

Report Title	Smethwick to Birmingham Inclusive Growth Corridor Transport Package - Land Appropriation		
Date of Meeting	Wednesday, 30 July 2025		
Report Author	Rose Dovey Transportation Planning Project Manager		
Lead Officer	Alan Lunt Executive Director - Place		
Lead Cabinet Member(s)	Keith Allcock Cabinet Member for Environment and Highways		
Why is this a key decision?	1. Expenditure over £1 Million+		yes
	2. Significant impact on 2 or more wards		no
Wards Affected	Soho and Victoria;		
Identify exempt information and exemption category	Choose an item.		
Is the report urgent?	No		
Reasons for urgency (only where applicable)			
Appendices (if any)	1. Appendix A: Scheme Layout 2. Appendix B: Land Take Plan		

1. Executive Summary

- 1.1 This report seeks approval for the layout of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme and approval to amend the scheme following public consultation.
- 1.2 Approval is also sought to submit a Full Business Case (FBC) to the West Midlands Combined Authority (WMCA) in respect of the of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package Smethwick: Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme subject to the approval of the Outline Business Case (OBC) by the WMCA and following completion of all statutory processes

- 1.3. This report also seeks approval for entering into negotiations and, if necessary, make a Compulsory Purchase Order (CPO) to the Secretary of State for Transport to secure the statutory powers needed to enable the scheme to be constructed subject to the confirmation of funding by the WMCA.

2. Recommendations

The Cabinet is recommended to: -:

- 2.1. Approve the layout of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme as shown on Drawing No. 43535 S/1 (Appendix A).

Subject to recommendation 2.1 being agreed:

- 2.2. Delegate authority to approve amendments to the scheme following public consultation to the Cabinet Member for Environment & Highways, in conjunction with the Cabinet Member for Regeneration & Infrastructure.
- 2.3. Delegate authority to the Executive Director – Place to –
 - 2.3.1 submit a Full Business Case to the West Midlands Combined Authority in respect of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme following completion of all statutory processes.
 - 2.3.2 enter into negotiations and to acquire, on terms to be agreed by the Executive Director – Place, land and property within the proposed Order lands, in advance of confirmation of the Compulsory Purchase Order by the Secretary of State subject to the availability of finances.
 - 2.3.3 make any necessary minor amendments to the Borough Council of Sandwell (Grove Lane and Cranford Street Highway Improvements) Compulsory Purchase Order and the "Map referred to in Borough Council of Sandwell (Grove Lane and Cranford Street Highway Improvements) Compulsory Purchase Order " prior to it being made and submitted for confirmation.
- 2.4. Direct the Service Director - Governance to -
 - 2.4.1 undertake all necessary actions and steps to make and secure a Compulsory Purchase Order in respect of the land needed for highway improvement purposes shown shaded blue on drawing 43672 S/1 (Appendix B) or such lesser land as may be deemed necessary under the powers contained in sections 239, 240 and 250 of the Highways Act 1980.

- 2.4.2 affix the common seal of the Council and serve the necessary notices and documentation as required by the Highways Act 1980 and Acquisition of Land Act 1981 and submit the Compulsory Purchase Order to the Secretary of State for Transport for confirmation.
- 2.4.3 in the event the Compulsory Purchase Order is unopposed and granted powers to do so by the Secretary of State for Transport, to confirm the above order and serve all necessary notices to implement the Compulsory Purchase Order including the issuing of sheriff warrants.
- 2.4.4 enter into any licences, undertaking or other agreements to facilitate the Compulsory Purchase Order on terms to be agreed on terms to be agreed by the Executive Director of Place.
- 2.4.5 take all necessary action to secure the making, confirmation and implementation of the Compulsory Purchase Order and if objections are received to the Compulsory Purchase Order make arrangements for public inquiries including instructing external Counsel and Consultants to assist in the preparing evidence and the presentation of the Council's case at any public Inquiry.
- 2.4.6 in the event that the Compulsory Purchase Order is confirmed by the Secretary of State for Transport, to serve all necessary notices to implement the powers of compulsory acquisition, including be authorised to make General Vesting Declarations, notices to treat and notices of entry to take all other requisite steps to obtain possession of the properties and to obtain a Sheriff's Warrant for possession of any lands where it has not been given.
- 2.4.7 acquire the necessary interests in the land and property included in the confirmed Compulsory Purchase Order on terms to be agreed by the Executive Director of Place or as ordered by the Lands Tribunal.

3. Proposals – Reasons for the recommendations

- 3.1 On the April 1, 2022 the Secretary of State for Transport confirmed the full funding allocation of the City Region Sustainable Transport Settlement (CRSTS) programme for the period April 2022 to March 2027 as submitted to Government by the WMCA following its approval at WMCA Board on 14th January 2022. This included the £19m funding allocated to the council for the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements which

comprises of multi-modal corridor transport improvements along A457 Grove Lane, B4135 Cranford Street, and improvements to other adjacent roads.

- 3.2 In principle scheme approval was granted at Cabinet on January 17, 2024. Approval was also given to carry out of public consultation and to submit an Outline Business Case (OBC) to the WMCA.
- 3.3 AtkinsRéalis were commissioned in February 2024 using the Birmingham Professional Services Framework to prepare an options appraisal, produce an OBC and carry out detailed design work in advance of the preparation of a Full Business Case (FBC). The OBC was completed at the end of February 2025 and was approved by the Director of Regeneration & Infrastructure. It was also considered and endorsed by the Black Country Programme Board on February 27, 2025, enabling the project to enter the WMCA Single Assurance Framework (SAF) process.
- 3.4 The scheme aims to deliver multi-modal improvements to support active travel (walking, wheeling and cycling) as alternative modes of travel, improve road safety for all users and to reduce congestion through the study area. The preferred scheme proposals include:
 - A junction improvement at the A457 Grove Lane / B4135 Cranford Street / A457 Soho Way / B4136 Windmill Lane junction – comprising the conversion of the existing four-arm roundabout to a four-arm signalised-controlled crossroads with integrated active travel crossing facilities.
 - A bi-directional segregated cycle track extending along the A457 Soho Way and the A457 Grove Lane, comprising priority side-arm crossings for pedestrians and cyclists at the A457 Grove Lane junctions with French Walls Way, Woodlands Street and Unett Street.
 - Modifications to the existing A457 Grove Lane / MMUH main access junction to incorporate the bi-directional segregated cycle track and integrated active travel crossing facilities.
 - Modifications to the existing A457 Grove Lane / A457 Dudley Road / A4092 Cape Hill / Barrett Street roundabout junction to incorporate upgraded active travel crossing facilities.
 - Traffic calming measures on Grove Street, Abberley Street, Winson Street, Tudor Street, Chiswell Road and Cuthbert Road; and,
 - A new signal-controlled pedestrian crossing on B4135 Cranford Street (to the south of London Street).
- 3.5 Approval is also required to enter into a grant agreement with the WMCA and accept grants for CRSTS funding to enable the scheme to be furthered developed (upon WMCA's approval of the OBC). £2.19m has been requested to develop the Final Business Case (FBC). Over two-thirds of this amount is for land appropriation and CPO purposes. A current estimate of £12.38m has been requested for construction of the scheme. The total value sought for development and construction of the scheme is £14.73m.

- 3.6 The Cabinet Report (January 17, 2024) noted that the proposed scheme will involve construction on land that currently sits outside the boundary of the public highway and, in some cases, is not in the ownership of the council. Construction of the scheme cannot take place until all the relevant land and interests are assembled into Council ownership. The extent of this land is shown in Drawing 43672 S/1(Appendix B).
- 3.7 The council will need to enter negotiations with identified landowners to acquire the land and property required for construction of the scheme. Appropriation of the required land and property through a CPO process will be sought if negotiations are unsuccessful. Compensation will be payable to any landowner or right-holder whose rights are compulsorily acquired. Section 226 of the Town and Country Planning Act 1990 provides the council with the power to acquire land compulsorily for development and other planning purposes as defined in section 246 (1) of the Act. It is necessary to seek authority from Cabinet to undertake a CPO for the land required prior to negotiations commencing to save valuable time in the scheme's programme.
- 3.8 As stated in section 3.7, the finances required to purchase the land and property has been requested as part of an early drawdown of CRSTS funding required to develop the FBC. The council has engaged the services of an expert valuer to assess the likely value of the CPO land and to undertake negotiations, on behalf of council, with the landowner/s to come to an agreed price for the acquisition of the land.
- 3.9 Subject to approval for funding to develop the FBC, the following programme for the scheme is in place:
- March 2025 – September 2025: OBC Approval
 - April – June 2025: Undertake a land referencing exercise and begin negotiations for land acquisition.
 - July – August 2025: Make and submit CPO/s (subject to unsuccessful negotiations for land acquisition)
 - August 2025– May 2026: Statutory Order Process (including a possible Public Inquiry)
 - September 2025 – October 2026: FBC production
 - October 2026 – January 2027: FBC approval
 - April 2027: Project delivery/construction commences
 - March 2028; Project completion

4. Alternative Options Considered

- 4.1 **Option 1 - not approve the layout of the scheme.** This is not recommended, as this will result in a delay in the programme. Delays in the programme will affect construction costs which are likely to continue to rise, putting pressure on the overall budget allocation for the scheme. £19m has been allocated within the CRSTS 1 programme specifically for the development and delivery of this scheme. Although the scheme now sits outside of the CRSTS timeframe for delivery (2022/23 – 2026/27) due to the

necessity to extend the programme to accommodate CPO timeframes, Government have indicated that there will be flexibility in bringing forward funding from the final year of CRSTS 1 (which the scheme was to be funded under) into CRSTS 2 (now referred to as Transport for City Regions (TCR) funding). If there is a risk of not being able to deliver the project on time and within budget, funding may be reallocated to another scheme not necessarily within Sandwell, potentially resulting in a loss of investment within the borough. This option was dismissed

- 4.2. **Option 2 - not continue with the land appropriation required to construct the scheme.** This would mean that the footprint required to deliver the A457 Soho Way/ B4135 Cranford Street/ A457 Grove Lane/ B4136 Windmill Lane junction improvements and the LTN 1/20 compliant segregated bi-directional cycle track would not be available and the current infrastructure, would have to remain. This would have safety implications for cyclists who would be required to cycle on the road as well as capacity implications for this part of the network. This option was dismissed.
- 4.3 **Option 3 – continue with the scheme.** This option requires approval for the layout of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme and amendment to the scheme following public consultation. A Full Business Case (FBC) will be submitted to the West Midlands Combined Authority (WMCA) in respect of the of the Smethwick to Birmingham Inclusive Growth Corridor Transport Package Smethwick: Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme subject to the approval of the Outline Business Case (OBC) by the WMCA and following completion of all statutory processes. The council will then need to enter into negotiations and, if necessary, make a Compulsory Purchase Order (CPO) to the Secretary of State for Transport in order to secure the statutory powers needed to enable the scheme to be constructed subject to the confirmation of funding by the WMCA. This option will secure investment for the borough and deliver both key infrastructure upgrades and transport improvements. This option is preferred and is the subject of this report.

5. Consultation

- 5.1 A comprehensive public consultation exercise took place between June 2-20, 2025, to ascertain local sentiment around the proposed scheme. This included public exhibitions at the Midlands Metropolitan University Hospital (MMUH) on the June 5, 2025 and at the Smethwick Library on the June 10, 2025.
- 5.2 Two responses were received – one (50%) which was positive and one (50%) which was 'negative'. Both the respondents opted to provide additional comments. The positive response commented that cycling provision is essential and the proposal goes somewhat towards addressing the poor connectivity (lack of sustainable transport links) of the Midlands Metropolitan

University Hospital (MMUH) however it is vital that the new infrastructure is connected to surrounding walking and cycling links.

- 5.3 The negative response commented that it is not a good idea to reduce A457 Grove Lane from two to one lane at the indicated location because this will exacerbate existing traffic congestion, will cause rat-running on local streets and will delay access to the MMUH by ambulances. It is important to note that the design has been amended post-consultation and A457 Grove Lane has two continuous lanes along the full length of it.

6. Financial Implications

- 6.1 The project will be funded through devolved allocations to the West Midlands Combined Authority (WMCA) as part of its CRSTS/TCR allocation. All fees, including SMBC staff time recharges, are included in the estimated scheme cost as set out in section 3.5 of this report. A capital appraisal was completed as part of the Strategic Outline Business Case.

7. Legal and Governance Implications

- 7.1 The grant funding award from the WMCA is accompanied by a range of conditions and requirements relating to how the funding is used: the council is obligated to monitor performance and compliance and report back to the WMCA in accordance with the funding agreement.
- 7.2 In accordance with the requirements of the Highways Act 1980 (the 1980 Act), the council is the Highway Authority for the area in which the highway construction works are situated and upon the appropriation coming into effect, the highway construction works become maintainable at the public expense. The adopted status of the land as part of the public highway derives from powers granted to the council under s.228 of the 1980 Act.
- 7.3 Once the land is appropriated and adopted as part of the highway, the council as Highways Authority must pursuant to s.36(6) of the 1980 Act update the definitive street map and relevant statement for the respective areas.

8. Risks

- 8.1 A full Risk Assessment accompanies the Outline Business Case for the scheme.

9. Equality and Diversity Implications (including the public sector equality duty)

- 9.1 An Equality impact Assessment accompanies the Outline Business Case for the scheme.

- 9.2 The project will support marginalised and vulnerable groups providing greater opportunity for all to travel to services and jobs safely and affordably. It will also provide opportunity for greater social interaction between all members of the community.

10. Other Relevant Implications

- 10.1 The project includes measures aimed to encourage the use of sustainable, non-car, modes. This will contribute towards improved air quality, reduced carbon outputs and reduced congestion along the A457. This will enable greater journey time reliability for all modes of travel.
- 10.2 The active travel measures will also give a greater opportunity for safe and effective exercise providing proven physical and mental health and wellbeing benefits to the local communities.

11. Background Documents

- Cabinet Report - 15th February 2023
- Cabinet Report - 17th January 2024.
- Outline Business Case – Smethwick – Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements

12. How does this deliver the objectives of the Strategic Themes?

This report will support the delivery of the following Strategic Themes:-

- **Growing up in Sandwell**
The Smethwick to Birmingham Inclusive Growth Corridor Transport Package: A457 Grove Lane/ B4135 Cranford Street Multi-modal Improvements scheme includes measures designed to encourage more people, including children and young people, to walk and cycle for more journeys. This will enable more children and young people to participate in active travel and experience both the independence and the health benefits of doing so.
- **Living in Sandwell**
The provision of a high-quality, sustainable transport network catering for all modes is vital to enable Sandwell residents to access jobs, education, and services both within and beyond the Borough's boundaries.
- **Healthy in Sandwell**
The scheme will encourage and enable more people to walk and cycle more journeys which will give greater opportunities for safe and effective exercise providing proven physical and mental health and wellbeing benefits to the local communities
- **Thriving Economy in Sandwell**
Successful communities need access to jobs, services and facilities to enable them to contribute to the economy. The provision of a high-

quality transport network will enable them to do so and will also improve journey reliability for Sandwell businesses who rely on it to connect to their suppliers and customers.

- **One Council One Team Approach.**
Delivering the scheme in line with the programme will require cross organisational working with other departments, including finance, legal, and highways.

Relevance Check

Budget Reduction/Service Area:

Service Lead

Date:

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service that you provide?

N/A

Is a Customer Impact Assessment needed? No