monitoring reviews.

### Who attends cabinet meetings?

- Members of the cabinet, including the leader of the council and deputy leader – these are the decision makers, only members of the cabinet can vote on recommendations put to the meeting.
- Officers of the council – attend to present reports and give technical advice to cabinet members
- Chairpersons of scrutiny committees – attend to present the views of their committee if it has considered the item under discussion

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- Political group leaders attend to present the views of their political group on the item under discussion. Other councillors may also attend as observers but are not entitled to take part in the discussion.

## **The Seven Principles of Public Life (Nolan Principles)**

### **1. Selflessness**

Holders of public office should act solely in terms of the public interest.

### **2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

### **3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **6. Honesty**

Holders of public office should be truthful.

### **7. Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.





# Title of report: Decision to award The New Public Realm Services contract

**Meeting: Cabinet**

**Meeting date: Thursday 18 December 2025**

**Cabinet Member: Cabinet member local engagement and community resilience**

**Report by: Corporate Director, Economy and Environment**

**Report author: Major Contracts Programme Director**

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## **Wards affected**

All Wards

## Purpose

The purpose of this report is to:

- a) inform Cabinet of the outcome of the competitive procurement process carried out in accordance with the Cabinet report approved on 28 November 2024 and the updated Public Realm Services model as set out in Appendix 1; and
- b) seek Cabinet approval to award the contract for the provision of the Public Realm Services to the successful bidder.

## Recommendation(s)

That:

- a) **Cabinet approves the award of a contract (the Contract) for the provision of the new Public Realm Services to the successful bidder in accordance with the Cabinet report approved on 28 November 2024 and the updated Public Realm Services model as set out in Appendix 1 for an initial period of 6 years and 10 months (so as to align with Council financial years) and with the option for the Council to extend for a further 3-year period subject to and in accordance with the performance review mechanism set out in the contract.**
- b) **Cabinet delegates authority to the Corporate Director Economy and Environment to:**
  - i. **Finalise the contract and any ancillary contract documents;**
  - ii. **In consultation with Property Services, agree and enter into the necessary leases to the successful bidder to enable the provision of the Public Realm Services;**
  - iii. **On receipt of payment from the successful bidder, transfer the Council's existing equipment (plant and fleet but excluding the winter maintenance fleet) to the successful bidder so as to enable the provision of the Public Realm Services;**
  - iv. **Accept the transfer of identified roles (circa 60) pursuant to the Transfer of Undertakings Protection of Employment Rights (TUPE) from the incumbent; and**
- c) **Cabinet delegates authority to the Corporate Director Economy and Environment to make all operational decisions necessary to implement recommendations a) and b).**

## Alternative options

1. To reject the recommendation to award the contract to the successful bidder and to re-tender the Public Realm Services. This is not recommended. Through the competitive and comprehensive procurement process detailed in this report, the successful bidder has demonstrated the capability to deliver the Public Realm Services in accordance with the Council's requirements, strategy and statutory obligations. To not agree this decision would lead to significant time and resource implications associated with re-tendering the procurement, which will result in service disruption and increased costs to the Council.



2. To reject the recommendation to award the contract to the successful bidder and to consider an alternative delivery model. This is not recommended on the basis that various, alternative delivery models were considered in detail and discounted as set out in a report to Cabinet of 2 March 2023.

## **Key considerations**

### **Background**

3. Public Realm Services are a statutory function of the Council and vital to Herefordshire as they include maintaining and developing highway infrastructure, maintaining green areas, street cleansing, bereavement services, providing effective drainage, lighting the highway and enabling safe and reliable travel by all modes of transport, and access for business and leisure.
4. The current contract for Public Realm Services was awarded in 2013 and was heavily outsourced with the Council retaining a small client role and contract management function. Having considered that the contract model would no longer deliver the services to the Council's requirements, in April 2024 Cabinet agreed to the recommendation for the Council to terminate the current contract from 31 May 2026.
5. The contract for the provision of Public Realm Services is one of the Council's highest profile contracts and represents a significant financial and operational commitment. On 28 November 2024, Cabinet approved a new approach for the delivery of Public Realm Services including the transfer of some services back into the Council, along with a form of contract that utilises a schedule of rates from a price list, rather than being through a cost reimbursable plus fee model.
6. The procurement process and the contract for the new Public Realm Services were specifically designed to deliver the Council's vision as set out in the Cabinet report approved on 28 November 2024 and ensure the Council's delivery of its statutory duty to carry out (and ensure continuity of) Public Realm Services for Herefordshire. In addition, the new contract encourages engagement with community groups and Town/Parish Councils that will allow for top up, voluntary and paid services to be provided within the scope of the new contract.
7. Until the new contract commences on 1 June 2026, the Council and the incumbent provider will continue to work together to deliver the Public Realm Services under the current contract, and both parties have committed to work together to support a smooth transition to the new contracting arrangements.
8. This report sets out the detail of the procurement process followed to procure the new Public Realm Service contract. To maintain the integrity and fairness of the procurement process, the identity of the successful bidder cannot be released until the award letters have been sent out and the contract awarded in accordance with the Public Contract Regulation 2015.

### **The Procurement Process for the new Public Realm Service contract**

9. The procurement process for the new Public Realm Service contract commenced on 16 January 2025, with Appendix 1 setting out the updated Public Realm Services model. A contract notice was published setting out that the Council would conduct the procurement under the competitive procedure with negotiation in accordance with the Regulation 29 of the Public Contracts Regulations 2015 ("PCR"). The contract notice set out the key information contained in Table 1.

Table 1: Contract Notice Key Information

Total Contract Duration	Initial period of 7 years with an option to extend (at year 5) to a maximum of 10 years.	
Anticipated contract Commencement date	1 June 2026	
Estimated annual value	£15,000,000 - £20,000,000	
Estimated total value	£200,000,000	
Award Criteria	<b>Quality</b>	<b>58%</b>
	Q1 - Mobilisation	
	Q2 - Operational Delivery – Reactive Works	
	Q3 - Operational Delivery – Cyclical Works	
	Q4 - Operational Delivery – Extreme Weather Events	
	Q5 - Carbon Reduction	
	<b>Social Value</b>	<b>12%</b>
	<b>Price</b>	<b>30%</b>

Selection Stage

10. The first stage of the procurement process assessed a candidate's economic and financial standing and technical and professional experience of delivering services similar to the Public Realm Services. This assessment was in the form of the Common Assessment Standard questionnaire (Government mandated for works contracts) as well as pass/fail and scored questions specific to the Public Realm Services.
11. Selection Stage submissions were invited by 17 February 2025. The Council received four compliant submissions which all of whom were invited to proceed to the next stage of the procurement process.

Invitation to Submit Initial Tenders

12. The second stage of the procurement process commenced with the issuing of the Invitation to Submit Initial Tenders (ISIT) on 17 March 2025.
13. The Council received four compliant Initial Tender submissions. A negotiation team consisting of a mix of officers of the Council and external advisers carried out a gap analysis review of each Initial Tender submission to identify whether the submissions could be sufficiently improved to better meet the Council's requirements by negotiating. The negotiation team considered this was the case and the recommendation to proceed to the negotiation stage was approved by the Project Board on 20 June 2025.

14. The Council issued a summary of relevant points document to all four tenderers outlining the outcome of the gap analysis review and anticipated amendments to the procurement and contract documents for the next stage.

#### Negotiation Meetings

15. The negotiation team engaged in two rounds of negotiation meetings with each tenderer in the weeks commencing 14 and 21 July 2025. The aim of the negotiation meetings was to respond to clarification issues raised by tenderers, give feedback to tenderers following the gap analysis review and to negotiate Initial Tenders with the aim of improving their content.
16. Tenderers were provided with equal opportunity to submit information for the Council's consideration pre and post negotiation meetings and following successful negotiation, all four tenderers proceeded to the next stage.
17. The Council issued a summary of relevant points document to all four tenderers outlining the Council's position on the clarifications raised and anticipated amendments to the procurement and contract documents for the next stage.

#### Invitation to Submit Final Tenders

18. The third stage of the procurement process commenced with the issuing of the Invitation to Submit Final Tenders on 18 August 2025. This stage marked the final opportunity for tenderers to submit their improved submissions incorporating the Council's responses to all clarifications raised by suppliers and the information shared pre, during and post negotiation.
19. The Council received four compliant Final Tender submissions. An evaluation team consisting of a mix of officers of the Council and external advisers carried out an individual evaluation of each tenderers Final Tender submission and then convened for moderation meetings to agree the moderated scores and reasons for the score in the week commencing 20 October 2025. As part of a review of each tender, a reasonableness check was also carried out to ensure the quality submissions were reflective of the prices submitted.
20. Following completion of the moderation process, the evaluation methodology for Final Tenders as set out in the Invitation to Submit Final Tenders document was carried out and the successful bidder was identified as the most economically advantageous tender (i.e. achieving the highest aggregated score for quality, social value and price) capable of meeting the Council's requirements for the provision of the Public Realm Services.

### **Community impact**

21. The Council has a stated objective to Develop Herefordshire as a place for growth, prosperity and communities to thrive. A key milestone in realising that objective is the delivery of the Public Realm services. We are committed to awarding the new Public Realm contract, to the demobilisation of the current contract and to commence mobilisation of the new contract

## Environmental Impact

22. The contract is aligned to the Council's 2030 net zero carbon emission targets including commitments to:
  - a. improve drainage and increase flood resilience;
  - b. reduce the Council's carbon emissions year on year;
  - c. work in partnership with others to reduce carbon emissions; and
  - d. improve air quality.
23. As part of its tender submission, the successful bidder provided a draft carbon reduction and management action plan for delivery of the Public Realm Services by 2030 in line with the Council's net zero carbon initiatives. The successful bidder outlined its commitments and targets year on year to reduce carbon emissions and how it will deliver a circular economy. In line with the contract, the successful bidder also set out how it will deliver an Ultra Low Emission Vehicle and Electric Vehicle fleet, with the contract mandating that any vehicle used in the delivery of the Public Realm Service with a weight of 3.6 tonnes or more must be fuelled by Hydrotreated Vegetable Oil ("HVO") and that any vehicle with a weight of less than 2 tonnes be required to be electric.

## Equality duty

24. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations and demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services.
25. The Equality Impact Assessment for the impact on the services has been updated following the procurement process and is provided in Appendix 2 of this report.
26. There are no negative impacts identified from this project.

## Resource implications

27. The procurement has been via a competitive process in accordance with the Public Contracts Regulations 2015 to ensure the Council secures best value for money.
28. The significant financial commitment and the financial resources associated with the procurement have been carefully managed to ensure the cost of the procurement is delivered within the agreed overall project budget, which has been funded from revenue reserves.
29. The estimated annual contract value is between £15 million and £20 million, but the Council is not committed to a guaranteed spend. The contract has built in mechanisms that allows the Council to control the level of works placed under each task order and to regulate the annual inflationary increases. This process will be carefully managed by the service area to ensure the contract continues to deliver value for money, is within budget and can deliver the necessary statutory functions.

30. An annual plan of public realm works will be delivered in line with the approved capital and revenue budgets and the Council's medium term financial strategy and delivery plans. On an annual basis, a plan of public realm works known as the Annual Plan will be drawn up in accordance with the Council's Highway Asset Management Plan and Highway Maintenance Plan. The Annual Plan is typically agreed through the Council's decision making process in January and February of each year and therefore the confirmation of public realm funding for 2026/27 and the delivery arrangements and mechanisms for the Annual Plan 2026/27 will be subject to a separate decision.
31. Officers have assumed total budgets for the three year period from April 2026 as set out in the following table and which will be used to fund staff and works undertaken through the final two months of the current contract, the new contract and the Council's own framework. The Department for Transport Highway Maintenance Block amounts were announced at the end of November 2025 and are subject to confirmation and receipt of further detail, in particular the incentive element. The Revenue Base Budget amounts are based on the 2025/26 value and are subject to Full Council approval in February of each year. These amounts do not account for any annual inflationary increases for 2027/28 or 2028/29 or any savings targets that may be proposed over the three year period through to 2028/29.

<b>Capital and Revenue Budgets</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>Total 26/27- 28/29</b>
	£000	£000	£000	£000	£000
DfT Highway Maintenance Block (Baseline)	16,751	17,297	19,248	21,435	57,980
DfT Highway Maintenance Block (Incentive)	6,178	6,400	8,201	8,260	22,861
Revenue Base Budget	7,042	7,206	7,206	7,206	21,618
<b>TOTAL</b>	<b>29,971</b>	<b>30,903</b>	<b>34,655</b>	<b>36,901</b>	<b>102,459</b>

32. Based on the above, Officers consider the available budgets to be sufficient to deliver the statutory functions through the new contract.
33. As part of the change management process, Anthony Collins (external legal support) and DMsqd (technical consultants) will support officers over the coming months to develop their technical knowledge and to ensure there is a clear understanding of how the new contract model will operate.
34. As set out in recommendation b) iii), on receipt of payment from the successful bidder, the Council's existing equipment (plant and fleet excluding the winter maintenance fleet) will transfer to the successful bidder so as to enable the provision of the Public Realm Services. Subject to a truing up mechanism, the sale and transfer of all of these assets may realise up to approximately £428k of capital receipts.

## **Legal implications**

35. External advisors Anthony Collins have supported Officers from relevant service areas throughout the procurement process.

36. The procurement process has been conducted in accordance with the Public Contracts Regulations 2015 (this is the applicable legislation due to the contract notice being published prior to the Procurement Act 2023 coming into force). The contract shall continue to be subject to the Public Contracts Regulations 2015 (e.g. in respect of any modifications made).
37. The Council has a statutory duty to undertake the public realm activities which are the subject of this procurement. The Council's duties in relation to highways and other structures are set out in the Highways Act 1980. The Council has a duty to maintain open spaces under the Open Spaces Act 1906.
38. The contract will involve the transfer of the existing workforce under the Transfer of Undertakings (Protection of Employment) regulations 2006 (TUPE) to the successful bidder and the Council. This process has been managed during the procurement process.

### **Risk management**

39. The strategic risks associated with the Public Realm Contract strategy have been reviewed and are being managed in accordance with the Council's Risk Management Strategy. Oversight of risk mitigations will continue through Herefordshire Councils established governance and assurance frameworks to ensure risks are effectively monitored, escalated, and addressed.
40. The key risks associated with the contract are set out in the following table:

<b>Risk</b>	<b>Potential Impact</b>	<b>Mitigation</b>
Operational Transition Risk	Disruption to services during handover from incumbent provider, including TUPE issues and asset delays.	<p>The Council has developed a mobilisation plan to ensure the transition period is monitored and handover milestones are clearly set out. The successful bidder's mobilisation plan was evaluated as part of the procurement process.</p> <p>The roadmap to the new model and contract from 1 June 2026 includes providing assurances to staff identified to transfer to the Council or new contract under the new model. The Council and the successful bidder will work together to provide the necessary assurances to transferring staff.</p> <p>The current provider has also been assisting with a smooth transition to the new model by providing the necessary information during the procurement process.</p>

		<p>The new delivery model will differ significantly from the current approach as previously outsourced services have now been brought in-house. Such operational change has been a key consideration of the Council, and this will be monitored through the management milestone, ensuring that the split role operational structure is well-integrated and that any associated operational risks are minimised.</p> <p>Additionally, as part of the change management process, officers of the Council will be trained on commissioning task orders to ensure a smooth management of the in-house services.</p> <p>As part of the procurement process, the Council required each supplier to outline its plans and resources to deliver a successful and seamless mobilisation, ensuring no disruption to services. Therefore, such operational risks have been identified by the successful bidder and procedures are in place to minimise service disruption.</p>
Legal risk	<p>Delay in the successful bidder executing the contract / mobilising the contract before the commencement date of 1 June 2026 impacting the ability of the service to deliver its statutory requirements.</p>	<p>A timetable has been established to ensure appropriate time is provided for internal governance to be carried out prior to the standstill letters being issued.</p> <p>External legal support has prepared the draft contract ready to issue out to the successful bidder and execute promptly after the expiry of the mandatory 10-day standstill period (early January 2026). On the assumption there will be no delay to the timetable, the successful bidder will have a four-month period to mobilise the contract so as to be ready to commence service delivery on 1 June 2026.</p>



		In the event of a legal challenge, expert advice will be obtained but no formal challenge has materialised at this time.
Financial risk	There is a risk that costs may overrun due to inflationary pressures, unforeseen service demands or supplier underperformance resulting in strains on the allocated revenue budget.	<p>Inflation adjustments are effective 1 April each year but use the index available at the previous 31 December. This seeks to provide cost and budget certainty to the Council by enabling price certainty for the financial year in advance.</p> <p>The model and contract follow best industry practice, have been subject to market engagement and the competitive procurement process has been subject to financial review and scrutiny.</p>
Supplier insolvency or underperformance	Insolvency could lead to service failure and increased costs for the Council.	<p>The contract has appropriate measures in place to mitigate the impacts of contractor insolvency such as:</p> <ul style="list-style-type: none"> <li>• <b>Parent Company Guarantee</b> - this provides the Council with protection in the event the successful bidder is unable to meet its obligations as its parent company will be required to step in and complete the service and/or cover losses. The Council has ensured the guarantor has sufficient standing and resources to discharge the contractor's obligations.</li> <li>• <b>Supplier Financial Risk Assessment</b> – At the selection stage, an assessment of the successful bidder's financial information was undertaken to ensure it met the Council's minimum financial requirements to perform the contract. The assessment consisted of reviewing the status of the successful bidder using Companies House information and reviewing the</li> </ul>



		<p>financial information submitted by the successful bidder against the Council's Financial Workbook. Prior to contract signature and as part of the due diligence exercise, the assessment will be repeated to ensure the successful bidder continues to meet the Council's minimum financial requirements and the ultimate parent company (providing the Parent Company Guarantee) meets the same. Further, a fraud prevention check and a commercial credit rating check will be carried out.</p> <ul style="list-style-type: none"> <li>• <b>Collateral Warranties –</b> The successful bidder must procure Subcontractor Collateral Warranties for the benefit of the Council.</li> <li>• <b>Performance Bond –</b> for capital works instructed under the contract, there is an option for the Council to require a performance bond to be obtained. The Council can seek to claim the bond amount from the bond issuer in the event of the successful bidder's insolvency.</li> <li>• <b>Retention –</b> at each payment assessment date in the final year, a retention percentage is retained by the Council. This is to incentivise the Contractor to remedy outstanding defects at the end of the Service Period.</li> </ul>
Performance	Underperformance.	<p>The Council has adopted a detailed performance management framework to monitor key objectives and the risks associated with underperformance. Such objectives will be monitored through a RAG status system on a monthly basis.</p>

		<p>This mechanism enables the Council to tackle any underperformance early in the process to ensure the successful bidder's commitments are effectively delivered and prevent sustained underperformance. Sustained underperformance may ultimately lead to termination of Bidder's A employment under the contract.</p> <p>The Council will conduct a thorough performance review at year five of the contract to assess whether the Contractor should be offered an extension to the Service Period.</p>
Reputational Risk	Public dissatisfaction	<p>Under the new Public Realm Service model, customer services (enquiries and complaints) will be handled directly by the Council. However, the successful bidder's approach to customer centricity (i.e., place the customer at the forefront of service delivery) has been evaluated as part of the procurement process.</p>

## Consultees

41. A session was undertaken on 5<sup>th</sup> December 2025 to brief all Members on the content of this report.

## Appendices

Appendix 1 – Updated Public Realm Services Model

Appendix 2 - Updated Service Impact Equality Impact Assessment

## Background papers

Cabinet 28 November 2024

<https://councillors.herefordshire.gov.uk/documents/s50122864/The%20New%20Public%20Realm%20Services.pdf>

Connected Communities Scrutiny Committee 15 October 2024

<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=1157&MIId=9355&Ver=4>

Cabinet 27 June 2024

<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=251&MIId=9301&Ver=4>

Cabinet 25 April 2024

<https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=10100>

Cabinet 2 March 2023

<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=251&MId=8905&Ver=4>

Connected Communities Scrutiny Committee 13 February 2023

<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=1157&MId=8826&Ver=4>

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

None.



## Appendix 1 The New Public Realm Services Model for Procurement

This document sets out the Public Realm Services model and new contracting arrangements that have been developed and refined from market engagement during Summer 2024 and which has evolved for operational and contractual reasons since November 2024.

The refined version of the model and new contracting arrangements as set out below define the model for the procurement, which has been underway since January 2025.

### Services for the New Public Realm Services Contract

The contractor will deliver the following “core services” under a new Public Realm Services contract:

- Network resilience & civil emergencies services
- Winter service
- Reactive maintenance (potholes & patching)
- Carriageway & footway maintenance programmes
- Drainage (gully cleansing & land drainage)
- Street lighting and illuminated signs
- Structures (maintenance of bridges and culverts)
- Street cleaning (bin emptying, fly tipping & road sweeping)
- Fleet management and mechanical workshop (TBC)
- Parks and open spaces (highways verges and trees)
- Bereavement Services including grounds maintenance and grave digging
- Bus Shelter Maintenance
- Public Art Maintenance
- Works on the Public Rights of Way network
- Schemes up to a value of up to £250,000 (two hundred and fifty thousand pounds) indexed linked may be directly awarded through the contract at the council’s discretion
- Limited scheme work above the £250,000 indexed threshold where value for money can be demonstrated and there are advantages for this work being commissioned through this contract

The core services usually comprise of labour, fleet and materials. However, for the contractor to host the contract and deliver the core services effectively, they require a facility and team of people which would ordinarily comprise of the following functions:

- Contract management
- Business & IT support
- Performance Management & reporting
- Supervisors
- Contract accountancy
- Quantity surveying
- Social value, carbon & environmental services
- Fleet management
- Depots and depot management
- Health & safety services

Such provision by the contractor to deliver the core services is referred to as the Local Management Overhead (LMO).

## Appendix 1 The New Public Realm Services Model for Procurement

The LMO to deliver the quantum of services set out by the council in the tender documents has been used by tenderers to propose an LMO inserted against Series 100 (Basic Facility in the Prices List). During evaluation, tenderers' LMOs have been assessed by the council for their appropriateness and proportionality in relation to the core services and contract value.

The council intend for the LMO to flex during the contact term agreed between the council and the contractor, reacting to changes in service priorities and contract turnover, and a contractual mechanism to provide this has been developed in the contract.

The incumbent's employees and workforce who are primarily delivering the core services and LMO services may trigger transfer rights to the new contractor under the Transfer of Undertakings Protection of Employment rights (TUPE).

### Services transferred to the council

Technical roles transferred to the council from the incumbent under the Transfer of Undertakings Protection of Employment rights (TUPE) will include the following functions:

- Asset Management Team
- Network Management
- Locality Stewards (incl Highway Inspections)
- Design / Project Management / Quantity Surveying
- Customer Services (enquiries and complaints)
- Communications
- Fleet management
- Health & Safety / CDM

An initial assessment has identified that in the region of 60 roles will transfer from the incumbent to the council for the functions listed.

### The Contract

The council investigated the form of contract and options that would best deliver the services to the council's requirements. This investigation identified the NEC 4 Term Service Contract with a combination of options A, C and E will best meet the council's vision as set out in the table:

Option	Description	Scenario for use
Option A: Priced Contract with Price List	Lump Sum Activity or Item Rate from Price List	As the main payment mechanism for the contract including Core Services & Schemes

## Appendix 1 The New Public Realm Services Model for Procurement

Option C:  Target Contract with Price List	<p>Target is built up from Price List</p> <p>Contractor is paid their “Defined Costs” + Fee</p> <p>Risk of cost overruns is shared 50/50 up to 10% above the target price. The contractor absorbs 100% of cost overruns if costs exceed 10% of the target price</p> <p>Equally, cost underruns are shared 50/50 up to 10% under the target price. The council retains 100% of cost underruns if the saving exceeds 10% of the target price.</p>	<p>Used only in limited circumstances including for services and projects with undefined scope and timescales</p> <p>Option C is only applicable if identified as the main option in a Task Order</p>
Option E:  Cost Reimbursable Contract	<p>Works are agreed and paid on an open book basis</p> <p>Contractor is paid their “Defined Costs” + the Fee percentage</p>	<p>By exception for unusual services that are not catered for in the Price List and used in times of emergency for example deployment of resources</p> <p>Option E is only applicable if identified as the main option in a Task Order</p>

### The Specification

The contract specification has been developed in accordance with national and local standards:

- Highway Maintenance Efficiency Programme
- Design Manual for Roads and Bridges (DfT)
- Material requirements & specifications including British Standards
- Local requirements & Standard Details (as standard as possible)

The contract will allow new items to be included in the Price List during the contract term for Improvement Schemes where the item description in the Price List does not correspond with the item of work / part of the service. The contract will also provide for corrections to the Price List if a mistake is identified during the contract term and will include X1 Price Adjustment for Inflation to allow for an annual inflationary uplift to the rates and Prices in the Price List. It will also include an allowance to review and potentially re-price a limited number of items from the Price List where this is considered reasonable on a Task Order basis. Overall, these items are in support of a commercially sustainable long term contract and relationship between the council and the Contractor.

The Contract will allow for innovation and efficiency variations to maximise public benefit and value for money.

## Appendix 1 The New Public Realm Services Model for Procurement

The contract term will be an initial term of 6 years and 10 months, with the option to extend for a period of up to 3 years. The decision to extend will be taken during year 5 in the form of a Fundamental Review, including a VFM assessment.

Performance Management is an important aspect of the contract and will include:

- Contractor Operational Performance Indicators
- A grace period for some aspects of performance for the first three months of the contract
- The contract will include “Low Service Damages” for non-compliance. This will take the form of payment deductions pursuant to an amended version of X20: Key Performance Indicators.

A Performance Management Framework was developed and provided in the tender documents for the procurement.

Requirements relating to IT, accommodation, depots and fleet have been developed to support the model and new contracting arrangements.





# Equality Impact Assessment (EIA) Form

*Please read EIA guidelines when completing this form*

## 1. Name of Service Area/Directorate

Name of Head of Service for area being assessed:  
Ed Bradford, Major Contracts Programme Director  
Directorate: Economy & Environment

Individual(s) completing this assessment:

- Ed Bradford- Major Contracts Programme Director

Date assessment completed: 21/11/2025

Note: This updates a previous assessment undertaken on 19 March 2024.

## 2. What is being assessed

Activity being assessed (eg. policy, procedure, document, service redesign, strategy etc.)

The Public Realm Services delivered by the Council and its 2013 contract with Balfour Beatty Living Places (BBLP) include the following services:

### Technical Services

- Asset Management Team
- Network Management
- Locality Stewards (incl Highway Inspections)
- Design / Project Management / QS
- Customer Services (enquiries and complaints)
- Communications Lead (communications management including social media)
- Fleet (part)
- Health & Safety / CDM (part)

### Core Services and works

- Network resilience & civil emergencies services
- Winter service
- Reactive maintenance (potholes & patching)
- Carriageway & footway maintenance programmes
- Drainage (gully cleansing & land drainage)
- Street lighting
- Structures (maintenance of bridges and culverts)
- Parks and open spaces (highways verges and trees)
- Street cleaning (bin emptying, fly tipping & road sweeping)
- Fleet management and mechanical workshop (TBC)
- Cemeteries & burials
- Infrastructure schemes and projects

What is the aim, purpose and/or intended outcomes of this activity?

The Council's vision is to deliver public realm services that are fit for the future embracing technology, automation and digital innovation, a transition to electric plant and vehicles, using materials to meet carbon reduction ambitions, investment in people that support development and innovation enabling the service to continually improve, maximising resources and opportunities to best meet the needs of local residents and communities.

Name of lead for activity

Ed Bradford – Major Contracts Programme Director

Who will be affected by the development and implementation of this activity?

- ☒ Service users
- ☐ Patients
- ☐ Carers
- ☐ Visitors
- ☐ Staff
- ☒ Communities
- ☐ Other:

Is this:

- ☒ Review of an existing activity
- ☐ New activity/policy
- ☐ Planning to withdraw or reduce a service, activity or presence?

What information and evidence have you reviewed to help inform this assessment? (name your sources, eg. demographic information for services/staff groups affected, complaints etc.)

Best practice from other local authorities  
 Review of the Public Realm Services delivered under the contract with BBLP  
 The Major Contract Improvement Plan 2020-2023  
 Contract performance indicators  
 Cabinet 28 November 2024  
<https://councillors.herefordshire.gov.uk/documents/s50122864/The%20New%20Public%20Realm%20Services.pdf>  
 Cabinet 25 April 2024  
<https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=10100>  
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 Connected Communities Scrutiny Committee 13 February  
<https://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=1157&MId=8826&Ver=4>

Summary of engagement or consultation undertaken (eg. who and how have you engaged with, or why do you believe this is not required)

Previous engagement with:

Council service managers, commissioners and support services  
 BBLP  
 Cross party Member groups  
 Market engagement (Summer 2024)

### Summary of relevant findings

The Public Realm Services primarily maintain the highway network and have direct and indirect impacts on the communities and residents of Herefordshire.

The services include statutory obligations to ensure the free movement on the network, and ensure safety. This includes core services like cutting the grass, cleaning drains, fixing street lights and filling potholes.

The review of the Public Realm Services has identified that although the Council desires to deliver the technical services in-house, the works and core services are best delivered by a contractor.

The new delivery model includes the termination of the current Public Realm Services Contract delivered by BBLP, and the procurement of a new contractor to deliver the services from June 2026.

As part of the new Public Realm Service the successful contractor will be required to comply fully with all legal and statutory obligations, including:

- **Fair Workforce Transition:** Ensuring that any staff transferring under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) are treated lawfully and fairly, with clear communication and support throughout the process.
- **Safe and Inclusive Service Delivery:** Meeting all health and safety requirements and equality duties under the Equality Act 2010, including the provision of safe roadworks, accessible diversion routes, and consideration for all protected characteristics.

Beyond these minimum requirements, the contractor will be expected to go the extra mile by adopting best practice approaches that promote equality and community engagement. This includes:

- **Workforce Development:** Providing equality and diversity training for staff and encouraging inclusive recruitment practices.
- **Safety and Wellbeing:** Implementing measures that reduce crime and fear of crime, such as maintaining well-lit highways and safe pedestrian routes.

The procurement of a new contractor will not impact adversely for the delivery of services for the equality groups listed below.

However should the Council or new contractor propose to change an aspect of service delivery that could potentially impact the residents of Herefordshire, including any of the equality groups, then this specific service change will be subject to an independent EIA.

Likewise should a capital scheme or project propose to change or improve part of the highway network, then this proposal is subject to an independent EIA, which looks at the impact during construction and any changes or improvements to the highway network.

### 3. The impact of this activity

Please consider the potential impact of this activity (during development and implementation) on each of the equality groups outlined below. **Please tick one or more impact box below for each Equality Group and explain your rationale.** Please note it is possible for the potential impact to be both positive and negative within the same equality group and this should be recorded. Remember to consider the impact on staff, public, patients, carers, partner organisations, etc. in these equality groups.

Equality Group	Potential <u>positive</u> impact	Potential <u>neutral</u> impact	Potential <u>negative</u> impact	Please explain your reasons for any potential positive, neutral or negative impact identified
<b>Age</b>		✓		Transferring the Technical Services from BBLP to the Council, and the core service works to a new contractor under a compliant procurement process with equality assurances, will not have a negative impact on this equality group, although this will be managed and reviewed during the transition to the new services to 1 June 2026.
<b>Disability</b>		✓		As above
<b>Gender Reassignment</b>		✓		As above
<b>Marriage &amp; Civil Partnerships</b>		✓		As above
<b>Pregnancy &amp; Maternity</b>		✓		As above
<b>Race</b> (including Travelling Communities and people of other nationalities)		✓		As above
<b>Religion &amp; Belief</b>		✓		As above
<b>Sex</b> (including issues of safety and sexual violence)		✓		As above
<b>Sexual Orientation</b>		✓		As above
<b>Other Vulnerable and Disadvantaged Groups</b> (eg. carers, care leavers, homeless, social/ economic deprivation, etc)		✓		As above
<b>Health Inequalities</b> (any preventable, unfair & unjust differences in health status between groups, populations or individuals that arise from the unequal distribution of social, environmental & economic conditions within societies)		✓		As above

### What actions will you take to mitigate any potential negative impacts?

Potential negative impact	Actions required to reduce/eliminate negative impact	Who will lead on action?	Timeframe
EIA matters arising during the procurement process and transition to new services from 1 June 2026.	Managed as part of Project Governance controls to 1 June 2026.	Ed Bradford – Major Contracts Programme Director	Under review until 1 June 2026.

Where an impact on any of the Equality Groups is realised after the implementation of the project/service/policy, the commissioners and/or providers of the project/service/policy will seek to minimise the impact and carry out a full review of this EIA.

## 4. Monitoring and review

How will you monitor these actions?

The EIA will be reviewed and updated along with the procurement process and implementation of the new model and contracting arrangements, which are scheduled to go live on 1 June 2026.

Should there be any proposed service/policy changes during the period to June 2026 then the Council will work in partnership with BBLP and/or the new contractor where necessary to undertake further EIAs specific to any changes being proposed and designed, prior to their implementation.

When will you review this EIA? (eg in a service redesign, this EIA should be revisited regularly throughout the design & implementation)

The EIA will be under review aligned with the implementation of the project to 1 June 2026.

## 5. Equality Statement

- All public bodies have a statutory duty under the Equality Act 2010 to set out arrangements to assess and consult on how their policies and functions impact on the 9 protected characteristics.
- Herefordshire Council will challenge discrimination, promote equality, respect human rights, and design and implement services, policies and measures that meet the diverse needs of our service, and population, ensuring that none are placed at a disadvantage over others.
- All staff are expected to deliver services and provide services and care in a manner which respects the individuality of service users, patients, carers etc, and as such treat them and members of the workforce respectfully, paying due regard to the 9 protected characteristics.

Signature of person completing EIA

EJ BRADFORD

Date signed

21/11/2025





# **Title of report: Hereford Western Bypass Phase One Land Acquisition CPO**

**Meeting: Cabinet**

**Meeting date: Thursday 18 December 2025**

**Cabinet member: Cabinet member transport and infrastructure;**

**Report by: Corporate Director, Economy and Environment**

**Report Author: Delivery Director - Infrastructure**

## **Classification**

Open

## **Decision type**

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

## **Wards affected**

(All Wards);

## **Purpose**

To seek approval from Cabinet to make a Compulsory Purchase Order (CPO) and Side Roads Order (SRO) for the acquisition of land and rights required to construct, operate, facilitate and maintain the first phase of the Hereford Western Bypass. Progress has been made to acquire land by negotiation, however, should any of the negotiations fail to reach an agreed purchase the Council will have no other option but to use its compulsory purchase order powers to acquire the land. The Council now considers it necessary and proportionate to begin the CPO process to enable the land and interests needed to be acquired in a timely period. The Council will continue to negotiate with landowners and their agents in parallel with the CPO in hopes that successful purchase agreements can be reached. Once any agreements are reached the Council will remove that land from the CPO process.

### **Recommendation(s)**

**To agree to resolve that the Council**

- a) note the draft Statement of Reasons (at Appendix 1);**
- b) makes The County of Herefordshire District Council (Hereford Western Bypass – Phase One) Compulsory Purchase Order 2026 (CPO) pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 for the acquisition of all interests (both residential and commercial), and any other interests as may arise, which are not already owned by the Council and new rights within the areas shown edged red and shaded pink and blue on the plans attached at Appendix 2**
- c) note The County of Herefordshire District Council (South Wye Transport Package – A4194 Southern Link Road) (Classified Road) (Side Roads Order) Order 2018 (2018 SRO) attached at Appendix 3 which was confirmed by the Secretary of State in March 2019.**
- d) Delegate authority to the Corporate Director for Economy and Environment to**
  - a. make The County of Herefordshire District Council (Hereford Western Bypass – Phase One) Side Road Order 2026 (SRO) (if required) under Section 14 and 125 of The Highways Act 1980 and all other purposes necessary to**
    - i) Improve the lengths of highway referred to in the SRO and the corresponding plan**
    - ii) Stop up each length of the highway as referred to the SRO and the corresponding plan**
    - iii) Construct a new highway along each route as referred to in the SRO and the corresponding plan;**
    - iv) Stop up each private means of access to premises as referred to in the SRO and the corresponding plan;**
    - v) Provide new means of access to premises as referred to in the SRO and the corresponding plan.**

**which will be as per the plan appended to the 2018 SRO (subject to any amendments to the said plan the Corporate Director for Economy and Environment shall determine as being necessary if the SRO is required);**

- b. to make such minor or technical amendments to the CPO and or SRO (together “the Orders”) and associated plans as the Corporate Director for Economy and Environment shall determine;**
- c. take all necessary and ancillary steps, including preparing and finalising all necessary documentation (including the Orders and supporting statements of**



reasons), the submission of the Orders to the Secretary of State for confirmation, publication and service of all statutory notices and the presentation of the Council's case at any public inquiry to secure the confirmation of the CPO and SRO by the Secretary of State;

- d. acquire all interests in land within the areas of the CPO either compulsorily or by agreement;
- e. deal with objections to the Orders including agreeing terms for the withdrawal of objections in order to secure the delivery of Phase One of the Hereford Western Bypass Scheme;
- f. negotiate and enter into agreements or undertakings with persons with any interest in the land affected by or relating to the Orders;
- g. remove from the CPO any plot (or interest therein) no longer required to be acquired compulsorily and to amend the interests scheduled in the CPO (if so advised) and to alter the nature of the proposed acquisition from an acquisition of existing property interests to an acquisition of new rights ;
- h. make any minor amendments as are considered necessary to the Orders arising as a result of negotiations with affected persons or further design work to enable the delivery of Phase One of the Hereford Western Bypass Scheme
- i. make any amendments to the Statement of Reasons a draft version of which is annexed at Appendix 1 to this report as are considered necessary prior to its submission to the Secretary of State;
- j. confirm the CPO if granted power to do so by the Secretary of State;
- k. to implement the CPO, SRO and 2018 SRO, including the acquisition of all necessary land and interests and new rights and to take all steps to secure the settlement of compensation arising from the implementation of the Orders including referral to the Upper Tribunal Lands Chamber.
- l. to pay such compensation and to carry out any other additional steps needed for the implementation of the CPO, SRO and 2018 SRO and make any other operational decisions to implement these recommendations;

## **Alternative options**

1. The alternative to not proceeding to resolve to make a CPO in order to implement the Phase One Hereford Western Bypass Scheme would be to resolve to implement the scheme without a CPO, i.e. by continuing to seek agreement with the owners of the interests in land in the absence of a CPO. This strategy puts the Council at considerable risk from all owners who could seek to hold the Council to ransom in order to escalate the purchase price of their interest. Additionally, if voluntary agreement could not be reached between the Council and the interest holders for the interests in the land the Council would not be able to compulsorily acquire the land and interests required for the delivery of the scheme which would put the delivery of the scheme at risk.
2. In line with CPO Guidance the Council is seeking to acquire land and interests voluntarily through negotiation as its primary approach. If all interests in land and new rights required to

facilitate the delivery of Phase One Hereford Western Bypass Scheme are formally acquired through voluntary agreement the Council may decide not to implement the CPO.

3. Acquisition by compulsory purchase will only be utilised where formal acquisition of all interests and new rights over the land required for the delivery of the Phase One Hereford Western Bypass Scheme has not been secured within a reasonable timescale to enable the scheme to be constructed.
4. The 2018 SRO was confirmed on 14 March 2019. The Council may implement that 2018 SRO to enable works to progress. However, a further SRO may be required to enable the full extent of works required as part of the Phase One Hereford Western Bypass Scheme. If the further SRO is not made it is possible that the proposed works as part of the Phase one Hereford Western Bypass Scheme will not be authorised, which would put the delivery of the scheme at risk.

### Key considerations

5. [The New Road Strategy for Hereford](#) was approved by Cabinet in March 2024. The strategy includes the Hereford Western Bypass which consists of two phases, the first phase being a link between the A49/B4399 junction and the A465 (formerly called the Southern Link Road) and the second phase the continuation of the road to a junction with the A49 to the north of the City.
6. Phase one of the Hereford Western Bypass provides much need improved access to the Hereford Enterprise Zone from the South-West of the County and further afield into South Wales. The proposed route would remove significant numbers of vehicles from the current junction of the A465 and A49 just south of Greyfriars Bridge, and from some of the more rural roads that are currently used as a short cut between the two routes, which are not suited to the levels of traffic currently utilising them.
7. Phase One also facilitates the wider Hereford Western Bypass, which will bring significant benefits to the City, County and wider region, enabling ambitions for housing and employment growth to be realised.
8. Phase One has been granted full [planning permission](#) (Planning Number P151314/F). That planning permission was implemented in July 2019 and further construction is programmed in December 2026, however, this requires the acquisition of much of the land along its route, with only one parcel of land currently within the council's ownership.
9. At its meeting of 17 July 2025, Cabinet approved the proposed strategy for the acquisition of land associated with the Western Bypass Phase One which stated that a CPO would be commenced to run in parallel with the negotiation process.
10. The council is prioritising acquiring land voluntarily by negotiation and discussions are continuing with landowners. The council has a duty to demonstrate value for money and must be seen to spend public money prudently to achieve the best combination of costs and outcomes. There is therefore a finite envelope of costs that the council must work within for negotiations and a timescale within which negotiations must be completed to meet the council's delivery programme. It is therefore prudent to run a compulsory purchase process in parallel with negotiations, should land not be able to be acquired by negotiation.
11. A previous compulsory purchase order and side roads order for land along the route was approved at a public inquiry in January 2019 and confirmed on 14 March 2019. These orders were titled The County of Herefordshire District Council (South Wye Transport Package – A4194 Southern Link Road) (Classified Road) (Side Roads Order) Order 2018 and The County

of Herefordshire District Council (South Wye Transport Package – A4194 Southern Link Road) Compulsory Purchase Order 2018). As a result of the scheme being paused and then subsequently cancelled, not all land was acquired at that time and land that had been acquired was transferred back to landowners.

12. The compulsory purchase order confirmed in 2019 has now time expired. The Council understands the 2018 SRO remains in force, but if for any reason, a new SRO is required as a result of changes to planning a new SRO would be required and it will cover only the proposals covered by those previously forming part of the 2018 SRO.
13. A draft Statement of Reasons has been developed explaining the reasons the land is required and the justification for the need for the CPO and which will also cover the need for an additional SRO if this is required. This statement will be updated (as applicable) prior to the submission of the CPO (and the SRO) to the Secretary of State
14. Should Cabinet approve the making of the CPO and the SRO the draft statement of reasons will be finalised and served on all relevant parties together with the Orders.
15. The council has allocated £10.3m within its capital programme for the development of the scheme to construction, acquisition of land and associated costs. A further £30m of funding, to undertake the construction of the scheme has also been included within the council's capital programme.

## **Community impact**

16. The proposals would directly impact those who own land along the route. This comprises of seven different landowners.
17. There are a further three parcels of land for which the Compulsory Purchase Order will not apply. The first is a parcel of land already within the council's ownership. A second is land in the vicinity of the junction with the A49 which is owned by National Highways and will remain in the ownership of National Highways upon the completion of the scheme to enable maintenance to be able to be undertaken without wayleaves. Finally, a third parcel of land is in the ownership of Network Rail, however the scheme does not make contact with that land and hence only air rights from Network Rail are required. Agreements with National Highways and Network Rail are being progressed separately.
18. When considering the impact on those landowners directly affected by the proposals all reasonable accommodations will be considered to mitigate the impact of the permanent works within the compulsory purchase offer made to residents. It will be ensured that land acquired temporarily to enable construction of the scheme will be returned post construction in an equivalent state to that which it was in when received, unless alternative arrangements have been agreed with the landowner.
19. There are no further impacts arising from the compulsory purchase order. There remains some opposition to the proposed bypass however, and therefore it is possible that objections to the proposed order may be received, potentially requiring a public inquiry.

## **Environmental Impact**

20. The proposal has no direct environmental impact as it relates purely to the transference of the ownership of land to the council. Impacts upon the environment of the scheme itself and how these will be mitigated have been addressed as part of previous reports on the proposals and

will continue to be addressed as part of discharge of planning conditions and a business case to draw down upon funding.

## Equality duty

21. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services.
22. The mandatory equality impact screening checklist has been completed for this activity and it has been found to have low impact for equality.
23. Due to the potential impact of this activity being low, a full Equality Impact Assessment is not required. However, the following equality considerations should be taken into account when making a decision about this activity:
  - a. The land to be acquired includes public footpaths. Public footpaths can often be utilised by those on low incomes as a method of accessing education or employment and those with disabilities. Therefore, any public footpaths retained within the ownership of the council will need to continue to be maintained to ensure accessibility to all users and any newly diverted/ created footpaths retained by the council or returned to the landowner will need to ensure that access for disabilities is improved or maintained within ongoing maintenance requirements. Any enhanced maintenance of land returned to landowners will need to be considered within acquisition costs.
  - b. Public concerns relating to equality arise from the proposed scheme which the compulsory purchase order supports and not the compulsory purchase order itself. The scheme has received planning consent and objections to the scheme have been taken into consideration as part of that process.
  - c. The previous compulsory order process received several objections from members of the public not directly impacted by the proposals. Valid concerns raised at that time by landowners and other stakeholders were taken on board and included within the final version of proposals and remain included within the current scheme. Further impacts may come to light as part of this process and consideration will be given at all stages to ensure that any reasonable impacts are mitigated by the final proposals. This may require small areas of additional land to be brought into the compulsory purchase order prior to it being made, to accommodate any mitigations.
24. The broader scheme has sought to maintain public rights of way, albeit with some minor diversions, and provides for a new bridleway to improve safety of equestrian users currently using Grafton Lane. The land required to enable these to be provided are included within the scope of the compulsory purchase order.

## Resource implications

25. This proposal would require external support from specialist legal services in addition to support from the councils own legal and property teams.
26. There are two scenario's to be considered.
  - i) all land is acquired by negotiation and CPO not proceeded with or some land is unable to be acquired by negotiation, but a compulsory purchase order is not contested
  - ii) some land is unable to be acquired by negotiation and a compulsory purchase order is contested resulting in a public inquiry

The resource implications would be different for each scenario

27. Should the land be acquired through negotiation or a CPO and SRO (if required) not be contested then the cost of additional legal and professional services support to run a compulsory purchase order in parallel with land negotiations would be in the region of £35,000 plus the land acquisition and compensatory costs.
28. Should a CPO and SRO be required and contested, resulting in a public inquiry, then costs of additional legal and professional services support would likely be in the region of £500,000 plus the land acquisition and compensatory costs.
29. Both scenarios would require additional internal legal, property services and project management support to facilitate.
30. Property acquisition costs are anticipated to be in the region of £1.5m to £3.0m depending on final land values, scale of accommodation activity required, blight claims etc.
31. The Council has previously approved £10.3m for the development of the scheme to construction, including land acquisition, and the costs of both scenarios are able to be accommodated with that budget.

## Legal implications

32. Sections 239,240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981 (to secure the acquisition of the land) grant a highway authority (such as the Council) statutory powers to acquire land for the construction and improvement of a highway, to acquire land for the construction and improvement of a highway, to acquire land which is required for (or use in connection with) the construction of the highway, to acquire land to mitigate the adverse effects of the highway and to create new rights over land.
33. The CPO process allows for the authority (following a Cabinet resolution) to make the compulsory purchase order acquiring the land interests, the order is then submitted to the Secretary of State for confirmation.
34. As the highway authority for the scheme, the Council has powers under sections 14 and 125 of the Highways Act 1980 to make the SRO and to submit the order to the Secretary of State for confirmation.
35. If confirmed by the Secretary of State, the SRO will authorise the Council to stop up, divert, raise, lower, improve or otherwise alter existing highways that cross or enter the route of the new road or will be otherwise affected by the construction of the new road. Such existing highways could be a carriageway, footpath, bridleway or cycle track.

36. If statutory objections are received to the CPO and/or the SRO within the objection period, then the Secretary of State must proceed to determine the matter by way of written representations or Inquiry. Following consideration of any Report prepared by an Inspector appointed to consider the representations or hear the evidence presented at the Inquiry, the Secretary of State will decide whether or not to confirm the Orders with or without modifications.
37. If no objections are received to the Orders and or if objections are withdrawn in respect of the Orders the Secretary of State may authorise the Council to confirm the Orders with or without modification.

## Risk management

38. The key risks associated with the approval of the compulsory purchase order and side roads order are set out below

Ref	Risk	Potential Impact	Mitigation
1	Scheme design changes	<p>The CPO may not include all of the land required to construct the bypass.</p> <p>The existing SRO may become invalid.</p>	<p>Every effort is being made to contain design changes within the boundaries of the proposed CPO plan.</p> <p>Delegation to make minor amendments to reflect changes prior to making the order after the decision of Cabinet is included within the recommendations.</p> <p>A new side roads order is included to accommodate any changes of access in mitigation to land acquisition negotiations.</p>
2	Objections are received to the compulsory purchase order or the side roads order	Valid objections may trigger a public inquiry resulting in a significant delay to the scheme and potentially the rejection of the CPO meaning that the scheme is unable to be constructed.	The CPO and SRO are being proposed to reflect their previous form as far as practicable. The scheme was previously successful at Public Inquiry and therefore it is considered that there would be high confidence of another successful result.



3	The council is not successful in acquiring land either through negotiation or through compulsory purchase.	The council is unable to proceed with the construction of the scheme	The council is working closely with landowners to incentivise the acquisition of the land through negotiation to ensure that the council receives good value for money and remove the need for a compulsory purchase order and the associated high costs.
4	Publishing of a CPO has a detrimental impact on current negotiations with landowners.	Landowners may consider the publishing of a CPO a mechanism to bypass negotiations and seek to acquire the land at a cheaper price.	All landowners have been advised that acquiring land through negotiation remains the preferred approach.  The high cost of a challenged CPO means that the council is unlikely to be able to acquire the land at a cheaper cost than through negotiation.
5	Cost variation	The council is currently in negotiation with landowner agents on agreed market values for the land. This valuation would apply to either negotiated acquisition or Compulsory Purchase Order Route.  Depending on the finally agreed cost there is a wide variation in costs that the council may be subject to.	Officers are seeking to ensure good value within the acquisition of land and therefore require evidence of market value to inform final costs.  Whilst a budget has been made available to acquire land, a further contingency remains available which will cover the costs of all scenarios, with any underspends from budgets and contingency able to be made available to contribute to construction costs.

**Assurance Statement:**

The strategic risks associated with the Herefordshire Western Bypass – Phase One compulsory purchase and side roads order have been reviewed and are being managed in accordance with the Council's Risk Management Strategy. The key risk areas identified, including cost variations and programme delays arising from a public inquiry, negative

reputational impact, are appropriate and proportionate to the scope and stage of the programme. Oversight of risk mitigations will continue through the Council's established governance and assurance frameworks to ensure risks are effectively monitored, escalated, and addressed.

I have reviewed the risks identified within the report and am satisfied that they have been appropriately assessed and are being managed through proportionate and reasonable mitigations. The risk management approach taken is in line with the Council's expectations for a project of this scale and complexity.

## Consultees

39. The following consultation has taken place

Consultation	Date	Feedback
Political groups consultation on a key decision	10 December 2025	To be reported back as a supplementary item
Member Steering Group for Growth Corridor and Hereford Western Bypass.	12 <sup>th</sup> June 2025	Supportive of approach

## Appendices

Appendix 1 – Draft Statement of Reasons  
 Appendix 2 – The Compulsory Purchase Order Plans  
 Appendix 3 - Side Roads Order 2018

## Background papers

None Identified

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

CPO	Compulsory Purchase Order
SRO	Side Roads Order
SoS	Secretary of State



**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**HIGHWAYS ACT 1980**

**AND**

**ACQUISITION OF LAND ACT 1981**

**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (HEREFORD WESTERN  
BYPASS – PHASE 1 ) COMPULSORY PURCHASE ORDER 2026**

**[THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (HEREFORD WESTERN BYPASS  
– PHASE 1)(CLASSIFIED ROAD)(SIDE ROADS) ORDER 2025]**

**STATEMENT OF REASONS**

## Appendix 1

**1. INTRODUCTION**

- 1.1. On [ ] the County of Herefordshire District Council (the "**Council**" and the "**Acquiring Authority**") resolved to make the County of Herefordshire District Council (HEREFORD WESTERN BYPASS – PHASE 1) Compulsory Purchase Order 2026 (the "**Order**"). The land and interests over land proposed to be compulsorily acquired pursuant to the Order comprises areas of land within the South Wye area of Hereford and are described in greater detail in section 3 below.
- 1.2. The Order is made pursuant to sections 239, 240, 246, 250 and 260 of the Highways Act 1980 (the "**1980 Act**") for the acquisition of all interests (except any specifically excluded) in the land shown coloured pink (the "**Order Land**") on the plan attached to the Order (the "**Order Plan**"), and as described in the Schedule to the Order.
- 1.3. The Order is being sought to enable the construction of a new single carriageway (two lane) road, of approximately 3.6 kilometres in length, and associated works (the "**Scheme**"). The new road will run between the A49/B4399 junction (more specifically the Ross Road/Rotherwas Access Road roundabout) to the A465 and B4349 Clehonger Road to the south of Hereford. The road will be known as the Hereford Western Bypass Phase 1
- 1.4. Phase 1 of the Hereford Western Bypass is the first phase of a broader proposal ("**HWB**"), which aims to promote economic development by unlocking the barriers to economic growth in Hereford by:
  - (i) reducing congestion and delay;
  - (ii) enabling access to the Hereford Enterprise Zone ("**HEZ**");
  - (iii) reducing the concentration of traffic pollutants;
  - (iv) reducing traffic noise;
  - (v) reducing collisions; and
  - (vi) encouraging physical activity
  - (vii) enabling additional housing provision.
- 1.5. The Council is seeking to assemble in its ownership the land as set out in the Order to facilitate and enable the Scheme. The Order will enable the acquisition of the interests in the Order Land and new rights over the land coloured blue on the Order Map for the purposes of carrying out the Scheme.
- 1.6. It is currently planned that the Scheme will be completed by [the end of 2028].
- 1.7. The most recent government guidance on the compulsory purchase process was published in January 2025 and entitled "*Guidance on Compulsory purchase process*" (the "**Guidance**"). The Council has considered the Guidance carefully. The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 2 of the Guidance) which justifies the overriding

## Appendix 1

of any private rights in the land sought to be acquired. It is considered that a compelling case exists here and this is explored further below in section 6.

- 1.8. [In addition to promoting the CPO, the Council has made The County of Herefordshire District Council ( HEREFORD WESTERN BYPASS – PHASE 1 - )(Classified Road) (Side Roads) Order 2025 (“the **Side Roads Order**”) in order to carry out works to existing highways as well as private means of access which are necessary to enable the road to be built.]
- 1.9. The purpose of this Statement of Reasons is to explain the Council’s proposals and to provide sufficient detail about the extent and nature of the land required for the proposals as well as the effects of the works on side roads, including those that are to be stopped up.

## 2. EXPLANATION OF USE OF THE PARTICULAR ENABLING POWER

- 2.1. The Highways Act 1980 empowers the Council to compulsorily acquire land which it requires to construct and improve the highway.
- 2.2. Section 239 of the 1980 Act enables the Council as the highway authority for the area to “acquire land required for the construction of a highway, other than a trunk road, which is to become maintainable at the public expense”, as well as any land required for improvement of the highway.
- 2.3. Under section 240 of the 1980 Act, the Council as the highway authority may acquire land required for the use in connection with construction or improvement of the highway.
- 2.4. Section 246 of the 1980 Act allows the Council to acquire land for the purpose of mitigating any adverse effect that the existence or use of the new road may have on its surroundings.
- 2.5. Section 250 of the 1980 Act allows the Council as the highway authority to acquire rights over land, both by acquisition of those already in existence, and by the creation of new rights.
- 2.6. Section 260 of the 1980 Act allows the Council to override restrictive covenants and third party rights where land acquired by agreement is included in a compulsory purchase order.
- 2.7. [Section 14 of the 1980 Act enables the Council as the highway authority to make an order to stop up, divert, improve, raise, lower or otherwise alter a highway that crosses or enters the route of a classified road or is affected, or will be affected, by the construction or improvement of the classified road and, to construct a new highway for the purposes concerned with any alteration and for any other purpose connected with the classified road or its construction.]
- 2.8. [Section 125 of the 1980 Act enables the Council as the highways authority to stop up any private means of access to premises adjoining or adjacent to land comprised in the route of a road, or forming the site of any works authorised by the Order, and to provide a new means of access to any such premises.]

### **3. DESCRIPTION OF THE ORDER LAND AND LOCATION, TOPOGRAPHICAL FEATURES AND PRESENT USE**

- 3.1. The Order Land (being the land, interests and new rights over land proposed to be compulsorily acquired pursuant to the Order) comprises approximately 33.4 hectares. This comprises 328,675.51 square metres for which title to the Order Land is required and 5,315.90 square metres for which rights over land are required for access to, constructing and maintaining structures and culverts and the provision of drainage to the new road. The Order Land in some areas covers a wider area than the route corridor for the new road as it includes land that is required for construction purposes, drainage, landscaping and mitigation.
- 3.2. The Order Land, which is in a variety of ownerships, is rural and largely comprises arable fields, small woodlands and coppices, small settlements, farmland, and part of the garden of one residential property.
- 3.3. The topography of the Order Land is undulating, rising from approximately 85m Above Ordnance Datum (AOD) in the north to approximately 105m AOD in the south. Two brooks pass within the Order Land: Withy Brook and Newton Brook. There are also small scattered woodlands and orchard trees, including Grafton Wood (which is categorised as Ancient Semi-Natural Woodland) and veteran trees.
- 3.4. Full details of the Order Land appear in the Schedule to the Order and known interests and new rights to be acquired are recorded in the Schedule. The Schedule has been prepared based upon information gathered through inspection of Land Registry title documents and information provided by owners and occupiers following the service of section 5A of the Acquisition of Land Act 1981 notices.
- 3.5. Part of the Order Land described within the Schedule to the Order is required for construction and siting of the new road and will be retained in perpetuity. However, other parts of the Order Land and related rights will be returned to the owners on completion of the Scheme.
- 3.6. The only private residential property affected by land take is Pykeways with the loss of approximately 135sqm of garden land equating to just under 7% of the total land area of the property.
- 3.7. The total loss of agricultural land is identified as being 31.2ha and sixteen field units would be crossed by the proposal. The land crossed is a mixture of Grade 2 (very good quality) and Grade 3 (good to moderate quality) agricultural land. Further agricultural land will be used for construction areas but will be returned to agricultural land on completion of the Scheme.
- 3.8. The extent, description and situation of the Plots as they appear in the Schedule to the Order and which make up the Order Land, and the reason for their inclusion in the Order, are set out in the table below.

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Plot number	Description and Reason for compulsory purchase
1	The land is currently public highway and grass verge known as B4349, Clehonger Road, Hereford. The land consists of an area of 1,436.86 square metres. The land is designated public highway and is intended to be improved, eventually forming part of the new highway and its supporting retaining assets, including embankments
2	This land is public highway and verge known as B4349 Clehonger Road, Hereford from the junction with Copper Beeches leading north east to Forest View. The land consists of an area of 1,856.32 square metres. The land is highway to be Stopped Up, and will be re-developed into a restricted bridleway in compliance with Sections 247 / 248 of the Town & Country Planning Act 1990
3	The land is 4,294.07 square metres of arable land, to the east of Dunan Lodge and south of B4349 Clehonger Road. The land will form part of the new highway and supporting embankments.
3A	The land is 32.48 square metres of arable land, south-west of Copper Beeches and B4349 Clehonger Road. The land will form vehicular access from the highway to Copper Beeches.
4	The land is 5,673.56 square metres of arable land south-east of Copper Beeches and B4349 Clehonger Road. The land will form part of the new highway and supporting embankments.
5	This land is 359.16 square metres of Golden Post Road, south of B4349 Clehonger Road leading to Pykeways from the junction with Copper Beeches. The land will form part of the new highway and supporting embankments.
5A	This land is 157.17 square metres of Golden Post Road, south of B4349 Clehonger Road and fronting Pykeways, Allensmore. The land will be stopped up under the Side Roads Order.
6	This is 149.66 square metres of land to the rear of Pykeways, Allensmore. The land will form part of the new highway and supporting embankments.
8	This is 39.72 square metres of land providing part access to arable land directly southeast of Pykeways, Allensmore. The land will be used to form a new turning head for vehicles at the top of the lane near Pykeways, including the Council's refuse vehicles serving Pykeways.
9	This is 133.55 square metres of Golden Post Road, north of Golden Post Cottage Hereford with Pykeways to the north east. The land will be used to form a new turning head for vehicles at the top of the lane near Pykeways, including the Council's refuse vehicle serving Pykeways.
10	This is 6,722.58 square metres of arable land to the south-east of Pykeways and on the east side of Golden Post Cottage, Belmont, Hereford. The land will form part of the highway and supporting embankments. Part of the land near the south-east within this parcel will be used in connection with the new A465 Roundabout.

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11	This is 7,075.91 square metres of public highway known as A465, Abergavenny Road, Hereford north-east of Golden Post Cottage. The highway on this land will be stopped up and then used for the new highway and supporting embankments, as well as construction of the new A465 Roundabout. Part of the land currently used as A465 Abergavenny Road will be improved, to provide for enhanced access to the and Roundabout.
12	This is 63,480.83 square metres of arable land which leads east and south-east from A465 Abergavenny Road to Haywood Lane. The majority of this land will be used to form part of the highway and supporting embankments, as well as construction of the new A465 Roundabout. Part of the land near to the new roundabout will be used for construction of an attenuation basin.
12A	This is 50,067.28 square metres of arable land to the south-east of A465, Abergavenny Road with Golden Post Cottage to the north. This is land required for essential licence, as it is required to build a temporary site compound for storage and parking of vehicles and materials in relation to construction of the new public highway. The land will be restored and handed back to the original owners following completion of the new highway. Also, a new means of access is to be built near the north-east corner of this plot of land, to enable access to the field from Abergavenny Road once the road has been upgraded.
12B	This is 1,065.28 square metres of arable land south-east of A465, Abergavenny Road with Golden Post Cottage to the north. The land is required for Dedicated rights, to provide for a public footpath and to enable the Council to access the Newton Brook underpass for maintenance and repair.
12C	This is 7,322.64 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is to be acquired for the construction of a new attenuation pond.
12D	This is 468.24 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for construction of a new footpath, in order to link up and provide access to the public footpath HA3 to the east, the Newton Brook underpass and the footpath at plot 12B.
12E	This is 666.85 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required as Essential Licence to complete the works to construct the footpath, and will then be returned to the original owners once the works have been completed.
12F	This is 937.88 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required as Essential Licence to complete the works to construct the footpath, and will then be returned to the original owners once the works have been completed.
12G	This is 18,535.81 square metres of arable land to the south of Merryhill Park, Belmont with Haywood Lane to the east. This is land required for essential licence, as it is required to build a temporary site compound for storage and parking of vehicles and materials in relation to construction of the new highway. The land will be restored and handed back to the original owners following completion of the new highway
12K	This is 612.24 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for drainage rights to provide an outfall from overland flows heading towards Clehonger link, runoff from the highway embankments and flows from the ditch..
12L	This is 193.65 square metres of arable land to the south of Hayleasow Wood, Hereford. The land is required for drainage rights to provide an outfall from the highway drainage.

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13	This is 790.55 square metres of public highway known as Haywood Lane, Hereford to the north of Haywood Lodge Cottages. The land is owned by Herefordshire County Council as highway authority. The land is required to build the new highway and supporting embankment, as well as to construct a new overbridge to allow Haywood Lane to continue over the highway.
14	This is 21,493.18 square metres of arable land on the East side of Haywood Lodge Cottages, Hereford and south of Beech Grove. The land is required to build the new highway and associated retaining structures, as well as an underpass near to the railway line to allow the public to continue to access Haywood Lane by foot from the north.
14A	This is 1,993.08 square metres of private access track on the East side of Haywood Lodge Cottages, Hereford with Beech Grove to the north. The land is required to grant Network Rail and the Council permanent rights to gain access from Haywood Lane to the railway bridge underneath the new highway, for maintenance and repair.
14B	This is 542.39 square metres of public footpath heading east from Roman Byre towards Grafton. It is owned is required to realign the existing public footpath HA7 (which will be partially stopped up by construction of the new highway) with the legal boundary of the property, which will also reflect the realistic current usage by members of the public.
14D	This is 73.82 square metres of arable land on the East side of Haywood Lodge Cottages, Hereford and south of Beech Grove. It is land required to provide access from the end of the current public footpath no. HA7 to the underpass, linking up with the footpath at plot 14B.
15	This is 867.56 square metres of Railway Line, owned by Network Rail. The airspace above the railway line is being acquired to facilitate the construction of the over the railway.
16	This is 24,752.76 square metres of arable land on the south east side of the West Midland Railway line and south of Beech Grove. It is required to construct the highway and supporting embankments.
16A	This is 1,614.00 square metres of private access track southeast of the West Midland Railway line. This land is required for rights, to provide access for the Council from Haywood Lane to the railway bridge underneath the highway for maintenance and repairs, and to provide the trustees of the Edwards Family Trust with access to their land north of the via the railway underpass.
17	This is 7,379.68 square metres of arable land on the Grafton smallholdings Estate, Grafton to the north of Withy Brook, Hereford. It is required for construction of the highway and supporting embankments.
18	This is 22,015.47 square metres of arable land at Grafton smallholdings Estate, Grafton, Hereford north west of The Green. It is required for construction of the highway and supporting embankments.
19	This is 970.33 square metres of public highway known as Grafton Lane, Hereford north of The Green. It is required to construct the highway and supporting embankments, and to provide continued use of Grafton Lane for vehicular traffic via an underpass.
20	This is 4,484.55 square metres of arable land forming part of Leys Farm south east of public highway known as Grafton Lane. It is required for construction of the highway and supporting embankments.



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20A	This is 308.80 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for Dedication in order to build a new footpath to provide for members of the public to have foot access between public footpath GF3 and Grafton Lane.
21	This is 736.36 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for construction of the highway and supporting embankments.
22	This is 23,909.87 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm and part of Grafton Wood. It required for construction of the highway and supporting embankments. The branch of this land leading up to plot 22B is required for construction of an attenuation pond and drainage, the outfall of which will be located within plot 22B.
22A	This is 857.49 square metres of arable land on the south east side of Grafton Lane, forming part of Leys Farm. It is required for Dedication in order to build a new footpath to provide for members of the public to have foot access between public footpath GF3 and Grafton Lane.
23	This is 12,557.96 square metres of arable land with Grafton Wood to its West and the A49, Rotherwas Roundabout to its east. It is required to construct the highway and supporting embankments.
23A	This is 34,948.13 square metres of arable land with the A49, Ross Road lying to the east. It is required for the mitigation of adverse effects of the Scheme, with the land to be planted to offset the acquisition of land within Grafton Woods.
23B	This is 427.00 square metres of arable land on the south east side of Grafton Lane, forming Part of Court Farm. The land is required to provide an outfall from the attenuation pond at plot 22 to the nearby ditch.
24	This is 457.11 square metres of the A49 Ross Road at its junction with Rotherwas Roundabout. It is required for construction of the highway and supporting embankments.
25	This is 838.20 square metres of the A49 Ross Road at its junction with Rotherwas Roundabout. It is required for construction of the highway and supporting embankments.

#### 4. GENERAL DESCRIPTION OF THE SCHEME

- 4.1. The line of the proposed new road is shown on the map in Appendix A.
- 4.2. The new road would start as a new arm on the A49 (Ross Road)/B4399 (Rotherwas Access Road) roundabout heading northwest through existing hedgerow and across arable farmland. The new road passes through Grafton Wood with a new culvert located east of the wood to convey ditch flows. A construction compound (the Eastern Construction Compound) will be on a parcel of land to the south east of Grafton Wood and upon completion would be planted as a rich native broad-leaved woodland with adjacent pond.
- 4.3. The middle of the public footpath GF3, which runs from the A49 to Grafton Hamlet will be severed by the proposed new road where it leaves the northern side of Grafton Wood. The footpath will be diverted to run along the fenceline of the southern edge of the new road to a new termination point on Grafton Lane, near the property known as The Green. The northern part of the footpath will be extinguished. A new footway through the new underpass on Grafton Lane will connect to a new public footpath created in a field to the north of the new road, west of Grafton Lane.



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- 4.4. Travelling westwards the new road climbs on an embankment, crossing over Grafton Lane by way of a new structure to be known as the Grafton Lane Underpass. This allows vehicular, pedestrian, cycle and equestrian users to continue to use Grafton Lane. Grafton Lane will be lowered slightly to ensure sufficient clearance for motorised vehicles to pass beneath the proposed road in accordance with highway design standards. To the west of Grafton Lane a watercourse known as Withy Brook will be culverted underneath the new road.
- 4.5. Continuing westwards the new road is raised on embankment over a new wildlife underpass known as the Central Underpass. This is located in line with an existing hedgerow and established bat flight path.
- 4.6. In order to cross over the Hereford to Newport railway line, the new road will climb onto an embankment and the railway crossing will be a single span bridge structure known as the "Railway Underbridge". This structure has been designed to ensure compliance with the minimum headroom requirements for the railway as well as providing access underneath the bridge structure for bridge maintenance and connectivity to both sides of the new road.
- 4.7. Public footpath HA7 crosses the field situated to the west of the railway and a localised diversion will be provided for the public footpath to route a section of the footpath along the combined farm accommodation/bridge maintenance track which will be provided immediately west of the railway, underneath the bridge. Furthermore, the section of the footpath HA7 leading down from Haywood Lane to the railway line will be altered to run along the field margin (where people currently walk) rather than diagonally across the field, which is the current definitive line of the footpath.
- 4.8. The proposed new road continues in a northwesterly direction across arable farmland and underneath Haywood Lane. A section of Haywood Lane, where it crosses the new road, will be raised marginally as part of the overbridge works at this location. During construction an area of land to the north of the new road at Haywood Lane Overbridge is proposed as the Central Construction Compound which will be reinstated to agricultural use on completion of construction of the new road.
- 4.9. The new road will continue in a north-westerly direction towards the A465 (Abergavenny Road) with a culvert allowing the new road to cross Newton Brook. The new road severs the northernmost section of public footpath HA3, which runs from Merry Hill to the A465. An underpass (the Newton Brook Underpass) allows bats and other wildlife to pass beneath the proposed scheme and is also the diversion route for footpath HA3, as well as a potential route for agricultural vehicles/machinery to access severed land south of the new road. The land to the southeast of the A465 and southwest of the new road would be used as the Western Construction Compound. From the Newton Brook Underpass public footpath HA3 will run westwards along the northern side of the field hedgeline to reach public bridleway HA6 which connects to the A465. The northern section of the existing footpath HA3 will be extinguished.
- 4.10. A new roundabout is proposed on the A465 to link in with the proposed road. A new link road from the roundabout, about 580m long, is also proposed to connect the B4349 (Clehonger Road) at a point to the south of Clehonger Court and Copper

## Appendix 1

Beeches. The proposed road, passes on the northern side of the dwelling known as Pykeways and south-west of properties known as 1 and 2 Forest View. The road also crosses an unclassified road known as Golden Post Road that runs between the A465 and B4349.

- 4.11. Short sections of the B4349 and Golden Post Road (located north-west of Pykeways) will be stopped up to motorised traffic. Access to Pykeways will be from the A465 end of Golden Post Road only, near Golden Post. Access to existing properties on the B4349 (east of Forest View Cottages) will be via the existing A465/B4349 T-junction. However, through routes will be retained on the B4349 (west of Forest View Cottages) for non-motorised users and maintenance vehicles only, to connect with the new road.
- 4.12. The B4349 will intersect with the A465 via the Clehonger Link, and new roundabout on the A465. The Clehonger Link will sever the northern end of public footpath CH9 which currently terminates on the southern side of the B4349 opposite the entrance to Clehonger Court. The new footpath termination point will be a gate on the southern fenceline of the new link road. The alignment of public footpath CH9 south of this point will remain unaltered.

## 5. THE NEED FOR THE SCHEME

- 5.1. The Council has been considering options to address transport-related problems in Hereford for a number of years. A range of technical studies undertaken over the last 20 years have concluded that a combination of new highway links on the periphery of the town should go hand-in-hand with investment in integrated modes of travel, including wherever possible walking, wheeling, cycling and public transport, with supporting funding of non-infrastructure measures such as behaviour change and demand management.
- 5.2. The council is investing in many integrated travel interventions identified within the former South Wye Transport Package (SWTP) and Hereford Transport Package (HTP) ahead of new road infrastructure to encourage take up of those modes as traffic levels on existing infrastructure reduces once alternatives new road routes are in place.
- 5.3. A requirement for a new road between the A49(T) and A465 was set out in the Unitary Development Plan (2007), the Herefordshire Local Plan Core Strategy (2015) (the “**LPCS**”), the Infrastructure Delivery Plan (2014) and Herefordshire's Economic Vision. The road that is now proposed sits within a section of that proposed highway corridor. The ambition for a western bypass was carried forward into the Regulation 18 Local Plan which was consulted upon in March 2024 and received broad public support in respect of a bypass to alleviate current congestion. This plan was not carried forwards to Regulation 19 due to the changes to the NPFF that amended the standard method and required a 70% increase in housing. The Draft Local Plan 2024 therefore has had to be shelved; it carries no legal or material weight and has no weight in planning decisions. The significant increase in housing will need to be met with additional infrastructure to support the level of growth.
- 5.4. The concept of a new road is part of a larger goal identified in the Local Transport Plan (2016-2031)(the “**LTP5**”) which sets out plans to support economic and social inclusion within the county by improving the transport network and access to services.

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5.5. Analysis has identified a series of inter-related problems and issues in the South Wye area, both now, and into the future, as follows:

- Transport pressures arising from economic growth and development, including increasing traffic flows and longer and unreliable journey times and poorer air quality,
- Significant daily variation in journey times arising from impacts upon the current A49 and lack of alternative routes available.
- A cap on development trips from the HEZ providing a barrier to economic and employment growth;
- A cap on new housing provision due to lack of supporting strategic infrastructure.
- No direct route between the A49 and A465 to enable vehicle journeys, including freight, to avoid the urban area of Hereford for accessing the HEZ;
- Drivers choosing to utilise unsuitable alternative roads south-west of Hereford to avoid congestion;
- Vehicle traffic contributing to poor air quality and high noise levels in premises close to the A465 and A49;
- Reliance on car journeys for short trips by some residents;
- Low levels of physical activity;
- Substantial day-to-day variation in bus journey times;
- Geometric constraints that inhibit opportunities to reallocate to or accommodate alternative modes of travel and high traffic levels on the main roads, which act as a barrier to making journeys by cycle or on foot.
- A high proportion of reported road collisions in the area result in injuries to pedestrians and cyclists; and
- Public perception of road danger which deters walking and cycling.

5.6. Hereford is identified in the LPCS as the county's main settlement for growth and development, and the principal economic centre of the sub-region. The LPCS provides for regeneration of the city centre and development at three urban expansion areas, including Lower Bullingham on the southern edge of Hereford, where 5 hectares of employment land and a minimum of 1,000 homes are to be provided. In addition, the HEZ at Rotherwas provides a major catalyst of additional economic activity to the City of Hereford and the wider economy, with a range of plots available for further development.

5.7. As a consequence of this growth, demand for travel in the peak hours across the City of Hereford is forecast to grow considerably. There is expected to be an increase in car, Light Goods Vehicle and Heavy Goods Vehicle traffic. This growth is forecast to impose significant adverse impacts on the transport network which, without intervention, will lead to deterioration in network performance against a number of indicators relating to congestion and transport emissions. Increased freight movements (OGV1 & OGV2 categories) will further accelerate the deterioration of the highway asset incurring additional maintenance liability for the council.

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- 5.8. Traffic capacity problems have the potential to limit growth, particularly at the HEZ. Traffic generated by developments on the HEZ will increase vehicular movements on the A49 and has the potential to cause further congestion at certain points on that network.
- 5.9. The A49(T), the A465 and Holme Lacy Road radiate out through the South Wye area connecting from Greyfriars Bridge, the main river crossing. Whilst the Rotherwas Access Road enables vehicular traffic, including freight, to avoid the urban area between the A49(T) and the HEZ, there is no such equivalent between the A49(T) and the A465. In response to the congestion on radial routes including the A465 and A49(T) many drivers re-route on alternative routes to find a quicker way to their destination. The alternative routes on more minor roads over a wide area southwest of Hereford, tend to be unsuitable, running through rural communities. These include the C1226 Haywood Lane and the C1228 between the B4348 and Haywood Lane. The introduction of the new road will substantially reduce traffic flows along these routes.
- 5.10. Journey time surveys are undertaken bi-annually on Hereford's key radial routes and reported in the Local Transport Plan Annual Progress Report. The most recent available data indicates that average journey times during peak hours have considerably lengthened over recent years.
- 5.11. Vehicle traffic in the South Wye area contributes to poor air quality and high noise levels, impacting on key nearby receptors, such as schools and homes. The former Air Quality Management Area, designated by the Council in 2006, includes the Asda Junction. It was designated due to breach of the annual mean objective for Nitrogen Dioxide (NO<sub>2</sub>), with vehicle exhaust emissions being a key source. A local air quality assessment at 11 locations across the South Wye area in 2014 found higher concentrations of NO<sub>2</sub> along roads with higher volumes of traffic and levels of congestion, including the A49(T) and A465. Whilst, improvements in vehicle technologies have improved emissions significantly since that time resulting in the AQMA proposed to be removed, increase in traffic levels throughout the day resulting through growth may see pollutant levels increase again.
- 5.12. Around half of all car journeys in Hereford at peak times are short trips of less than 2 miles long with start and end points in the urban area. Automatic traffic count data shows that there are substantial differences in traffic flows between the edge of the City of Hereford and close to the Asda Junction, highlighting the number of motorised journeys generated within the South Wye area itself. Incorporating more journeys made by walking, wheeling, cycling and public transport into daily life is acknowledged to be one of the easiest ways to be more active and avoid the greatest risks to health from inactivity. Many residents have low levels of physical activity, with knock-on effects in terms of obesity and resultant poor health. The provision of a new road will remove traffic, and in particular HGV traffic, from the busy Asda junction, Belmont Road, Ross Road, Holme Lacy Road and Walnut Tree Avenue resulting in a more appealing environment for non-motorised modes of transport.
- 5.13. Parts of the A465, including sections within the Hereford urban area, have trunk road characteristics, being very wide with extensive areas of white hatched road markings and dedicated right-turn facilities. This type of road design, combined with the high levels of

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traffic, creates community severance and acts as a substantial barrier to walking and cycling journeys. It reduces the ability of residents to make local journeys safely, cheaply and healthily on foot or by cycle, including journeys to essential services and schools. The 2011 census identifies that in some South Wye neighbourhoods less than 50% of households have access to car or van, compared to 75% of South Wye and Hereford City households as a whole. These neighbourhoods are therefore more reliant on non-car transport modes to access employment, education, retail and leisure facilities, health services and wider opportunities and more likely to feel the impacts of severance.

- 5.14. Whilst South Wye has relatively high levels of cycling and some quality off-road routes there is not yet a full and continuous network of routes suitable for people of all abilities to use. Currently little dedicated and segregated highway space is given over to cycling on the main road corridors in South Wye.
- 5.15. The perception that cycling is unsafe and concerns regarding the danger posed by busy roads is commonly cited in consultation responses as a reason for people not walking and cycling.
- 5.16. Bus use is well below national and regional averages. Poor punctuality reduces the attractiveness of the bus as a travel mode, leads to increased bus operating costs and can affect the frequency of services which can be maintained. The New Transport Hub at Hereford Station is hoped to attract greater uptake of bus use as part of multi modal journeys. Reducing journey time variation on routes such as the A465 and A49, and beyond, are critical in realising this ambition.

*Relationship of phase 1 to the wider Hereford Western Bypass*

- 5.17. The proposed road forms the first phase of the Hereford Western Bypass (HWB) which seeks to divert traffic away from the city centre by providing an additional bridge crossing of the River Wye, and improving resilience and capacity on both local and strategic road networks. The objectives of the HWB are as follows:

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- To enable the development of new homes and employment land to create more better paid jobs and all related community services to support the growth of Hereford (such as schools and local centres) by 2041

- Moving strategic traffic out of Hereford City Centre.

- Improvement to the Strategic Road Network (SRN), providing journey time reliability benefits by separating local and strategic journeys, and delivering safety benefits.

Safer, at level, controlled crossing and roadside facilities across and on the SRN for walkers, cyclists and horse riders in communities along the route.

Reduction of severance for local communities and improvement of integrated travel facilities.

- Increase in the number and proportion of journeys made by sustainable travel modes
- Thriving local economy that enables improved employment and investment opportunities within Herefordshire for the benefit of residents and local businesses.
- Support to the realisation of government agendas.

5.18. The HWB objectives particularly accord with the LTP5 objectives The objectives aim to address the range of inter-related problems currently experienced in the South Wye area, as described above.

5.19. The LTP objectives are

- Supporting a thriving and prosperous economy;
- Enabling healthy behaviours and improving wellbeing;
- Improving accessibility and inclusivity;
- Improving transport safety and perceptions of security;
  - Tackling Climate Change and protecting and enhancing the natural and built environment.

#### Development of the Scheme

5.20. Having identified the need for a southern link road, the Council commissioned Amey to carry out the *Hereford Relief Road South Core – Corridor Assessment* which reported its findings in May 2012. It considered six routes, two of which (SC1 and SC2) originated from the *Hereford Relief Road Study Of Options Report* (Amey, September 2010) and a further four (SC3-6) arose from a review of the Department of Transport route from the 1990s. The *Belmont Transport Package Stage 2 Appraisal* (Amey, February 2013) included an additional two routes for consideration. Route SC2A followed route SC2 but would pass underneath the railway rather than over it, and SC7 was a hybrid of routes SC5 and SC6. <sup>1</sup>

5.21. On the basis of the technical work in the Stage 2 Appraisal, the four better performing, southern, routes (SC2, SC2A, SC5 and SC7) were taken forward for further consideration.

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The more northerly routes (SC1, SC3, SC4, SC6) were discounted, mainly on the basis of the environmental impacts, and the significant cost required to mitigate these impacts. The main impact identified with these northern routes would arise from traversing Newton Coppice and Hayleasow Wood, categorised as Ancient Semi-Natural Woodland.

5.22. Routes SC2, SC2A, SC5 and SC7 were presented at the formal Public Consultation Exhibition held in Hereford between 30 June and 3 July 2014, as follows:

- o **SC2** – located at the southern edge of the previously identified southern link road route corridor. The route crosses over the railway line and underneath Haywood Lane;
- o **SC2A** – a variation on route SC2, except that the new road would pass underneath the railway line;
- o **SC5** – located further north of the SC2 and SC2A within the southern link road route corridor and south of the Merryhill Lane, crossing under the railway line and Haywood Lane; and
- o **SC7** – similar to the SC5 but with a more sinuous alignment to avoid environmental designations.

5.23. A number of alternative alignments or amendments to the shortlisted routes were suggested by the public and third parties during the summer 2014 public consultation. Three additional routes were deemed viable and were appraised to the same level of detail as the four initial routes.

Two plans showing the different route options are appended in Appendix B

These were assigned route references SC8, SC8A, and SC9. Following the principles set out in government guidance, each route was assessed against economic outcomes, impact on the environment and social implications, as well as a review against stakeholder acceptability and deliverability. This process is documented in the South Wye Transport Package Preferred Option Report ("**the Preferred Option Report**"), forming part of the Cabinet meeting papers for 13 November 2014. This report identified that all of the routes provide many benefits to the economy, including reduced congestion, improved journey times and enhancing access to the HEZ, for example. All crossed undeveloped land and had a negative impact on aspects of the environment, including heritage, biodiversity and landscape.

5.24. The Preferred Option Report concluded that, on the basis of the information available at the time, SC2 was the best performing route within the technical appraisal. It also received the highest level of support of the four routes taken to public consultation. This proposal was brought forward and the Cabinet meeting of 13 November 2014 resolved that SC2 be selected as the preferred route. This decision was called-in and discussed by the General Overview and Scrutiny Committee at their meeting of 2 December 2014, following which it was resolved to refer the preferred route decision back to the Cabinet, for them to re-examine in the light of the committee's discussions. Taking the committee's information into account, route SC2 was confirmed by Cabinet on 18 December 2014. The SC2 route is the proposed route of the first phase of the bypass.

5.25. An application for planning permission for the Scheme, described in the application as "New single carriageway (Southern Link Road) and associated works", was made on 8 May 2015 under application reference: P151314/F (the "**Planning Application**"). The



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Planning Application covers only the road itself and the works required to construct, operate and maintain the first phase of the bypass and does not deal directly with other improvements and measures being considered and implemented by the Council as part of the active travel measures alongside the new road. Most of the possible active travel measures do not require planning permission. Planning permission was granted on 18 July 2016 for the new road and remains in place. Condition 21 of the planning permission requires that a weight restriction is implemented and effective on Belmont Road prior to the first operation of the new road, unless otherwise agreed.

- 5.26. Documents were submitted as part of the Planning Application, including the Transport Assessment (the "**South Wye Transport Package – Southern Link Road Transport Assessment**", May 2015) and a briefing note on the transport impacts and benefits (dated September 2015). Further modelling was undertaken in 2025 applied to an updated 2023 base model to assure that the benefits identified at the planning application stage remain valid. The findings from the new modelling outline that, with the new road and Clehonger Link opened, traffic flows are forecast to decrease on key sections of the A49(T), the A465, Walnut Tree Avenue, Holme Lacy Road, the newly-created cul-de-sac section of Clehonger Road and some rural roads south-west of Hereford. Traffic is predicted to increase on sections of road closest to the new road as traffic re-routes to take advantage of the reduced journey time and improved accessibility. This indicates that the proposed road is fulfilling its intended purpose with traffic diverting to the new route and creating spare capacity on other roads.
- 5.27. The new road is predicted to provide shorter journey time improvements in comparison to the existing routes, particularly for east-west journeys to the HEZ. Data from the most recent traffic model indicates that, with the new road in place, journeys via the new road and Rotherwas Access Road route would be substantially quicker than via Belmont Road/Walnut Tree Avenue/Holme Lacy Road, when measured from the A465/B4348 crossroads (Lock's Garage) to B4399 Rotherwas Access Road/Straight Mile roundabout. The comparison of journey times between 2023 and 2043 for the morning peak hour also illustrates the worsening of congestion in the area if no new road was to be provided. The new road therefore enables improved accessibility to the HEZ.
- 5.28. The A465 experiences net benefit from the new road being constructed with reductions in vehicle flow over most of its length, but traffic will increase in areas closest to the new road, as traffic re-routes to use the first phase of the bypass. Journeys are forecast to be shorter in scenarios with the new road in place, as compared to the scenarios without it. Some of the A49 Ross Road will experience some traffic relief as a result of the new road being constructed and, as with the A465, those sections of the A49 which will experience an increase tend to be those which are closest to the new road as traffic finds its way to and from the new route.
- 5.29. Progress on the Southern Link Road was stopped by the Council in February 2021 but resurrected by Cabinet in March 2024 as part of a "New Road Strategy for Hereford" seeking to address many significant long term challenges including low productivity and average wages, economic impact arising from the resilience and reliability of the transport system, housing need, employment growth, traffic congestion, air quality



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and the wider regional/ national impact that delays on the A49 have on the strategic road network serving South and Mid Wales; and Shropshire.

- 5.30. The proposals remain very similar to the scheme provided planning consent in 2018, with only minor changes to meet new environmental mitigations currently proposed.

*Development of integrated travel measures*

- 5.31. To complement the new road, the council is investing in integrated travel measures to ensure that the opportunities for modal choice are maximised. The following schemes have been delivered in recent years or are proposed prior to the opening of the first phase of the bypass.

- 20mph residential areas;
- Better walking and cycling routes to HEZ;
- Holme Lacy Road - further walking and cycling improvements; and
- Walnut Tree Avenue / Hunderton Road traffic reduction.

- 5.32. The integrated travel measures for the South Wye area are aimed at encouraging and enabling more journeys to be made on foot, wheel, cycle and public transport, including the transfer of some journeys currently made by motor vehicle. They are anticipated to bring about significant benefits, particularly in economic and social terms, such as through improved physical activity, reduced congestion and improved accessibility.

- 5.33. The council is developing its Local Cycling, Walking and Wheeling Infrastructure Plan for Hereford but it is recognised that there are constraints with being able to deliver further significant and attractive new infrastructure without Hereford Western Bypass Phases 1 and 2, which will reduce through traffic in the City and potentially enable road space to be reallocated.

## **6. THE JUSTIFICATION AND NEED FOR THE CPO**

- 6.1. The powers under which the Council will make the Order are set out in section 2 above but it has been established that the Council is authorised by statute to make the Order.
- 6.2. As can be seen from the Order Map, the Order Land comprises land in a number of ownerships (including land in the ownership of the Council), needed for construction and implementation of the Scheme. As set out at paragraph 1.7 above, the Council understands and acknowledges that the compulsory purchase of land should be a measure of last resort where negotiations have been unsuccessful and that there should also be a compelling case in the public interest that sufficiently justifies interfering with the rights of those with an interest in the land.
- 6.3. The Council has entered into positive negotiations with all relevant parties in respect of the acquisition of the necessary land and rights. All landowners with an interest in the Order Land have been approached to ask if they would be prepared to negotiate the acquisition by agreement of their interest in the Order Land.

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- 6.4. Negotiations will continue with landowners with a view to minimising delays to the Scheme that may otherwise arise from procedural and statutory timescales to be complied with and resulting from acquisition by compulsory purchase.
- 6.5. As the SLR will pass over the Hereford to Newport railway line, the Council have worked closely with Network Rail over a long period of time in connection with the Scheme. A Design has been submitted to Network Rail and technical approval is being sought having previously been provided. Detailed discussions have resulted in agreement over such matters as the required headroom under the bridge, lateral clearances to the abutments, the required upgrades to fencing in the immediate vicinity of the bridge, the type of parapets over the railway and the colour choice for the bridge. The discussions have also closely examined the best means of construction to minimise the risk of disruption to train operations and the possible impacts of the scheme upon Network Rail's signalling and telecommunications equipment.
- 6.6. A Bridge Agreement and Deeds of Easement have been drafted and being discussed with Network Rail officers. These are the legal documents that provide for the construction and future maintenance of the bridge over the railway, as well as a pipe crossing underneath the railway which is required for land drainage.
- 6.7. However, as the Council cannot ensure that it can obtain all the land and rights that it requires by negotiation, the Order is needed to secure implementation of the Scheme. The Council as the acquiring authority cannot achieve its objectives without acquiring all of the Order Land and the compulsory acquisition of the land will enable the works to be carried out by providing certainty for programming. This will enable the Council to achieve its objectives in the timeliest and most cost effective manner.

## **7. [THE JUSTIFICATION AND NEED FOR THE SIDE ROADS ORDER]**

- 7.1. The purpose of the Side Roads Order is to maintain access to all land and property directly affected by the Scheme and to make necessary changes to the highway network. In order to build the new road, it is necessary to improve, or stop up, existing highways and construct new highways to link into the first phase of the Hereford Western Bypass. It will also be necessary to stop up some existing private means of access to land and premises and to replace those where necessary with new means of access. To enable it to do these works the Council is promoting the Side Roads Order.
- 7.2. Highways to be improved under the Side Roads Order include:-
  - B4349 Clehonger Road
  - The junction with B4349, Clehonger Road and A465, Abergavenny Road
  - Golden Post Road leading to "Pykeways"
  - A465, Abergavenny Road
  - Haywood Lane, north east of Haywood Lodge Cottages
  - Grafton Lane from Green Inn to south of Ashley Farm

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## 7.3. New highways to be created include:-

- New public footpath as re-routed part of public footpaths Nos. CH9, HA3, HA7 and GF3

## 7.4. The highways to be stopped up are:-

- B4349, Clehonger Road from a point leading in an easterly direction from Copper Beeches for approximately 397 metres and ending at Forest View
- Golden Post Road from a point leading to the southeast of Copper Beeches and proceeding for a distance of 175 metres and ending at "Pykeways"
- A465, Abergavenny Road from a point 65 metres in a north easterly direction from Golden Post Cottage for a distance of 99 metres
- Public footpath No. CH9 from a point 13 metres in a south westerly direction proceeding from Copper Beeches for a distance of 33 metres
- Public footpath No. HA3 heading in a south easterly direction and leading for a distance of 528 metres
- Public footpath No. HA7 in an easterly direction from Roman Byre for a distance of 420 metres south of Beech Grove
- Public footpath No. GF3 from a distance of 560 metres proceeding in a north westerly direction from Grafton Wood and leading and ending southwest of Cedar Folly

## 7.5. The private means of access to be stopped up are:-

- Access north east of Copper Beeches
- Access to field 33 metres southwest of the main entrance to Copper Beeches
- Access to field 12 metres from a point at its junction with Copper Beeches and Clehonger Road
- Access to field off Haywood Lane leading to Beech Grove

## 7.6. The new private means of access to be created are:-

- Access to field east of Copper Beeches
- Access to field the north of Forest View
- Access to the field east of Pykeways
- Access to the field south of Abbey Cottages
- Access to field at Dunan Lodge with Public Footpath CH10 to its north
- Access to Pykeways
- Access to field south of Pykeways
- Access to field off Abergavenny Road with Golden Post Cottage to the north
- Access utilising the agricultural underpass
- Access to the north of Haywood Lodge Cottages
- Access to field south of Beech Grove
- Access to field off Grafton Lane
- Access to the north of Grafton Wood]

**8. PLANNING POSITION**

- 8.1. The LPCS was adopted by the Council in October 2015 and forms the current development plan for the County. The Callow and Haywood Group Parish Council

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Neighbourhood Development Plan was made on 1<sup>st</sup> December 2016. The National Planning Policy Framework (the “NPPF”) was also a material consideration.

- 8.2. Policy SS1 of the LPCS and paragraph 14 of the NPPF promote a presumption in favour of sustainable development. Policy SS1 of the LPCS sets out that the Council is committed to securing development to improve social, economic and environmental conditions in the County. Policy SS3 of the LPCS acknowledges the need to work with developers, Highways England and transport providers. Policy HD3 of the LPCS seeks to facilitate access and maximise connectivity within the city to reduce congestion, support future prosperity and enable growth.
- 8.3. As set out in section 5 above, the LPCS states that the key element of the long-term Hereford transport strategy is the requirement for a relief road and identifies that the first section of the relief road to be constructed will be the section between the A49 and A465, as part of the SWTP. This has become known as the first phase of the Hereford Western Bypass.
- 8.4. As set out above, the Callow and Haywood Group Neighbourhood Development Plan is now adopted. Policy CH2 sets out that proposals for new roads and in particular, the new road will need to meet requirements to reduce adverse impacts. These include routing roads to integrate with the natural landscape, minimising use of artificial lighting, high quality landscaping, suitable road surface materials used to reduce noise, provide access for wildlife, include provision of appropriate water management and storage, continued access for public footpaths, cycleways and bridleways, continued access for landowners and avoiding severing local lanes. Although the Plan was not adopted at the time the planning application for the new road was submitted, all of these matters were material considerations and taken into account when preparing the Planning Application and mitigation included where required to ensure that any adverse impacts are reduced where possible. This also accords with policy HD3 of the LPCS which states:-  
  

*"The road will be designed and developed in such a way which avoids and mitigates adverse impacts or physical damage to or loss of habitats, noise pollution and vibration, light pollution, air pollution, flood risk and water quality, as well as residential amenity and business interests. Consideration of the impact of the road on heritage assets, their significance and setting, as well as the historic character of the wider landscape will also be required."*
- 8.5. As stated in section 5 above, the Planning Application was made on 8 May 2015 under Application Number: P151314/F. The application was subject to a request by a third party to call in the application by the Secretary of State but, after considering the call in policy, the Secretary of State decided not to call in the application, being content that the application should be determined by the Council as local planning authority. Planning permission for the Scheme was duly granted on 18 July 2016. As such, the requirement for planning permission is not an obstacle to the Council bringing forward the new road.
- 8.6. Further to undertaking more detailed design prior to construction, works in relation to drainage for the new road, as well as maintaining existing drainage systems serving properties and agricultural holdings, have been identified as required to implement the scheme. Some of these works fall outside of the planning application boundary for

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the new road. These works will be subject to a separate planning application due to be submitted in Spring 2026.

- 8.7. In addition, as a result of detailed negotiations with landowners, works to maintain access to agricultural holdings without causing severance, including creation of accesses onto classified highways, will also be subject to a separate planning application.
- 8.8. The planning application will also include an additional haulage route, which will remove heavy construction plant vehicular movements from the existing highway, reducing environmental impacts on properties located along the road (Haywood Lane).
- 8.9. A change of use of the highway to a residential garden will also be sought where the carriageway is being broken up and ownership transferred to a neighbouring resident.
- 8.10. The Council confirms that it is able to continue to meet the pre-commencement conditions attached to the Planning Permission and can therefore confirm that there are no planning impediments to the Scheme proceeding again if the Orders are confirmed.

## 9. HUMAN RIGHTS CONSIDERATIONS

- 9.1. The Human Rights Act 1998 (the "**HRA**") incorporated into domestic law the European Convention on Human Rights (the "**Convention**").
- 9.2. Section 6 of the HRA prohibits public authorities from acting in a way which is incompatible with the Convention. Articles 6 and 8 of the Convention and Article 1 of the First Protocol of the Convention are considered to be relevant by the Council.
- 9.3. The Council has duly considered the rights of property owners under Article 1 of the First Protocol of the Convention, which provides for the peaceful enjoying of possessions. Article 1 further provides that no one shall be deprived of possessions except as provided for by law or where it is in the public interest. It is considered that the Order will strike a fair balance between the private loss of property and the public interest in securing the implementation of the Scheme.
- 9.4. Article 6 of the Convention provides that everyone is entitled to a fair and public hearing in the determination of their civil rights and obligations. It is considered that the statutory procedures, which give the right to object and provide for judicial review, are sufficient to satisfy the requirements of this Article.
- 9.5. The Council has also considered the rights contained in Article 8 of the Convention. This provides that everyone has the right to respect for their private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. It is considered that any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the Scheme.
- 9.6. The Council has been conscious of the need to strike a balance between the rights of the individual and the interests of the public. It has considered the effect of the Articles and decided that on balance, and in light of the significant public benefit that would arise from the Scheme

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and the nature of the Order Land, it is in the interest of the wider community to make the Order over and above the interests of any individuals affected. Any interference with the Convention rights is considered to be justified in order to secure the transport benefits and the economic regeneration that the Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.

## 10. FUNDING

The total estimated cost of the construction of the Scheme will be in the region of [£30-£35m]. Funding of £10.3m has been included in the council's capital programme for the acquisition of land and to bring the scheme to construction. A further £30m for construction of the scheme will be funded by the Council and is included in councils capital programme. The procurement of a Design & Build contractor will provide a more refined cost and will inform future budgetary requirements in future capital programmes.

## 11. LAND REQUIRED FOR MITIGATION OF THE EFFECTS OF THE USE AND EXISTENCE OF THE FIRST PHASE OF THE HEREFORD WESTERN BYPASS

### Ecological Habitat Mitigation

- 11.1. The new road will pass through Grafton Wood, an area of scattered trees and grassland that is included as Ancient Semi-Natural Woodland on the Ancient Woodland Inventory held by Natural England. During preparation of the Environmental Statement for the new road ("the ES") it was identified that approximately 0.53 ha of Grafton Wood would be lost under the Scheme footprint, with the remaining sections severed by the new road. The potential for operational impacts on retained sections of Grafton Wood was also identified; these included winter salt spray and localised increases in air pollution. Due to the required alignment of the new road, it was not possible to avoid or mitigate these impacts. It was therefore necessary to develop a compensation scheme to address the predicted impacts and the loss of trees and habitat. This land has been included as part of the Order Land.
- 11.2. The DEFRA offsetting metric was used informally to guide an assessment of the extent of the compensatory habitat that should be provided, combined with the results of the ecological surveys and the professional judgement. The ecological assessment provided in the ES identified that a minimum of 3.2 ha of compensatory habitat should be provided to address predicted impacts on Grafton Wood.

### Landscape Mitigation

- 11.3. The following measures have been implemented within the landscape design to mitigate the effects on the landscape of the new road:
  - the southern embankment slopes either side of the Railway Underbridge will be eased to 1:4 slopes instead of the standard 1:2 engineered slopes to blend better with the surrounding landform and minimise intrusion into views, some of which are in close vantage;
  - a new area of woodland will be planted adjacent to Grafton Wood (as referred to in paragraphs 11.1 to 11.2 above); and

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- 4725m of species rich native hedgerow will be planted alongside the new road to tie into existing hedgerows and maintain wildlife corridors, and to mitigate the loss of 2279m of species-rich/species-poor hedgerow habitat. Additionally, 359m of hedgerow will be translocated.

11.4. In addition to the above mitigation measures included within the landscape design, the following measures have been included to address the concerns previously raised by Historic England and mitigate impact on the setting of Haywood Lodge:

- increase the density of the planting on the southern embankment of the Railway Underbridge, including the use of native evergreen species, to form a linear belt of trees and shrubs. Planting width will be a minimum of 10m to provide an adequate screen; and
- a close boarded timber fence on either side of S05 will extend for 45m beyond the structure, in order to provide additional screening of vehicular lights to Haywood Lodge as the vehicles cross the bridge.

#### Flood Attenuation

11.5. The attenuation basins are required to retain surface water runoff from the new road until after the peak of the storm has passed. Further outfalls are required which utilise storage pipes for attenuation of surface water; the storage pipes will also retain flows until after the peak of the storm. Whilst the flows are attenuated pollutants will be removed from the surface water runoff.

11.6. The basins and storage pipes are located in such a way that the surface water runoff can be conveyed through gravity, via pipes and chambers to the attenuation systems. The basins and storage pipes have been designed such that they do not overflow for the 1:100 year (1%) event + 30% additional allowance for climate change. All of the basins and storage pipes have been located at appropriate locations to outfall into Withy Brook and Newton Brook.

## **12. SPECIAL CONSIDERATIONS AFFECTING THE ORDER LAND**

12.1. There are no special considerations affecting the Order Land.

12.2. The Order Land is not located within a conservation area and there is no consecrated land, renewal area land, allotment land or open space included within it. None of the Order Land is held inalienably by the National Trust.

12.3. The works to construct the A465 roundabout may impact the site of a statutory designated Grade II listed milestone (Milestone HA01/LB 155380). However, this milestone is believed to be missing and therefore no mitigation measures are proposed.



**13. OTHER INFORMATION THAT MIGHT BE OF INTEREST TO THOSE AFFECTED BY THE CPO**

- 13.1. Anyone who considers that they are affected by the Order can contact Gary MacDonnell by email at [gary.macdonnell@herefordshire.gov.uk](mailto:gary.macdonnell@herefordshire.gov.uk) or Scott Tompkins at [scott.tompkins@herefordshire.gov.uk](mailto:scott.tompkins@herefordshire.gov.uk)
- 13.2. A copy of the Order, Order Map and this Statement of Reasons and the documents referred to in the attached list can be inspected at the Council's Offices at Blueschool House, Blueschool Street, Hereford HR1 2AX between 9:30 a.m. and 5:00 p.m.
- 13.3. Information can also be found on the Hereford Western Bypass on the Council website at: [ ]
- 13.4. The Statement of Reasons for making the Order is not intended to discharge the Council's statutory obligations under the Compulsory Purchase (Inquiries Procedures) Rules 2007 and The Highways (Inquiries Procedure) Rules 1994 in the event of a public local inquiry being held



## Appendix 1

**RELEVANT DOCUMENTS FOR INQUIRY**

Should it be necessary to hold an Inquiry into the Order [and/or the Side Roads Order], the Council may refer to or put in evidence the following documents. The Council reserves the right to add to or amend the list as necessary:-

<b>No. of Document</b>	<b>Title of Document</b>		
1	Guidance on Compulsory purchase process Ministry of Housing, Communities & Local Government. (January 2025)		
2	The Compulsory Purchase (Inquiries Procedures) Rules 2007. Statutory Instrument 2007 No. 3617		
3	The Highways (Inquiries Procedure) Rules 1994		
4	The Highways Act 1980		
5	Committee Reports, The County of Herefordshire District Council		
	<i>Committee</i>	<i>Title of report</i>	<i>Date of Committee</i>
A	Cabinet	South Wye Transport Package	13 <sup>th</sup> November 2014
B	General Overview and Scrutiny Committee	Call-in of Cabinet Decision on South Wye Transport Package	2 <sup>nd</sup> December 2014
C	Cabinet	South Wye Transport Package	18 <sup>th</sup> December 2014
D	Assistant Director place based commissioning	South Wye Transport Package planning application – Southern Link Road	28 <sup>th</sup> April 2015
E	Cabinet member infrastructure	South Wye Transport Package active travel measures – public consultation	26 <sup>th</sup> August 2016
F	Cabinet	South Wye Transport Package – southern link road land acquisition of required rights and easements	20 <sup>th</sup> October 2016
G	Cabinet	South Wye Transport Package	16 <sup>th</sup> November

## Appendix 1

6	National Planning Policy Framework – March 2012
7	Herefordshire Council Local Transport Plan (2016-2031)
8	Herefordshire Local Plan Core Strategy (adopted 2015)
9	Herefordshire Unitary Development Plan (adopted March 2007)
10	Callow and Haywood Group Neighbourhood Development Plan 2011 - 2031 – December 2016
11	Hereford Relief Road Southern Corridor Assessment Report - May 2012
12	Hereford Relief Road Study of Options Report (Amey – September 2010)
13	Herefordshire Infrastructure Delivery Plan 2014
14	Herefordshire Economic Vision – Invest in Herefordshire
15	Hereford Enterprise Zone Local Development Order (adopted April 2013)
16	Hereford Relief Road Southern Core Corridor Assessment Report (Amey – May 2012)
17	The Belmont Transport Package Stage 2 Appraisal (Amey – February 2013)
18	South Wye Transport Package Preferred Option Report (November 2014)
19	Planning Permission Ref: P151314.F

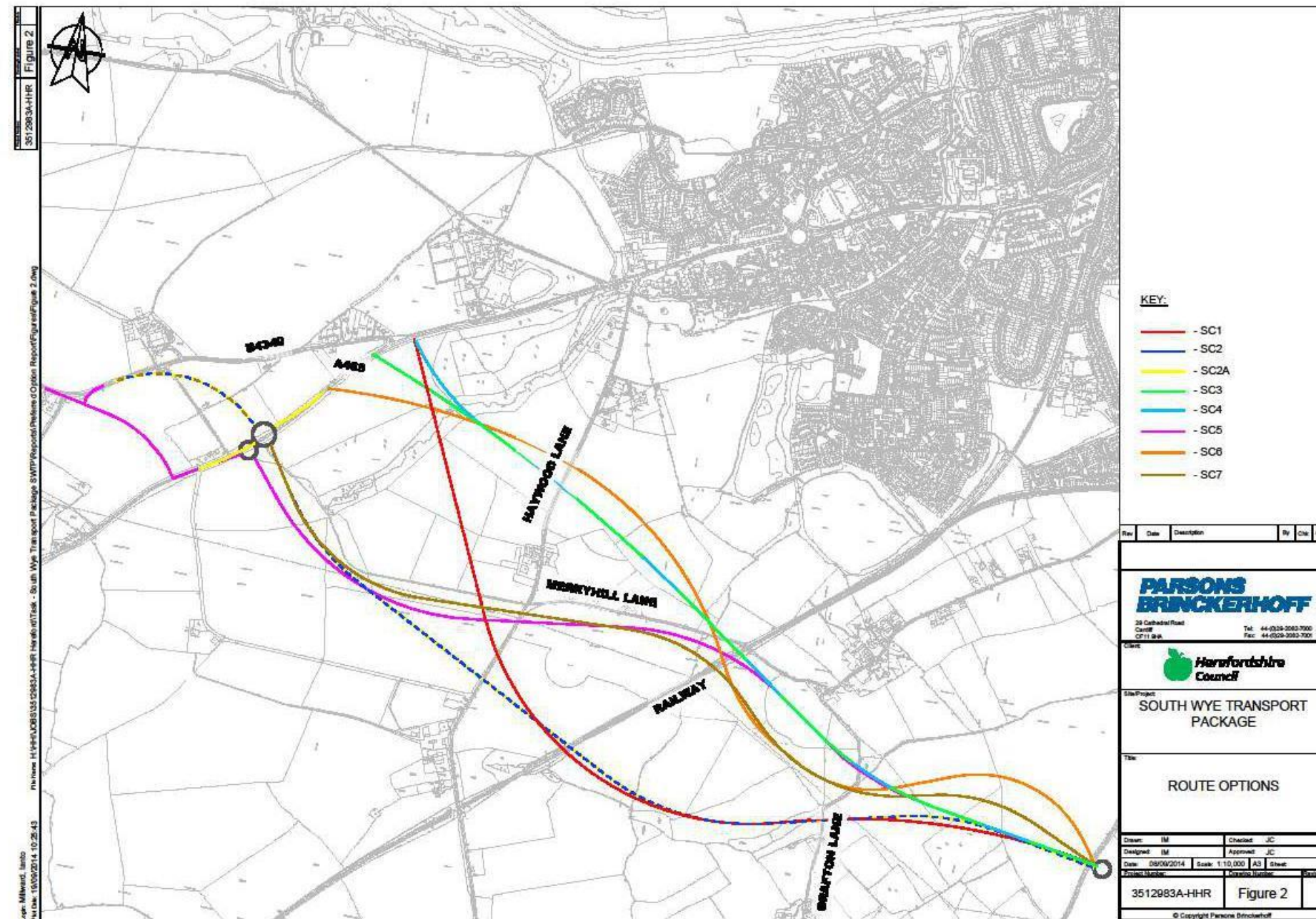
Appendix 1

**APPENDIX A**

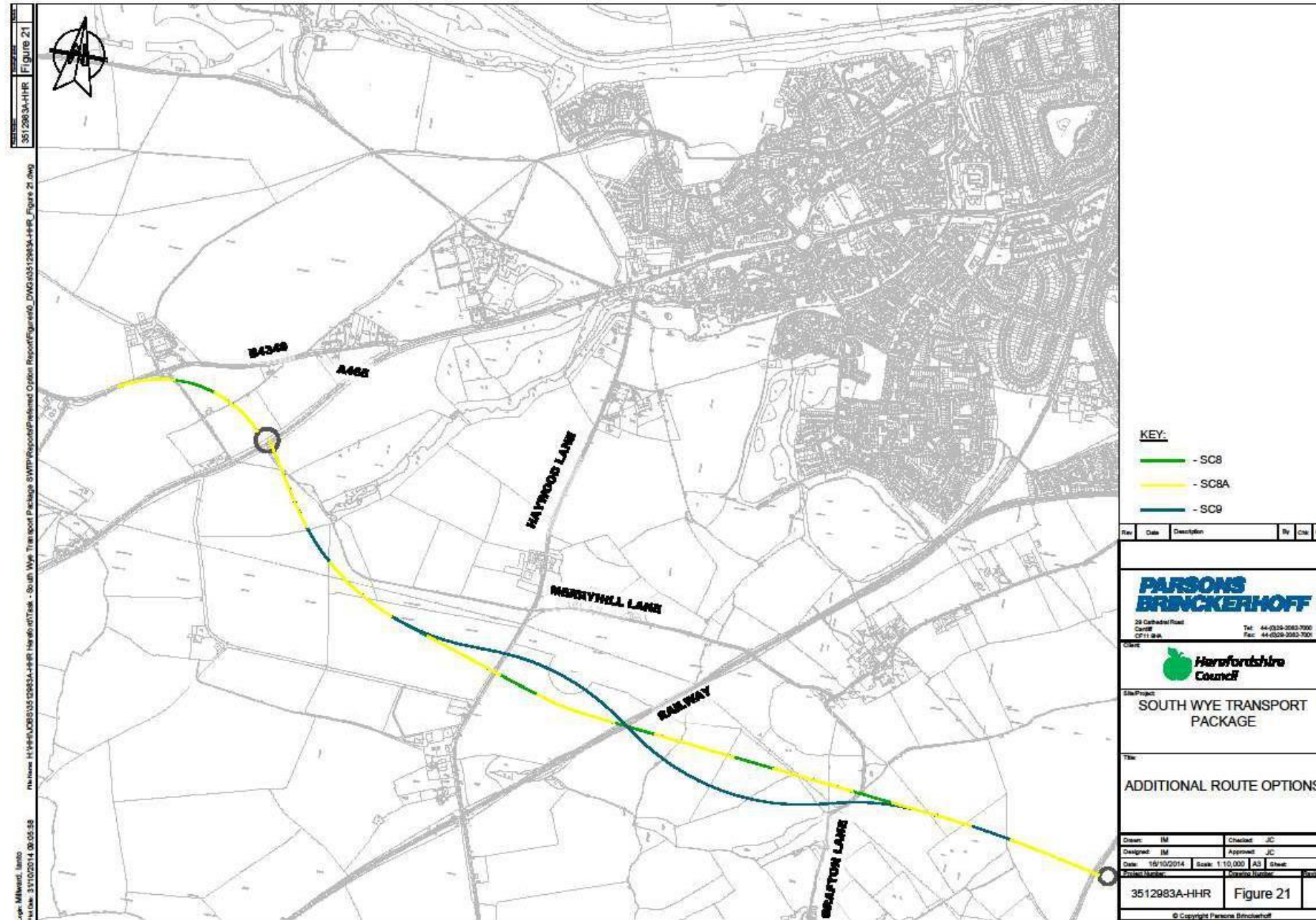




## APPENDIX B

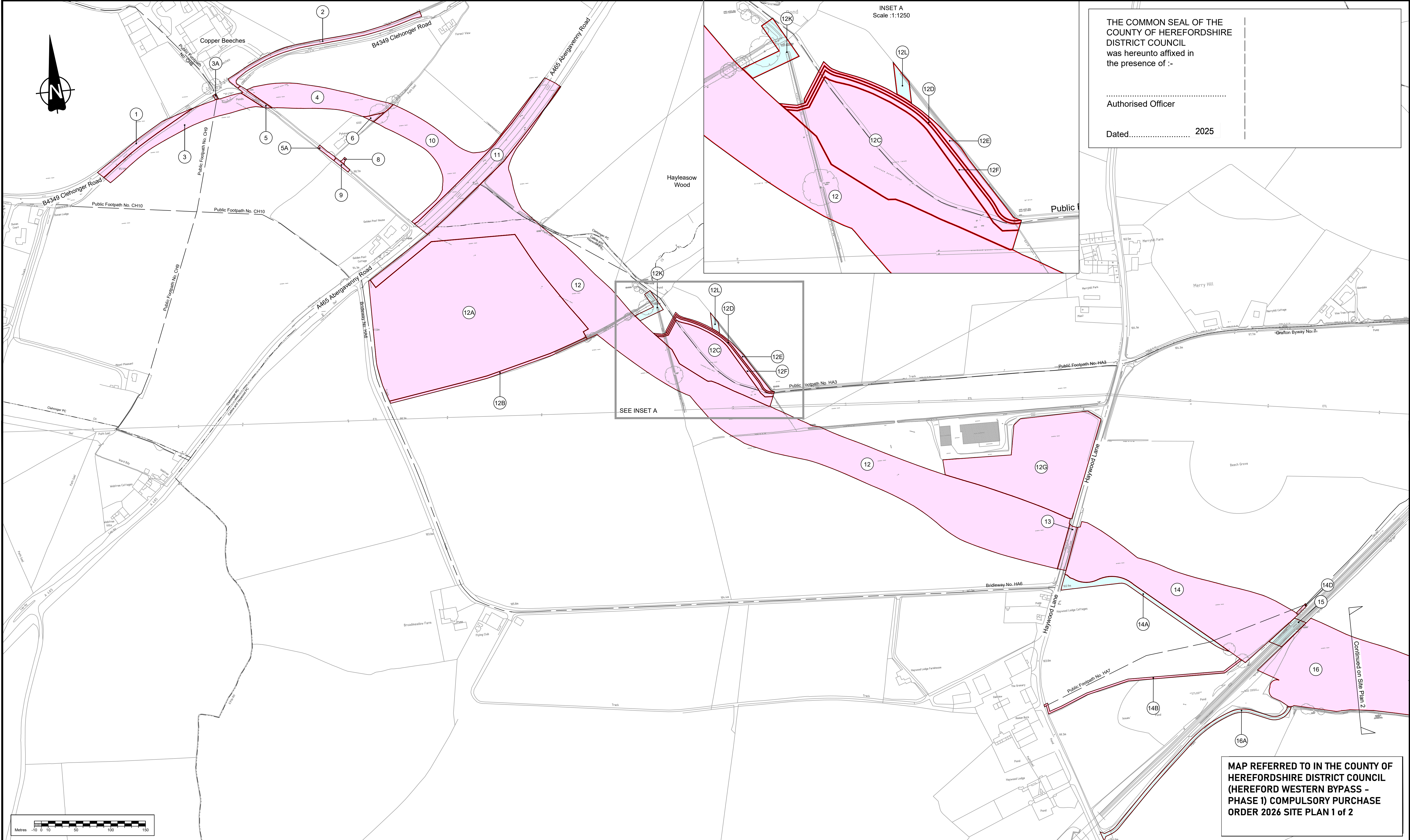








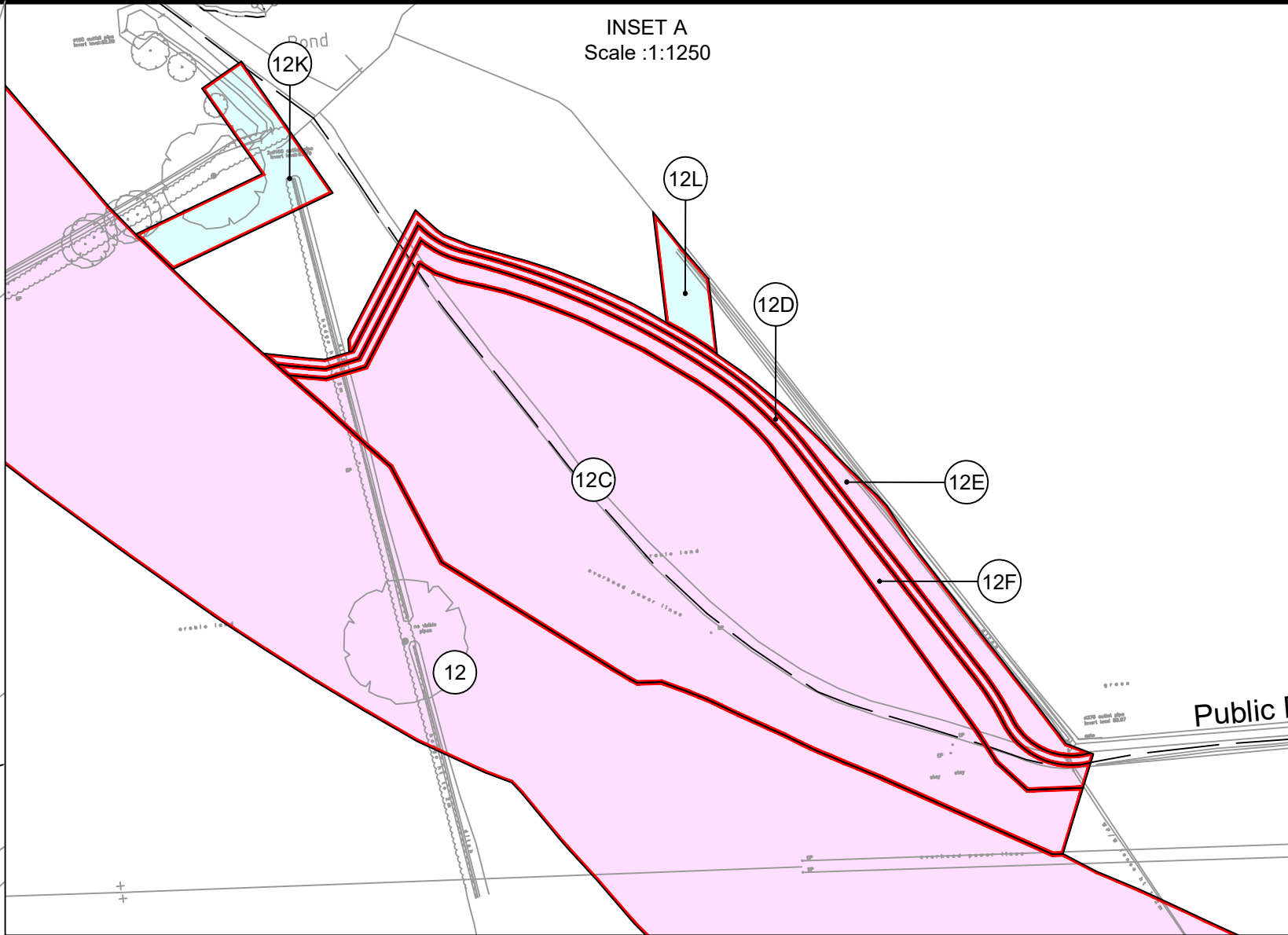




THE COMMON SEAL OF THE  
COUNTY OF HEREFORDSHIRE  
DISTRICT COUNCIL  
was hereunto affixed in  
the presence of :-

.....  
Authorised Officer

Dated..... 2025



SEE INSET A

MAP REFERRED TO IN THE COUNTY OF  
HEREFORDSHIRE DISTRICT COUNCIL  
(HEREFORD WESTERN BYPASS -  
PHASE 1) COMPULSORY PURCHASE  
ORDER 2026 SITE PLAN 1 of 2

- Key
- Land acquired for Title
  - Land required for Rights

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1:5000 @A3











## HIGHWAYS ACT 1980

### THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

#### THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (SOUTH WYE TRANSPORT PACKAGE – A4194 SOUTHERN LINK ROAD) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2018

The County of Herefordshire District Council ("the Council") make this Order in exercise of their powers under sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf:-

(1) The Council are authorised in relation to the classified road in the County of Herefordshire to:

- (a) improve the lengths of highway named in the Schedules to this Order and shown on the corresponding Site Plan by cross hatching;
  - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
  - (c) construct a new highway along each route whose centre line is shown on the Site Plans by an unbroken black line surrounded by stipple;
  - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
  - (e) provide new means of access to premises at each location shown on the Site Plans by thin diagonal hatching.
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word "footpath", "bridleway" or "cycle track" appears beneath its reference letter in that Schedule, in which case it will be a footpath, bridleway or cycle track (as the case may be). Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in that Schedule opposite the description of that length.
- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road in relation to those works.

2. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall have the same rights as respects that apparatus as they had immediately before the stopping up took place.

3. In this Order:

- (a) distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
- (b) a reference to a Schedule or Site Plan number is a reference to the Schedule, or to the Site Plan, so numbered;
- (c) "the classified road" means the highway which the Council propose to construct from a point on the ~~54349~~ Clehonger Road at Dunan Lodge for a total distance of 3.6 kilometres initially in an easterly direction to A465 Abergavenny Road and then in a southerly direction to A49 Ross Road and which is a highway/proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;

S.C.

S.C.

"the Council" means the County of Herefordshire District Council;

"improvement" in relation to a highway includes raising, lowering or otherwise altering that highway, and "improved" shall be construed accordingly;

"new access" means a means of access to premises authorised by this Order to be provided;

"new highway" means a highway authorised by this Order to be constructed and "new highways" shall be construed accordingly;

"Schedule" means a Schedule to this Order, and "Schedules" shall be construed accordingly;

"the Site Plan" means one of the plans numbered 1 and 2 contained in the Plan Folio marked "The County of Herefordshire District Council (South Wye Transport Package – Southern Link Road) (Classified Road) (Side Roads) Order 2018" sealed with the Common Seal of the Council and deposited at the offices of the Council at Blueschool House, Blueschool Street, Hereford HR 1 2LX; and a duplicate has been deposited in the Offices of the Secretary of State for Transport and may also be viewed online at <https://www.herefordshire.gov.uk>

A4194

S.C.

## SCHEDULE 1

In the Parish of Clehonger in the County of Herefordshire

Site Plan 1 of 2

Drawing No. OD33-01\_Hereford – SLR) SRO-A1\_SRO

### Highways to be improved

B4349, Clehonger Road	--
Junction with B4349, Clehonger Road and A465, Abergavenney Road. (See inset 'C' on attached plan).	--
Golden Post Road leading to Pykeways	--
A465, Abergavenney Road	--

### Highways to be stopped up

### Reference letters of new highways

B4349, Clehonger Road from a point leading in an easterly direction from Copper Beeches for approximately 397 metres and ending at Forest View.	--
Golden Post Road from a point leading to the southeast of Copper Beeches and proceeding for a distance of 175 metres and ending at property known as Pykeways	--
A465, Abergavenny Road from a point 65 metres in a north easterly direction from Golden Post Cottage for a distance of 99 metres.	--
Public Footpath No. CH9 from a point 13 metres in a south westerly direction proceeding from Copper Beeches for a distance of 33 metres.	--

--	A <del>(bridleway)</del>	footpath
--	B (bridleway)	S.C.
--	C (footpath)	
--	D (footpath)	
--	<del>E</del> <del>(footpath)</del>	S.C.
--	F (footpath)	

#### Private means of access to be stopped up

#### Reference numbers of new accesses

Access north east of Copper Beeches (see Insert A) (a)	1	
Access to field 33 metres southwest of the main entrance to Copper Beeches. (b)	2	
Access to field 12 metres from a point at its junction with Copper Beeches and Clehonger Road. (c)	3	
--	4	
--	5	
--	6	
--	7	
--	8	
--	9	
--	10	
--	11	
	1A	S.C.
	10A	S.C.

## SCHEDULE 2

In the Parish of Callow and Haywood Group in the County of Herefordshire

Site Plan <sup>1 and</sup> 2 of 2 S.C.

Drawing No. OD33-05\_Hereford-SLR\_SRO-A1\_SRO

### Highways to be improved

Haywood Lane, north east of Haywood Lodge Cottages --

Grafton Lane from a point starting at the Green Inn and heading in a northerly direction for a distance of 93 metres ending south of Ashley Farm. --

### Highways to be stopped up

### Reference letters of new highways

Public Footpath No. HA3 heading in a south easterly direction and leading for a distance of 528 metres. --

Public Footpath No. HA7 in an easterly direction from Roman Byre for a distance of 420 metres ending at Haywood Lane. --

Public Footpath No. GF3 from a distance of 560 metres proceeding in a north westerly direction from Grafton Wood and leading and ending southwest of Cedar Folly --

--

G  
(bridleway)

--

H  
~~(bridleway)~~ **footpath**

S.C.

### Private means of access to be stopped up

### Reference letters of new accesses

Access to field off Haywood Lane leading to Beech Grove (d)

12

--

13

**THE COMMON SEAL of THE  
COUNTY OF HEREFORDSHIRE  
DISTRICT COUNCIL**  
was hereunto affixed in the  
presence of :



D. L. Esau

Authorised Officer

Date 5th March 2018



**THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (SOUTH WYE TRANSPORT PACKAGE – A4194 SOUTHERN LINK ROAD) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2018**

The Secretary of State for Transport hereby confirms the foregoing Order with modifications shown by the red ink alterations which have been made to the text of the Order and to the Site Plans referred to therein and which bear the initials of the person whose signature appears below. The Secretary of State is satisfied -

- (a) as respects each highway the stopping up of which is authorised by the Order, that another reasonably convenient route is available or will be provided before that highway is stopped up, and
- (b) as respects each private means of access the stopping up of which is authorised by the Order, that other reasonably convenient means of access to the relevant premises are available or will be provided in pursuance of the Order before that private means of access is stopped up or that no access to the relevant premises is reasonably required.

Signed by authority  
of the Secretary of State  
14<sup>th</sup> march 2019



SIMON CONNICK  
A Senior Civil Servant in the  
Department for Transport







THE COMMON SEAL OF THE  
COUNTY OF HEREFORDSHIRE  
DISTRICT COUNCIL  
was hereunto affixed in  
the presence of :-

Authorised Officer

Dated.....2018

Continued on Site Plan 1

See Inset 'E'

INSET 'E'  
SCALE 1:1250

MAP REFERRED TO IN THE COUNTY OF  
HEREFORDSHIRE DISTRICT COUNCIL  
(SOUTH WYE TRANSPORT PACKAGE -  
A4194 SOUTHERN LINK ROAD)  
(CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2018  
DRAWING No. OD33/02  
SITE PLAN 2 of 2

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PURPOSES

This Map Drawing dated 25<sup>th</sup> July 2018 replaces the  
attached Map Drawing dated 5<sup>th</sup> March 2018 by  
modification by the Secretary of State for Transport upon  
confirmation of the Order by him.

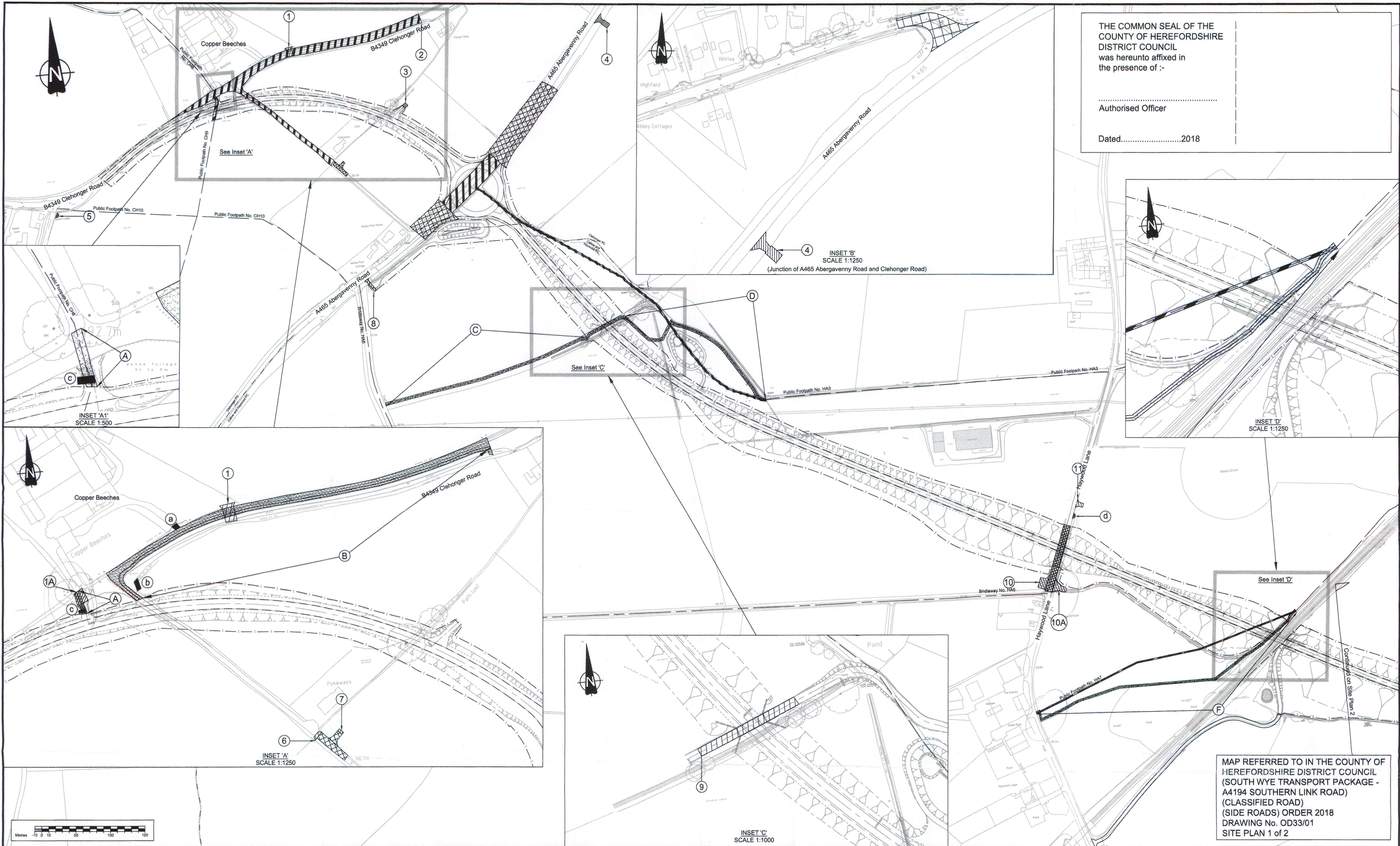
S.C.

Scale 1:2500 @A1  
1:5000 @A3









THE COMMON SEAL OF THE  
COUNTY OF HEREFORDSHIRE  
DISTRICT COUNCIL  
was hereunto affixed in  
the presence of :-

.....  
Authorised Officer

Dated.....2018

INSET 'B'  
SCALE 1:1250  
(Junction of A465 Abergavenny Road and Clehonger Road)

INSET 'D'  
SCALE 1:1250

INSET 'A'  
SCALE 1:1250

INSET 'C'  
SCALE 1:1000

MAP REFERRED TO IN THE COUNTY OF  
HEREFORDSHIRE DISTRICT COUNCIL  
(SOUTH WYE TRANSPORT PACKAGE -  
A4194 SOUTHERN LINK ROAD)  
(CLASSIFIED ROAD)  
(SIDE ROADS) ORDER 2018  
DRAWING No. OD33/01  
SITE PLAN 1 of 2

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modification by the Secretary of State for Transport upon  
confirmation of the Order by him.

SC

Scale 1:2500 @A1  
1:5000 @A3



